

DRAFT OF MINUTES PROPOSED FOR ADOPTION BY THE GREENVILLE PLANNING  
AND ZONING COMMISSION  
January 17, 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. Tim Randall - *	
Mr. Godfrey Bell - *	Mr. Dave Gordon - *
Mr. Tony Parker - *	Ms. Linda Rich - *
Mr. Hap Maxwell - *	Ms. Ann Bellis - *
Ms. Shelley Basnight - *	Mr. Brian Smith - *
Mr. Doug Schrader - *	Mr. Jerry Weitz - *

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

**VOTING MEMBERS:** Bell, Parker, Maxwell, Basnight, Gordon, Rich, Bellis, Smith

**PLANNING STAFF:** Merrill Flood, Community Development Director; Chris Padgett, Chief Planner; Elizabeth Blount, Staff Support Specialist II; and Andrew Thomas, Jr., Lead Planner.

**OTHERS PRESENT:** Dave Holec, City Attorney; Max Joyner, Jr., City Council Liaison, Jonathan Edwards, Communications Technician and Valerie Paul, Administrative Assistant - City Clerk's Office.

**MINUTES:** Motion was made by Mr. Bell, seconded by Mr. Parker, to accept the December 13, 2011 minutes as presented. Motion carried unanimously.

**OLD BUSINESS**

**Text Amendment**

Zoning Ordinance Text Amendment Application submitted by Paradigm, Inc. requesting to modify the city's standards for Family Care Homes.

Chairman Randall noted that a letter had been submitted on behalf of the applicant for a continuance until the March meeting.

**Motion was made by Mr. Bell for a continuance until the March 2012 meeting, Mr. Smith seconded and the motion carried unanimously.**

**NEW BUSINESS**

**PRELIMINARY PLATS**

Request by Greenville Retail Investments, LLC and V-SLEW, LLC for a preliminary plat entitled "Parkside Bluffs".

Chairman Randall noted that a letter had been submitted from the applicant for a continuance while they work out some technical details.

**Mr. Parker made a motion to continue this item to a future meeting, Ms. Rich seconded and the motion carried unanimously.**

### **PRELIMINARY PLATS**

Request by Outdoor Properties II, LLC for a sketch plan entitled "Southwest Commercial Park".

Mr. Andrew Thomas, Jr. stated that this was a preliminary plat for Southwest Commercial Park. The property is located in the southern quadrant of the city. It is located on the south side of Dickinson Avenue. It is approximately 840 feet from the intersection with Greenville Blvd. Property is zoned CH-heavy commercial. The Land Use Plan Map designates it as commercial and it is not impacted by any flood plain. It is located on a major thoroughfare. Mr. Thomas pointed out that a Greenville Utilities Commission pump station was located south of the property and that GUC is participating in extending sewer from the pump station to the north to serve this property and surrounding properties.

The conceptual plan provides sufficient connectivity to the east and south. The development will be served by a common storm water detention facility.

A formal preliminary plat will be presented and approved prior to any further division of the property. No questions were asked by the commission.

Chairman Randall noted that they would have a public hearing on this item.

In favor of the petition, Mr. Mike Baldwin spoke on behalf of the applicant. He reiterated that the sketch plan was to facilitate being able to final plat Lot 19 only. In the near future, construction activity will begin on Lot 19. It was annexed on Thursday, January 12. A final plat will be submitted within the next two weeks. The plan shows street stubs to adjoining properties. The owner worked out the driveway situation with Department of Transportation two or three years ago. The company is also extending sewer out to this property and hoping development will follow.

No one else spoke in favor nor in opposition of this request.

Chairman Randall closed the public hearing and allowed the board to discuss or to make a motion. No discussion was made. Chairman Randall stated that since this was a concept plan, the full text motion was not necessary.

**Mr. Gordon made a motion for approval of concept plan and Mr. Smith seconded. The motion carried unanimously.**

### **TEXT ADMENDMENTS**

Zoning Ordinance Text Amendment: Sign Regulations – APPROVED.

