

MINUTES ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION  
January 20, 2015

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 – X (Vice Chair)	Ms. Chris Darden – *
Mr. Jerry Weitz – *	Ms. Margaret Reid - *
Ms. Ann Bellis - *	Mr. Torico Griffin - *
Mr. Doug Schrade - *	Mr. Terry King –*
Ms. Wanda Harrington-X	Mr. Brian Smith -*

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

**VOTING MEMBERS:** Smith, Weitz, King, Bellis, Griffin, Schrade, Darden, Reid

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

**OTHERS PRESENT:** Dave Holec, City Attorney; Merrill Flood, Director of Community Development; and Jonathan Edwards, Communications Technician.

**MINUTES:** Motion was made by Mr. Smith, seconded by Ms. Darden, to accept the December 16, 2014 minutes as presented. Motion carried unanimously.

**NEW BUSINESS**

**REZONING**

ORDINANCE REQUESTED BY SCOUTS, LLC TO REZONE 1.50 ACRES LOCATED NEAR THE INTERSECTION OF TUPPER DRIVE AND OLD PACTOLUS ROAD AND 215+/- FEET EAST OF OLD PACTOLUS ROAD FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO CH (HEAVY COMMERCIAL).- APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated the property is located in the northeastern section of the City, near the intersection of US Highway 264 and Greenville Boulevard and specifically along Tupper Drive. Currently, the Seegar's Fence Company is located on the property. Most of the uses in the area are commercial, institutional and vacant. The property is impacted by the 500 and 100-year floodplains. The property is considered to be part of the regional focus area located at US Highway 264 and Greenville Boulevard, where commercial is anticipated and encouraged. Due to a small change in traffic, a volume report was not prepared. In 1989, the property was incorporated into the City's ETJ, as part of a large-scale ETJ extension, and zoned RA20 (Residential-Agricultural). Under the current zoning, the property could accommodate 7 single-family lots. Under the requested zoning CH (Heavy Commercial), it could accommodate 14,375+/- square feet of commercial space. Since the property does not have frontage along a major highway, staff does not anticipate retail or restaurant uses. The Future Land Use Plan Map recommends commercial at the intersection of

US Highway 264 and Greenville Boulevard. In staff's opinion, the request is in compliance with Horizon's Greenville Community Plan and the Future Land Use Plan Map.

Mr. Weitz asked when the current use was established on this site.

Ms. Gooby stated in the 1980's.

Mr. Weitz asked if it was there before it was brought into the City's ETJ and remained a nonconforming use.

Ms. Gooby stated yes.

Chairwoman Basnight opened the public hearing.

Mr. Ben Purvis, representative for the applicant, spoke in favor of the request.

Mr. Weitz asked if the site had experienced flooding and if so how much.

Mr. Purvis stated yes, during hurricane Floyd and it was severe.

No one spoke in opposition of the request.

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

Mr. Weitz stated this is an appropriate rezoning request from a land use standpoint. It is surrounded by heavy commercial and little residential. He has reservations about building in the floodplain, but supports the request since there are ordinances and standards in place when building in the floodplain.

**Motion made by Mr. Smith, 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**

ORDINANCE TO AMEND THE ZONING ORDINANCE BY REVISING THE SIZE AND PROJECTION DIMENSIONS FOR PROJECTION WALL SIGNS AND ALLOWING SUCH SIGNS ON EACH SIDE OF A BUILDING FACING A PUBLIC STREET OR PUBLIC ALLEY WITHIN THE CD (DOWNTOWN COMMERCIAL) ZONING DISTRICT. - APPROVED

Mr. Thomas Weitnauer, Chief Planner, presented the text amendment. He stated the Zoning Ordinance only allows projection wall signs in the CD (Downtown Commercial) zoning district, however the maximum size sign allowed is ten square feet, whereas typical wall signs throughout the entire City are allowed to be at least 50 square feet as a default minimum allowed sign surface area, regardless of the lot or building size. This text amendment allows properties

with frontage having 100 feet or less to have a maximum area of 15 square feet projection wall sign and allows properties with frontage having more than 100 feet to have a maximum of 50 square foot projection wall signs. This text amendment also increases the maximum dimension projection wall sign may extend past the wall they are mounted to from 3 feet to 4 feet. The zoning ordinance currently allows only one wall projection sign per establishment. This text amendment allows one projection wall sign for each side of a building that fronts a public street or public alley. The proposed changes to the ordinance are as follows.

