OFFICIAL MINUTES
MEETING OF THE CITY COUNCIL
CITY OF GREENVILLE, NORTH CAROLINA
THURSDAY, FEBRUARY 14, 2019

A regular meeting of the Greenville City Council was held on Thursday, February 14, 2019 in the Council Chambers, located on the third floor at City Hall, with Mayor P. J. Connelly presiding. Mayor Connelly called the meeting to order at 6:00 pm. Mayor Connelly gave the invocation, followed by the Pledge of Allegiance.

Those Present:
   Mayor P. J. Connelly, Mayor Pro-Tem Rose H. Glover and Council Members Monica Daniels, Will Bell, Rick Smiley, William F. Litchfield, Jr. and Brian V. Meyerhoeffer, Jr.

Those Absent:
   None

Also Present:
   City Manager Ann E. Wall, City Attorney Emanuel D. McGirt, City Clerk Carol L. Barwick and Deputy City Clerk Polly Jones

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APPROVAL OF THE AGENDA

City Manager Ann Wall asked that the item related to closure of an alleyway located on the east side of Cedar Lane and south of East Tenth Street be removed from the agenda.

Council Member Meyerhoeffer reminded the City Council of the continuation of the State Lobbying item from the previous Monday's meeting.

Council Member Smiley asked that anyone desiring to speak on the alleyway closure be allowed to do so under public comment, then moved that the agenda be approved as amended. Council Member Meyerhoeffer seconded the motion, which passed by unanimous vote.

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PUBLIC COMMENT PERIOD

Mayor Connelly opened the public comment period at 6:07 pm, explaining procedures which should be followed by all speakers.
Robert O’Neal – 1900 Allen Road
Mr. O’Neal expressed significant concern that the landfill has a machine that sounds like a thunderstorm coming through the woods. He has been discussing this with Mayor Connelly and Chief Planner Chantae Gooby, who has informed him this is an allowable use for that location. He can’t understand why, noting landfill personnel run this machine as late as 8:00 or 9:00 pm and as early as 7:00 am. He said he complained at a County Commissioner’s meeting and, as a compromise, they offered to quit running the machine from 7:00 pm on Saturday until 7:00 am on Monday. Mr. O’Neal stated he has a son with Down Syndrome who will not go outside when this machine is running, and if it starts to run while he is outside, he runs for the house. He asked if he is supposed to only be able to take his son outside during this small window of time.

Mike Barnum – 614 Maple Street
Mr. Barnum stated he felt really good about stormwater control efforts that have been put in place over the past couple years, the detailed study that was done and the Council passing the Stormwater Master Plan. Over the past year, in attending some Planning and Zoning meetings and City Council meetings, he has become concerned over some of the verbiage in some of the zoning requests. Under the Environments Concerns section, it says “if stormwater rules apply” even when it has been identified that area is in a sensitive watershed area. He stated he wants Council to be aware of this in case it becomes a clause that might allow developers to work around stormwater rules.

Jamie Harris – Cedar Lane
Ms. Harris stated she has lived on Cedar Lane since 2005 and during that time, there have been many changes in the businesses up and down the alleyway off 10th Street. She has been concerned with the growing decline in area properties and the activities going on in that area. Many individuals hang out in the dirt path that are not residents in the area and they may or may not be engaging in illegal activities. She is also concerned about large trucks attempting to use the alley, which is too narrow to maneuver without having to drive onto her property, causing damage to it as well as to the curbing owned by the City. Ms. Harris stated she sees no reason this alley should remain open.

Hearing no one else who wished to speak during the Public Comment period, Mayor Connelly closed the public comment period at 6:15 pm.

SPECIAL RECOGNITIONS

TIM LANGLEY – POLICE DEPARTMENT RETIREE

City Manager Ann Wall, accompanied by Mayor Connelly and Police Chief Mark Holtzman, recognized Tim Langley on the occasion of his retirement from the Greenville Police
Department. She read and presented him with a plaque honoring his 30 years of service to the citizens of Greenville.

**APPOINTMENTS**

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**Affordable Housing Loan Committee**
Council Member Daniels made a motion to reappoint David Campbell to a second three-year term that will expire January 2022. Council Member Bell seconded the motion and it carried unanimously.

**Community Appearance Commission**
Council Member Smiley made a motion to appoint Jeremy Miller to fill an unexpired term that will expire April 2020 in replacement of Byron Aynes, who had resigned. Council Member Bell seconded the motion and it carried unanimously.

**Environmental Advisory Commission**
Council Member Meyerhoeffer made a motion to appoint Derrick Smith to fill an unexpired term that will expire April 2021 in replacement of Durk Tyson, who did not seek a second term. Council Member Bell seconded the motion and it carried unanimously.

Council Member Meyerhoeffer continued the appointment for all remaining seats.

**Greenville Bicycle & Pedestrian Commission**
Council Member Bell continued all appointments.

**Historic Preservation Commission**
Council Member Litchfield made a motion to appoint Edward Puchner to a first three-year term that will expire January 2022, in replacement of Christopher Nunnally, who had resigned. Council Member Bell seconded the motion and it carried unanimously.

Council Member Litchfield made a motion to appoint Andrew Morehead to fill an unexpired term that will expire January 2021 in replacement of Troy Demers, who had resigned. Council Member Meyerhoeffer seconded the motion and it carried unanimously.

