



Agenda

Planning and Zoning Commission

November 15, 2016

6:30 PM

Council Chambers, City Hall, 200 W. Fifth Street

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- I. CALL MEETING TO ORDER -
- II. INVOCATION - Dustin Mills
- III. ROLL CALL
- IV. APPROVAL OF MINUTES - September 20, 2016
- V. OLD BUSINESS

PRELIMINARY PLATS

- 1. Request by Parrott & Douglas, LLP for a preliminary plat entitled "Taberna, Phase 4". The subject property is located northwest of the intersection of Frog Level Road and Davenport Farm Road and is further identified as Tax Parcel #10440. The preliminary plat consists of 29 lots on 13.96 acres.

VI. NEW BUSINESS

REZONINGS

- 2. Ordinance requested by Debbie and Jackie James to rezone 2.2609 acres located at the northeastern corner of the intersection of North Greene Street and Martin Street from CDF (Downtown Commercial Fringe) to CH (Heavy Commercial).
- 3. Ordinance requested by Hart Trust c/o Don Parrott to rezone 1.7619 acres located at the northwestern corner of the intersection of Davenport Farm Road and Frog Level Road from O (Office) and CN (Neighborhood Commercial) to R6A (Residential [Medium Density Multi-family]) for Tract 1 and from R6A (Residential [Medium Density Multi-family]) to O (Office) for Tract 2.

PRELIMINARY PLATS

4. Request by Happy Trail Farms, LLC for a preliminary plat entitled "Westhaven South, Section 5". The subject property is located south of Regency Boulevard and is further identified as Tax Parcel 74010 and 74011. The preliminary plat consists of 4 lots on 28.49 acres.

TEXT AMENDMENTS

5. Ordinance to amend the Zoning Ordinance to add placement and aesthetic review criteria for distributed antenna systems (DAS).

VII. OTHER ITEMS OF BUSINESS

6. Closure of a portion of S. Pitt Street.
7. Discussion Item - Subdivision Ordinance Text Amendment to extend the review time of preliminary plats.

VIII. ADJOURN

DRAFT OF MINUTES PROPOSED FOR ADOPTION BY THE GREENVILLE PLANNING
AND ZONING COMMISSION

September 20, 2016

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

Mr. Terry King –Chair *

Mr. Dustin Mills - *	Ms. Chris Darden – *
Mr. Doug Schrade – *	Ms. Ann Bellis – *
Ms. Margaret Reid - *	Mr. John Collins - *
Ms. Betsy Leech –*	Mr. Les Robinson - *
Mr. Anthony Herring – *	Mr. Michael Overton - *

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

VOTING MEMBERS: Mills, Schrade, Darden, Bellis, Reid, Collins, Leech, Herring

PLANNING STAFF: Thomas Weitnauer, Chief Planner; Chantae Gooby, Planner II; Michael Dail, Lead Planner and Amy Nunez, Staff Support Specialist II

OTHERS PRESENT: Dave Holec, City Attorney; Ben Griffith, Director of Community Development and Scott Godefroy, City Engineer

MINUTES: Motion made by Mr. Mills, seconded by Ms. Leech, to accept the August 16, 2016 minutes as presented. Motion passed unanimously.

NEW BUSINESS

ORDINANCE REQUESTED BY HAPPY TRAIL FARMS, LLC TO REZONE 16.790 ACRES LOCATED NEAR THE SOUTHWESTERN CORNER OF THE INTERSECTION OF ALLEN ROAD AND LANDFILL ROAD FROM MRS (MEDICAL-RESIDENTIAL-SINGLE-FAMILY) TO MCH (MEDICAL-HEAVY COMMERCIAL) – APPROVED

Ms. Gooby delineated the property. It is located in the western section of the city at the southwestern corner of the intersection of Allen Road and Landfill Road. It is adjacent to the Pitt County Landfill. There is a neighborhood activity center, formerly called a focus area, in this area. These centers are intended to contain 20,000-40,000 square feet of conditioned floor space and serve a one-mile area. The property is not impacted by any known environmental constraints. Currently, there is a single-family home on the property. There are scattered single-family homes in the area and large vacant tracts. The property is currently zoned for single-family and was zoned as such when the property was incorporated into the City's jurisdiction in 2001. Under the current zoning, the property could accommodate 55-60 single-family lots. Under the proposed zoning, the property could accommodate 103,000-105,000 square feet of mini-storage space. Since a traffic analysis indicates a reduction in traffic, a traffic report was not prepared. The Future Land Use and Character Map recommends commercial (C) at the intersection of Allen Road and Landfill Road transitioning to industrial/logistics (IL). Also, potential conservation/open space (PCOS) is shown as a buffer to the landfill. This property is in

a transition area of commercial and industrial/logistics and in this instance, both land use character types list commercial as a primary and secondary use, respectively. The property is adjacent to similar zoning. In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan, the Future Land Use and Character Plan Map

Chairman King opened the public hearing.

Mike Baldwin, representative of the applicant, spoke in favor and stated this rezoning is a follow-up to the Future Land Use Plan Map amendment made a few months ago. Mr. Woody Whichard, the property owner, has personally informed the adjoining property owners of his plan. Allen Road is now on the Transportation Improvement Plan for a widening project.

No one spoke in opposition.

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

No board comments made.

Motion made by Ms. Bellis, seconded by Mr. Collins, 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 HARDEE FAMILY HOLDINGS, LLC TO REZONE 7.406 ACRES LOCATED AT THE INTERSECTION OF ALLEN ROAD AND WOODRIDGE PARK ROAD FROM OR (OFFICE-RESIDENTIAL) AND IU (UNOFFENSIVE INDUSTRY) TO CH (HEAVY COMMERCIAL) – APPROVED

Ms. Gooby delineated the property. It is located in the western section of the city along Allen Road at the intersection of Woodridge Park Road. The request is divided into two tracts and the request is for CH (Heavy Commercial). There is a neighborhood activity center at this intersection, which is intended to contain 20,000-40,000 conditioned floor space and serve a one-mile area. The property is impacted by the 100-year floodplain and floodway associated with Green Mill Run. Since the property is already developed, storm water requirements were met at the time of development. There are a variety of uses in this area: office, commercial, industrial and residential. This request will allow the property owner more flexibility in leasing units. No increase in traffic is anticipated. The Future Land Use and Character Map recommends industrial/logistics (IL) along Allen Road between the commercial (C) at the intersection of Allen Road and Landfill Road and the residential to the south. Commercial uses are permissible in the industrial/logistics (IL) character type. In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

Chairman King opened the public hearing.

Mike Baldwin, representative of the applicant, spoke in favor of the request. He stated this property is impacted by the limited amount of potential tenants. There are many vacant units available. There is no intent to change the buildings and/or parking. The applicant owns most the property in this vicinity. Cobblestone Townhomes are buffered by OR zoning.

No one spoke in opposition.

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

No board comments made.

Motion made by Mr. Mills, seconded by Mr. Schrade, 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.

PRELIMINARY PLATS

REQUEST BY SPRINGSHIRE RETIREMENT, LLC FOR A PRELIMINARY PLAT ENTITLED, "SPRINGSHIRE RETIREMENT COMMUNITY", LOCATED NORTH OF THE INTERSECTION OF NC HIGHWAY 43 AND ROCK SPRINGS ROAD. THE SUBJECT PROPERTY IS FURTHER IDENTIFIED AS TAX PARCEL NUMBERS 74363, 76169, AND 07280. THE PROPOSED PLAT CONSISTS OF 1 LOT TOTALING 127.06 ACRES.

Mr. Michael Dail presented the staff report. He delineated the property on a map. It is located north of Rock Spring Road and west of the MLK 264 Bypass in the northeast quadrant of the City. The primary focus for the consideration for this plat is the layout of the proposed public streets and utilities. The applicant desires to develop a retirement community, on one tract consisting of 127 acres, that will consist of single-family independent living homes developed under the multi-family standards and a larger traditional multi-unit residential complex. This development will be similar to the Cypress Glenn Retirement Community. This request shows interconnectivity being accomplished by street stubs to the western and eastern properties. It is zoned OR (office residential) and RA20 (residential agricultural). The rear portion of the property is in the flood plain and flood way but this area will not be developed. The property is located in the watershed protection area. The purpose of this area is to protect and manage surface water supply for water sheds. Development in this area is subject to special regulations. Only 24% of the property can be built on or can be impervious surface. The applicant's proposed impervious area is only 17.64 acres or 13% that is below the maximum standard. The applicant will be required to submit a site plan that will contain the homes and building footprints prior to development. This will need to be approved by Staff before development. Notices were mailed to adjoining property owners on September 9, 2016. The request was advertised in the Daily Reflector on September 5, 2016 and September 12, 2016.

Mr. Mills asked where there be any traffic safety measures for ingress/egress where the property accesses the main road, Hwy 43.

Mr. Dail stated no and that it is directly across from Rock Spring Road.

Chairman King opened the public hearing.

Mr. Jim Walker, representative for the applicant, spoke in favor of the request. He stated the project initially started back in 2007 but was suspended due to the economy. The annexation of the property was approved and now they seek approval of the preliminary plat. The 127 acres of property fronts Hwy 43 and backs to the Tar River. The development will have 49 individual homes, 180 independent living units and a health care wing with 60 units totaling 289 units. The development at full build out will only have 13% of impervious area. A traffic impact study was done and there will be no traffic impact. There will be access on to Hwy 43 straight across, left and right for any future development. There will be 80 feet of right of way available and not developed.

Ms. Bellis asked if the front area along Hwy 43 is to be developed.

Mr. Walker stated that Springshire only owns the street right a way to the back area.

No one spoke in opposition.

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

No discussion was made.

Motion made by Mr. Schrade, seconded by Ms. Darden, to approve the preliminary plat request. Motion passed unanimously.

OTHER ITEMS OF BUSINESS

PETITION TO CLOSE COLLEGE VIEW DRIVE

Mr. Scott Godefroy, City Engineer, presented the staff report. The City received a petition from College View of Greenville, LLC requesting the closure of College View Drive from East Tenth Street to the northern terminus. The petitioner is the owner of all the property adjoining the street section requesting to be closed. College View of Greenville, LLC will redevelop the property along College View Drive. City staff and the Greenville Utilities Commission (GUC) reviewed the petition. GUC has requested an easement over and upon the utilities that will remain in the closed street right-of-way. Budgeted funds for the maintenance of this street will no longer be required upon the effective date of the Resolution to Close by City Council. The City will no longer receive Powell Bill funds for the closed street sections. The Staff

recommendation is to recommend approval to City Council of the closure of College View Drive from East Tenth Street to the northern terminus.

Ms. Bellis asked if they adjacent sidewalk and parking lot will be closed.

Mr. Godefroy stated yes but it is not part of the City right-of-way.

Ms. Bellis asked what would happen with the 10th Street widening project and will the developer have that in mind.

Mr. Godefroy stated he did not know but it would be considered when the developer submits a site plan. The abandonment has nothing to do with NCDOT right-of-way of 10th Street.

Mr. Collins asked when the street would be closed.

Mr. Godefroy stated when it is approved by City Council and removed from the Powell Bill. Then it will no longer be maintained by or responsibility of the City.

Ms. Leech asked how many houses or citizens are affected.

Mr. Godefroy stated he did not know. He stated the properties are rentals.

Mr. Jim Walker, representative of the applicant, spoke in favor of the request. He stated that much of the properties were built in the fifties and now have mold, lead paint and asbestos. They considered redevelopment but it is not feasible. All the people are being moved. A few people are left. He stated that NCDOT has not finalized their 10th Street widening plans. The developer is aware of the widening and will work with NCDOT. Only one driveway entrance is anticipated unless the City requests an additional. They anticipate three buildings with competitive amenities of standard housing and one parking space per bed.

Ms. Reid asked for clarity on all the structures being removed, the street is to be closed and to rebuild the area completely.

Mr. Walker stated yes. It will be a new development, new layout and new driveway access.

Ms. Bellis asked what the expected occupancy is.

Mr. Walker stated it will be dictated by available parking spaces and should be around 300.

Ms. Bellis asked if it was a high rise.

Mr. Walker stated it will units of 2-3 beds and three stories but no confirmed plans yet.

No one spoke in opposition.

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

No discussion was made.

Motion made by Mr. Collins, seconded by Mr. Schrade, to recommend approval of the petition to City Council to close College View Drive. Motion passed unanimously.

Ms. Bellis asked staff what is the percentage of plats being continued and why.

Mr. Dail stated he could not speak to the percentage but they are frequent. The reason why is because the review cycle is only 20 working business days by the City ordinance. Preliminary plats are submitted 20 working days before the P&Z meeting. They are routed to about 10 agencies for review of technical requirements. They are returned with comments and then given back to the surveyor. The surveyor then needs to make the corrections. Significant issues can cause postponement. Once the corrections are made they are brought back to the City and they are routed out again to the agencies to obtain approval. The 20-day review process was established in 1989 and now there are more standards, regulations and technical requirements to consider. The continued preliminary plat on the agenda was due to NCDOT requiring turn lanes and the surveyor did not have time to get the information back to have it considered at tonight's meeting. Staff and agencies are spread thin and have other responsibilities besides just reviewing preliminary plats. Twenty days is just not enough time for review by all agencies and to work out all technical issues.

Ms. Bellis asked what he recommended for a time frame.

Mr. Dail stated to add another 10-20 working days. The advertisements and the mailed notices are being done for items that may or may not be heard.

Ms. Bellis asked Attorney Holec what would need to be done legally.

Attorney Holec stated an amendment could be done to the subdivision ordinance. He stated that the Commission has the ability to initiate an amendment. He suggested directing Staff to first consider it as a discussion item at the next meeting.

Motion made by Ms. Bellis, seconded by Ms. Leech, to direct Staff to initiate a discussion item on extending the time frame for preliminary plat review. Motion passed unanimously.

With no further business, Ms. Leech made a motion to adjourn, seconded by Mr. Collins. Motion passed unanimously. Meeting adjourned at 7:21 p.m.

