

MINUTES ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION  
October 21, 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-\*

Mr. Tony Parker - *(Vice Chair)	Ms. Chris Darden – X
Mr. Jerry Weitz – *	Ms. Margaret Reid - *
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:** Parker, Schrade, Reid, 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; Merrill Flood, Director of Community Development; Daryl Vreeland, Transportation Planner; Tim Corley, Civil Engineer II and Jonathan Edwards, Communications Technician.

**MINUTES:** Motion was made by Mr. King, seconded by Ms. Bellis, to accept the September 16, 2014 minutes as presented. Motion carried unanimously.

**OLD BUSINESS**

**TEXT AMENDMENT**

ORDINANCE TO AMEND THE ZONING ORDINANCE BY ADDING A REQUIREMENT THAT SIDEWALKS MUST BE CONSTRUCTED ALONG MAJOR THOROUGHFARES, MINOR THOROUGHFARES AND BOULEVARDS IN CONJUNCTION WITH THE CONSTRUCTION OF ANY NEW DEVELOPMENT OF NON-RESIDENTIAL DEVELOPMENTS, MIXED-USE DEVELOPMENTS AND MULTI-FAMILY DEVELOPMENTS ON EXISTING LOTS.- APPROVED

Mr. Thomas Weitnauer, Chief Planner, presented the text amendment. The Commission tabled the item so staff could respond to four suggested changes. The first suggested change was to add general standards for waivers. Staff responded by replacing the word waivers with deferment and adding standards for deferment. Added language: *General standards the Director may use while considering deferment of sidewalk installation shall include, but not be limited to, pending changes to rights-of-way alignments, pending changes to roadway drainage facilities, unsafe contours or unprotected drainage facilities adjacent to the sidewalk route, or pending utility*

work or other construction scheduled in the area beyond the developer's control that could damage the sidewalk if installed. Special conditions which make the sidewalk construction unnecessary or undesirable shall not include personal circumstances of the developer or the lack of sidewalks on adjacent or nearby properties. Mr. Weitnauer stated the Commission's second suggestion was to revise language regarding varying the width of sidewalks. Mr. Weitnauer stated to respond to this suggestion the word 'vary' was replaced with 'expand' and added language: ...and in limited cases, reduce the required width of sidewalks to avoid obstructions, while remaining in compliance with dimensional standards of the Americans with Disabilities. The third suggestion was to revise language relating to an escrow or funds or fees in lieu of payment. Staff's response was to add a requirement in subsection (e) for developers to pay the City for the cost of deferred sidewalks. Mr. Weitnauer read the following new language that was added to the ordinance: If approved for a circumstance where the sidewalk construction is being delayed, the cost of the installation and construction of the deferred sidewalk, as determined by the Public Works Director, shall be paid by the developer to the city and the city will construct and install the sidewalk when the circumstance for deferment no longer exists. If approved for a circumstance where the sidewalk construction will not occur, no payment for sidewalk construction will be required by the developer. The fourth suggestion was to request Staff to formally provide remarks to the Bicycle and Pedestrian Commission's previous recommendations. Mr. Weitnauer stated he attended the BPC's October 1, 2014 meeting and presented a response to their recommendations. He stated the Bicycle and Pedestrian Commission unanimously endorsed the proposed text amendment with a caveat that the BPC's September 3, 2014 suggestions numbered one and two are addressed by other mechanisms. Mr. Weitnauer stated that their previous suggestion number one, *allow public input for waivers*, will be addressed with the change in language that revises the word "waivers" to "deferment." Mr. Weitnauer stated the BPC's previous suggestion number two, *to require sidewalks when residential converts to non-residential*, will be addressed since conversions of residential to non-residential will require submittal of a site plan that will trigger a requirement to install sidewalks. Mr. Weitnauer presented a series of maps and stated that based on an analysis of the proposed text amendment to current conditions, approximately 21 miles of sidewalks will be required along major thoroughfares, minor thoroughfares and boulevards, when any new non-residential development, mixed-use developments and multi-family developments is constructed on existing vacant lots already having non-residential zoning. Additional sidewalks will be developed as property is rezoned from residential zoning to non-residential zoning and developed. Mr. Weitnauer stated the proposed Zoning Ordinance is in compliance with Horizons: Greenville's Community Plan. He stated that among approximately a dozen citations he listed in the staff report, he will read two citations that are representative of the adopted plans and studies that demonstrate compliance. Mr. Weitnauer stated the proposed ordinance is in compliance with the Horizon's Plan, Implementation Element "Transportation, Objective 3g that states "Require sidewalks and landscaping ([public] trees in particular) throughout the City and use sidewalks to

connect all major activity centers within the City.” Mr. Weitnauer stated the proposed text amendment is in compliance with Development Code Review & Policy Gap Analysis to Improve Greenville’s Health, Design & Appearance, and read the following excerpt from the study, “The following regulatory language items were identified as the top five (5) priority elements having the most positive impacts on making Greenville a healthier community...” and “5. Adopt language to require commercial developments to install sidewalks.” Mr. Weitnauer repeated the Bicycle and Pedestrian Commission unanimously endorsed the proposed text amendment with an understanding that their two previous suggestions would be accomplished. He stated staff recommends approval of the proposed text amendment.

