

January 17, 2006

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

Mr. Jay Yates - *	
Mr. Len Tozer - *	Mr. Bob Ramey - *
Mr. Dave Gordon - *	Mr. Jim Moye - *
Mr. Tim Randall - *	Mr. Don Baker - X
Mr. James Wilson - X	Mr. Bill Lehman - *
Mr. Porter Stokes - *	Mr. Godfrey Bell, Sr. - X

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

VOTING MEMBERS: Yates, Tozer, Ramey Gordon, Moye, Lehman, Randall and Stokes

PLANNING STAFF: Merrill Flood, Director of Planning and Community Development; Harry V. Hamilton, Jr., Chief Planner; Andy Thomas, Planner; Chantae Gooby, Planner; and Kathy Stanley, Secretary.

OTHERS PRESENT: Council member Ray Craft; Bill Richardson, Assistant City Manager; Dave Holec, City Attorney; Ron Svejovsky, Transportation Planner; and Robert Cheshire, Senior Engineer.

MINUTES: Motion was made by Mr. Lehman, seconded by Mr. Ramey, to accept the December 20, 2005 minutes as presented. Motion carried unanimously.

Chairman Yates advised the Commission that they have received a request to continue Item 3, Request by William Clark and Item 6, Request by the Planning and Community Development Department.

REQUEST BY WILLIAM CLARK – CONTINUED TO FEBRUARY

Motion was made by Mr. Moye, seconded by Mr. Lehman, to continue this request to the February meeting. Motion carried unanimously.

REQUEST BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT – CONTINUED TO FEBRUARY

Motion was made by Mr. Gordon, seconded by Mr. Moye to continue this request to the February meeting. Motion carried unanimously,

REQUEST BY THE REDEVELOPMENT COMMISSION – APPROVED

Chairman Yates stated that the first item of business is a request by the Redevelopment Commission to consider a resolution by the Planning and Zoning Commission certifying its recommendation on the Redevelopment Plan for the West Greenville Certified Redevelopment Plan.

Mr. Merrill Flood, Director of Planning and Community Development Department, stated that the purpose of this item is to bring back to you for consideration the adoption of the Certified Redevelopment Plan for West Greenville. As the Commission may recall in June, 2005, there were several concerns and questions raised by residents of the West Greenville area. At that time the Redevelopment Commission asked staff to go back and work with the West Greenville Focus Group and others of the community to determine the issues, work through issues and find solutions. Mr. Flood stated that there have been some productive meetings with the West Greenville Focus Group and others to talk about the purpose of the Redevelopment Plan as it relates to the Center City - West Greenville Redevelopment area. After that meeting the Center City Plan was recommended for approval by the Redevelopment Commission, Planning and Zoning Commission subsequently adopted the plan and that was approved by City Council in September or October, 2005. Mr. Flood explained the changes to the plan based on input from the Focus Group. A number of the revision to the Plan occurred in Chapter 4 and Chapter 5. Chapter 4 is basically an Introduction of the West Greenville Certified Redevelopment Area. It talks about the history of the area. One of the concerns that the Focus Group identified was they felt there were several problems with the chapter in terms of it not talking about the history of the area and in addition it didn't talk about the need to preserve housing in the area and work with existing homeowners and residents to ensure that the neighborhood would be a place that the residents could enjoy and not just a Plan that would result in the relocation of residents in the area. The guiding principle of the Redevelopment Plan is the revitalization of West Greenville in order to better serve its long-standing and historical residents. This was very important to the community that the Plan did not engage in the massive relocation of residents. Mr. Flood stated that there is funding over an eight year period which will be indicated on the charts. One of the things

