

MINUTES ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION
August 18, 2015

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

Mr. Tony Parker – Chair *
Mr. Terry King - * Ms. Chris Darden – *
Mr. Doug Schrade – * Ms. Ann Bellis – *
Mr. P.J. Connelly- * Mr. Brian Smith - *
Mr. Dustin Mills - X Ms. Betsy Leech –*
Ms. Margaret Reid - *

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

VOTING MEMBERS: Bellis, King, Smith, Reid, Connelly, Schrade, Darden, Leech

PLANNING STAFF: Thomas Weitnauer, Chief Planner; Chantae Gooby, Planner II; Merrill Flood, Director of Community Development, and Amy Nunez, Staff Support Specialist II.

OTHERS PRESENT: Dave Holec, City Attorney; Scott Godefroy, City Engineer, and Steve Hawley, Communications Technician.

Ms. Chantae Gooby stated that Ms. Betsy Leech had completed orientation and is able to vote.

MINUTES: Motion was made by Mr. Smith, seconded by Mr. King to accept the July 21, 2015 minutes as presented. Motion carried unanimously.

NEW BUSINESS
REZONINGS

ORDINANCE REQUESTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION TO REZONE CERTAIN PROPERTIES IN THE GENERAL AREA BOUNDED BY READE CIRCLE, DICKINSON AVENUE, THE CSX RAILROAD, AND BONNERS LANE FROM CDF (DOWNTOWN COMMERCIAL FRINGE) AND IU (UNOFFENSIVE INDUSTRY) TO CD (DOWNTOWN COMMERCIAL) CONTAINING A TOTAL OF 12.67 ACRES - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. It is located in the central section of the city. The property is included in The Dickinson Avenue Corridor Study that was accepted by City Council last year. The request is for Area Two from The Dickinson Avenue Corridor Study. It consists of three tracts: tract 1 is 11.35 acres, tract 2 is 0.74 acres and tract 3 is .58 acres. In the plan there are five action items: embrace and support the Transit Infrastructure Plan for Residential Development immediately adjacent to the GTAC; balance student and market

rate housing; coordinate transit between Greenville and ECU; re-align streets to improve wayfinding and connectivity; and new street layout creates land parcels appealing to development. The 10th Street Connector is to the south. These tracts have either CDF (Downtown Commercial Fringe) or IU (Unoffensive Industry) zoning. The majority of the area is already zoned CD (Downtown Commercial), which is the preferred zoning district. The CD zoning has mainly been accomplished via private rezoning requests from property owners. The purpose of the rezoning request is to have the entire Area Two be zoned CD. This zoning district is preferred because it allows for more intensive and complementary uses for the Uptown District with zero-lot line setbacks, mixed use development, no vegetation requirements and less restrictive parking standards. The Future Land Use Plan Map recommends commercial (C) for the area bounded by Reade Circle, Dickinson Avenue, the CSX Railroad, and Bonners Lane. The subject properties are located in the designated regional focus area described as the central business district (Uptown area). The rezoning area is also included in the West Greenville 45-Block Revitalization area. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map, The Dickinson Avenue Corridor Study, and the West Greenville 45-Block Revitalization Plan.

Chairman Parker opened the public hearing.

No one spoke in favor or in opposition of the request.

Chairman Parker closed the public hearing and opened for board discussion.

No board comments made.

Motion made by Mr. Smith, seconded by Ms. Bellis, 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 passed unanimously.

ORDINANCE REQUESTED BY JULIAN W. RAWL TO REZONE 5.11 ACRES LOCATED 650+/- FEET SOUTH OF WEST 5TH STREET AND 700+/- FEET WEST OF B'S BARBEQUE ROAD FROM MR (MEDICAL-RESIDENTIAL [HIGH DENSITYMULTI-FAMILY]) TO MRS (MEDICAL-RESIDENTIAL [SINGLE-FAMILY ONLY]). - APPROVED

Ms. Gooby delineated the property. It is located in the western section of the City, near the intersection of Hwy 43 and B's Barbeque Road. The property is landlocked. It is accessible through the parking lot of Roundtree Wood Apartments. The other side of the property line is a creek. The applicant owns the properties on the other side of the creek. The property is vacant. The property is zoned multi-family and the request is for single-family. Since the traffic analysis for the requested rezoning indicates that the proposal would generate less traffic than the existing zoning, a traffic volume report was not generated. The 100-year floodplain associated with Harris Mill Run which runs along the northern property boundary. In 1976, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned RA20. In 1985, the