**Human Relations Council**
Mayor Pro-Tem Glover continued all appointments.

**Recreation & Parks Commission**
Mayor Pro-Tem Glover continued all appointments.
Redevelopment Commission
Council Member Smiley made a motion to appoint AJ Jacobs to fill an unexpired term that will expire November 14, 2020, in replacement of Tracie Gardener, who had resigned. Council Member Bell seconded the motion and it carried unanimously.

Youth Council
Mayor Pro-Tem Glover made a motion to appoint Lexi Karaivanova and Javier Limon to unexpired terms that will expire September 30, 2019. Council Member Meyerhoeffer seconded the motion and it carried unanimously.

CONTINUED FROM MONDAY’S MEETING

CONTRACT AWARD FOR STATE LOBBYING SERVICES

City Manager Ann Wall stated proposals were received from firms interested in performing lobbying services for the City of Greenville. The lobbyist services will include work with the General Assembly in areas including economic development, transportation, storm water, tax policies and City Council priorities. The work will include reviewing State proposals and legislation under consideration; proposed and adopted administrative rules and regulations; and other developments for the purpose of advising the City of issues that may have a bearing on the City’s policies and programs; identify and act to obtain funding for the City; develop briefing materials; and alert the City to potential new opportunities that will further the City’s interest. Ms. Wall recommended awarding a contract to Ward and Smith P.A. for lobbying services with the State of North Carolina having an annual cost of $72,000. Funding is available through the operating budget.

Upon motion by Council Member Meyerhoeffer and second by Council Member Litchfield, the City Council voted unanimously to Approve and authorize the City Manager to sign the engagement agreement with Ward and Smith.

NEW BUSINESS

PUBLIC HEARINGS

ORDINANCE TO ANNEX GREY FOX RUN, PHASE 2 INVOLVING 2.2018 ACRES LOCATED ALONG BLUEBILL DRIVE AND 450+/- FEET EAST OF KITTRELL FARMS DUPLEXES – Ordinance No. 19-007

Senior Planner Chantae Gooby showed a map depicting the proposed annexation area, which is located within Winterville Township in voting district #5. The property is
currently vacant with no population, and a population of 39 is expected at full development. Current zoning is R6 (Residential), with the proposed use being 18 townhome lots. Present tax value is $143,117, with tax value at full development estimated at $2,614,590.

Mayor Connelly declared the public hearing for the proposed annexation open at 6:35 pm and invited anyone wishing to speak in favor to come forward.

Hearing no one, Mayor Connelly invited comment in opposition. Also hearing none, Mayor Connelly closed the public hearing at 6:36 pm.

Council Member Bell moved to adopt the ordinance to annex Grey Fox Run, Phase 2, involving 2.2018 acres located along Bluebill Drive and 450+/- feet east of Kittrell Farms Duplexes. Council Member Smiley seconded the motion, which passed by unanimous vote.

**ORDINANCE TO ANNEX PROPERTY OWNED BY THE CITY OF GREENVILLE INVOLVING 9.57 ACRES LOCATED ALONG THE WESTERN RIGHT-OF-WAY OF THE CSX RAILROAD AND NORTH OF WEST FIRE TOWER ROAD** – Ordinance No. 19-008

Senior Planner Chantae Gooby showed a map depicting the proposed annexation area, which is located within Winterville Township in voting district #5. The property is currently vacant with no population, and no population is expected at full development. Current zoning is RA20 (Residential-Agricultural), with the proposed use being a utility substation. Present tax value is $185,888, with tax value at full development estimated at $14,000,000.

Mayor Connelly declared the public hearing for the proposed annexation open at 6:37 pm and invited anyone wishing to speak in favor to come forward.

Hearing no one, Mayor Connelly invited comment in opposition. Also hearing none, Mayor Connelly closed the public hearing at 6:38 pm.

Council Member Smiley moved to adopt the ordinance to annex property owned by the City of Greenville involving 9.57 acres located along the western right-of-way of the CSX Railroad and north of West Fire Tower Road. Council Member Bell seconded the motion, which passed by unanimous vote.

**ORDINANCE REQUESTED BY CAROLINA PENN INVESTMENT GROUP, LLC TO REZONE A TOTAL OF 0.939 ACRES LOCATED ALONG WEST 3RD STREET BETWEEN SOUTH PITT STREET AND THE CSX RAILROAD FROM CDF (DOWNTOWN COMMERCIAL FRINGE) AND R6 (RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) TO CD (DOWNTOWN COMMERCIAL)** – Ordinance No. 19-009
Chief Planner Chantae Gooby stated Carolina Penn Investment Group, LLC has requested rezoning of a total of 0.939 acres located along West 3rd Street between South Pitt Street and the CSX Railroad from CDF (Downtown Commercial Fringe) and R6 (Residential [High Density-Multi-family]) CD (Downtown Commercial).

Based on the analysis comparing the existing zoning (59 trips) and requested rezoning, the proposed rezoning could generate approximately 93 trips to and from the site on West 3rd Street. Since the increase is small and there are several roadways in the surrounding network for the traffic to disperse, a traffic volume report was not generated. During the review process, measures to mitigate the traffic will be determined.

In 1969, the property was zoned to its current zoning. Water and Sanitary Sewer are available. There are no known historical conditions/constraints on this property. The property is located in the Harris Mill Run / Schoolhouse Branch Watershed. Since the property is less than 0.5 acres, stormwater rules will not apply. If stormwater rules apply, 10-year detention would be required. Since it is located in the West Greenville Revitalization Area, it is exempt from water quality requirements. It is not located in the Special Flood Hazards Area, therefore, development is not subject to the Flood Damage Prevention Ordinance.