Mr. Christopher Padgett, Chief Planner, provided background information on this request to the Commission. The process that led to this text amendment began at the May 31, 2011, City Council meeting when a report on the city's sign standards was requested. Staff developed the requested report and presented it to city council at their August 8, 2011, meeting. A copy of that report is included in the Commission's agenda packet. Following this presentation, City Council directed staff to develop options for possible modifications to the sign standards for their review. Staff developed a list of potential modifications and presented them to City Council at their September 8, 2011, meeting. Following staff's presentation City Council directed staff to contact local sign companies to get their input on the potential modifications. Staff then met with the owners/operators of four local sign companies and gathered their input as directed. The list of potential modifications was again presented to City Council along with the sign company comments at their November 14, 2011, meeting. City Council then voted to initiate a Zoning Ordinance Text Amendment to allow the use of wind blades with limitations on the number permitted and their size and to limit the number of flags with commercial messages per business or lot.

Mr. Padgett reviewed the existing standards applicable to flags and wind blades. Flags, either with or without commercial messages, are permitted so long as each flag does not exceed 100 square feet in area. There is no limitation to the number of flags that can be erected per lot. Wind blades are not classified as flags; they are temporary signs which are limited to 6-square feet in area and one per lot.

Mr. Padgett presented the specific text of the proposed standards as follows:

1. Define "wind blades" as follows:

A non-self supporting fabric or film display that is supported on one side by a pole or mast that is curved at the top so that the message is visible regardless of wind conditions. Wind blades shall be freestanding and shall not be attached to any permanent structure.

2. Flags without commercial messages shall be no more than 100 square feet in area. There is no limitation on the number permitted per lot.
3. Flags with commercial messages that are located on functioning light poles internal to the business lot shall be no more than 50 square feet in area. There is no limitation on the number permitted per lot.
4. Freestanding flags with commercial messages and wind blades with commercial messages or noncommercial messages are permitted as follows:
  - At least one freestanding flag or wind blade is permitted per lot.
  - One freestanding flag or wind blade is permitted for each 100-feet of lot frontage on a public or private street.
  - Each freestanding flag or wind blade shall not exceed 25 square feet in area or 12-feet in height.

Mr. Padgett asked if there were any questions. Ms Bellis asked if the signs would be allowed in the street right way. Mr. Padgett stated that like all other signs they would have to be on private property.

Mr. Parker brought up the fact that wind blades are a new form of advertising as well as the fan air blowers. He asked had anyone taken a look at those.

Mr. Padgett said that by the definition of the ordinance the air blowers are not permitted. Chairman Randall asked if the air blowers would be allowed anywhere or any time. Mr. Padgett informed him that they could be used for grand openings.

Mr. Smith asked what would happen if multiple stores wanted to have advertising flags but the lot size did not permit it in accordance to the ordinance, which would be able to put their flag up. Mr. Padgett stated that that would be a private property matter for the private property owner to decide, similar to how they allocate space on a freestanding sign in a shopping center.

Mr. Schrade asked for clarification on the previous question. Mr. Padgett stated that they modeled the proposed standards similar to the way temporary signs are permitted in strip centers. Each lot, in addition to a permanent free standing sign and wall signs, is permitted a 6 sq ft temporary (yard) sign. It is a per lot basis. If there are multiple shops on very small frontage and each one wanted to put a sign out, it would be problematic from an aesthetic stand point.

Mr. Bell asked how this would be monitored. Mr. Padgett stated that it would be monitored through code enforcement the same way we do temporary signs. Mr. Bell asked if this would be

done Monday through Friday or on the weekends. Mr. Padgett stated that they would do it through the weekend.

Chairman Randall opened the public hearing.

No one spoke in favor of the request.

No one spoke in opposition of the request.

The public hearing was closed and opened up for commission to discuss or motion.

**Mr. Bell made a motion to approve the proposed text amendment to advise that it is consistent with the Comprehensive Plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. Mr. Gordon seconded the motion. The motion passed unanimously.**

## **OTHER**

Communities Putting Prevention to Work Grant Project Proposal - Review and Possible Modifications to Plans and Development Standards– APPROVED

Mr. Padgett gave some background information on the project. The Pitt County Health Department received a \$1.3 million grant from the American Recovery and Reinvestment Act of 2009 via the National Center for Disease Control. The grant program is titled "Communities Putting Prevention to Work" and the general purpose of the funding is assist local health departments in the development of jurisdiction-wide plans and programs that will improve the health of citizens. A primary focus is to address the growing rates of obesity and chronic diseases such as diabetes and heart disease.

The program supports the development of comprehensive strategies that impact many sectors of the community in the prevention of chronic disease. Health officials, school administrators, health care professionals, planners, engineers, business sector representatives and others work together to address the health of the community. This blended approach creates opportunities for communities to examine policies affecting public health.