Medical District was adopted by City Council. The subject site was included as part of the Medical District and rezoned to MR (Medical-Residential). Under the current zoning (MR), the site could accommodate 55-60 multi-family units (1, 2 and 3 bedrooms). Under the proposed zoning (RA20), the site could accommodate 16-18 single-family lots. The Future Land Use Plan Map recommends office/institutional/multi-family (OIMF) at the southwest corner of the intersection of West 5th Street and B's Barbeque Road transitioning to high density residential (HDR) to the south. Further, conservation/open space is recommended along Harris Mill Run. In staff's opinion, the request is not in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map, and the Medical District Land Use Plan Update (2007).

Ms. Bellis asked what the current occupancy rate in Greenville is for multi-family units.

Ms. Gooby stated she did not know.

Mr. Schrade asked if the same owner as the proposed also owned the adjacent land.

Ms. Gooby stated yes.

Ms. Reid asked if the other surrounding areas were zoned multi-family.

Ms. Gooby states yes on two sides.

Mr. Schrade asked if any properties were zoned single-family.

Ms. Gooby stated yes, the areas owned by Mr. Rawl are RA20 (residential).

Mr. Connelly asked if the cul-de-sac at the apartment complex accessed the property.

Ms. Gooby stated yes.

Ms. Darden asked if there was any access from Hwy 43.

Ms. Gooby stated no.

Chairman Parker opened the public hearing.

Mr. Connelly Branch, representative of the applicant, spoke in favor of the request. He stated the vacant property acts as a buffer to the applicant's home/property. The request is to downgrade the zoning so the applicant can have privacy. He also stated the property is unusable because the sewer line is in the southern portion and a pump station would be needed. This would not be practical due to the cost. The applicant has no development plans for this land.

Ms. Reid asked if Mr. Rawl owned the property.

Mr. Branch stated yes.

Mr. Reid asked why he needs to rezone it if he owns it.

Mr. Branch stated it is because of the valuation process and to make his land a contiguous MRS (medical residential single family) zoning.

No one spoke in opposition of the request.

Chairman Parker closed the public hearing and opened for board discussion.

Ms. Bellis stated she feels it would be consistent to have it single family.

Mr. Smith agreed.

Motion made by Ms. Reid, seconded by Mr. Smith, to recommend approval of the proposed amendment to advise that, although the proposed amendment is not consistent with the Comprehensive Plan, in this instance it is an appropriate zoning classification, and to adopt the staff report which addresses plan consistency. In favor: King, Bellis, Smith, Reid, Leech, Schrade, and Darden. Oppose: Connelly. Motion carried.

ORDINANCE REQUESTED BY POHL, LLC C/O V. PARKER OVERTON TO REZONE 3.28 ACRES LOCATED 300+/- FEET SOUTH OF FIRE TOWER ROAD AND ALONG BAYSWATER ROAD FROM R6MH (RESIDENTIAL-MOBILE HOME [HIGH DENSITY MULTI-FAMILY]) TO CG (GENERAL COMMERCIAL). - APPROVED

Ms. Gooby delineated the property. It is located in the southern section of the City along Fire Tower Road and adjacent to Dudley's Grant Townhomes. The subject property is part of the approved Fire Tower Junction Preliminary Plat. The majority of the area is vacant. The Winterville Academy School and Champions Fitness are locating in this area. Bayswater Road is a loop road that has two signalized intersections with Fire Tower Road. There is a designated regional commercial focus area in this location where commercial is encouraged and anticipated. These nodes typically contain 400,000+ square feet of conditioned floor space. Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate a net increase of 1,400 additional trips per day. Under the current zoning, the site could yield 35+/- multi-family units (1, 2 and 3 bedrooms). Under the proposed zoning, the site could yield 23,870+/- square feet of retail/ conventional restaurant space. The Future Land Use Plan Map recommends commercial (C) along the southern right-of-way of Fire Tower Road between Bayswater Road and Swamp Fork Canal transitioning to office/institutional/multi-family (OIMF) to the south. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

Chairman Parker opened the public hearing.

