

April 19, 2005

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

Mr. Jay Yates - *	
Mr. Len Tozer - X	Mr. Bob Ramey - *
Mr. Dave Gordon - *	Mr. Jim Moye - *
Mr. Tim Randall - *	Mr. Don Baker - *
Mr. James Wilson - *	Mr. Bill Lehman - *
Mr. Porter Stokes - X	Ms. Melba Gorham - *

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

VOTING MEMBERS:

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

OTHERS PRESENT: Ray Craft, Council member; Bill Richardson, Deputy City Manager; Dave Holec, City Attorney; David Brown, City Engineer; Robert Cheshire, Senior Engineer and Ron Svejkovsky, Transportation Planner.

MINUTES: Motion was made by Mr. Ramey, seconded by Mr. Gordon, to accept the March 15, 2005 minutes as presented. Motion carried unanimously.

REQUEST BY EVANS STREET FOUR, LLC – DENIED

Chairman Yates stated that the first item of business is a request by Evans Street Four, LLC to rezone two tracts totaling 8.323 acres (Tract 1) from R6 (Residential [High Density Multi-family]) to O (Office) and (Tract 2) from R6 (Residential [High Density Multi-family]) to O (Office) for the property located along the eastern right-of-way of Evans Street, 250± feet south of Bradbury Road, south of Fork Swamp Canal, and east of Coastal Agro-business Corporation.

Mr. Harry Hamilton stated that this request is to rezone property from R6, high density residential, to Office. Mr. Hamilton presented of a map indicating the location of the property and surrounding area. Mr. Hamilton stated that there is a considerable amount of new subdivision activity in the area. Mr. Hamilton stated that Tract 1 is located to the north of Trellis Court and Tract 2 is located to the south extending to Oak Towne Drive. Mr. Hamilton made reference to a drainage easement on Tract 2. Mr. Hamilton stated along Evans Street is Coastal Chemical Agro-business, offices, existing residential dwelling, apartments and townhomes. Mr. Hamilton indicated the location of the preliminary plat for Paramore Farms on the map in relation to this request and Fork Swamp Canal. Mr. Hamilton presented a map indicating the existing land use in the area which include multi-family, office development, industrial, single family variations and vacant land. Mr. Hamilton presented a map that indicates the existing multi-family in the area and stated that Tracts 1 and 2 are currently zoned for multi-family and at maximum density, could

yield 140 new units on the two tracts. Mr. Hamilton stated that in the immediate area there are 344 and Willoughby Park to the north which include an additional 276 units. Mr. Hamilton presented a site plan of White Oak Apartments which indicates the easement separating Tract 2. The preliminary plat for White Oak Apartments has been approved for 96 units. Mr. Hamilton presented a map indicating the flood plain area which does not extend to the site. There are no environmental limitations on the site that would prohibit development. Mr. Hamilton explained that the City has a Greenway Plan that indicates a future greenway corridor along Fork Swamp Canal which impacts the northern border of Tract 1. The developer will be required during site plan review to have a 50 foot wide easement from the top of the bank. Mr. Hamilton explained that the corridor plan map is used in conjunction with the Land Use Plan Map to identify the type of uses that would be encouraged along the major roadways. Greenville Boulevard south to the entrance to Bedford Subdivision is recommended for a connector corridor. Intensive uses along that corridor would be anticipated. The area south extending to Fire Tower Road is recommended for a residential corridor. Non-residential development should be discouraged however there would be some circumstances where Office zoning might be appropriate in certain circumstances. Mr. Hamilton stated that there is a neighborhood focus area at Evans Street and Greenville Boulevard at Fire Tower Road and immediately north of this location. It is anticipated that the intensive development to be centered on this northern focus area site. There is presently a 13 acre heavy commercial zone located between Coastal Chemical and Willoughby Park. Mr. Hamilton presented the Thoroughfare Plan Map indicating Evans Street as a major thoroughfare. Mr. Hamilton stated the map shows a minor thoroughfare which would be the extension of Thomas Langston Road to Evans Street which intersects Evans Street at Regency Drive. Currently, Evans Street Extension is a 3 or 4 lane road and designed to carry 13,000 trips, the current volume of traffic is 18,000. Thomas Langston Road is proposed for a 4-lane divided roadway with a designed ADT of 35,000 which would relieve congestion along Evans Street Extension. Mr. Hamilton stated that in conjunction with the corridor plan map the areas south of Fork Swamp Canal extending to Fire Tower Road are reserved for residential development on the Land Use Plan. Office development would only be encouraged in this area if used as a transition area to separate incompatible land uses from adjacent residential development. The property to the south, near Fork Swamp Canal, is recommended for high density residential. This area should remain as R6 zoning unless the applicant can demonstrate the need to provide buffering for the interior neighborhood. Mr. Hamilton stated that in staff's opinion Tracts 1 and 2 north of the drainage easement are recommended for Office zoning. Areas to the south should be limited except if it can be demonstrated by the applicant there is a need for introducing that buffer zone in replacement of the residential zone. Mr. Hamilton made reference to a private agreement between the past property owner and adjacent property owners included in the packets. Mr. Hamilton stated that the city is not bound by the agreement. Mr. Hamilton gave a history of the rezoning request for this site.

