

October 20, 2009

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

Mr. Bill Lehman - X

Mr. Bob Ramey - *	Mr. Dave Gordon - *
Mr. Tony Parker - *	Mr. Tim Randall - *
Mr. Len Tozer - *	Mr. Godfrey Bell, Sr. - *
Ms. Shelley Basnight - *	Mr. Hap Maxwell - *
Mr. Allen Thomas - *	Ms. Linda Rich - *

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

**VOTING MEMBERS:** Ramey, Gordon, Parker, Randall, Tozer, Bell, Basnight, Thomas and Rich

**PLANNING STAFF:** Chantae Gooby, Planner; Harry Hamilton, Chief Planner; Merrill Flood, Director of Community Development; and Sarah Radcliff, Secretary.

**OTHERS PRESENT:** Dave Holec, City Attorney; Daryl Vreeland, Transportation Planner; Tim Corley, Engineer

**MINUTES:** Motion was made by Mr. Ramey, seconded by Mr. Tozer, to accept the September 15, 2009 minutes as presented. Motion carried unanimously.

**NEW BUSINESS - Rezoning**

Ordinance requested by WLA Enterprises, Incorporated (James K. Price) to rezone 30.08 acres located between East Tenth Street (NC 33) and the Norfolk Southern Railroad and east of Portertown Road from RA20 (Residential-Agricultural) and OR (Office-Residential [High Density Multi-family]) to CG (General Commercial).

Ms. Chantae Gooby stated the rezoning was located in the eastern section of the city between East 10th Street and the Norfolk Southern Railroad and east of Portertown Road. She said the property wraps around the Hardee Square Shopping Center and Pinewood Cemetery is located to the west. The property contains approximately 30 acres of single-family residences and farmland with some vacant office and multi-family space. Lake Glenwood, a single-family subdivision, is located south of the property. Ms. Gooby stated East 10th Street is a gateway corridor with a designated focus area where intensive uses are expected. Ms. Gooby stated this rezoning could generate a net increase of 7,200 trips. She said in 2000, the Future Land Use Plan Map was amended from office/institutional/multi-family (OIMF) and high density residential (HDR) to commercial (C). If the subject area was developed as multi-family, as was the recommended land use in 2000, the net increase in traffic would have been 4,127 (total) additional trips per day. When City Council approved the amendment to the Future Land Use Plan Map in 2000, it affected the properties located to the east of the intersection of East 10th Street and Portertown Road. At that time, the Future Land Use Plan Map recommended limited commercial at the southeast corner of the intersection of East Tenth Street and Portertown Road with office/institutional/multi-family (OIMF) to the south and east to act as transitional zoning. The purpose of the OIMF designation at this location was to specifically limit the scale of commercial development at this intersection. Also at that time, high density residential (HDR) was recommended to the east of the OIMF area, south of 10th Street and north of the railroad. The Future Land Use Plan Map recommends large scale commercial (C) development along the southern right-of-way of East 10th Street between Portertown Road and L.T. Hardee Road. She said transitional zoning is recommended between the commercial to the north of the railroad and the residential neighborhood south of the railroad. Ms. Gooby said there could be a non-residential transition for this rezoning, such as office, just north of the railroad tracks. She said you could also have residential transition to the south of the railroad tracks. Ms. Gooby said since the property was recommended to be developed as multi-family on the prior Future Land Use Plan Map, staff would have anticipated the site to yield approximately 460-470 multi-family units. Under the requested zoning, staff would anticipate the site to yield 200,000± square feet of retail/restaurant/office space that would consist of an anchor store with multiple outparcels. The outparcels would likely contain some combination of fast food restaurant, conventional restaurant, bank and/or retail activities. Ms.

Gooby said the request is in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map and staff recommends approval of the requested rezoning.

Mr. Tozer asked if the traffic reported indicated that it meets within the guidelines.

Ms. Gooby said it did and that a traffic impact study would also be required to determine any mitigation measures necessary.

Mr. Bell asked about the differences in the numbers for the net increase in traffic.

Mr. Gooby said what is there now is not what was anticipated to be there in 2000. In 2000 it was anticipated to be multi-family and when you look at multi-family verses commercial, its nets out to be about 4,000 trips instead of 7,000.

Jim Price, Vice President of WRS, Inc., spoke in favor of the request. Mr. Price said they were excited to be able to come to Greenville and find a location that could meet with the City's Future Land Use Plan. He said the project would bring jobs to the area, increase the tax base and provide goods and services to the eastern part of Greenville.

Mr. Tozer asked if the design would be similar to the previous design.

Mr. Price said it would be scaled back due to the size of the lot. He said they anticipated having an anchor store with about twelve national and regional tenants and four or five outparcels.

City Attorney Dave Holec reminded the board that they could not rely upon any representation as to the manner in which the property is to be developed. Property can be developed for any use as permitted in the zoning classification which applies to the property and the development may occur so long as it complies with the development guidelines established by the City's ordinances.

Mr. Randall said he had heard a lot of concerns about the location of a possible shopping center of this type on the northern side of the city. He asked Mr. Price if they had any plans to pursue that.

Mr. Price said they did not.

Mr. Randall asked why they chose this location.

Mr. Price said the city recommended complying with the land use plan and this location met that requirement and fit their needs as well.