Under the current zoning, Ms. Gooby stated Tract 1 could accommodate one duplex building. Tract 2 contains two duplexes and two vacant lots. Tract 3 contains three single-family dwellings on one lot. Under the proposed zoning, the site could accommodate ten multi-family units (1, 2 and 3 bedroom). The anticipated build-out time is within 1-3 years.

Surrounding land uses and zoning are as follows:
North: R6 - Greenville Utilities Commission property; CD - one (1) vacant lot
South: CDF - Three (3) vacant lots and one (1) single-family dwelling
East: CD - One (1) vacant lot and Instigator Marketing; CDF - one (1) commercial building
West: R6 - Two (2) vacant parcels and one (1) multi-family building

Ms. Gooby stated that, in staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use Plan and Character Map. "In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

Ms. Gooby stated the Planning and Zoning Commission voted unanimously to recommend approval of the request at its January 15, 2019 meeting.

Mayor Connelly declared the public hearing for the proposed rezoning open at 6:49 pm
and invited anyone wishing to speak in favor to come forward.

**Mike Baldwin – No Address Given**
Mr. Baldwin, representing the applicant, stated Mr. Overton has made some significant improvements to the property. He noted the CDF zoning allows for some higher impact uses than CD, such as a service station. Mr. Baldwin stated he is available to answer any questions the Council may have.

**Michael Overton – No Address Given**
Mr. Overton stated he is a managing member of the Penn Investment Group. He said one of the illustrations shown tonight showed two older homes. Those homes have actually been demolished. There is still some cleanup on the lots to be done. The three duplexes that were converted to single family are all on one lot. Because of setback rules, they could not be divided into individual parcels. He noted he also owns the property across the street and it is already zoned CD. He stated their goal is to improve the appearance of that street.

Hearing no one else wishing to speak in favor of the proposed rezoning, Mayor Connelly invited comment in opposition.

No one was present in the audience who wished to speak. Mayor Connelly read an email received from Ann Harrington regarding her opposition.

**COPY**

From: Ann Harrington <al826@suddenlink.net>
Sent: Wednesday, February 13, 2019 9:48 AM
To: City Clerk Information <clerk@greenvillenc.gov>
Subject: Proposed Rezoning

Good Morning,
My property, 412 W 4th St is adjacent to the proposed rezoning property on West 3rd St. I am unable to attend tomorrow’s City Council meeting and am writing to protest this rezoning. I am opposed to multifamily use in this area mostly because I do not want such on my street. We all know that rezoning is based on precedents in the neighborhood. Before the economic crash of 2008 the property owner to my west, was intending to build duplexes on it if she could obtain rezoning. I am staunchly opposed to this. My husband and I have lived in this neighborhood for 30+ years and have been among the few anchors of stability in this area. West Greenville is poised to be revitalized. We are delighted that Uptown has changed in a good direction. As leaders you have great influence as to how this will affect us ordinary middle class folk. At the very least, I ask you to table this motion so you can visit us and see what I am talking about.

I look forward to hearing from you.

Sincerely,
Ann W. Harrington

**END COPY**
Hearing no one else who wished to speak, Mayor Connelly closed the public hearing at 6:54 pm.

Council Member Bell moved to adopt the ordinance to rezone a total of 0.939 acres located along West 3rd Street between South Pitt Street and the CSX Railroad from CDF (Downtown Commercial Fringe) and R6 (Residential [High Density-Multi-family]) CD (Downtown Commercial). Council Member Litchfield seconded the motion, which passed by unanimous vote.

**ORDINANCE REQUESTED BY HAPPY TRAIL FARMS, LLC TO REZONE 10.066 ACRES LOCATED BETWEEN STANTONSBURG ROAD AND THE NORFOLK SOUTHERN RAILROAD AND WEST OF THE SOUTHWEST BYPASS FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO I (INDUSTRY) – Ordinance No. 19-010**

Chief Planner Chantae Gooby stated Happy Trail Farms, LLC has requested rezoning of 10.066 acres located between Stantonsburg Road and the Norfolk Southern Railroad and west of the Southwest Bypass from RA20 (Residential-Agricultural) to I (Industry).

Based on the analysis comparing the existing zoning (335 daily trips) and requested rezoning, the proposed rezoning classification could generate approximately 209 trips to and from the site on Stantonsburg Road, which is a net decrease of 126 trips per day. Since the traffic analysis for the requested rezoning indicates that the proposal would generate less traffic then the existing zoning, a traffic volume report was not generated. During the review process, measures to mitigate the traffic will be determined.

In 2001, the subject property was part of a large-scale extra-territorial jurisdiction (ETJ) extension and was zoned its current zoning. There was a Future Land Use and Character Map Amendment associated with this request to amend the Future Land Use and Character Map for 10.066 acres from the Office/Institutional (OI) land use character to the Industrial/Logistics (IL) land use character. At its December 13, 2018 City Council meeting, the request was denied.

Water will be provided by Bell Arthur Water Corporation. However, sanitary sewer is not currently available. There are no known effects on historic sites. The property is located in the Greens Mill Run Watershed. If stormwater rules apply, it would require 10-year detention and nitrogen and phosphorous reduction. It is not located in the Special Flood Hazards Area. Therefore, development is not subject to the Flood Damage Prevention Ordinance.