Mr. Jim Walker, Rivers and Associates, representative of the applicant, spoke in favor of the request. The proposal is for 3.28 acres of land and the Future Land Use Plan recommends commercial in this area. He would appreciate an approval on this request.

Mr. Joseph Surles spoke in opposition of the request. He is the president of the Dudley's Grant Home Owners' Association. The request is adjacent to Dudley's Grant. The commercial zoning allows for almost anything. He would like to see a barrier between the property and Dudley's Grant to eliminate noise and preserve the quiet in the neighborhood.

Attorney Holec stated that Chairman Parker did not allow time for those who wanted to speak in favor and suggested he reopen that portion of the public hearing.

Mr. Michael Overton spoke in favor of the request. He stated there are covenants in place for the property. They have restricted the uses to make the area a positive community. He stated the intent is for an existing Greenville business of about 30 years to move into this property. He stated they are conscious of the uses and will do what they can to preserve the area.

Ms. Reid asked if they are going to install a buffer.

Mr. Overton stated that since the sewer line is along the property line it creates a nature buffer plus a buffer is required by the City. There is a natural buffer of mature trees already in place.

Mr. King asked if the developer had met with the Dudley's Grant Association.

Mr. Overton stated no but that they will.

Mr. Jack Morgan Jr. spoke in favor of the request. He stated he is going to relocate his business, Morgan's Printer Inc., to this property which is an 8am to 5pm business.

Attorney Holec reminded the Board that they cannot rely on any representation and must consider all the uses allowed within the zoning district.

No one spoke in favor rebuttal or in opposition rebuttal.

Chairman Parker closed the public hearing and opened for board discussion.

Ms. Leech stated that it would be appropriate to get public input and make sure all voices are heard. She is interested in the size of the buffer. She suggested tabling the request until after discussions with the Dudley's Grant Homeowners' Association.

Ms. Gooby displayed the Bufferyard Setback and Vegetation Screening Chart that shows the proposed area is required to have Bufferyard D. The buffer would be twenty feet wide and for every one hundred linear feet there would be four large evergreen trees, 6 small evergreens, and 16 evergreen shrubs. It can be reduced to ten feet wide if an opaque fence is installed.

Mr. Schrade asked if the buffer was enlarged after the sewer line was installed.

Mr. Overton stated the buffer is already there and since the sewer is there it creates a larger buffer area since you can't build on the easement.

Ms. Gooby showed the picture of the property which shows the existing vegetation.

Ms. Darden stated you can still see the townhomes.

Mr. Overton stated the existing buffer is thick and you basically only see are rooftops.

Mr. King asked Mr. Surles' his opinion.

Mr. Surles stated his issue is with the noise. When the sewer line was installed it created a lot of noise and homeowners complained. There is no hill or buffer from the noise when a business goes there it will make a lot of noise.

Mr. Overton stated whoever buys the property still needs to meet minimum vegetation requirements. Additional screening is possible but the City bufferyard requirements have already been met. He stated that they just completed major infrastructure by adding the road and sewer which caused a lot of noise. The goal is to have controlled development that won't harm the neighborhood and will be positive.

Chairman Parker stated that this is a good buffer compared to others. They could have cut all the trees downs and put in small trees and bushes.

Motion made by Mr. King, seconded by Ms. Darden, 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 passed unanimously.

TEXT AMENDMENT

ORDINANCE TO AMEND THE ZONING ORDINANCE BY ADDING A WINE, BEER AND KEG STORE AS AN ALLOWED LAND USE WITHIN THE CN (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT, SUBJECT TO AN APPROVED SPECIAL USE PERMIT, AND ESTABLISHING SPECIFIC CRITERIA. – APPROVED

