

MINUTES ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION

July 15, 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. Jerry Weitz – *
Ms. Ann Bellis - * Mr. Torico Griffin - *
Mr. Doug Schrade - * Mr. Terry King –*
Ms. Wanda Harrington-* Mr. Brian Smith -X

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

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

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; Rik DiCesare, Traffic Engineer; Tim Corley, Civil Engineer II and Jonathan Edwards, Communications Technician.

MINUTES: Motion was made by Ms. Bellis, seconded by Ms. Darden, to accept the June 17, 2014 minutes as presented. Motion carried unanimously.

NEW BUSINESS

REZONINGS

ORDINANCE REQUESTED BY DVM SERVICES REALTY, INCORPORATED TO REZONE 1.012 ACRES LOCATED ALONG THE WESTERN RIGHT-OF-WAY OF EVANS STREET AND SOUTH OF LYNNCROFT SHOPPING CENTER FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO OR (OFFICE-RESIDENTIAL [HIGH 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 and is the current location of the Kingdom Hall of Jehovah’s Witnesses. The rezoning is only for the portion of the property along Evans Street. The rear part of the property is already zoned OR (Office-Residential). The WNCT TV Station and Lynndale Subdivision are to the east. Commercial is to the north and multi-family is to the south. This request could generate a net increase of 45 trips. Since the amount is negligible, a traffic report wasn’t prepared. Under the current zoning, the property could accommodate 5 single-family lots. Under the proposed zoning, it could accommodate about 12 to 14 multi-family units. The Future Land Use Plan Map recommends commercial (C) at the intersection of Greenville Boulevard and Evans Street, then transitions to office/ institutional/multi-family (OIMF) and

high density residential (HDR) to the south. Conservation/open space (COS) is recommended along the western right-of-way of Evans Street directly opposite the Lynndale Subdivision to show a buffer between the commercial on the west side of Evans Street and the residential on the east side of Evans Street. There are no environmental constraints. In staff's opinion, the request is in general compliance with Horizon's Greenville Community Plan and the Future Land Use Plan Map.

Chairman Parker opened the public hearing.

Mr. Mike Baldwin, representative of the applicant, spoke in favor of the request. The property is under contract and the church is re-locating. The traffic impact is negligible and there are no environmental issues. It is in compliance with the Comprehensive Plan.

Mr. Carl Darden, listing real estate agent, spoke in favor of the request. He stated it is a fair request and it is in line with all the ordinances.

No one spoke in opposition of the request.

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

No comments made during board discussion.

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.

ORDINANCE REQUESTED BY GENE BLAND AND JAMES B. ADAMS TO REZONE 0.468 ACRES LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF EVANS STREET AND WEST 9TH STREET FROM OR (OFFICE-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) TO CDF (DOWNTOWN COMMERCIAL FRINGE) - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated the property is located in the central section of the City, along Evans Street between 9th and 10th Streets. A & B Auto Service is currently located on the property. There is an adjacent parcel, which is owned by the applicant, that is already zoned CDF. There are a variety of uses in this area. The property is part of the central business district where commercial is anticipated and recommended. This request could generate a net increase of 2,178 trips, which is a worst-case scenario. Under the current zoning, the property could accommodate approximately 7 multi-family units. Under the requested zoning, it could accommodate about 4,440 square feet of convention or fast food/retail space. The general downtown area has been making the transition to the CD zoning which allows more uses, no setback and parking requirements, and higher density not allowed in CDF.

The proposed request for CDF is an old zoning district that is transitioning to CD zoning partly based on a recommendation from the West Greenville Revitalization Area Plan. The proposed request is just outside of this area. The Future Land Use Plan recommends commercial to the area north of 10th Street. In staff's opinion, the request is in general compliance with Horizon's Greenville Community Plan and the Future Land Use Plan Map. Staff would recommend CD zoning in lieu of the proposed CDF zoning.

Mr. Weitz asked how the Commission would make a decision based on staff's recommendation.

Attorney Holec stated that the Commission is required to act on the application and provide a recommendation based on the request. The Commission does have the option to initiate another rezoning.