Under the current zoning, the site could accommodate 30-35 single-family lots. Under the proposed category, the site could yield 58,800+/- square feet of industrial/warehouse space. The anticipated build-out time is 2-3 years.
Surrounding land uses and zoning are as follows:
North: RA20 - Four (4) vacant lots
East: I - Pitt County Landfill
West: RA20 - One (1) vacant lot

Ms. Gooby stated that, in staff’s opinion, the request is not in compliance with *Horizons 2026: Greenville’s Community Plan* and the Future Land Use and Character Map. Therefore, staff recommends denial. "Not in compliance with the comprehensive plan" should be construed as meaning the requested zoning (i) is specifically noncompliant with plan objectives and recommendations including the range of allowable uses in the proposed zone, etc. and/or is of a scale, dimension, configuration or location that is not objectively in keeping with plan intent and (ii) does not promote or preserve the desired urban form. The requested zoning is considered undesirable and not in the public interest, and staff recommends denial of the requested rezoning.

Ms. Gooby stated the Planning and Zoning Commission voted 6 to 2 to recommend approval of the request at its January 15, 2019 meeting.

Council Member Smiley questioned the word choice of “if stormwater rules apply” and asked in what circumstances might they not apply.

Public Works Director Kevin Mulligan stated it depends on the size of the development. For example, something under half an acre would be deemed not a problem and they would not apply.

Mayor Connelly declared the public hearing for the proposed rezoning open at 7:05 pm and invited anyone wishing to speak in favor to come forward.

Mike Baldwin – No Address Given
Mr. Baldwin, representing the applicant, stated Happy Trails Farm is managed by Woody Whichard, who is a native of Pitt County. He stated they started by requesting a land use map amendment. That request was approved 5 to 2 by the Planning and Zoning Commission, but was denied when it came before the City Council. They are back now with a rezoning request, not because they are hardheaded, but because they are passionate about their request. The property is located 5,400 feet along old Stantonsburg Road from a major thoroughfare. People are not going to want to travel that far down a two-lane road to go to an office. He stated the noise at the landfill comes from a rail car that sits on the track that is equipped with a shaker for limestone and it is the noisiest thing he has heard in Pitt County. No one would want to be in an office at that location due to the noise of not only the shaker, but of the railroad tracks and the Southwest Bypass. Practical uses for the property would be electrical contractors, mini storage and other things that would not be disturbed by the noise that exists there. Mr. Baldwin said he is available to answer any questions the Council may have.
Hearing no one else wishing to speak in favor of the proposed rezoning, Mayor Connelly invited comment in opposition.

**Robert O’Neal – No Address Given**
Mr. O’Neal stated he opposes this request because of the industrial zoning. He is very concerned that a future buyer with that zoning could use the property for something that would bring even more noise to the area.

**Mike Barnum – 614 Maple Street**
Mr. Barnum stated he is not necessarily in opposition to the request, but he has read the Greens Mill Run Watershed Master Plan and it identifies anything in the Allen Road area as being somewhere that can make an impact on stormwater in the area. He is concerned that the appropriate detention standard (10 year versus 25 year) be applied.

Hearing no one else who wished to speak, Mayor Connelly closed the public hearing at 7:20 pm.

Council Member Smiley moved to deny the request; however, the motion died for lack of a second.

Council Member Bell moved to adopt the ordinance to rezone 10.066 acres located between Stantonsburg Road and the Norfolk Southern Railroad and west of the Southwest Bypass from RA20 (Residential-Agricultural) to I (Industry), noting that the motion to adopt this ordinance will, in addition to the furtherance of other goals and objectives, promote the safety and general welfare of the community because the requested zoning encourages the most appropriate use of land that allows for the development needs of the community and is located in a Primary Service Area. Mayor Pro-Tem Glover seconded the motion, which passed by a vote of 5 to 1 with Council Member Smiley casting the dissenting vote.

**ORDINANCE REQUESTED BY BENT CREEK FARMS, LLC TO REZONE 1.362 ACRES LOCATED ALONG THE WESTERN RIGHT-OF-WAY OF ALLEN ROAD AND 400 +/- FEET NORTH OF WOODRIDGE PARK DRIVE FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO CH (HEAVY COMMERCIAL) – Ordinance No. 19-011**

Chief Planner Chantae Gooby stated Bent Creek Farms, LLC has requested rezoning of 1.362 acres located along the western right-of-way of Allen Road and 400 +/- feet north of Woodridge Park Drive from RA20 (Residential-Agricultural) to CH (Heavy Commercial).

Based on the possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 122 trips to and from the site on Allen Road, which is a net increase of 92 additional trips per day. During the review process, measures to mitigate the traffic will be determined.
In 2001, the subject property was part of a large-scale extra-territorial jurisdiction (ETJ) extension and was zoned its current zoning. Water and sanitary sewer are available. There are no known effects on historic sites. Greens Mill Run runs along the southern property line. A portion of the property is within the 100-year floodplain and floodway. This property may contain wetlands and is subject to the riparian buffer rules. The property is located in the Greens Mill Run Watershed. If stormwater rules applies, it would require 25-year detention and nitrogen and phosphorous reduction.

Currently, there is one (1) single-family dwelling and three (3) mobile homes on the site. Under the proposed zoning, the site could accommodate 11,050+/- square feet of office space. The anticipated build-out is within 1-2 years.

Surrounding land uses and zoning are as follows:
North: RA20 - One (1) single-family dwelling
South: CH - Woodridge Corporate Park
East: RA20 - One (1) vacant lot (NCDOT-owned) and farmland
West: RA20 - Farmland

Ms. Gooby stated that, in staff’s opinion, the request is in compliance with Horizons 2026: Greenville’s Community Plan and the Future Land Use Plan and Character Map. "In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

Ms. Gooby stated the Planning and Zoning Commission voted 6 to 2 to recommend approval of the request at its January 15, 2019 meeting.

