

MINUTES ADOPTED BY THE CITY OF GREENVILLE PLANNING AND ZONING COMMISSION
January 15, 2018

The Greenville Planning and Zoning Commission met on the above date at 6:00 pm in Council Chambers of City Hall.

Mr. Michael Overton – Chair *
Mr. Doug Schrade – * Ms. Chris Darden – *
Mr. Les Robinson – * Mr. John Collins - *
Mr. Kevin Faison - * Mr. Hap Maxwell - *
Mr. Ken Wilson - * Mr. Terry King - *
Mr. Max Ray Joyner III - * Mr. Chris West - *

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

PLANNING STAFF: Chantae Gooby, Chief Planner; Thomas Barnett, Community Development Director; Camillia Smith, Secretary

OTHERS PRESENT: Emanuel McGirt, City Attorney; Cathy Meyer, Civil Engineer; Rick DiCesare, City Traffic Engineer; Scott Godefroy, City Engineer; Kelvin Thomas, Communication Technician.

MINUTES: Motion made by Ms. Darden, seconded by Mr. King, to accept the December 18th, 2018 minutes. Motion passed unanimously.

NEW BUSINESS

Closure of an Alleyway located on the east side of Cedar Lane and south of East Tenth Street.

Mr. Godefroy presented the Alleyway closure, describing the 300ft long and 20 wide alley he informed the commission that it has been in existence since 1956. Mr. Godefroy said that GUC would be able to use the alley way during utility repair.

**Motion to approve the Closure of the Alleyway located on the east side of Cedar Lane and south of East Tenth Street by John Collins
Seconded by Chris Darden**

Motion passed unanimously.

Closure of an Alleyway located on the east side of East Rock Spring Road and south of East Tenth Street.

Mr. Godefroy characterize the Alleyway as being used for storm drainage since 1940, the city has resurface it and would like to give it back to the property owners. The drainage line went into the creek and long with GUC, City Staff has reviewed the closure of the alley.

**Motion to approve the closure of the Alleyway located on the east side of East Spring Road and south of East Tenth Street by Ken Wilson.
Seconded by Les Robinson
Motion passed unanimously.**

REZONINGS

Ordinance received from by Happy Trail Farms, LLC to rezone 10.066 acres located between Stantonsburg Road and the Norfolk Southern Railroad and west of the Southwest Bypass from RA20 (Residential-Agricultural) to I (Industry).

Ms. Gooby delineated the property. This rezoning was associated a Future Land Use Character Map Amendment that was denied by Council. While the amendment was denied, the applicant would still like the rezoning to be considered. The majority of the surrounding property is vacant. The Pitt County Landfill is located to the east. The property is not in the flood zone but is in the Greens Mill Run Watershed and will require 25-year storm water detention. Under current zoning, the property could accommodate 30 to 35 single-family lots and under the requested zoning it could accommodate 58,000 square feet of warehouse or industrial space. The Future Land Use Character Map recommends office/institutional (OI) is used as transition between the Southwest Bypass and the Residential to the west. The requested industrial zoning is not part of the office/institutional character. In staff's opinion, the request is not in compliance with the Horizons 2026: Greenville's Community Plan and the Future Land Use Character Map. Staff recommends denial.

Mr. Maxwell asked if this property is located at the beginning of Greens Mill Run.

Ms. Gooby replied yes.

Mr. Robinson asked staff to explain what 25-year storm water detention means.

Ms. Meyer explained there is a 5% chance of that type of storm happening at any point in time. A 10-year storm means that there is a 10% chance that it will happen at any point in time.

Mr. Maxwell stated you could have two 10-year storms in July.

Mr. Godefroy replied yes because this based on statistical information.

Mr. Overton stated that it all ultimately affects the size of the storm water retention.

Mr. Overton open the public hearing.

Mr. Mike Baldwin, Baldwin Design Consultants, spoke in favor, on behalf of the applicant. He stated he is not trying to pick apart the Comprehensive Plan. The Land Use Map Amendment that came before this board was approved. The most important thing is the noise coming from the Pitt County Landfill is not appropriate near offices. The noise and vibration from the railroad is not appropriate near offices. The noise from the by-pass is not appropriate near offices. Office zoning is one of the most restrictive zoning classifications. Business like banks, medical offices and real estate offices would find it difficult to operate here.

