



Agenda

Greenville City Council

February 14, 2013
7:00 PM
City Council Chambers
200 W. Fifth Street

Assistive listening devices are available upon request for meetings held in the Council Chambers. If an interpreter is needed for deaf or hearing impaired citizens, please call 252-329-4422 (voice) or 252-329-4060 (TDD) no later than two business days prior to the meeting.

I. Call Meeting To Order

II. Invocation - Council Member Smith

III. Pledge of Allegiance

IV. Roll Call

V. Approval of Agenda

VI. Appointments

1. Appointments to Boards and Commissions

VII. Old Business

2. Revisions to 1st Street Parking Improvement Project

VIII. New Business

Public Hearings

3. Ordinance to annex Arbor Hills South, Phase 3, involving 4.2563 acres located at the current terminus of Rockland Drive and about 800 feet west of Eastern Pines Road
4. Ordinance to annex Langston West, Section 4, involving 3.2150 acres located at the current terminus of Rounding Bend Road and 950+/- feet north of Thomas Langston Road
5. Ordinance requested by Income Investments, LLC to rezone 1.15 acres located at the northeast

corner of the intersection of Evans Street and 8th Street from Downtown Commercial Fringe (CDF) to Downtown Commercial (CD)

6. Ordinance initiated by the Greenville City Council to amend the Zoning Ordinance to create standards for convenience stores, tobacco shops, and hookah cafes
7. Ordinance requiring the repair or the demolition and removal of the dwelling located at 908 Fairfax Avenue

Public Comment Period

- The Public Comment Period is a period reserved for comments by the public. Items that were or are scheduled to be the subject of public hearings conducted at the same meeting or another meeting during the same week shall not be discussed. A total of 30 minutes is allocated with each individual being allowed no more than 3 minutes. Individuals who registered with the City Clerk to speak will speak in the order registered until the allocated 30 minutes expires. If time remains after all persons who registered have spoken, individuals who did not register will have an opportunity to speak until the allocated 30 minutes expires.

Other Items of Business

8. One-Stop Voting for 2013 Municipal Elections
9. Discussion on Contract for Services with the Greenville-Pitt County Chamber of Commerce
10. Economic Development Investment Zone Designations

IX. Comments from Mayor and City Council

X. City Manager's Report

XI. Adjournment



City of Greenville, North Carolina

Meeting Date: 2/14/2013
Time: 7:00 PM

Title of Item: Appointments to Boards and Commissions

Explanation: City Council appointments need to be made to the Affordable Housing Loan Committee, Firefighters Relief Fund Committee, Greenville Bicycle and Pedestrian Commission, Historic Preservation Commission, Human Relations Council, Pitt-Greenville Convention & Visitors Authority, Public Transportation and Parking Commission, and the Youth Council.

Fiscal Note: No direct fiscal impact.

Recommendation: Make appointments to the Affordable Housing Loan Committee, Firefighters Relief Fund Committee, Greenville Bicycle and Pedestrian Commission, Historic Preservation Commission, Human Relations Council, Pitt-Greenville Convention & Visitors Authority, Public Transportation and Parking Commission, and the Youth Council.

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Attachments / click to download

[Muni_Report_Appointments to Boards and Commissions_914698](#)

Appointments to Boards and Commissions

February 14, 2013

Affordable Housing Loan Committee

Council Liaison: Calvin Mercer

Name	District #	Current Term	Reappointment Status	Expiration Date
Howard Conner	4	First term	Eligible	February 2013
Melissa Grimes	1	First term	Eligible	February 2013

Firefighters' Relief Fund Committee

Council Liaison: Not Applicable

Name	District #	Current Term	Reappointment Status	Expiration Date
Steve Winters	5	Appointed by Firefighters	Eligible	January 2013

Greenville Bicycle and Pedestrian Commission

Council Liaison: Council Member Calvin Mercer

Name	District #	Current Term	Reappointment Status	Expiration Date
Chip Davis	4	Filling unexpired term	Not seeking a 2 nd term	January 2013

Historic Preservation Commission

Council Liaison: Council Member Marion Blackburn

Name	District #	Current Term	Reappointment Status	Expiration Date
Ann Schwarzmans	3	First term	Not seeking a 2 nd term	January 2013

Human Relations Council

Council Liaison: Mayor Pro Tem Rose Glover

Human Relations Council continued

Student Representative

Name	District #	Current Term	Reappointment Status	Expiration Date
Available (ECU)		Unexpired Term	Eligible	October 2012
Abdel Abdel-Rahman	5	Second Term	Ineligible	September 2012

Pitt Greenville Convention & Visitors Authority

Council Liaison: Mayor Pro-Tem Rose Glover

Name	District #	Current Term	Reappointment Status	Expiration Date
Joseph Frigden (City (2))		Second term	Resigned	July 2012

- 1: Owners/operators of hotels/motels
- 2: Members of tourist or convention-related businesses
- 3: Residents not involved in tourist or convention-related business

Public Transportation & Parking Commission

Council Liaison: Council Member Calvin Mercer

Name	District #	Current Term	Reappointment Status	Expiration Date
Eric Foushee	5	First Term	Resigned	January 2015

Youth Council

Council Liaison: Council Member Marion Blackburn

Name	District #	Current Term	Reappointment Status	Expiration Date
13 Available Slots		Filling unexpired term	Eligible	September 2013

Applicants for Affordable Housing Loan Committee

Christina W. Darden
387 Claredon Drive
Greenville, NC 27858

District #: 5

Thomas Hines
211 Patrick Street
Greenville, NC 27834

District #: 1

Application Date:

Home Phone: (252) 756-9249

Business Phone: (252) 215-1019

Email: chris@chrisdarden.com

Application Date: 10/6/2011

Home Phone: (252) 864-4907

Business Phone: (252) 695-9066

Email: thinesg@aol.com

Applicants for Firefighters Relief Fund Committee

None.

Applicants for Greenville Bicycle and Pedestrian Commission

Titus C. Yancey
116-A Concord Drive
Greenville, NC 27834

Application Date: 7/13/2012

Home Phone: (252) 756-3085

Business Phone: (252) 327-6369

Email: titusyancey@gmail.com

District #: 2

Applicants for Historic Preservation Commission

Scott H. Duke
2223-C Locksley Drive
Greenville, NC 27858

Application Date: 2/20/2012

District #: 4

Home Phone:
Business Phone: (252) 328-2950
Email: scotthduke@gmail.com

Terry King
1310 Thomas Langston Rd. #7
Winterville, NC 28590

Application Date: 8/25/2012

District #: 2

Home Phone: (252) 412-5228
Business Phone:
Email: terryeu2@aol.com

Dustin Mills
504 Daventry Drive
Greenville, NC 27858

Application Date: 4/9/2012

District #: 5

Home Phone: (919) 480-0791
Business Phone: (252) 558-0207
Email: dmills@pirhl.com

Tyrone O. Walston
2706 Webb Street
Greenville, NC 27834

Application Date: 6/12/2012

Home Phone: (252) 412-7351
Business Phone: (252) 355-8736
District #: 2 **Email:** walston_tyrone

Applicants for Human Relations Council

Wanda Carr
2304 British Court
Greenville, NC 27834

Application Date: 10/13/2010

District #: 1

Home Phone: (252) 321-1409

Business Phone:

Email: carrwdc@hotmail.com

Isaac Chemmanam
402 Lochview Drive
Greenville, NC 27858

Application Date: 1/18/2012

District #: 4

Home Phone: (252) 561-8759

Business Phone: (252) 412-2045

Email: isaac.chemmanam@gmail.com

Scott H. Duke
2223-C Locksley Drive
Greenville, NC 27858

Application Date: 2/20/2012

District #: 4

Home Phone:

Business Phone: (252) 328-2950

Email: scotthduke@gmail.com

Evan Lewis
3402 Dunhaven Drive
Greenville, NC 27834

Application Date: 7/17/2007

District #: 5

Home Phone: (252) 353-6997

Business Phone: (252) 758-0113

Email: evanl@legalaidnc.org

Aaron Lucier
1516 Thayer Drive
Winterville, NC 28590

Application Date: 2/23/2011

District #: 5

Home Phone: (252) 321-3910

Business Phone: (252) 328-2758

Email: luciera@ecu.edu

Angela Marshall
2609B Boone Court
Greenville, NC 27834

Application Date: 4/29/2011

District #: 1

Home Phone: (252) 258-4104

Business Phone: (252) 328-4173

Email: marshalla@ecu.edu

Brittney Partridge
925 Spring Forest Road, Apt. 9
Greenville, NC 27834

Application Date: 7/15/2010

District #: 1

Home Phone: (252) 489-8390

Business Phone:

Email: partridgeb06@students.ecu.edu

Titus C. Yancey
116-A Concord Drive
Greenville, NC 27834

Application Date: 7/13/2012

District #: 2

Home Phone: (252) 756-3085

Business Phone: (252) 327-6369

Email: titusyancey@gmail.com

Applicants for Pitt-Greenville Convention and Visitors Authority (City)

Brian Brown
2237 Penncross Drive
Greenville, NC 27834

District #: 5

Application Date: 2/23/2011

Home Phone: (252) 414-3943
Business Phone: (252) 353-7379
Email: bbrown@myrepexpress.com

Wanda Carr
2304 British Court
Greenville, NC 27834

District #: 1

Application Date: 10/13/2010

Home Phone: (252) 321-1409
Business Phone:
Email: carrwdc@hotmail.com

Brian Cooper
1149 Mulberry Lane, #34-G
Greenville, NC 27858

District #: 5

Application Date: 3/5/2011

Home Phone: (252) 439-0651
Business Phone: (252) 439-0651
Email: brianevans_99@yahoo.com

Ann Eleanor
102 Lindenwood Drive
Greenville, NC 27834

District #: 5

Application Date: 2/13/2011

Home Phone: (252) 227-4240
Business Phone:
Email: aeleonor@suddenlink.net

Terry King
1310 Thomas Langston Rd. #7
Winterville, NC 28590

District #: 2

Application Date: 8/25/2012

Home Phone: (252) 412-5228
Business Phone:
Email: terryeu2@aol.com

JJ McLamb
102 Christina Drive
Greenville, NC 27858

District #: 4

Application Date: 2/27/2012

Home Phone: (252) 814-6050
Business Phone: (252) 737-4669
Email: jjmclamb@suddenlink.net

Bridget Moore
4128A Bridge Court
Winterville, NC 28590

District #: 5

Application Date: 7/13/2011

Home Phone: (252) 355-7377
Business Phone: (252) 756-1002
Email: bmoore2004@netzero.com

Applicants for Public Transportation & Parking Commission

None.

Applicants for Youth Council

None.



City of Greenville, North Carolina

Meeting Date: 2/14/2013
Time: 7:00 PM

Title of Item: Revisions to 1st Street Parking Improvement Project

Explanation: **Abstract:** Parking improvements in Greenville's Uptown Commercial District were identified as a goal by the City Council for the current year. Current plans call for the narrowing of 1st Street from four to two lanes with the additional space utilized to provide 122 on-street parking spaces.

Explanation: Parking improvements in Greenville's Uptown Commercial District were identified as a goal by the City Council for the current year. As part of their current year program of work, the Redevelopment Commission hired land planning and engineering firm Kimley-Horn and Associates to develop alternatives that would lead to the addition of parking along the 1st Street corridor between Reade and Cotanche Streets.

The attached plan provides detailed information regarding a road diet from four to two lanes along 1st Street. This revised parking alternative includes parallel parking to the north and south of 1st Street, a street level median delineated only by painted striping to provide a safer environment for pedestrians crossing the road, and inclusion of bike lanes along the corridor. Kimley-Horn reached this recommendation based on analysis of current traffic patterns and five parking alternatives, along with extensive discussions with City staff. The recommended parking alternative provides a net gain of 86 parking spaces and minimally impacts traffic along the corridor. With City Council approval, Kimley-Horn will produce construction documents for the project by March 11, 2013, with restriping scheduled to take place approximately three (3) months later following a competitive bid process.

Fiscal Note: Staff estimates the cost for restriping along 1st Street at approximately \$20,000. Final estimates for restriping will be completed as part of the construction documentation process by Kimley-Horn. Funds for the restriping portion of this project have been designated in the current Redevelopment Commission budget through the 2004 general obligation bond issue for Center City revitalization.

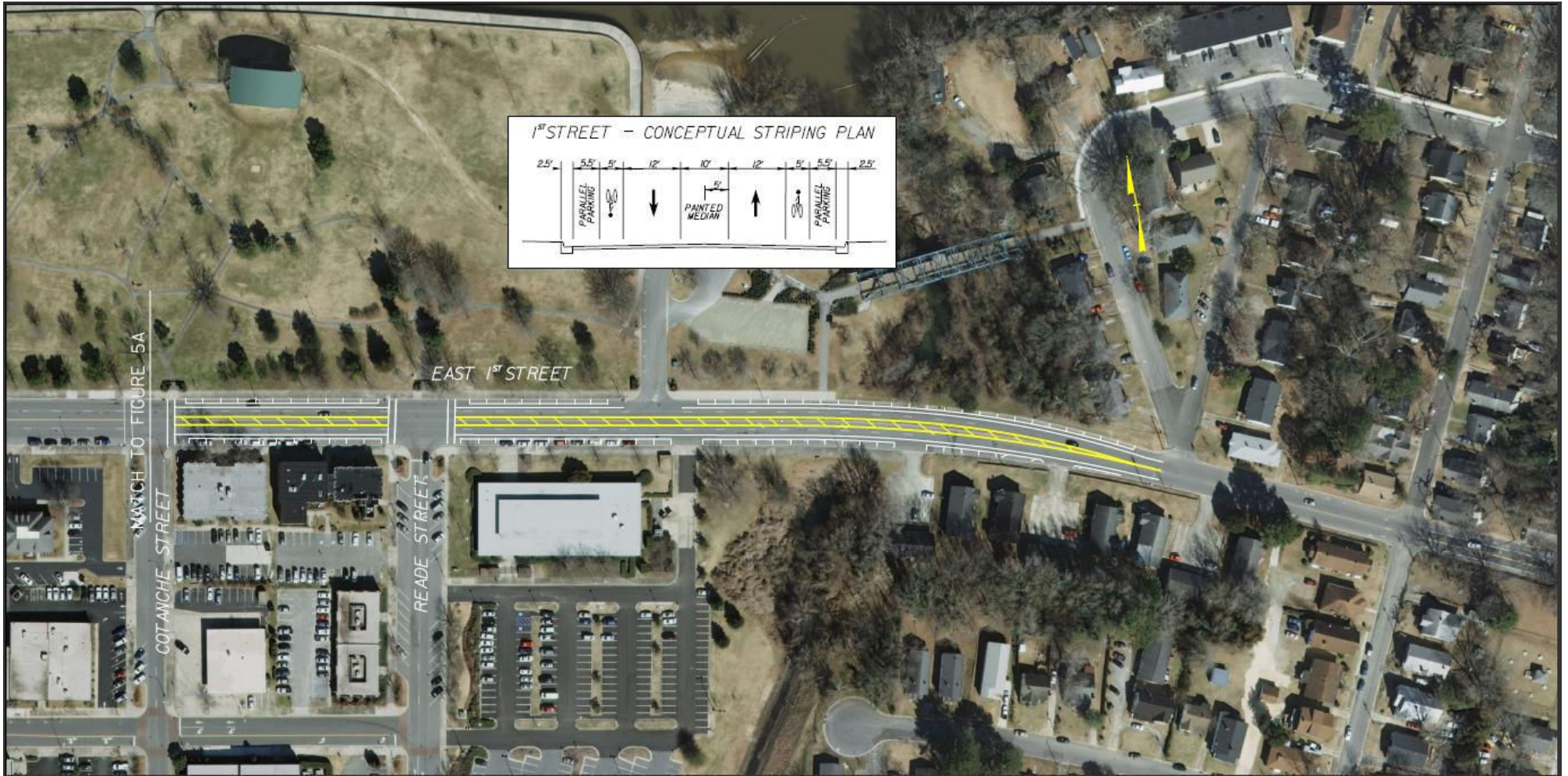
Recommendation: City Council approve the revised parking alternative completed by Kimley-Horn and Associates, Inc.