- May project horizontally from the building wall not more than four feet (currently three)
- Under Section 9-4-234 (B) (5) (b), Wall Projections Signs, remove items 4, 5, 8, and 9
- Add: One projection wall sign is allowed for each side of a building that fronts a public street or public alley.
- Add: Projection wall signs shall be considered part of the total wall sign allowance.
- Add: Properties with frontage having 100 feet or less may have a maximum projection wall sign area of 15 square feet and properties with frontage having more than 100 feet may have a maximum projection wall sign area of 50 square feet

The proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan, Vision Areas Subsection, Management Action H5: "Develop the downtown as the cultural, recreational, and entertainment center of the City." It is also in compliance with the Center City West Greenville Revitalization Plan, Chapter 2, Market Feasibility – Housing, Retail and Entertainment Uses, V. Strategy Implications, Goal 2 which states, "Reposition and revitalize downtown as a new and vibrant activity center for the city and the region."

Ms. Bellis asked if there were any current projection signs.

Mr. Weitnauer stated he saw one from the remnants of Hard Times Bar, some have used awnings and canopies, but there are not many.

Mr. Schrade asked why the allowance of 15 square feet and 50 square feet.

Mr. Weitnauer stated one reason was administrative to be able to quickly permit projects. The other reason is to be straight forward since contractors work with so many jurisdictions.

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 some of the amendment is too restrictive and parts are not restrictive enough. He stated most signs are flush mounted to the wall. Projection signs are mounted to the wall but stick out over the sidewalk. He asked if small suspended signs under canopies are considered projection signs.

Mr. Weitnauer stated the ordinance in Section 5(b)(1) reads: “Wall projection signs shall be permanently attached to an exterior wall of a building in a manner approved by the Building Inspector.” He stated no.

Mr. Weitz asked if there is a separate code for suspended signs.

Mr. Weitnauer stated he was not sure but they are not part of wall projection signs.

Mr. Weitz referred to Section 5 (b)(2) that it shall not be attached to the outside edge of a canopy or extend beyond any outside edge of a canopy.

Mr. Flood, Director of Community Development, clarified that suspended signs, which Mr. Weitz mentioned, that project down from the canopy are not permitted under the Code. Projection signs need to be attached to the wall and not from a canopy.

Mr. Weitz stated that an allowance for suspended signs is needed and that projection signs are a relic of the past.

Mr. Flood stated 2 projection signs exist. One at 1<sup>st</sup> & Reade Streets and the other at Winslow’s.

Mr. Weitz stated the proposed would allow for one projection sign per building frontage. He asked what about when various establishments share a building.

Mr. Flood stated the purpose also is to reduce visual clutter. In this scenario, each establishment could not have its own projection sign but could combine into one projection sign.

Mr. Weitz stated the overall size allowance, 50 square feet is too large.

Mr. Weitnauer stated there is a 4 foot projection off of the wall. The allotment of 50 square feet is for buildings with more than 100 feet of frontage. There are not many buildings downtown that do. Projection signs can enhance downtown. He stated he would not suggest this amendment if it would hurt the downtown area. Between 1986 and 2011 there have been over two dozen sign amendments. It is a good time to increase standards. This is a conservative set of amendments.

Mr. Flood stated a section of the sign ordinance currently allows up to 50 square feet of signage for flush mounted signs. This provides consistency in the proposed amendment.

Mr. Weitz stated the proposed height is too big. He stated Starlight Café is a good example. The signage should be oriented to the pedestrian and does not need to be so big. He stated he cannot support the amendment as written.

Ms. Bellis stated she agreed with Mr. Weitz and that being too large would be unpleasant.

Ms. Darden asked how many properties downtown have more than 100 feet of frontage.

Mr. Weitnauer stated he did not have the information.

Ms. Bellis asked if there was a request for this type of sign.

Mr. Weitnauer stated the new parking garage and a few smaller businesses in the past.