Mr. Robert O'Neal, spoke in opposition of the request, lives on Allen Road about ¼ miles from the landfill. He has been in contact with County Manager who told him the noise is coming from the lime distribution company that is leasing a portion of the County property. He is told that the use is allowed and there basically nothing that could be done. They operate from sunup to sundown. I am against the request if they want industrial. They should go across the river where everything is zoned industrial. I have a son with special-needs and he is afraid to go outside now with all the noise.

Mr. Baldwin replied he appreciated the gentlemen's concern but there is only have 32 feet of frontage along the railroad for this property. The noise he is referring to is from the lime distribution. It is the nosiest machine I have ever heard. That is why I am here requesting industrial because residential and offices don't belong around that noise. I think the height of the Southwest Bypass is going to give this gentlemen plenty of noise protection.

Mr. O'Neal replied that I know he wants his zoning but even with the trees being thick in the summer time it doesn't buffer the noise. I think it should be denied. We families living there. There is a nice park that the City just built and we barely go there because of the noise. I think it should be denied.

Mr. Overton closed the public hearing.

Motion made by Mr. Maxwell, seconded by Mr. Collins to recommend denial of the proposed amendment and to advise that it is inconsistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters Voting in favor: Maxwell, Wilson and Collins. Voting in opposition: Joyner, King, Schrade, Darden and West. Motion failed.

Motion made by Mr. Schrade, seconded by Mr. Joyner, to recommend approval of the proposed amendment, to advise that, although it is not consistent with the Comprehensive Plan, in this instance it is an appropriate zoning classification, and to adopt the staff report which addresses plan consistency and other matters. Voting in favor: Wilson (abstained), Joyner, King, Schrade, Darden, and West. Voting in opposition: Collins and Maxwell. Motion passed 6 to 2.

Ordinance requested by Craig F. Goess and Craig M. Goess to rezone 7.687 acres located on the northwestern corner of the intersection of West Arlington Boulevard and Dickinson Avenue from MCG (Medical-General Commercial) to MCH (Medical-Heavy Commercial).

Motion made by Ms. Darden, seconded by Mr. King, to recuse Chairman Overton. Motion passed unanimously.

Ms. Gooby delineated the property. It is located across the street from Physicians East. The 7.6 acre property is now adjacent to a new Dunkin Donuts. There is a neighborhood activity center at this property, which is where commercial is encouraged. These areas are intended to service a 1-mile radius. Staff anticipates about 60,000 square feet of mixed retail/restaurant and a convenience store at the corner. The Future Land Use Plan recommends mixed use at this corner, which is described as place to live, work and shop. The mixed use character allows a variety of zoning districts. In staff's opinion, the request is in compliance with the Horizons 2026: Greenville's Community Plan and the Future Land Use Character Map. Staff recommends approval.

Mr. Mike Baldwin, Baldwin Design Consultants, spoke in favor, on behalf of the applicant. The property was rezoned to MCG (Medical-General Commercial) 2016 right after the Horizons 2026 was adopted. The request will be in harmony with the surrounding zoning pattern. While it would require strong traffic mitigation, it still an appropriate zoning for this area.

No one spoke in opposition.

Mr. Overton closed the public hearing.

Motion made by Mr. Collins, seconded by Ms. Darden, to recommend approval of the proposed amendment to advise that it is consistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

Ordinance requested by Carolina Penn Investment Group, LLC to rezone a total of 0.939 acres located along West 3rd Street between South Pitt Street and the CSX Railroad from CDF (Downtown Commercial Fringe) and R6 (Residential [High Density Multi-family]) to CD (Downtown Commercial).

Motion made by Mr. Joyner, seconded by Mr. West, to recuse Chairman Overton. Motion passed unanimously.

Ms. Gooby delineated the three (3) tracts. The Uptown Area contains a variety of uses. This rezoning could generate a net increase of 93 trips per day. Over the last few years, the trend has been for properties in the Uptown Area to be rezoned to CD because it allows more uses with relaxed standards that allows for more intensive and appropriate development. The Future Land Use Character Map recommends urban core (UC) in the “horse shoe” area transitioning to urban edge (UE) to the west and south. The request is a natural progression between Uptown and West Greenville. In staff’s opinion, the request is in compliance with the Horizons 2026: Greenville’s Community Plan and the Future Land Use Character Map. Staff recommends approval.

