

DRAFT OF MINUTES PROPOSED FOR ADOPTION BY THE GREENVILLE PLANNING  
AND ZONING COMMISSION

May 18, 2010

The Greenville Planning and Zoning Commission met on the above date at 6:30 p.m. in the Council Chambers of City Hall.

Mr. Bill Lehman - \*

Mr. Bob Ramey - \*

Mr. Dave Gordon - \*

Mr. Tony Parker - \*

Mr. Tim Randall - \*

Mr. Len Tozer - \*

Mr. Godfrey Bell, Sr. - \*

Ms. Shelley Basnight - \*

Mr. Hap Maxwell - \*

Mr. Allen Thomas - \*

Ms. Linda Rich - \*

The members present are denoted by an \* and the members absent are denoted by an X.

**VOTING MEMBERS:** Lehman, Ramey, Gordon, Randall, Tozer, Bell, Basnight, Thomas, Rich

**PLANNING STAFF:** Andy Thomas, Planner; Seth Laughlin, Planner; Harry Hamilton, Chief Planner; Merrill Flood, Director of Community Development; and Sarah Radcliff, Secretary

**OTHERS PRESENT:** Dave Holec, City Attorney; Daryl Vreeland, Transportation Planner; Marion Blackburn, City Council Representative; Jonathan Edwards, Communications Technician

**MINUTES:** Motion was made by Mr. Ramey, seconded by Mr. Tozer, to accept the April 20, 2010 minutes as presented. Motion carried unanimously.

**OLD BUSINESS**

Rezoning

*Ordinance requested by Brown Family Investments, LLC to rezone 0.997 acres located at the southeast corner of the intersection of Greenville Boulevard and Crestline Boulevard from O (office) to CH (Heavy Commercial).*

Mr. Lehman stated the board had received a request for continuance from Mike Baldwin on behalf of the applicants until the June 15, 2010 meeting.

Motion was made by Mr. Bell, seconded by Mr. Thomas to accept the request for continuance. Motion carried unanimously.

**NEW BUSINESS**

Preliminary Plats

Request by Bill Clark Homes of Greenville, LLC for a preliminary plat entitled “Langston Farms, Phase 11”. The property is located north of Langston Farms, Phase 8A, 8B and Phase 10, north and west of the Lewis Land Development Property, east of the Dan R. and Stephen F. Morgan property and south of the Scott Baldwin property. The proposed development consists of 80 lots on 27.5847 acres.

Mr. Andy Thomas, Planner, said this property is located in the southwest quadrant of the city. The property is located off of a minor thoroughfare, being Thomas Langston Road. He said the development is an extension of the Langston Farms Development. It ties into Langston Farms, Phase 8A, 8B and Phase 10 and also into Providence Place, Section 3. Mr. Thomas said the development ties into previously platted sections as well as providing extension to property that is suitable for future development. Sidewalks and detention ponds are provided. He said there is a gas easement that traverses this property. Piedmont NC gas has been contacted and they have no objections to the request. Mr. Thomas said the City's Subdivision Review Committee has reviewed the plat and the preliminary meets all technical requirements.

Mr. Linwood Stroud spoke in favor of the application on behalf of the applicant.

Motion was made by Mr. Ramey, seconded by Mr. Tozer, to approve the request. Motion carried unanimously.

#### Text Amendment

Request by the Community Development Department to amend the Historic Preservation Regulations to include a new section related to the use and location of residential solar collectors on locally designated historic properties and within locally designated historic districts.

Mr. Laughlin said there is only one locally designated historic district, which is College View Historic District, and 21 locally designated properties. Mr. Laughlin said the North Carolina General Statutes were recently amended concerning the use and location of residential solar collectors. G.S. 160A-201 as adopted reads as follows:

#### **"160A-201. Limitations on regulating solar collectors**

(a) Except as provided in subsection (c) of this section, no city ordinance shall prohibit, or have the effect of prohibiting, the installation of a solar collector that gathers solar radiation as a substitute for traditional energy for water heating, active space heating and cooling, passive heating, or generating electricity for a residential property, and no person shall be denied permission by a city to install a solar collector that gathers solar radiation as a substitute for traditional energy for water heating, active space heating and cooling, passive heating, or generating electricity for a residential property. As used in this section, the term "residential property" means property where the predominant use is for residential purposes.

(b) This section does not prohibit an ordinance regulating the location or screening of solar collectors as described in subsection (a) of this section, provided the ordinance does not have the effect of preventing the reasonable use of a solar collector for a residential property.

(c) This section does not prohibit an ordinance that would prohibit the location of solar collectors as described in subsection (a) of this section that are visible by a person on the ground:

(1) On the façade of a structure that faces areas open to common or public access;

(2) On a roof surface that slopes downward toward the same areas open to common or public access that the façade of the structure faces; or

(3) Within the area set off by a line running across the façade of the structure extending to the property boundaries on either side of the façade, and those areas of common or public access faced by the structure.

(d) In any civil action arising under this section, the court may award costs and reasonable attorneys' fees to the prevailing party."

The proposed ordinance includes the appropriate language to regulate the location and screening of solar collectors to ensure that the use of solar collectors is not incongruous with the special character of the historic property or district.

Additional requirements, standards and restrictions concerning the installation and use of a solar collector, as determined appropriate by the Historic Preservation Commission, shall be set forth in the Historic Preservation Commission's Design Guidelines.

Prior to the use and location of a solar collector on a historic property the land owner must first apply for and receive a certificate of appropriateness (COA) from the Historic Preservation Commission. Such COA shall be in addition to any required building or other permit required for improvement or construction.

In staff's opinion the request is in compliance with Horizons: Greenville's Community Plan.

Mr. Randall asked if these regulations were just following state guidelines.

Mr. Laughlin said that was correct. He said the language in the ordinance comes directly from the general statute.

Mr. Randall asked why we needed this if there was a general statute that regulated it.

Mr. Laughlin said this needed to be adopted into the Historic Preservation Ordinance so it can be enforced by the local commission.

Motion was made by Mr. Ramey, seconded by Mr. Randall, to approve the proposed text amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters.

Mr. Lehman recognized Mr. Ramey and Mr. Tozer for their years of service to the commission. He said this would be their last meeting. Mr. Ramey has served 10 years on the commission. Mr. Tozer has served eight years.

Mr. Harry Hamilton said Ms. Radcliff had taken a position with Pitt County and this may be her last meeting.

There being no other business the meeting adjourned at 6:45p.m.

Respectfully submitted,

Merrill Flood  
Secretary