There was discussion in regards to the acreage south of the drainage easement not being included in the request that is proposed for Office zoning and a timetable for the construction of the extension of Thomas Langston Road.

Mr. David Brown, City Engineer, stated that as mentioned Thomas Langston Road was a part of the bond package and it is anticipated to take 5-10 years to complete.

Mr. Mike Baldwin, representing Evans Street Four, LLC, spoke on behalf of the request. Mr. Baldwin stated that with the exception of criteria "D", Impact on area streets and thoroughfares, the request satisfies the zoning map requirements. Mr. Baldwin handed out several items. Mr. Baldwin stated that the Office zoning is designed to accommodate a compatible mix of business, professional and institutional uses, in addition to providing a desirable buffer between commercial and low density residential uses. Mr. Baldwin stated that the request for Office zoning is a direct continuation of the present zoning of Office. Mr. Baldwin gave thirteen examples of where other request are exactly the same. Mr. Baldwin made reference to the Rezoning Request Analysis which states, "The O (office) district is an available zoning option where low intensity non-residential use is desired to separate residential development from incompatible and intrusive activities or uses that may effect the long term livability of intervening and/or abutting properties. In this case, the Coastal Chemical Agro-business industrial establishment warrants consideration as an incompatible adjacent activity" and the noise and traffic of Evans Street should have a buffer as well. Mr. Baldwin stated that Offices promotes health, safety and welfare as opposed to residential development adjacent to Evans Street.

Mr. Louis Sutton, resident of South Hall Subdivision, made reference to the private agreement. Mr. Sutton stated that the developer has buffered residential development across the street with a residential development. Mr. Sutton stated this site could be utilized for multi-family development, with landscaping and a berm, which would benefit the surrounding neighborhoods.

Mr. Daniel Russell Foster, resident of White Oak Creek Townhomes, spoke in opposition. Mr. Foster stated the previous Commission was correct in zoning this property R6 and nothing has changed to remedy a zoning reclassification. Mr. Foster stated that traffic and traffic congestion since 2001 has gotten worse. Office buildings will only increase the traffic problems even if the road network was expanded it would not be in the interest of the neighborhood concept for office buildings. Office buildings, as seen by the White Oak Townhome community, depreciates land values and will increase the traffic volumes. Mr. Foster state there are other ways to utilize this property other than building offices or commercial structures in a designed residential high density multi-family environment.

Ms. Debbie Barrow, resident of White Oak Creek Subdivision, spoke in opposition to the request. Ms. Barrow stated her concern is the vacancy of office complexes in Greenville. Ms. Barrow stated she was to understand that the city is revitalizing the downtown area and doesn't feel this would benefit the neighborhood as much as the revitalization. Ms. Barrow reiterated Mr. Foster's comment by stating that multi-family is best suited for this area.

Mr. Baldwin rebutted by stating that concerns of crime in an office complex is null and void because there is not a group of persons gathering in one location. Mr. Baldwin stated that the Office zoning is the most restrictive zoning. Mr. Baldwin stated that Office zoning is a good neighborhood to residential zoning.

Ms. Polly Piland, resident of South Hall Subdivision, spoke in opposition to the request. Ms. Piland reiterate the concerns of traffic on Evans Street.

Mr. Baker stated that in terms of appearance Office zoning would be his preference.

Mr. Ramey stated he has concerns in regards to the buffer zone at the south end of the property and traffic.

Mr. Moyer stated he wished there had been a compromise where Tract 1 and 2, less the south side of Tract 2 be zoned Office and has difficulty with the south side not being R6.

Motion was made by Mr. Baker, seconded by Mr. Randall to approve the request. Those voting for: Gordon, Randall and Baker. Those voting in opposition: Wilson, Lehman, Moyer and Ramey. Motion fails, recommendation is for denial.

