

MINUTES ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION

May 21, 2019

The Greenville Planning and Zoning Commission met on the above date at 6:00 pm in Council Chambers of City Hall.

Mr. Michael Overton – Chair- *	
Mr. Doug Schrade – X	Ms. Chris Darden – *
Mr. Les Robinson – *	Mr. John Collins - *
Mr. Kevin Faison - *	Mr. Hap Maxwell - *
Mr. Ken Wilson - X	Mr. Terry King - *
Mr. Max Ray Joyner III -*	Mr. Chris West - *

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

PLANNING STAFF: Chantae Gooby, Chief Planner; Camillia Smith, Secretary

OTHERS PRESENT: Emanuel McGirt, City Attorney; Tom Barnett, Community Development, Director; Rick DiCesare, City Engineer; Scott Godefroy, City Engineer; Kelvin Thomas, Communication Technician.

MINUTES: Motion made by Mr. Robinson, seconded by Mr. Collins, to accept the March 19, 2019 minutes. Motion passed unanimously.

AGENDA: The applicant of agenda Item 5 has asked for a continuous until the June commission meeting.

Ms. Gooby also informed the board that she will do one presentation for agenda items 3 and 6 now item 5 due to them being adjacent properties.

Motion made by Mr. Joyner to amend the agenda, seconded by Mr. Robinson. Motion passed unanimously.

OLD BUSINESS

Rezoning

2. Ordinance requested by Ocean Reef Investment, LCC to rezone 4.061 acres located at the southeastern corner of the intersection of MacGregor Downs Road and B's BBQ Road from MO (Medical-Office) to CG (General Commercial).

Ms. Gooby described the property located in the western portion of the city, just a little over 4 acres the property is mostly residential and multifamily. Not located in the flood plain however it

is within the Harris Mill Run Schoolhouse Watershed so a 10 year storm detention is required. A small portion of the property is in damage protection ordinance. This rezoning would not see an increase in traffic. The property is zoned Medical Office and the request is for General Commercial which is similar to the surrounding zoning. The request is in accordance with the Future Land Use Plan and Staff recommends approval

Mr. Overton opened the public hearing

Dawn Polittee spoke in favor, representing the applicant Ocean Reef, stating that she would answer any questions.

No one spoke in opposition

Motion made by Mr. Faison, seconded by Ms. Darden to recommend to approval for the proposed amendment to advise that it is consistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

NEW BUSINESS

Rezoning

3. Ordinance requested by Home Builders and Supply Company to rezone 0.28 acres located south of the intersection of Line Avenue and Wilson Street from R6 (Residential) to CH (Heavy Commercial).

Ms. Gooby delineated the property located in the Harris Mill Schoolhouse Watershed. This 0.28 acres represents the last piece of property not zoned Commercial as the surrounding parcels are. Owned by Home Builders the property is zoned R6 (Residential) and the request is for CH (Heavy Commercial). The request is in accordance with the Future Land Use Character map and staff recommends approval.

Mr. Overton opened the public hearing

Mr. Darson Sowers spoke in favor, representing the applicant. Mr. Sowers stated that he has worked with City Council and has their support. He continued that the monument that was on the property was granted an easement for the city.

No one spoke in opposition.

Motion made by Mr. Joyner, seconded by Mr. King to recommend to approval for the proposed amendment to advise that it is consistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

4. Ordinance requested by Carolina Eastern Homes LLC to rezone 85.1325 acres located east of Corey Road and adjacent to Blackwood Ridge Subdivision from RR (Rural Residential – Pitt County’s Jurisdiction) to R9S (Residential-Single-family).

