

August 19, 2020

To: Planning & Zoning Commission:

Re: Proposed Text Amendment

Thank you for your thoughtful consideration of the neighborhood homeowners' concerns. The proposed text amendment is unacceptable. **I ask that you withdraw the text amendment or vote it down.**

**The majority of affected property owners in the adjoining neighborhoods still support the existing Special Use Permit with the protections it affords the neighboring properties and do not support the text amendment. Please do not disregard the hundreds of petitions that were previously submitted.**

Virtually all of the neighborhood concerns remain that I, and others, shared with you in 2019 and 2020 both in person and in writing. Please review those letters.

We have not had time to distribute a new petition against this current version of the text amendment – this was a large door-to-door undertaking - but if that would be helpful or necessary, we can certainly do so.

Although there have been many well-described problems experienced by homeowners as a result of the JP11 athletic field, please keep in mind that school-restricted activities under the current SUP are of less concern than third party users. The school activities will be limited in number and duration due to the very nature of JP11 and St. Peter's (the small number of enrolled students and number of athletic teams). Concern rises dramatically when third-party usage enters the picture.

The role of the city staff in the text amendment process has been very confusing. There is confusion as to why the neighborhood was unaware for months that a text amendment was even being pursued although multiple conversations had been taking place between Mr. Balot and city planning staff. This was NOT a motion or directive made by the commissioners (Thank you Mr. Maxwell – we ask that Ms. Gooby correct her slide). There is also confusion as to why the City planning staff is sponsoring the amendment, when it was requested by Rich Balot? Does sponsoring the amendment mean that the city planning staff is recommending the amendment? These questions have not been answered.

The city staff are seeking to meet Mr. Balot's request, but are also seeking to make a broad amendment that would apply to other potential schools – when, in fact, the **appropriate standards for JP11 would be very different from appropriate standards for**

**other “small private” schools** due to the very nature of the existing complex - in fact, there are no other small school athletic facilities in Greenville that approach the size, lighting (intensity and height), sound system or (most importantly) **the proximity to privately owned homes**. A text amendment is not the appropriate approach to this matter.

Having three parties involved who are not communicating at the same time and have different goals is also not an approach that has been successful. The homeowners’ association reps have met with Mr. Balot to try and find common ground. But many of the important consensus points that the homeowners and Mr. Ballot had verbally agreed to are missing from the text amendment, including prohibition of alcohol use and third party tournaments. At the June 30 meeting with City staff (an in-person meeting despite COVID-19), both neighborhood representatives and Mr. Rich Ballot agreed to no use of lights by third parties and no athletic events at all on Sundays. Yet these have not been included in the current text amendment. Every time we turn around there is a new version of the text amendment - and we are not notified of the changes. For example, the P&Z meeting yesterday evening is the first I have seen the version that is now under consideration.

We were out of town during the evening when the lights and sound system were tested, so were not able to evaluate glare or sound. But we are disappointed that there have been no discussions about additional light and/or sound barriers or placement of trees or connection with Mr. Balot’s landscape architect to consider options for those of us immediately adjacent to the fields, even at our own cost. Although beyond the scope of this amendment, we have also been disappointed at the lack of response from Mr. Balot’s engineer with options to address the flooding issues in our yard, caused by the elevation of JPll fields. Although Mr. Fagundus came to our property to evaluate the situation in June, he has not responded as he had promised with possible solutions (at our own cost) and has not responded to repeated emails.

The many reasons the neighborhood homeowners prefer the SUP have been well discussed and detailed in other submissions. Among the key protections that are missing from the current proposed text amendment: weekly and monthly restrictions to the total number of uses by third parties; monthly restrictions to 2-3 uses by third parties with light and sound (to prevent potential use every Friday and Saturday weekend); ending operations earlier than 11 pm on weekends and decibel limits well below 75.

In closing, I reiterate as many of us have in earlier letters: **there is no urgency** to consider granting third party usage. Permission and the SUP for this complex was

granted with the understanding it would be for school use only and for fewer than 200 students. We understand that Mr. Balot has a right to make the current request. But **neighboring property owners should also have rights**. Community teams are not clamoring for athletic fields or facilities. Mr. Balot proposed a rezoning last fall (which the city planners did not support) and it failed. He proposed a text amendment and it should fail. He still has an option to go back to the Board of Adjustment and request a change to the SUP.

I ask that you withdraw the text amendment or vote against it.

Thank you,

Kathryn Verbanac  
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Planter's Walk Subdivision