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

Attachments / click to download

 [Parking Project Map](#)







City of Greenville, North Carolina

Meeting Date: 2/14/2013
Time: 7:00 PM

Title of Item: Ordinance to annex Arbor Hills South, Phase 3, involving 4.2563 acres located at the current terminus of Rockland Drive and about 800 feet west of Eastern Pines Road

Explanation: **Abstract:** The City received a voluntary annexation petition to annex Arbor Hills South, Phase 3, involving 4.2563 acres located at the current terminus of Rockland Drive and about 800 feet west of Eastern Pines Road. The subject area is currently undeveloped and is anticipated to yield 19 single-family residences.

ANNEXATION PROFILE

A. SCHEDULE

1. Advertising date: February 4, 2013
2. City Council public hearing date: February 14, 2013
3. Effective date: June 30, 2013

B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 4.2563
4. Voting District: 4
5. Township: Grimesland
6. Vision Area: C

- 7. Zoning: RA20 (Residential-Agricultural)
- 8. Land Use: Existing: Vacant
Anticipated: 19 single-family residences
- 9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	19 x 2.18*	41
Current Minority	-----	0
Estimated Minority at full development	41 x 43.4%	18
Current White	----	0
Estimated White at full development	41-18	22

- 10. Rural Fire Tax District: Eastern Pines
- 11. Greenville Fire District: Station #6 (Distance of 2.6 miles)
- 12. Present Tax Value: \$106,408.
Estimated Future Tax Value: \$2,988,708.

Fiscal Note: The total estimated tax value at full development is \$2,988,708.

Recommendation: Approve the attached ordinance to annex Arbor Hills South, Phase 3.

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

Attachments / click to download

- [Survey](#)
- [Ordinance Arbor Hills South Phase 2 Sect 1 946217](#)

ORDINANCE NO. 12-
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE CITY OF GREENVILLE, NORTH CAROLINA

Attachment number 1
Page 1 of 2

WHEREAS, the City Council of the City of Greenville has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the City Council has directed the City Clerk to investigate the sufficiency of said petition; and

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall at 7:00 p.m. on the 14th day of February, 2013, after due notice by publication in The Daily Reflector on the 4th day of February, 2013; and

WHEREAS, the City Council does hereby find as a fact that said petition meets the requirements of G. S. 160A-31, as amended.

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

Section 1. That by virtue of the authority vested in the City Council of the City of Greenville, North Carolina, under G. S. 160A-31, as amended, the following described contiguous territory is annexed:

To Wit: Being all of that certain property as shown on the annexation map entitled “Arbor Hills South, Phase 3”, involving 4.2563 acres as prepared by Stroud Engineering, P.A.

Location: Lying and being situated in Grimesland Township, Pitt County, North Carolina, located at the current terminus of Rockland Drive and about 800 feet west of Eastern Pines Road.

GENERAL DESCRIPTION:

Lying and being in Grimesland Township, Pitt County, North Carolina, lying south of Plateau Drive and at the east end of Rockland Drive and beginning at a point on the northern right-of-way of Rockland Drive, the northeast corner of Lot 96, Arbor Hills South, Phase 1&2, Cluster Subdivision as recorded in Map Book 72, Page 123 of the Pitt County Registry, the “Point of beginning”.

Thence from the “Point of Beginning” along the eastern line of lot 96, N3-29-39W – 125.00’ to the northeast corner of lot 96, a point in the back of lot 44 of Arbor Hills Subdivision, Section 4 as recorded in Map Book 37 page 188, thence along the back of lots 44, 45 and to a point in the side line of lot 47, N86-30-21E – 290.00’, thence S3-29-39E-125.00’, thence S12-35-04E-0.64’, thence S3-29-39E-451.51’, to a point in the northern line of the Nora Lee Edwards Heirs line found in the estate file 2007E-452 of the Pitt County Registry, thence westerly with the Nora Lee Edwards Heirs line, N87-38-18W – 309.62’ to southeastern most corner of lot 42 of Arbor Hills South, Phase 1&2, Cluster Subdivision as recorded in Map Book 72, Page 123. Thence along the eastern line of Arbor Hills South, Phase 1&2, Cluster Subdivision, N3-29-39W-419.93’

to the southern right of way of Rockland Drive and the northeastern corner of lot 38, thence N7-48-57E-50.99' to the "Point of Beginning", containing 4.2563 Acres.

Section 2. Territory annexed to the City of Greenville by this ordinance shall, pursuant to the terms of G. S. 160A-23, be annexed into Greenville municipal election district four. The City Clerk, City Engineer, representatives of the Board of Elections and any other person having responsibility or charge of official maps or documents shall amend those maps or documents to reflect the annexation of this territory into municipal election district two.

Section 3. The territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Greenville and shall be entitled to the same privileges and benefits as other territory now within the City of Greenville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10. Attachment number 1
Page 2 of 2

Section 4. The Mayor of the City of Greenville, North Carolina, shall cause a copy of the map of the territory annexed by this ordinance and a certified copy of this ordinance to be recorded in the office of the Register of Deeds of Pitt County and in the Office of the Secretary of State in Raleigh, North Carolina. Such a map shall also be delivered to the Pitt County Board of Elections as required by G.S. 163-288.1.

Section 5. This annexation shall take effect from and after the 30th day of June, 2013.

ADOPTED this 14th day of February, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

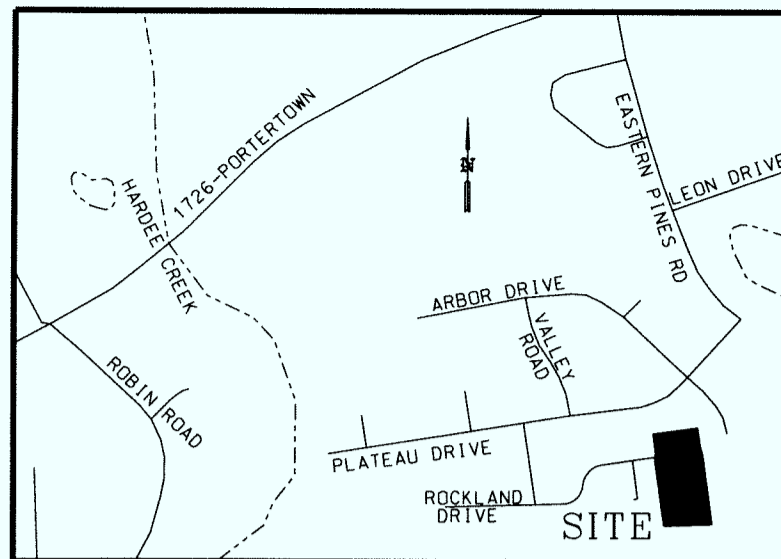
NORTH CAROLINA
PITT COUNTY

I, _____, Notary Public for said County and State, certify that Carol L. Barwick personally came before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by its Mayor, sealed with the corporate seal, and attested by herself as its City Clerk.

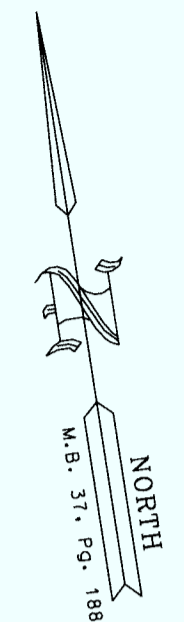
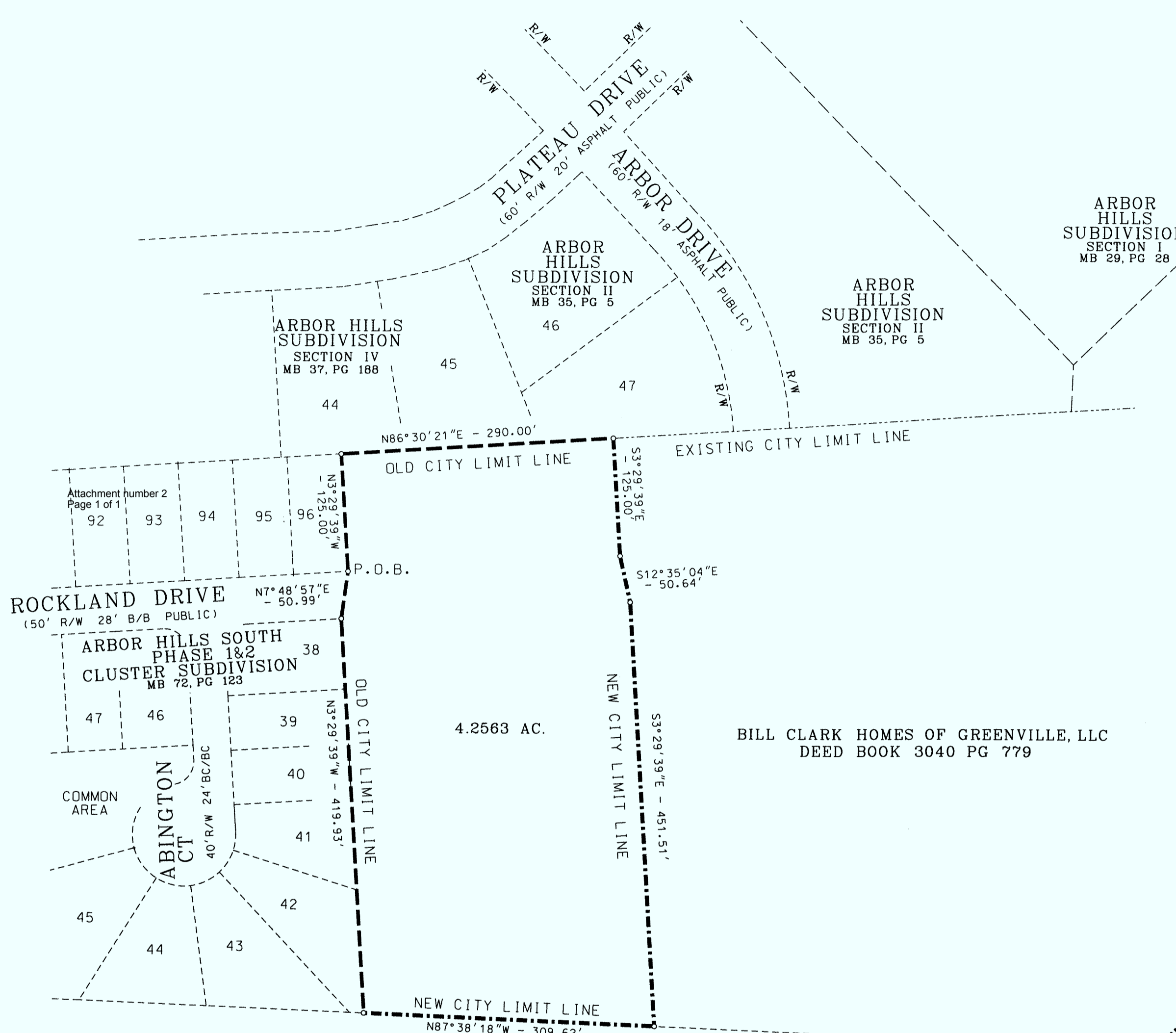
WITNESS my hand and official seal this ____ day of _____, 2013.

Notary Public

My Commission Expires: _____



VICINITY MAP



I, Howard O. Barnum CERTIFY THAT THIS MAP IS OF A SURVEY OF ANOTHER CATEGORY AND IS AN EXCEPTION TO THE DEFINITION OF A SUBDIVISION.

Howard O. Barnum
PROFESSIONAL LAND SURVEYOR

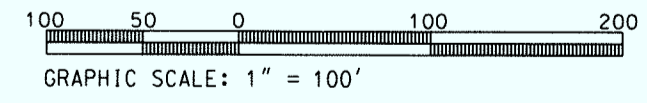


BILL CLARK HOMES OF GREENVILLE, LLC
DEED BOOK 3040 PG 779

4.2563 AC.

NORA LEE EDWARDS, HEIRS
2007E 452

- LEGEND**
- NEW CITY LIMIT LINE
 - OLD CITY LIMIT LINE
 - EXISTING CITY LIMIT LINE
 - P.O.B. POINT OF BEGINNING



PORTION OF TAX PARCEL 09104
REFERENCE: MAP BOOK 65, PAGE 147, DEED BOOK 3040 PAGE 779

ARBOR HILLS SOUTH, PHASE 3 GRIMESLAND TOWNSHIP, PITT COUNTY, NORTH CAROLINA	
BILL CLARK HOMES OF GREENVILLE, LLC 200 E. ARLINGTON BLVD. GREENVILLE, NC 27858 (252) 355-5805	
SURVEYED: HOB	APPROVED: HOB
DRAWN: HOB	DATE: 12-12-12
CHECKED: HOB	SCALE: 1" = 100'

MAP NO.	MAPS RECORDED	BOOK	PAGE
	ARBOR HILLS SUBDIVISION, SEC. 2	35	5
	ARBOR HILLS SUBDIVISION, SEC. 4	37	188
	ARBOR HILLS SOUTH PH 2, SEC 1&2	72	123

MAP SHOWING AREA ANNEXED BY		
THE CITY OF GREENVILLE		
EFFECTIVE DATE	ORDINANCE NO.	4.2563 AC. AREA

I, Howard O. Barnum CERTIFY THAT THIS MAP WAS DRAWN BY HOB UNDER MY SUPERVISION FROM AN ACTUAL SURVEY BY Myself; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN DEEDS AND MAPS REFERENCED HEREON.

WITNESS MY HAND AND SEAL THIS 24 DAY OF Jan, 2013.

