

MINUTES ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION  
October 16, 2012

The Greenville Planning and Zoning Commission met on the above date at 6:30 p.m. in the Council Chambers of City Hall.

Mr. Godfrey Bell –Chair-\*

Mr. Tony Parker - *	Ms. Shelly Basnight – X
Mr. Hap Maxwell – *	Ms. Ann Bellis – *
Ms. Linda Rich - *	Mr. Brian Smith - *
Mr. Doug Schrade - *	Mr. Jerry Weitz – *
Ms. Wanda Harrington-*	Mr. Torico Griffin -X
Dr. Kevin Burton- *	

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

**VOTING MEMBERS:** Parker, Maxwell, Rich, Bellis, Smith, Weitz, Schrade, Burton

**PLANNING STAFF:** Chantae Gooby, Planner II and Elizabeth Blount, Staff Support Specialist II.

**OTHERS PRESENT:** Chris Padgett, Interim Assistant City Manager, Dave Holec, City Attorney and Jonathan Edwards, Communications Technician.

**MINUTES:** Motion was made by Mr. Smith, seconded by Dr. Burton, to accept the September 24, 2012 minutes as presented. Motion carried unanimously.

**NEW BUSINESS**

**REZONINGS**

ORDINANCE REQUESTED BY FLEMING ALLEN, LLC TO REZONE 1.30 ACRES LOCATED NEAR THE NORTHEAST CORNER OF THE INTERSECTION OF W.H. SMITH BOULEVARD AND DICKINSON AVENUE-APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. The property is located in the central portion of the city, 200+/- feet east of W.H. Smith Boulevard and 300 +/- feet north of Dickinson Avenue. The property is currently vacant. The rezoning could result in a decrease of 108 less trips per day. The property is currently zoned as CG (General Commercial) which yields the same square footage as MCG (Medical General Commercial) but offers more medical-related uses and limits non-medical uses. The Future Land Use Plan Map recommends commercial for the area bounded by W.H. Smith Boulevard, Dickinson Avenue and the Norfolk Southern Railroad. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan and the Medical District Land Use Plan. It is specifically recommended in the text of Horizons "to increase the number of intensity of medical-related establishments" and promotes the desired urban form.

Mr. Bell asked for further explanation of the entire range of permitted and special uses.

Ms. Gooby stated that some non-medical uses in the general commercial zoning are not allowed in the medical general commercial zone such as, a photography studio or an appliance store.

Chairman Bell opened the public hearing.

Mr. Durk Tyson, representative of the applicant, spoke in favor of the application. He stated that he did not have anything to add to the presentation and would answer any questions.

Mr. Weitz asked why the applicant wanted to change to Medical General Commercial.

Mr. Tyson stated that a tenant needs the medical zoning for his proposed use.

No one spoke in opposition of the request.

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

No discussion from board members.

**Motion made by Ms. Bellis, seconded by Mr. Maxwell, 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 MICHAEL GARRETT TO REZONE 0.15 ACRES  
LOCATED ALONG THE WESTERN RIGHT-OF-WAY OF ALBEMARLE AVENUE  
BETWEEN BONNERS LANE AND SOUTH ALLEY STREET - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. The property is located in the downtown area near the former location of the old Icehouse. The area contains a variety of uses. The rezoning could result in a small increase of traffic from 5 trips per day to 8. Since 1969, the property has been zoned IU (Unoffensive Industry). Both the current and the proposed zoning districts yield the same square footage, but the proposed zoning offers more neighborhood-friendly uses such as, retail and offices. The area is a part of the 45-Block Revitalization Plan. The Future Land Use Plan Map recommends commercial along either side of Albemarle Avenue. The property is considered a part of the Downtown Focus Area. Over the years, other rezonings in this area have resulted in CD zoning which is preferred over the CDF district. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan and the 45-Block Revitalization Plan. The request promotes the desired urban form.

Mr. Bell stated that the 45-Block Revitalization Plan shows this area as a business hub for the surrounding community.

Chairman Bell opened the public hearing.

Mr. Michael Garrett, applicant, spoke in favor of the application. He stated that the property was owned by his father for many years and that his tenants desire to use the building as a barber shop.

Mr. Weitz asked if the applicant consider any other rezoning classifications.

Mr. Garrett stated that he was shocked that the property would need to be rezoned due to barber shops being located in the area for many years. He said he did not consider any other classifications.

Mr. Weitz asked if the applicant relied on staff's recommendation.

Mr. Garrett stated yes and that he did not realize he had a choice.

No one spoke in opposition of the request.

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

Ms. Gooby stated that Mr. Garrett was informed that the current zoning did not allow barber shops and that he would need to rezone the property. Ms. Gooby consulted with Economic Development Staff for the recommended zoning. Downtown Commercial (CD) was recommended for the area. Based upon this information, Mr. Garrett chose to rezone his property.

