

ADOPTED MINUTES FOR THE GREENVILLE PLANNING AND ZONING COMMISSION

May 21, 2020

The Greenville Planning and Zoning Commission met via electronic media on the above date at 6:00 pm.as a continuation of the recessed meeting from May 19, 2020. Due to COVID 19 safety measures, commission members connected electronically to the meeting from their own locations.

Chairman Robinson said that recent actions by the North Carolina General Assembly has changed the way the commission will vote. The Planning and Zoning Commission met on May 19, 2020 at 6PM via ZOOM and in keeping with the laws related to electronic meeting the items from that meeting were recesses until today. The public hearings were already held. This meeting is to discuss the item and then vote on the item in question.

Mr. Les Robinson - Chair *

Mr. Kevin Faison - X	Ms. Chris Darden - *
Mr. Michael Overton -*	Mr. John Collins - *
Mr. Alan Brock - *	Mr. Hap Maxwell - *
Mr. Billy Parker - *	Mr. Brad Guth - *
Mr. Max Ray Joyner III - *	Mr. Chris West – X

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

Mr. Robinson asked if all those who were present on May 19, 2020, were present for tonight’s meeting.

The Clerk confirmed that the same members were present for both meetings.

Chairman Robinson asked the commission if they all received the public comments pertaining to the agenda items. Chantae Gooby said that late in the afternoon she sent an email with items that were sent to her for the commission. A few members of the commission had not received the email. Ms. Gooby then forwarded the email out to those members who did not receive it.

Mr. Robinson asked for a motion to go into a five minute recess so that the commission could read and review the new information.

Motion made by Max Ray Joyner, seconded by John Collins, to recess the May 21, 2020 Planning and Zoning meeting for five minutes for members to be able to review the information. Motion passed unanimously.

After a five minute recess, Mr. Robinson asked for a motion to reconvene.

Motion made by Mr. Parker, seconded by Mr. Maxwell, to reconvene. Motion passed unanimously.

VOTING MEMBERS: Robinson, Overton, Parker, Darden, Joyner, Maxwell, Collins, Brock, and Guth

PLANNING STAFF: Chantae Gooby, Chief Planner; Bradleigh Sceviour, Planner II; Tony Parker, Planner I; Margo Castro, GIS Technician II

OTHERS PRESENT: Emanuel McGirt, City Attorney; Kelvin Thomas, Communication Technician; and Rob Hudson, IT Manager

Rezoning:

4. ORDINANCE REQUESTED BY EAST CAROLINA UNIVERSITY TO REZONE A TOTAL OF 19.0+/- ACRES IN THE AREA GENERALLY BOUNDED BY WEST 10TH STREET, SOUTH WASHINGTON STREET, WEST 12TH STREET, WEST 13TH STREET AND THE COASTAL SEABOARD RAILROAD FROM IU (UNOFFENSIVE INDUSTRY), R6 (RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) AND CDF (DOWNTOWN COMMERCIAL FRINGE) TO MUI (MIXED USE RESIDENTIAL) - APPROVED

Mr. Robinson reminded the commission that Max Ray Joyner was recused.

Motion made by Mr. Overton, seconded by Mr. Collins 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.

5. ORDINANCE REQUESTED BY THREE TWENTY ENTERPRISES, LLC TO REZONE A TOTAL 8.2917 ACRES FROM GENERAL BUSINESS (GB) – SIMPSON’S JURISDICTION TO GENERAL COMMERCIAL (CG) – GREENVILLE’S JURISDICTION FOR 3.2917 ACRES – TRACT 1 AND FROM GENERAL BUSINESS (GB) – SIMPSON’S JURISDICTION TO OR (OFFICE-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) – GREENVILLE’S JURISDICTION FOR 5.0 ACRES – TRACT 2 FOR THE PROPERTY LOCATED AT THE SOUTHEASTERN CORNER OF THE INTERSECTION OF NC HIGHWAY 33 EAST AND L. T. HARDEE ROAD – APPROVED

Motion made by Mr. Overton, 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.

