

May 15, 2007

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

Mr. Len Tozer - \*

Mr. Bob Ramey - *	Mr. Dave Gordon - *
Mr. Jim Moye - *	Mr. Tim Randall - X
Mr. Don Baker - *	Mr. James Wilson - *
Mr. Bill Lehman - *	Mr. Porter Stokes - X
Mr. Godfrey Bell, Sr. - *	Ms. Shelley Basnight - *

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

VOTING MEMBERS: Tozer, Moye, Ramey, Gordon, Baker, Wilson, Lehman, Bell and Basnight.

PLANNING STAFF: Merrill Flood, Director of Community Development; Harry V. Hamilton, Jr., Chief Planner; Andy Thomas, Planner; Chantae Gooby, Planner; and Kathy Stanley, Secretary.

OTHERS PRESENT: Ray Craft, Council Member; Dave Holec, City Attorney; David Brown, City Engineer; Wayne Nottingham, Senior Engineer; and Kyle Garner, Transportation Planner.

Chairman Tozer recognized Council member Ray Craft.

MINUTES: Motion was made by Mr. Ramey, seconded by Mr. Bell, to accept the April 17, 2007 minutes as presented. Motion carried unanimously.

REQUEST BY WILLIAM E. DANSEY, JR. – APPROVED

Chairman Tozer stated that the first item of business is a request by William E. Dansey, Jr. to rezone 1.850 acres located at the southwest corner of the intersection of East Fire Tower and Bayswater Roads from OR (Office-Residential [High Density Multi-family]) to CG (General Commercial).

Ms. Chantae Gooby stated this request is to rezone approximately two acres from Office-High Density Multi-family to General Commercial. The property is located

in Voting District #5. The subject property is south of Sheffield Subdivision and adjacent to Dudley's Grant Townhomes. Currently, there is a single family and a mobile home on the property and is adjacent to Greystone Mobile Home Park. The property is not impacted by the floodplain. Fire Tower Road is designated as a residential corridor between Old Tar Road and Corey Road. There is a neighborhood focus area which is intended to contain approximately 20,000 to 40,000 square feet of conditioned floor space. Currently, there is the Fire Tower Shopping Center and Mini-Storage. The existing commercial acreage is 10.5 acres. Ms. Gooby explained that this request should be taken into consideration with the Lewis Land Development request which is to the east of this property. Ms. Gooby presented a map of the regional focus area at the intersection of Arlington Boulevard and Fire Tower Road. Ms. Gooby stated that the areas indicated in purple are the commercial areas undeveloped and this intersection has approximately 57 percent of that area available for development currently zoned commercial. The proposed rezoning could generate a net increase of 535 trips, with the majority towards Evans Street. The Land Use Plan Map recommends Office/Institutional/Multi-family and this would act as a buffer or transition from commercial zoning into the high density zoning to the west and south. The current zoning is considered high density. Ms. Gooby stated that in staff's opinion this request is not in compliance with the Land Use Plan map in that the existing commercial is already in excess of the Land Use Plan recommendation in respect to location and focus area type. Staff would consider this request to be a significant deviation from the Land Use Plan Map taking into respect this request separately or in conjunction with the proposed commercial request before the Commission later.

Mr. Baker stated that it appears that the area is going toward general commercial and asked Ms. Gooby to explain why the request is not in compliance.

Ms. Gooby stated that the intended commercial node that's at the property was intended to be a neighborhood commercial focus area which is small focus area generally between 20 and 40,000 square feet of conditioned floor space. Ms. Gooby explained that there is 10.5 acres already which include the shopping center and the mini-storage. Ms. Gooby reiterated by stating that what is already on the ground is in excess of the Land Use Plan Map recommendations.

Mr. Fred Mattox, Attorney at Law, representing William E. Dansey, Jr. spoke on behalf of the request. Mr. Mattox stated that Mr. Dansey has developed a very successful commercial area on the east side of Bayswater Drive. Mr. Dansey owns the property on the west side of that and he would like to enlarge that area. The

property is not that desirable for residential use because Fire Tower Road will be a 5-lane road when completed. Mr. Mattox stated that there are plans to develop additional multi-family behind this property on the Old Evans Mobile Home Park and Greystone Mobile Home Park in the near future. Mr. Mattox stated that in his opinion the residents in the area would have the ability to walk to a commercial establishment to purchase their needs instead of driving. Mr. Mattox stated this location has proved popular with the residents and that the area is growing.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Baker, to recommend approval of the proposed amendment, to advise that although the proposed amendment 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. Those voting in favor: Ramey, Baker, Gordon, Wilson, Basnight and Lehman. Those voting in opposition: Moye and Bell. Motion carried.