Mr. Parker thanked Mr. Weitnauer for the all the work done.

Mr. Weitnauer stated it was a group effort and appreciated the comment.

Chairwoman Basnight opened the public hearing.

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

Chairwoman Basnight closed the public hearing and opened for board discussion.

Mr. Parker stated that Mr. Weitnauer and City Staff have done a remarkable job and he was ready to vote.

**Motion made by Mr. Parker, seconded by Mr. Weitz, 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.**

## **NEW BUSINESS**

### **REZONINGS**

ORDINANCE REQUESTED BY HD PROPERTY HOLDINGS, LLC TO REZONE 3.062 ACRES LOCATED NEAR THE SOUTHWEST CORNER OF THE INTERSECTION OF EAST 10<sup>TH</sup> STREET AND L.T. HARDEE ROAD FROM IU (UNOFFENSIVE INDUSTRY) TO CG (GENERAL COMMERCIAL) - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated the property is located in the eastern section of the City and specifically at the corner of E. 10<sup>th</sup> Street and L.T. Hardee Road just east of the new Wal-Mart Shopping Center. To the north of East 10<sup>th</sup> Street is Pitt County’s Jurisdiction and to the east is the Town of Simpson’s Jurisdiction. The request is composed of 2 parcels and there are some buildings already located on the property. The property is considered to be part of the intermediate focus area located along East 10<sup>th</sup> Street, where commercial is anticipated and encouraged. This request could generate a net increase of about 1,800 trips per day which is within the design capacity of East 10<sup>th</sup> Street. The property is currently zoned IU

(Unoffensive Industry) and the request is for CG (General Commercial). Under both zoning districts, the property could accommodate about the same square footage. Under the current zoning, the uses would be manufacturing or warehouse. Under the proposed zoning, the uses would include retail and restaurant. The Future Land Use Plan Map recommends commercial at the intersection of East 10<sup>th</sup> Street and L.T. Hardee Road. In staff's opinion, the request is in compliance with Horizon's Greenville Community Plan and the Future Land Use Plan Map.

Chairwoman Basnight opened the public hearing.

Mr. Mike Baldwin, representative for the applicant, spoke in favor of the request. He stated the request was in compliance with the Future Land Use Plan and that the increased traffic still keeps East 10<sup>th</sup> Street within its design capacity.

No one spoke in opposition of the request.

Chairwoman Basnight 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 PARKSIDE MM, LLC TO REZONE 0.53 ACRES LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF JOHNS HOPKINS DRIVE AND SCALES PLACE FROM MO (MEDICAL-OFFICE) TO MR (MEDICAL-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) – APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated the property is located in the medical area of the City and specifically at the corner of Johns Hopkins Drive and Scales Place. The property is vacant. There is multi-family to the south with office, institutional, and vacant uses in the area. Since there wasn't a significant change in traffic, a traffic report was not prepared. Under the current zoning, the property could accommodate 3,600 square feet of office. Under the proposed zoning, it could accommodate about 6 to 8 multi-family units. The Future Land Use Plan recommends office/institutional/medical (OIM) and then transitions to office/institutional/multi-family (OIMF) to the west and south. The requested zoning is part of the OIMF category. In staff's opinion, the request is in general compliance with Horizon's Greenville Community Plan, the Future Land Use Plan Map, and the Medical District Land Use Plan Update (2007). She stated it is contiguous to similar zoning and is not anticipated to create an unacceptable impact on adjacent properties.

Chairwoman Basnight opened the public hearing.

Mr. Jim Walker, representative for the applicant, spoke in favor of the request. After citing the history of the property, he stated the rezoning is needed so that the property can be combined

with the adjacent vacant property to be developed.

Mr. Tom Taft, owner and potential developer, spoke in favor of the request. He stated the original development of the property began 30 years ago with mostly medical office use and some residential. He stated he wanted to rezone the property to combine it with another parcel. They have been approved for funding by the State and for a grant from the City to develop affordable housing for the elderly.

No one spoke in opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion. She reminded Commission members that all the permitted and special uses of the proposed district should be considered when making a recommendation.