Mr. Mike Baldwin, Baldwin Design Consultants, spoke in favor, on behalf of the applicant. The vision for the property is to have something there that will fit in with the existing developments being done in the downtown area. The requested CD zoning gives more flexibility.

Mr. Overton, spoke in favor, that he has no intention of doing anything commercial on the street. I own the property across the street under another company. The setbacks are eased under the CD zoning. I see the street with really nice townhouses. The houses that were there were beyond repair. The intention is put residences that would appeal to the young professionals, doctors, professors that want to live downtown but not alongside students.

Ms. Ann Harrington, spoke in opposition. She lives on West 4th Street and would prefer single-families.

Ms. Darden asked if Ms. Harrington was opposed to the dilapidated houses being torn down.

Ms. Harrington replied that she wasn’t because they were in bad shape.

Mr. Overton, spoke in rebuttal in favor that he would like to see single-family homes in this area. My goal is to split the three (3) single-homes on one (1) lot into three (3) separate lots.

Ms. Harrington, spoke in rebuttal in opposition, that potential is the key word. The property would be a rental for a long time. Its many things that it could be but who knows what it will be.

Ms. Darden stated she frequents the area and has seen the positive impact the development has had on the area. The area need it and I don’t understand why anyone wouldn’t want to see the dilapidated duplexes gone.

Mr. Schrade replied I never thought it would turned around, I understand your concern, but on this particular road change would be good for the city.

Motion made by Mr. West, seconded by Ms. Darden, to recommend approval of the proposed amendment to advise that it is consistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

Ordinance requested by Bent Creek Farms, LLC to rezone 1.362 acres located along the western right-of-way of Allen Road and 400+/- feet north of Woodridge Park Drive from RA20 (Residential-Agricultural) to CH (Heavy Commercial).

Ms. Gooby delineated the property. Currently, there are three mobile homes and one single-family home on the site. The request could generate a net increase of 92 trips per day. There is a neighborhood activity center at the intersection of Allen Road and Allen Ridge Road, which is where commercial is encouraged. These areas are intended to serve a 1-mile radius. A portion of the property is located in the floodplain and floodway and the entire property is located in the Greens Mill Run Watershed, which would require 25-year stormwater detention.

There are only a few properties in this area that are still zoned RA20. Surrounding properties are zoned commercial and industrial and this trend will likely continue with the remaining properties. The Future Land Use Plan recommends commercial © at the southwestern corner of the intersection of Allen Road and the Norfolk Southern Railroad transitioning to industrial/logistics (IL) to the east and south. Potential conservation area/open space (PCOS) is recommended along Greens Mill Run. In staff's opinion, the request is in compliance with the Horizons 2026: Greenville's Community Plan and the Future Land Use Character Map. Staff recommends approval.

Mr. Maxwell asked about the wetlands subject to riparian and buffer rules mentioned in the report.

Ms. Gooby replied that riparian buffer rules apply if there is a blue line stream, which would require a 50-foot buffer along the edge of the stream that would remain undisturbed.

Mr. Mike Baldwin, Baldwin Design Consultants, spoke in favor, on behalf of the applicant. With the widening of Allen Road and a grass median, there will be only right-in and right-out of this property. As far as the wetlands/riparian area, the wetlands are a question mark. The riparian buffer is required as there is a blue line stream there. We are trying to emulate what is already commercial in the area.

Mr. O'Neal, spoke in opposition, stated he didn't see how a small piece of property can be developed. I'm against it because it is close to my house. During Hurricanes Floyd and Irene, the water went over the road, and the trailer in the picture was covered with water within 6 inches of its roof.

Mr. Maxwell asked doesn't the Watershed Master Plan discourage building on flood prone land. With this degree of flooding and it being at the head of Greens Mill Run at what point do we look at the PCOS character. Shouldn't this land be deemed as conservation/open space for no further development?

Ms. Gooby replied that the zoning of a property has nothing to do with if it's suited for development. You can have a commercial property that is located in the flood plain that may not be developed. That is the purpose of PCOS on the map caution someone of potential environmental constraints.

Mr. Faison replied so green is buyer beware.

Ms. Gooby replied yes.

Mr. Robinson asked if the widening of Allen Road will affect the flooding.