#### REQUEST BY CAROLINA DEVELOPMENT AND CONSTRUCTION, LLC – DENIED

Chairman Tozer stated that the next item is a Land Use Plan Map Amendment request by Carolina Development and Construction, LLC. to amend the Future Land Use Plan Map for the area described as located along the eastern right-of-way of Evans Street, south of the WNCT-TV Station southern property boundary line to 150 feet south of Pinewood Road, and including those lots fronting Evans Street containing approximately 1.7± acres from a “Medium Density Residential” category to an “Office/Institutional/Multi-family” category.

Ms. Gooby stated this is a request to amend the Land Use Plan Map from Medium Density Residential to Office/Institutional/Multi-family and this request is in conjunction with a rezoning request. The property is located in Voting District #5. The property is located on Evans Street, south of the WNCT –TV Station. Currently, there is one strip of vacant land south of the TV station and two single family homes in this area. Multi-family development is located on the opposite side of the street. Evans Street is considered a connector corridor. Ms. Gooby stated that the Land Use Plan Map amendment could generate an increase of 20 trips per day over the current zoning. Ms. Gooby stated that the property is zoned single family and was zoned single family as part of the Neighborhood Task Force rezoning recommendations in 2006. Ms. Gooby stated that the Land Use Plan Map recommends Medium Density Residential and the proposed request is to amend the

area to Office/Institutional/Multi-family. The rezoning request that is in conjunction with this request is for Office. Ms. Gooby stated that the current Land Use Plan Map indicates Office/Institutional/Multi-family to the north and south but this area has been recommended for residential.

Mr. Wayne Malone, owner of Carolina Development and Construction Company, stated he is a real estate developer and they do commercial and new buildings. Mr. Malone stated that they rehab commercial and residential properties. Mr. Malone stated this particular property is not good residential property to be rehabilitated because of its location on Evans Street and deterioration. Mr. Malone explained that the request is for Office only. Mr. Malone stated that Office zoning would be a buffer between Evans Street and the residential area. Mr. Malone presented photographs of commercial zoning adjacent to residential areas.

Ms. Joann Morano, adjacent to the subject property, spoke in opposition. Ms. Morano presented a petition of over 100 neighbors on Pinewood Drive and adjoining area in opposition of the Land Use Plan amendment and rezoning request. Ms. Morano stated that each of the adjacent property owners will be filing the notarized Protest Petition. Ms. Morano stated that although growth is good for Greenville, growth that infringes into neighborhoods is not right nor good for the community. Ms. Morano stated that the area was zoned from Residential/Agricultural to Residential Single Family at the recommendation of the Task Force on Preservation of Housing and Neighborhoods to protect the neighborhoods. Ms. Morano asked that the previous decisions for the area be upheld. Ms. Morano stated that there are two reasons why she supports retaining residential use of this property (1) drainage in the area and (2) possible increase in traffic. Ms. Morano asked that the Commission consider the following to determine if the request has merit (1) is it in conformance with the Land Use Plan Map; (2) is it compatible with surrounding zoning and patterns; (3) is it compatible with existing land uses (4) what will its impact be on area streets, and its impact on safety and welfare of the area residents.

There was discussion in regards to what could be done to the home to make it presentable and livable versus having a nice compatible office building.

Mr. Caird Vandersloot, 201 Pinewood Road, spoke in opposition to both the amendment and rezoning request. Mr. Vandersloot stated that there is already problems with traffic and flooding in the neighborhood and to allow Office zoning on this property would only increase those problems.

Ms. Diane Kulik, President of the Lynndale Neighborhood Association, current member and Past Chair of the Appearance Commission, representing the Lynndale Neighborhood spoke in opposition. Ms. Kulik stated that the Neighborhood Association does not want to see businesses backed-up the residential areas along Evans Street. Ms. Kulik reiterated that the area was recently rezoned to protect single family homes and neighborhoods. Ms. Kulik stated that the Comprehensive Land Use Plan states “maintain Evans Street as a residential corridor from Martinsborough south to Fire Tower Road”. Ms. Kulik explained that the job of the city government, its staff, and its commissions is to provide the very best quality of life that we can for its residents. Ms. Kulik stated that in this case the question is will the rezoning affect the quality of life for the residents. Ms. Kulik presented a petition from the Lynndale Neighborhood Council.