**Motion made by Mr. Parker, seconded by Ms. Harrington, 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 V. PARKER OVERTON TO REZONE 13.62 ACRES LOCATED 1,300+/- FEET SOUTH OF FIRE TOWER ROAD AND 900+/- FEET WEST OF COREY ROAD FROM R6MH (RESIDENTIAL-MOBILE [HIGH DENSITY MULTI-FAMILY]) TO CG (GENERAL COMMERCIAL) AND OR (OFFICE-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated the property is located at Fire Tower Road and Bayswater Road. Tract 1 is roughly 4.4 acres and the request is for General Commercial. Tract 2 is a little over 9 acres and the request is for Office-Multi-Family. Last month the Commission heard and recommended approval for a Future Land Use Plan Map amendment in this same area. The amendment was approved by City Council at its October meeting. The area is largely vacant but is being developed as commercial. The two tracts will back up to the common area of the Surrey Meadows Subdivision. There is a focus area at this location. Item 7 on tonight's agenda is to amend the focus area designation to a regional focus area which would increase the size of the focus area. There are two signalized intersections at Bayswater Road and Fire Tower Road. Bayswater will eventually connect and it will have sidewalks. This request could generate a net increase of about 2,100 trips per day. The two tracts are impacted by the floodway, which can have no development, and the 100 and 500-flood plains associated with Fork Swamp Canal. Under the current zoning for Tract 1, the property could accommodate about 53 multi-family units. Under the proposed zoning, the property could accommodate about 38,000 square feet of retail or conventional restaurant. Under the current and proposed zoning for Tract 2, the property could accommodate the same number of multi-family units but the rezoning provides an office option. The updated version of the Future Land Use Plan Map recommends commercial along Fire Tower Road, then transitions to office/institutional/multi-family. There is conservation open space along Fork Swamp Canal. In

staff's opinion, the request is in compliance with Horizon's Greenville Community Plan and the Future Land Use Plan Map.

Chairwoman Basnight opened the public hearing.

Mr. Jim Hopf, representative for the applicant, spoke in favor for Tract 1. He stated he came before the Commission for a rezoning for the property north of Tract 1. That was approved for commercial. This request would add more commercial to Tract 1. Tract 2 provides transitional zoning. The commercial request is consistent and compatible with the Future Land Use Plan Map.

Mr. Greg Lassiter, owner of Champions Health and Fitness Center, spoke in favor of Tract 1. He needs additional commercial to build a larger aquatic facility next to his fitness center.

Mr. Phil Dixon, representative for perspective buyer of Tract 2, spoke in favor for Tract 2. In 1988, when the property was included in the ETJ (extra-territorial jurisdiction), it was zoned RM6H and had 2 mobile home parks on it. At that time, it was a great location for High Density Multi-Family development but it remained vacant for many years. He stated to facilitate development, there needs to be an opportunity for office/multi-family development. It is a good location for office development with signalized intersections and great buffers.

No one spoke in opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

No comments made during board discussion.

**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.**

### **PRELIMINARY PLATS**

REQUEST BY BILL CLARK HOMES OF GREENVILLE, LLC FOR A PRELIMINARY PLAT ENTITLED "LANGSTON WEST, SECTION 10". THE SUBJECT PROPERTY IS LOCATED APPROXIMATELY 650 FEET WEST OF THOMAS LANGSTON ROAD AND SOUTH OF SOUTH BEND DRIVE AND SOUTH OF RIDGEWOOD ELEMENTARY SCHOOL. THE PROPERTY IS FUTHER IDENTIFIED AS A PORTION OF TAX PARCEL #23627. THE PRELIMINARY PLAT CONSISTS OF 7 LOTS ON 3.0817 ACRES. THE PROPERTY OWNER IS AMA HOLDINGS, LLC.- APPROVED

Mr. Andy Thomas, Lead Planner, presented the preliminary plat. He stated the property is located in the southwest portion of the City. The property is approximately 650 feet west of Thomas Langston Road, south of South Bend Drive and south of Ridgewood Elementary School. It is a portion of a larger area and consists of 7 lots on 3.0817 acres. The property is zoned RA20

(Residential Agricultural). The property is not impacted by the Flood Plain but there is a creek that runs along the property is part of the Southeast Drainage District. Thomas Langston Road is recognized as being a minor thoroughfare. There is a common area across the rear of the properties that leads to the stormwater detention pond. This area will be maintained by a property owner's association. The documents establishing the Homeowner's Association will be reviewed by the City and recorded in the Pitt County Register of Deeds prior to recordation of the final plat. There is an existing 40 foot drainage easement on the eastern side of the property. There will be no costs to the City of Greenville associated with this subdivision other than routine costs to provide public services.

Mr. Weitz asked if property owners give the association any start up funding to maintain the detention area.