REQUEST BY SHIV AJMERA – APPROVED

Chairman Yates stated that the next item is a request by Shiv Ajmera to rezone 0.63 acres from OR (Office-Residential [High Density Multi-family]) to CD (Downtown Commercial) for the property located at the northeast corner of the intersection of Evans Street and Ninth Street.

Mr. Hamilton stated this is a request to rezone property from Office-Residential to Downtown Commercial. Mr. Hamilton stated that the property is located between Tenth Street and Reade Circle. Mr. Hamilton stated that there are two buildings on the property with associated parking lots. Mr. Hamilton presented a map illustrating the surrounding zoning patterns in the area. The current zoning map shows a corridor of OR zoning from Eighth Street extending to Tenth Street on the western boundary. This property was rezoned to OR in conjunction with the original Redevelopment Plan. There are no deed restrictions or limitations that apply to rezoning a property at this time. The Comprehensive Plan encourages an expansion of the commercial area south to Tenth Street. Mr. Hamilton stated that in staff's opinion the request to rezone to CD would be in compliance with the Comprehensive Plan.

Mr. Ajmera spoke on behalf of his request.

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

REQUEST BY ROSEWOOD FARMS, LLC – APPROVED

Chairman Yates stated that the next item is a request by Rosewood Farms, LLC for a preliminary plat entitled "Kittrell Farms Patio Homes". The property is located east of the proposed Hunt Hill Drive and south of Charles Boulevard. The proposed development consists of 44 lots on 11.773 acres.

Mr. Andy Thomas stated that this is a request by Rosewood Farms, LLC for a preliminary plat for Kittrell Farms Patio Homes. Mr. Thomas presented a map indicating the property being located off Charles Boulevard and surrounding development. The current zoning for the property is R6A, Residential and the anticipated use is single family on 44 lots. Mr. Thomas stated that the site is not located within the floodplain. This preliminary plat is a further division of the

previously approved Kittrell Farms (June 20, 2000) and Kittrell Farms, Lot 5 (August 20, 2002). The developer is abandoning the former duplex design for patio homes. Lots 10, 12 and 44 have non-access easements along Hunt Hill Road. The previously approved collector street pattern has not been changed. Hillard Lane, Chavis Street and Chinaberry Court are internal streets providing access to individual parcels. Street extensions are provided to the east, north and south via Hunt Hill Road and Blue Bell Drive as previously approved. Sidewalks are provided. The preliminary plat has been reviewed and approved by the City's Technical Review Committee.

Mr. Mike Baldwin, representing the applicant, spoke in favor of the request. Mr. Baldwin stated that retention pond would be located in the north corner of the tract across the road and the adjacent property to the north will have access.

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

REQUEST BY VANRACK, INC. – APPROVED

Chairman Yates stated that the next item is a request by Vanrack, Inc. for a preliminary plat entitled "Cross Creek". The property is located on the southern right-of-way of Dickinson Avenue at its intersection with Spring Forest Road. The proposed development consists of 5 lots on 24.573 acres.

Mr. Thomas stated this is a request for a preliminary plat for Cross Creek. The property is located off the southern right-of-way of Dickinson Avenue at its intersection with Spring Forest Road. The property is currently zoned OR, Office-Residential with the anticipated use being multi-family on five lots. Street extensions are provided to the east and west. Reedy Branch and Meridan Park Condominiums are located to the south so there is no opportunity for a street extension in that area. Mr. Thomas stated that there will be a street extended to the vacant adjoining Kittrell property from Whitaker Drive. Access is being provided to the land locked property to the west. There are 404 Wetlands along the southern border. There is a Tar/Pamlico Riparian Buffer between lots 3 and 5. There is a non-access easement along Dickinson Avenue and all traffic will enter upon the proposed Spring Creek Road. The preliminary plat has been reviewed and approved by the City's Technical Review Committee.

Mr. Mike Baldwin, representing the applicant, spoke in favor. Mr. Baldwin stated he would answer any questions.

Mr. Larry Kittrell stated that his mother owns the adjoining property to the left. Mr. Kittrell said they are not opposed to the development but there was a plan submitted August 26th that indicated a street coming into the development and immediately went to the left which went behind the homes on Dickinson Avenue. Mr. Kittrell stated this is preferable to the family because it prevents the apartments from being directly behind Ms. Kittrell. The street would act as a buffer for Ms. Kittrell and would be their preference.