Respectfully Submitted,

Ben Griffith, Secretary to the Commission
Director of Community Development Department



City of Greenville, North Carolina

Meeting Date:
11/15/2016
Time: 6:30 PM

Title of Item: Request by Parrott & Douglas, LLP for a preliminary plat entitled "Taberna, Phase 4". The subject property is located northwest of the intersection of Frog Level Road and Davenport Farm Road and is further identified as Tax Parcel #10440. The preliminary plat consists of 29 lots on 13.96 acres.

Explanation: This development is an extension of the existing Taberna Subdivision, which was approved by the Planning and Zoning Commission in June of 2001.

The subject property is zoned R6A (Residential) and it is anticipated that single family residential development will occur in this phase of Taberna similar to the existing subdivision.

The proposed development pattern provides additional interconnectivity from the existing Taberna Subdivision to Frog Level Road.

Fiscal Note: There will be no costs to the City of Greenville associated with this subdivision other than routine costs to provide public services.

Recommendation: The City's Subdivision Review Committee has reviewed the preliminary plat and has determined that it meets all technical requirements.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

[Taberna, Phase 4 Preliminary Plat](#)





City of Greenville, North Carolina

Meeting Date:
11/15/2016
Time: 6:30 PM

Title of Item: Ordinance requested by Debbie and Jackie James to rezone 2.2609 acres located at the northeastern corner of the intersection of North Greene Street and Martin Street from CDF (Downtown Commercial Fringe) to CH (Heavy Commercial).

Explanation: **Abstract:** The City has received a request from Debbie and Jackie James to rezone 2.2609 acres located at the northeastern corner of the intersection of North Greene Street and Martin Street from CDF (Downtown Commercial Fringe) to CH (Heavy Commercial).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on October 31, 2016.
On-site sign(s) posted on October 31, 2016.
City Council public hearing notice (property owner and adjoining property owner letter) mailed - N/A at this time.
Public hearing legal advertisement published - N/A at this time.

Comprehensive Plan:

The Future Land Use and Character Map recommends commercial (C) at the southwestern corner of the intersection of North Greene Street and Mumford Road transitioning to conservation/open space (PCOS) in the interior areas.

The Future Land Use Map identifies certain areas for conservation/open space uses. The map is not meant to be dimensionally specific and may not correspond precisely with conditions on the ground. When considering rezoning requests or other development proposals, some areas classified as conservation/open space may be determined not to contain anticipated development limitations. In such cases, the future preferred land use should be based on adjacent Land Use Plan designations, contextual considerations, and the general policies of the comprehensive plan.

Commercial Description:

Primarily community- and regional-scale commercial development situated near and along major roadway corridors. Existing development is characterized by buildings set back from streets behind surface parking. That existing pattern should evolve to become more walkable with shorter blocks, buildings near streets, shared parking and connections to surrounding development.

Intent:

- Provide connectivity to nearby uses (paths, streets)
- Locate new buildings near street on at least one side and accommodate parking to the side or rear of buildings
- Improve/provide public realm features such as signs, sidewalks, landscaping
- Reduce access-points into development for pedestrian and vehicular safety
- Reduce and consolidate surface parking

Primary uses:

Commercial (small and large format)

Office

Secondary uses:

Institutional/civic

Thoroughfare/Traffic Report Summary (PWD-Engineering Division):

Since the subject property can accommodate the same size development under the current and requested rezoning, no net traffic impact is anticipated and a traffic report was not generated.

During the review process, measures to mitigate traffic impacts will be determined.

History/Background:

In 1972, the property was zoned CH. In 1983, the property was part of a large scale rezoning request (19 acres) to CDF.

Present Land Use:

Shopping Center with one (1) outparcel

Water/Sewer:

Water and sanitary sewer are available to the subject property.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

The property is impacted by the 100-year floodplain associated with the Tar River.

Surrounding Land Uses and Zoning:

North: CDF - El Azador Restaurant and one (1) vacant lot (city-owned)
South: CDF- One (1) vacant lot; CH - Budget Bail Bonds
East: CH - Warehouses; R6 - Two (2) vacant lots (1 city-owned)
West: IU - One (1) vacant lot: Two (2) vacant lots and one (1) single-family residence

Density Estimates:

Under the current zoning (CDF) and the requested zoning (CH), the property could accommodate the same size development with similar uses.

Fiscal Note:

No cost to the City.

Recommendation:

In staff's opinion, the request is in compliance with Horizons2026: Greenville's Community Plan and the Future Land Use 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.

If the Planning and Zoning Commission determines to recommend approval of the request, in order to comply with statutory requirements, it is recommended that the motion be as follows:

"Motion to recommend approval of the proposed rezoning, 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."

If the Planning and Zoning Commission determines to recommend denial of the request, in order to comply with statutory requirements, it is recommended that the motion be as follows:

"Motion to recommend denial of the proposed rezoning, to advise that it is inconsistent with the comprehensive plan or other applicable plans, and to adopt the staff report which addresses plan consistency and other matters."

Note: In addition to the other criteria, the Planning and Zoning Commission and

City Council shall consider the entire range of permitted and special uses for the existing and proposed zoning districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

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 [List_of_Uses_CDF_1013954](#)

EXISTING ZONING

CDF (Downtown Commercial Fringe) *Permitted Uses*

(1) General:

- a. Accessory use or building
- b. Internal service facilities
- c. On-premise signs per Article N
- e. Temporary uses; of listed district uses
- f. Retail sales; incidental
- g. Incidental assembly of products sold at retail or wholesale as an accessory to principle use

(2) Residential:

- a. Single-family dwelling
- b. Two-family attached dwelling (duplex)
- c. Multi-family development per Article 1
- k. Family care home (see also section 9-4-103)
- q. Room renting

*(3) Home Occupations (see all categories):*None*

(4) Governmental:

- b. City of Greenville municipal government building or use (see also section 9-4-103)
- c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
- d. Federal government building or use
- g. Liquor store, state ABC

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- g. Private noncommercial park or recreation facility
- o. Theater; movie or drama, including outdoor facility

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- c. Office; customer service not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed

(8) Services:

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- k. Business or trade school
- n. Auditorium
- o. Church or place of worship (see also section 9-4-103)
- p. Library

- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- kk. Launderette; household users
- ll. Dry cleaners; household users
- mm. Commercial laundries; linen supply
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

(9) Repair:

- d. Upholsterer; furniture
- f. Appliance; household and office equipment repair
- g. Jewelry, watch, eyewear or other personal item repair

(10) Retail Trade:

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- h. Restaurant; conventional
- i. Restaurant; fast food
- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair
- m. Appliance; household use, sales and accessory repair, excluding outside storage
- n. Appliance; commercial use, sales and accessory repair, excluding outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales
- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

- c. Rental of cloths and accessories; formal wear, etc.
- f. Automobiles, truck, recreational vehicle, motorcycles and boat sales and service (see also major and minor repair)

(12) Construction:

- a. Licensed contractor; general, electrical, plumbing, mechanical, etc. excluding outside storage
- c. Construction office; temporary, including modular office (see also section 9-4-103)
- e. Building supply; lumber and materials sales, plumbing and/or electrical supply excluding outside storage
- f. Hardware store

(13) Transportation:

- b. Bus station; passenger and related freight
- c. Taxi or limousine service
- e. Parcel delivery service
- f. Ambulance service

(14) Manufacturing/ Warehousing:

- c. Bakery; production, storage and shipment facilities

(15) Other Activities (not otherwise listed - all categories): None*

CDF (Downtown Commercial Fringe)

Special Uses

(1) General: None*

(2) Residential:

- d. Land use intensity multifamily (LUI) development rating 50 per Article K
- e. Land use intensity multifamily (LUI) development rating 67 per Article K
- j. Residential quarters for resident manager, supervisor or caretaker; including mobile homes
- m. Shelter for homeless or abused
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- o.(1). Nursing, convalescent center or maternity home; minor care facility
- r. Fraternity or sorority house

(3) Home Occupations (see all categories):

- a. Home occupation; including barber and beauty shops
- c. Home occupation; including manicure, pedicure or facial salon

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining: None*

(6) Recreational/ Entertainment:

- d. Game center
- i. Commercial recreation; indoor and outdoor not otherwise listed
- l. Billiard parlor or pool hall
- m. Public or private club

(7) Office/ Financial/ Medical: None*

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- l. Convention center; private
- x. Dance studio
- bb. Civic organizations
- cc. Trade or business organizations
- hh. Exercise and weight loss studios; indoor only

(9) Repair:

- a. Major repair; as an accessory or principal use
- b. Minor repair; as an accessory or principal use

(10) Retail Trade:

- b. Gasoline or automotive fuel sales; accessory or principal use, retail
- g. Fish market; excluding processing or packing
- j. Restaurant; regulated outdoor activities
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facility)

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade: None*

(12) Construction:

- d. Building supply; lumber and materials sales, plumbing and/or electrical supply including outside storage

(13) Transportation:

- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

- g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholstery

(15) Other Activities (not otherwise listed - all categories):

- a. Other activities; personal services not otherwise listed
- b. Other activities; professional activities not otherwise listed
- c. Other activities; commercial services not otherwise listed
- d. Other activities; retail sales not otherwise listed

PROPOSED ZONING

CH (Heavy Commercial)

Permitted Uses

(1) General:

- a. Accessory use or building
- b. Internal service facilities
- c. On-premise signs per Article N
- d. Off-premise signs per Article N
- e. Temporary uses; of listed district uses
- f. Retail sales; incidental
- g. Incidental assembly of products sold at retail or wholesale as an accessory to principle use

(2) Residential: None*

*(3) Home Occupations (see all categories):*None*

(4) Governmental:

- a. Public utility building or use
- b. City of Greenville municipal government building or use (see also section 9-4-103)
- c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
- d. Federal government building or use
- e. County government operation center
- g. Liquor store, state ABC

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)
- b. Greenhouse or plant nursery; including accessory sales

- d. Farmers market
- e. Kennel (see also section 9-4-103)
- h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use

(6) Recreational/ Entertainment:

- b. Golf course; par three
- c. Golf driving range
- c.(1). Tennis club; indoor and outdoor facilities
- e. Miniature golf or putt-putt course
- f. Public park or recreational facility
- h. Commercial recreation; indoor only, not otherwise listed
- i. Commercial recreation; indoor and outdoor, not otherwise listed
- j. Bowling alleys
- n. Theater; movie or drama, indoor only
- o. Theater; movie or drama, including outdoor facility
- q. Circus, carnival or fair, temporary only (see also section 9-4-103)
- s. Athletic club; indoor only
- t. Athletic club; indoor and outdoor facility

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- b. Operation/processing center
- c. Office; customer service not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
- f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)
- g. Catalogue processing center

(8) Services:

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- n. Auditorium
- o. Church or place of worship (see also section 9-4-103)
- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- y. Television, and/or radio broadcast facilities including receiving and transmission equipment and towers or cellular telephone and wireless communication towers [unlimited height, except as provided by regulations]
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- bb. Civic organization
- cc. Trade or business organization
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users
- mm. Commercial laundries; linen supply
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

(9) Repair:

- b. Minor repair; as an accessory or principal use
- c. Upholster; automobile, truck, boat or other vehicle, trailer or van
- d. Upholsterer; furniture
- f. Appliance; household and office equipment repair
- g. Jewelry, watch, eyewear or other personal item repair

(10) Retail Trade:

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- b. Gasoline or automotive fuel sale; accessory or principal use
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- g. Fish market; excluding processing or packing
- h. Restaurant; conventional
- i. Restaurant; fast food
- k. Medical supply sales and rental of medically related products
- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair
- m. Appliance; household use, sales and accessory repair, excluding outside storage
- n. Appliance; commercial or industrial use, sales and accessory repair, including outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales
- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facility)
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- aa. Pawnbroker
- bb. Lawn and garden supply and household implement sales and accessory sales
- cc. Farm supply and commercial implement sales
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

- a. Wholesale; durable and nondurable goods, not otherwise listed
- b. Rental of home furniture, appliances or electronics and medically related products (see also (10) k.)
- c. Rental of cloths and accessories; formal wear, etc.
- d. Rental of automobile, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
- e. Rental of tractors and/or trailers, or other commercial or industrial vehicles or machinery
- f. Automobiles, truck, recreational vehicle, motorcycles and boat sales and service (see also major and minor repair)
- g. Mobile home sales including accessory mobile home office

(12) Construction:

- a. Licensed contractor; general, electrical, plumbing, mechanical, etc. excluding outside storage
- c. Construction office; temporary, including modular office (see also section 9-4-103)
- d. Building supply; lumber and materials sales, plumbing and/or electrical supply excluding outside storage
- f. Hardware store

(13) Transportation:

- c. Taxi or limousine service
- e. Parcel delivery service

- f. Ambulance service
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

- a. Ice plant and freezer lockers
- b. Dairy; production, storage and shipment facilities
- c. Bakery; production, storage and shipment facilities
- g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholster
- h. Engraving; metal, glass or wood
- i. Moving and storage of nonhazardous materials; excluding outside storage
- k. Mini-storage warehouse, household; excluding outside storage
- m. Warehouse; accessory to approved commercial or industrial uses within a district; excluding outside storage
- u. Tire recapping or retreading plant

(15) Other Activities (not otherwise listed - all categories): * None

CH (Heavy Commercial)
Special Uses

*(1) General:** None

(2) Residential:

- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
- j. Residential quarters for resident manager, supervisor or caretaker; including mobile home

*(3) Home Occupations (see all categories):** None

*(4) Governmental:** None

*(5) Agricultural/ Mining:** None

(6) Recreational/ Entertainment:

- d. Game center
- l. Billiard parlor or pool hall
- m. Public or private club
- r. Adult uses

*(7) Office/ Financial/ Medical:** None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- l. Convention center; private
- dd. Massage establishment

(9) Repair:

- a. Major repair; as an accessory or principal use

(10) Retail Trade:

- j. Restaurant; regulated outdoor activities
- n. Appliance; commercial use, sales and accessory repair, excluding outside storage
- z. Flea market