Ms. Tiffany Buck, 105 Pinewood Road, spoke in opposition to the amendment and rezoning requests. Ms. Buck presented photographs of the area after it rained showing the drainage problem. Ms. Buck made reference to specific items in the Comprehensive Plan. Land Use Implementation Strategy 1(a) states “discourage the rezoning of existing residentially-developed or zoned areas to a non-residential classification unless such rezoning would be consistent with the future land use plan”. In this case it is not. In reference to Land Use Implementation Strategy 2(i) “office/institutional/multi-family development should be used as a buffer between light commercial and industrial development and adjacent lower density residential land uses.” In this case it is not. In reference to Growth and Development item 2 Implementation Strategy (x) “maintain neighborhood character and integrity”, this change in the Land Use Plan and zoning would not do that. Ms. Buck asked the Commission to support the residents by not approving the Land Use Plan amendment or rezoning.

Mr. Linwood Simpson, 209 Pinewood Drive, spoke in opposition. Mr. Simpson reiterate the current traffic problems. Mr. Simpson stated that developing this property for an Office would make the traffic problem worse. Mr. Simpson asked that the Commission deny the requests.

Mr. Malone rebutted by stating that if there is something he can do engineering wise to eliminate some of the drainage problem he would do so. Mr. Malone stated that neighborhoods change and this area would be perfect for an office.

Ms. Morano asked those in attendance that were in opposition of the request to stand. Approximately 20 persons stood.

Mr. Ramey asked staff if Evans Street will be 5-laned in the future.

Ms. Gooby replied that was correct.

Mr. Lehman stated that the residents are concerned with the stormwater and flooding and asked that the Engineering Department address those issues. Mr. Lehman commented that the Commission went through intensive rezoning to protect neighborhoods and it seems that this request would be undoing a decision that the Commission and City Council has approved. Mr. Lehman explained that request is in violation of the issues in the Horizons Plan.

Motion was made by Mr. Ramey, seconded by Mr. Baker, to recommend denial of the proposed amendment. Motion carried unanimously.

#### REQUEST BY LEWIS LAND DEVELOPMENT, LLC – APPROVED

Chairman Tozer stated that the next item is a request by Lewis Land Development, LLC to amend the Future Land Use Plan Map for the area located along the southern right-of-way of Fire Tower Road, west of the Fork Swamp Canal, east of Fire Tower Crossing Shopping Center and south of Quarterpath Village Subdivision containing approximately twenty (20) acres from “Office/Institutional/Multi-family” and “High Density Residential” categories to a “Commercial” category.

Ms. Gooby stated this is a request to change the Land Use Plan Map from Office/Institutional/Multi-family and High Density Residential to Commercial which is in conjunction with a rezoning request. The property is located within Voting District #5 and along Fire Tower Road, adjacent to the Fire Tower Shopping Center and Mini-storage, south of Quarterpath Village Subdivision. This area is part of the former Evans Mobile Home Park. The property is currently vacant and the North Carolina Forestry Service is included in this area along with the former Park Side Convenience Store. Fire Tower Road is considered a residential corridor between Old Tar Road and Corey Road. There is a neighborhood focus area located at this location. The proposed Land Use Plan Map amendment could generate an increase of 6,580 trips with the majority of the trips forward Evans Street. Ms. Gooby stated that any egress or ingress would be on Fire Tower Road because there is no interconnectivity with other

properties. Currently the property is zoned for multi-family. The current Land Use Plan Map recommends Office/Institutional/Multi-family transitioning into High Density Residential. The proposed request is for Commercial. Ms. Gooby stated that in staff's opinion the request is not in compliance with the Land Use Plan and the existing commercial is in excess of the Plan recommendations and staff would consider this a significant deviation from the Land Use Plan Map.