SIGNED Howard O. Barnum
PROFESSIONAL LAND SURVEYOR L-3634

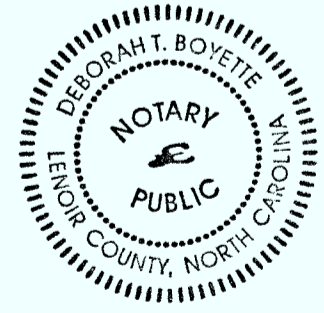
NORTH CAROLINA, LENOIR COUNTY
I, DEBORAH T. BOYETTE, NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT HOWARD O. BARNUM, A REGISTERED LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP OR SEAL THIS THE 24 DAY OF JAN, 2013.

NOTARY PUBLIC Deborah T. Boyette
MY COMMISSION EXPIRES 9-25-17

NORTH CAROLINA, PITT COUNTY
THE FOREGOING CERTIFICATE OF _____, A NOTARY PUBLIC, IS CERTIFIED TO BE CORRECT. FILED FOR REGISTRATION THIS 24 DAY OF _____, 2013 AT 0 O'CLOCK M.

JUDY J. TART, REGISTER OF DEEDS

BY _____
DEPUTY REGISTER OF DEEDS





City of Greenville, North Carolina

Meeting Date: 2/14/2013
Time: 7:00 PM

Title of Item: Ordinance to annex Langston West, Section 4, involving 3.2150 acres located at the current terminus of Rounding Bend Road and 950+/- feet north of Thomas Langston Road

Explanation: **Abstract:** The City received a voluntary annexation petition to annex Langston West, Section 4, involving 3.2150 acres located at the current terminus of Rounding Bend Road and 950+/- feet north of Thomas Langston Road. The subject area is currently undeveloped and is anticipated to yield eight (8) single-family residences.

ANNEXATION PROFILE

A. SCHEDULE

1. Advertising date: February 4, 2013
2. City Council public hearing date: February 14, 2013
3. Effective date: June 30, 2013

B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 3.2150
4. Voting District: 2
5. Township: Winterville
6. Vision Area: E

- 7. Zoning: R9S (Residential - Single-family)
- 8. Land Use: Existing: Vacant
Anticipated: Eight (8) single-family residences
- 9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	8 x 2.18*	17
Current Minority	-----	0
Estimated Minority at full development	17 x 43.4%	7
Current White	-----	0
Estimated White at full development	17-7	10

* - people per household in Greenville

- 10. Rural Fire Tax District: Rural Winterville
- 11. Greenville Fire District: Station #5 (Distance of 2.7 miles)
- 12. Present Tax Value: \$60,281
Estimated Future Tax Value: \$2,365,881

Fiscal Note: The total estimated tax value at full development is \$2,365,881.

Recommendation: Approve the attached ordinance to annex Langston West, Section 4.

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

Attachments / click to download

[Survey](#)

[Ordinance__Langston_West_Sect_4_annexatioin_946156](#)

ORDINANCE NO. 13-
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE CITY OF GREENVILLE, NORTH CAROLINA

Attachment number 1
Page 1 of 2

WHEREAS, the City Council of the City of Greenville has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the City Council has directed the City Clerk to investigate the sufficiency of said petition; and

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall at 7:00 p.m. on the 14th day of February, 2013, after due notice by publication in The Daily Reflector on the 4th day of February, 2013; and

WHEREAS, the City Council does hereby find as a fact that said petition meets the requirements of G. S. 160A-31, as amended.

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

Section 1. That by virtue of the authority vested in the City Council of the City of Greenville, North Carolina, under G. S. 160A-31, as amended, the following described contiguous territory is annexed:

TO WIT: Being all of that certain property as shown on the annexation map entitled "Langston West, Section 4", involving 3.2150 acres as prepared by Stroud Engineering, P.A.

LOCATION: Lying and being situated in Winterville Township, Pitt County, North Carolina, located at the current terminus of Rounding Bend Road and 950 +/- feet north of Thomas Langston Road.

GENERAL DESCRIPTION:

Lying and being in Winterville Township, Pitt County, North Carolina and being west of NC Highway 11, north of NCSR 1134 (Thomas Langston Road) and being bounded on the north by Bill Clark Homes of Greenville, LLC (Deed Book 1859, Page 181), on the southwest by Langston West, Section 2 as recorded in Map Book 74, Page 189 and on the south by Langston West, Section 3 as recorded in Map Book 76, Page 33, on the southeast by Langston Farms Recreation Area as recorded in Map Book 57, Page 144 , and on the northeast by Langston Farms, Phase 2 as recorded in Map Book 57, Page 91, and Langston Farms, Phase 5 as recorded in Map Book 62 Page 186, and being more particularly described as follows:

Beginning at an existing iron stake, the northwest corner of lot 291 and the easternmost corner of lot 274, and being a corner common to both lots 274 and 291 and being recorded in maps entitled, Langston West, Section 2 as recorded in Map Book 74, Page 189 and Langston West, Section 3 as recorded in Map Book 76, Page 33, the "Point of Beginning", Thence from the point of beginning along the northeastern boundary of Langston West, Section 2 (Map Book 74, Page 189) N53-39-15W – 279.42', thence N4-25-31W – 109.45', thence N73-01-04E – 161.97',

thence N73-37-05E – 50.00’, thence N73-09-41E – 146.41’ to point in the back line of lot 132 as recorded in Langston Farms, Phase 5, Map Book 62, Page 186, thence along the Phase 5 boundary S4-25-31E-31.69’, thence along the phase line of Phase 5 and Phase 2, S50-58-45E – 324.14’ to the northernmost corner of Langston Farms Recreation Area as recorded in Map Book 57, Page 144, thence along the recreation lot, S39-01-57W – 121.40’ to the northernmost corner of lot 307 of Langston West, Section 3 as recorded in Map Book 76, Page 33, thence along the northern boundary of Section 3, S80-23-35W – 104.45’, thence S78-08-20W – 50.05’, thence S81-14-36W – 136.95’ to the point of beginning and containing 3.2150 Acres and being a portion of Parcel No. 69714 as filed with the Pitt County Tax Assessor’s Office.

Section 2. Territory annexed to the City of Greenville by this ordinance shall, pursuant to the terms of G. S. 160A-23, be annexed into Greenville municipal election district two. The City Clerk, City Engineer, representatives of the Board of Elections and any other person having responsibility or charge of official maps or documents shall amend those maps or documents to reflect the annexation of this territory into municipal election district two. Attachment number 1
Page 2 of 2

Section 3. The territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Greenville and shall be entitled to the same privileges and benefits as other territory now within the City of Greenville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 4. The Mayor of the City of Greenville, North Carolina, shall cause a copy of the map of the territory annexed by this ordinance and a certified copy of this ordinance to be recorded in the office of the Register of Deeds of Pitt County and in the Office of the Secretary of State in Raleigh, North Carolina. Such a map shall also be delivered to the Pitt County Board of Elections as required by G.S. 163-288.1.

Section 5. This annexation shall take effect from and after the 30th day of June, 2013.

ADOPTED this 14th day of February, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

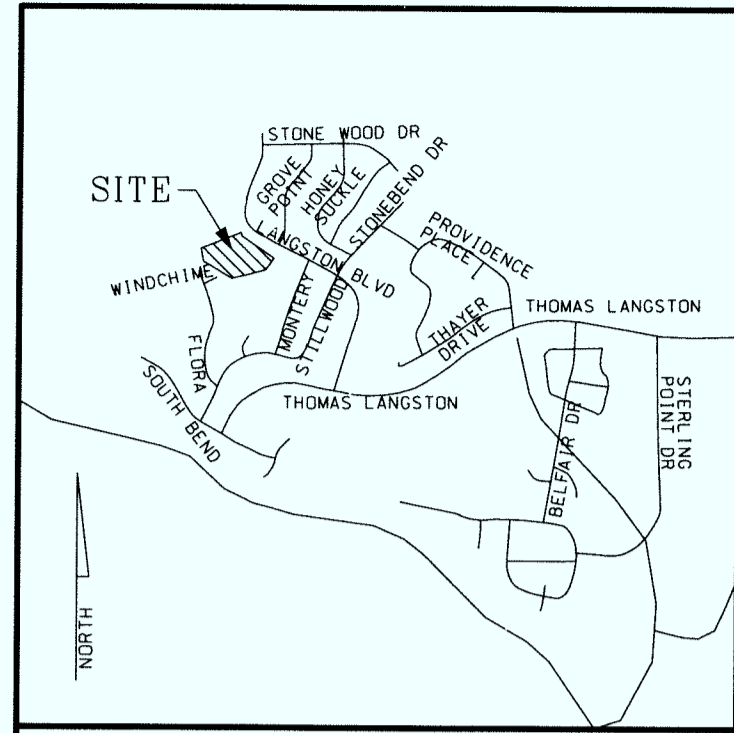
NORTH CAROLINA
PITT COUNTY

I, _____, Notary Public for said County and State, certify that Carol L. Barwick personally came before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by its Mayor, sealed with the corporate seal, and attested by herself as its City Clerk.

WITNESS my hand and official seal this ____ day of _____, 2013.

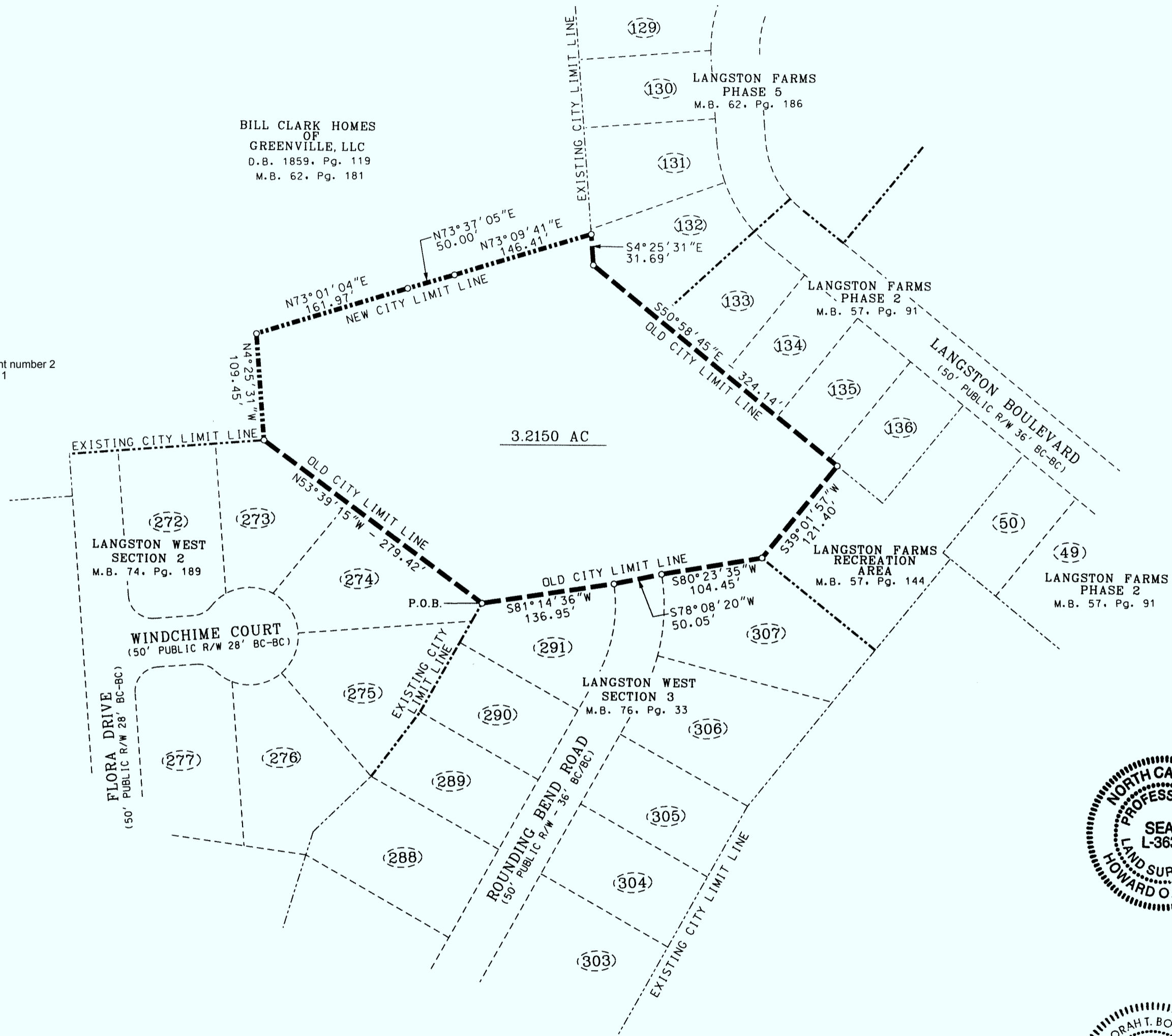
Notary Public

My Commission Expires: _____



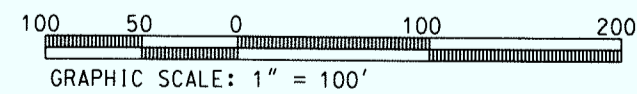
VICINITY MAP

Attachment number 2
Page 1 of 1



LEGEND:

- NEW CITY LIMIT LINE
- OLD CITY LIMIT LINE
- EXISTING CITY LIMIT LINE
- P.O.B. POINT OF BEGINNING

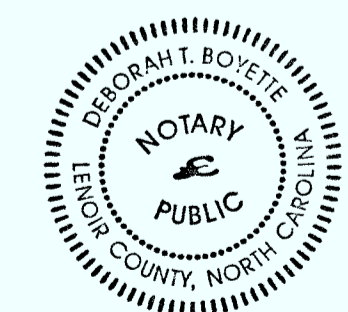


A PORTION OF PARCEL NO. 69714
REFERENCE: DEED BOOK 1859, PAGE 119 AND
MAP BOOK 62, PAGE 181



I, Howard O. Barnum, CERTIFY THAT THIS MAP IS OF A SURVEY OF ANOTHER CATEGORY AND IS AN EXCEPTION TO THE DEFINITION OF A SUBDIVISION.

Howard O. Barnum
PROFESSIONAL LAND SURVEYOR



I, Howard O. Barnum CERTIFY THAT THIS MAP WAS DRAWN BY L.H.J. UNDER MY SUPERVISION FROM AN ACTUAL SURVEY BY MYSELF. THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN DEEDS AND MAPS REFERENCED HEREON.

WITNESS MY HAND AND SEAL THIS 24 DAY OF Jan, 2013.

