

MINUTES ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION
May 20, 2014

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

Ms Shelley Basnight –Chair-X
Mr. Tony Parker - *(Vice Chair) Ms. Chris Darden – *
Mr. Terry King – * Ms. Ann Bellis – X
Ms. Linda Rich - X Mr. Brian Smith - X
Mr. Doug Schrade - * Mr. Jerry Weitz –*
Ms. Wanda Harrington-X Mr. Torico Griffin -*

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

VOTING MEMBERS: Schrade, Darden, Griffin, King, Weitz

PLANNING STAFF: Thomas Weitnauer, Chief Planner; Chantae Gooby, Planner II, Andy Thomas, Lead Planner; and Amy Nunez, Staff Support Specialist II.

OTHERS PRESENT: Dave Holec, City Attorney; Merrill Flood, Director of Community Development; Tim Corley, Civil Engineer II and Jonathan Edwards, Communications Technician.

MINUTES: Motion was made by Mr. Weitz, seconded by Mr. King, to accept the April 15, 2014 minutes as presented. Motion carried unanimously.

CHANGE TO AGENDA: Motion was made by Mr. King, seconded by Mr. Weitz, to move agenda item #5 to agenda item #1. Motion carried unanimously.

OTHER ITEMS OF BUSINESS

THIS IS AN INFORMATIONAL ITEM FROM VIDANT MEDICAL CENTER ABOUT THE UPCOMING CONSTRUCTION OF THE CANCER CENTER.

Mr. Merrill Flood introduced Mr. Tim McDonnell and the presentation of the Cancer Center at Vidant Medical Center.

Mr. Tim McDonnell, of the Vidant Medical Center, provided a presentation on the upcoming Cancer Center at Vidant. It will be a six-story building with outpatient and inpatient services, clinics, exam rooms, radiation oncology, treatment areas, areas of infusion, reception and administrative areas. The building will connect to the existing Heart Center building. The estimated opening date is March 2018.

NEW BUSINESS

REZONINGS

ORDINANCE REQUESTED BY CHAMPIONS HEALTH AND FITNESS TO REZONE 5.13 ACRES LOCATED 950+/- FEET SOUTH OF EAST FIRE TOWER ROAD AND ADJACENT TO WHITEBRIDGE DUPLEXES FROM R6MH (RESIDENTIAL-MOBILE HOME [HIGH DENSITY]) TO CG (GENERAL COMMERCIAL) - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated the property is located in the southern section of the City, south of Fire Tower Road and adjacent to Whitebridge Duplexes. The area was previously Evans & Greystone Mobile Home Parks. This rezoning also encompasses the future right-of-way of Bayswater Road. The two ends of Bayswater Road will eventually connect to form a loop. The property is currently vacant. Duplexes and single-family homes are to the east, single-family homes to the north. Adjacent to the rezoning area is common area for Surrey Meadows Subdivision. This request could generate a net increase of 950 trips. Fire Tower Road is a 4-lane divided median highway with a signalized intersection at Bayswater Road closest to the rezoning area. The other end of Bayswater Road is not signalized. The property is impacted by the 500 and 100-year flood plain associated with the Fork Swamp Canal. Any floodplain issues will be resolved at the time of development. Under the current zoning, the property could accommodate approximately 40 mobile homes. Under the proposed zoning, it could accommodate about 50,000 square feet of retail or conventional restaurant uses. The Future Land Use Plan Map recommends commercial south of Fire Tower Road between Fork Swamp Canal and Bayswater Road with conservation/open space to the east and high density residential to the south. In staff's opinion, the request is in general compliance with Horizon's Greenville Community Plan and the Future Land Use Plan Map. The property is contiguous to similarly-zoned property. It is a judgment call as to where the commercial should stop and high density residential should start.

Mr. Weitz mentioned in the staff report that staff was not recommending approval of the requested zoning, but has no objections. He asked what holds staff from recommending approval.

Ms. Gooby stated that the property is located in a transition area between commercial and high density residential. There is commercial contiguous with the subject property and it is a judgment call as to where the commercial should stop.

Mr. Weitz asked for clarity on the flood plain map.