Mr. Thomas Weitnauer, Chief Planner, presented the text amendment. He stated Tandi Mahn proposed the text amendment. It proposes the addition of a definition and regulations to allow wine, beer and keg stores in the Neighborhood Commercial (CN) zoning district through special use permits and proposes review criteria and operational requirement for such stores. As well as be in a CN zoning district, the location also must be within 500 feet of a focus area. The following are allowed activities for the proposed amendment: on-premise craft beer tasting, on-

premise large production beer tasting, sell and refill growlers for off-premise consumption, sell craft beer in cans and bottles for off-premise consumption, sell large production beer in cans/bottles for off-premise consumption, sell kegs of craft beer for off-premise consumption, sell kegs of large production beer for off-premise consumption, and sell retail products and prepared pre-packaged food. Tastings will be limited to two ounces. Sales cannot exceed 40% of the wine and craft beer shop's total sales of wine and malt beverages including both on-premises and off-premises consumption for any 30-day period. Sales cannot exceed 40% of the wine, beer and keg store's total sales of wine and malt beverages including both on-premises and off-premises consumption, for any 30-day period. Grocery stores are already an allowed use in the CN zoning district and are allowed to sell wine, beer and kegs. Convenience stores are already an allowed special use in the CN zoning district and are allowed to sell wine, beer and kegs. Wine and Craft Beer Shops are already an allowed special use in the CN zoning district and are allowed to have on-site consumption of wine and craft beer. Craft beer is defined as a malt beverage from a brewer with an annual production of 6 million barrels of beer or less. Permission this text amendment adds than what is currently allowed is that the applicant seeks to sell beer and kegs that do not meet the definition of craft beer since the applicant's proposal allows the sale of beer produced by large beer producers. The proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan. The following are relevant excerpts from Horizons: Greenville's Community Plan, 2004. PLAN ELEMENTS Economy: Objective E1. To create conditions favorable for healthy economic expansion in the area. Objective E2. To attract new industry and businesses which strengthen Greenville's role as a regional center.

The proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan, 2004. Section 2, Future Land Use, Urban Form, 3. Nodes, Neighborhood as follows: "The neighborhood node is only found in neighborhoods and must be able to blend exceptionally well with the residential surroundings in scale and character. Quite often, a neighborhood node may consist of only a neighborhood grocery and possibly a few small specialty shops. Approximate floor areas are less than 40,000 square feet. Examples include the City Market in the Tar River Neighborhood and Fire Tower Crossing on Fire Tower Road." In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan.

Chairman Parker opened the public hearing.

Ms. Tandi Mahn, applicant, spoke in favor of the request. She is one of the owners of Christy's Europub which is across the street from the proposed. She is also one of the owners of, the soon to be, Dickinson Avenue Public House. The reason why she wrote the text amendment is because the current ordinance for craft beer is for under six million barrels annually. The amendment also would allow the sale of kegs. She stated not many stores sell kegs. Since she already owns a bar and restaurant, she would not be encouraging a bar atmosphere. For that reason, she reduced the tastings from one pint to two ounces.

Ms. Reid asked if there was any drinking in large amounts on the premise.

Ms. Mahn stated no. When City Market was open, they had a wonderful relationship where people could buy the beer she sold in her bar in larger quantities or in a keg.

Mr. Michael Overton spoke in favor of the request. He stated the building that the applicant would like to use used to be the Overton Supermarket. They have recently been renovating the building. He stated he likes what Ms. Mahn is doing with her businesses. City Market was there a long time and did sell kegs. The use would not be different. He stated he supports the amendment and it would be good for the neighborhood.

Mr. Alex Lawrence spoke in favor of the request. He stated this idea is needed and it would be convenient. He likes the idea and likes that Ms. Mahn is reinvesting in the neighborhood.

Mr. Connelly asked Mr. Overton about parking at this location.

Mr. Overton stated there are 93 spaces and there is a lot across the street.

No one spoke in opposition of the request.

Chairman Parker closed the public hearing and opened for board discussion.

Mr. Smith stated this was a good idea.

Motion made by Mr. Smith, seconded by Ms. Bellis, 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 passed unanimously.