In Pitt County, the initiative partners includes members of local governments (City of Greenville, Town of Ayden, Town of Winterville, and Pitt County), Greenville-Pitt County Chamber of Commerce, Vidant Health (formerly University Health Systems), and Pitt County Schools. Each of these partners sent a representative to attend three days of required training in November, 2010, and the governing board / body of each entity adopted a Resolution supporting the initiative (see City Council adopted Resolution No. 11-11 attached).

The Pitt County Health Department has awarded the City of Greenville \$24,000 as part of this grant initiative. \$4,000 was to support hosting a symposium that brought national and regional experts on the health/built environment relationship to Greenville. This symposium was held on September 8, 2011 at the Greenville Hilton and some members of the commission did attend. There was a great turn out and it was very informative.

\$20,000 is designated towards hiring a consultant to review existing community plans and development standards from a public health perspective and to facilitate meetings with stakeholders to build consensus on policy and development standard modifications that will improve community health, design and appearance.

Mr. Padgett then presented the Proposed Work Plan in an effort to get the Commission's input and recommendation before taking it to City Council.

**Step 1:** Select a consultant to assist with the project.

- An RFQ will be developed and advertised.
- A consultant will be selected based upon qualifications. The consultant will be paid with grant funds as provided by Pitt County Health Department.

**Step 2:** Assemble a Work Group to meet with the consultant and staff and make recommendations related to preferred policy and/or development standard modifications that will improve community health, design and appearance. Staff proposes a nine member Work Group consisting of the following:

- Residential Developers (2)
- Commercial Developers (2)
- Local Design Professional (1)
- Planning and Zoning Commission Representative (1)
- Bicycle and Pedestrian Commission Representative (1)
- Community Appearance Commission (1)
- Neighborhood Advisory Board Representative (1)

The staff endeavored to get some balance to include all the stakeholders that would be needed to come to a consensus on some of these policy and development standard changes.

**Step 3:** Consultant reviews existing plans and development standards and identifies opportunities for possible modifications that will improve community health, design and appearance.

**Step 4:** Consultant facilitates meetings with the Work Group to build consensus on policy and development standard modifications.

**Step 5:** Work Group recommendations presented to the Planning and Zoning Commission and City Council.

Staff views this project as an opportunity to look into the community's comprehensive plan, find substitutive areas that relate to public health in order to find different/better ways of

implementing them into our development standards. An example of such topic is the need for more mixed-use development within the community. We have tried different things to encourage the use of mixed-use in Greenville, but have not been as successful as we would like. This is an opportunity to have some outside help in facilitation with the development community and other stakeholders in order to identify barriers that are keeping mixed-use developments from being constructed in the community. Perhaps there are unknown obstacles in our zoning ordinance that makes it difficult for people to build mixed use. We hope to tear down some of the barriers and to pave the way to getting more of this development form within our community.

Chairman Randall asked since the Health Department received \$1.3 million and graciously gave City of Greenville \$24,000, will any additional funding be available to implement the plan?

Mr. Padgett stated that the grant was designed to look at the local policies and standards. For example, one part of the grant is to work with the Pitt County Chamber of Commerce to look at their members and see what type of wellness programs there may or may not be within the businesses in the community. The grant is paying for the policy changes and not necessarily for infrastructure improvements like building a greenway.

Chairman Randall stated that we already have some great ideas with bicycle paths, sidewalks and greenways. It would be nice to use this money to build rather than create a plan to do something.

Mr. Parker stated that this project would be able to look at the internal plan in order to see if there are opportunities for mixed use in which zoning barriers may be blocking. This is also a way to word policies in order to open up some areas for development for mixed use and infill development.

Chairman Randall stated that this policy did not require a public hearing but a request to approve the work plan; therefore, it did not require full text motion.

**Mr. Parker made a motion to approve the recommended Work Plan as presented. The motion was seconded by Ms Basnight. The motion passed unanimously.**

Report on Public Notice for Applications Reviewed by the Planning and Zoning Commission

Mr. Padgett stated that Commission Member Bellis requested that the city begin publishing the Commission's Meeting Agendas in the newspaper. Member Bellis indicated that she felt such publication would make more people aware of items of business scheduled to be considered by the Commission, thereby increasing the likelihood of public input during Commission meetings.