*(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:** None

(12) *Construction:** None

(13) *Transportation:** None

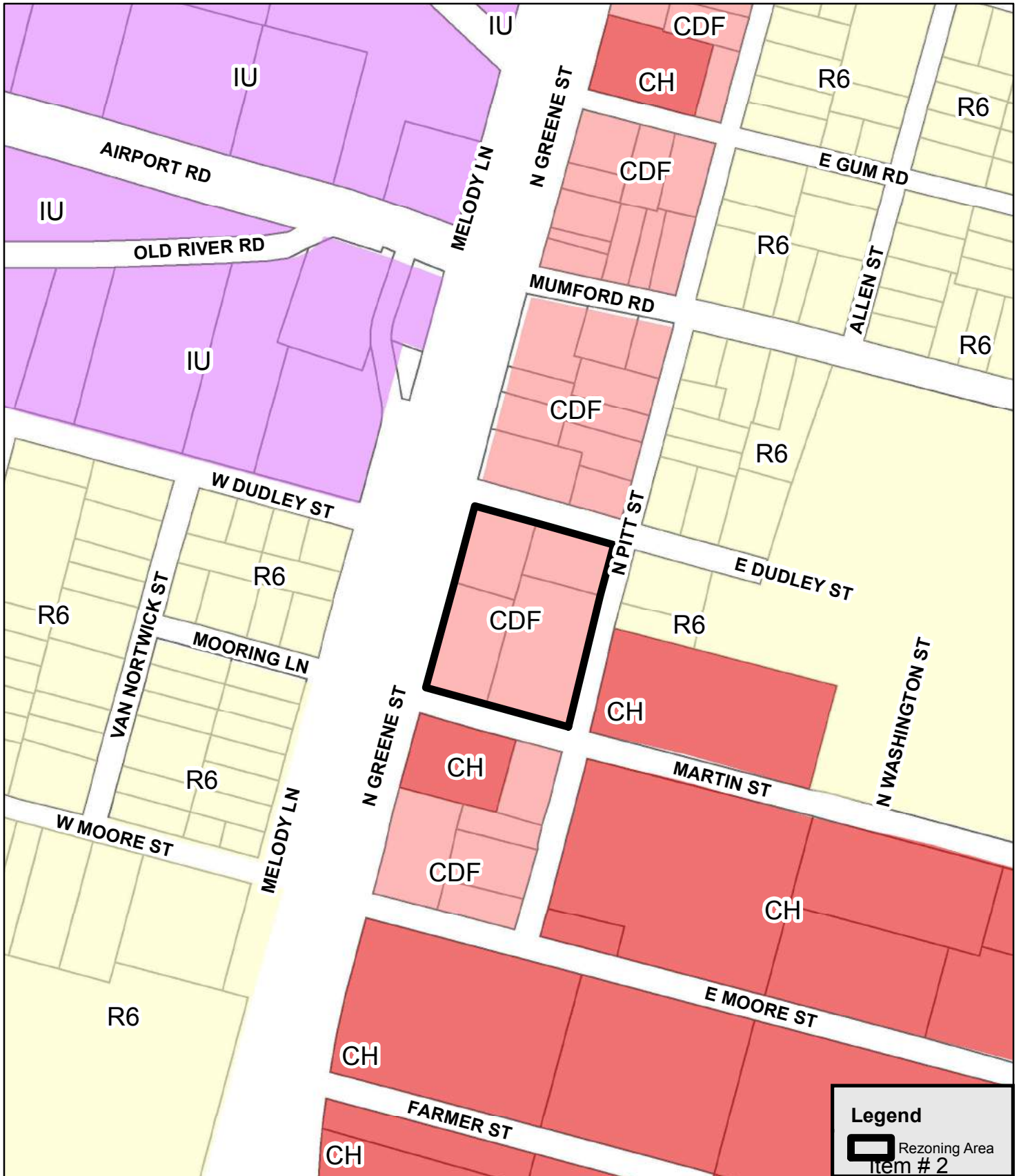
(14) *Manufacturing/ Warehousing:*

- d. Stone or monument cutting, engraving
- j. Moving and storage; including outside storage
- l. Warehouse or mini-storage warehouse, commercial or industrial; including outside storage
- y. Recycling collection station or facilities

(15) *Other Activities (not otherwise listed - all categories):*

- a. Other activities; personal services not otherwise listed
- b. Other activities; professional activities not otherwise listed
- c. Other activities; commercial services not otherwise listed
- d. Other activities; retail sales not otherwise listed

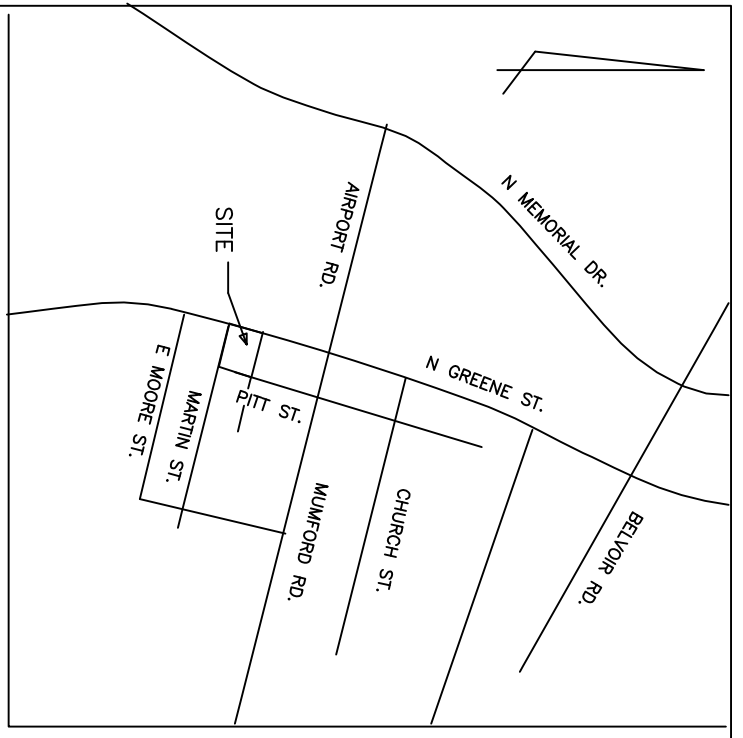
Debbie and Jackie Jones
From: CDF to CH
October 24, 2016



Legend
 Rezoning Area
Item # 2

Debbie and Jackie James
From: CDF to CH
October 25, 2016





- LEGEND**
- ⊕ EXISTING ANGLE IRON
 - ⊙ EXISTING IRON PIPE
 - ⊗ EXISTING IRON BAR
 - ▽ EXISTING MONUMENT
 - NO POINT SET
 - ⊕ LIGHT POLE
 - PP OVERHEAD UTILITY LINE AND POLE

LIST OF ADJOINING PROPERTIES WITHIN 100' LYING WEST OF SEABOARD COASTLINE RAILROAD (ALL ZONED R6)

PARCEL	OWNER
13718	KEYSLEWIS PROPERTIES, LLC
15549	KEYSLEWIS PROPERTIES, LLC
37025	CITY OF GREENVILLE
37024	CITY OF GREENVILLE
37023	MELODY CHAPEL CME CHURCH
37021	IDA MAE WILLIAMS AND DEBRA JEAN WILLIAMS
37020	CITY OF GREENVILLE
80865	GREENVILLE COMMUNITY CHRISTIAN CHURCH INC.

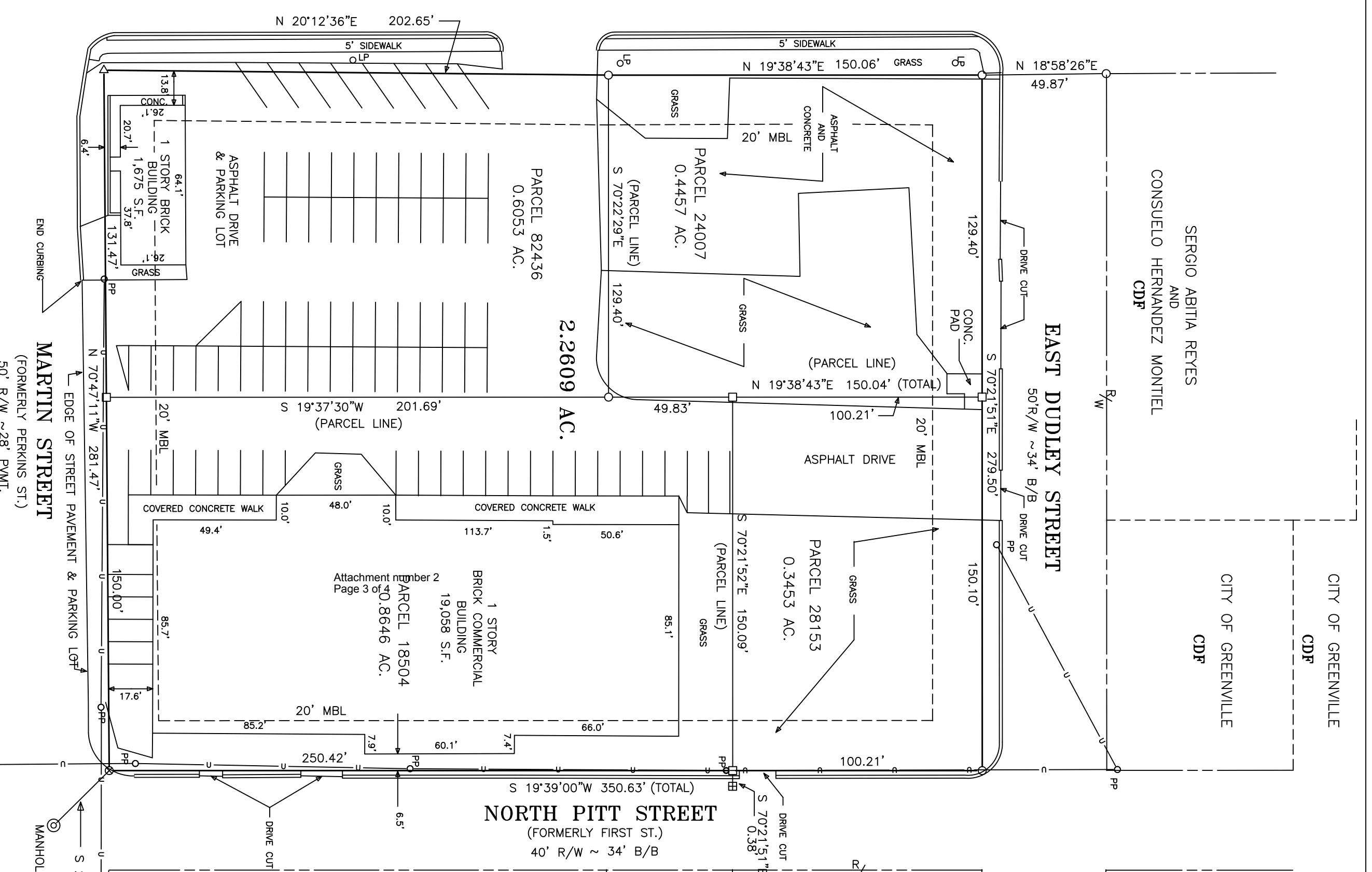
SEABOARD COASTLINE RAILROAD
130' R/W (NOT TO SCALE)

NORTH GREENE STREET ~ NCSR 1531
100' R/W ~ 50' B/B

STATE OF NORTH CAROLINA, PITT COUNTY

I, STEPHEN N. SPRULL, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, THAT THE RATIO OF PRECISION AS CALCULATED IS 1:21,673; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY HAND AND SEAL THIS DAY OF OCTOBER, 2016

STEPHEN N. SPRULL
L-27223



SERGIO ABTIA REYES AND CONSUELO HERNANDEZ MONTEIL
CDF

CITY OF GREENVILLE
CDF

EMMA JEAN EBROK AND KENNIE EBROK
R6

KEVIN ANDREWS
R6

VAN C. FLEMING & CO.
R6

RUBEN GLENN WILEY AND AMANDA WILEY
CH

OMG PROPERTIES, LLC
CDF

GRADY F. SMITH & CO., INC
CH

OMG PROPERTIES, LLC
CH

OWNER
JACKIE E. JAMES
3675 MACGREGOR DOWNS RD.
GREENVILLE, NC 27835

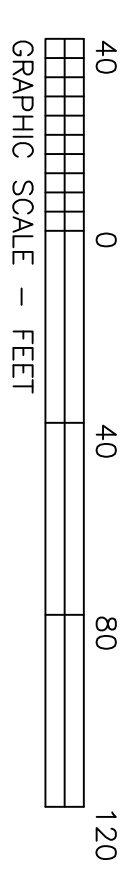
CURRENT ZONING : CDF
PROPOSED ZONING: CH

REZONING REQUEST SURVEY FOR
JACKIE E. JAMES
AND WIFE

DEBBIE A. JAMES

DEED BOOK 3298, PAGE 140
DEED BOOK 3282, PAGE 691
CITY OF GREENVILLE

GREENVILLE TOWNSHIP ~ PITT COUNTY ~ NORTH CAROLINA
DATE: SEPTEMBER 27, 2016
SCALE: 1" = 40'



NOTES

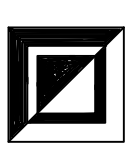
- THIS IS A REZONING REQUEST SURVEY OF PITT COUNTY TAX PARCELS 24007, 28153, 18504 AND 82436
- AS PER FEMA FLOOD INSURANCE RATE MAP 3720488900K, DATED 7-7-14, THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA (ZONE AE)
- STREET MINIMUM BUILDING LINES SHOWN HEREON ARE BASED ON THE PROPOSED ZONING DESIGNATION. STREET MINIMUM BUILDING LINES IN CDF ZONES ARE 10 FEET

REFERENCES

- D.B. 3298, P. 140
- D.B. 3282, P. 691
- M.B. 2, P. 179
- PITT COUNTY REGISTRY

THIS DOCUMENT ORIGINALLY ISSUED AND SEALED ON OCTOBER 31, 2016. THIS DOCUMENT SHALL NOT BE CONSIDERED A CERTIFIED DOCUMENT SEE ORIGINAL FOR SEAL AND SIGNATURE

Sprull & Associates Inc.
2747 East Tenth Street
Greenville, North Carolina 27858
(252) 757-1200
sprull@coastalnet.com



04/30/07

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

Bufferyard Requirements: Match proposed land use with adjacent permitted land use or adjacent vacant zone/nonconforming use to determine applicable bufferyard.