Mr. Weitz stated that he also looked at the Center City Revitalization Plan along with the comprehensive plan and that the application is consistent with both plans. He was concerned that the CD zoning included unlimited residential density in the same area and recommended rezoning to General Commercial.

Mr. Bell stated that the 45-Block Revitalization Plan recommended Albemarle Avenue as commercial.

Mr. Weitz stated that the two plans contradict each other.

Ms Gooby stated over the years there have been other rezonings in the area that have resulted in the CD zoning and that it is preferred over the CDF zoning. Some uses in CDF are not desirable in the Downtown area so CD zoning is recommended. One of the 2 downtown commercial zones should be used in this area.

Mr. Parker asked if CDF zoning will be eliminated in the long term.

Ms Gooby stated yes.

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

Mr. Weitz stated that he was worried about unlimited residential density should another owner buy the property.

**Motion passed unanimously.**

## **TEXT AMENDMENTS**

### **ZONING TEXT AMENDMENT APPLICATION SUBMITTED BY GREENVILLE COMMUNITY LIFE CENTER, INC. -APPROVED**

Mr. Chris Padgett, Chief Planner, provided background information on the request to the Commission. He stated the City's current standards, that homeless shelters were permitted with a special use permit in the O&I district, but they had been omitted as an acceptable use when the OR district was formed in 1997. The proposed text amendment request that "shelter for homeless or abused" be permitted in the OR (Office Residential) district with the issuance of a special use permit subject to a minimum lot area requirement of two acres. The OR district is designed to be a transitional zoning district. To this end, it allows a range of duplex, multi-family, business and professional office uses. Staff listed the specific objectives in the Comprehensive Plan that may support or be adverse to the requested amendment. In staff's opinion, the proposed text amendment is in compliance with Horizons: Greenville's Community Plan.

Chairman Bell opened the public hearing.

Mr. Durk Tyson, representative of Greenville Homeless Shelter, spoke in favor of the application. He stated that the building for the Shelter is functionally obsolete and the Shelter started a fundraising program for a new building. The previously requested rezoning to CDF was thought to have the least impact, but neighbors opposed it. The applicant is now applying for a text amendment that would allow the shelter to obtain a special use permit in the OR district.

Lynn James, Executive Director of Homeless Shelter, spoke in favor of the application. She stated that the organization is pleased with the text amendment as an alternative option to rezoning and hopes to get the project moving forward.

Mr. Weitz asked was the two acre requirement on behalf of the applicant or staff.

Ms James stated that staff recommended the two acre requirement based on planning and land use purposes due to the nature of the operation.

Mr. Weitz asked the current lot size of the property.

Ms James stated she was not sure.

Mr. Padgett stated 2.3 acres.

No one spoke in opposition of the request.

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

Ms Bellis asked if the neighbors withdrew their objections.

Mr. Padgett stated that text amendments are not site-specific so there are no mailings to adjoining properties. The approval of the text amendment will allow the applicant to go before the Board of Adjustment and request a special use permit which will require notification of adjoining property owners.

Mr. Schrade stated that the complaints from the neighbors were not about the shelter but about rezoning the property to commercial.

Mr. Weitz stated the text amendment will open up more of the city to the homeless or abused uses but given the requirement of a two acre lot, the opportunities will be more limited.

**Motion made by Mr. Weitz, seconded by Ms Rich, 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.**

## **OTHER ITEMS OF BUSINESS**

### **ADOPTION OF THE DEVELOPMENT CODE REVIEW AND POLICY GAP ANALYSIS TO IMPROVE THE COMMUNITY'S HEALTH, DESIGN AND APPEARANCE**

Ms Gooby introduced the consultants Walter Cole and Lee Smith from Clark Nexsen who worked on the project Communities Putting Prevention to Work. Mr. Cole and Mr. Clark presented their findings and recommendations for Pitt County.

Mr. Parker stated that being involved in the task force was an eye opening experience.

Chairman Bell thanked Mr. Parker for volunteering to serve on the task force.

Mr. Padget stated that Mr. Parker's participation on the task force was valuable. He also explained the process for approval of the Communities Putting Prevention to Work findings and recommendations.

**Motion made by Mr. Parker, seconded by Ms Bellis, to approve the development code review and policy gap analysis to improve the community's health, design, and appearance. Motion passed unanimously.**

Mr. Parker thanked Mr. Thom Moton for his service as Assistant City Manager.

**With no further business, motion made by Mr. Smith, seconded by everyone, to adjourn. Motion passed unanimously. Meeting adjourned at 7:33 p.m.**

Respectfully Submitted,

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