Chairman Parker asked if it would go back to staff.

Attorney Holec stated no because the applicant is entitled to have their application reviewed and acted on by City Council.

Mr. Weitz stated it would be inappropriate to change the requested rezoning since it was advertised for CDF. He stated P&Z could make a recommendation on this request and then initiate a rezoning for CD for the entire property and not just the section that was applied for.

Chairman Parker asked why CDF.

Ms. Gooby stated that the applicant's representative would speak on that.

Ms. Bellis asked who would initiate a request for a CD zoning.

Ms. Gooby stated that the P&Z Commission could.

Ms. Bellis asked if the proposed was a historic property.

Ms. Gooby stated it is a historical building but does not have a historic designation.

Chairman Parker opened the public hearing.

Mr. Mike Baldwin, representative for the applicant, spoke in favor of the request. He distributed supplemental information to the P&Z members. The building was built in 1935. It was previously the Pure Oil Company Service Station and has been A & B Auto since 1976. The

current OR zoning was established in 1976. It is currently a non-conforming use. The owners want to build a storage building but cannot expand on a non-conforming use. Three neighboring property owners signed letters stating they had no objection. The reason for CDF is to allow for major automobile repair. The current business will continue to stay at this location. He stated the use is allowed in CDF but not in CD. If the request is approved by the Commission and then by City Council, a special use permit will still be required. Another public hearing will be held with the Board of Adjustment. The request is in compliance with the Comprehensive Plan and the Future Land Use Plan Map. It will not generate 2,100 trips. The owners have been there for many years and just want to build a storage building. This is a reasonable request and should be approved.

Mr. Weitz asked if the building was constructed across two property lines.

Mr. Baldwin stated it was a zoning boundary line only. The owner owns 2 lots. If the request is approved, a re-combination plat will be required.

No one spoke in opposition of the request.

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

Chairman Parker stated this is a no-brainer. It seems that the business is going to stay and it is an asset to Uptown Greenville.

Ms. Bellis stated she was delighted that the building is being preserved.

Mr. Weitz stated he sees why the staff recommends CD versus CDF. The vision for downtown does not contain automobile uses. The owner is already there and the current use should be supported.

Motion made by Mr. Schrade, seconded by Ms. Bellis, 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.

TEXT AMENDMENTS

ZONING ORDINANCE AMENDMENT FOR THE DELETION OF PRIVATE STREETS AS A DEVELOPMENT OPTION. - APPROVED

Mr. Andy Thomas, Lead Planner, presented the text amendment. The Greenville City Council requested the Engineering Division of Public Works to provide a presentation on private streets

at the June City Council meeting. The Council has received a number of requests for the City to assume maintenance responsibility on private streets which have not been constructed to city standards. Often times these streets do not meet setbacks, the condition of the streets have fallen into disrepair or have situations that would not be allowed on a public street (drainage, mailbox kiosks, etc.). Private street development standards have been in the Zoning and Subdivision Ordinances for many years. Some developers wish to have private streets as a means to control who can access their street, to lower development costs or utilize the reduced setbacks that are offered with private streets. Maintenance agreements are required to ensure streets will be maintained by homeowner associations. Often times, homeowners do not fully realize that the street is their responsibility until such a time the street falls into disrepair and maintenance is required. This leads to homeowners contacting the City for assistance. The City will not accept maintenance on substandard streets. At the June City Council meeting, the City Council voted to remove private streets as a development option. The staff has prepared an ordinance that will amend those sections of the ordinance to delete the option of private streets. There will be no costs to the City of Greenville associated with this zoning ordinance amendment. In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan. Such action would further general goals in Mobility, Housing and Growth & Development.

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.

Mr. Weitz stated he supports the text amendment and that it is a wise decision by the City Council. Private street owners never seem to have the money to maintain the street and then they go to the City for assistance.

Motion made by Mr. Weitz, seconded by Mr. King, 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.

With no further business, a motion was made by Ms. Bellis, seconded by Mr. Schrade, to adjourn. Motion passed unanimously. Meeting adjourned at 7:02 p.m.

Respectfully Submitted,

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