SIGNED Howard O. Barnum
PROFESSIONAL LAND SURVEYOR L-3634

LANGSTON WEST, SECTION 4
WINTERVILLE TWP., PITT COUNTY, NORTH CAROLINA

BILL CLARK HOMES OF GREENVILLE, LLC
200 E. ARLINGTON BLVD.
GREENVILLE, NC 27858
(252) 355-5805

STROUD ENGINEERING, P.A.
LICENSE NO. C-0647
107-B COMMERCE ST.
GREENVILLE, NC 27858
(252) 756-9352

SURVEYED: N/A	APPROVED: HOB
DRAWN: LHJ	DATE: 12-7-11 em #
CHECKED: HOB	SCALE: 1" = 100'

MAP NO.	MAPS RECORDED	BOOK	PAGE
	LANGSTON WEST, SECTION 3	76	33
	LANGSTON WEST, SECTION 2	74	189
	LANGSTON FARMS, PHASE TWO	57	91
	LANGSTON FARMS, PHASE FIVE	62	186
	LANGSTON FARMS, RECREATION AREA	57	144
		62	181

MAP SHOWING AREA ANNEXED BY

THE CITY OF GREENVILLE

DATE _____ ORDINANCE NO. _____ AREA 3.2150 AC

NORTH CAROLINA, LENOIR COUNTY
I, DEBORAH T. BOYETTE, NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT HOWARD O. BARNUM, A PROFESSIONAL LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP OR SEAL THIS THE 24 DAY OF JAN, 2013.

NOTARY PUBLIC Deborah T. Boyette
MY COMMISSION EXPIRES 2-25-17



City of Greenville, North Carolina

Meeting Date: 2/14/2013
Time: 7:00 PM

Title of Item: Ordinance requested by Income Investments, LLC to rezone 1.15 acres located at the northeast corner of the intersection of Evans Street and 8th Street from Downtown Commercial Fringe (CDF) to Downtown Commercial (CD)

Explanation: **Abstract:** The City has received a request from Income Investments, LLC to rezone 1.15 acres located at the northeast corner of the intersection of Evans Street and 8th Street from Downtown Commercial Fringe (CDF) to Downtown Commercial (CD).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on January 3, 2013.
On-site sign(s) posted on January 3, 2013.
City Council public hearing notice (property owner and adjoining property owner letter) mailed on January 22, 2013
Public hearing legal advertisement published on February 4 and February 11, 2013

Comprehensive Plan:

The subject site is located in Vision Area G.

Evans Street is considered a connector corridor from Reade Circle continuing south. Connector corridors are anticipated to contain a variety of higher intensity activities and uses.

The Future Land Use Plan Map recommends commercial (C) for the area bounded by Reade Circle, Cotanche Street, West 10th Street, and Evans Street.

The subject property is located in the designated regional focus area described as the central business district (Uptown area).

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

Based on the analysis comparing the existing zoning (1,264 trips) and requested rezoning, the proposed rezoning classification could generate 805 trips to and from the site on Evans Street, which is a net *decrease* of 459 trips per day. Since the traffic analysis for the requested rezoning indicates that the proposal will generate less traffic than the existing zoning, a traffic volume report was not generated.

History/Background:

On the 1969 zoning series map, the subject property was zoned CDF (Downtown Commercial Fringe).

Present Land Use:

Former location of Ham's Restaurant

Water/Sewer:

Water and sanitary sewer are located in the right-of-way of Evans Street.

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: CD - two (2) vacant commercial buildings

South: CD - Trent Lee, III MD office and one (1) duplex building

East: CD - Georgetown Apartments

West: CDF- Marathon Restaurant and parking lot

Density Estimates:

Under the current zoning (CDF), the site could yield 9,940+/- square feet of commercial/retail/restaurant space.

Under the proposed zoning (CD), the site could yield 22,592+/- square feet of restaurant/office/multi-family. There are no setbacks or on-site parking requirements for the CD district.

The anticipated build-out time is within 2-3 years.

Fiscal Note:

No cost to the City.

Recommendation:

In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map, and the Center City Revitalization Plan.

"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.

The Planning and Zoning Commission voted to recommend approval of the request at its January 15, 2013, meeting.

If City Council determines to approve the request, a motion to adopt the attached rezoning ordinance will accomplish this. The ordinance includes the statutorily required statement describing whether the action taken is consistent with the comprehensive plan and explaining why Council considers the action taken to be reasonable and in the public interest.

If City Council determines to deny the rezoning request, in order to comply with this statutory requirement, it is recommended that the motion be as follows: Motion to deny the proposed amendment and to make a finding and determination that, although the rezoning request is consistent with the comprehensive plan, there is a more appropriate zoning classification and, therefore, denial is reasonable and in the public interest.

Note: In addition to 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 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

- [📎 Location Map](#)
- [📎 Survey](#)
- [📎 Bufferyard and Vegetation Standards and Residential Density](#)
- [📎 Ordinance Income Investments LLC 945513](#)
- [📎 Minutes Income Investments 946379](#)
- [📎 List of Uses CDF to CD 719111](#)

ORDINANCE NO. 13-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION 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 February 14, 2013, at 7:00 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 rezoning the following described territory;

WHEREAS, the City Council has been informed of and has considered all of the permitted and special uses of the districts under consideration; and,

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the ordinance rezoning the following described property is consistent with the adopted comprehensive plan and that the adoption of the ordinance rezoning the following described property is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

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

Section 1. That the following described territory is rezoned from CDF (Downtown Commercial Fringe) to CD (Downtown Commercial).

TO WIT: Ward Holdings, LLC Property

LOCATION: Located at the northeast corner of the intersection of Evans Street and 8th Street.

DESCRIPTION:

Being all that property identified as Pitt County Tax Parcel 24837, owned by Ward Holdings, LLC, recorded in Deed Book 2955 Page 206, and all that Public Right of Way identified as 7th Street, located in the City of Greenville, Greenville Township, Pitt County, North Carolina, bounded on the south by 8th Street, on the west by Evans Street, on the north by Income Investments, LLC and on the east by Georgetowne Apartments of Greenville, LLC, and being more particularly described as follows:

BEGINNING AT A POINT in the northerly right-of-way of 7th Street, said point being a common corner with the right of way of 7th Street, the easterly right-of-way of Evans Street, and the southwesterly corner of the Income Investments, LLC property, recorded in Deed Book 2410

Page 500; thence from the Point of Beginning and with the northerly right-of-way of 7th Street and the southerly line of the Income Investments, LLC property recorded in Deed Book 2410 Page 500 S 79°06'00" E 274.80 feet to a point, said point being the northeasterly corner of the right of way of 7th Street, said point also being a common corner with the Income Investments, LLC property recorded in Deed Book 2410 Page 500 and the Georgetowne Apartments of Greenville, LLC property recorded in Deed Book 2797 Page 49; thence cornering and with the easterly right-of-way of 7th Street and the westerly line of the aforementioned Georgetowne Apartments of Greenville, LLC property recorded in Deed Book 2797 Page 49 S 11°08'37" W 18.00 feet to a point, said point being the southeasterly corner of the right-of-way of 7th Street, said corner also being the northeasterly corner of the Ward Holdings, LLC property recorded in Deed Book 2955 Page 206 and in the westerly line of the Georgetowne Apartments of Greenville, LLC property recorded in Deed Book 2797 Page 49; thence leaving the right-of-way of 7th Street and with the easterly line of the Ward Holdings, LLC property recorded in Deed Book 2955 Page 206 and the westerly line of the Georgetowne Apartments of Greenville, LLC property recorded in Deed Book 2797 Page 49 S 11°08'37" W 165.53 feet to a point in the northerly right-of-way of 8th Street; thence cornering and with the northerly right-of-way of 8th Street and the southerly line of the Ward Holdings, LLC property recorded in Deed Book 2955 Page 206 N 78°44'02" W 269.28 feet to a point in the easterly right-of-way of Evans Street, thence cornering and with the easterly right-of-way of Evans Street and the westerly line of the Ward Holdings, LLC property recorded in Deed Book 2955 Page 206 N 34°04'08" W 7.05 feet, thence N 10°58'40" E 158.83 feet to the southerly right-of-way line of 7th Street, thence continuing with the easterly right-of-way of Evans Street N 10°58'40" E 18.00 feet to the POINT OF BEGINNING, containing 50,131.5 square feet (1.15 acres) more or less and being all of Pitt County Parcel 24837 and all of the right-of-way of 7th Street, and shown on a Rezoning Map, prepared by Rivers and Associates, Inc., drawing number Z-2566, dated December 13, 2012, and herein incorporated by reference.

Section 2. That the Director of Community Development is directed to amend the zoning map of the City of Greenville in accordance with this ordinance.

Section 3. That all ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 4. That this ordinance shall become effective upon its adoption.

ADOPTED this 14th day of February, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk
Doc. # 945513

Excerpt from the DRAFT Planning & Zoning Minutes (1/15/2013)

ORDINANCE REQUESTED BY INCOME INVESTMENTS, LLC TO REZONE 1.15 ACRES AT THE CORNER OF EVANS STREET AND 8TH STREET FROM DOWNTOWN COMMERCIAL FRINGE (CDF) TO DOWNTONW COMMERCIAL (CD) - APPROVED

Ms Chantae Gooby, Planner II, delineated the property. The property is located in the central section of the city and part of the central business district. Under the current zoning, the site could yield approximately 10,000 square feet of commercial/retail/restaurant space. The proposed zoning could yield 22,592 square feet of restaurant/office/multi-family space. Less traffic would be generated between the existing zoning and the proposed zoning; therefore, a traffic volume report was not generated. The proposed zoning is for CD (Downtown Commercial) which allows mixed use projects. This is part of a trend in the area to rezone property to CD. The adjacent properties are zoned CD. The Future Land Use Plan Map recommends commercial for the area bounded by Reade Circle, Cotanche Street, West 10th Street and Evans Street. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan and the Center City Revitalization Plan.

Chairman Bell opened the public hearing.

Durk Tyson, River and Associates, spoke in favor of the request. He stated that the company requested the rezoning to match the surrounding properties.

No one spoke in opposition of the request.

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

Chairman Bell asked for the list of uses for the rezoning.

Ms Gooby displayed them on the projector.

Motion made by Mr. Parker, seconded by Ms Rich, 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.

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

CD (Downtown Commercial)

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:

- c. Multi-family development per Article 1
- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- q. Room renting

(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
- 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
- h. Commercial recreation; indoor only, not otherwise listed
- j. Bowling alleys
- o. Theater; movie or drama, including outdoor facility
- s. Athletic club; indoor only

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- b. Operational/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
- j. College or other institutions of higher learning
- 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
- x. Dance studio
- 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 organizations
- cc. Trade or business organizations
- hh. Exercise and weight loss studios; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users
- oo. Clothes alteration or shoe repair shop

(9) Repair:

- 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
- 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 facilities)
- 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.
- d. Rental of automobiles, noncommercial trucks or trailers, recreational vehicle, motorcycles and boats

(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)
- f. Hardware store

(13) Transportation:

- b. Bus station; passenger and related freight
- c. Taxi or limousine service
- e. Parcel delivery service
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

- g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholstery
- h. Engraving; metal, glass or wood

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

* None

CD (Downtown Commercial)
Special Uses

(1) General:

* None

(2) Residential:

e.(1) Dormitory development

(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

t. Athletic club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

a. Child day care facilities

b. Adult day care facilities

i. School; kindergarten or nursery (see also section 9-4-103)

l. Convention center; private

(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

g. Fish market; excluding processing or packing

j. Restaurant; regulated outdoor activities

n. Appliance; commercial use, sales and accessory repair, excluding outside storage

aa. Pawnbroker

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

* None

(12) Construction:

* None

(13) Transportation:

* None

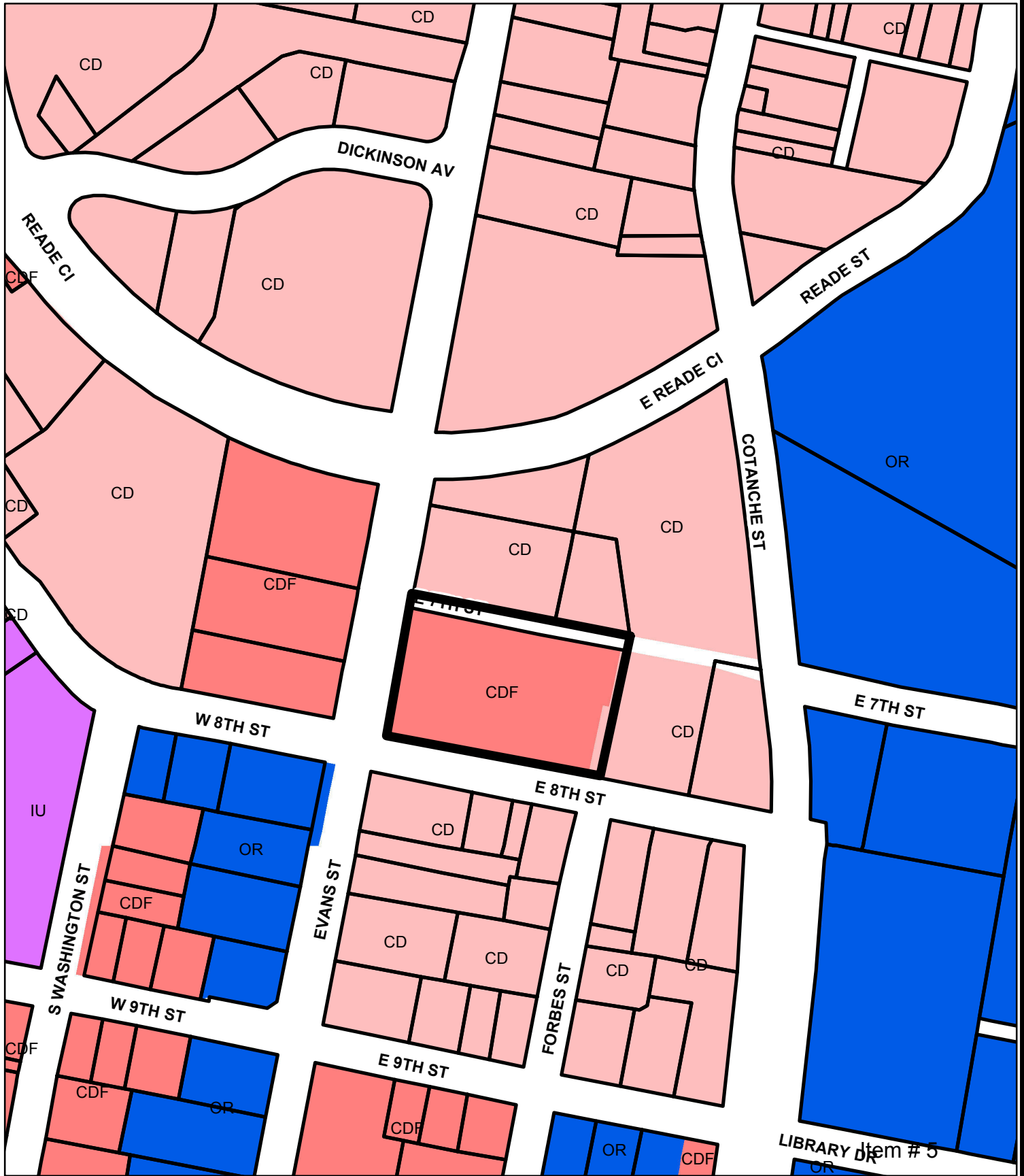
(14) Manufacturing/ Warehousing:

