

August 16, 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 - \*                      Mr. Bob Ramey - \*  
Mr. Dave Gordon - \*                 Mr. Jim Moye - \*  
Mr. Tim Randall – \*                 Mr. Don Baker – \*  
Mr. James Wilson – \*                Mr. Bill Lehman - \*  
Mr. Porter Stokes – \*

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

VOTING MEMBERS: Yates, Tozer, Ramey, Gordon, Moye, Randall, Baker, Wilson and Lehman.

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

OTHERS PRESENT: Councilmember Ray Craft; Councilmember Pat Dunn; Bill Richardson, Deputy City Manager; Dave Holec, City Attorney; Ron Svejksky, Transportation Planner and Robert Cheshire, Senior Engineer.

Chairman Yates recognized Council members Ray Craft and Pat Dunn in the audience.

MINUTES: Motion was made by Mr. Lehman seconded by Mr. Gordon to accept the July 19, 2005 minutes as presented. Motion carried unanimously.

REQUEST BY WILLIAM E. DANSEY, JR. – GREYSTONE MOBILE HOME PARK – CONTINUED TO OCTOBER 18, 2005

Chairman Yates advised that Mr. Dansey has asked that his request be continued to the October 18<sup>th</sup> Planning and Zoning Commission meeting.

Motion was made by Mr. Ramey, seconded by Mr. Tozer, to continue the request. Motion carried unanimously.

REQUEST BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT - APPROVED

Chairman Yates stated that the first item is a request by the Planning and Community Development Department as recommended by the Task Force on Preservation of Neighborhoods and Housing, to rezone 91± acres (excluding street rights-of-ways) located along the eastern right-of-way of South Elm Street, the southern right-of-way of the Norfolk Southern Railroad, and the northern right-of-way of Greenville Boulevard from R9 (Residential [Medium Density]) to R9S (Residential – Single Family [Medium Density]).

Ms. Chantae Gooby stated this is a request for the Elmhurst-Englewood Neighborhoods to rezone from R9 to R9S. This request is similar to the Tar River University rezoning area that was presented at last month's meeting. This rezoning is part of the Task Force on Preservation of Neighborhoods and Housing. The Task Force improvement strategy number six is to identify neighborhoods that are predominantly single family in character, but are zoned in a manner that would allow intrusion of duplex or multi-family uses and rezone such neighborhoods to prohibit further intrusion. Ms. Gooby stated that a one-half page advertisement was published in The Daily Reflector starting August 8<sup>th</sup> and will be published for four consecutive weeks as required by General Statutes. Notices were mailed to owners who resided outside of the circulation area of The Daily Reflector and signs were posted at the entrances to the neighborhoods. Ms. Gooby presented a slide that represents zoning districts that currently allow multi-family. Ms. Gooby presented a slide indicating the neighborhoods that were identified by the Task Force in the study that have been historically developed as single family but located in multi-family zoning districts. These neighborhoods are identified on the map are considered the most at risk and throughout the end of the year staff intends to submit similar request to the Commission. Ms Gooby stated that the Elmhurst-Englewood Neighborhood area is approximately 91 acres excluding street rights-of-way. The area is bounded by the railroad tracks to the north, Greenville Boulevard and Elm Street. The neighborhoods are currently zoned R9, which allows single family and duplexes and allows for the conversion of single family homes to duplexes. The rezoning request is for R9S which is single family zoning district. Currently, the subject area contains single family residences, vacant lots and institutional uses. The area contains 91 acres and 260 parcels. Of those 260 parcels, 251 are single family residences, 6 are vacant and 3 are institutional. There are

some lots in this neighborhood that are impacted by the floodplain and floodway. Ms. Gooby stated that of the 251 lots there are 84 percent or 212 homes that are owner occupied and 16 percent or 39 homes that are rental units. This information was gathered by a comparison of the mailing address versus the physical address of the property. There are several vacant lots in the area, however, there are no vested rights for non-conforming uses of the proposed district. Ms. Gooby presented a slide that indicates the number of parcels owned by Task Force members that are within the city's jurisdiction. There are 223 total parcels that are owned by Task Force members and of those 18 are vacant and 6 are non-residential. Ms. Gooby stated that staff does not object to the request.