the Focus Group mentioned was they were afraid of losing long-standing commercial areas. It is expected that the character of these streets will change through implementation of this plan with MLK, Jr. Drive refurbished through public infrastructure and land use changes to a predominantly residential corridor inclusive of diverse housing opportunities and some office and light commercial enterprises. Albemarle Avenue will be returned to a vibrant and thriving commercial corridor. Mr. Flood presented images of a mixed use along MLK, Jr. Drive and Albemarle Avenue. Mr. Flood stated that the proposed Land Use Plan reflects the action taken by the Planning & Zoning Commission and City Council with the adoption of the Horizons Plan. The current Land Use Plan, unlike the first version, now complies with the provisions contained in the Horizons in relation to the land use. Other concerns raised concerned the language in the plan and several of the maps left open the possibility and questions if this plan was going to identify the Tenth Street connector corridor. There was a concern that once this plan was adopted it would result in the possibility of acquiring property for the Tenth Street Connector. This plan does not and language has been added to address that concern. This plan does not identify the corridor for the Tenth Street Connector. The Tenth Street Connector public involvement project will probably last 24-36 months. This plan does take into account that the project will happen and once the corridor is established it talks about the need to create a commercial node at the railroad and the highway. There was discussion on how the Redevelopment Plan would be implemented to ensure there would be a diverse mix of housing and this was not identified in the area because there are several areas throughout the plan where language was added to try to identify how that would occur. Another area of concern was Business Employment and Retention. Mr. Flood explained that the CDBG and City Bond Revenue funds may be utilized to leverage the creation of new business opportunities within the area as well as to direct financial resources toward promising programs that create employment for residents of the West Greenville Project area. Mr. Flood explained the Implementation Strategies of the Plan. A key component in the implementation of this Plan will be the provision of a diverse mix of housing, inclusive of quality ownership and rental housing that serves a broad cross section of the West Greenville residents. Another key is the Sadie Saulter School renovation, which will support new residential development in the area. The City and Pitt County Board of Education will work cooperatively with plans to expand the school and the costs will be the responsibility of the Pitt County Board of Education. Mr. Flood discussed the development codes in that there will be flexibility in zoning and development standards in allowing mix use and improve pedestrian features in the area. Mr. Flood stated the earlier version had a funding of \$1 million in terms of staff but it was determined that this fund

would be better utilized in funding of projects for businesses and employment creation. Mr. Flood stated that this Plan really seeks to try to find ways to work with the community and the neighborhoods and invigorate those areas that have a number of concerns so that areas are created that function has residents feel they should but not to displace residents at the sake of making those improvements.

Mr. Ramey complimented Mr. Flood and staff on their work with the businesses and residents of West Greenville. Mr. Ramey stated that with the Tenth Street Connection corridor, residents along Farmville Boulevard will be displaced and asked what the city will do to ensure that residents whose homes were paid for will have a place to reside.

Mr. Flood explained that the Tenth Street Connection corridor has not been determined but once it is the State of North Carolina would make the initial entry and acquire the property(ies). The State would have to purchase the properties under the Uniform Act and work with the residents to ensure that suitable decent replacement housing was found.

Mr. Flood explained that package for residents when their home or business is acquired such as rental assistance, moving expenses and relocation benefits.

Mr. Tozer thanked Mr. Flood and members of the Task Force, per the Commission's request to met with the Focus Group and residents, in finding compromises in the areas of concerns.

Mr. Don Edwards, Chair, Redevelopment Commission, stated this is a milestone in the history of the City. With approval of this Comprehensive Redevelopment Plan the lives of many of the citizens can be improved. Mr. Edwards stated the Redevelopment Commission along with staff and the Focus Group have done a tremendous job in addressing the concerns of the Task Force and neighbors of the area. Mr. Edwards stated that he would appreciate the Commission's approval of the Plan so that it may move forward to improve the lives of the residents of this area.

Mr. David Forman, resident of the area, stated that all of Greenville needs to move ahead. Mr. Forman stated that he has concern with the relocation of residents to affordable housing who may not be able to pay their rent after the rental assistance program.

Mr. Ozzie Hall, West Greenville Focus Group, stated that the concerns expressed at the earlier meeting have been addressed and would ask that the Commission recommend approval of this plan.

Ms. Minnie Anderson, Vice Chair, Redevelopment Commission, stated that the Commission has listened to the community and citizens of West Greenville and made changes to the Plan to address their concerns. Ms. Anderson asked that the Commission recommend approval of the Plan. Mr. Anderson explained with the adoption of this Plan residents of West Greenville would become homeowners and an area of opportunity for economic development.

