

June 20, 2006

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

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| Mr. Len Tozer – Vice-Chair - * | |
| Mr. Bob Ramey - * | Mr. Dave Gordon - * |
| Mr. Jim Moye - X | Mr. Tim Randall - * |
| Mr. Don Baker – X | Mr. James Wilson - X |
| 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, Ramey, Gordon, Randall, Lehman, Bell and Basnight.

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

OTHERS PRESENT: Wayne Bowers; City Manager; Thom Moton, Assistant City Manager; Ray Craft, Council member; Dave Holec, City Attorney; David Brown, City Engineer; and Kyle Garner, Transportation Planner.

Vice Chair Tozer recognized Councilmember Ray Craft.

MINUTES: Motion was made by Mr. Ramey, seconded by Mr. Bell, to accept the May 16, 2006 minutes as presented. Motion carried unanimously.

REQUEST BY WILLIAM H. CLARK – CONTINUED TO AUGUST

Vice Chair Tozer stated that the Commission has received written notification to continue the William H. Clark request.

Mr. Phil Dixon, representing Mr. Clark, stated that the proposed acreage at the beginning was 2.8 reduced it to 2.2 and now it is 1.1 acres to be rezoned. Mr. Dixon stated that they are preparing the Engineering sketches and have agreed to a

conservation easement. Mr. Dixon asked that the request be continued for several months or two months, in order to continue negotiations with the Homeowners Association. Mr. Dixon stated that they have made great process with addressing the concerns of the residents and are continuing to address other concerns.

Motion has been made by Mr. Ramey, seconded by Mr. Bell, to continue the request until August. Motion carried unanimously.

ELECTION OF OFFICERS

Vice Chair Tozer stated that the next item is Election of Officers. Vice Chair Tozer asked for nominations for Chair.

Motion was made by Mr. Lehman, seconded by Mr. Bell, to nominate Len Tozer as Chair.

Vice Chair Tozer asked if there were any other nominations. There being none Mr. Ramey motioned that the nomination be closed, seconded by Mr. Bell. Motion carried unanimously.

Vice Chair Tozer asked for nomination for Vice Chair.

Motion was made by Mr. Lehman, seconded by Mr. Gordon to nominate Jim Moye as Vice Chair.

Vice Chair Tozer asked if there were any other nominations. There being none Mr. Ramey motioned that the nomination be closed, seconded by Mr. Bell. Motion carried unanimously

Len Tozer – Chair
Jim Moye – Vice Chair

REQUEST BY T. H. WORTHINGTON – APPROVED

Chairman Tozer stated that the next item is a request by T. H. Worthington, to rezone 15.282 acres located immediately east of the Rosewood Subdivision, northeast of the Vicksburg Subdivision, 2,156± feet west of County Home Road,

and 1,564± feet north of Worthington Road from RR (Rural Residential – County’s Jurisdiction) to R6S (Residential - Single-Family [Medium Density]).

Mr. Ramey stated that the Commission had a hearing on this request last month and asked if another public hearing was justified.

Chairman Tozer stated that at the May meeting it was asked of staff to review the request and comment on any new information concerning the request.

Ms. Chantae Gooby advised that the only new information received is a map which represent property owners that have signed a protest petition.

Motion was made 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.

Chairman Tozer asked Mr. Holec if an additional public hearing is required.

Mr. Holec advised stated that the Commission has already had a public hearing at the May meeting but the Commission could allow public comments.

Mr. Randall seconded Mr. Ramey’s motion to approve the request.

Mr. Lehman asked if there were any persons in the audience who have attended the meeting in response to this request. Approximately 12 persons stood.

Mr. Ramey withdrew his motion for approval to allow for a public hearing.

Chairman Tozer advised that the Commission would hear from representatives of the request and opponents.

Mr. Mike Baldwin, representing the applicant spoke on behalf of the request. Mr. Baldwin stated the applicant is proposing residential development on this property with public water and sewer. There will be curb and gutter streets as well as stormwater detention. Mr. Baldwin stated that the request is in compliance with the Land Use Plan. Mr. Baldwin stated that the property will be annexed into the city

along with the proposed rezoning request. Mr. Baldwin stated he would answer any questions.