Mr. Lehman asked why the surrounding area was not included in this request.

Ms. Gooby stated those areas are currently zoned single family. Ms. Gooby explained that other areas that are not zoned single family are part of the neighborhoods and are identified by the Task Force as neighborhoods at risk.

Mr. Gordon asked if other neighborhoods within the city, other than the ones the Task Force has identified, will be brought before the Commission for rezoning.

Mr. Harry Hamilton explained that there are currently 7,000 lots within single family neighborhoods that are zoned to allow duplex and multi-family uses. Mr. Hamilton stated that a systematic process has been started and similar request will be brought before the Commission and City Council over the next several years. Mr. Hamilton explained these are areas that are predominately developed as single family that have been historically zoned in a multi-family category.

Mr. Richard Crisp, Member of the Task Force and President of Elmhurst/Englewood Neighborhood Association, spoke in favor of the request. Mr. Crisp asked those in the audience from Elmhurst/Englewood Neighborhood Association that are in favor of the request to stand. Approximately 50 persons stood. Mr. Crisp stated that the neighborhood has stood as a single family neighborhood for over 50 years. Mr. Crisp stated the rezoning of the neighborhood to R9S would ensure the residents that the characteristics of the neighborhood would remain single family and protected from conversions of existing properties to multi-family dwellings. Mr. Crisp made reference to a statement made by Ms. Grace Carraway that was included in the handout.

Mr. Jones, 1730 Beaumont Drive, spoke in favor of the request. Mr. Jones urged the Commission to approve the request. Mr. Jones stated that he has not talked with any neighbor that wasn't in favor of the request.

Ms. Linda Fleming Barnhill, resident of Elm Street, addressed the concerns of rental property in the neighborhood. Ms. Barnhill stated that the close proximity to the schools and ECU makes this neighborhood an excellent choice for young families. Ms. Barnhill explained this is a good neighborhood with a low crime rate, excellent neighbors and asked that the proposal be approved.

Mr. Justin Gross, Student Relations Graduate Assistant at ECU, representing Michelle Leiberman and Associate Vice-Chancellor, spoke in favor of the request. Mr. Gross stated that sociological studies have proven that with the increase of rental properties crime increases and we'd like to maintain the quality of life of this neighborhood. Mr. Gross stated that there are some students that reside in the neighborhood and would like to reduce the risk to their safety.

Ms. Ann Horner, resident of Pinecrest Drive, spoke in favor of the request. Ms. Horner stated that it is in the best interest of the city to keep the center of the city wholesome.

Ms. Adelle Grier, resident of South Elm Street, stated that the quality of life in the neighborhood has changed since rental units have come into the area. Ms. Grier stated that this neighborhood has been an image catcher for the city in the past. Ms. Grier asked the Commission to approve the request.

Ms. Ann Howie, resident of North Overlook Drive, spoke in favor of the request. Ms. Howie stated that she and her mother would like to preserve the single family aspect of the neighborhood. Ms. Howie stated that the neighborhood consists of senior citizens and young families and would ask that the neighborhood remain as such. Ms. Howie asked that the Commission to approve the request.

Mr. Murray Merner, President of College Court/College Hill Neighborhood, spoke on behalf of the request. Mr. Merner stated his neighborhood is one at risk. The neighborhood is going through a transition and a lot of homes are being sold. Mr. Merner stated he understands the rezoning will not eliminate or limit rental property but it will eliminate some of the possibilities of things getting worse with the

presence of duplexes. Mr. Merner stated they would like to preserve the neighborhoods now, it's an asset to Greenville and the university.

Mr. James Thomas, resident of 1710 Englewood Drive, explained that the lot behind his property is vacant and he has been fighting the owner to keep multi-family or duplexes from being developed. Mr. Thomas asked that the proposal be approved.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Baker, 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. to rezone property located along the eastern right-of-way of Dickinson Avenue, 70± feet north of the intersection of Dickinson Avenue and Spring Forest Road, and 1,310± feet south of the intersection of Dickinson Avenue and Arlington Boulevard from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family]).