Mayor Connelly declared the public hearing for the proposed rezoning open at 7:42 pm and invited anyone wishing to speak in favor to come forward.

Mike Baldwin – No Address Given
Mr. Baldwin, representing the applicant, stated he is available to answer any questions the Council may have.

Hearing no one else wishing to speak in favor of the proposed rezoning, Mayor Connelly invited comment in opposition. Hearing none, Mayor Connelly closed the public hearing at 7:44 pm.

Mayor Pro-Tem Glover moved to adopt the ordinance to rezone 1.362 acres located along the western right-of-way of Allen Road and 400 +/- feet north of Woodridge Park Drive
from RA20 (Residential-Agricultural) to CH (Heavy Commercial). Council Member Meyerhoeffer seconded the motion, which passed by unanimous vote.

**ORDINANCE REQUESTED BY CRAIG F. GOESS AND CRAIG M. GOESS TO REZONE 7.687 ACRES LOCATED ON THE NORTHWESTERN CORNER OF THE INTERSECTION OF WEST ARLINGTON BOULEVARD AND DICKINSON AVENUE FROM MCG (MEDICAL-GENERAL COMMERCIAL) TO MCH (MEDICAL-HEAVY COMMERCIAL)** – Ordinance No. 19-012

Chief Planner Chantae Gooby stated Craig F. Goess and Craig M. Goess have requested an ordinance to rezone 7.687 acres located on the northwestern corner of the intersection of West Arlington Boulevard and Dickinson Avenue from MCG (Medical-General Commercial) to MCH (Medical-Heavy Commercial).

Based on the analysis comparing the existing zoning (10,188 trips) and requested rezoning, the proposed rezoning could generate approximately 8,736 trips to and from the site on Arlington Boulevard and Dickinson Avenue, which is a decrease of 1,452 less trips per day. The traffic analysis for the requested rezoning indicates that the proposal would generate approximately 15% less traffic than the existing rezoning. Therefore, a traffic volume report was not generated. During the review process, measures to mitigate the traffic will be determined.

In 1972, the subject properties were incorporated into the City's ETJ (extra-territorial jurisdiction) and zoned RA20 (Residential-Agricultural). In 2007, the property was rezoned to MO (Medical-Office). In 2016, the property was rezoned to its current zoning (MCG). A portion of the property is included in the approved preliminary plat for Arlington West Office Park. Water and Sanitary Sewer are available. There are no known historical conditions/constraints on this property, nor are there any known environmental conditions/constraints. The property is located in the Greens Mill Run Watershed. If stormwater rules apply, it would require 25-year detention and nitrogen and phosphorous reduction. It is not located in the Special Flood Hazards Area. Therefore, development is not subject to the Flood Damage Prevention Ordinance.

Under the current zoning, the site could accommodate 60,800 +/- square feet mixed retail/restaurant/service development including: one (1) conventional restaurant (5,600 sq. ft.), personal service (5,000 sq. ft.), fast food restaurants (10,000 sq. ft.), and office space (5,000). The remaining area would be used for miscellaneous retail.

Under the proposed zoning, the site could accommodate 60,800 +/- square feet mixed retail/restaurant/service development including: one (1) convenience store with gasoline sales (3,600 square feet), one (1) conventional restaurant (5,600 sq. ft.), personal service (2,000 sq. ft.), two (2) fast food restaurants (4,000 sq. ft.), and office space (2,000 sq. ft.). The remaining area would be used for miscellaneous retail.

The anticipated build-out is within 2-3 years.
Surrounding land uses and zoning are as follows:
North: O - Arlington West Office Park; MCG and MCH - One (1) vacant lot
South: OR - Two (2) vacant lots; RA20 - Two (2) vacant lots
East: O - Bowman, Padgett and Associates Dentistry
West: RA20 - One (1) single-family residence and farmland

Ms. Gooby stated that, in staff’s opinion, the request is in compliance with Horizons 2026:
Greenville’s Community Plan and the Future Land Use Plan and Character Map. “In
compliance with the comprehensive plan” should be construed as meaning the requested
zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum
to the plan) or is predominantly or completely surrounded by the same or compatible and
desirable zoning and (ii) promotes the desired urban form. The requested district is
considered desirable and in the public interest, and staff recommends approval of the
requested rezoning.

Ms. Gooby stated the Planning and Zoning Commission voted unanimously to recommend
approval of the request at its January 15, 2019 meeting.

Mayor Connelly declared the public hearing for the proposed rezoning open at 7:48 pm
and invited anyone wishing to speak in favor to come forward.

Mike Baldwin – No Address Given
Mr. Baldwin, representing the applicant, stated approval of this request will give the
applicant more flexibility with the property. He has just built the very nice looking building
on the north end of this property where the new Dunkin Donuts is located. He stated Ms.
Gooby hit the nail on the head when she said the MCG zoning does not allow for a
convenience store, but the MGH does. Mr. Goess bought the property a couple years ago in
hopes of putting a convenience store at that corner. He offered to answer any questions the
Council may have.

Michael Overton – No Address Given
Mr. Overton stated he is the managing member of the Overton Group and they represent
the Goess family on most of their commercial properties. He clarified there is no
immediate plan to put a convenience store on the property, but if there were a good one,
he’d be interested in discussing the option. He stated their goal is to construct nice looking
buildings with better access than what is there now.

Hearing no one else wishing to speak in favor of the proposed rezoning, Mayor Connelly
invited comment in opposition. Hearing none, Mayor Connelly closed the public hearing at
7:52 pm.