Mr. Durk Tyson, Rivers and Associates, spoke on behalf of the applicant. Mr. Tyson stated that the request is to take the existing neighborhood focus area on Fire Tower Road and expand it into a community focus area. Mr. Tyson explained the definition of a neighborhood commercial zone is to provide convenient shopping facilities consisting primarily of necessary goods and personal services required to service surrounding subdivisions. Mr. Tyson presented photographs of existing neighborhood commercial zones that serve surrounding neighborhoods. Mr. Tyson stated that within ½ mile of this property there are 1,300 residences and if the radius was expanded to one mile there are 3,500 residents. This neighborhood focus area would serve the neighborhoods of Sheffield, Ashcroft, Bedford Place, Whitehall, Surrey Meadows, Windsor and development properties to the south and east. Mr. Tyson explained that the Department of Transportation is currently widening Fire Tower Road and this property would access off Fire Tower Road and will be accessed by signalized intersection being installed as part of the new project. This portion of Fire Tower Road will be median divided so traffic exiting this project will have to either be right-in or right-out or by the controlled signalized intersection. Mr. Tyson stated that the development of this property would be subject to City and DOT driveway regulations which would limit the project to two or three driveways along Fire Tower Road. Mr. Tyson explained that the request from residential to commercial would increase the tax base for the city.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Gordon, to recommend approval of the proposed amendment. Those voting in favor: Ramey, Baker, Gordon, Wilson, Basnight, Bell and Lehman. Those voting in opposition: Moye. Motion carried.

REQUEST BY CAROLINA DEVELOPMENT AND CONSTRUCTION, LLC – DENIED

Chairman Tozer stated that the next item is request by Carolina Development and

Construction, LLC, to rezone 0.74± acres located at the northeast corner of the intersection of Evans Street and Pinewood Road from R9S (Residential–Single-family [Medium Density]) to O (Office).

Ms. Gooby stated this rezoning request is in conjunction with the Land Use Plan Map Amendment request. The request is to rezone the property from R9S to Office. Ms. Gooby stated that the property is located in Voting District #5 and is located south of WNCT-TV Station. Ms. Gooby stated that in staff's opinion the request is not in compliance with the Land Use Plan Map.

No one spoke in favor.

Ms. Tiffany Buck reiterated her concerns as mentioned earlier.

Mr. Caird Vandersloot stated that based on the Commission's previous vote they deny this request.

Mr. Leonard Simpson, 209 Pinewood Road, asked the Commission to deny the request.

No one spoke in rebuttal.

Motion was made by Mr. Ramey, seconded by Mr. Bell, to recommend denial of the proposed amendment, to advise that it is inconsistent with the comprehensive plan or other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Motion carried unanimously.

#### REQUEST BY LEWIS LAND DEVELOPMENT, LLC – APPROVED

Chairman Tozer stated that the next item is a request by Lewis Land Development, LLC, to rezone 24.00 acres located along the southern right-of-way of East Fire Tower Road, west of Whitebridge Apartments, east of Fire Tower Crossing Shopping Center, and south of Quarterpath Village Subdivision from R6 (Residential – Mobile Home [High Density Multi-family]) to CN (Neighborhood Commercial).

Ms. Gooby stated this rezoning request is in conjunction with the previous Land Use Plan Map amendment. The property is located within Voting District #5 and along Fire Tower Road, adjacent to the Fire Tower Shopping Center and Mini-storage, south of

Quarterpath Village Subdivision. This area is part of the former Evans Mobile Home Park. Fire Tower Road is considered a residential corridor between Corey Road and Old Tar Road. There is a recognized neighborhood commercial area. The proposed zoning could generate an increase of 6,580 trips with the majority forward Evans Street. Ms. Gooby stated that this request would be in compliance with the Land Use Plan Map.

Mr. Durk Tyson stated he would answer any questions.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Lehman, to recommend approval of the proposed amendment, to advise that it is consistent with the recommended comprehensive plan amendment and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Those voting in favor: Ramey, Baker, Gordon, Wilson, Basnight, Bell and Lehman. Those voting in opposition: Moye. Motion carried.

#### REQUEST BY MAGDY TAHA AND ENJI ABDO – APPROVED

Chairman Tozer stated that the next item is request by Magdy Taha and Enji Abdo to rezone 2.043 acres located at the southwest corner of the intersection of Dickinson Avenue and South Skinner Street from IU (Unoffensive Industry) to CDF (Downtown Commercial Fringe).

Ms. Gooby stated this is a request to rezone approximately two acres from Unoffensive Industry to Downtown Commercial Fringe. The property is located in Voting District #2 along Dickinson Avenue beside the former Keel's Warehouse site. The property is the former Pepsi Plant building. There are a variety of land uses in the area which consist mainly of commercial. Dickinson Avenue is considered a connector corridor. The proposed rezoning could generate a net decrease of 100 trips per day. The Land Use Plan Map recommends commercial for this site. Ms. Gooby stated that the request is in compliance with the Comprehensive Plan and the Land Use Plan Map.

Mr. Magdy Taha stated that he would answer any questions.

No one spoke in opposition.

Motion was made by Mr. Bell, seconded by Mr. Gordon 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 carried unanimously.