FUTURE LAND USE PLAN MAP AMENDMENT

ORDINANCE REQUESTED BY BILL CLARK HOMES TO AMEND THE FUTURE LAND USE PLAN MAP FOR THE PROPERTIES LOCATED NEAR THE SOUTHEAST CORNER OF THE INTERSECTION OF NC HIGHWAY 43 AND IVY ROAD FROM SUBURBAN RESIDENTIAL (SR) AND RESIDENTIAL-AGRICULTURAL (RA) CATEGORIES (PITT COUNTY'S JURISDICTION) TO MEDIUM DENSITY RESIDENTIAL (MDR) AND CONSERVATION/OPEN SPACE (COS) CATEGORIES (CITY OF GREENVILLE'S JURISDICTION) CONTAINING 41+/- ACRES - DENIED

Ms. Gooby delineated the property. She stated its located south of the City, in the County's Jurisdiction. On August 13, 2015, at the request of the property owners, these properties were annexed into the City of Greenville's Jurisdiction by City Council. Currently, these properties are subject to Pitt County's 2030 Comprehensive Land Use Plan. Since they were annexed into the City and require city zoning, an amendment to the City's Future Land Use Plan Map is necessary prior to the rezoning request. The surrounding uses are scattered single-family residences, farmland, and woodlands. The subject property is impacted by the 500 and 100-year floodplains

associated with the Indian Wells Swamp. Under Horizons: Greenville's Community Plan, the subject properties will be included in Vision Area C. The request is to amend the FLUPM to recommend medium density residential (MDR) and conservation/open space (COS). NC Highway 43 is considered a gateway corridor from its intersection with Fire Tower Road and continuing south. Gateway corridors serve as primary entranceways into the city and help define community character. These roads are designed to carry high volumes of traffic through and across the city. Ivy Road is considered a residential corridor. Under Pitt County's 2030 Comprehensive Land Use Plan, the properties are recommended for suburban residential (SR) and rural residential-agricultural (RA). Land designated as SR is distinguished from land designated as RA by the greater potential for development and the inclusion of a broader range of land uses. Land within this category could develop with or without public sewer. This district is intended to accommodate land uses that are served by public sewer service and is not intended to accommodate development that is served by septic tanks. Sanitary sewer is available via the India Wells Sewer Pump Station which is located across Ivy Road from these properties. Sewer became available January, 2015. Water is available from Eastern Pines Water Corporation. The Horizons: Greenville's Community Plan 2010 Update provides criteria in determining if a change to the FLUPM is considered "compatible". To be considered compatible the request: is a result of changed conditions in the local development pattern, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the Current FLUPM; the request supports the intent and objective of the current FLUPM, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan; the request is properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing land and future neighborhoods and businesses within and in proximity to the area of proposed amendment; and the request is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation. Staff recommends approval of the proposed amendment because sanitary sewer just became available this year, the request is in character with the surrounding land uses, the property has several means of ingress/egress, and the request should result in a sustainable land use pattern that is equal to the land use category on the Pitt County Land Use Plan Map.

Chairman Parker opened the public hearing.

Mr. Ritchie Brown, Stroud Engineering spoke in favor of the request. The property owners are working with Bill Clark on this property and would appreciate approval of the amendment.

Mr. Bobby James spoke in opposition of the request. He stated the intersection of Highway 43 and Ivy Road is the worst intersection in Pitt County. There are many accidents due to the curvature of the road. Additional egress/ingress on Highway 43 will make the situation worse. There a ditch in that area that flooded last year.

Ms. Reid asked if his property flooded.

Mr. James stated that water flooded the highway and his property across the road. He stated he has spoken to DOT about the flooding. He was told last year when the sewer line was put in that

no one would be able to connect to sewer that is was specifically for Chicod School.

Chairman Parker asked if the ditch backed up due to lack of maintenance.

Mr. James stated it is not maintained properly and someone took the berms down. He stated he is not against development but is against development not handled properly.

Ms. Bellis asked who would be responsible to maintain the ditch.

Ms. Darden asked for the storm water drainage guidelines.

Mr. Scott Godefroy, City Engineer, stated that normally it would be Pitt County handle maintenance of the ditch. Any drainage issues would be handled during the review process at the time of development and plans submitted.

Attorney Holec stated it is not the City's responsibility. If development is to occur, the developer would have to address the storm water.

Mr. King asked if the development would be according to City standards.

Ms. Godefroy stated yes and there are new rules for residential storm water detention.

Mr. Schrade asked for clarification on what they are voting on.