Ms. Gooby stated this is a request to rezone an ½ acre from RA20 to OR. The property is located at the intersection of Dickinson Avenue and Spring Forest Drive. To the north is Spring Forest Mini-Storage and three single family residences. Ms. Gooby stated that the adjacent property to the east and south is under common ownership with the subject tract. A site plan has been submitted for this property, Cross Creek, for 114 apartments and 195 townhomes but has not been approved at this time. Ms. Gooby stated that the subject property is not impacted by the floodplain. There is a neighborhood commercial focus area located at the intersection of Dickinson Avenue and Spring Forest Road and Dickinson Avenue is considered a residential corridor. Dickinson Avenue is considered a major thoroughfare on the Thoroughfare Plan. The Land Use Plan Map recommends office/institutional/multi-family from the intersection of Dickinson Avenue and Arlington Boulevard to Green Mill Run. Currently, the property is zoned RA20 and most likely the property would be incorporated into the Cross Creek development. Due the small size of the property it would not significantly affect density. Ms. Gooby stated that staff has no object to the request.

Mr. Mike Baldwin, Baldwin & Associates, representing Charles Vandiford of Vanrack, Inc., spoke in favor of the request. Mr. Baldwin stated that when Mr. Vandiford originally bought the property he did not realize this property was included. Mr. Baldwin explained this request is a result of that discovery in keeping with the same zoning pattern. Mr. Baldwin stated he believes the property will be utilized as offices.

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

No spoke in opposition.

#### REQUEST BY PHILIP E. CARROLL – APPROVED

Chairman Yates stated that the next item is a request by Philip E. Carroll to rezone property located between the western right-of way of North Greene Street, the southern right-of-way of Belvoir Road, the eastern right-of-way of the Seaboard Coastline Railroad, and 440± feet north of the intersection of North Greene Street and Pactolus Highway from IU (Unoffensive Industry) to CG (General Commercial).

Ms. Gooby stated this request is to rezone 1.2 acres from Unoffensive Industry to General Commercial. The property is located between Greene Street, the railroad and Belvoir Road. To the north and west is the State Highway Commission, to the south is the Carolina Telephone & Telegraph property, to the east is commercial property and some mobile home residences. Ms. Gooby stated that the property is impacted by the 500 year floodplain, however, there are no special elevation requirements. Greene Street and Belvoir Road are considered connector corridors. This rezoning could generate potentially 330 additional trips with 50 trips to the east and west and 115 to the north and south of the subject property. Greene Street and Pactolus Highway are designated as major thoroughfares on the Thoroughfare Plan. The Land Use Plan Map recommends commercial. Ms. Gooby stated that staff has no objections to the request.

Mr. Ken Malpass, Malpass & Associates, spoke on behalf of the request. Mr. Malpass stated that the proposed rezoning would be compatible with the surrounding uses.

No one spoke in opposition.

Motion was made by Mr. Tozer, seconded by Mr. Gordon, to approve the request. Motion carried unanimously.

### REQUEST BY DAVENCROFT, LLC – APPROVED

Chairman Yates stated that the next item is a request by Davencroft, LLC for a preliminary plat entitled “Davencroft.” The property is located on the eastern side of Thomas Langston at its intersection with Oglethorpe Drive and Camile Drive. Charleston Village and Savannah Place are to the west, Winchester, Section 2 is north, Sterling Trace is to the east, Woodridge North is to the south and Lynchburg is southeast of the subject tract. The proposed development will consist of 121 lots on 43.39 acres.

Mr. Andy Thomas stated this is a request for a preliminary plat entitled Davencroft. The property is located on the eastern side of Thomas Langston at its intersection with Oglethorpe Drive and Camile Drive. Charleston Village and Savannah Place are to the west, Winchester, Section 2 is north, Sterling Trace is to the east, Woodridge North is to the south and Lynchburg is southeast of the subject tract. The property is currently zoned RA20, Residential-Agricultural and the anticipated use is single family residential with 121 lots. Thomas Langston Road and Davenport Farm Road are designed as minor thoroughfares on the Thoroughfare Plan. This development is located in the southeast sewer test area. Greenville Utilities will serve this development. A sewer easement is being provided to the Lynchburg subdivision for a potential utility extension. This subject tract is surrounded by existing development, which was approved by Pitt County. There is an undeveloped parcel to the east, which is provided a street extension. The northeast corner of the development will contain the stormwater retention pond. This pond will be included in the initial development. This property adjoins the Swift Creek drainage district, which has a 110 drainage easement. 75 feet of the easement is located on the northern boundary of this property. There is also a 50 foot Neuse River Basin Riparian buffer. The Southeast Drainage District has required that there not be any structures or fences within the drainage easement. The City of Greenville and the Southeast Drainage District will coordinate their review of the construction plans. NCDOT is requiring turn lanes to be installed for traffic mitigation on Thomas Langston Road. An additional 5 foot of right-of way is also being required to be dedicated for such improvements. The Fire Department is requiring that the water lines be operational prior to building materials being