Ms. Gooby stated the 500 and 100-year floodplains are located on the property. Elevation standards apply in the 100-year floodplain and the flood way cannot be disturbed.

Chairman Parker opened the public hearing.

Mr. Greg Lassiter, owner of Champions Health and Fitness, spoke in favor of the request. He previously requested a rezoning for property on 10th Street for a second location. He is putting that site on hold. Pitt Community College has purchased his current location and he has to re-locate.

Mr. Weitz asked if there was a reason why he could not use any of the commercially-zoned property in the area that is vacant.

Mr. Lassiter stated the back part of the property is more suitable for traffic flow, privacy and more space for future.

Mr. Jim Hopf, attorney on behalf of the property owner, spoke in favor of the request. There is an economic impact issue regarding some uses that can afford street frontage and higher-valued property. This request is a use where interior space is better. Most of the interior spaces in the area have been sold. The proposed rezoning backs up to a stream and green area that acts as a natural buffer and will not be developed. The flood concerns have been alleviated in terms of raising the elevation of the property and getting new flood elevation certifications. The proposed request is consistent with uses in the area. The whole area is highly development as residential and more commercial is needed.

Mr. Weitz asked if there was a final plat that shows Bayswater Road will connect.

Mr. Thomas stated there is an approved preliminary plat showing Bayswater Road will connect.

Mr. Weitz asked if that this 5 acre subdivision is consistent with the approved preliminary plat.

Mr. Thomas stated yes.

No one spoke in opposition of the request.

Chairman Parker closed the public hearing and opened for board discussion.

Mr. Weitz stated he supports the rezoning. The Future Land Use Plan designates this area as a neighborhood commercial node which is about 20,000 to 40,000 square feet of building. He stated he currently estimates it at 250,000 square feet of property. This node is much larger than what the plan suggests. Fire Tower Road is nearing capacity and more commercial development will cause more congestion. He is hesitant to rezone in the flood plain since it puts development in harm's way. The property is not suitable for mobile homes anymore. Commercial uses will not have a major impact. He suggests when Horizons is updated, it would be good to recognize this area as a regional node of 250,000 square feet.

Mr. Weitz stated he will support the motion but the findings are clear that it is not consistent with the Comprehensive Plan.

Motion made by Mr. Schrade, seconded by Ms. Darden, 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 passed unanimously.

ORDINANCE REQUESTED BY HAPPY TRAILS, LLC TO REZONE 28.534 ACRES LOCATED ALONG THE SOUTHERN RIGHT-OF-WAY OF REGENCY BOULEVARD AND ADJACENT TO SOUTH POINTE DUPLEXES FROM R6S (RESIDENTIAL-SINGLE FAMILY [MEDIUM DENSITY]) TO R6A (RESIDENTIAL [MEDIUM DENSITY MULTI-FAMILY]) - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated the property is located in the southern section of the City, south of Regency Boulevard and adjacent to South Pointe Duplexes. This rezoning is comprised of 2 separate parcels and where the parcels meet is an existing curb cut on Regency Boulevard. The property is vacant. There are single-family homes to the north and duplexes to the west. This request could generate a net increase of 149 trips. Regency Boulevard is a 4-lane divided median highway and is signalized at both Evans Street and Memorial Drive. Under the current zoning, the property could accommodate approximately 120 single-family homes. Under the requested zoning, it could accommodate about 195 multi-family units. The Future Land Use Plan recommends office at the intersection of Regency Boulevard and Memorial Drive then transitions into medium density residential. In staff's opinion, the request is in compliance with Horizon's Greenville Community Plan and the Future Land Use Plan Map. Both the current zoning and the proposed zoning are considered medium density residential. Therefore, either zoning is acceptable under the plan. It is a judgment call. The request is adjacent to similar zoning on either side.

Chairman Parker asked for the history of this property.

Ms. Gooby stated that in 2005 the City and the West Haven neighborhood planned out a zoning pattern acceptable to all. Most of the zoning has remained the same. One exception is the area adjacent to the railroad that was rezoned from R9S to R6S. About 18 months ago, there was a request to rezone about 40 acres from R6S to R6A. That request included the subject property. The Shamrock neighborhood, on the other side of the railroad tracks, opposed the request. The request was denied by the Planning and Zoning Commission and was withdrawn prior to City Council consideration. The current request for R6A is for a smaller area and there is a different applicant.