Staff has created a table (see attachment) that outlines the state requirements for public notice and depicts how the city goes above and beyond those requirements. The table focuses on four types of applications: Rezoning, Zoning Text Amendments, Preliminary Plats, and Land Use Plan Map Amendments. The commission does review a number of applications other than these four categories, but 90% of them qualified for one of the abovementioned categories. Some of the state requirements for certain applications include advertising city council public hearings in the local newspaper, posting signs on the property and mailing notice to adjacent property owners.

Some of the things the city does to exceed the state requirements is for site specific applications (rezonings, preliminary plats, land use plan map amendments), the city sends letters notifying all property owners within 300 feet of the upcoming Planning and Zoning Commission review. There is no requirement that letters be sent for Planning and Zoning Commission review, it is only required for City Council.

The city also sends letters notifying property owners within 300 feet of an upcoming City Council Public Hearing. We have tried to expand the reach of public notice by letters from just adjoining property owners to property owners within 300 feet to get more people notified about items that are coming before the commission.

In addition to providing public notice for individual items, the city advertises upcoming Planning and Zoning Commission meetings on the city page of the local newspaper; on G-TV; on the front page of the city website calendar; the full meeting agenda and package are available on the city website; and Planning and Zoning Commission mailing list which is new. Director Flood had mentioned at the last meeting that the staff was working on a new mailing list to try to get more people involved. We began this month (January). The idea is anyone that is interested in development issues or the types of applications that would be presented at the Planning and Zoning Commission meetings can request to be added to the digital mailing list (email). Each month when the meeting agenda and packet is put together, we email the link to the Planning and Zoning members. We will send a separate email to those who have asked to receive this information. The email reminds interested individuals about upcoming Planning and Zoning Commission meetings and provides a link to the meeting's full agenda and meeting packet. We started with a base list of approximately 40 people. We used the Neighborhood Advisory Board mailing list as a starting point. We hope to add other interested people as well.

The city's Public Information Officer has determined that publishing the Planning and Zoning Commission's Meeting Agenda within the City Page of the The Daily Reflector would cost approximately \$70 per month. One issue that we want to bring to the attention of the Commission is that Planning and Zoning is one of twenty-one boards and commissions. We currently do not advertise any other boards' agenda in the newspaper. The dollar amount to publish the board's meetings would be less than \$1,000 a year but you may be looking at much more if other boards follow suit.

Mr. Parker asked how the mailing list is currently being advertised, whether on the website or GTV.



Mr. Padgett informed him that the initial email went out on Friday, January 13, and that staff had created the initial list. Planning Staff is planning to advertise the list on the website along with instructions on how to sign up.

Ms Bellis stated that she appreciated the staff looking into the advertising. She also asked about the types of applications being advertised such as the Paradigm application and would it be included for advertising since it was a text amendment.

Mr. Padgett answered that it would. He reiterated that the attachment include state mandated public notice requirements. The state requires advertising public notices two successive weeks. The first date of advertisement cannot be more than 25 days prior to the City Council public hearing nor less than 10 days. The state requires that we advertise within a specified time frame that occurs after the Planning and Zoning Commission view the item.

Chairman Randall stated that the Planning and Zoning is not considered the governing board. The governing board is the City Council.

Mr. Padgett agreed with the statement and stated that the Planning and Zoning Commission is an advisory board. The state does not typically require advertising of items being considered by the advisory board.

Chairman Randall asked if Historic Preservation and Board of Adjustments were looking into the direct emailing or just the Planning and Zoning Commission. Mr. Padgett stated that at the moment just the Planning and Zoning Commission, but noted that the Planning Division is striving to become paperless and that other boards and commissions may be added later.

Chairman Randall stated that the Planning and Zoning Commission is exceeding state requirements and that there is no action required other than to accept the report and maybe pursue having our meetings advertised in the newspaper. Chairman Randall also stated that the Planning and Zoning Commission does not have a budget for advertising and that they would have to ask for one.