#### REQUEST BY OWEN BURNEY – APPROVED

Chairman Tozer stated that the next item is a request by Owen Burney to rezone 12.39± acres located between North Memorial Drive and the Seaboard Coastline Railroad, 2,070± feet south of Stanton Mill Road, and 460± feet north of Moore Road (Pinewood Estates Subdivision) from RA20 (Residential-Agricultural) and RR (Rural Residential – County’s Jurisdiction) to OR (Office-Residential [High Density Multi-family]).

Ms. Gooby explained this is a rezoning request in conjunction with a voluntary annexation. The request is to rezone the property from Residential and Agricultural to Office and High Density Multi-family. The property is located within Voting District #1 and located along Memorial Drive north of Wellcome Middle School. The property is vacant. Memorial Drive is considered a gateway corridor into the City. The rezoning request could generate a net increase of 740 trips. The Land Use Plan recommends Office/Institutional/ Multi-family. Ms. Gooby stated that the request is considered high density. Ms. Gooby stated that the request is in compliance with the Comprehensive Plan and the Land Use Plan Map.

Mr. Owen Burney stated he would answer any questions.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Lehman 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 carried unanimously.

#### REQUEST BY V-SLEW, LLC – APPROVED

Chairman Tozer stated that the next item of business is a request by V-Slew, LLC , to rezone 101.179 acres located along the northern right-of-way of NC Highway 33 East, 820± feet east of the intersection of NC Highway 33 East and Portertown Road, and 1,350± feet west of the intersection of NC Highway 33 East and L. T.

Hardee Road from RA20 (Residential-Agricultural) and RR (Rural Residential—County’s Jurisdiction) to OR (Office-Residential [High Density Multi-Family]), R6A (Residential [Medium Density Multi-Family]), RA20 (Residential-Agricultural), and O (Office).

Ms. Gooby stated this rezoning request is for over 100 acres and is in conjunction with a voluntary annexation. Ms. Gooby stated that this request was presented to the Commission in January and denied by City Council. The applicant has changed the request and has resubmitted it for consideration. Currently, the property is zoned Residential-Agricultural under the City’s jurisdiction and Rural Residential under the County’s jurisdiction. The request is for Office-High Density Multi-family, Medium Density Residential and Residential-Agricultural and Office. The property is located in Voting District #3 and located between Tenth Street and the Tar River. The property is east of Homestead Memorial Gardens. The rezoning request is divided into four different tracts. There is no multi-family development in the immediate area. The northern portion of the property is impacted by the floodway and there can be no development in that area. Tenth Street is considered a gateway corridor and there is an intermediate focus area in close proximity to the rezoning area. The rezoning request could generate a net increase of 2,170 trips, with the majority of the trips toward the city. The Land Use Plan Map recommends Office/Institutional/Multi-family along Tenth Street which would transition into Medium Density Residential and then to low density and very low density residential toward the river. Ms. Gooby stated the depth for Tract 1, requested for Office and High Density Multi-family, is the same as the original request. Tract 2, originally requested for Medium Density Multi-family has been reduced and the remainder of the property is now requested for Residential-Agricultural. Ms. Gooby stated that in staff’s opinion Tracts 2, 3 and 4 are in compliance with the Comprehensive Plan and the Land Use Plan Map. However, with respect to Tract 1, staff is of the opinion that the request is not in compliance due to the depth of the proposed OR district as well as to the proximity to the city cemetery. Tract 4 was added to this request for Office which would abut the synagogue. Ms. Gooby stated that the request for Tract 1 as far as the depth is the same as the original request.

Mr. Ramey asked if there wasn’t comments made previously about problems with drainage.

Ms. Gooby stated that was correct.

Mr. Mike Baldwin, Baldwin & Associates, representing the applicant, stated this request in another form was approved by the Commission. Mr. Baldwin stated that they have meet with the church and have come to some agreements. Mr. Baldwin explained that the 1.3 acre lot, Tract 1, beside the church is to protect them if multi-family development occurs. Mr. Baldwin explained that Tract 1 was reduced by 1.5 acres, Tract 2 was reduced by 11 acres. Mr. Baldwin stated that transitional zoning has been provided, Office-Residential along the frontage, Medium Density, low density and then very low density. The intent has been met by this plan. Mr. Baldwin stated that they have honored their agreement to put an office lot at the corner. Mr. Baldwin explained that they will have to comply with stormwater requirements which should eliminate the existing drainage problems. Mr. Baldwin stated that he feels the request has meet the criteria for rezoning this property.