Council Member Bell moved to adopt the ordinance to rezone 7.687 acres located on the
northwestern corner of the intersection of West Arlington Boulevard and Dickinson
Avenue from MCG (Medical-General Commercial) to MCH (Medical-Heavy Commercial). Council Member Meyerhoeffer seconded the motion, which passed by unanimous vote.

**ORDINANCE REQUESTED BY BOBBY W. JOYNER TO REZONE 12.943 ACRES LOCATED ALONG THE NORTHERN RIGHT-OF-WAY OF EAST FIRE TOWER ROAD AND ADJACENT TO MEETING PLACE SUBDIVISION FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO OR (OFFICE-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY])**

Chief Planner Chantae Gooby stated Bobby W. Joyner has requested an ordinance to rezone 12.943 acres located along the northern right-of-way of East Fire Tower Road and adjacent to Meeting Place Subdivision from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family]).

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1,031 trips to and from the site on East Fire Tower Road, which is a net increase of 600 trips per day. During the review process, measures to mitigate the traffic will be determined.

In 1972, the property was incorporated into the City’s extra-territorial jurisdiction (ETJ) and zoned to its present zoning. Water and Sanitary Sewer are available. There are no known historical conditions/constraints on this property. Meeting House Branch is along the northern property line, and a blue line stream traverses the property. There is not mapped flood plain on the subject property. This property may contain wetlands and is subject to the riparian buffer rules. The property is located in the Meeting House Branch Watershed. If stormwater rules apply, it would require 25-year detention and nitrogen and phosphorous reduction.

Under the current zoning, the site could accommodate 40-45 single-family lots. Under proposed zoning, the site could accommodate 145-155 multi-family units (1, 2 and 3 bedroom units). The anticipated build-out is within 2-3 years.

Surrounding land uses and zoning are as follows:
- North: R6 and R6S - Farmland
- South: RA20 - Farmland (under common ownership of the applicant) and one (1) single-family dwelling
- East: R6S - Meeting Place Subdivision (single-family)
- West: CG and OR - Farmland

Ms. Gooby stated that, in staff’s opinion, the request is in compliance with Horizons 2026: Greenville’s Community Plan and the Future Land Use Plan and Character Map. "In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is
considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

Ms. Gooby stated the Planning and Zoning Commission voted 6 to 2 to recommend approval of the request at its January 15, 2019 meeting.

Mayor Connelly declared the public hearing for the proposed rezoning open at 7:56 pm and invited anyone wishing to speak in favor to come forward.

**Amanda Mann – No Address Given**
Ms. Mann stated she is an attorney out of the Morningstar Law Group in Raleigh. She stated she is representing the Joyner family. Mr. Joyner has lived here his entire life and plans to remain here. She then made a video presentation showing the site and the variety of uses in the area. Ms. Mann stated she is aware there are some neighborhood concerns about stormwater and she has an Engineer with her from Ark Consulting to address those.

**Scott Anderson – No Address Given**
Mr. Anderson stated he is a Licensed Professional Engineer with Ark Consulting Group, which is located in Greenville. His office is located on Charles Boulevard, about a mile from this site, and he is very familiar with the property. Anything developed on the site will be required to go through the site planning process, and will be required to meet all the requirements for setbacks, buffer yards, parking and vegetation. Anything that disturbs more than one acre of land will be required to submit an erosion control plan. All of those measures will ensure anything developed on this site does not negatively impact the neighbors or surrounding waters.

**Ronald Stevenson – No Address Given**
Mr. Stevenson, with Ramey-Kemp and Associates of Raleigh, discussed existing traffic conditions, the anticipated net increase of about 600 trips daily and the positive impact of the current and funded DOT project. He stated they have been coordinating efforts with the City’s Traffic Engineer, Rik DiCesare.

In concluding her allowed time, Ms. Mann reviewed recommendations by City staff and the Planning Board in support of the requested rezoning and discussed laws related to the Council’s deliberation on this type of request. She respectfully requested approval of the rezoning request.

Hearing no one else wishing to speak in favor of the proposed rezoning, Mayor Connelly invited comment in opposition.

**Nicki Katusitz – No Address Given**
Ms. Katusitz stated she lives in the Red Banks Subdivision, which is on Fire Tower Road. Since this matter went before the Planning and Zoning Commission in January, she has gotten 541 signatures on a petition from people opposed to this rezoning who live or own
property in the Greenville area. She said this matter really comes down to a value transfer of making Mr. Joyner's land more valuable to the detriment of hundreds of other people who live in that area. She stated the City refers to this as mixed use, but the more popular term is urban sprawl, which has a negative connotation. She discussed the probability of increased crime correlating to the increased density. Ms. Katusitz thanked Ms. Mann for reaching out to the neighborhood in an effort to address their concerns, but said she still has significant concern about traffic impacts. She then discussed statistics on crashes in the area between 2013 and 2017, noting the percentages that resulted in personal injury and/or property damage. She questioned the timing of this rezoning considering DOT construction is not scheduled to begin until 2021.

Eric Norris – Bells Fork Road
Mr. Norris stated he is opposed to the rezoning requests. He works at Greenville Utilities and rides his bike a lot from home to their location on Mumford Road. Hands down, the worst area of the ride is crossing Fire Tower Road. He stated he feels approving this rezoning before the DOT project is complete is a bad idea.

Lauri Crutchfield – No Address Given
Ms. Crutchfield stated her property backs up to South Ridge Drive, so this rezoning could potentially impact her. She feels anything that would add traffic congestion on Fire Tower before completion of the DOT project is jumping the gun.