Chairman Parker opened the public hearing.

Mr. Steve Janowski, representative for the applicant, spoke in favor of the request. He stated that the request is about 1,300 feet west of the railroad tracks. The north side, where the single-family residences are located, has a berm along Regency Boulevard. There is a divided 4-lane vegetated highway. On the proposed property, there is a berm along Regency Boulevard. R6S is

to the east with transitional commercial and medium density residential. There is R6A zoning to the southwest. This is a great example of transitional zoning. The traffic capacity is 35,000 and the projection of this request is about 75-100 additional trips per day. There would be very little impact on traffic since Regency Boulevard is currently underutilized.

No one spoke in opposition of the request.

Chairman Parker closed the public hearing and opened for board discussion.

Mr. Weitz stated he would prefer to have multi-family be on a transit route, which Regency Boulevard does not have. Multi-family and office/institutional/multi-family (OIMF) should be all over the City with apartments in higher densities. This area is predominantly single-family. He is concerned with having multi-family in this area. No one from the West Haven neighborhood was here to speak. It is a 4-lane road and how many developers would build single-family detached lots along a 4-lane road. He is leaning toward denial of the application.

Ms. Darden stated she agreed and shared the same concerns. There is a congested area going out toward Memorial Drive.

Mr. Schrade stated the neighborhood was present on the previous request and stated they did not want it. He stated now the neighborhood is not present and that shows they are not concerned. Currently, this vacant land is not being developed. The road is there and can handle the traffic. It is a reasonable request and without neighborhood opposition, he would recommend approval.

Chairman Parker stated he appreciated the comments. He stated that Mr. Schrade's comments have a lot of credence. It is a good example of transitional zoning.

Mr. Weitz stated that staff is correct that applying for R6A is consistent with the plan. Since it is not inconsistent with the plan, he would support the request even with his concerns.

Motion made by Mr. Schrade, seconded by Mr. King, 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 passed unanimously.

PRELIMINARY PLATS

REQUEST BY OUTDOOR PROPERTIES II, LLC FOR A PRELIMINARY PLAT ENTITLED "NORTHWEST COMMERCIAL PARK". THE PROPERTY IS LOCATED NEAR THE INTERSECTION OF ALLEN ROAD AND DICKINSON AVENUE EXTENSION ON THE WESTERN RIGHT-OF-WAY OF ALLEN ROAD IMMEDIATELY ADJACENT TO THE

TRADE STATION. THE SUBJECT PROPERTY IS FURTHER IDENTIFIED AS A PORTION OF PITT COUNTY TAX PARCEL NO 78577. – APPROVED

Mr. Andy Thomas, Lead Planner, delineated the property. He stated that the property is located in the western section of the City, near the intersection of Dickinson Avenue Extension and Allen Road/Greenville Boulevard. It is the parcel behind the Trade/Wilco Hess Station on the western right-of-way of Allen Road. The property is zoned CH (Heavy Commercial). The Future Land Use Plan calls for Commercial and Office Institutional Multi-Family (OIMF). The property is not impacted by the flood plain. It is at the intersection of two major thoroughfares. This plat represents further development of the commercial property at this intersection. It will be accessed by a driveway that will be maintained by the property owner's association. The City of Greenville of Greenville will not consider accepting this driveway for maintenance. It will also be accessed via a shared driveway with the Trade/Wilco Hess Convenience Store at the intersection. There is a 50 Foot Tar/Pamlico Riparian Buffer along the northern boundary. A common detention pond will serve the properties and will be maintained by the property owner's association. The City's Subdivision Review Committee has reviewed the preliminary plat and has determined that it meets all technical requirements.

Chairman Parker opened the public hearing.

No one spoke in favor or in opposition of the request.

Chairman Parker closed the public hearing and opened for board discussion.

No comments were made during board discussion.