PROPOSED LAND USE CLASS (#)	ADJACENT PERMITTED LAND USE CLASS (#)					ADJACENT VACANT ZONE OR NONCONFORMING USE		PUBLIC/PRIVATE STREETS OR R.R.
	Single-Family Residential (1)	Multi-Family Residential (2)	Office/Institutional, light Commercial, Service (3)	Heavy Commercial, Light Industry (4)	Heavy Industrial (5)	Residential (1) - (2)	Non-Residential (3) - (5)	
Multi-Family Development (2)	C	B	B	B	B	C	B	A
Office/Institutional, Light Commercial, Service (3)	D	D	B	B	B	D	B	A
Heavy Commercial, Light Industry (4)	E	E	B	B	B	E	B	A
Heavy Industrial (5)	F	F	B	B	B	F	B	A

Bufferyard A (street yard)		
Lot Size	Width	For every 100 linear feet
Less than 25,000 sq.ft.	4'	2 large street trees
25,000 to 175,000 sq.ft.	6'	2 large street trees
Over 175,000 sq.ft.	10'	2 large street trees

Street trees may count toward the minimum acreage.

Bufferyard B (no screen required)	
Lot Size	Width
Less than 25,000 sq.ft.	4'
25,000 to 175,000 sq.ft.	6'
Over 175,000 sq.ft.	10'

Bufferyard C (screen required)	
Width	For every 100 linear feet
10'	3 large evergreen trees 4 small evergreens 16 evergreen shrubs

Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet.

Bufferyard D (screen required)	
Width	For every 100 linear feet
20'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

Bufferyard E (screen required)	
Width	For every 100 linear feet
30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

Bufferyard F (screen required)	
Width	For every 100 linear feet
50'	8 large evergreen trees 10 small evergreens 36 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

Parking Area: Thirty (30) inch high screen required for all parking areas located within fifty (50) feet of a street right-of-way.



City of Greenville, North Carolina

Meeting Date:
11/15/2016
Time: 6:30 PM

Title of Item: Ordinance requested by Hart Trust c/o Don Parrott to rezone 1.7619 acres located at the northwestern corner of the intersection of Davenport Farm Road and Frog Level Road from O (Office) and CN (Neighborhood Commercial) to R6A (Residential [Medium Density Multi-family]) for Tract 1 and from R6A (Residential [Medium Density Multi-family]) to O (Office) for Tract 2.

Explanation: **Abstract:** The City has received a request from the Hart Trust c/o Don Parrott to rezone 1.7619 acres located at the northwestern corner of the intersection of Davenport Farm Road and Frog Level Road from O (Office) and CN (Neighborhood Commercial) to R6A (Residential [Medium Density Multi-family]) for Tract 1 and from R6A (Residential [Medium Density Multi-family]) to O (Office) for Tract 2.

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on October 31, 2016.
On-site sign(s) posted on October 31, 2016
City Council public hearing notice (property owner and adjoining property owner letter) mailed - N/A at this time.
Public hearing legal advertisement published - N/A at this time

Comprehensive Plan:

The Future Land Use and Character Map recommends traditional neighborhood, medium-high density (TNMH) at the northwestern corner of the intersection of Davenport Farm Road and Frog Level Road transitioning to residential, low-medium density (LMDR) to the north and west.

Traditional Neighborhood, Medium-High Density :

Primarily residential area featuring a mix of higher density housing types ranging from multifamily, 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.

Intent:

- Provide street scape features such as, sidewalks, street trees and lighting
- Allow neighborhood-scale commercial and mixed use centers at key intersections within neighborhoods

Primary Uses:

Multifamily residential

Single-family residential attached (townhomes) and detached (small-lot)

Secondary uses:

Institutional (neighborhood scale)

There is a designated neighborhood activity center at the intersection of Davenport Farm Road and Frog Level Road . These centers are intended to contain 20,000-50,000 square feet of conditioned floor space and serve an area within one mile.

Thoroughfare/Traffic Report Summary (PWD-Engineering Division):

This rezoning request is intended for zoning lines to follow parcel lines associated with the preliminary plat for Taberna Subdivision, Phase 4. As such, this should not result in a significant change in density or related traffic generating tendencies.

During the review process, measures to mitigate traffic impacts will be determined.

History/Background:

In 1998, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and was rezoned to O (Office), CN (Neighborhood Commercial) and R6A (Residential [Medium Density Multi-family]).

Present Land Use:

Vacant

Water/Sewer:

Water and sanitary sewer are available.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

There are no known environmental conditions/constraints.

Surrounding Land Uses and Zoning:

North: R6A - Vacant (under common ownership as the applicant and is part of the proposed preliminary plat for Taberna Subdivision, Phase 4)
South: O and CN - Vacant (under common ownership as the applicant)
East: O - Vacant
West: R9S - Taberna Subdivision

Fiscal Note:

No cost to the City.

Recommendation:

In staff's opinion, the request is not in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Plan Map.

"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.

If the Planning and Zoning Commission determines to recommend approval of the request, in order to comply with statutory requirements, it is recommended that the motion be as follows:

"Motion to recommend approval of the proposed rezoning, 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."

If the Planning and Zoning Commission determines to recommend denial of the request, in order to comply with statutory requirements, it is recommended that the motion be as follows:

"Motion to recommend denial of the proposed rezoning, to advise that it is inconsistent with the comprehensive plan or other applicable plans, and to adopt the staff report which addresses plan consistency and other matters."

Note: In addition to the other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the existing and proposed zoning districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Attachments](#)

 [List of uses R6A O and CN 1036981](#)

CURRENT AND PROPOSED ZONING

R6A (Residential)

Permitted Uses

(1) General:

- a. Accessory use or building
- c. On-premise signs per Article N

(2) Residential:

- a. Single-family dwelling
- b. Two-family attached dwelling (duplex)
- b(1). Master Plan Community per Article J
- c. Multi-family development per Article 1
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

*(3) Home Occupations (see all categories):*None*

(4) Governmental:

- b. City of Greenville municipal government building or use (see also section 9-4-103)

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)
- l. Beekeeping; minor use (see also section 9-4-103)

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- g. Private noncommercial park or recreational facility

(7) Office/ Financial/ Medical: None*

(8) Services:

- o. Church or place of worship (see also section 9-4-103)

(9) Repair: None*

(10) Retail Trade: None*

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade: None*

(12) Construction:

- c. Construction office; temporary, including modular office (see also section 9-4-103)

(13) Transportation: None*

(14) *Manufacturing/ Warehousing*: * None

(15) *Other Activities (not otherwise listed - all categories)*:* None

R6A (Residential)
Special Uses

(1) *General*:* None

(2) *Residential*:

- d. Land use intensity multifamily (LUI) development rating 50 per Article K
- e. Land use intensity dormitory (LUI) development rating 67 per Article K
- l. Group care facility
- n. Retirement center or home
- o.(1). Nursing, convalescent center or maternity home; minor care facility
- p. Board or rooming house
- r. Fraternity or sorority house

(3) *Home Occupations (see all categories)*:

- a. Home occupation; not otherwise listed
- b. Home occupation; barber and beauty shops
- c. Home occupation; manicure, pedicure or facial salon

(4) *Governmental*:

- a. Public utility building or use

(5) *Agricultural/ Mining*:* None

(6) *Recreational/ Entertainment*:

- a. Golf course; 18-hole regulation (see also section 9-4-103)
- a(1). Golf course; 9-hole regulation (see also section 9-4-103)
- c.(1). Tennis club; indoor and outdoor facilities

(7) *Office/ Financial/ Medical*:* None

(8) *Services*:

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- m. Multi-purpose center
- t. Guest house for a college and other institutions of higher learning

(9) *Repair*:* None

(10) *Retail Trade*:* None

(11) *Wholesale/ Rental/ Vehicle- Mobile Home Trade*:* None

(12) *Construction*:* None

(13) *Transportation*:* None

(14) *Manufacturing/ Warehousing*: * None

(15) *Other Activities (not otherwise listed - all categories)*:* None

O (Office)

Permitted Uses

(1) *General*:

- a. Accessory use or building
- b. Internal service facilities
- c. On-premise signs per Article N
- f. Retail sales; incidental

(2) *Residential*:* None

(3) *Home Occupations (see all categories)*:*None

(4) *Governmental*:

- b. City of Greenville municipal government building or use (see also section 9-4-103)
- c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
- d. Federal government building or use

(5) *Agricultural/ Mining*:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

(6) *Recreational/ Entertainment*:

- f. Public park or recreational facility

(7) *Office/ Financial/ Medical*:

- a. Office; professional and business, not otherwise listed
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed

(8) *Services*:

- c. Funeral home

- e. Barber or beauty shop
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- o. Church or place of worship (see also section 9-4-103)
- p. Library
- q. Museum
- r. Art Gallery
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- x. Dance studio

(9) *Repair*:* None

(10) *Retail Trade*:

- s. Book or card store, news stand
- w. Florist

(11) *Wholesale/ Rental/ Vehicle- Mobile Home Trade*:* None

(12) *Construction*:

- c. Construction office; temporary, including modular office (see also section 9-4-103)

(13) *Transportation*:* None

(14) *Manufacturing/ Warehousing*: * None

(15) *Other Activities (not otherwise listed - all categories)*:* None

O (Office)

Special Uses

(1) *General*:* None

(2) *Residential*:

- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile homes

(3) *Home Occupations (see all categories)*:* None

(4) *Governmental*:

- a. Public utility building or use

(5) *Agricultural/ Mining*:* None

(6) *Recreational/ Entertainment*:* None

(7) *Office/ Financial/ Medical:** None

(8) *Services:*

- a. Child day care facilities
- b. Adult day care facilities
- j. College and other institutions of higher learning
- l. Convention center; private
- bb. Civic organizations
- cc. Trade and business organizations

(9) *Repair:** None

(10) *Retail Trade:** None

(11) *Wholesale/ Rental/ Vehicle- Mobile Home Trade:** None

(12) *Construction:** None

(13) *Transportation:** None

(14) *Manufacturing/ Warehousing:* * None

(15) *Other Activities (not otherwise listed - all categories):** None

CN (Neighborhood Commercial)

Permitted Uses

(1) *General:*

- a. Accessory use or building
- b. Internal service facilities
- c. On-premise signs per Article N
- f. Retail sales; incidental

(2) *Residential:** None

(3) *Home Occupations (see all categories):**None

(4) *Governmental:*

- b. City of Greenville municipal government building or use (see also section 9-4-103)

(5) *Agricultural/ Mining:*

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)
- l. Beekeeping; minor use (see also section 9-4-103)

(6) *Recreational/ Entertainment:*

- f. Public park or recreational facility

s. Athletic club; indoor only

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed

(8) Services:

- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- o. Church or place of worship (see also section 9-4-103)
- x. Dance studio
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users

(9) Repair: None*

(10) Retail Trade:

- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- h. Restaurant; conventional

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade: None*

(12) Construction:

- c. Construction office; temporary, including modular office (see also section 9-4-103)

(13) Transportation: None*

*(14) Manufacturing/ Warehousing: * None*

(15) Other Activities (not otherwise listed - all categories): None*

CN (Neighborhood Commercial)

Special Uses

(1) General: None*

(2) Residential: None*

(3) Home Occupations (see all categories): None*

(4) Governmental:

a. Public utility building or use

(5) *Agricultural/ Mining:** None

(6) *Recreational/ Entertainment:*

t. Athletic club; indoor and outdoor facilities

(7) *Office/ Financial/ Medical:*

* None

(8) *Services:*

a. Child day care facilities

b. Adult day care facilities

aa. Catering service including food preparation (see also restaurant; conventional and fast food)

(9) *Repair:*

b. Minor repair; as an accessory or principal use

(10) *Retail Trade:*

b. Gasoline or automotive fuel sales; accessory or principal use, retail

i. Restaurant; fast food

j. Restaurant; regulated outdoor activities

u. Pet shop (see also animal boarding; outside facility)