Ms. Gooby explained staff was providing one presentation for both the Carolina Eastern Homes, LLC and RDP Management Consulting, LLC rezoning requests since the properties are located in close proximity to each other. However, there will be two separate public hearings for each request. She delineated the properties. These properties are currently in Pitt County’s Jurisdiction. The City has also received annexation petitions for these properties to be annexed into the City. Since rezonings have to be considered by the Planning and Zoning Commission prior to City Council and annexations are only considered by City Council, these rezoning requests will be forwarded to City Council where Council will take action on the annexation requests first. If the annexation petitions are approved, then Council will take action on the rezoning request. If the annexation petitions are denied, there will be no action taken on the rezoning requests. Greenville Utilities Commission is in the process of constructing a pump station on Mills Road to provide sewer to this area. The developers of the subject properties would like to develop the properties with sewer, which necessitates annexing into the City. The Carolina Eastern Homes, LLC request could generate a net increase of 774 trips per day and the RDP Management Consulting, LLC request could generate a net increase of 230 trips per day. These properties were not included in the City’s Watershed Master Plan. These properties could drain to the Clayroot or Cow Swamp. Stormwater regulations would require 10-year detention with nitrogen and phosphorous reduction. Existing flood studies end to the east of these properties, therefore, prior to submission of development plans a flood study will be required along with wetland delineation. The flood study will be submitted to North Carolina Emergency Management for approval. Sagewood Subdivision, which is located to the west on Ivy Road, was developed in similar fashion. It has the same zoning as being requested tonight. Both of the properties are currently zoned RA under Pitt County’s Jurisdiction. Under the current zoning, the Carolina Eastern Homes, LLC request could accommodate 75-80 single-family lots and 160-165 single-family lots under the requested zoning. Under the current zoning, the RDP Management Consulting, LLC request could accommodate 20-22 single-family lots and 40-44 single-family lots under the requested zoning. The City’s Future Land Use and Character Map recommends traditional neighborhood, low-medium density (TNLM) in this area. The map covers this area since the map projects future growth outside of the city’s current jurisdiction. The requested R9S is in the traditional neighborhood, low-medium density (TNLM) character. In staff’s opinion, the request is in compliance with the Horizons 2026: Greenville’s Community Plan and the Future Land Use and Character Map. Staff recommends approval.

Mr. Overton opened the public hearing.

Mr. Linwood Stroud, Stroud Engineering, spoke in favor, representing the applicant. This development is because of the availability of sanitary sewer. GUC is planning to construct a new pump station that will serve this property.

Ms. Elizabeth Marsal, spoke in opposition. This board is attempting to rezone property that isn’t in the City’s Jurisdiction. She doesn’t think it was a fair depiction given of the area showing the homes on one (1) or more acres of land. If you have ever drive down Mills Road, you know that it

takes a while to get from point A to point B and to put that many house out there would add to the traffic in the area. With most of the major employers on the opposite side of town, this put strain to the outer roads, as well as, increase cost to the city to maintain the inner streets and the increase of potential accidents.

Ms. Wendy Fisher, spoke in opposition. She moved from California and wanted to live in place that was rural away from the rat race, she expressed how she and her husband search for over 10 years for somewhere that was away from crime and traffic. This rezoning may be single family homes but who is to say that they won't change their minds after it is approved and put apartments or Section 8 housing.

Mr. Jim Marsal, spoke in opposition, lives on Manor Court. This request is not in compliance with the area. He is concerned about the impacts on school and life safety. If you put that many house in the area, it would put additionally strain on Eastern Pines Fire Department, Chicod School, Hope Middle School and DH Conley High School. The roads that are already congested. Response times may not be met. He is concerned about the property values being affected by an increase in development.

Mr. Simonetti, spoke in opposition. He referenced a letter that he sent to the Commission. He is concerned that his pond, which runs along the southern border of the RDP Management Consulting rezoning will be flooded due to the development.

Mr. Ken Malpass, Malpass & Associates, representative of the RDP Management Consulting, LLC rezoning, explained that the northern edge of the RDP Management Consulting rezoning is the lowest point. Mr. Simonetti's pond is on the higher side of the property along Mills Road. There should be no run off headed towards him. The property drains from north to south and Cow Swap runs along the northern property line. We can only put 40+/- lots. A flood study hasn't been done yet but and only about 50% of this property developable.

Mr. Linwood Stroud, Stroud Engineering, representative of the applicant. He would like to address the four houses per acre. By the time we allow for streets and other physical restraints there is no way that we can get 4 houses per acre in R9S zoning. Our preliminary sketches say about 2.7 lots per acre. I understand the concern in traffic and we have to allow for the increase in traffic. You develop first then you bring the infrastructure to accommodate.

Dale Brit, applicant, my company doesn't actually do the building but rather the developing. The building company is Caviness and Cates. The typical home is 2000 sq. ft. with two car garages.

Mr. Jared Randel, spoke in opposition, lives in Manor Court. His house is located where Mr. Malpass said the run off will occur from this subdivision. There is currently a creek a little wider than Mr. Simonetti's. When it rains, it floods from the run off from Cow Head Swamp. Everything ends up there like a log jam when it rains. Therefore, adding this development would definitely impact the neighborhood to the west, Manor Court.