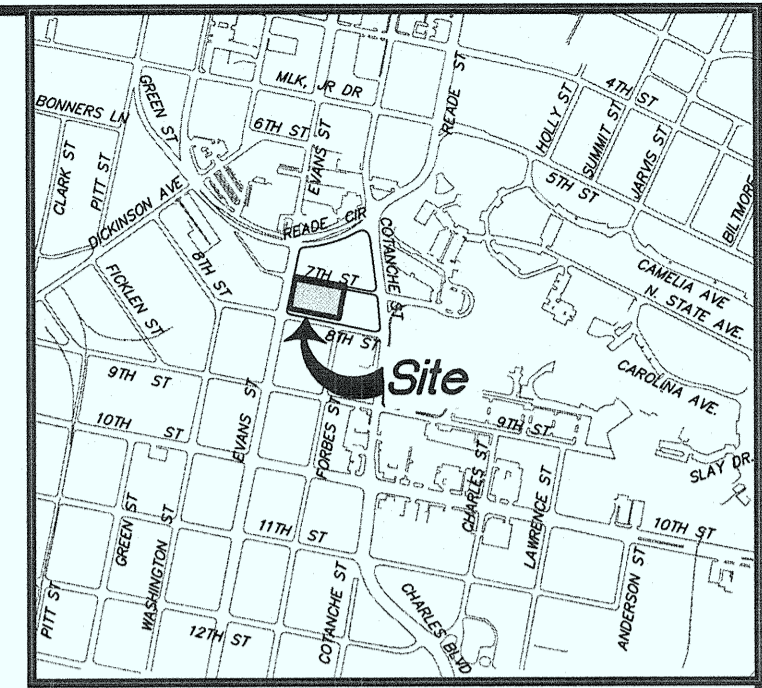
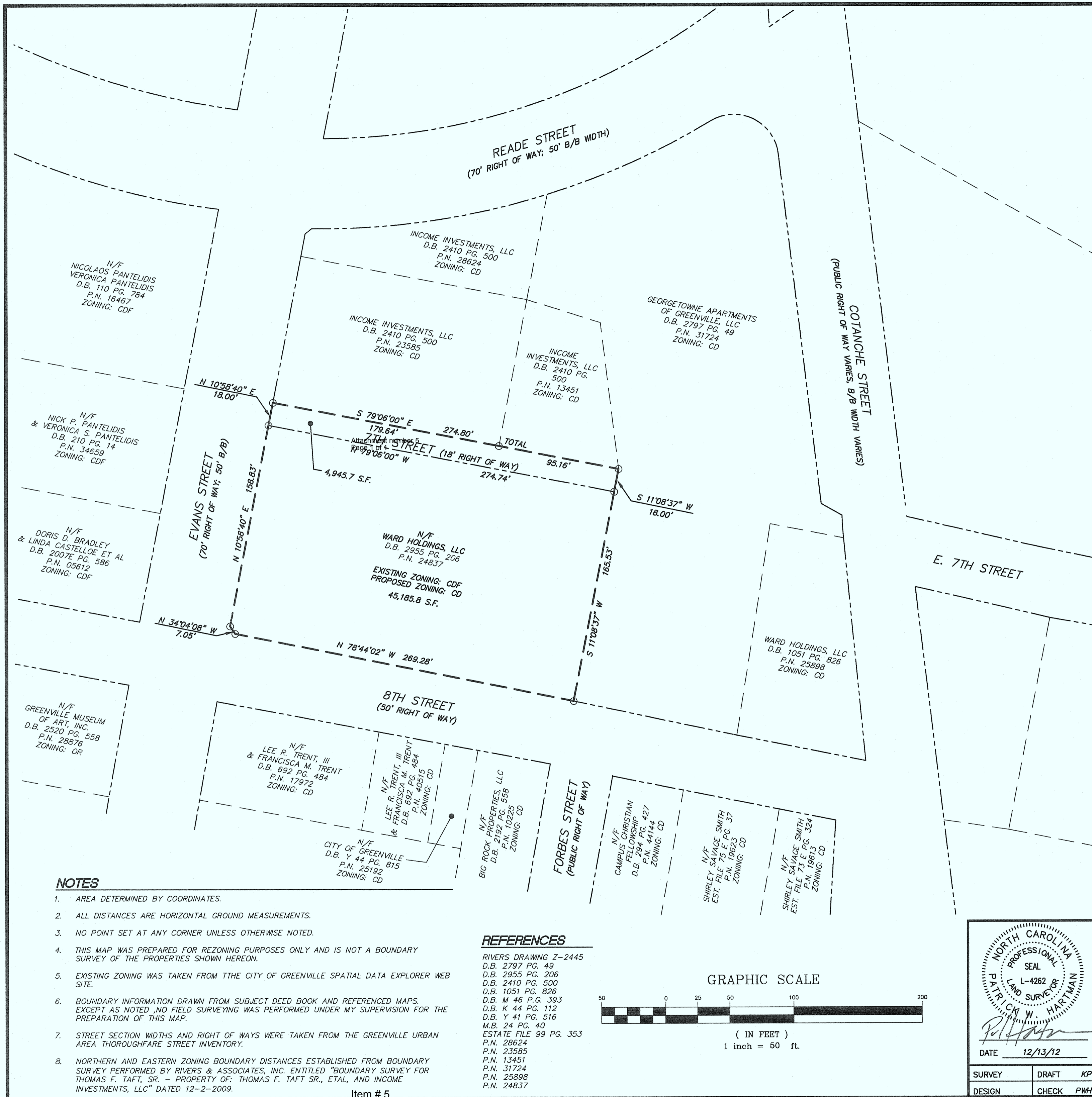
y. Recycling collection station or facilities

(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

Income Investments, LLC
CDF to CD
1.15 acres
January 3, 2013





VICINITY MAP
SCALE: 1" = 1000'

REZONED AREA SUMMARY

PARCEL NO. 24837	45,185.8 S.F. (1.04 AC.)
7th STREET	4,945.7 S.F. (0.11 AC.)
TOTAL	50,131.5 S.F. (1.15 AC.)

LEGEND

P.N.	PARCEL NUMBER
N/F	NOW OR FORMERLY
S.F.	SQUARE FEET
B/B	BACK TO BACK
NO.	NUMBER

CERTIFICATION

NORTH CAROLINA PITT COUNTY

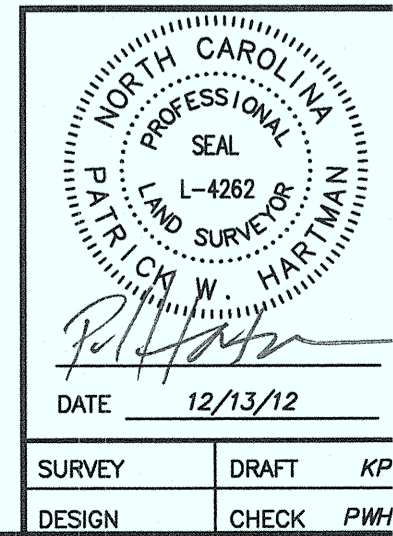
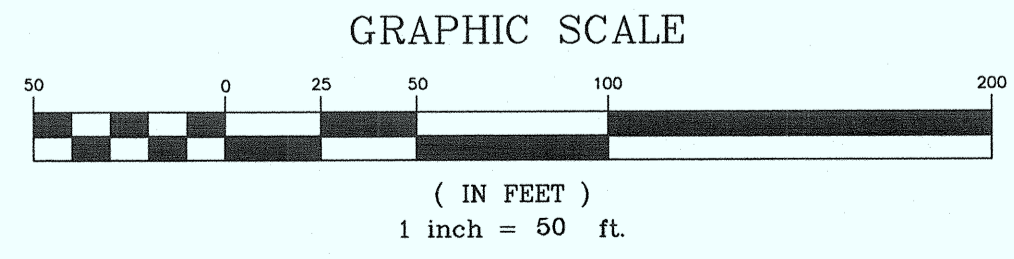
I, PATRICK W. HARTMAN, PROFESSIONAL LAND SURVEYOR CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM DEEDS AND OR MAPS AS REFERENCED HEREON, AND DOES NOT REPRESENT A FIELD BOUNDARY SURVEY BY MYSELF OR RIVERS AND ASSOCIATES, INC.; I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (F)(11)D., THAT THIS SURVEY IS OF ANOTHER CATEGORY, REZONING MAP. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 10th DAY OF DECEMBER, 2012.

SIGNED: *Patrick W. Hartman*
PROFESSIONAL LAND SURVEYOR

LICENSE NUMBER: L - 4262

- NOTES**
- AREA DETERMINED BY COORDINATES.
 - ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS.
 - NO POINT SET AT ANY CORNER UNLESS OTHERWISE NOTED.
 - THIS MAP WAS PREPARED FOR REZONING PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON.
 - EXISTING ZONING WAS TAKEN FROM THE CITY OF GREENVILLE SPATIAL DATA EXPLORER WEB SITE.
 - BOUNDARY INFORMATION DRAWN FROM SUBJECT DEED BOOK AND REFERENCED MAPS, EXCEPT AS NOTED, NO FIELD SURVEYING WAS PERFORMED UNDER MY SUPERVISION FOR THE PREPARATION OF THIS MAP.
 - STREET SECTION WIDTHS AND RIGHT OF WAYS WERE TAKEN FROM THE GREENVILLE URBAN AREA THOROUGHFARE STREET INVENTORY.
 - NORTHERN AND EASTERN BOUNDARY DISTANCES ESTABLISHED FROM BOUNDARY SURVEY PERFORMED BY RIVERS & ASSOCIATES, INC. ENTITLED "BOUNDARY SURVEY FOR THOMAS F. TAFT, SR. - PROPERTY OF: THOMAS F. TAFT SR., ETAL, AND INCOME INVESTMENTS, LLC" DATED 12-2-2009.

- REFERENCES**
- RIVERS DRAWING Z-2445
 - D.B. 2797 PG. 49
 - D.B. 2955 PG. 206
 - D.B. 2410 PG. 500
 - D.B. 1051 PG. 826
 - D.B. M 46 P.G. 393
 - D.B. K 44 PG. 112
 - D.B. Y 41 PG. 516
 - M.B. 24 PG. 40
 - ESTATE FILE 99 PG. 353
 - P.N. 28624
 - P.N. 23585
 - P.N. 13451
 - P.N. 31724
 - P.N. 25898
 - P.N. 24837



Rivers & Associates, Inc.
Engineers, Planners, Surveyors

107 East Second Street
Greenville, NC 27658 (252) 752-4135

6131 Falls of Neuse Road, Suite 300
Raleigh, NC 27609 (919) 848-3347

REZONING MAP FOR

Income Investments, LLC

CITY OF GREENVILLE, GREENVILLE TOWNSHIP, PITT CO., N.C.

SURVEY	DRAFT	KP	SCALE	DRAWING NO.	SHEET
DESIGN	CHECK	PWH	1" = 50'	Z - 2566	1 OF 1

DATE: 12/13/12

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.


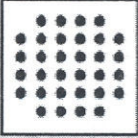
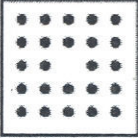
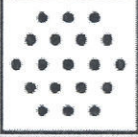

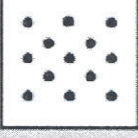
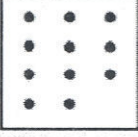
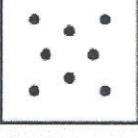
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons per acre	
R6-S	7 units per acre yields 19 persons per acre	
R9	6 units per acre yields 16 persons per acre	
R9-S	5 units per acre yields 13 persons per acre	
Low Density		
RA-20 MRS	4 units per acre yields 11 persons per acre	
R15-S	3 units per acre yields 8 persons per acre	

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date: 2/14/2013
Time: 7:00 PM

Title of Item: Ordinance initiated by the Greenville City Council to amend the Zoning Ordinance to create standards for convenience stores, tobacco shops, and hookah cafes

Explanation: **Abstract:** The purpose of this text amendment to the Zoning Ordinance, which was initiated by the Greenville City Council, is to propose standards related to the location of convenience stores, tobacco shops, and hookah cafes. The City Zoning Ordinance currently does not define or provide standards for tobacco shops or hookah cafes. Recognizing that a number of new establishments have opened within the community in recent years that specialize in the retail sales of tobacco-related products, City Council initiated this text amendment to ensure the appropriate location of these facilities within the City's jurisdiction.

Explanation: Over the past several years, a number of new establishments have opened within the community that specialized in retail sales of tobacco-related products. The City Zoning Ordinance does not recognize or define this specific land use, unofficially referred to as a "tobacco shop". Some of these establishments sell many of the same types of products traditionally found in a convenience store, but simply devote a larger portion of their stock to tobacco products than do convenience stores. Others sell tobacco products, tobacco smoking apparatus (water pipes, hookah pipes, bowls, water bongs, and similar products), and a range of retail items, many of which are not typically associated with a convenience store. All tobacco shops were either categorized as Convenience stores or as Miscellaneous retail sales, a land use classification that is permitted by-right in the MCG, MCH, CD, CDF, CG and CH districts, until August 2011. The City then began categorizing the more intensive tobacco shops (i.e. the establishments that are not similar to convenience stores) as Other activities, retail sales not otherwise listed, a land use classification that is permitted with a special use permit in the CD, CDF, CG and CH districts. Since applying this new land use category, only one new facility has been opened after receiving a special use permit, and that facility has since closed.

The attached report provides an overview of the current standards applicable to

convenience stores and tobacco shops, an inventory of existing establishments located within the community, information related to the city-wide inspection of existing establishments and the findings associated with these inspections, and an outline of proposed modifications to the City's standards for review and consideration.

In staff's opinion, the proposed standards contained within the proposed zoning text amendment are needed to ensure the appropriate location and permitting process for these land uses. It is staff's further opinion that the proposed text amendment is in compliance with **Horizons: Greenville's Community Plan** and, if adopted, would benefit plan objectives related to preserving neighborhood livability. The Planning and Zoning Commission voted unanimously to recommend approval of the request at its January 15, 2013, meeting.

Fiscal Note: No fiscal impact anticipated

Recommendation: In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with **Horizons: Greenville's Community Plan**.

If City Council determines to approve the request, a motion to adopt the attached ordinance will accomplish this. The ordinance includes the statutorily required statement describing whether the action taken is consistent with the comprehensive plan and explaining why Council considers the action taken to be reasonable and in the public interest.

If City Council determines to deny the request, in order to comply with this statutory requirement, it is recommended that the motion be as follows: "Motion to deny the request and to make a finding and determination that the denial of the request is consistent with the adopted comprehensive plan and the denial of the request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan."

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

Attachments / click to download

- [Report on Convenience Stores and Tobacco Shops 918640](#)
- [Tobacco Shop Ordinance 945023](#)
- [Excerpt P Z minutes Tobacco Shops Zoning Text Amendment 946472](#)

ORDINANCE NO. 13-
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 February 14, 2013, at 7:00 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 does hereby find and determine that the adoption of the ordinance involving the text amendment is consistent with the adopted comprehensive plan and is reasonable and in the public interest.