(11) *Wholesale/ Rental/ Vehicle- Mobile Home Trade:** None

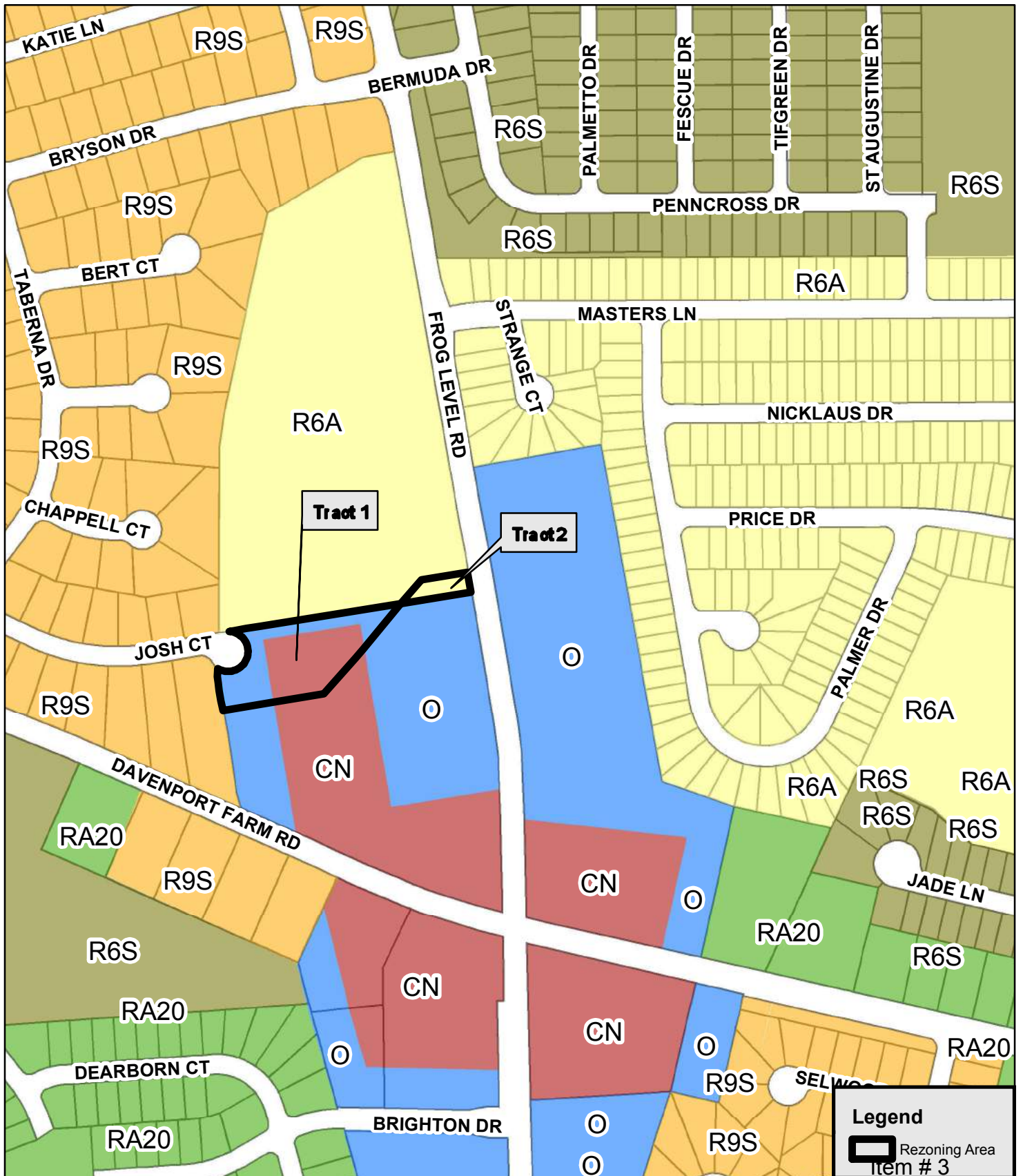
(12) *Construction:** None


(13) *Transportation:** None

(14) *Manufacturing/ Warehousing:* * None

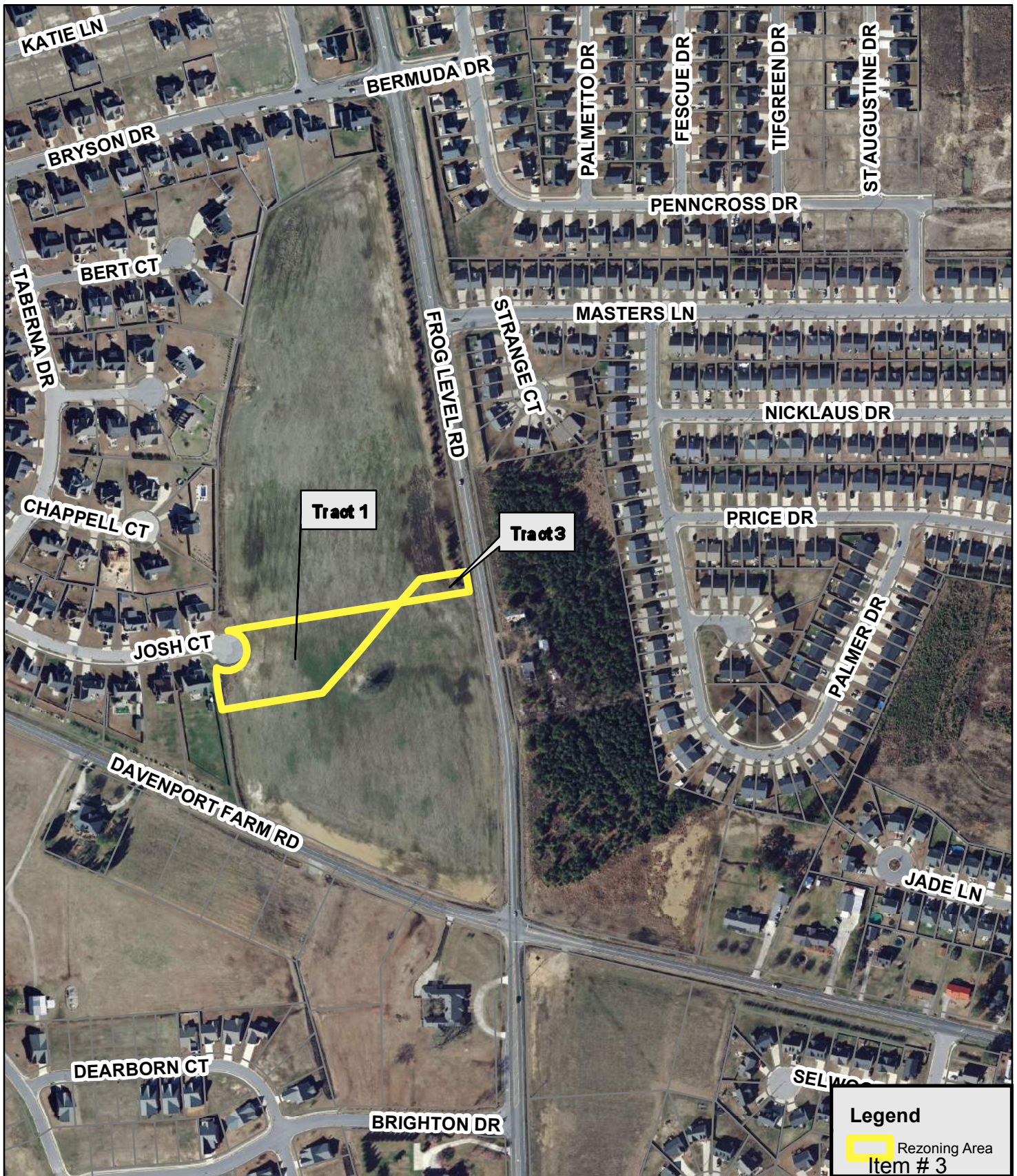
(15) *Other Activities (not otherwise listed - all categories):** None

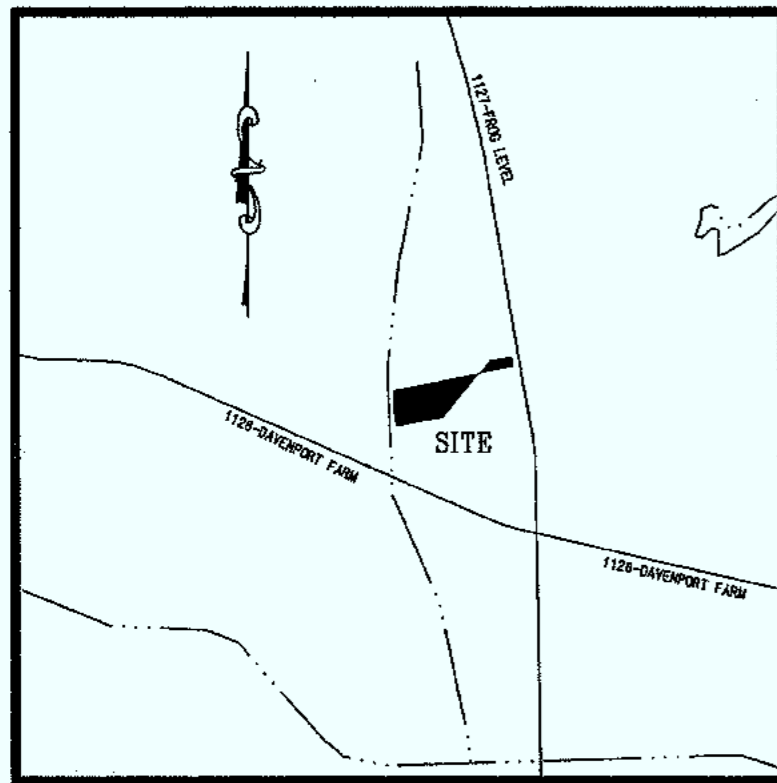
Hart Trust c/o Don Parrott
Tract 1: O and CN to R6A (1.5730 acres)
Tract 2: R6A to O (0.1889 acres)
September 6, 2016



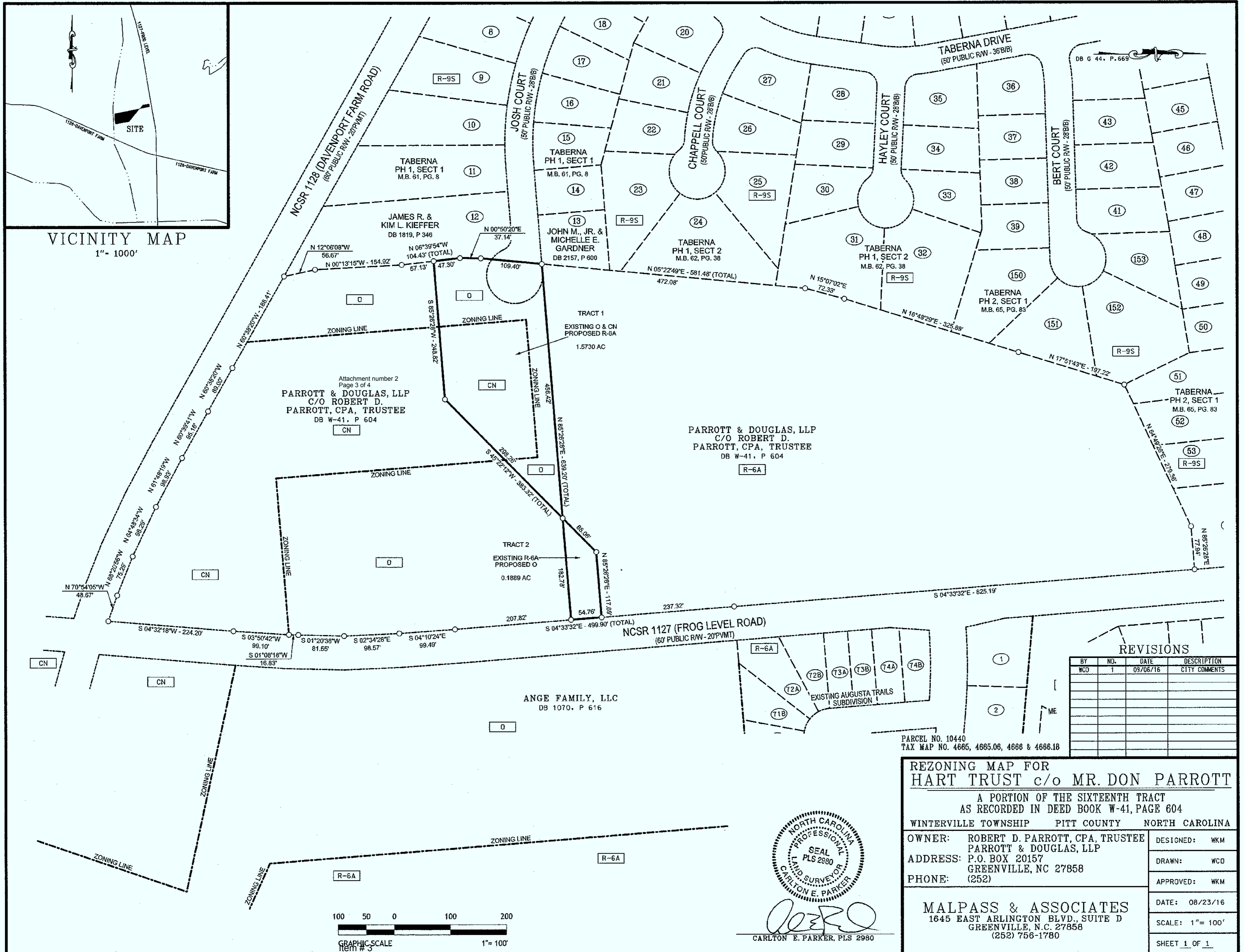
Legend
 Rezoning Area
Item # 3

Hart Trust c/o Don Parrott
Tract 1: O and CN to R6A (1.5730 acres)
Tract 2: R6A to O (0.1889 acres)
September 6, 2016





VICINITY MAP
1" = 1000'



Carlton E. Parker
CARLTON E. PARKER, PLS 2980

REVISIONS			
BY	NO.	DATE	DESCRIPTION
WCD	1	09/06/16	CITY COMMENTS

PARCEL NO. 10440
TAX MAP NO. 4665, 4665.08, 4666 & 4666.18

REZONING MAP FOR
HART TRUST c/o MR. DON PARROTT

A PORTION OF THE SIXTEENTH TRACT
AS RECORDED IN DEED BOOK W-41, PAGE 604

WINTERVILLE TOWNSHIP PITT COUNTY NORTH CAROLINA

OWNER: ROBERT D. PARROTT, CPA, TRUSTEE
PARROTT & DOUGLAS, LLP
ADDRESS: P.O. BOX 20157
GREENVILLE, NC 27858
PHONE: (252)

DESIGNED: WKM
DRAWN: WCD
APPROVED: WKM

DATE: 08/23/16
SCALE: 1" = 100'
SHEET 1 OF 1

MALPASS & ASSOCIATES
1645 EAST ARLINGTON BLVD., SUITE D
GREENVILLE, N.C. 27858
(252) 756-1780

04/30/07

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

Bufferyard Requirements: Match proposed land use with adjacent permitted land use or adjacent vacant zone/nonconforming use to determine applicable bufferyard.