Ms. Bellis suggested the parking garage should request a special use permit from the Board of Adjustment.

Mr. Weitnauer stated no, the BOA does not entertain or review variances to sign regulations.

Mr. Griffin stated if this is for consistency then he can see the bigger picture of a more urbanized feel to the City, bringing the old into the new and the new into the old.

Mr. Smith stated that it is for downtown only and that it would help. Not many businesses could afford it, so not too many of these signs would be going up.

Chairwoman Basnight asked if the new apartments being built would be eligible for a sign.

Mr. Weitnauer stated yes.

Ms. Darden asked about the sign on 1<sup>st</sup> & Pitt Streets.

Mr. Flood stated it is a projection sign and was done under the current regulations. He recalls a large projection sign years ago on Dickinson where the gym is at now. Projection signs are making a comeback. This request is trying to accommodate change and keep consistency.

Mr. Weitz stated that he researched other jurisdictions. Wilmington is 15 square feet and Durham is 40 square feet. It all comes down to design and scale. It should be scaled and oriented to the pedestrian. Projection signs should be used when there is no canopy and address the suspended signs under the canopies. The area and height should be kept small. He agreed with Ms. Bellis that the parking garage should request a variance at the Board of Adjustment.

Attorney Holec stated a variance would not meet the legal requirement. It has to be related to the land and therefore would not apply to this.

Mr. King asked what is recommended for the parking garage if this amendment is not passed.

Attorney Holec stated the ordinance would need to be amended to apply to specific buildings or structures. A text amendment is still required.

Mr. Schrade asked where the 50 square foot requirement came from.

Mr. Flood stated it is consistent with the current provisions the sign ordinance that allows up to 50 square feet for flush mounted signs.

Mr. Schrade suggested making the requirements 15 square feet for buildings with under 100 feet of frontage and 32 square feet for buildings over 100 feet of frontage.

Ms. Darden suggested adding an allowance of up to 50 square feet for significantly larger buildings as needed.

Mr. Weitnauer stated that significantly larger could depend on the number of stories.

Ms. Reid agreed with a requirement to include larger buildings so that it is there for the parking garage and any other future large building or expansion.

Mr. Weitnauer stated that the suggestions are good. The suggestions can be included in a motion and can be forwarded to Council.

Attorney Holec stated since this was generated by staff, they are willing to entertain a motion with the changes and proceed to City Council with the changed amendment. The motion needs to be understood and recommended clearly. He stated, as he has heard, the ordinance as is with the reduced square footage from 50 square feet to 30 square feet and adding an additional provision that a building of a certain size and height could have the 50 square feet.

Mr. Weitnauer suggested a revision to the text amendment that added properties with frontage having more than 100 feet and with at least a three story building located on the property with a height of at least 40 feet and a building lot coverage area of at least 80% of the property may have a maximum projection wall sign area of 50 square feet.

Mr. King asked if there was any urgency to do this or could it be tabled until the next meeting.

Mr. Flood stated yes. The completion of the parking deck is in the next few days. The sign became an issue.

Mr. Weitz stated he still had questions about suspended signs that are not covered in the ordinance and needs to be addressed.

Mr. Flood stated that staff would need to do research and come back with a report on it. The Planning and Zoning Commission can initiate the amendment and staff can come back with it.

**Motion made by Mr. Schrade, seconded by Mr. Smith, to recommend approval of the proposed text amendment with the combined changes that Attorney Holec reiterated and Mr. Weitnauer suggested 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. In favor: Mr. Smith, Mr. Griffin, Mr. Schrade, Ms. Darden, and Ms. Reid. Against: Mr. Weitz, Mr. King, Ms. Bellis. Motion carried.**

**Motion made by Mr. Weitz, seconded by Mr. King, to have Staff initiate a text amendment to sign regulations regarding suspended signs. Motion passed unanimously.**

Mr. Flood advised the Commission of items on next month's agenda. First is the theatre, or live performance venue, that City Council has sent back for modifications. Also it is time for the 10 year update to the Horizons plan and information will be provided.

**With no further business, a motion was made by Mr. Smith, seconded by Ms. Darden, to adjourn. Motion passed unanimously. Meeting adjourned at 7:29 p.m.**

Respectfully Submitted,

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