Chairman Yates stated it has been a great experience to see the community and staff come together to reach solutions to the numerous concerns. Chairman Yates stated he is proud to sit on the Commission.

Motion was made by Mr. Ramey, seconded by Mr. Tozer, to recommend approval of the proposed 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. Motion carried unanimously.

#### ADOPTION OF RULES OF PROCEDURES – APPROVED

Chairman Yates stated that the next item is the adoption of the Rules of Procedures.

Mr. Dave Holec, City Attorney, stated that the revised Rules of Procedures have been handed out to each of the members. On the third page, subsection E, is the section that changed. The change comes out of the new legislation dealing with the Conflict of Interest for Boards. The change states that “Commission members shall not vote on recommendations regarding any voting map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.”

Motion was made by Mr. Gordon, seconded by Mr. Moyer, to recommend approval of the proposed amendment. Motion carried unanimously.

#### REQUEST BY ACCESS EAST, INC – APPROVED

Chairman Yates stated that the next item is a request by Access East, Inc. c/o Dr. Tom Irons to rezone 2.9506 acres located between the southern right-of-way of

Belvoir Highway and the northern right-of-way of Easy Street and 700± feet east of the intersection of Belvoir Highway and Easy Street from IU (Unoffensive Industry) to CH (Heavy Commercial).

Ms. Chantae Gooby stated this request by Access East, Inc. c/o Dr. Tom Irons is to rezone approximately three acres from Unoffensive Industry to Heavy Commercial. The property is located south of Belvoir Highway and north of Easy Street. Memorial Drive runs north to south. To the east is the Greenfield North Plaza, which consists of a grocery store and other shops, to the south is heavy equipment sales and rental and the property to the west is vacant. The 500-year floodplain is located to the east and south of the subject property. Belvoir Highway is considered a connector corridor and Memorial Drive is considered a gateway corridor. There is an intermediate focus area to the east which is the location of the Food Lion grocery store. The proposed rezoning could generate a total net increase of 1,225 trips, which would be approximately 475 trips to the west and 750 to the east. The Land Use Plan recommends industrial zoning for the subject area with commercial zoning to the east. It is staff's opinion, this request is not a significant deviation from the Land Use Plan. Ms. Gooby stated that staff is of the opinion that the request is in compliance with the Comprehensive Plan.

Mr. Ric Miller, representing Dr. Tom Irons, Vice Chancellor of Regional Health Services at the Brody School of Medicine, spoke on behalf of the request. Mr. Miller stated that this request, although the applicant is Access East, Inc., is a partnership between the Health Assist of the University Health Systems, East Carolina Community Health Services and the Brody School of Medicine. Mr. Miller stated that the Harvey Lewis family donated the property and a \$1.5 million facility would be constructed on the site. The facility will serve underserved population in the northern part of Pitt County, as well as Edgecombe and Martin Counties. The facility will house adult and pediatric care facilities, pharmacy and dentistry area.

No one spoke in opposition.

Motion was made by Mr. Tozer, seconded by Mr. Ramey, to recommend approval of the proposed 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. Motion carried unanimously.

## REQUEST BY BRIGHTON PLACE, LLC – APPROVED

Chairman Yates stated that the next item is a request by Brighton Place, LLC for a preliminary plat entitled “Brighton Place Cluster, Phase 3 (’06 – Revision)”. The property is located approximately at the southwest corner of Frog Level Road and Davenport Farm Road. The preliminary plat consists of 101 single-family “cluster” lots on 30.2923 acres.