Doreen Liverman – Tara Court
Ms. Liverman said while she appreciates Mr. Joyner's effort to develop his land, she would encourage the Council not to allow the high density they are requesting. She noted the hazards of pulling out of her neighborhood or any other neighborhood that is located on Fire Tower and the amount of time it takes for anyone attempting a left turn.

Joanna Kearney – Tara Court
Ms. Kearney expressed agreement with what has already been said in opposition to the rezoning, adding that during rush hour traffic, it is pointless to attempt to leave the neighborhood. She stated once the DOT project is complete, this rezoning might make sense, but for now she is opposed.

Hearing no one else wishing to speak, Mayor Connelly closed the public hearing at 8:36 pm.

Council Member Smiley stated he feels this action is pre-mature and encouraged the City Council to deny.

Council Member Litchfield asked how long Mr. Joyner has owned the property.

Ms. Mann stated it has been in the Joyner family for 100+ years.

Council Member Meyerhoeffer asked if sidewalks are included.
Public Works Director Kevin Mulligan stated the City has committed to fund sidewalks from west of Arlington on both sides of the road.

Council Member Smiley expressed concern about adding construction traffic for this project to the traffic congestion that already exists.

Council Member Litchfield moved to adopt the ordinance to rezone 12.943 acres located along the northern right-of-way of East Fire Tower Road and adjacent to Meeting Place Subdivision from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family]). Mayor Pro-Tem Glover seconded the motion.

The vote resulted in a 3 to 3 tie with Mayor Pro-Tem Glover and Council Members Bell and Litchfield voting in favor and Council Members Daniels, Smiley and Meyerhoeffer voting in opposition. Mayor Connelly broke the tie, voting in favor of the motion; however, City Attorney Emanuel McGirt recommended continuing the item to the March 14th meeting for a second vote. He explained that G.S. §160A-75 states in part “no ordinance nor any action having the effect of an ordinance may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two thirds of all the actual membership of the Council, excluding vacant seats and not including the mayor unless the mayor has the right to vote on all questions before the Council.” As such, four affirmative votes not counting the mayor’s vote would be required to finally adopt this ordinance tonight.

Upon motion by Council Member Litchfield and second by Council Member Meyerhoeffer, the City Council voted unanimously to include this item for second reading on the March 14, 2019 agenda.

**ORDINANCE INITIATED BY THE GREENVILLE CITY COUNCIL TO AMEND THE GREENVILLE FUTURE LAND USE AND CHARACTER MAP FOR THE AREA LOCATED ADJACENT TO THE EAST CAROLINA UNIVERSITY (ECU) MAIN CAMPUS ROUGHLY BETWEEN EAST 5TH STREET AND SHADY LANE AND 130+/- FEET WEST OF MAPLE STREET CONTAINING 0.90+/- ACRES FROM UNIVERSITY/INSTITUTIONAL (UI) TO TRADITIONAL NEIGHBORHOOD, MEDIUM-HIGH DENSITY (TNMH) – Ordinance No. 19-013**

Mayor Connelly disclosed that one of the owners of property in the bump out area that could be impacted by this decision is one of his clients, however, the outcome of this matter has no impact on his fee, therefore he has no financial interest.

Chief Planner Chantae Gooby stated the City Council initiated a request to amend the City of Greenville Future Land Use and Character Map for the area located adjacent to the East Carolina University (ECU) Main Campus roughly between East 5th Street and Shady Lane
and 130+/- feet west of Maple Street containing 0.90+/- acres from University/Institutional (UI) to Traditional Neighborhood, Medium-High Density (TNMH).

The current land use character is mainly comprised of ECU's Main Campus, surrounding facilities (athletic fields), and the future Millennial Campus. The core of the campus area tends to cluster buildings in a walkable pattern. At the edges of the campus are related facilities and parking areas.

The proposed land use character reflects a primarily residential area featuring a mix of higher density housing types ranging from multi-family, townhomes, and small-lot single-family detached. They are typically located within a walkable distance to a neighborhood activity center. Traditional neighborhoods should have a walkable street network of small blocks, a defined center and edges, and connections to surrounding development.

Ms. Gooby stated the current character designations for this area on the Future Land Use and Character Map support a sustainable development pattern. Therefore, staff recommends denial of this request. The Planning and Zoning Commission unanimously voted to approve the request at its December 18, 2018 meeting.

Mayor Connelly declared the public hearing for the proposed amendment open at 9:05 pm and invited anyone wishing to speak in favor to come forward.

Hap Maxwell – No Address Given
Mr. Maxwell, who stated he is President of the Tar River Neighborhood Association (TRUNA), stated the TRUNA neighborhood will be very happy to have this eastern boundary for ECU back to where it stood for over 100 years. He discussed the history of the neighborhood and noted that the Horizons Plan does not support any changes to the line between their neighborhood and ECU.

Hearing no one else wishing to speak in favor of the proposed rezoning, Mayor Connelly invited comment in opposition.

Bill Bagnell – No Address Given
Mr. Bagnell, who is Associate Vice Chancellor for Campus Operations at East Carolina University, stated he is speaking in opposition to the proposed amendment. The Future Land Use Plan, as it relates to ECU property, reflects what is on the ground today. ECU has been in this neighborhood for 50 years on one property and 20 years on another property. They have always maintained the property at a high level and there is nothing in the deed of the 50 year property that restricts its use. That one is used as a parking lot and the 20 year property is used for housing visiting faculty. Mr. Bagnell stated the university would like to protect its interest in these properties and this change in the Future Land Use Plan would not allow them to do that.
Hearing no one else who wished to speak, Mayor Connelly closed the public hearing at 9:25 pm.