Mr. William Keith Holley, 116 Pine Drive. Spoke in opposition. Mr. Holley stated he was speaking on behalf of 39 residents of Rosewood and Vicksburg Subdivisions who have signed a petition opposing the requested rezoning. Mr. Holley stated the objections were (1) that the R6S zoning is incompatible with surrounding zoning patterns, (2) the use of Pine Drive as an ingress and egress for the 40 plus lots that would be allowed under the R6S zone would cause up to additional 160 trips per day. Mr. Holley stated that the increase in traffic would compromise the safety of residents of the neighborhood and (3) drainage. Mr. Holley stated they do not oppose Mr. Worthington developing his property but would like the development to be done to reduce the impact on Pine Drive and the surrounding subdivision. Mr. Holley stated that they believe that a lower density housing development would be better for the residents.

No one spoke in rebuttal in favor of the request.

No one spoke in rebuttal in opposition of the request.

Motion was made by Mr. Ramey, seconded by Mr. Randall 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 to approve: Randall, Lehman, Basnight, Gordon and Ramey. Mr. Bell voted in opposition. Motion carried.

REQUEST BY ROBERT BARNHILL – APPROVED

Chairman Tozer stated that the next item is a request by Robert Barnhill, to rezone 60.21± acres located along the eastern right-of-way of U.S. 264 Bypass, 2,670± feet south of N.C. Highway 43, 2,760± feet west of B's Barbeque Road, and 1,120± feet north of Macgregor Downs Road from RA20 (Residential-Agricultural) to R6 (Residential [High Density Multi-Family]).

Ms. Gooby stated that this request is to rezone approximately 60 acres from Residential/Agricultural to Residential High Density Multi-family. The property is located in the western part of the city. Ms. Gooby presented a map indicating the location of US 264 and Stantonsburg Road. The property is surrounded by vacant

and residential property. This rezoning request could generate approximately 1,300 additional trips with 520 trips to the north and 780 trips to south along B's Barbeque Road. B's Barbeque Road is considered a minor thoroughfare. The Land Use Plan Map recommends Office/Institutional/Multi-family and conservation area which is associated with Harris Mill Run. Ms. Gooby stated that the property could yield 12-15 multi-family units at the current zoning and at the requested zoning could yield 250 to 350 multi-family units. Ms. Gooby stated that in staff's opinion the request is in general compliance with the Land Use Plan and Horizons Plan.

Mr. Lehman stated that staff has indicated that there is no access to the northwest Greenville Boulevard and asked how they will access the property.

Ms. Gooby stated that the applicants owns property to allow access to B's Barbeque Road.

Mr. Jim Walker, Rivers and Associates, spoke in favor of the request on behalf of Mr. Barnhill. Mr. Walker stated that the surrounding property is currently zoned R6 and rezoning this tract would be in compliance with the surrounding property.

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 CHARIS PROPERTIES, LLC – APPROVED

Chairman Tozer stated that the next item is a request by Charis Properties, LLC. to rezone 22.494 acres located southwest of the Windsor Downs Subdivision, 580± feet west of Corey Road, directly north of the Corey Ridge Subdivision, east of the Cleveewood Subdivision from RA20 (Residential-Agricultural) to R9S (Residential-Single-Family [Medium Density]).

Ms. Gooby stated this request is to rezone approximately 22 acres from Residential-Agricultural to Residential Single Family Medium Density. Ms. Gooby advised that the only difference in this rezoning is the setbacks are going to be reduced. The property is located in the southern part of the city. The property is located at the end

of Van Gert Drive, located in Corey Ridge Subdivision. Ms. Gooby stated that the property is impacted by the 100-500 year floodplain and the floodway associated with Fork Swamp Canal, therefore, elevation standards would apply. All the streets are considered residential corridors. Corey Road is considered a minor thoroughfare. Ms. Gooby advised that because this is part of an approved preliminary plat no traffic report was generated. The Land Use Plan recommends medium density residential and there is a conservation area associated with Fork Swamp Canal. Ms. Gooby stated that based on the approved preliminary plat the site could yield approximately 32 single family lots. Ms. Gooby stated that in staff's opinion the request is in general compliance with the Horizons and Land Use Plan.

Mr. Mike Baldwin, representing the applicant, spoke on behalf of the request. Mr. Baldwin stated that the rezoning request would reduce the setbacks. Mr. Baldwin advised that the preliminary plat has been approved.

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 BOYS AND GIRLS CLUB OF PITT COUNTY, INC. –
APPROVED

Chairman Tozer stated that the next item is a request by the Boys and Girls Club of Pitt County, Inc. for a preliminary plat entitled "Greenfield Park, Lot 21". The property is located south of NC Highway 33, east of Nelson Stables Road and west of NC Highway 11 (Memorial Drive). The proposed development consists of one (1) lot on 13.4272 acres.