PROPOSED LAND USE CLASS (#)	ADJACENT PERMITTED LAND USE CLASS (#)					ADJACENT VACANT ZONE OR NONCONFORMING USE		PUBLIC/PRIVATE STREETS OR R.R.
	Single-Family Residential (1)	Multi-Family Residential (2)	Office/Institutional, light Commercial, Service (3)	Heavy Commercial, Light Industry (4)	Heavy Industrial (5)	Residential (1) - (2)	Non-Residential (3) - (5)	
Multi-Family Development (2)	C	B	B	B	B	C	B	A
Office/Institutional, Light Commercial, Service (3)	D	D	B	B	B	D	B	A
Heavy Commercial, Light Industry (4)	E	E	B	B	B	E	B	A
Heavy Industrial (5)	F	F	B	B	B	F	B	A

Bufferyard A (street yard)		
Lot Size	Width	For every 100 linear feet
Less than 25,000 sq.ft.	4'	2 large street trees
25,000 to 175,000 sq.ft.	6'	2 large street trees
Over 175,000 sq.ft.	10'	2 large street trees

Street trees may count toward the minimum acreage.

Bufferyard B (no screen required)	
Lot Size	Width
Less than 25,000 sq.ft.	4'
25,000 to 175,000 sq.ft.	6'
Over 175,000 sq.ft.	10'

Bufferyard C (screen required)	
Width	For every 100 linear feet
10'	3 large evergreen trees 4 small evergreens 16 evergreen shrubs

Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet.

Bufferyard D (screen required)	
Width	For every 100 linear feet
20'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

Bufferyard E (screen required)	
Width	For every 100 linear feet
30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

Bufferyard F (screen required)	
Width	For every 100 linear feet
50'	8 large evergreen trees 10 small evergreens 36 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

Parking Area: Thirty (30) inch high screen required for all parking areas located within fifty (50) feet of a street right-of-way.



City of Greenville, North Carolina

Meeting Date:
11/15/2016
Time: 6:30 PM

Title of Item: Request by Happy Trail Farms, LLC for a preliminary plat entitled "Westhaven South, Section 5". The subject property is located south of Regency Boulevard and is further identified as Tax Parcel 74010 and 74011. The preliminary plat consists of 4 lots on 28.49 acres.

Explanation: The proposed preliminary plat is a revision to a plat approved by the Planning and Zoning Commission on April 15, 2008.

The original plat contained 41.61 acres with 185 single family residential lots and an extensive neighborhood street network. Interconnectivity to the undeveloped property to the south was accomplished by the proposed Blazer Drive.

The proposed plat no longer contains 13 acres of the original property (eastern portion) which is now in different ownership.

The subject property is zoned R6A (Residential) and it is anticipated that multi-family residential development will occur on lot 3.

The proposed development pattern provides similar interconnectivity to the south as the previously approved plat did.


On November 8, 2016, the applicant submitted an e-mail requesting that this item be continued until the Planning and Zoning Commission's December meeting. (Attachment) The item has already been advertised in The Daily Reflector as required.

Fiscal Note: There will be no costs to the City of Greenville associated with this subdivision other than routine costs to provide public services.

Recommendation: The City's Subdivision Review Committee has reviewed the preliminary plat and has determined that it meets all technical requirements.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Applicant's Request to Continue Item](#)

Thomas Weitnauer

From: Scott Anderson [scott@arkconsultinggroup.com]
Sent: Tuesday, November 08, 2016 9:26 AM
To: Thomas Weitnauer; Michael Dail
Cc: Dustin Mills; Jeffrey Daniels
Subject: Re: Westhaven South Preliminary Plat

Tom,

On behalf of Happy Trail Farms, LLC, I would like to request that the Preliminary Plat submitted for Westhaven South, Section 5 be continued to the December 20th Meeting of the Planning and Zoning Commission.

Thank you for your consideration of this request.

Scott

Scott T. Anderson, PE
Principal

ARK Consulting Group, PLLC

3280 Charles Blvd. | Suite B
Greenville, NC 27858

P: [252.558.0888](tel:252.558.0888) | M: [252.258.0734](tel:252.258.0734)
www.arkconsultinggroup.com

If you have received this confidential message in error, please destroy it and any attachments without reading, printing, copying or forwarding it. Please let us know of the error immediately so that we can prevent it from happening again. You may reply directly to the sender of this message. Neither the name of Ark Consulting Group, PLLC or its representative, nor transmission of this email from Ark Consulting Group, PLLC, shall be considered an electronic signature unless specifically stated otherwise in this email. Thank you.



City of Greenville, North Carolina

Meeting Date:
11/15/2016
Time: 6:30 PM

Title of Item: Ordinance to amend the Zoning Ordinance to add placement and aesthetic review criteria for distributed antenna systems (DAS).

Explanation: **Abstract:** Adoption of this Zoning Ordinance Text Amendment will allow the City to apply placement and aesthetic review criteria to digital antenna systems (DAS).

Explanation:

Details regarding this text amendment are provided in the attached staff report.

Fiscal Note: No cost to the City.

Recommendation: Staff recommends the Planning and Zoning Commission approves a recommendation to City Council to adopt this Zoning Ordinance Text Amendment.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

[Staff Report and Attachments](#)

Staff Report to Planning and Zoning Commission Distributed Antenna Systems (DAS) – Text Amendment

Contents

Background	1
Proposed Text Amendments	2
Compliance with the Comprehensive Plan	5
Photographs	6
Ordinance	7



City of Greenville
Community Development Department - Planning Division
November 8, 2016

Background

The City's zoning regulations for communications towers, antennas, and base units are contained in the Greenville Code of Ordinances, Title 9, Chapter 4, Article F, Section 9-4-103(Q). The current regulations were drafted at a time when antennas were bulky and bolted to the tops of guyed or lattice towers. While that kind of "macrocell" deployment still exists and will continue to exist, there are now a variety of complementary and alternative technologies that are much smaller. Distributed antenna system (DAS) networks and other small cell systems of different nomenclature use components that are a fraction of the size of macrocell deployments, and can be installed on utility poles, buildings, and other smaller structures.

Currently, DAS and small cell networks do not exist on infrastructure in the public right-of-way in Greenville. In response to these technological advances, the City has received a number of requests to attach telecommunications antennas to City-owned infrastructure, replace existing light poles with new light poles outfitted with DAS equipment and install DAS equipment on other city owned property not located within rights-of-way, allowing carriers to manage signal demand in areas with high volume usage such as downtown Greenville and along major roadway corridors.

A companion ordinance to amend the Greenville Code of Ordinances, Title 6, Public Works for the City Council's December 8, 2016 meeting is being prepared to create an application and permitting process for DAS equipment. Under that ordinance, eligible requests would be approved by the Director of Public Works through a permitting process while applying the placement and aesthetic regulations what will reside in the Zoning Ordinance proposed in this text amendment.

This text amendment proposes to allow the City to administratively review DAS equipment, by right, without the step of requiring a special use permit (SUP). DAS and small cell networks require a large number of small antennas to achieve network benefits, which would consequently require the processing of a large number of SUPs. Processing a SUP for each attachment on each pole would be burdensome for all parties and the level of scrutiny would not be commensurate with the impact of the use. Antennas mounted to light poles and similar structures that do not meet these provisions would continue to require a SUP.

The reasons for the proposed amendment are to remove barriers to fair, reasonable, and non-discriminatory access to available capacity on City-owned infrastructure located within the public right-of-way, to ensure that communication antennas and associated equipment are placed appropriately and are compatible with surrounding uses, and to do so in an equitable manner consistent with applicable federal, state, and local laws.

Another reason this amendment is necessary is related to a Federal requirement to conduct timely reviews of telecommunication equipment of this kind. Federal law limits the review period for telecommunications applications to 150 days. Meeting the federally imposed time frames will be made less burdensome by allowing administrative review for applications that fall within the provisions of the ordinance.

Reviewing attachment permits administratively significantly shortens the review period and eliminates the uncertainties associated with a special use permits.

DAS and small cell systems will work in conjunction with traditional macrocell deployments to provide increased coverage in areas with very high cell phone usage. Allowing this new and smaller telecommunication technology could substantially improve service levels in high-density areas, such as downtown Greenville and along major roadway corridors, while reducing the need for additional macrocell antennas.

Attached are photographs of DAS and small cell equipment.

Proposed Text Amendment

In order to amend the Zoning Ordinance to allow the City to review placement and aesthetic criteria of DAS equipment, a text amendment would need to be adopted. This text amendment application requires a public hearing before City Council. The Planning and Zoning Commission is required to review and if supportive recommend an ordinance relating to DAS regulations since they would be added in the Zoning Ordinance.

Proposed text amendments to add placement and aesthetic review criteria for DAS equipment are illustrated below using underlined text to denote regulations to be added in three areas of the Zoning Ordinance.

Title 9, Chapter 4, Article B, Section 9-4-22 of the City Code is proposed to be amended by adding the following definition for “Distributed Antenna System”:

Distributed Antenna Systems (DAS) equipment. A network of spatially separated antenna sites and supporting equipment connected to a common source that provides wireless service within a geographic area or structure, DAS and supporting DAS equipment are not considered a public utility or use and as such, are not exempt from placement preference regulations when DAS equipment is proposed on city-owned property, within public rights-of-way and on or adjacent to existing or planned sidewalks as set forth in Section 9-4-103(Q). The equipment and structures to support DAS are free-standing telecommunication towers even if they are intended to replace existing light poles, utility poles, or similar structures.

Title 9, Chapter 4, Article B, Section 9-4-22 is proposed to be amended by replacing the definition for “Public utility building or use” to read as follows:

Public utility building or use. Any above-ground building or use necessary for the delivery of electric, water, sanitary sewer, storm drainage, gas, telephone, cable TV or other utility service system which meets any one of the following conditions. Distributed Antenna Systems (DAS) and supporting DAS equipment are not considered a public utility or use.

- (1) Utilizes structures in excess of 100 square feet;
- (2) Utilizes any structure in excess of 15 feet in height;

- (3) *Requires any on-site permanent maintenance or service attendant;*
- (4) *Requires or utilizes three or more parking spaces; and*
- (5) *Creates noise, smoke, dust, odor, glare or any other condition which may have an adverse impact on area properties or uses.*

Title 9, Chapter 4, Article F, Section 9-4-78 (Appendix A), is proposed to be amended by adding the following new land use:

(8)(y)(4). “Distributed Antenna System (see also 9-4-103(Q)); by allowing as a permitted land use, by right, in the MI, MS, MO, MCG, MR, MCH, MRS, OR, O, CD, CDF, CG, CH, IU, I, PIU, and PI zoning districts.

Title 9, Chapter 4, Article F, Section 9-4-98 is proposed to be amended by rewriting subsection (A) to read as follows:

- (A) *The height limits of these regulations shall not apply to a church spire, belfry, cupola or dome; an ornamental tower not intended for human occupancy; a conveyor or a parapet wall not extended more than three feet above the roof line of the building; and other necessary mechanical or communication appurtenances attached to the roof of a building. Height limits of these regulations shall apply to distributed antenna systems (DAS) installed on all types of posts, towers and structures.*

Title 9, Chapter 4, Article F, Section 9-4-103 is proposed to be amended by rewriting the title of subsection (Q) to read as follows:

- (Q) *Television and radio broadcast, cellular telephone, ~~and~~ wireless communication towers and distributed antenna systems (DAS).*

Title 9, Chapter 4, Article F, Section 9-4-103 is proposed to be amended by adding subsection (Q)(4) to read as follows:

- (4) *Digital antenna systems (DAS) located within right-of-way, on city owned infrastructure, on Greenville Utilities Commission owned infrastructure and/or on city property shall be subject to all of the following requirements even if they are intended to replace existing light poles, utility poles or similar structures or are proposed as free-standing towers. Only the minimal use of the public right-of-way and/or city owned and Greenville Utilities Commission owned infrastructure is allowed because the space in the right-of-way should be reserved for public utilities and should be free of safety hazards. In addition, telecommunications facilities located in the right-of-way and mounted on city owned and Greenville Utilities Commission owned infrastructure have the potential of being very visible to pedestrians and the traveling public. In order to locate in a public right-of-way, the size and visibility of DAS equipment and their support structures must use be minimized. Application and permitting of DAS equipment are subject to review procedures in Title 6, Chapter 2:*

(a) DAS located within right-of-way, on city owned infrastructure, on Greenville Utility Commission owned infrastructure, replacing existing power or lights poles owned by the City or Greenville Utilities Commission and/or on city owned property within any district and adjacent to a designated major or minor thoroughfare except within the CD District, shall be subject to all of the following requirements:

- (1) The height of DAS equipment, including support poles, whether they are replacing existing light posts, are mounted to existing light posts or are freestanding poles shall not exceed 35 feet above grade, including the top of an antenna.
- (2) Where ground-mounted equipment and support poles are proposed on city owned sidewalks, there must be a minimum of five feet of unobstructed sidewalk remaining for pedestrians to pass by the installation or as determined by the Director of Public Works.
- (3) The location of DAS equipment and support structures must not restrict sight triangles of pedestrians or motorists to roadway intersections and public or private driveways.

(b) DAS located within right-of-way, on city owned infrastructure, on Greenville Utility Commission owned infrastructure, replacing existing power or lights poles owned by the City or Greenville Utilities Commission and/or on city owned property within the CD District, shall be subject to all of the following requirements:

- (1) The height of DAS equipment, including support poles, whether they are replacing existing light posts, are mounted to existing light posts or are freestanding poles shall not exceed 25 feet above grade, including the antenna, must not have antennas longer than 6 feet, must be painted to match the color of the poles.
- (2) Ground-mounted DAS accessory equipment is not allowed in the CD district.
- (3) Where DAS support poles are proposed on city owned sidewalks, there must be a minimum of five feet of unobstructed sidewalk remaining for pedestrians to pass by the installation or as determined by the Director of Public Works.
- (4) The location of DAS equipment and support structures must not restrict sight triangles of pedestrians or motorists to roadway intersections and public or private driveways.
- (5) DAS equipment shall be painted to match the poles to which they are affixed or shall match the color of city-owned and Greenville Utilities Commission owned light poles if they are new or are replacing light

poles and shall be designed to minimize the visibility of cables and other appurtenances.

Compliance with the Comprehensive Plan

Consideration of any modification to the city zoning ordinance should include a review of the community's comprehensive plan and other officially adopted plans that are applicable.

Greenville's comprehensive plan, Horizons 2026: Greenville's Community Plan, contains adopted goals, policy statements and objectives that should be reviewed and considered to ensure that the proposed text amendments are in compliance with the Plan, and effectively with the community's values.