Mr. Rob Peaden, spoke in opposition, stating the flood plain on the maps do not reflect the amount of flooding that is in this area. This is the beginning of Chicod Creek that leads out into the Tar River. This is swamp land and it would difficult to walk through especially when it rains and the water is crossing Hudson's Crossroad. If the city is going to adopt this land, are they going to come out and keep Chicod Creek clean so the water can flow to the Tar River?

Ms. Janet Bass, spoke in opposition, is a public school employee and is concerned about the impact on schools. She explained that she knows the schools can't handle any more students. She understands the need for development and growth but wish it can be done the right way not the rich way.

Randy Carter, spoke in opposition, lives on Manor Court. Those on Manor Court have a problem with flooding when it rains because our properties were not drained properly. He would to request for a copy of the plan and have it on record.

Ms. Gooby replied that no plans have been submitted but any and all applications and request are public record and can a requested by calling the Planning Division. All agenda materials are available for public viewing on the city's website.

Mr. Dooget Mills, spoke in opposition, stating he farmed the land that is in question and it floods especially during hurricane season. He built his homes away from everything because he never enjoyed living "people on top of people" further explaining that he has 34 homes on 34 acres. He is opposed to having this development that puts 4 houses on an acre of land.

Mr. Collins Wiggs spoke in opposition. He is a lifelong resident of Mills Road. When used to attend DH Conley it should only take him a minute to get to school but with traffic it takes him 30 minutes. He attended 10 years ago.

Ms. Karen Nollkamper, spoke in opposition, she lives on 22 acres near Mr. Simonetti. The pond floods when it rains especially during hurricane season to the point that she is unable to get out of her driveway. I know other people would like to live out there but four house to an acre is unacceptable.

Mr. Brian Carawan, spoke in opposition, he owns property on Page and Mills Road. He has been in contact with the County and would like to know how this zoning fits in with what the surrounding county zoning.

Mr. Stroud, spoke in rebuttal in favor, the proposal is in accomplice with the City's Future Land Use and Character Map. To compare county and city zoning, county zoning was adopted because sewer wasn't available. This development is because of the availability of sanitary sewer and the amount of houses are based on the availability of jobs. You will also have an increase in traffic because of urban sprawl.

Mr. Wes Styles, spoke in rebuttal in opposition, saying that the drainage near his home on Mills Road flows south to north and it floods when it rains. I believe this is profit driven and they want the city to peddle this project so they can get more houses on smaller lots. I am an experienced fire

lieutenant and I could tell you I wouldn't want to be responsible for providing fire services to an area like what is being proposed. The roads don't have any shoulders and nowhere for cars to yield to emergency personnel. The schools that are 8-10 minutes away like Hope Middle School or 10-15 minutes like Chicod School and Wintergreen Primary and Intermediate Schools are overcrowded. There are no plans to build anymore, my drive to Wintergreen School with no traffic is 4 minutes and with traffic it is a 20-25 minute drive.

Chairman Overton closed the public hearing.

Mr. Maxwell stated that he had concerned about the water and the traffic on these roads. These are rural roads with no shoulder and it seem to me that Greenville may eventually stretch this far but for right now it doesn't seem to be a good fit.

Motion made by Mr. Maxwell, seconded by Mr. Collins to recommend denial of the proposed amendment, to advise that, although it is consistent with the Comprehensive Plan, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency and other matters. Voting in favor: Maxwell, Collins, Robinson, Darden and Faison. Voting in opposition: Joyner, King, and West. Motion passed.

5. Ordinance requested by RDP Management Consulting, LLC to rezone 50.1649 acres located near the intersection of Mills Road and Hudson's Crossroad from RA (Rural Agricultural – Pitt County's Jurisdiction) to R9S (Residential-Single-family).