Mr. Thomas stated the stormwater facility itself will be constructed by the developer and therefore already be in place at the time lots are sold. It would be up to the property owners to maintain the facility. Homeowner Association documents will be submitted to the City and the City will assure a mechanism is in place to provide funding to keep the facility maintained.

Mr. Weitz stated there is no maintenance bond on behalf of the developer and asked if it was up to the homeowners when they buy into the subdivision to assess themselves fees in case problems arise with the stormwater facility.

Mr. Thomas stated the homeowners will maintain the detention facility after their home warranty runs out.

Chairwoman Basnight opened the public hearing.

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

Chairwoman Basnight closed the public hearing and opened for board discussion.

**Motion made by Mr. King, seconded by Ms. Harrington, to recommend approval of the preliminary plat as submitted. Motion passed unanimously.**

### **TEXT AMENDMENTS**

ZONING TEXT AMENDMENT REQUESTED BY RIVERS AND ASSOCIATES, INCORPORATED TO TITLE 9, CHAPTER 4, ARTICLE O. SECTION 9-4-252 OF THE CITY CODE TO CHANGE THE REQUIRED PARKING SPACES FOR MINI-STORAGE WAREHOUSE. - APPROVED

Ms. Chantae Gooby presented the text amendment. This request is from Rivers and Associates. The request is to change the required parking spaces for mini-storage warehouse. The existing standard is 1 parking space per 4 storage units. The proposed standard would require 5 parking

spaces plus 1 space per 100 storage units. Parking standards for mini-storage warehouses vary among other communities of similar size/character. She stated the change would not create a hardship or a non-conforming use. In staff's opinion, the request is in compliance with Horizon's Greenville Community Plan.

Chairwoman Basnight asked if the spaces included handicapped spaces.

Ms. Gooby stated handicapped spaces are required since it is a public building. This amendment does not affect the number of handicapped spaces.

Chairwoman Basnight opened the public hearing.

Mr. Trey Little of Rivers and Associates spoke in favor of the request. He stated the request fits in with peer communities and helps mold and accommodate standards here in Greenville.

Mr. Griffin asked if there was an existing issue with the current standard.

Mr. Little stated no but the current standard makes it harder to comply.

No one spoke in opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

Mr. Weitz stated he was in favor of the request and thought it was a good move. Most parking or traffic is at the actual unit of rental. The required spaces are mostly used by the resident manager or a customer stopping by to pay a bill or inquire about a lease. He stated the current standard is excessive and supports the proposed amendment.

**Motion made by Mr. Weitz, seconded by Mr. Parker, 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.**

### **PLAN AMENDMENTS**

REQUEST INITIATED BY THE PLANNING AND ZONING COMMISSION TO AMEND THE HORIZONS: GREENVILLE'S COMMUNITY PLAN FOCUS AREA (OR COMMERCIAL NODE) MAP DESIGNATION FOR THE PROPERTY LOCATED AT THE INTERSECTION OF FIRE TOWER ROAD AND BAYSWATER ROAD FROM A "NEIGHBORHOOD FOCUS AREA" TO A "REGIONAL FOCUS AREA" - APPROVED

Ms. Chantae Gooby presented the plan amendment. This request was initiated by the Planning and Zoning Commission due to the increase in commercial on the Future Land Use Plan Map. Staff was charged with determining the appropriate designation of the focus area. Currently, the designation is a Neighborhood Focus Area which indicates the amount of commercial in that area should be about 20,000 to 40,000 square feet of conditioned floor space. Since the amount



of commercial was increased on the Future Land Use Plan Map, the Planning and Zoning Commission requested that the focus area map be changed to a more appropriate designation. The Future Land Use Plan Map recommends roughly 60 acres of commercial. The anticipated build-out would be in excess of 400,000 square feet of conditioned floor space. Therefore, a Regional Focus Area designation was thought to be the most appropriate since it one of the largest focus areas and signifies over 400,000 square feet of conditioned floor space. Horizons states that focus area locations and sizes are not static and as development happens, focus areas may vary in size and even locations.

Chairwoman Basnight opened the public hearing.

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

Chairwoman Basnight closed the public hearing and opened for board discussion.

Mr. Weitz stated the focus area designation amendment is important for planning purposes as it signifies the amount of commercial that should be located in areas. The new designation is more appropriate. He fully supports the amendment.

**Motion made by Mr. Weitz, seconded by Mr. Schrade, to recommend approval of the plan amendment. Motion passed unanimously.**

**With no further business, a motion was made by Mr. Parker, seconded by Mr. Weitz, to adjourn. Motion passed unanimously. Meeting adjourned at 7:24 p.m.**

Respectfully Submitted,

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