Ms. Gooby stated that as of last Thursday the property was in the City's Jurisdiction. Therefore, the property needs city zoning so the property needs to be on the City's Future Land Use Map prior to the rezoning request. The applicant is requesting medium density residential use. The vote tonight is to change the designation from the Pitt County Land Use Plan Map categories to the City's Future Land Use Plan Map categories.

Mr. Schrade stated that it is already City. The developer will have to work out the water problem later. Tonight's vote has nothing to do with the water problem.

Ms. Gooby stated that the property owner requested annexation in order to tap onto sewer. In order to tap onto sewer, the property was annex into the City. The property will be developed under city standards.

Mr. Merrill Flood, Director of Community Development, stated that the preliminary plat will show how the site will be developed and how drainage will be handled. This will happen at a later date.

Ms. Leech stated she has a density concern since there already is a drainage issue. The future concentration of potential construction in the area with impervious surfaces could cause a greater impact. She prefers to see a lower density with less concrete for easier drainage.

Ms. Bellis asked if this came about due to the extension of sewer and the property owner requesting to be annexed into the City and then higher densities create more residences in the area. She asked if it was anticipated to have more development along the Highway 43 corridor where sewer is now located.

Ms. Gooby stated that it can be a domino effect. If sewer exists, development will be follow.

Mr. Flood stated at the June City Council meeting, staff advised Council of the interest in this area. He stated the City has growth boundary extension agreements with the Town of Winterville. There is infrastructure that is available and will spur development. Under the statues, if the request is within three miles of the City's Jurisdiction and there is the ability to extend services exists and it is closer to the City then another jurisdiction, it can be annexed. The City Council reviewed and approved this request.

Chairman Parker asked if staff is already working on water mitigation.

Mr. Godefroy stated that prior to last year no retention was necessary for residential property. Now there is a 10-year storm water retention residential requirement. This will need to be submitted as part of the development plan. There is a possibility it could require a 25-year storm plan.

Ms. Bellis asked which council district this property would be in.

Ms. Gooby stated it is closest to district four.

Mr. King asked if a traffic study had been done since many accidents occur in the area.

Ms. Gooby stated Ivy Road/Highway 43 are state maintained roads. When rezonings occur, the Engineering Department prepares a traffic report based on current development and anticipated development. The preliminary plat shows street connections and the number of lots. That information helps determine mitigation measures such as, turn lanes, deceleration lanes, etc...

Mr. King asked if the Greenville Police would be responsible for this area.

Ms. Gooby stated Greenville Police would respond to services call within the subdivision proper.

Ms. Leech asked if development would extend three miles south of this area.

Attorney Holec stated no. It would have to be a contiguous boundary wherever that occurs.

Ms. Lisa Herman, resident at 2682 Ivy Road, spoke in opposition of the request. She has concerns with the easement between her home and the neighbors because it appears it will be egress/ingress. A neighborhood would normally be about 35 mph speed limit but Ivy Road is 50 mph in front of her home. She is concerned with who will respond to Fire/Police calls when both City and County show up. Her property is across the street from the pump station.

Mr. Lee Spain spoke in opposition of the request. His property is at the corner of Highway 43 and Ivy Road. He has seen and heard many dangerous wrecks and many more close calls. He stated building a new neighborhood there would make safety worse.

Mr. Brown spoke in favor rebuttal. He stated that developers are required to keep pre-development and post-development water runoff the same regardless of the density. He stated that DOT has required a turn lane on Ivy Road to head north on NC Highway 43.

Chairman Parker closed the public hearing and opened for board discussion.

Ms. Leech stated she would prefer a lower density.

Ms. Darden agreed.

Attorney Holec stated the Commission must make a vote to approve or deny the request. Suggestions can be made after the vote.

Motion made by Mr. Smith, seconded by Mr. Connelly, 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. In favor: Smith, Schrade, and Connelly. Oppose: Leech, Reid, Bellis, King, and Darden. Motion failed.

Motion made by Ms. Darden, seconded by Mr. King, to recommend low density residential. In favor: Leech, Reid, Bellis, King, and Darden. Oppose: Smith, Schrade, and Connelly. Motion carried.

With no further business, motion made by Ms. Bellis seconded by Ms. Darden, to adjourn. Motion passed unanimously. Meeting adjourned at 8:30 p.m.

Respectfully Submitted,

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