Mr. Weitz made an observation that it is typical for government not to spend money on advertising for the Planning and Zoning Commission. In order to obtain full process, the commission needs to consider that the public may be relying on the notices and skip the Planning and Zoning Commission meeting because it is not part of a public notice. He stated that the process is flawed because the Planning and Zoning Commission have missed the opportunity for those people to come and speak because they missed a notice. He mentioned that the public can

then go to City Council and influence the City Council's opinion in a different way that the Planning and Zoning Commission did not have an opportunity to hear. Mr. Weitz stated that he was not advocating that the city spend more money but that the Planning and Zoning Commission is suppose to hold public hearings and does not get the advertisement like the City Council does. Mr. Weitz also stated the other 20 boards are not hearing rezoning matters that require notices and that it is not a fair comparison to say that if the Planning and Zoning Commission ask for advertising that all other boards will also. Mr. Weitz does not recommend that all boards advertise their agendas but if the Commission is having a public hearing that it should be advertised.

Mr. Gordon agreed with Mr. Weitz because the Planning and Zoning Commission has made recommendations in the past to the City Council and the City Council went against the recommendations. Mr. Gordon stated that the Planning and Zoning Commission should give the public the opportunity to know what is taking place at the meetings.

Mr. Parker asked for clarification on if the commission is suggesting to post the agenda only if there is a public hearing.

Mr. Weitz stated that the public notice requirements for the City Council should be the same for the Planning and Zoning Commission. He also stated that since it may be a strain on staff that they change the specified number of days of running the public notice. Mr. Weitz suggested that maybe it run 7 days before the meeting along with the City Council announcement.

Mr. Gordon pointed out that the notice for the City Council does not go out until after Planning and Zoning meets.

Mr. Weitz suggested that the Planning and Zoning notice be run separately.

Mr. Padgett stated that based upon the current submittal and review schedule the time that the agenda could realistically run in the City Page ad would be on the Monday prior to the Tuesday meeting.

Mr. Parker stated that with the new email notification list, those who are interested would have previous knowledge of the meeting. He also stated he agreed that the advertising on the webpage would be sufficient.

Mr. Bell agreed with the emailing list, especially since it included the Neighborhood Advisory Board which is the key to informing neighborhoods that there is an agenda item that they should

be concerned about. He stated that the notifications and messages that the city is doing is adequate. He did not approve spending more money to advertise it in the newspaper.

Ms Bellis asked if a public hearing could be advertised in the paper in lieu of the whole agenda.

Mr. Bell asked for clarity if the agenda is posted on the website the week prior.

Mr. Padgett stated that it was.

Chairman Randall asked when are the signs of the Planning and Zoning meeting put up and the letters mailed to adjacent property owners.

Mr. Padgett stated that the letters and signs are at least 10 days prior to the meeting.

Mr. Parker asked how the Neighborhood Liaison disseminates information.

Mr. Padgett stated that the Neighborhood Liaison's role prior to the email list was limited. The liaison had been asked to work with the Neighborhood Advisory Board so they may be more organized in how they distribute the information.

Ms. Bellis asked is there a timing issue with getting them the information in time for the Neighborhood Advisory meeting.

Mr. Padgett stated that he was not referring to the Neighborhood Advisory Board formally reviewing agenda items, but for the board to be a conduit to let their neighbors know about the email list.

Mr. Bell stated that in the past several groups have come from subdivisions and were notified in a timely manner in order to represent their cause. He did not think the time factor was an issue with the city making people aware of the upcoming Planning and Zoning agenda items. Mr. Bell said the time issue may come from the people not reading the email or letters in time and missing the date.

Mr. Weitz stated the notice signs are important but they only advertise the City Council public hearings and if the Commission wants people to be aware of the Planning and Zoning public hearing then they need to advertise it. Mr. Weitz recommended that the Planning and Zoning public hearing date be printed on a sign and posted in neighborhoods.

Chairman Randall stated that when the public sees a rezoning sign posted in their neighborhood they will be prompted to go to the website to get more information.

Mr. Padgett stated the signs are posted before the Planning and Zoning meetings, but they do not advertise a meeting date. Mr. Padgett stated that there may be a way to modify the signs in the future to advertise Public Hearing dates.

**Mr. Gordon made a motion to formally ask the staff to pursue the options available to include the Public Hearing dates (Planning and Zoning Commission and City Council) on the rezoning signs that are placed on properties to provide notice. The motion was seconded by Mr. Bell.**

Mr. Parker asked did the motion need to include advertising just the public hearing dates in the local newspaper. Mr. Gordon stated that advertising in the local newspaper was a moot point since it would only be done one day prior.

**Motion passed unanimously.**

**With no further business, Mr. Smith made a motion to adjourn, Mr. Bell seconded, and it passed unanimously. Meeting adjourned at 7:30 p.m.**

Respectfully Submitted,

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