6. REQUEST BY ROCKY RUSSELL DEVELOPMENT, LLC. THE PROPOSED PRELIMINARY PLAT ENTITLED, “BARRINGTON FIELDS, SECTIONS 2, 3, AND 4”, IS LOCATED WEST OF FROG LEVEL ROAD AND ADJACENT TO TABERNA SUBDIVISION AND IS FURTHER IDENTIFIED AS BEING TAX PARCEL NUMBERS 22728, 32631, AND 68998. THE PROPOSED PLAT CONSISTS OF 40 LOTS TOTALING 19.1252 ACRES – APPROVED

Motion made by Mr. Brock, seconded by Mr. Collins, to approve the Barrington Fields, Sections 2, 3 and 4 Preliminary Plat. Motion passed unanimously.

7. ORDINANCE REQUESTED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT TO AMMEND THE CITY CODE TO ADD A MULTI-FAMILY OPTION TO THE MCG (MEDICAL-GENERAL COMMERCIAL) AND MCH (MEDICAL-HEAVY COMMERCIAL) ZONING DISTRICTS – APPROVED

Motion made by Mr. Overton, seconded by Ms. Darden 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.

8. ORDINANCE REQUESTED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT TO AMEND THE CITY CODE BY CREATING A CLASSIFICATION AND ASSOCIATED STANDARDS FOR SMALL PRIVATE SCHOOL – CONTINUED UNTIL THE JUNE 16, 2020 MEETING

Mr. Maxwell stated that when they met for the December Planning & Zoning meeting both sides agreed to continued conversations. He felt this has not happened and believes there needs to be further discussion between all of the concerned parties prior to a vote.

Mr. Joyner agreed with Mr. Maxwell, and that although progress is being made, the proposed hours of operation for the complex are unacceptable.

Mr. Collins is strongly opposed to the amendment. He feels at minimum there needs to be a limit on the number of events.

Mr. Brock felt there were too many hours proposed in the text amendment.

Mr. Joyner stated there should be some sort of percentage for public and private use of the facility. He also reiterated that the hours of proposed operation were unacceptable.\

Mr. Guth asked if staff could speak about the difference between a rezoning request, special use permit, and a text amendment.

Ms. Gooby stated a special use permit is granted by the Board of Adjustments. When the Unity Baptist Church owned the property, they had to apply for a special use permit. When JP II became the owners and wanted to develop an athletic complex, they then had to amend the permit. The developer withdrew his rezoning request and now asks for a text amendment to allow third party rentals.

Mr. Guth asked if the applicant could go back and have the special use permit adjusted to allow third party rentals.

Ms. Gooby said yes, however this may not be in the best interest of the applicant. Any and all conditions on the original permit could be reconsidered.

Mr. Maxwell asked if all of the groups could get back together and come to terms with changes to the special use permit which would satisfy all parties.

Mr. McGirt stated the Board of Adjustments would have to hold another hearing to amend a special use permit, and this may not be in the best interest of both parties.

Mr. Maxwell asked what options the parties had to go back and discuss in order to move forward.

Mr. McGirt said that if the amendment is passed the use would be by-right and the special use permit is overridden.

Chairman Robinson agreed with Mr. Maxwell and said there needs to be more conversation between the two parties. He also referenced the lights, noise, and hours of operation and stated these items need to be negotiated in good faith and all parties come to a compromise.

Motion made by Mr. Maxwell, seconded by Mr. Joyner, to table this item until the June 16, 2020 meeting. Motion passed unanimously.

9. ORDINANCE REQUESTED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT TO AMMEND THE CITY CODE BY CREATING A NEW RECREATIONAL/SPORT HUNTING OVERLAY- DENIED.

Mr. Maxwell stated that there were no speakers in favor or against the proposed amendment, and that staff had told them during presentation that they had conversations with the Greenville Police Department, NC Wildlife Enforcement Officers, and others. He felt the commissioners should have the opportunity to speak with them as well. The property is in the city limits, and this overlay does not make any sense to him.

Mr. Joyner said that he supported Mr. Maxwell. He did not see a need for this overlay and would like to hear from the officials as well.

Ms. Gooby said that staff would do its best to try to get those experts to attend the next meeting.

Mr. Robinson said he could help bring a NC Wildlife Officer to the meeting.

Mr. Maxwell said that there has been a considerable amount of work done to create a Master Plan for the use of the Tar River. The proposed overlay could jeopardize the work that has been done to create the Tar River Legacy Plan.

Motion made by Mr. Maxwell, seconded by Mr. Joyner, 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. Motion passed unanimously.

Motion made by Mr. Overton, seconded by Mr. Parker, to adjourn. Motion passed unanimously.

Meeting adjourned at 7:05PM.

Respectfully submitted,

Chantae Gooby

Chief Planner