Mr. Andy Thomas stated that the property is located approximately at the southwest corner of Davenport Farm Road and Frog Level Road. The property is currently zoned Residential-Agricultural and the anticipated use is single family residential on 101 lots. Frog Level Road and Davenport Farm Road are designed as minor thoroughfares on the Thoroughfare Plan. Mr. Thomas stated that this is a request has been previously preliminary platted as Brighton Place, Section 3 on several different submissions. This cluster subdivision is changing because 4 lots (Lots 60-63) are being added where common area was previously shown and approved. There are also phase lines being shown. The street pattern is the same. None of this property has been platted or sold at this time so no homeowners are affected by this change. There are potential southwest by-pass corridors that pass through this property. As of this date, NCDOT has not selected a final corridor therefore we are unable to protect the future right-of-way of the southwest by-pass. If approved, the Planning staff would recommend that a note be placed on the final plats that a potential corridor has not been selected and have the same graphically depicted on the final plat. There is a 130 foot southeast drainage easement on the southern boundary of the property. There is a 105 foot drainage easement that runs north-south toward the western portion of the property. There is also a 100 foot riparian buffer that also runs north-south across the property. The preliminary plat has been reviewed and approved by the City’s Technical Review Committee. The preliminary plat meets all requirements and city standards.

Mr. Ken Malpass, Malpass & Associates, representing the applicant, spoke on behalf of the request. Mr. Malpass stated this is a minor change as to where the common area will be located.

No one spoke in opposition.

Motion was made by Mr. Randall, seconded by Mr. Stokes, to approve the plat and to note that potential southwest by-pass corridors run through this property and the final corridor has not been identified. Motion carried unanimously.

REQUEST BY THE PLANNING AND COMMUNITY DEVELOPMENT  
DEPARTMENT – APPROVED

Chairman Yates stated that the next item is a request by the Planning and Community Development Department to amend the Subdivision Regulations street design standards, Section 9-5-81 (20), to include revised cul-de-sac/terminal street standards.

Mr. Harry Hamilton stated this is a request to amend the street design standards to include a revised cul-de-sac/terminal street design criteria and standard. The current section in the code says that a cul-de-sac/terminal streets shall not exceed one thousand (1,000) feet as measured along the centerline of such street from the right-of-way as projected from the intersecting street which provides direct access to the general street system (existing or proposed) to their furthestmost point. The ordinance will not change the 1,000 foot standard. This is a clarification of that particular section. This ordinance includes the standards and criteria that the Commission routinely uses in making decisions as to whether or not cul-de-sacs are appropriate, the number, the location, and the length. These will be included in one place in the code so it can be referred to. The Commission will have complete jurisdiction over making a decision as to whether or not any cul-de-sac on a plat meets these general criteria. Mr. Hamilton stated that there will be two sets of conditions to determine the appropriateness of cul-de-sacs, physical conditions and public service and safety. Under the physical condition section the streets may be utilized when the extension of the proposed street to adjoining property or to its intersection with an existing or proposed street is infeasible due to one or more of the following conditions. Intervening environmental and/or geographic features; intervening existing and/or vested adjacent development; the shape and/or dimension of the tract proposed for subdivision and intervening or approved public and/or private streets. Under the public service and safety section, that it does not negatively impact vehicular and pedestrian traffic circulation; does not unduly increase the public cost of or inhibit the provision of public service; does not unduly impact the public cost of or inhibit the provision of public safety and life services; does not unduly restrict or inhibit adequate access; and does not otherwise create a public safety hazard. Mr. Hamilton stated that the following is a rewrite “a cul-de-sac/terminal street shall not exceed one thousand feet in length as measured along the centerline of such street from the right-of-way as projected from the intersecting street to the furthestmost point. When a cul-de-sac/terminal street intersects only another cul-de-sac/terminal street the regulatory length of all such streets shall be measured individually from the intersecting street that is not a cul-



de-sac/terminal street to the furthestmost point of all such streets.” Mr. Hamilton indicated on the map how to measure the length of cul-de-sac streets.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Stokes, to recommend approval of the proposed 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. Motion carried unanimously.

REQUEST BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT – APPROVED

Chairman Yates stated that the last item is a request by the Planning and Community Development Department to amend the Zoning Regulations to include a new district entitled CO (corridor overlay) and to include associated performance standards.