Mr. Baldwin explained the history of the property and the fact the streets would have been private. Mr. Baldwin explained that staff has required public streets within the development and therefore the original plan was revised. Mr. Baldwin stated he has

met with Ms. Kittrell and has tried to address her concerns.

Motion was made by Mr. Baker, seconded by Mr. Randall, to approve the request. Motion carried unanimously.

SOUTHWEST AREA PLAN

Chairman Yates stated that the last item is a presentation of the Southwest Area Plan.

Mr. Neil Holthouser, Senior Planner, presented a map of the Horizons Plan area, current city limits and ETJ. Mr. Holthouser stated that the Commission is the past has discussed doing neighborhood plans, corridor plans and area plans on the periphery to address undeveloped or currently developing areas of the city. Mr. Holthouser stated that the southwest area is the fastest growing quadrant of the city in terms of residential growth. The total area of the southwest area is 7,635 acres. Approximately 42 percent is within the ETJ, 58 percent is presently in the County's jurisdiction. The area is bounded by Dickinson Avenue, Greenville Boulevard, Memorial Drive and includes some minor thoroughfares, residential streets such as Thomas Langston Road, Davenport Farm Road, Forlines, Frog Level and Pocosin Roads. Mr. Holthouser presented a map indicating the current zoning in the southwest area which is comprised of two categories, medium density and low density zones. The county zoning pattern shows low density and rural agricultural. Mr. Holthouser pointed out that the City's Horizon's Plan identifies the vast majority of the land as medium density residential use. There are some commercial nodes identified along Dickinson Avenue and the intersection of Greenville Boulevard-Memorial Drive and Thomas Langston Road. Approximately 13 or 14 percent or 1,043 acres of the area is potential wetlands or hydric soils. Mr. Holthouser presented a map indicating existing residential dwellings or 2,422 dwelling units or a total population of 5, 256. Mr. Holthouser presented a map of projects not yet built which when add to existing dwellings would yield 4,483 dwelling units or a total population of 9,741. The potential development could yield 3, 941 residential units within the ETJ and the total population would be 18, 280. Mr. Holthouser explained that if the county land were developed with septic tanks it could yield approximately 1,589 dwelling units or total population of the entire area of 21,741. If the county provided sewer the number of dwelling units would be 11,560 or a population in excess of 25, 000. Mr. Holthouser stated that reason for highlighting these figures is that currently there are no public or service facilities in the area and there has been no planning for such facilities when the population may reach 25,000. Staff is concerned that as new subdivisions are built, they are built in a way that ensures their value for years.

Mr. Baker asked if anything is being done to 4-lane the roads in the area to eliminate congestion that will occur over time.

Mr. Holthouser stated that the Thoroughfare Plan shows a minor thoroughfare. Forlines Road would connect over to Fire Tower Road and the potential for a southwest by-pass with interchanges.

Mr. Holthouser stated that under the current regulations the Planning staff feels there is too much density in this area. Mr. Holthouser stated that you can have significant density with significant open space by clustering subdivisions.

Mr. Holthouser stated that what staff feels is important to address in this area given the amount of growth is (1) extension of the ETJ; (2) Revise the Land Use Plan; (3) Revise zoning within ETJ; (4) Project proposed zoning on into any expanded ETJ; (5) Develop a street connector plan; (6) Revise the standards for street interconnectivity; (7) Develop criteria for development along the southwest bypass; (8) Develop mechanisms to achieve greater open space; and (9) Plan for public facilities in the area.

Mr. Holthouser stated that a draft plan will be presented to Planning & Zoning in May.

Mr. Baker asked how to obtain open space where development is currently occurring or will occur.

Mr. Holthouser stated that staff has considered an open space ordinance that would try to create an incentive or greater density to developers in turn for dedication of open space. Mr. Holthouser stated that another option is a fee in-lieu of where the city could buy the property out right for park space.

Mr. Wilson stated this sounds great and experimental but does staff have any examples, case studies where this is working in other parts of the country or North Carolina.

Mr. Holthouser stated that areas like Cherry Oaks, Camelot and surrounding developments were constructed in the county with septic tank systems and at the density that were built it is impossible for the city to grow in that area without sanitary sewer. These areas do not have parks or open space.

Chairman Yates asked if the Commission would like to have examples brought to the May meeting showing that the concept can and does work in other communities.

Mr. Holthouser stated he would be prepare examples and data for the May meeting.

Respectfully submitted,

Merrill Flood
Secretary

APPROVED

Jay Yates, Chair