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 definitions and deleting the current definition for “Convenience store”:

Convenience store. Any food-personal merchandise store which sells at retail only prepackaged food and beverage products, personal toiletries, sundries, over-the-counter medications, household supplies, magazines, and the like in combination from a limited inventory and does not stock poultry or meats.

Hookah Café. An establishment that, as a primary or accessory use, provides for the on-site consumption of shisha or similar flavored tobacco products.

Tobacco Shop (Class 1). An establishment that, as a substantial portion of the use, entails the retail sales of tobacco products including, but not limited to, cigarettes, cigars, chewing tobacco, shisha, unformed or loose tobacco, and/or similar products.

For the purpose of this definition, a substantial portion of the use is established if:

- 1. At least 20% of the establishment’s floor area open and accessible to customers is used for the display and/or stocking of tobacco products as provided herein; or*
- 2. At least 40% of the sign area of the establishment’s on-site signage that is visible from public rights-of-way advertises tobacco products as provided herein.*

Tobacco Shop (Class 2). An establishment that entails the retail sales of any of the following tobacco smoking apparatus: water pipes; hookah pipes; bowls; water bongs; or similar products.

Section 2: That Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A), of the City Code, is hereby amended by adding the following new land uses:

(10) ff. “*Tobacco Shop (Class 1) (see also section 9-4-103)*”; by allowing this land use with a special use permit in the CH (Heavy Commercial), CG (General Commercial), MCH (Medical – Heavy Commercial), CD (Downtown Commercial), and CDF (Downtown Commercial Fringe) districts; and by assigning a LUC 4 to the land use.

(10) gg. “*Tobacco Shop (Class 2) (see also section 9-4-103)*”; by allowing this land use with a special use permit in the CH (Heavy Commercial) and CG (General Commercial) districts; and by assigning a LUC 4 to the land use.

(10) hh. “*Hookah Cafe (see also section 9-4-103)*”; by allowing this land use with a special use permit in the CH (Heavy Commercial), CG (General Commercial), CD (Downtown Commercial), and CDF (Downtown Commercial Fringe) districts; and by assigning a LUC 4 to the land use.

Section 3: That Title 9, Chapter 4, Article F, Section 9-4-103, of the City Code, is hereby amended by adding the following new subsections:

(X) *Hookah Cafe (see also section 9-4-22)*

1. No hookah café shall be located within a one-fourth mile (1,320 foot) radius of an existing or approved hookah cafe.

(Y) *Tobacco Shop (Class 1) (see also section 9-4-22)*

1. No tobacco shop (class 1) shall be located within a 500-foot radius of an existing or approved school. This measurement shall be made from the exterior wall of the proposed tobacco shop (class 1) to the nearest exterior wall of any existing or approved school.
2. No tobacco shop (class 1) shall be located within any certified redevelopment area.

(Z) *Tobacco Shop (Class 2) (see also section 9-4-22)*

1. No tobacco shop (class 2) shall be located within a one-half mile (2,640 foot) radius of an existing or approved tobacco shop (class 1) or tobacco shop (class 2).
2. No tobacco shop (class 2) shall be located within a 500-foot radius of the following:
 - (i) an existing conforming use single-family dwelling located in any district;
 - (ii) any single-family residential zoning district; and
 - (iii) an existing or approved school, church, park or multi-family use.

3. The measurements associated with subsections 1 and 2 above shall be made from the exterior wall of the proposed tobacco shop (class 2) to the nearest exterior wall of any existing or approved tobacco shop (class 1 or 2), existing conforming use single-family dwelling located in any district, or existing or approved school, church or multi-family use. The measurement shall be made from the exterior wall of the proposed tobacco shop (class 2) to the nearest property line of any single-family residential zoning district or park.
4. No tobacco shop (class 2) shall be located within any certified redevelopment area.

Section 4. 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 5. That this ordinance shall become effective immediately upon adoption.

Adopted this 14th day of February, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Excerpt from the DRAFT Planning & Zoning Commission Meeting Minutes (1/15/13)

ZONING TEXT AMENDMENT INITIATED BY THE GREENVILLE CITY COUNCIL
CREATING STANDARDS FOR CONVENIENCE STORES, TOBACCO SHOPS, AND
HOOKAH CAFES-APPROVED

Mr. Chris Padgett, Interim Assistant City Manager, provided background information on the proposed text amendment. He presented that City Council initiated the text amendment due to new establishments being opened within the community and to ensure the appropriate location of these facilities within the City's jurisdiction. He provided the purpose of the report, a summary of the existing standards, inventory of existing establishments, inspection process and associated findings, survey of other communities and a list of proposed standards. Mr. Padgett stated the proposed standards for convenience stores, tobacco shops and hookah cafés include the following:

- Utilize five land use categories
 - Convenience Stores
 - Convenience Stores with fuel sales
 - Tobacco Shop (Class 1)
 - Tobacco Shop (Class 2)
 - Hookah Cafe

- No changes in how convenience stores are regulated except fresh vegetables and produce would be permitted;

- Definition of Tobacco Shop (Class 1) to include a substantial portion of the retail sales of tobacco products, 20% of the floor area to display and/or stock tobacco products, and/or 40% of the signage is dedicated to advertising tobacco products;

- Tobacco Shop (Class 1) would be permitted with a special use permit in the CH, CG, MCH, CD and CDF districts with a 500- foot separation from an existing or approved school and prohibited within any certified redevelopment area;

- Tobacco Shop (Class 2) to include the retail sales of any specified tobacco smoking apparatus;

- Tobacco Shop (Class 2) would be permitted with a special use permit in the CH and CG districts with the following separation requirements:
 - ½ mile separation for an existing or approved tobacco shop (Class 1 or 2)
 - 500 ft separation from a conforming use single family dwelling located in any district or any single family residential zoning district
 - 500 ft separation from an existing or approved school, church, park or multi-family use
 - Not permitted within any certified redevelopment area;

- Hookah Café to include any establishment that provides for the on-site consumption of shisha or similar flavored tobacco products;
- Hookah Café would be permitted with a special use permit in the CH, CG, CD and CDF districts and must have a ¼ mile separation from an existing or approved hookah café;

Mr. Weitz asked if the definition for Tobacco Shop Class 1 could remove the signage requirement because sign regulations should be content neutral.

Mr. Padgett stated that the sign ordinance is not being impacted in terms of remaining content neutral, but that how a business is presenting itself to the public via signage is being used as one criterion for differentiating a tobacco shop (class 1) from a convenience store.

Mr. Parker asked if hookah cafés are impacted by the same no smoking requirements as bars and restaurants.

Mr. Padgett stated that hookah cafes are not bars or restaurants so smoking within the facility is allowed.

Chairman Bell opened the public hearing.

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

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

Motion made by Ms Basnight, seconded by Mr. Smith, to recommend approval of the 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. Motion passed unanimously.

Report on City of Greenville Standards for Convenience Stores and Tobacco Shops

Contents:

- Section I. Report Purpose– Page 1
- Section II. Summary of Existing Standards – Page 1
- Section III. Inventory of Existing Establishments – Page 2
- Section IV. Inspection Process and Associated Findings – Page 7
- Section V. Survey of Other Communities – Page 10
- Section VI. Outline of Proposed Standards – Page 11



**Report Developed by the City of Greenville
Community Development Department - Planning Division
October 24, 2012
Updated January 9, 2013**

SECTION I – Report Purpose

The purpose of this Report is to provide City Council with an overview of the current standards applicable to convenience stores and tobacco shops; to provide an inventory of existing establishments located within the community; to provide information related to the city-wide inspection of existing establishments and the findings associated with these inspections; and to provide an outline of proposed modifications to the city's standards for City Council's review and consideration.

SECTION II – Summary of Existing Standards

Convenience Store

The city zoning ordinance defines a convenience store as

“Any food-personal merchandise store which sells at retail only prepackaged food and beverage products, personal toiletries, sundries, over-the-counter medications, household supplies, magazines, and the like in combination from a limited inventory and does not stock fresh vegetables, produce, poultry or meats.”

Convenience stores are currently permitted by right in the MCH; CD; CDF; CG; CN; and CH districts. Convenience stores with gasoline or automobile fuels sales are currently permitted by right in the MCH; CH; IU; I; PIU; and PI districts and with a special use permit in the CD; CDF; CG; and CN districts.

Tobacco Shop

Over the past two years a number of new establishments have opened within the community that specialized in retail sales of tobacco related products. The city zoning ordinance does not recognize or define this specific land use, unofficially referred to as a tobacco shop. Some of these establishments sell many of the same types of products traditionally found in a convenience store, but simply devote a larger portion of their stock to tobacco products than do convenience stores. Others sale tobacco products, tobacco smoking apparatus (water pipes, hookah pipes, bowls, water bongs, and similar products) and a range of retail items, many of which are not typically associated with a convenience store. All tobacco shops were either categorized as *Convenience stores* or as *Miscellaneous retail sales*, a land use classification that is permitted by-right in the MCG, MCH, CD, CDF, CG and CH districts, until August, 2011. The city then began categorizing the more intensive tobacco shops (i.e. the establishments that are not similar to convenience stores) as *Other activities, retail sales not otherwise listed*, a land use classification that is permitted with a special use permit in the CD, CDF, CG and CH districts. Since applying this new land use category, only one new facility has been opened after receiving a special use permit.

SECTION III – Inventory of Existing Establishments

During the first quarter of 2012 staff analyzed business license records and utilized field observations to identify all known establishments that would be considered as convenience stores or tobacco shops within the city's planning and zoning jurisdiction. This data was reviewed and updated during the fourth quarter of 2012, providing the following inventory of all such establishments.

Table 1. Inventory of Convenience Stores, Tobacco Shops and Hookah Cafes Located within City Limits and ETJ

#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
1	252 Tobacco Shop	3010 E. 10th St	06137	CH	Tobacco Shop Class 2
2	Blackbeard's Cigars	600-B Greenville Blvd	22001	CG	Tobacco Shop Class 1
3	Campus Store	316 E. 10th St	03801	CDF	Convenience Store with Gas
4	Cigarette & Tobacco Outlet (5 Points)	205 S. Memorial Dr	01409	R6	Tobacco Shop Class 1
5	City Gas	1799 N. Greene St	62159	CH	Convenience Store with Gas
6	D's Drive Thru	2753 E. 10th St	03532	CG	Tobacco Shop Class 2
7	DH Convenience Store	1900 S. Pitt St	06515	R6	Convenience Store
8	Dreams Tobacco Shop	501 S. Memorial Dr	48302	CG	Tobacco Shop Class 2
9	Duck Thru #15	1301 Charles Blvd	27258	CN	Convenience Store with Gas
10	Duck Thru #20	1900 SE Greenville Blvd	38068	CG	Convenience Store with Gas

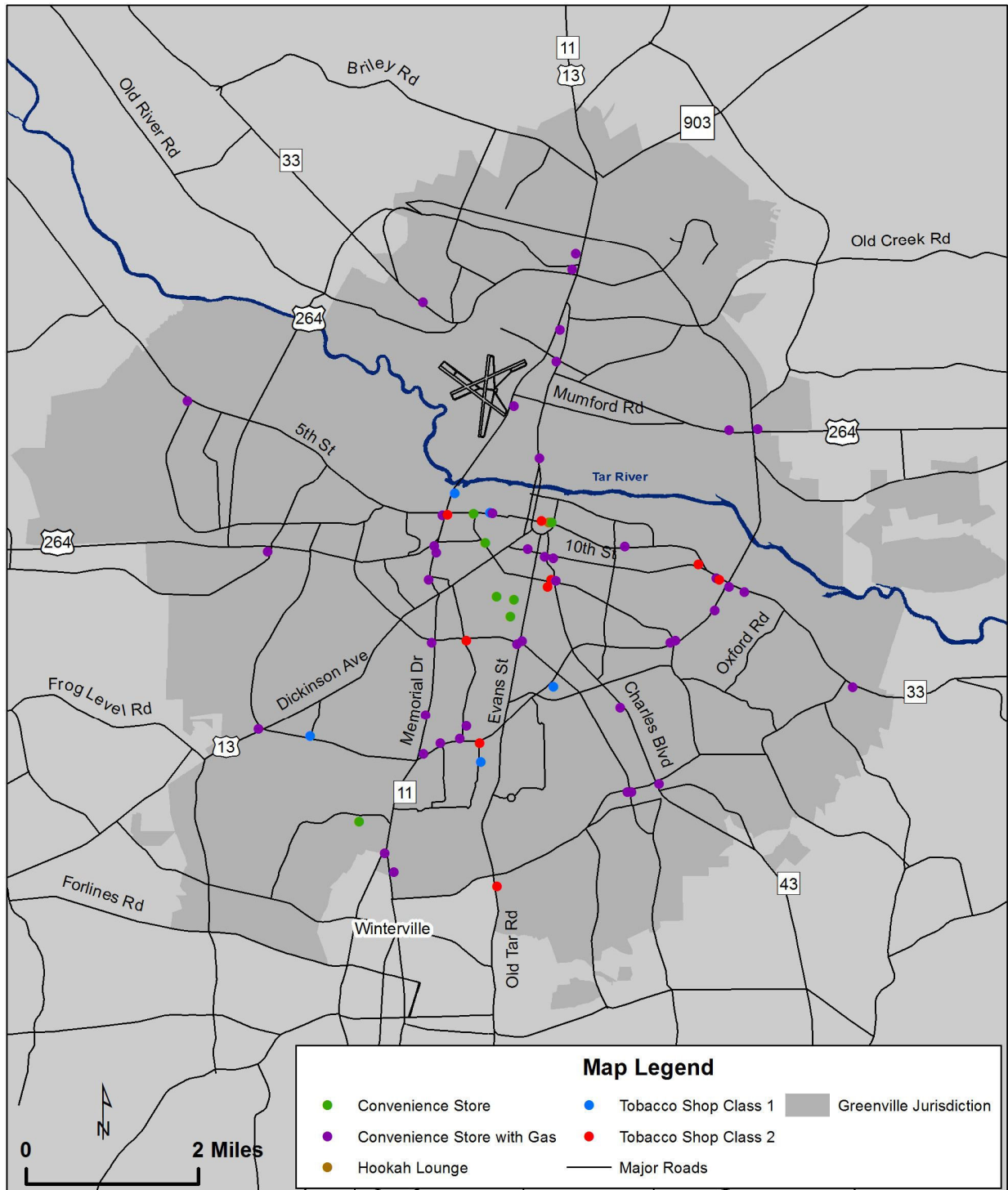
#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
11	Duck Thru #14	3000 E. 10th St	23016	CH	Convenience Store with Gas
12	Expressions	424 Evans St	09026	CD	Tobacco Shop Class 2
13	Handy Mart #51	1000 S. Memorial Dr	50504	MCH	Convenience Store with Gas
14	Handy Mart #54	3701 Hwy 43 S.	37246	CG	Convenience Store with Gas
15	Hookalicious	203 E. 5th St	12630	CD	Hookah Lounge
16	Joe's Country Mart	1710 Belvoir Hwy	58820	RA20	Convenience Store with Gas
17	Jolly Roger	405 E. 14th St	20459	CDF	Tobacco Shop Class 2
18	K&A Convenient Mart	1000-A W. 5th St	05426	CDF	Tobacco Shop Class 1
19	K&P Mini Mart	1706 Garland St	08775	R6	Convenience Store
20	Kangaroo Express #3083	700 S. Memorial Dr	15242	MCH	Convenience Store with Gas
21	Kangaroo Express #3099	1531 SE Greenville Blvd	18870	CN	Convenience Store with Gas
22	Kangaroo Express #3104	1301 W. Arlington Blvd	52969	CH	Convenience Store with Gas
23	Kangaroo Express #3419	2200 S. Evans St	08108	CG	Convenience Store with Gas
24	Kangaroo Express #826	4000 S. Memorial Dr	47849	CH	Convenience Store with Gas