Mr. Hamilton stated this is a request to create a new zoning district. It will be entitled CO, corridor overlay and will include associated performance standards. The purpose of the CO, corridor overlay district is to provide additional site development standards for specific roadway corridors including building façade treatments, parking lot screening and parking area surface materials, lighting intensity and other standards designed to enhance the aesthetic quality of the built environment, to protect property values and to insure that future corridor development is compatible with adjacent and area development. The definition for a corridor overlay is a special standards overlay zone that at the time of adoption is contiguous to and extending from a thoroughfare roadway and is contiguous to and extending from a designed gateway corridor set forth in the Horizons Plan. Mr. Hamilton indicated the transportation corridors on the map as designated in the Comprehensive Plan. Mr. Hamilton explained, as an example, that Dickinson Avenue is recognized as a gateway corridor to Greenville Boulevard and then becomes a residential corridor through to the Arlington Boulevard intersection. The Transportation Corridor Map further defines what the intensity level should be on those thoroughfare streets. The streets where the overlay zone could potentially apply would be the gateway corridors. This ordinance is designed to provide some additional protection for those corridors. These standards will apply in addition to the standards of the underlying district but these standards would be put in place after a determination is made through a study that a particular corridor needs to be

protected. Mr. Hamilton explained that a study will be done to determine exactly where it would be most appropriate. Mr. Hamilton stated that a top priority is in the Medical District, the 264 corridor. Development within a CO district shall be in accordance with the underlying general-purpose district requirements, and in addition to the standards, exemptions and modifications of the CO district. Where there is a conflict between the general-purpose district standards and requirements and the CO overlay district standards and requirements the more restrictive shall apply. In addition, the permitted and special uses of the underlying general-purpose district shall apply in accordance with the table of uses for such underlying district, except as specifically limited by the CO district. Mr. Hamilton stated that any type of big box development, anything 20,000 square feet or larger either individually or in combination with other development shown within a planned center setting would be subject to further special use permit review. The proposed ordinance includes plan submission requirements, exterior building facade standards, roofline standards, parking area screening and surface material requirements, sign standards, lighting standards, parking requirements, inner-connectivity requirements and additional performance standards for specific uses such as gas pump islands. The designation of a CO district shall be subject to the standard review process for zoning-rezoning amendments and recommendation of the Planning and Zoning Commission and public hearing before City Council. Mr. Hamilton explained sections of the proposed ordinance in relation to applicability, exterior building facade standards, parking area screening and surface material types, signs, and lighting levels. Mr. Hamilton stated that the non-residential parking area can't exceed 10 foot-candles and it states that no point immediately under a canopy can exceed 20 foot-candles. Mr. Hamilton stated that staff would have no objection and would recommend increasing the level measured in foot-candles to at least 50 foot-candles but no higher than 75 foot-candles. Mr. Hamilton stated that he feels 60 foot-candles would be adequate. Mr. Hamilton explained the remaining sections that include, additional requirements for specific uses; parking; interconnected parking areas and drives and exemptions and modifications.

Mr. Randall stated that this is a totally new district and a lot of information to consider at one meeting.

Mr. Hamilton explained that if the Commission feels they need to study the ordinance then they should, but some areas as indicated on the map should be addressed as soon as possible to protect those areas. Mr. Hamilton stated that if the Commission felt comfortable with the ordinance action should be taken tonight.

Mr. Ramey agreed with Mr. Randall in respect to studying the details of the ordinance.

Chairman Yates stated he is confident that staff has studied this issue and feels it would benefit the City.

Mr. Hamilton explained that this is the first step in order to allow staff to go through the process. When a proposed corridor is chosen, discussions of all the standards will be conducted and before making any action to rezone, the Planning & Zoning Commission and City Council can make recommendations on amendments to the code as seen fit.

No one spoke in opposition.

Motion was made by Mr. Moye, seconded by Mr. Tozer, to recommend approval of the proposed 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. Those voting in favor: Moye, Tozer, Gordon, Lehman and Stokes. Those voting in opposition: Randall and Ramey. Motion carried.

There being no further business motion was made by Mr. Moye, seconded by Mr. Ramey, to adjourn at 8 PM.

Respectfully submitted,

Merrill Flood  
Secretary