Jon Day spoke in favor of the request. He said this rezoning request would fill in the land that is not zoned commercial between the two sites that are zoned commercial. He felt it was a unique planning opportunity for one developer to buy 36 acres of land.

Mr. Mark Taggart, resident of the Lake Glenwood subdivision, spoke in opposition to the request. He felt the lake would not be able to handle the runoff from this property and would cause tremendous flooding in their neighborhood. He said it was not equipped to handle the rain and runoff and he fears the dam will not be able to hold up.

Mr. Maxwell asked if they were located within the city limits.

Mr. Taggart said they were in the ETJ.

Mr. Bell asked if they received services from Pitt County with the dam.

Mr. Taggart said they had been trying for years to get help from all over and haven't been successful.

Mr. Randall said the railroad track was raised and asked how the water got over that.

Mr. Taggart said there was a pipe underneath Leon Drive and a trench and they filled up very quickly with water. He said it was noticeably more severe after Food Lion went up.

Mr. Tozer said state law would require the developer to do an engineering study of the parking lot and put in detention ponds to contain the water. He said they also require there be an entity to take care of those ponds and designated areas for wetland plants and grasses to help maintain the pond.

Mr. Chad Rouse, Arbor Hills subdivision, spoke in opposition to the request. He felt the development would affect his quality of life. He said the increase in traffic would make it unrealistic to use Portertown Road. He said he was not opposed to jobs, but thought north Greenville would be a better location for the project.

Mr. Ramey said they were not voting on jobs, they were only voting on rezoning the property.

Ms. Betty Wheatley, Lake Glenwood Subdivision, spoke in opposition to the request. Ms. Wheatley had concerns with traffic and flooding as well as crime and the value of her property.

Mr. Billy Battles, Lake Glenwood subdivision, spoke in opposition to the request. He stated he had concerns with flooding, traffic and the decrease of property value.

Mr. Mike Tart, Lake Glenwood subdivision, spoke in opposition to the request. Mr. Tart said there was a migratory bird flyway in that area every year and felt the impact to that should be considered. He felt putting the development north of the river would be more beneficial to the citizens of Greenville.

Ms. Charlotte Summerfield, Lake Glenwood subdivision, spoke in opposition to the request. She felt Wal-Mart would be in her back yard and was concerned with crime, lights, congestion and traffic. She said Wal-Mart had a bad reputation.

Mr. Bell asked what she meant by them having a bad reputation.

Ms. Summerfield said they were on the news for robberies and people being attacked. She said she had worked there and they were not a family oriented business.

Mr. Jeff Bayer, president of the Lake Glenwood Property Association, spoke in opposition to the request. He said the neighborhood had flooding problems with just a little rainfall and wanted the board to do more research on what they could do to fix it before more development went up.

Mr. Gordon said they were only talking about rezoning tonight and once any type of development is decided it would be presented to the appropriate boards and further studies would be done.

Mr. Bayer said his concern was with rezoning to commercial because that meant a lot of asphalt and concrete where there used to be farmland. He said because they were outside the city limits they didn't have a voice on City Council.

Ms. Jill Schwarz, Cardinal Drive, spoke in opposition to the request. She said traffic was already bad and didn't feel 2,000 more trips along Portertown Road would be feasible.

Ms. Claire Edwards spoke in opposition to the request. She stated she went to college in Savannah Georgia where they had zoning to keep commercial chains outside of the city and it had rejuvenated their whole city. She said a mixed-use zoning would be the most positive thing for the community.

Mr. Zeke Jackson spoke in opposition to the request. Mr. Jackson stated he was a resident of the Meeting Place subdivision and wanted to let the citizens know that he was running for City Council and could be a voice for them.

Mr. Nathan Carson, Rolling Meadows subdivision, spoke in opposition to the request. He said his concern was with the decisions the City Council was making and the repercussions that he sees happening to his neighbors. He said his neighborhood didn't flood, but he wondered how the City Council would respond to it if it did.

Mr. Jim Price spoke in favor in rebuttal. He said they would have to comply with both city and state law regarding storm water management.

Ms. Charlotte Summerfield spoke in opposition in rebuttal. She said Mr. Ramey said they were just considering the rezoning, not what was going to be built there. She said they knew what was being built there and they should all be opposed to it.

Mr. Bell said he felt most of the concerns were with storm water management and felt those would be handled through state and local laws.

Mr. Randall said they didn't want to overlook the concerns with the quality of life, traffic or migratory birds. He said the request was in compliance with the Land Use Plan and adjacent to commercial property. The traffic report shows the roads are designed to handle additional traffic. He said no one seemed to be opposed to growth, just growth in that area. He said they were not there to pass judgment on particular things that may be built there, only whether or not they comply with the Land Use Plan.

Mr. Ramey said he could understand the concerns of the citizens but development was inevitable for a growing city.

Mr. Parker stated this request falls in the Land Use Plan and cautioned the board to continue to follow the plan and not make mistakes in this area in the future.

Mr. Tozer said the Land Use Plan was adjusted periodically as the city grows.

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

There being no other business, motion was made by Mr. Ramey, seconded by Mr. Thomas to adjourn at 7:40 p.m.

Respectfully submitted,

Merrill Flood  
Secretary