Ms. Gooby explained staff was providing one presentation for both the Carolina Eastern Homes, LLC and RDP Management Consulting, LLC rezoning requests since the properties are located in close proximity to each other. However, there will be two separate public hearings for each request. She delineated the properties. These properties are currently in Pitt County's Jurisdiction. The City has also received annexation petitions for these properties to be annexed into the City. Since rezonings have to be considered by the Planning and Zoning Commission prior to City Council and annexations are only considered by City Council, these rezoning requests will be forwarded to City Council where Council will take action on the annexation requests first. If the annexation petitions are approved, then Council will take action on the rezoning request. If the annexation petitions are denied, there will be no action taken on the rezoning requests. Greenville Utilities Commission is in the process of constructing a pump station on Mills Road to provide sewer to this area. The developers of the subject properties would like to develop the properties with sewer, which necessitates annexing into the City. The Carolina Eastern Homes, LLC request could generate a net increase of 774 trips per day and the RDP Management Consulting, LLC request could generate a net increase of 230 trips per day. These properties were not included in the City's Watershed Master Plan. These properties could drain to the Clayroot or Cow Swamp. Stormwater regulations would require 10-year detention with nitrogen and phosphorous reduction. Existing flood studies end to the east of these properties, therefore, prior to submission of development plans a flood study will be required along with wetland delineation. The flood study will be submitted to North Carolina Emergency Management for approval. Sagewood Subdivision, which is located to the west on Ivy Road, was developed in similar fashion. It has the same zoning as being requested tonight. Both of the properties are currently zoned RA under Pitt County's

Jurisdiction. Under the current zoning, the Carolina Eastern Homes, LLC request could accommodate 75-80 single-family lots and 160-165 single-family lots under the requested zoning. Under the current zoning, the RDP Management Consulting, LLC request could accommodate 20-22 single-family lots and 40-44 single-family lots under the requested zoning. The City's Future Land Use and Character Map recommends traditional neighborhood, low-medium density (TNLM) in this area. The map covers this area since the map projects future growth outside of the city's current jurisdiction. The requested R9S is in the traditional neighborhood, low-medium density (TNLM) character. In staff's opinion, the request is in compliance with the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map. Staff recommends approval.

Mr. Overton opened the public hearing.

Mr. Ken Malpass, Malpass & Associates, spoke in favor, representing the applicant. The pump station was put in for development. We are essentially taking advantage of the infrastructure that is in place and done based on Chicod School. The city and county had a bond program to come together, no one is asking for anything more. The roads are at 20 % capacity.

Mr. Rob Peaden, spoke in opposition, explaining that the original request for the pump station didn't include Ivy Road and when the request was made by other residents to be on sewer it was denied because it was for Chicod School only.

Ms. Jim Marsal, spoke in opposition, these rezoning requests are putting the cart before the horse. This will add to traffic and put a strain on the schools.

Mr. Ken Malpass, Malpass & Associates spoke in rebuttal in favor. Mills Road is under capacity for traffic. It has a 4,000 average daily trip count which is 25% of the capacity. Chicod School is not at capacity.

Mr. Faison asked Mr. Malpass, as an engineer, the roads are at 25% capacity, electricity, water and sewer are all able to support this development.

Mr. Malpass replied that the pump station was installed to support development and the schools. To not want to take advantage of the infrastructure is just surprising to me.

Mr. Eric Erikson, Director of Facility Services for Pitt County Schools, spoke in rebuttal in opposition that DH Conley High School and Hope Middle School are over capacity. The only reason Chicod School isn't over capacity is because of the recent additions made.

Mr. Overton closed the public hearing.

Motion made by Mr. Maxwell, seconded by Mr. Collins to recommend denial of the proposed amendment, to advise that, although it is consistent with the Comprehensive Plan, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency and other matters. Voting in favor: Maxwell, Collins, Robinson, Darden and Faison. Voting in opposition: Joyner, King, and West. Motion passed.

Preliminary Plats

6. Request received for a preliminary subdivision plat from Robert D. Parrot and Carl Blackwood, et al. The proposed preliminary subdivision plat entitled, "Blackwood Ridge Subdivision, Phase 3", is located adjacent to Blackwood Ridge Subdivision, Phase 2, between Corey Road and County Home Road and is further identified as being tax parcel numbers 84273 and 84930. The proposed plat consists of seven (7) lots totaling 5.9162 acres.

Ms. Gooby delineated the seven (7) lots totaling 5.9162 located in the southern section of the city, between Corey Road and County Home Road. The lots cumulate in a cul-de-sac. Zoned R9S for single family, the plat is in accordance with Future Land Use Character Map and has been reviewed by the city's Subdivision Committee.

Mr. Overton opened the public hearing.

Mr. Ken Malpass, Malpass & Associates, spoke in favor, representing the applicant. Mr. Malpass stated that he was here to answer any questions.

No one spoke in opposition

Motion made by Mr. West, seconded by Ms. Darden to recommend approval of the preliminary plat as presented. Motion passed unanimously.

Meeting adjourned at 7:51 pm.

Submitted respectfully,

Chantae Gooby

**Chantae Gooby
Chief Planner**