Ms. Samantha Pilot, President of Congregation Bayt Shalom, spoke in opposition. Ms. Pilot stated there have been three meetings with V-SLEW, LLC. Ms. Pilot stated that V-SLEW, LLC has agreed to zone Tract 4, next to the church, Office. Ms. Pilot stated that the adjacent tract could be developed as office or multi-family. Ms. Pilot stated that they are concerned as to where driveway cuts will be located. Ms. Pilot reiterated that drainage is a problem. Ms. Pilot stated that they still have some concerns about the maintenance of the berm and landscape and additional vegetation.

Dr. George Klein, member of Congregation Bayt Shalom, spoke in opposition. Dr. Klein stated that they had agreed upon everything but when it came to initially put the agreement into writing things didn't happen. Dr. Klein stated he is encourage that the applicant has proposed the Office zoning adjacent to the church. Dr. Klein stated that their main concern is the high density zoning and drainage issues. Dr. Klein asked that the Commission consider their concerns.

Mr. Baldwin rebutted by stating that the issue is the 60 foot strip between the church and this tract of land. The driveway for this property will be to the east. Mr. Baldwin reiterated that the drainage issues will be addressed in accordance to the requirements. Mr. Baldwin explained that he feels they are being asked to do something that they can't do because the city owns the 60 foot strip of property of NC Highway 33 and the driveway will be located down from the entrance of the church. The applicant has provided an Office buffer adjacent to the church. Mr. Baldwin stated that NC Highway 33 is 50 percent below the ADT.

Dr. Klein rebutted by stating they feel that they have not received any commitment to the agreements. Dr. Klein stated they have concerns in regards to the traffic in and out of the other property zoned for multi-family.

Mr. Gordon asked what staff would recommend for the depth on Tract 1 in order to become compliant with the Land Use Plan Map.

Ms. Gooby stated the intent would have the depth of Tract 1 similar to the already existing OR property due to the proximity of the cemetery and synagogue and not having such an intensive use extend further back from the highway.

Motion was made by Mr. Baker, seconded by Mr. Ramey 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. Those voting in favor: Baker, Ramey, Moye, Basnight, Lehman and Bell. Those voting in opposition: Gordon and Wilson. Motion carried.

#### REQUEST BY DVML, LLC – APPROVED

Chairman Tozer stated that the next item is a request by DVML, LLC for a preliminary plat entitled “Bedford, Section 11”. The property is located east of Ashcroft, Section 1, north of Ashcroft Village, south of Bedford, Section 9 and west of Summerhaven, Section 2. The proposed development consists of 9 lots on 6.086 acres.

Mr. Andy Thomas stated this is a preliminary plat request for Bedford, Section 11. The property is located east of Ashcroft, Section 1, north of Ashcroft Village, south of Bedford, Section 9 and west of Summerhaven, Section 2. The property is zoned Single-family residential and the anticipated use is single-family residential on nine lots. The property is not impacted by the floodplain and located off a thoroughfare. This property is a portion of the McLawhorn Farm. There was a sketch plan and a preliminary plat that indicated that this portion of the property was intended for stormwater retention. Apparently this property is not needed for stormwater detention. The developer is proposing putting lots in the intended recreation area. The recreation area was not required by Parks and Recreation because the developer was offering it for dedication. It is not known what affect that offer had on the review by Parks and Recreation. You also do not know what reliance purchasers on the development relied on this representation. This issue was brought to the attention of the Planning and Zoning Commission and it is not known what effect

the representation had on your approval. There is a large drainage canal to the east. The cul-de-sac street does not require a sidewalk because it is less than 500 foot in length.

Mr. Mike Baldwin stated he would answer any questions.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Lehman, to approve the plat. Motion carried unanimously.

#### REQUEST BY DVML, LLC – APPROVED

Chairman Tozer stated that the next item is a request by DVML, LLC for a preliminary plat entitled “Charleston Village, Section 7”. The property is located approximately 450 feet east of Frog Level Road, north of Meadow Woods, Section 1, south of Colony Woods and west of Charleston Village. The proposed development consists of 41 lots on 13.643 acres.

Mr. Thomas stated this is a request for a preliminary plat for Charleston Village, Section 7. The property is located approximately 450 feet east of Frog Level Road, north of Meadow Woods, Section 1, south of Colony Woods and west of Charleston Village. The property is currently zoned Single-family residential and the anticipated use is single-family residential on forty-one lots. The property is not impacted by the floodplain. Frog Level Road and Davenport Farm Road are recognized as thoroughfares. This property is an excellent example of how street stubs can provide an interconnecting street network. This property will connect Charleston Village, Meadow Woods and Colony Farms. It provides a means of access that promotes efficiency with service providers. Greenville Utilities Commission serves this property. Stormwater retention and sidewalks are provided.