Mr. Andy Thomas stated this is a preliminary plat for Greenfield Park, Lot 21 located south of NC Highway 33, east of Nelson Stables Road and west of NC Highway 11 (Memorial Drive). The property is currently zoned IU, Industrial and the anticipated use is a civic organization on one lot. This lot represents the next phase of development for Greenfield Park. This property adjoins the relocated NC Highway 33 which was improved by the North Carolina Department of Transportation. A portion of this property is affected by the 500-year flood plain. No public street extensions are proposed by this plat. There is a cemetery that has access via the public street. This development is the proposed to be a Boys and Girls Club.

No one spoke in favor of the request.

No one spoke in opposition.

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

REQUEST BY JON DAY AND ASSOCIATES, INC. – APPROVED

Chairman Tozer stated that the next item is a request by Jon Day and Associates, Inc. for a preliminary plat entitled “Melrose Place, Phase 2”. The property is located north of NC Highway 43 between Brighton Park and Treybrook Condominiums. The proposed development consists of one (1) lot on 28.51 acres.

Mr. Thomas stated this is a preliminary plat request for Melrose Place, Phase 2. The property is located north of NC Highway 43 between Brighton Park and Treybrooke Condominiums. The property is currently zoned MR, Medical Residential and the anticipated use is multi-family residential on one lot. This is the next phase of development for Melrose Place. It involves the extension of North Arlington Boulevard as a cul-de-sac into Lot 3. It is anticipated that this 28.51 acre tract will be developed as multi-family. Street extensions to the north and east are not possible due to environmental considerations (north) and intervening development (east). There is a drainage easement that extends to the lower topography that leads to the floodplain. There is a Greenway Easement along Schoolhouse Branch. The developer has worked with NCDOT on the placement of a traffic light at NC Highway 43.

Mr. Jon Day spoke on behalf of the request. Mr. Day stated that the site will be developed as townhomes.

No one spoke in opposition.

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

REQUEST BY SOUTHLAND HOLDINGS AND HAROLD R. GARRIS C/O KIMBERLY GARRIS) – APPROVED

Chairman Tozer stated that the next item is a request by Southland Holdings and Harold R. Garris (c/o Kimberly Garris) for a sketch plan entitled “Windermere West”. The property is located north of Herman Garris Road, east of Bells Road and west of Joseph Street. The sketch plan consists of 60 lots on 38.20 acres.

Mr. Thomas stated this is a sketch plan for Windermere West. The property is located north of Herman Garris Road, east of Bells Fork Road and west of Joseph Street. The property is currently zoned Residential-Agricultural and the anticipated use is single family residential on 60 lots. The property is not affected by thoroughfares or the floodplain. This sketch plan is in response to a request for the development of the eastern portion of the property, lots 1-16 fronting Southland Drive. Initially Phase One was submitted to the Planning Office for its review and approval. The Planning Office requested a sketch plan of the entire property to see how the property could be developed. This project will have Eastern Pines Water and will have individual septic systems. Greenville Utilities Commission Water Resources Division has determined that extending sewer to this property is not economically feasible at this time due to the distance to existing sanitary sewer lines. The Pitt County Environmental Health must approve the individual lots for on-site septic systems prior to any final platting. The lots are approximately a half-acre in size. The streets will be maintained by the North Carolina Department of Transportation. Sidewalks are provided. The proposed street system provides adequate interconnectivity to adjoining development. There is a common stormwater detention pond at the intersection of Herman Garris Road and Joseph Street.

Mr. Mike Baldwin, representing the applicant, spoke on behalf of the request. Mr. Baldwin Mr. Baldwin stated that they were asked to present a sketch plan for the

remaining tract in order to establish interconnectivity with the surrounding development.

Mr. Bell asked if any common area will be provided for recreation purposes in either subdivision.

Mr. Baldwin advised that there is no common area.

Mr. Bill Little, resident of Windermere Estates, spoke in opposition. Mr. Little stated that Joseph Street is a state maintained road and the state maintains it by patchwork. Mr. Little stated that the residents have concerns in regards to the preliminary plat and sketch plan. Those concerns consists of the location of the first exit road, ingress and egress and the detention ponds. Mr. Little stated that the map indicates two cuts for a drainage ditch on the left side of Herman Garris Road. Mr. Little explained that where the detention pond is proposed to be located no water collects. Mr. Little explained that their concern is that a detention pond will be located in an area that doesn't need a detention pond. Mr. Little stated that the existing detention pond creates mosquitoes and is a safety issue in regards to the children and the proposed pond could also produce mosquitoes as well as be a safety issue. Mr. Little asked that the developers work with the adjacent land owners in terms of the location of the ponds and the ingress and egress of the road.