Staff reviewed the Plan and provides the following findings regarding consistency between the proposed text amendment and the Plan. The proposed Zoning Ordinance Text Amendment is in compliance with Horizons 2026: Greenville's Community Plan, Chapter 4, Growing the Economy, Policy 4.1.4. Support a Positive Business Climate.

Policy 4.1.4 Support an Positive Business Climate. Continue to market Greenville's excellent business climate. Where appropriate, promote flexibility in development regulations to ensure a business climate that encourages growth and expansion. Support business growth, expansion, and retention through strategic public improvements. Ensure land use regulations with align with industry needs.



DAS and small cell antennas

ORDINANCE NO. 16-
AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on December 8, 2016, at 6:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of the ordinance involving the text amendment is consistent with the adopted comprehensive plan and other officially adopted plans that are applicable and that the adoption of the ordinance involving the text amendment is reasonable and in the public interest due to its consistency with the comprehensive plan and other officially adopted plans that are applicable and, as a result, its furtherance of the goals and objectives of the comprehensive plan and other officially adopted plans that are applicable;

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Horizons 2026: Greenville's Community Plan, Chapter 4, Growing the Economic Hub, Policy 4.1.4, Support a Positive Business Climate;

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, improve health and safety, and of existing nonconforming uses and to continue to market Greenville's excellent business climate, promote flexibility in development regulations to ensure a business climate that encourages growth and expansion, and support business growth, expansion, and retention through strategic public improvements;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES HEREBY ORDAIN:

Section 1: That Title 9, Chapter 4, Article B, Section 9-4-22 of the City Code is hereby amended by adding the following definition for "Distributed Antenna System":

Distributed Antenna Systems (DAS) equipment. A network of spatially separated antenna sites and supporting equipment connected to a common source that provides wireless service within a geographic area or structure, DAS and supporting DAS equipment are not

considered a public utility or use and as such, are not exempt from placement preference regulations when DAS equipment is proposed on city-owned property, within public rights-of-way and on or adjacent to existing or planned sidewalks as set forth in Section 9-4-103(Q). The equipment and structures to support DAS are free-standing telecommunication towers even if they are intended to replace existing light poles, utility poles, or similar structures.

Section 2: That Title 9, Chapter 4, Article B, Section 9-4-22 of the City Code is hereby amended by replacing the definition for “Public utility building or use” to read as follows:

Public utility building or use. Any above-ground building or use necessary for the delivery of electric, water, sanitary sewer, storm drainage, gas, telephone, cable TV or other utility service system which meets any one of the following conditions. Distributed Antenna Systems (DAS) and supporting DAS equipment are not considered a public utility or use.

- (1) Utilizes structures in excess of 100 square feet;
- (2) Utilizes any structure in excess of 15 feet in height;
- (3) Requires any on-site permanent maintenance or service attendant;
- (4) Requires or utilizes three or more parking spaces; and
- (5) Creates noise, smoke, dust, odor, glare or any other condition which may have an adverse impact on area properties or uses.

Section 3: That Title 9, Chapter 4, Article F, Section 9-4-78 (Appendix A), of the City Code is hereby amended by adding the following new land use:

(8)(y)(4). “Distributed Antenna System (see also 9-4-103(Q))”; by allowing as a permitted land use, by right, in the MI, MS, MO, MCG, MR, MCH, MRS, OR, O, CD, CDF, CG, CH, IU, I, PIU, and PI zoning districts.

Section 4: That Title 9, Chapter 4, Article F, Section 9-4-98 of the City Code is hereby amended by rewriting subsection (A) to read as follows:

- (A) The height limits of these regulations shall not apply to a church spire, belfry, cupola or dome; an ornamental tower not intended for human occupancy; a conveyor or a parapet wall not extended more than three feet above the roof line of the building; and other necessary mechanical or communication appurtenances attached to the roof of a building. Height limits of these regulations shall apply to distributed antenna systems (DAS) installed on all types of posts, towers and structures.

Section 5: That Title 9, Chapter 4, Article F, Section 9-4-103 of the City Code is hereby amended by rewriting the title of subsection (Q) to read as follows:

- (Q) Television and radio broadcast, cellular telephone, ~~and~~ wireless communication towers and distributed antenna systems (DAS).

Section 6: That Title 9, Chapter 4, Article F, Section 9-4-103 of the City Code is hereby

amended by adding subsection (Q)(4) to read as follows:

- (4) Digital antenna systems (DAS) located within right-of-way, on city owned infrastructure, on Greenville Utilities Commission owned infrastructure and/or on city property shall be subject to all of the following requirements even if they are intended to replace existing light poles, utility poles or similar structures or are proposed as free-standing towers. Only the minimal use of the public right-of-way and/or city owned and Greenville Utilities Commission owned infrastructure is allowed because the space in the right-of-way should be reserved for public utilities and should be free of safety hazards. In addition, telecommunications facilities located in the right-of-way and mounted on city owned and Greenville Utilities Commission owned infrastructure have the potential of being very visible to pedestrians and the traveling public. In order to locate in a public right-of-way, the size and visibility of DAS equipment and their support structures must use be minimized. Application and permitting of DAS equipment are subject to review procedures in Title 6, Chapter 2:
 - (a) DAS located within right-of-way, on city owned infrastructure, on Greenville Utility Commission owned infrastructure, replacing existing power or lights poles owned by the City or Greenville Utilities Commission and/or on city owned property within any district and adjacent to a designated major or minor thoroughfare except within the CD District, shall be subject to all of the following requirements:
 - (1) The height of DAS equipment, including support poles, whether they are replacing existing light posts, are mounted to existing light posts or are freestanding poles shall not exceed 35 feet above grade, including the top of an antenna.
 - (2) Where ground-mounted equipment and support poles are proposed on city owned sidewalks, there must be a minimum of five feet of unobstructed sidewalk remaining for pedestrians to pass by the installation or as determined by the Director of Public Works.
 - (3) The location of DAS equipment and support structures must not restrict sight triangles of pedestrians or motorists to roadway intersections and public or private driveways.
 - (b) DAS located within right-of-way, on city owned infrastructure, on Greenville Utility Commission owned infrastructure, replacing existing power or lights poles owned by the City or Greenville Utilities Commission and/or on city owned property within the CD District, shall be subject to all of the following requirements:
 - (1) The height of DAS equipment, including support poles, whether they are replacing existing light posts, are mounted to existing light posts or are freestanding poles shall not exceed 25 feet above grade, including the

antenna, must not have antennas longer than 6 feet, must be painted to match the color of the poles.

- (2) Ground-mounted DAS accessory equipment is not allowed in the CD district.
- (3) Where DAS support poles are proposed on city owned sidewalks, there must be a minimum of five feet of unobstructed sidewalk remaining for pedestrians to pass by the installation or as determined by the Director of Public Works.
- (4) The location of DAS equipment and support structures must not restrict sight triangles of pedestrians or motorists to roadway intersections and public or private driveways.
- (5) DAS equipment shall be painted to match the poles to which they are affixed or shall match the color of city-owned and Greenville Utilities Commission owned light poles if they are new or are replacing light poles and shall be designed to minimize the visibility of cables and other appurtenances.

Section 7. That any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 8. That this ordinance shall become effective immediately upon adoption.

Adopted this 8th day of December, 2016.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

#1040309



City of Greenville, North Carolina

Meeting Date:
11/15/2016
Time: 6:30 PM

Title of Item: Closure of a portion of S. Pitt Street.

Explanation: **Abstract:** This item is to consider the closure of a portion of South Pitt Street.

Explanation: Background: The City received a petition from RDC Gather Uptown, LLC requesting a closure of a portion of the right-of-way of South Pitt Street. This closure is a reduction in the width of the existing street right-of-way with the reduction being taken from the eastern side of South Pitt Street between West Fourth Street and West Fifth Street. The petitioner is the owner of all of the property adjoining the street section requested to be closed.

Staff Comments: The petition has been reviewed by City staff and the Greenville Utilities Commission.

Fiscal Note: There will be no impact to the Fiscal Budget.

Recommendation: Recommend to City Council the closure of a portion of South Pitt Street being a right of way width reduction from the eastern side of South Pitt Street between West Fourth Street and West Fifth Street

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [S Pitt St Map](#)

Curve Table						
Curve #	Radius	Length	Tangent	Chord Bearing	Ch. Length	Delta
C1	5.00'	7.95'	5.10'	S32°43'08"E	7.14'	091°08'12"

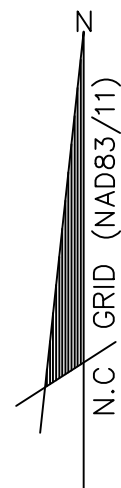
Line Table		
Line #	Direction	Length
L1	N78°55'43"W	15.40'
L2	N14°58'34"W	23.54'
L3	N59°37'15"E	11.12'
L4	S78°16'30"E	7.59'
L5	S53°39'59"W	9.78'
L6	N78°22'01"W	2.31'
L7	S11°34'53"E	42.49'
L8	S53°39'59"W	13.84'

LEGEND

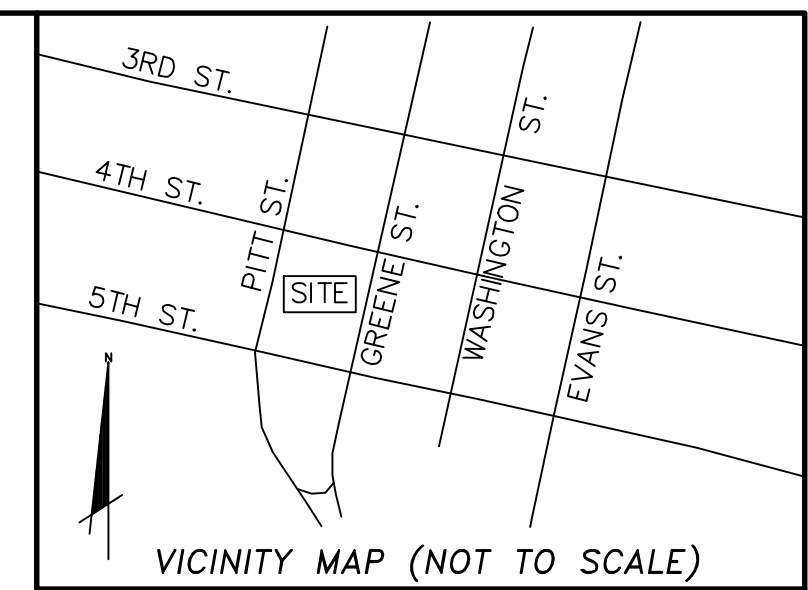
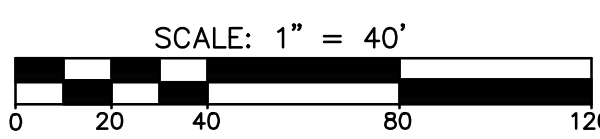
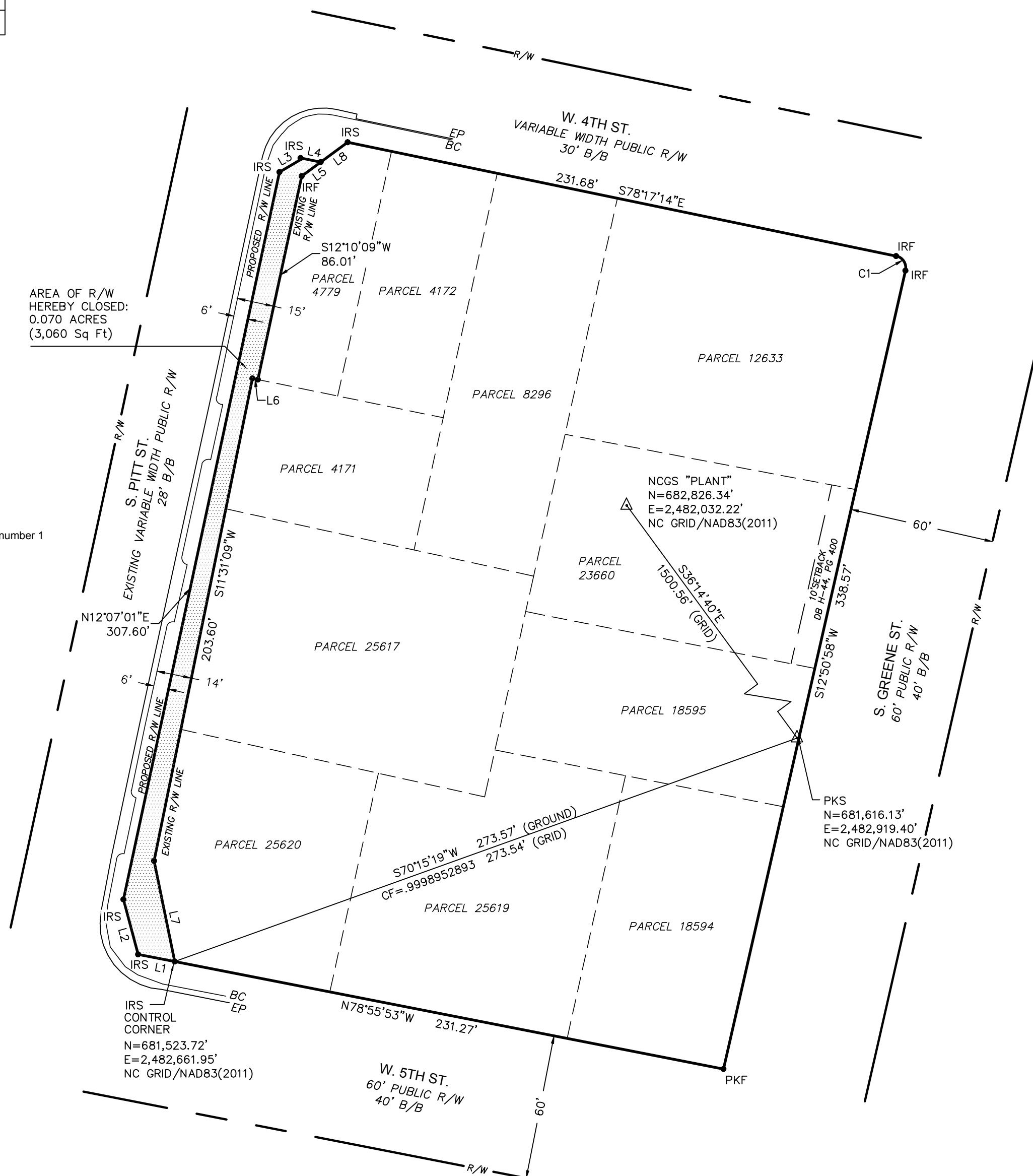
R/W	RIGHT-OF-WAY
B/B	BACK OF CURB TO BACK OF CURB
PKS	PK NAIL SET
PKF	PK NAIL FOUND
RC	REBAR WITH CAP
IRS	IRON ROD SET
IRF	IRON ROD FOUND
DB	DEED BOOK
MB	MAP BOOK
PG	PAGE
BC	BACK OF CURB
EP	EDGE OF PAVEMENT
△	CONTROL POINT