Mr. Baldwin stated he would answer any questions.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Bell, to approve the plat. Motion carried unanimously.

## REQUEST BY EDMONSON CONSTRUCTION COMPANY, INC. – APPROVED

Chairman Tozer stated that the next item is a request by Edmonson Construction Company, Inc. for a preliminary plat entitled “Meadow Woods, Section 2”. The property is located approximately east of Frog Level Road and north of Masters Lane, east of Meadow Woods, Section 1 north of Augusta Trails, Section 1 and west of Charleston Village. The proposed development consists of 87 lots on 19.782 acres.

Mr. Thomas stated this is a request for a plat entitled Meadow Woods, Section 2 by Edmonson Construction Company, LLC. The property is located east of Frog Level Road and north of Masters Lane, east of Meadow Woods, Section 1, north of Augusta Trails, Section 1 and west of Charleston Village. The property is zoned Single-family residential and the anticipated use is single-family residential on eighty-seven lots. This property is not impacted by the floodplain. This property is an excellent example of how street stubs can provide an interconnecting street network. This property will connect Charleston Village and Augusta Trails. It provides a means of access that promotes efficiency with service providers. Greenville Utilities Commission serves this property. Stormwater retention and sidewalks are provided.

Mr. Baldwin stated he would answer any questions.

No one spoke in opposition.

Motion was made by Mr. Bell, seconded by Mr. Lehman, to approve the plat. Motion carried unanimously.

## REQUEST BY CCR PROPERTIES OF PITT COUNTY, LLC – APPROVED

Chairman Tozer stated that the next item is a request by CCR Properties of Pitt County, LLC for a preliminary plat entitled “Davencroft, revision of Phases 2-4 and Davencroft Village”. The property is located approximately east of Thomas Langston Road, south of Winchester, Section 2, west of Sterling Trace and north of Woodridge North, Phase II. The proposed development consists of 118 lots on 37.092 acres.

Mr. Thomas stated this is a request by CCR Properties of Pitt County, LLC for a plat entitled Davencroft, Phases 2-5, revised and Davencroft Village. The property is located east of Thomas Langston Road, south of Winchester, Section 2, west of Sterling Trace and north of Woodridge North, Phase II. The property is zoned

Residential-Agricultural and the anticipated use is single-family residential on one hundred seventeen lots. The property is not impacted by the floodplain. Thomas Langston Road is recognized as a major thoroughfare. This development proposal is really two different submittals in one. There is the revision to Davencroft, Phases 2-5 which would require approval of the Planning and Zoning Commission due to the changing street pattern. There is also Davencroft Village which is being submitted as a cluster subdivision. The applicant wanted them presented together so they could be considered as one project for the purposes of stormwater regulations. The Davencroft preliminary plat was approved by the Planning and Zoning Commission on August 15, 2005. There is a minor alteration that was recently approved by the staff for Section 2. The major change is the street pattern and doing away with two cul-de-sacs. This improves the layout for accessibility. Stormwater retention is provided in the first phase and sidewalks are provided. The detention pond in the first phase was oversized to serve the rest of this development. Davencroft Village Cluster is a new submission. This development is being presented as a cluster subdivision. Cluster subdivisions are an alternative development option that provides for a more efficient use of land while protecting environmentally sensitive areas. The Planning and Zoning Commission has approval authority of the location and arrangement of any open space. There are specific improvements that are allowed in the open space such as picnic areas or shelters, ball fields, walking or jogging trails, boat ramps or docks or other similar recreational facilities. Stormwater retention or drainage facilities are not permitted in the open space. If the Planning and Zoning Commission were to consider acting favorably on this request, the Planning Staff would ask that a note be added that no stormwater retention or drainage facilities will be permitted in the open space.

Mr. Baldwin stated he would answer any questions.

Mr. Jeff Edwards, resident of Woodridge North, stated he opposed to changing the development from single family residential to cluster development. Mr. Edwards stated that with a cluster development brings more residents and more vehicles versus a single family development. Mr. Edwards asked the Commission to consider the make-up of development along Thomas Langston Road.