#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
25	Kangaroo Express #827	2195 S. Evans St	48303	CG	Convenience Store with Gas
26	Kangaroo Express #859	1900 E. Firetower Rd	54213	CG	Convenience Store with Gas
27	Kangaroo Express #895	1930 N. Memorial Dr	34532	CH	Convenience Store with Gas
28	Kangaroo Express #901	2600 S. Charles Blvd	30488	CG	Convenience Store with Gas
29	Kings Convenience Inc.	300 SW Greenville Blvd	15509	CH	Convenience Store with Gas
30	Kings Convenient Store	912 W. 5th St	67546	CDF / R6	Convenience Store with Gas
31	Landmark Convenient & Discount	3243 Landmark St	41775	CH	Tobacco Shop Class 1
32	Landmark Pick-Up	1809 E. 5th St	02078	R9S	Convenience Store with Gas
33	Marks Food Market	2205 Old Pactolus Hwy	23830	CN	Convenience Store with Gas
34	Mid Town Groceries	1308 W. 14th St	03293	CDF	Convenience Store
35	Murphy USA #6645	250 SW Greenville Blvd	63432	CG	Convenience Store with Gas
36	NC Tobacco Discount	1400 S. Charles Blvd	00602	CG	Tobacco Shop Class 2
37	Pitt St. Mini Mart	1701 S. Pitt St	56711	R6	Convenience Store
38	PJ's Mart	1205 W. 5th St	00621	CDF	Convenience

#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
					Store
39	Red Oak Grill & Grocery	1500 SW Greenville Blvd	27433	CG	Tobacco Shop Class 1
40	Sam & Moe's	139 SW Greenville Blvd	47883	CH	Tobacco Shop Class 2
41	Sheetz #391	2100 County Home Rd	72609	CG	Convenience Store with Gas
42	Sheetz #397	1000 Charles Blvd	74017	CDF	Convenience Store with Gas
43	Sheetz #409	650 Whitley Dr	75068	CH	Convenience Store with Gas
44	Sheetz #415	4300 E. 10th St	68187	CG	Convenience Store with Gas
45	Sheetz #488	2521 N. Memorial Dr	80843	CH	Convenience Store with Gas
46	Speedy Mart of Pitt	701 Hooker Rd	23706	CN	Tobacco Shop Class 2
47	Stop Shop	213 E. 5th St	08436	CD	Convenience Store
48	The Fuel Dock #12	2403 N. Memorial Dr	15528	IU	Convenience Store with Gas
49	The Fuel Dock #4	500 S. Memorial Dr	03107	CDF	Convenience Store with Gas
50	The Oasis	2130 SE Greenville Blvd	41824	CH	Convenience Store with Gas
51	The Point Tobacco & Convenient	3750-D Sterling Point Dr	53472	CG	Convenience Store

#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
52	Tobacco Plus	4125 Old Tar Rd	31595	CG	Tobacco Shop Class 2
53	WILCO #1801	1601 Greenville Blvd	25191	CG	Convenience Store with Gas
54	WILCO #1802	210 W. 10th St	23619	IU	Convenience Store with Gas
55	WILCO #1806	500 N. Greene St	12855	CH	Convenience Store with Gas
56	WILCO #1820	715 S. Memorial Dr	23646	CH	Convenience Store with Gas
57	WILCO #1840	3202 E. 10th St	56082	CH	Convenience Store with Gas
58	WILCO #1858	1110 N. Memorial Dr	45139	CH	Convenience Store with Gas
59	WILCO #1864	612 SW Greenville Blvd	16852	CH	Convenience Store with Gas
60	WILCO #1879	3579 NC 43 N.	64117	CN	Convenience Store with Gas
61	WILCO #1891	3000 S. Memorial Dr	22285	CH	Convenience Store with Gas
62	WILCO #237	3505 Hwy 264 E.	74964	CH	Convenience Store with Gas
63	WILCO #240	3000 Stantonsburg Rd	79292	CG	Convenience Store with Gas
64	WILCO #390	502 SW Greenville Blvd	18047	CH	Convenience Store with Gas
65	WILCO #41	4000 Dickinson Ave Ext.	56070	CG	Convenience Store with Gas

Map 1. Location of Convenience Stores, Tobacco Shops and Hookah Cafes Located within City Limits and ETJ



SECTION IV – Inspection Process and Associated Findings

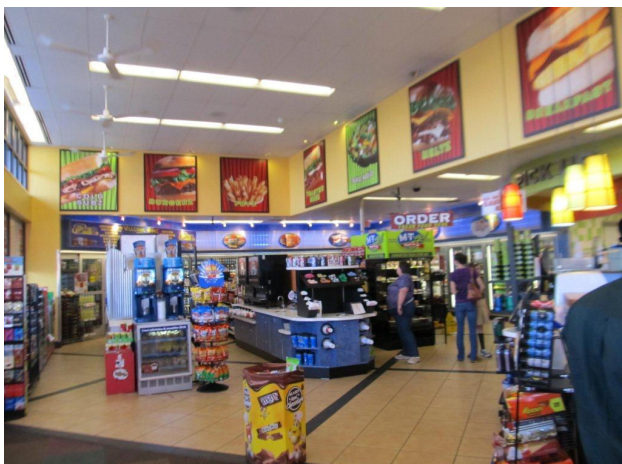
Planning Division staff partnered with Code Enforcement Division staff in the first quarter of 2012 to conduct joint inspections of all known convenience stores and tobacco shops located within the city’s planning and zoning jurisdiction. As part of these inspections, staff visited each establishment location, photographed the building exterior and grounds, completed a survey of stock items, and noted potential code enforcement and zoning violations. In all, approximately 300 staff hours were utilized conducting the inspections, documenting the findings and following through with abatement efforts.

A total of 53 violations were identified during the inspection process. 38 of these violations were related to temporary signs (banners, more than one yard sign, etc...) and 14 were related to permanent signs (i.e. locations where window signs were in excess of 25% coverage, illegal wall signs, etc...).

Examples of Establishments in Violation of the 25% Window Coverage Limitation:



Examples of Convenience Stores Inspected



Examples of Tobacco Shops Inspected



SECTION V – Survey of Other Communities

Staff contacted multiple other North Carolina communities to obtain information regarding how they classify and regulate tobacco shops. Table 2, below, summarizes the findings of these inquiries.

Table 2: Survey Results - Standards from Other North Carolina Communities

City	Specific Definition	Land Use Category	Permitted Zoning Districts	By-Right or SUP/CUP	Current Number
Concord	No	Retail	General Commercial only	By-Right	6+/-
Jacksonville	No	Retail	All commercial zones	By-right	15-20
Hickory	No	Retail	All commercial zones	By-right	0
Rocky Mount	No	Retail	All business districts	By-right	5+/-
Wilmington	No	Retail	All commercial zones	By-right	12+/-
Wilson	No	Retail sales & services not otherwise listed	All business districts	By-right (in some commercial districts), SUP (if over 6,400 sq. ft) or CUP in B6 district	15+/-

SECTION VI – Outline of Proposed Standards

The following standards are proposed for the Planning and Zoning Commission recommendation and City Council consideration. These new standards propose to use five land use categories that address the establishments discussed herein. These categories include:

1. Convenience Store

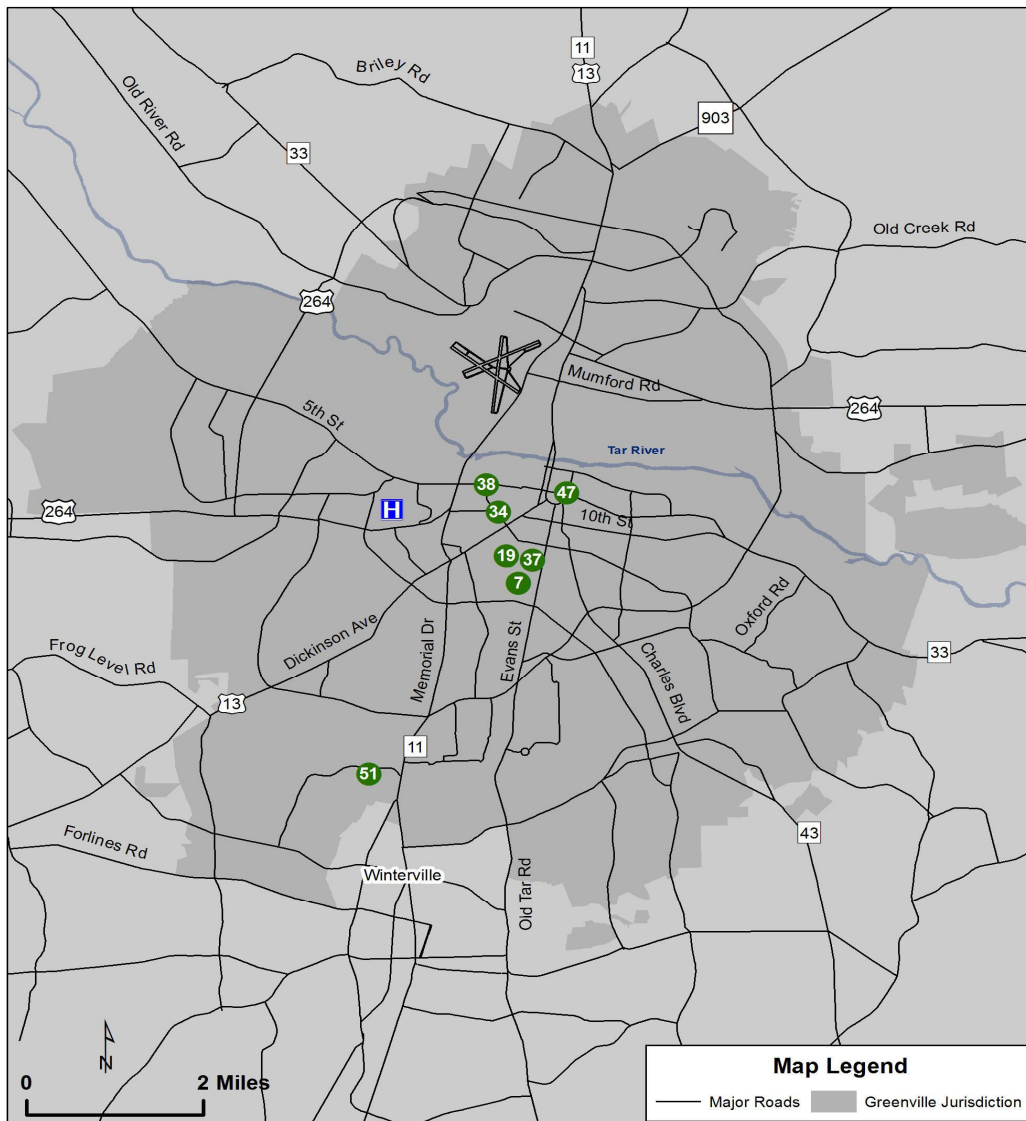
- This land use is currently defined by the zoning ordinance as follows:
“Any food-personal merchandise store which sells at retail only prepackaged food or beverage products, personal toiletries, sundries, over-the-counter medications, household supplies, magazines, and the like in combination from a limited inventory and does not stock fresh vegetables, produce, poultry or meats.”
This definition is proposed to be modified to allow the stocking of fresh vegetables and produce at convenience stores as a means of increasing access to healthy foods throughout the community.
- Convenience stores are currently permitted by right in the MCH; CD; CDF; CG; CN; and CH districts. No changes are proposed to the permitted districts.

Table 3. Inventory of Convenience Stores Located within City Limits and ETJ

#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
7	DH Convenience Store	1900 S. Pitt St	06515	R6	Convenience Store
19	K&P Mini Mart	1706 Garland St	08775	R6	Convenience Store
34	Mid Town Groceries	1308 W. 14th St	03293	CDF	Convenience Store
37	Pitt St. Mini Mart	1701 S. Pitt St	56711	R6	Convenience Store
38	PJ's Mart	1205 W. 5th St	00621	CDF	Convenience Store

#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
47	Stop Shop	213 E. 5th St	08436	CD	Convenience Store
51	The Point Tobacco & Convenient	3750-D Sterling Point Dr	53472	CG	Convenience Store

Map 2. Location of Convenience Stores



2. Convenience Store (with gasoline or automobile fuel sales)

- This land use is permitted by right in the MCH, CH, IU, I, PIU, and PI districts. It is permitted with a special use permit in the CD, CDF, CG, and CN districts. No changes are proposed to the permitted districts.