Motion made by Mr. Weitz, seconded by Ms. Darden, to approve the preliminary plat entitled “Northwest Commercial Park”. Motion passed unanimously.

Mr. Thomas mentioned that Tim Corley, City Civil Engineer, will be speaking at next month's meeting regarding private streets. He stated that two weeks ago Mr. Corley made his presentation to City Council. City Council voted to do away with private streets.

TEXT AMENDMENTS

ORDINANCE TO AMEND THE ZONING ORDINANCE BY REDUCING THE NUMBER OF REGULAR BOARD OF ADJUSTMENT MEMBERS, THAT ARE APPOINTED BY PITT COUNTY, FROM TWO MEMBERS TO ONE MEMBER. - APPROVED

Mr. Thomas Weitnauer, Chief Planner, stated the text amendment sets the number of Pitt County representatives serving on the Board of Adjustments to an appropriate number of members

relative to the Extraterritorial Jurisdiction (ETJ) population. There has been an extended period of vacancies in 2 of the 3 positions the County appoints to the Board of Adjustments. This has been caused by the lack of applicants that meet the qualification that the person be a resident of the ETJ. General Statutes prescribes Board of Adjustment (BOA) extraterritorial membership based on the population outside of city limits and within the municipalities' extraterritorial jurisdiction. The ETJ population is shrinking as the City annexes property. Since the population within the City of Greenville's Extraterritorial Jurisdiction has reduced in number, it is acceptable and appropriate to reduce the number of County appointees representing the extraterritorial areas. This text amendment has been developed to reduce the number of extraterritorial representatives on the Board of Adjustment membership composition from two County regular members to one and continue to retain one County alternate member. This will add a regular City member to the Board. Additionally, two clean-up amendments to this section are proposed. First, in compliance with statutory provisions, the County appointment is to be made by the Pitt County Board of Commissioners and not the Chairman of the Board of Commissioners. The amendment corrects this. Second, there are no ex-officio members to the Board so the language which provides that the Director of Community Development, or authorized representative, is an ex-officio member is deleted by the amendment.

Horizon's Administrative Element's Implementation Strategy 1(b) states, "Ensure that the membership of all planning related boards, commissions and ad hoc/advisory committees is a broad cross section of Greenville's citizenry."

In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan.

Mr. Weitz stated the staff report stated there was a discussion with Pitt County regarding the changes. He asked if the discussion was with the Planning Director or did the Board of Commissioners consent to the changes.

Mr. Weitnauer stated that communication was with Pitt County staff, which is in concurrence with the changes.

Chairman Parker asked if it would go before the County Commissioners.

Attorney Holec stated that City Staff has advised the Pitt County Staff, including the Planning Director, the County Manager, and the County Attorney. They in turn advised the Board of County Commissioners. County Staff notified City staff that they have no objections. Since it is based on population, it is a City decision, not the County.

Chairman Parker stated that last month's Board of Adjustment meeting did not have quorum. It was an embarrassment to the City and a waste of time/money for the applicants. He asked if the ordinance change would help obtain quorum.

Mr. Weitnauer stated this is one part of a set of improvements. Unlike some boards, Board of Adjustment meets every month. Last month's meeting was during Easter week.

Mr. Weitz stated that the last General Assembly made revisions to the zoning enabling statute regarding Boards of Adjustment. He asked if the City had amended that code.

Mr. Weitnauer stated yes.

Attorney Holec stated that it was not a code amendment, just a procedural amendment. He stated that it had occurred.

Chairman Parker opened the public hearing.

No one spoke in favor or in opposition of the text amendment.

Chairman Parker closed the public hearing and opened for board discussion.

No comments were made during board discussion.

Motion made by Mr. Weitz, seconded by Mr. Griffin, to recommend approval of 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. Motion passed unanimously.

Mr. Weitnauer thanked Mr. Weitz for participating in the annual Neighborhood Advisory Board (NAB) Symposium.

With no further business, motion made by Ms. Darden, seconded by Mr. Griffin, to adjourn. Motion passed unanimously. Meeting adjourned at 7:33 p.m.

Respectfully Submitted,

Merrill Flood, Secretary to the Commission
Director of Community Development Department