Mr. Jerry Carson, 305 Joseph Street, spoke in opposition. Mr. Carson stated that there would be approximately 100 feet between the intersection and the proposed street and Windermere Court which means he will be backing out into an intersection from his driveway. Mr. Carson asked why some ponds are dry and some still maintain water. Mr. Carson stated that he feels it is not considerate to have all the detention ponds lined up within 100 yards of each other across the street from residents.

Mr. Thomas stated that he had explained to Mr. Carson that there are two types of detention ponds, one is wet which is dug below the water table and one is dry which collect the water on a short term basis. Mr. Thomas stated that the rear property falls to Joseph Street approximately five foot within 1,000 feet.

Mr. Mat Mahar stated he is not against development but does not think development should be allowed that will make Greenville a worse place to live. Mr. Mahar stated that constructing a detention pond near residential development will

be a health hazard. Mr. Mahar complimented the developer on the construction of sidewalks in the neighborhood and would like to see sidewalks along Joseph Street because of the possible increase in traffic. Sidewalks would decrease the safety issue for adults and children if sidewalks were constructed.

Mr. Chuck Widney, 311 Joseph Street, reiterated the previous statements. Mr. Widney suggested that there be more research done in regards to the placement of the ponds. Mr. Widney asked who would maintain the detention ponds.

Ms. Hilda Boyd, 315 Joseph Street, spoke in opposition. Ms. Boyd stated that there are nine homes on the existing detention pond. Ms. Boyd explained that pond is stocked with aquatic life and they do not need another pond(s) across the street that will face their homes.

Ms. Beth Dunn, 319 Joseph Street, spoke in opposition to the entrances onto Joseph Street. Ms. Dunn stated she would like to see the lot sizes increased from the proposed plan.

Mr. Baldwin stated he would reserve his comments on rebuttal when addressing the preliminary plat.

Mr. Jerry Carson spoke in rebuttal by asking if the pond will be dry or wet and who will maintain the pond.

There was discussion as to the whether this request could be carried forward until the Commission has held the public hearing on the preliminary plat.

Mr. Holec advised it was at the discretion of the Commission as to not taking action until they have heard the next request. Mr. Holec explained that the initial plan was submitted and staff stated that they wanted to see a completed development of the area. Mr. Holec asked Mr. Thomas to explain why the sketch plan is before the Commission.

Mr. Thomas explained that the applicant initially submitted the preliminary plat for the ten acres and staff recognized it as being a terminal subdivision and they were concerned with the large tract going to development and approving this tract without reviewing the remaining tract. Staff asked the applicant to submit a sketch plan so staff could visualize how the entire property would be incorporated. Mr.

Thomas stated that stormwater detention is required by the State and along Joseph Street there are side ditch's on either side.

There was discussion in regards to the location of the wet pond and the maintenance of it.

Mr. David Brown, City Engineer, stated that this subdivision falls under the new stormwater management program. As a requirement all residential developments must comply with certain stormwater regulations. Mr. Brown explained in detail those regulations and requirements. Mr. Brown explained the maintenance of the pond is the responsibility of the homeowners association. There is a binding agreement setforth when the final plat is recorded in regards to maintenance of the pond. Mr. Brown stated that inspections are conducted on an annual basis to determine if the ponds are functioning and maintained properly. Mr. Brown advised that this particular pond that was being referred to is within the county's jurisdiction and he would make contact to see what the status is and what is being done in regards to planting vegetation to help eliminate health issues.

Chairman Tozer asked if the Commission wished to continue to the preliminary plat. No motion was required. The Commission agreed to continue to the request for the plat.

REQUEST BY SOUTHLAND HOLDINGS – APPROVED

Chairman Tozer stated that the next item is a request by Southland Holdings for a preliminary plat entitled "Windermere West, Phase One". The property is located north of Herman Garris Road, east of Bells Fork Road and west of Joseph Street. The proposed development consists of 16 lots on 10 acres.

Mr. Thomas stated this is the preliminary plat for Windermere West, Phase One. The property is located north of Herman Garris Road, east of Bells Fork Road and west of Joseph Street. The anticipated use is single family residential on 16 lots. This is the first phase of development of the sketch plan entitled Windermere West Sketch Plan (06-17). This project will have Eastern Pines Water and will have individual on-site septic systems. Pitt County Environmental Health must approve the individual lots for on-site septic systems prior to any platting. The lots are approximately a half-acre in size. The streets will be maintained by the North Carolina Department of Transportation. Sidewalks are provided. There is a

common stormwater detention pond near Joseph Street.