NOTES:

- ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET. (UNLESS OTHERWISE STATED)
- ALL BEARINGS ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM (NAD 1983\11).
- THIS PROPERTY IS IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE ANNUAL 0.2% ANNUAL CHANCE FLOODPLAIN ACCORDING TO FIRM MAP 3720468800K, WITH AN EFFECTIVE DATE OF 07/07/14.
- LINE NOT SURVEYED SHOWN AS DASHED.
- ZONING AND SETBACK INFORMATION SHOWN PER REPORT BY THE PLANNING & ZONING RESOURCE COMPANY, PZR SITE NUMBER 95091-1 DATED 7/20/2016. SEE ALSO DB H44, PG 401 FOR 10' SETBACK ALONG GREENE STREET AFFECTING PARCEL 23660.
- NO ABOVE-GROUND FEATURES ARE LOCATED WITHIN THE PROPOSED AREA OF CLOSURE.
- THE PURPOSE OF THIS PLAT IS TO CLOSE A PORTION OF THE PUBLIC RIGHT-OF-WAY OF SOUTH PITT STREET ADJOINING PARCEL NUMBERS 4779, 4171, 25617, AND 25620.



Attachment number 1
Page 1 of 1



AREA SUMMARY OF STREET CLOSING
0.070 Acres 3,060 SqFt

REFERENCES

- DB 3476, PG 713
- DB 3453, PG 295
- DB 2705, PG 793
- DB 2705, PG 796
- DB 894, PG 466
- DB H-44, PG 400
- DB B-42, PG 601
- MB 61, PG 188
- MB 26, PG 10
- MB 24, PG 51
- PLANS FOR STATE HIGHWAY PROJECT 8.2220601

CLASS OF SURVEY: AA
POSITIONAL ACCURACY: 0.01M(HORIZONTAL), 0.008M(VERTICAL)
TYPE OF GPS FIELD PROCEDURE: VRS
DATES OF SURVEY: 11-04-15 THRU 10-25-16
DATUM/EPOCH: NAD 83/2011
PUBLISHED/FIXED CONTROL USE: FIXED CONTROL
GEOID MODEL: GEOID 12B
COMBINED GRID FACTOR(S): 0.9998952893
UNITS: US SURVEY FEET
TYPE AND MODEL OF GPS RECEIVER USED: TRIMBLE R8

CERTIFICATION

NORTH CAROLINA PITT COUNTY

I, DAVID S. CLARK, PLS L-4729, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM INFORMATION SHOWN IN DEED BOOKS REFERENCED ON MAP AND MAP BOOKS REFERENCED ON MAP; THAT ANY LINES NOT ACTUALLY SURVEYED APPEAR AS BROKEN LINES AND WERE PLOTTED FROM INFORMATION AS NOTED ON THE PLAT; THAT THE RATIO OF PRECISION AS CALCULATED IS BETTER THAN 1:10,000; THAT THE AREA IS COMPUTED BY COORDINATE METHOD; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f)(11): THAT THE SURVEY IS OF ANOTHER CATEGORY, BEING A SURVEY FOR A STREET CLOSING; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS ____ DAY OF ____ A.D., 2016.

DAVID S. CLARK L-4729
PROFESSIONAL LAND SURVEYOR

**STREET CLOSURE PLAT OF
SOUTH PITT STREET**
ADJOINING PROPERTIES OF
RDC GATHER UPTOWN, LLC
GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

ADJOINING OWNER(S): RDC Gather Uptown, LLC ADDRESS: 1100 Quail Street, Newport Beach, CA 92626	SURVEYED: TG/MR
	DRAWN: DSC
	CHECKED: DSC
	APPROVED: DSC
	DATE: 10/28/2016
	SCALE: 1"=40'

MCKIM & CREED
1730 Varsity Drive Suite 500 Phone: (919)233-8091
Raleigh, North Carolina 27606 Fax: (919)233-8031
NC FIRM # F-1222 www.mckimcreed.com

NORTH CAROLINA PITT COUNTY

I, _____
A REVIEW OFFICER OF PITT COUNTY, N.C.,
CERTIFY THAT THE MAP OR PLAT TO WHICH
THIS CERTIFICATION IS AFFIXED MEETS ALL
STATUTORY REQUIREMENTS FOR RECORDING.

BY _____
REVIEW OFFICER

DATE _____

SOURCE OF TITLE
TO THE BEST OF MY KNOWLEDGE, THE LAST
INSTRUMENT(S) IN THE CHAIN OF TITLE OF
THIS PROPERTY AS RECORDED IN THE PITT
COUNTY REGISTRY AT GREENVILLE, NORTH
CAROLINA IS:

DEED BOOK 3476, PAGE 713 (ADJOINERS)
DEED BOOK 894, PAGE 466 (EX. R/W)

NORTH CAROLINA LICENSE NO. _____

MAYOR'S CERTIFICATE
THIS IS TO CERTIFY THAT THE CITY COUNCIL OF
THE CITY OF GREENVILLE HAS PASSED A
RESOLUTION TO CLOSE A PORTION OF SOUTH
PITT STREET AS SHOWN HEREON.

RESOLUTION NO. _____

SIGNED (MAYOR) _____

SIGNED (CITY CLERK) _____

PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCE, OR SALES

SURVEYOR'S SEAL

DATE _____

DATE _____



City of Greenville, North Carolina

Meeting Date:
11/15/2016
Time: 6:30 PM

Title of Item: Discussion Item - Subdivision Ordinance Text Amendment to extend the review time of preliminary plats.

Explanation: **Abstract:** The City of Greenville Planning and Zoning Commission initiated this discussion of a text amendment to extend the review time of preliminary plats.

Explanation: Greenville's Subdivision Ordinance requires that all preliminary plats shall be submitted to the Director of Community Development or designee, as agent for the city Planning and Zoning Commission, at least 20 working days prior to the scheduled meeting date of the Planning and Zoning Commission. In addition, plats revised pursuant to the initial review and as required shall be submitted to the Director of Community Development or designee, not less than six working days prior to the scheduled meeting date.

During the Planning and Zoning Commission meeting held on September 20, 2016, the Commission discussed the review time with staff and asked what percentage of preliminary plats were continued and why. In summary, staff explained the existing short review time of preliminary plats is not enough time for review by all agencies. (See Exhibit A, Excerpt of DRAFT Planning and Zoning Commission Meeting Minutes, Sept. 20, 2016).

During the September 20 meeting, Mike Dail, Lead Planner, stated preliminary plats were frequently continued to subsequent Planning and Zoning Commission meetings because the review cycle is only 20 working business days by the City ordinance. Preliminary plats are submitted 20 working days before the P&Z meeting. Mr. Dail stated the plats are routed to about 10 agencies for review of technical requirements. Preliminary plats with comments are then returned to the surveyor. The surveyor then needs to make corrections but then may find significant issues in review comments which causes postponements. Once corrections are made, the revised preliminary plats are brought back to the City and are routed out again to the agencies to obtain approval. The 20-day review process was established in 1989 and now there are more standards, regulations

and technical requirements to consider.

The continued preliminary plat on the September 20, agenda was due to NCDOT requiring turn lanes and the surveyor did not have time to get the information back to have it considered at that evening's meeting. Mr. Dail stated staff and agencies are spread thin and have other work besides reviewing preliminary plats. Staff stated twenty days is just not enough time for review by all agencies.

Commissioner Bellis asked what staff recommended for a time frame. Mr. Dail stated to add another 10-20 working days. The advertisements and the mailed notices are being done for items that may or may not be heard.

As initiated by the Planning and Zoning Commission on July 19, 2016, City Council adopted Ordinance 16-051 on August 18, 2016 that added a requirement for newspaper advertisements for preliminary plat application reviews two weeks prior to Planning and Zoning Commission meetings to help raise awareness to the public. This current discussion of a text amendment to extend the review time for preliminary plats was initiated by the Planning and Zoning Commission in recognition of their understanding of the already short review time among reviewing agencies coupled with the recently enacted advertisement requirements.

Staff recommends a text amendment to extend the review time from 20 days to 40 days and to make two other related scheduling changes as illustrated as follows. Title 9, Chapter 5, Article B, Section 9-5-44 of the City Code is proposed to be amended by rewriting the section so that it shall read as follows. Sticken text denotes text to be deleted while underlined text denotes text to be added.

Sec. 9-5-44 SAME; SUBMISSION.

All preliminary plats shall be submitted to the Director of Community Development or designee, as agent for the city Planning and Zoning Commission, at least ~~20~~ 40 working days prior to the scheduled meeting date of the Planning and Zoning Commission. Working days shall not be construed to include city observed holidays or weekends. It is the intent of the City of Greenville and Utilities Commission staff and other agencies to review all properly submitted plants in a timely manner, which will afford the subdivider a reasonable period of time within which to respond to all comments and/or requested revisions. All plats submitted in accordance with the minimum requirements contained herein shall be available for revision not less than ~~ten~~ thirty working days prior to the scheduled meeting date. Plats revised pursuant to the initial review and as required shall be submitted to the Director of Community Development or designee in accordance with section 9-5-45(A)(8) (b) and (c), below, not less than ~~six~~ twenty seven working days prior to the scheduled meeting date.

Fiscal Note:

No cost to the City.

Recommendation: Staff recommends the Planning and Zoning Commission hold a public hearing at their next meeting to consider making a recommendation to amend the Subdivision Ordinance to extend the review time of preliminary plats. (Exhibit B: Subdivision Ordinance Text Amendment, DRAFT 11/8/2016)

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Exhibits A and B](#)

EXHIBIT A: Excerpt of DRAFT Planning and Zoning Commission Meeting Minutes, 9/20/16

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

No discussion was made.

Motion made by Mr. Collins, seconded by Mr. Schrade, to recommend approval of the petition to City Council to close College View Drive. Motion passed unanimously.

Ms. Bellis asked staff what is the percentage of plats being continued and why.

Mr. Dail stated he could not speak to the percentage but they are frequent. The reason why is because the review cycle is only 20 working business days by the City ordinance. Preliminary plats are submitted 20 working days before the P&Z meeting. They are routed to about 10 agencies for review of technical requirements. They are returned with comments and then given back to the surveyor. The surveyor then needs to make the corrections but then find significant issues and that causes the postponement. Once the corrections are made they are brought back to the City and they are routed out again to the agencies to obtain approval. The 20-day review process was established in 1989 and now there are more standards, regulations and technical requirements to consider. The continued preliminary plat on the agenda was due to NCDOT requiring turn lanes and the surveyor did not have time to get the information back to have it considered at tonight's meeting. Staff and agencies are spread thin and have other work besides reviewing preliminary plats. Twenty days is just not enough time for review by all agencies.

Ms. Bellis asked what he recommended for a time frame.

Mr. Dail stated to add another 10-20 working days. The advertisements and the mailed notices are being done for items that may or may not be heard.

Ms. Bellis asked Attorney Holec what would need to be done legally.

Attorney Holec stated an amendment could be done to the subdivision ordinance. He stated that the Commission has the ability to initiate an amendment. He suggested directing Staff to first consider it as a discussion item at the next meeting.

Motion made by Ms. Bellis, seconded by Ms. Leech, to direct Staff to initiate a discussion item on extending the time frame for preliminary plat review. Motion passed unanimously.

With no further business, Ms. Leech made a motion to adjourn, seconded by Mr. Collins. Motion passed unanimously. Meeting adjourned at 7:21 p.m.

Respectfully Submitted,

Ben Griffith, Secretary to the Commission
Director of Community Development Department

Exhibit B: Subdivision Ordinance Text Amendment, DRAFT 11/8/2016

ORDINANCE NO. 17-
AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on _____, 2017, at 6:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-373, the City Council of the City of Greenville does hereby find and determine that the adoption of the ordinance is reasonable and in the public interest to enhance existing coordination with organizational partners in the technical review of preliminary subdivision plats;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES HEREBY ORDAIN:

Section 1: That Title 9, Chapter 5, Article B, Section 9-5-44 of the City Code is hereby amended by rewriting said section so that it shall read as follows:

Sec. 9-5-44 SAME; SUBMISSION.

All preliminary plats shall be submitted to the Director of Community Development or designee, as agent for the city Planning and Zoning Commission, at least forty working days prior to the scheduled meeting date of the Planning and Zoning Commission. Working days shall not be construed to include city observed holidays or weekends. It is the intent of the City of Greenville and Utilities Commission staff and other agencies to review all properly submitted plats in a timely manner, which will afford the subdivider a reasonable period of time within which to respond to all comments and/or requested revisions. All plats submitted in accordance with the minimum requirements contained herein shall be available for revision not less than thirty working days prior to the scheduled meeting date. Plats revised pursuant to the initial review and as required shall be submitted to the Director of Community Development or designee in accordance with section 9-5-45(A)(8)(b) and (c), below, not less than twenty seven working days prior to the scheduled meeting date.

Section 2. That any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 3. That this ordinance shall become effective immediately upon adoption.

Adopted this ___ day of ____, 2017.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

#1039874