



MINUTES

SPECIAL FORMAL MEETING OF CITY COUNCIL

CITY HALL, 206 S. MAIN STREET, COUNCIL CHAMBERS
Monday, March 4, 2019 - 5:30 p.m.

1. **CALL TO ORDER**

Mayor Pro Tem Jil Littlejohn

2. **ROLL CALL**

The following members of City Council were in attendance: Amy Doyle, Lillian Flemming, Jil Littlejohn, Wil Brasington, Russell Stall, and George Fletcher;
Absent: Mayor Knox White

3. **UNFINISHED BUSINESS – (Ordinances – Second and Final Reading)**

- a. Ordinance to approve a major modification to an existing PD consisting of 8.7 acres located at North Pleasantburg Drive (Tax Map Numbers 0276000300503 and 0276000300518) (Z-21-2018) (REVISED)

Councilmember Doyle moved, seconded by Councilmember Stall, to approve second and final reading.

Jean Claude Brico, 32 Valerie Drive, spoke in opposition to Item 3a commenting on how the development will affect a flood zone located behind his property and a buffer zone area. Mr. Brico stated flooding will increase tremendously in the zone.

Rebekah Snyder, 212 Sweetbriar Road, spoke in opposition to Item 3a and commented on the frustration of the process. Ms. Snyder stated the development would be putting 80 new neighbors in the area while providing no consideration for the existing community. Ms. Snyder also stated she and her neighbors are asking that the apartment building be relocated on the property to address privacy issues. Ms. Snyder referred to the development creating water issues and to the City stating the development is all about affordable housing when it is not.

Brenda Hartness, 22 Ivy Trail, spoke in opposition to Item 3a and referred to her property potentially becoming a flood zone due to water from the creek. Ms. Hartness stated the development will cause damage to her property and commented she hopes Greenville does not become another Atlanta.

Tricia Austin, 308 McCarter Avenue, spoke in opposition to Item 3a and commented on the flooding and the project becoming caught up on the affordable housing issues. Ms. Austin summarized the meetings conducted with the Planning Commission and recommended the opportunity for all parties to come together and develop a feasible design instead of pushing the project through for approval.

Megan McCarter, 303 Sweetbriar Road, spoke in opposition to Item 3a and requested Council to reconsider their decision. Ms. McCarter stated she does not oppose affordable housing in her neighborhood, but she is concerned about the effect the development will have on the creek near her property.

Abe Marsh, 301 McCarter Avenue, spoke in opposition to Item 3a and in support of his neighbors. Mr. Marsh referred to attending the Planning Commission meeting last week and leaving with more questions than answers. Mr. Marsh stated he has concerns with the amount of traffic in his neighborhood even before the development is built.

Charles Gentry, 202 McCarter Avenue, spoke in opposition to Item 3a and shared his concern regarding the drainage pond anticipated for the development. Mr. Gentry referred to a letter he sent to Council and spoke regarding his work as an architect and his expertise in the topic. Mr. Gentry stated if the matter goes forward, he recommends buffer dams be put in to release the water at a slower pace.

Jay Austin, 308 McCarter Avenue, spoke in opposition of Item 3a and as a representative of McCarter Community Club. Mr. Austin referred to suggestions provided to the developer and its decision not to change the designs. Mr. Austin requested that a buffer be included as a part of the agreement.

Mary Todd Bowman, 30 Valerie Drive, spoke in opposition to Item 3a, commenting on water problems in her area and stating it does not have to be that way.

Melanie Snyder, 212 Sweetbriar Road, spoke in opposition to Item 3a and referred to emails she has provided expressing concerns regarding the development. Ms. Snyder commented on the community's interest in obtaining property to develop buffers for potential flooding. Ms. Snyder encouraged everyone to play as a team to provide a better development.

Susan McLarty, 204 E. Hillcrest Drive, spoke in support to Item 3a and stated she represents the Greenville Homeless Alliance in support of affordable housing. Ms. McLarty thanked Council for its support.

Planning and Development Manager Jay Graham provided an overview of the initial rezoning plan as proposed on September 5, 2018, and stated the plan is permissible under current building permit requirements. Mr. Graham advised the plan was abandoned due to concerns regarding the location of one of the outlet points. Mr. Graham referred to revisions made since Council's first reading of the Ordinance which are included in the revised Ordinance presented today. Mr. Graham added the revision increases the proposed setbacks and buffer yards of the development from the adjacent McCarter Community Pool and the residential neighborhood. In summary, Mr. Graham stated the revised application reduces the project density, improves pedestrian connectivity and provides some of the largest setbacks and property buffers of any recent proposed development in the City. Mr. Graham provided illustrations of the original plan and the revised plan visually comparing the changes between the two. Mr. Graham reminded Council that this is a zoning request and if approved, the stormwater will have to meet the federal, state and local laws that apply.