Council Member Smiley moved to adopt the ordinance to amend the Greenville Future Land Use and Character Map for the area located adjacent to the East Carolina University (ECU) Main Campus roughly between East 5th Street and Shady Lane and 130+/- feet west of Maple Street containing 0.90+/- acres from University/Institutional (UI) to Traditional Neighborhood, Medium-High Density (TNMH). Council Member Bell seconded the motion, which passed by unanimous vote.

RESOLUTION TO CLOSE AN ALLEYWAY LOCATED ON THE EAST SIDE OF CEDAR LANE AND SOUTH OF EAST TENTH STREET

This item was removed from the agenda – no action taken.

RESOLUTION TO CLOSE AN ALLEYWAY LOCATED ON THE EAST SIDE OF EAST ROCK SPRING ROAD AND SOUTH OF EAST TENTH STREET – Resolution No. 010-19

Public Works Director Kevin Mulligan asked the City Council to consider adopting a Resolution to Close an alleyway located on the east side of East Rock Spring Road and south of East Tenth Street. He noted the closure of the alleyway is being requested by the City. A Resolution of Intent to Close this alleyway was adopted by the Council during its January 7, 2019 meeting and set the date for the public hearing tonight. The Planning and Zoning Commission gave a favorable recommendation to the petition for closure during its January 15, 2019 meeting.

Mayor Connelly declared the public hearing for the proposed resolution open at 9:29 pm and invited anyone wishing to speak in favor to come forward.

Hearing none, Mayor Connelly invited comment in opposition. Also hearing none, Mayor Connelly closed the public hearing at 9:30 pm.

Council Member Smiley moved to adopt the resolution to close an alleyway located on the east side of East Rock Spring Road and south of East Tenth Street. Council Member Bell seconded the motion, which passed by unanimous vote.

ORDINANCE TO AMEND CITY CODE TITLE 9, CHAPTER 7, SECTION 9-7-12 POWERS OF PRESERVATION COMMISSION – Ordinance No. 19-014

Planner Domini Cunningham stated the Historic Preservation Commission (HPC) would like to have the ability to post a notice signifying a certificate of appropriateness (COA) has been issued. A COA is requested by owners of properties located within the College View Local Historic District or a Local Landmark for proposed exterior changes. The COA is considered by the HPC and issued if the proposed work is in compliance with the Historic
District and Local Landmark Design Guidelines. A COA is not required for routine maintenance and repairs.

At the January 22, 2019 HPC meeting, Mr. Cunningham stated a draft ordinance was considered and approved by the HPC. Further, the HPC approved a motion requesting the City Council consider the adoption of this ordinance. In accordance with the City's Board and Commission Policy, the HPC request was forwarded to the City Council by the City Clerk. Council Member Rick Smiley requested that this item be added to the City Council agenda for consideration.

If approved, Title 9, Chapter 7, Section 9-7-12 of the City Code would need to be amended by to add Subsection (T) to read as follows:

(T) Post on the site that is the subject of a public hearing, as authorized under Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes or this Chapter, or on an adjacent street or highway right-of-way of the site that is the subject of a public hearing, as authorized under Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes or this Chapter, a notice of hearing or a notice of the issuance of a certificate of appropriateness in accordance with the Historic Preservation Commission, Greenville, North Carolina, Rules of Procedure.

The following is a relevant excerpt from Horizons 2026: Greenville's Community Plan:

Chapter 1, Building Great Places

Goal 1.5. A Valued History

Policy 1.5.1. Preserve Historic Buildings, Landmarks, and Areas: Cultural and historic buildings should be restored and reused in order to foster a sense of place, promote green building practices, and emphasize Greenville’s unique heritage. New buildings in historic areas should be compatible with the surrounding neighborhood. Greenville’s Historic District and Local Landmark Design Guidelines should continue to be maintained and used. Historic cemeteries should be preserved for their heritage. Preserve heritage important to the history of minority communities in Greenville.

Policy 1.5.3. Support Historic Neighborhoods. Encourage revitalization of historic neighborhoods in Greenville in a manner that preserves and enhances the neighborhood identity and character of historic district.

Mr. Cunningham stated the purchase of signs will be paid for from the Community Development budget.

Mayor Connelly declared the public hearing for the proposed amendment open at 9:32 pm
and invited anyone wishing to speak in favor to come forward.

Hearing none, Mayor Connelly invited comment in opposition. Also hearing none, Mayor Connelly closed the public hearing at 9:33 pm.

Upon motion by Council member Smiley and second by Council member Litchfield, the City Council voted unanimously to approve the ordinance to amend City Code Title 9, Chapter 7, Section 9-7-12 Powers of Preservation Commission.

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**CITY MANAGER’S REPORT**

City Manager Wall gave no report.

Upon recommendation of the City Manager, Council Member Smiley moved to cancel the February 25, 2019 City Council meeting. Council Member Bell seconded the motion, which passed unanimously.

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**COMMENTS FROM THE MAYOR AND CITY COUNCIL**

The Mayor and City Council made comments about past and future events.

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**ADJOURNMENT**

Council Member Smiley moved to adjourn the meeting, seconded by Council Member Bell. There being no further discussion, the motion passed by unanimous vote and Mayor Connelly adjourned the meeting at 9:42 pm.

Respectfully submitted,

Carol L. Barwick, CMC
City Clerk