Mr. Godefroy, City Engineer, stated that the widening of the road will be on the east side of Allen Road and the culverts will be upsized.

Mr. O'Neal stated that flooding will only worsen with the construction.

Mr. Baldwin replied that culverts under city streets are designed for 10-year storms and NCDOT designs for 25-year storms on secondary road.

Motion made by Mr. Schrade, seconded by Mr. Robinson, to recommend approval of the proposed amendment to advise that it is consistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters. Voting in favor: Joyner, Collins, King, Schrade, Darden, and West. Voting in opposition: Wilson and Maxwell. Motion passed.

Ordinance requested by Bobby W. Joyner to rezone 12.943 acres located along the northern right-of-way of East Fire Tower Road and adjacent to Meeting Place Subdivision from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family]).

Ms. Gooby delineated the property. There is a community activity center at the intersection of Charles Boulevard and Fire Tower Road, which is where commercial is encouraged. These areas are intended to service a 3-mile radius. This request could generate net an increase of 600 trips per day. This area will be impacted by the planned road widening for Fire Tower Road, which will make it a 4-lane divided median highway. All traffic leaving from this property will eventually be required to make a right-hand turn. Under the current zoning, the property could accommodate 40-45 single-family lots. Under the proposed zoning, the property could accommodate 150 multi-family units. The Future Land Use Plan recommends commercial © at the intersection of Charles Boulevard and Fire Tower Road transitioning to office/institutional (OI) to the north and traditional neighborhood, medium-high density (TNMH). The requested OR zoning is part of the TNMH character. Further, potential conservation/open space (PCOS) is shown along the northern property line and along Meeting House Branch (which traverses the property). Meeting House Branch is a blue line stream, which may be subject to riparian buffer rules. In staff's opinion, the request is in compliance with the Horizons 2026: Greenville's Community Plan and the Future Land Use Character Map. Staff recommends approval.

Mr. Scott Anderson, Ark Consulting, spoke in favor, representing the applicant. The request is in compliance with Future Land Use Plan and the proposed OR zoning provides a transition from the commercial at Charles Boulevard and Fire Tower Road. The rear of the property drops off significantly and 25-year storm water detention required. So, that is where the storm water detention will be located. The property will be affected by the Fire Tower widening project so access will be limited to right-in and right-out.

Ms. Nikki Coutouzis, spoke in opposition. She lives on Cleere Court in the Red Banks Subdivision. She has 16 signatures of people that are in opposition that live in Meeting Place Subdivision, which is adjacent to the rezoning. There are no trees and is completely open to their homes. The biggest concern is traffic. The intersection has already deemed one of the most accident prone intersection in the city and with the increase of 600 trips per day and the DOT widening project this project is at a bad time. We would like to see the area stay single-family.

Ms. Scott, spoke in opposition. She lives on Cleere Court in the Red Banks Subdivision. Her main concern is with traffic and how horrible it is at certain times of the day. The overall plan should be considered to keep our neighborhood safe. If you look at accident reports, our neighborhood isn't safe. We don't have turning lane so please consider this.

Mr. Anderson, spoke in rebuttal, in favor. He stated traffic is bad and the roadway was designed to handle 12,000 trips per day and the new road is designed to handle 39,000 trips per day. The owner doesn't have any immediate plans for the area.

Mr. DiCesare, City Traffic Engineer, stated that City and NCDOT will work together to properly position the driveway of the proposed project. NCDOT would mostly likely request a dedicated right turn lane into the property. There will be signalized, time and coordinated traffic lights. The time of construction is 2020-2024. The efficacy will help flush out congestion.

Mr. Wilson stated he has a problem with putting additional traffic in that area. 600 trips doesn't seem like a lot but at 8:00 a.m. it is. If this was 2 years from now, once the widening begins it would be different.

Motion made by Mr. Wilson, seconded by Mr. Maxwell to recommend denial of the proposed amendment, to advise that, although it is consistent with the Comprehensive Plan, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency and other matters. Voting in favor: Maxwell and Wilson. Voting in opposition: Joyner, Collins, King, Schrade, Darden and West. Motion failed.

Motion made by Mr. King, seconded by Mr. Schrade to recommend approval of the proposed amendment and to advise that it is consistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters. Voting in favor: Joyner, Collins, King, Schrade, Darden (abstained) and West. Voting in opposition: Maxwell and Wilson. Motion passed.