delivered to the site. Sidewalks are provided. This development has been reviewed and approved by the City's Technical Review Committee.

Mr. Steve Spruill, Spruill & Associates, spoke on behalf of the request. Mr. Spruill stated he would answer any questions.

Mr. Pistol Tingen, 1604 Bradford Place, stated his property will join this subdivision. Mr. Tingen advised that he doesn't have a problem with the subdivision but would ask that the Commission consider requiring some type of buffer to provide privacy between subdivisions. Mr. Tingen stated that other residents have expressed the same concern.

Ms. Leslie Zinchuk, resident of Sterling Trace, stated that her home is adjacent to the open field that adjoins this property. Ms. Zinchuk stated the same concern for a buffer as expressed by Mr. Tingen.

Mr. Ramey asked Mr. Spruill if a berm has been considered to buffer the two subdivisions.

Mr. Spruill advised that it has not been considered because they have met all the requirements for a development of this nature. Mr. Spruill stated this is first time he has heard of any concerns.

Mr. Holec advised the Commission that they must decide if the request complies with the requirements of the Subdivision Ordinance and City standards. Mr. Holec stated that the Commission cannot require a berm or additional buffer.

Mr. Thomas stated that staff has reviewed the request and there are no water courses which require a Greenway easement. Mr. Thomas explained that bufferyards are not required between single family residential neighborhoods.

No one spoke in opposition.

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

REQUEST BY IRONWOOD, LLC – APPROVED

Chairman Yates stated that the next item is a request by Ironwood, LLC for a preliminary plat entitled “Ironwood Cluster Housing, Phase 6.” The property is located on the western right-of-way of Golf View Drive (behind Lots 16-21 and around the 11<sup>th</sup> tee). The proposed development will consist of 4 lots on 3.642 acres.

Mr. Thomas stated this is a request for a preliminary plat entitled Ironwood Cluster Housing, Phase 6. The property is located north of NC Highway 43, east of the existing Ironwood Development on the western right-of-way of Golf View Drive (behind Lots 16-21 and around the 11<sup>th</sup> tee). The property is currently zoned R9S (Single family residential) and WS-P (Watershed Protection Area) overlay. The anticipated use is single family on four lots. This is a revision to a preliminary plat to add two lots (16A & 16B) in the golf course area. A cart path will be rerouted. Lots 16A & 16B abut the minimum width (40’) onto Golf View Drive. This property was zoned R9S and WS-P at the time of its annexation. The density does not exceed that allowed under the watershed protection ordinance. All lots are located outside the regulated flood hazard area. The preliminary plat has been reviewed and approved by the City’s Technical Review Committee.

Mr. Mike Baldwin, Baldwin & Associates, spoke on behalf of the request. Mr. Baldwin stated he would answer any questions.

No one spoke in opposition.

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

Motion was made by Mr. Ramey to adjourn at 7:30 PM.

## DISCUSSION

Mr. Lehman stated that the Commission has heard neighbors voice concern about open space in the neighborhoods being developed in the Sterling Trace area. Mr. Lehman asked when the developer will receive the information to start planning for open space in their developments.

Mr. Harry Hamilton stated that staff has prepared a draft ordinance amendment to the Subdivision Regulations that would require open and recreational space

dedication in conjunction with subdivision plat approval. It is anticipate this would be brought to the Commission in the next couple of months. Mr. Hamilton stated that the Planning and Zoning Commission would need to review and approve the amendment and then forward their recommendation to City Council for action. Once adopted, when someone applied for a subdivision plat the open spaces would have to be incorporated in the plat.

Respectfully submitted,

Merrill Flood  
Secretary