Mr. Mike Baldwin, representing the applicants, spoke on behalf of the request. Mr. Baldwin stated this is the phase that initially started the sketch plan process. Mr. Baldwin stated that it will be a wet pond. The detention pond will be placed at lowest part of the property and it is the intention of the developer to landscape around the pond. The intersection of the road with Windermere Court and Falcon Drive, there is no left-hand turn conflict. Mr. Baldwin stated that the Engineering Department did not make any comments during the review process therefore there isn't a problem. The lot size for this subdivision will be larger than the current Windermere Subdivision. Mr. Baldwin explained that the sketch plan is not concrete but was to give the city a visualization of how the tract would interconnect and be developed. The preliminary plat is not conclusive until the final plat is recorded but does represent how the developer wishes to construct the tract.

Mr. Randall asked if the developers would consider eliminating one of the entrances, specifically, the north entrance on Joseph Street and work the interconnectivity back to the other property.

Mr. Baldwin responded by stating that they need the two entrances on Joseph Street and doesn't believe staff would support eliminating an entrance.

Mr. Little spoke in rebuttal. Mr. Little stated if you wanted to eliminate one of the roads, the sketch plans indicates a "tee" at the second entrance of Joseph Street as it approaches Herman Garris Road. If you take the entrance on Herman Garris Road up it will run into Fields Street and connect it to a subdivision which has exits through Cherry Oaks and back onto Bells Fork Road. That would more than promote interconnectivity.

Mr. Mahar stated the two detention ponds will not be far from each other if they have to flow to the low area. It should be the responsibility of the developer to make developments attractive to the residents. Mr. Mahar emphasized that there will be more traffic on Joseph Street and the developers have the responsibility to make the street safe.

Ms. Beth Dunn reiterated what other speakers had mentioned.

Mr. Baldwin spoke in rebuttal in favor of the request. Mr. Baldwin stated that he doesn't believe people residing in this subdivision would travel through Cherry Oaks to get to Greenville. Mr. Baldwin stated that the preliminary plat should be reviewed and addressed and not the sketch plan for the remainder of the tract.

Mr. Little spoke on response to Mr. Baldwin's rebuttal by stating if you go to Field Street make one turn left you are on Bells Fork Road.

Mr. Holec explained to the Commission that this is a two step process. Mr. Holec explained that staff asked for a sketch plan of the entire tract because of the interconnectivity between subdivisions as well as the preliminary plat for the sixteen lots. Mr. Holec stated that the Commission would need to take action on the sketch plan and then proceed to action on the preliminary plat. Mr. Holec explained that the Commission must determine if the sketch plan complies with the development standards and make a decision based on that.

Motion was made by Randall, seconded by Mr. Lehman, **to approve the sketch plan**. Those voting to approve: Randall, Lehman, Bell, Gordon and Basnight. Those voting in opposition: Ramey. Motion carried.

Motion was made by Mr. Lehman, seconded by Mr. Bell **to approve the preliminary plat**. Those voting in favor: Lehman, Bell, Gordon and Basnight. Those voting in opposition: Randall and Ramey. Motion carried.

AMENDMENT TO THE RULES OF PROCEDURES

Chairman Tozer stated that the next item is an amendment to the Rules of Procedures.

Mr. Thomas stated this is to amend the Rules of Procedures to reflect changes in locations that have taken place and the name of our Department has changed. Mr. Thomas stated that we are the Community Development Department and the location of the Subdivision Review Board has changed from the Community Building to the Community Development Department. Mr. Thomas stated this is an advisory item and no action should be taken tonight. Mr. Thomas stated that the Commission would take action on this amendment at the July meeting.

INFORMATION

Mr. Lehman asked for a status report on the open space area and how it will be affecting the new subdivision regulations.

Mr. Hamilton stated that a presentation was made to the Recreation and Parks Commission and they referred it to a committee of their Commission members. Once the Commission submits their recommendation to staff it will be presented to the Planning and Zoning Commission for a recommendation to City Council. Mr. Hamilton stated that the Director of Recreation and Parks has indicated that the Committee would like to discuss the proposal with staff and it is anticipated to be brought before the Planning and Zoning Commission in August.

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

Respectfully submitted,

Merrill Flood
Secretary