Land Use Plan Map Amendment

Ordinance initiated by the Greenville City Council to amend the Greenville Future Land Use and Character Map for the area located adjacent to the East Carolina University (ECU) Main Campus roughly between East 5th Street and Shady Lane and 130+/- feet west of Maple Street containing 0.90+/- acres from University/Institutional (UI) to Traditional Neighborhood, Medium-High Density (TNMH).

Motion made by Mr. Robinson, seconded by Ms. Darden to recuse Mr. Maxwell. Motion passed unanimously.

Ms. Gooby detailed the history of the request. This originally started as a result of a rezoning on East 6th Street, which is located in the subject area. The TRUNA Neighborhood Association initially requested this same amendment last year, but withdrew the request. City Council asked staff to do an assessment and bring back a recommendation. On City Council initiated this request. City staff met with representative of the TRUNA Neighborhood and ECU in eight (8) separate occasions related to this request. Within the subject area, there is a parking lot and a single-family home owned by for ECU, two (2) privately owned single-family homes and a vacant lot. In 2015, the Comprehensive Plan Committee was established to work on an update of the Horizons plan. This committee held nine (9) meeting. Of those meeting, there were (2) meetings and a workshop specifically for the Future Land Use and Character Map. One of the guiding principles for the Future Land Use and Character Map is: sustainable development practices. This property is adjacent to the ECU Main Campus and ECU owns almost half of the subject property. Due to the location of this property, it is an area for the natural progression of ECU. During the eight meetings, there was not support from either side for a compromise. In staff's opinion, the current version of the Future Land Use and Character Map still supports a sustainable pattern of development. Staff recommends denial.

Mr. King asked although this was initiated by City Council, staff is recommending denial.

Ms. Gooby replied yes. Horizons and the Future Land Use and Character Map are only two years old. There has not been any significant change in the development pattern that would warrant such a change.

Ms. Ann Maxwell, spoke in favor of the request. She is a longtime resident and homeowner in the neighborhood. They live with sense of community and this "bump out" had to be a mistake that intends to steal the peacefulness and safety of their neighborhood.

Mr. John Gresham, spoke in favor of the request. He is a longtime resident and homeowner in the neighborhood.

Ms. Marty Priddy, spoke in favor of the request. She is a longtime resident and homeowner in the neighborhood.

Mr. John Whacker, spoke in favor of the request. He is a longtime resident and homeowner in the neighborhood.

Ms. Marty Vainwright, spoke in favor of the request. She is a longtime resident and homeowner in the neighborhood.

Mr. Hap Maxwell, spoke in favor of the request. He is a longtime resident and homeowner in the neighborhood.

Ms. Susan Redding, spoke in favor of the request. She is a longtime resident and homeowner in the neighborhood.

Mr. William Hanlon, spoke in favor of the request. He is a longtime resident and homeowner in the neighborhood.

Mr. Bill Redding, spoke in favor of the request. He is a longtime resident and homeowner in the neighborhood.

Mr. Greg Gurble, spoke in favor of the request. He is a longtime resident and homeowner in the neighborhood.

Mr. Bagnell, Vice Chancellor of Campus Operations at ECU, spoke in opposition, replied that ECU has no plans at this time but needs to protect its future. I don't think that the Future Land Use and Character Map should be challenged in this way. Development is accruing within the current zoning and ECU can still proceed through the State.

Mr. Schrade stated I think it should be left the way it is, but I don't think it was a mistake.

Mr. Robinson replied the neighborhood is a beautiful to drive through. I think ECU benefits from having future parents see what a beautiful and safe area they are dropping their kids in. The neighborhood give a great impression of the University and community. I think we should give the neighbors what they want but keep in mind ECU can proceed through the State.

Mr. Wilson replied while I think it should be changed. I commend staff for defending the Plan.

Mr. Overton commented I do agree, it doesn't make sense why it is there. I also agree with staff by defending it. The Future Land Use and Character Map is not perfect map and we are going to a micro level. Changes and flexibility will be needed for the future.

Motion made by Mr. Schrade, seconded by Mr. Robinson to approve the request.

Motion passed unanimously

Motion to adjourn by Mr. Robinson, seconded by Mr. King

Motion passed unanimously

Meeting adjourned at 8:53 pm

Submitted respectfully,

Chantae Gooby