Councilmember Brasington requested confirmation that the property was PD and will remain PD but that changes to the underlying conditions are being sought. Mr. Graham responded in agreement and stated the applicant is asking for changes in height and density. Councilmember Brasington requested additional information and perspective regarding the buffers. Mr. Graham pointed out the location of standard buffers and noted the addition of exceeding buffers along the pool area.

Councilmember Doyle asked for comments regarding the original PD and an agreement with a previous Council. City Attorney Mike Pitts responded the agreement he has seen is not an agreement with a previous Council, but is with parties other than the City. Mr. Pitts stated he does not believe an agreement like that one can act as a bar to a subsequent Council's discretionary ability to rezone a piece of property. Councilmember Doyle referred to an annexation understanding with the rezoning and concerns from the neighborhood. Mr. Pitts stated the annexation was an act by a previous City Council, however, he does not believe that particular agreement acts as a bar to the action before Council tonight.

Councilmember Fletcher asked if all the stormwater in that area runs into the creeks. Mr. Graham referred to federal law requirements and stated when a stormwater pond is put into place, the pond is supposed to hold the water and slowly release it no quicker than the normal land would allow for it. Mr. Graham also stated the slope of the land is downward to the creek.

Councilmember Doyle stated she has walked the property which is really hilly and she hears the concerns of the neighborhood. Engineering Services Manager Dwayne Cooper referred to the stormwater retention ponds controlling the release rate and how the stormwater ponds catch the water and release it. Mr. Cooper stated the applicant agreed as a condition to detain a 100 year storm on site. Mr. Cooper also stated there is a 100 year FEMA floodplain downstream so there would be no increase in the runoff rate from a 100 year storm with this project.

Councilmember Brasington stated he is trying to understand why the developer cannot do what they want to do with the current PD zoning and are seeking the new proposal. Councilmember Brasington also stated the changes in the new proposal seem to be attractive. Councilmember Brasington asked for an understanding with Council considering rezoning tonight and the next step involving stormwater capabilities. Mr. Graham responded that upon approval by Council, the conditions presented in the proposal become the definition of the PD zone and cannot be altered.

Councilmember Doyle asked what happens if more water leaves the site than currently exists. Mr. Cooper referred to controlling the release rate rather than the volume and stated the developer still has to obtain a site plan permit and the City engineers have to make sure the developer's plan complies with all applicable laws.

Councilmember Stall asked if the retention ponds could potentially improve the amount of water going into the creeks. Mr. Cooper responded it could help to hold back water during smaller storms. Mayor Pro Tem Littlejohn asked about concerns

regarding chemicals in a retention pond. Mr. Cooper responded there should be no type of chemicals in a retention pond. Mr. Graham clarified a misunderstanding with the use of the term "treated," which refers to water moving into a pond being held for retention and advised there is no chemical application.

Mr. Graham stated it is the Planning staff's professional opinion that it is a better proposal than what is currently on the books and that by decreasing the density and height and increasing the buffer and stormwater retention it is a more desirable development from a planner's perspective.

Councilmember Doyle presumed the reason for not going with the initial plan could be due to a changed market and the opportunity for a mixed income neighborhood in the City. Councilmember Doyle stated she believes the most concern is with stormwater issues and the impact on homes and home values. Councilmember Doyle suggested being careful when reviewing the permitting process.

Councilmember Brasington asked if approved if there is any flexibility for adjustments to the plan. Mr. Graham responded minor adjustments can be made but if it goes beyond minor, it must go back through the process. Councilmember Littlejohn questioned adjustments to the apartment windows for privacy looking towards the pool. Mr. Graham responded windows are usually required by building code as an exterior exit.

After discussion, the motion carried unanimously.

4. ADJOURN.

There being no further business, the meeting adjourned at 6:33 p.m.



JIL LITTLEJOHN, MAYOR PRO TEM



CAMILLA G. PITMAN, MMC, Certified PLS
CITY CLERK

MEETING NOTICE POSTED AND MEDIA NOTIFIED ON MARCH 1, 2019.