Mr. Thomas stated that as a point of clarification, a cluster development does not increase the density allowed in that zoning district. It is a matter of the arrangement and size of the lots. The developer is afforded the opportunity to have smaller lots with the exchange of putting the reduced area into a common space.

Motion was made by Mr. Ramey, seconded by Mr. Lehman, to approve the plat. Motion carried unanimously.

REQUEST BY THE COMMUNITY DEVELOPMENT DEPARTMENT –  
APPROVED

Chairman Tozer stated that the next item is a request by the Community Development Department to amend the Downtown Commercial (CD) district table of uses to include a new use entitled “dormitory development” as a special use.

Mr. Harry Hamilton stated this is a request by the Community Development Department to amend the CD table of uses to include a new use, dormitory development, as a special use. The purpose of the amendment is to create an additional residential option in the downtown Center City area. The amendment is consistent with the goals and objectives of the Center City Revitalization Plan and the Comprehensive Plan. The Redevelopment Commission has considered this amendment at their May meeting and recommended approval. Mr. Hamilton presented a chart that represents the residential activity in the city from 1990 to May, 2007. In 2006 there were 831 multi-family units built in the city’s jurisdiction. In 2007, from January to May, 352 multi-family permits were issued. Mr. Hamilton stated that from 1990 until present 13,490 multi-family units have been built in the city’s jurisdiction. A tremendous amount of the multi-family units were built in Greenville and there have been less than two dozen units built in the downtown area. The current CD district consists of the area bound by Pitt Street, Reade Street, extending up to Second Street. The Land Use Plan recommends expansion of the Central Business District south to Tenth Street and west to the railroad tracks. Mr. Hamilton stated that currently the only option for dormitory development is through the Land Use Intensity subject to special use permit approval by the Planning and Zoning Commission. The new use, dormitory, would be subject to special use approval by the Board of Adjustment in the CD area. The Board of Adjustment would consider each request on a site specific basis to determine if it was appropriate, if the density is appropriate or the type of land use is appropriate for the location. Mr. Hamilton explained the current standards for the CD district with respect to multi-family that are permitted by right. Mr. Hamilton stated that under the proposed standards the minimum habitable, mechanically conditioned, floor area per each bedroom would be 200 square feet, the maximum residential occupancy would allow more than three unrelated people in a dwelling and other standards would remain the same.

Mr. Jeff Givens, Place Properties, spoke on behalf of the amendment. Mr. Given stated that the amendment will allow a developer to build something affordable for students to rent. Mr. Givens explained that most of the student housing is 2 to 3 miles from East Carolina University, the ability to build student apartments in close proximity to the university in the downtown area provides students with a walkable, urban alternative.

Mr. Don Edwards stated that residential development uptown brings people. Mr. Edwards spoke in favor of the amendment citing the possibility of a vibrant, beautiful and walkable community.

No one spoke in opposition.

Motion was made by Mr. Baker, seconded by Mr. Bell, 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 carried unanimously.

#### REQUEST BY THE PUBLIC WORKS DEPARTMENT – APPROVED

Chairman Tozer stated that the last item is a request by the Public Works Department to close a portion of South Washington Street to Dickinson Avenue, a portion of West Sixth Street from South Washington Street to Evans Street, and Dickinson Avenue from South Washington Street to Reade Circle.

Mr. David Brown, City Engineer, stated this is a request to close a portion of South Washington Street to Dickinson Avenue, a portion of West Sixth Street from South Washington Street to Evans Street, and Dickinson Avenue from South Washington Street to Reade Circle. Mr. Brown stated that City Council has approved a Resolution of Intent to close those portions of the streets at its May 7, 2006 meeting. Mr. Brown stated that Jarvis Memorial Church has purchased the old Taft Furniture building and has a desire to expand their current campus. To facilitate the expansion, these roadways would have to be closed. Staff has been working and discussing this matter with the church and feel it can be done. It will make the expansion contiguous to their existing property. In addition, there will be a requirement for the construction of new roadway, and there will be a cost share between the City and the Church for that. Mr. Brown indicated on the map the proposed alignment of the new roadway and expansion of the church. Mr. Brown stated that City Council will be holding a public hearing in June to receive public

comment and input on this matter. Mr. Brown stated that Taft Furniture building will be demolished. Mr. Brown asked that the Commission approve the request.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Bell, to approve the request.  
Motion carried unanimously.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Bell, to approve the request.  
Motion carried unanimously.

There being no further business, motion was made by Mr. Ramey to adjourn at 8:50 PM.

Respectfully submitted,

Merrill Flood  
Secretary