Table 4. Inventory of Convenience Stores (with gasoline or automobile fuel sales) Located within City Limits and ETJ

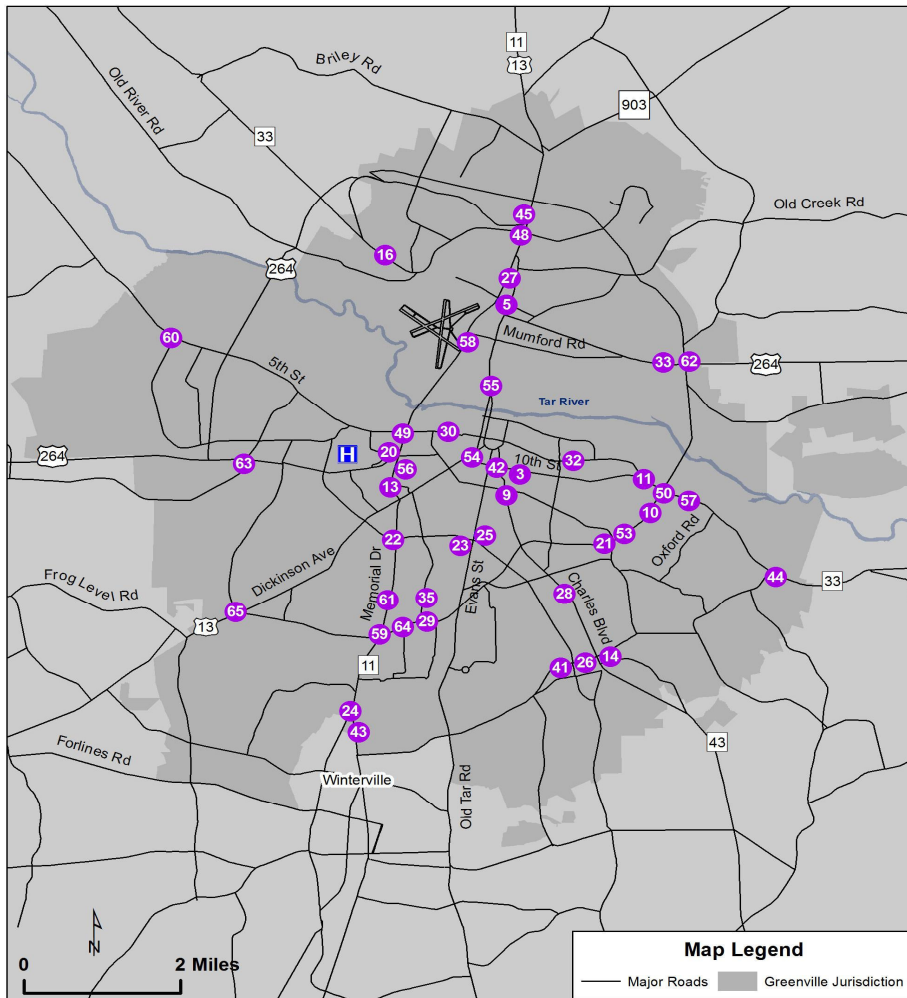
#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
3	Campus Store	316 E. 10th St	03801	CDF	Convenience Store with Gas
5	City Gas	1799 N. Greene St	62159	CH	Convenience Store with Gas
9	Duck Thru #15	1301 Charles Blvd	27258	CN	Convenience Store with Gas
10	Duck Thru #20	1900 SE Greenville Blvd	38068	CG	Convenience Store with Gas
11	Duck Thru #14	3000 E. 10th St	23016	CH	Convenience Store with Gas
13	Handy Mart #51	1000 S. Memorial Dr	50504	MCH	Convenience Store with Gas
14	Handy Mart #54	3701 Hwy 43 S.	37246	CG	Convenience Store with Gas
16	Joe's Country Mart	1710 Belvoir Hwy	58820	RA20	Convenience Store with Gas
20	Kangaroo Express #3083	700 S. Memorial Dr	15242	MCH	Convenience Store with Gas
21	Kangaroo Express #3099	1531 SE Greenville Blvd	18870	CN	Convenience Store with Gas
22	Kangaroo Express #3104	1301 W. Arlington Blvd	52969	CH	Convenience Store with Gas

#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
23	Kangaroo Express #3419	2200 S. Evans St	08108	CG	Convenience Store with Gas
24	Kangaroo Express #826	4000 S. Memorial Dr	47849	CH	Convenience Store with Gas
25	Kangaroo Express #827	2195 S. Evans St	48303	CG	Convenience Store with Gas
26	Kangaroo Express #859	1900 E. Firetower Rd	54213	CG	Convenience Store with Gas
27	Kangaroo Express #895	1930 N. Memorial Dr	34532	CH	Convenience Store with Gas
28	Kangaroo Express #901	2600 S. Charles Blvd	30488	CG	Convenience Store with Gas
29	Kings Convenience Inc.	300 SW Greenville Blvd	15509	CH	Convenience Store with Gas
30	Kings Convenient Store	912 W. 5th St	67546	CDF / R6	Convenience Store with Gas
32	Landmark Pick-Up	1809 E. 5th St	02078	R9S	Convenience Store with Gas
33	Marks Food Market	2205 Old Pactolus Hwy	23830	CN	Convenience Store with Gas
35	Murphy USA #6645	250 SW Greenville Blvd	63432	CG	Convenience Store with Gas
41	Sheetz #391	2100 County Home Rd	72609	CG	Convenience Store with Gas
42	Sheetz #397	1000 Charles Blvd	74017	CDF	Convenience Store with Gas
43	Sheetz #409	650 Whitley Dr	75068	CH	Convenience Store with Gas

#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
44	Sheetz #415	4300 E. 10th St	68187	CG	Convenience Store with Gas
45	Sheetz #488	2521 N. Memorial Dr	80843	CH	Convenience Store with Gas
48	The Fuel Dock #12	2403 N. Memorial Dr	15528	IU	Convenience Store with Gas
49	The Fuel Dock #4	500 S. Memorial Dr	03107	CDF	Convenience Store with Gas
50	The Oasis	2130 SE Greenville Blvd	41824	CH	Convenience Store with Gas
53	WILCO #1801	1601 Greenville Blvd	25191	CG	Convenience Store with Gas
54	WILCO #1802	210 W. 10th St	23619	IU	Convenience Store with Gas
55	WILCO #1806	500 N. Greene St	12855	CH	Convenience Store with Gas
56	WILCO #1820	715 S. Memorial Dr	23646	CH	Convenience Store with Gas
57	WILCO #1840	3202 E. 10th St	56082	CH	Convenience Store with Gas
58	WILCO #1858	1110 N. Memorial Dr	45139	CH	Convenience Store with Gas
59	WILCO #1864	612 SW Greenville Blvd	16852	CH	Convenience Store with Gas
60	WILCO #1879	3579 NC 43 N.	64117	CN	Convenience Store with Gas
61	WILCO #1891	3000 S. Memorial Dr	22285	CH	Convenience Store with Gas

#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
62	WILCO #237	3505 Hwy 264 E.	74964	CH	Convenience Store with Gas
63	WILCO #240	3000 Stantonsburg Rd	79292	CG	Convenience Store with Gas
64	WILCO #390	502 SW Greenville Blvd	18047	CH	Convenience Store with Gas
65	WILCO #41	4000 Dickinson Ave Ext.	56070	CG	Convenience Store with Gas

Map 2. Location of Convenience Stores (with gasoline or automobile fuel sales)



3. Tobacco Shop (Class 1)

- This is a new land use classification intended to define and provide standards for establishments that, as a substantial portion of the use, entail the retail sales of tobacco products including, but not limited to, cigarettes, cigars, chewing tobacco, shisha, unformed or loose tobacco, and similar products. For the purpose of this definition, a substantial portion of the use is established if:
 1. At least 20% of the establishment’s floor area open and accessible to customers is used for the display and/or stocking of tobacco products as provided herein; or
 2. At least 40% of the establishment’s signage that is visible from public rights-of-way advertises tobacco products as provided herein.

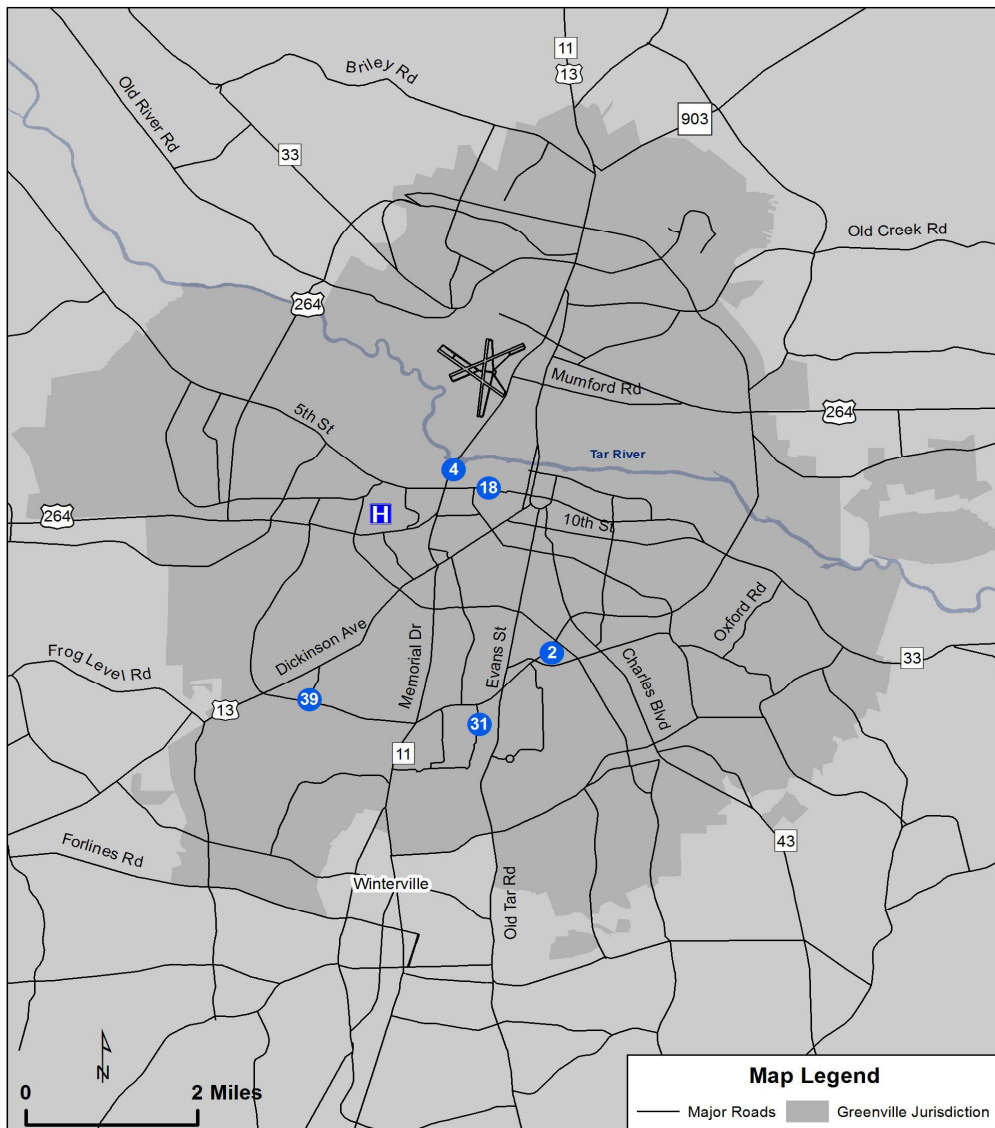
- This land use is proposed to be permitted with a special use permit in the CH, CG, MCH, CD and CDF districts, subject to the following separation requirements:
 - ❖ 500-foot separation of a proposed tobacco shop (Class 1) from an existing or approved school;
 - ❖ Not permitted within any certified redevelopment area (i.e. West Greenville, Center City and 45-Block redevelopment areas);

Table 5. Inventory of Tobacco Shops (Class 1) Located within City Limits and ETJ

#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
2	Blackbeard's Cigars	600-B Greenville Blvd	22001	CG	Tobacco Shop Class 1
4	Cigarette & Tobacco Outlet (5 Points)	205 S. Memorial Dr	01409	R6	Tobacco Shop Class 1
18	K&A Convenient Mart	1000-A W. 5th St	05426	CDF	Tobacco Shop Class 1
31	Landmark Convenient & Discount	3243 Landmark St	41775	CH	Tobacco Shop Class 1

#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
39	Red Oak Grill & Grocery	1500 SW Greenville Blvd	27433	CG	Tobacco Shop Class 1

Map 3. Location of Tobacco Shops (Class 1)



4. Tobacco Shop (Class 2)

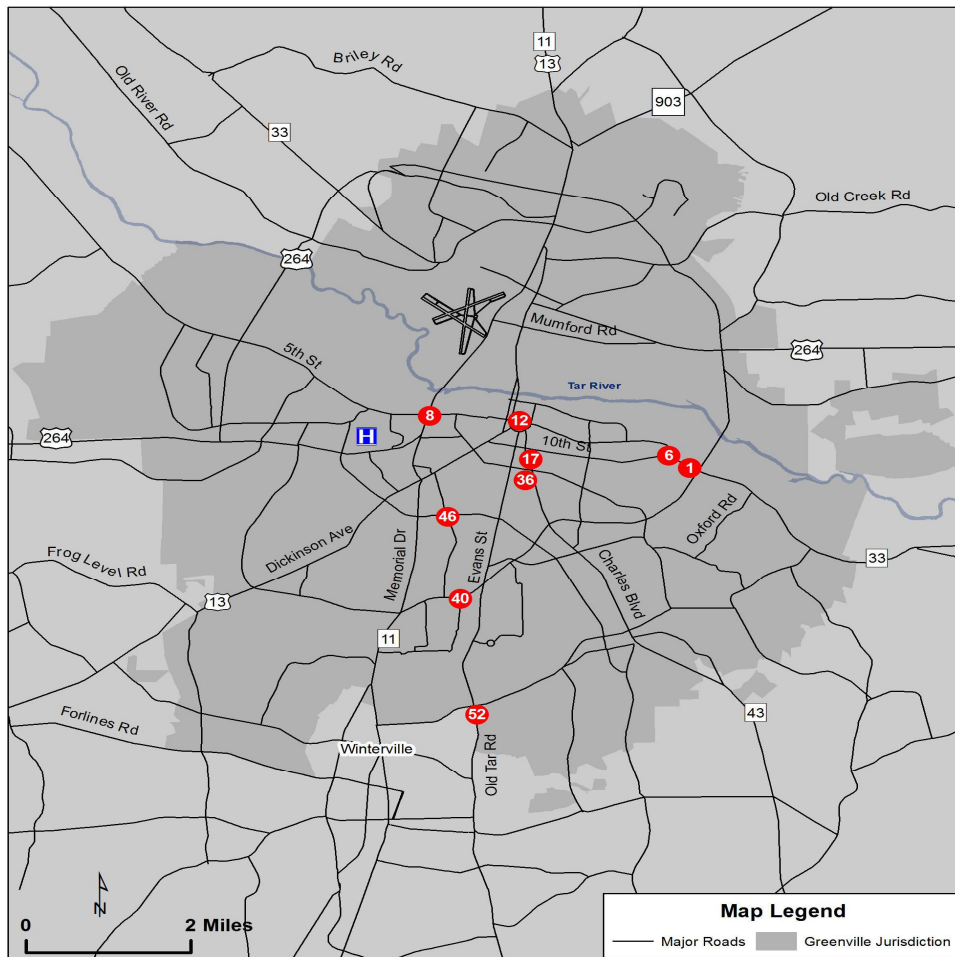
- This is a new land use classification intended to define and provide standards for establishments that entail the retail sales of any of the following tobacco smoking apparatus: water pipes; hookah pipes; bowls; water bong; or similar products.
- This land use is proposed to be permitted with a special use permit in the CH and CG districts, subject to the following separation requirements:
 - ❖ 1/2 mile separation of a proposed tobacco shop (Class 2) from an existing or approved tobacco shop (Class 1 or 2);
 - ❖ 500-foot separation of a proposed tobacco shop (Class 2) from (i) a conforming use single-family dwelling located in any district, (ii) any single-family residential zoning district;
 - ❖ 500-foot separation of a proposed tobacco shop (Class 2) from an existing or approved school, church, park, or multi-family use;
 - ❖ Not permitted within any certified redevelopment area (i.e. West Greenville, Center City and 45-Block redevelopment areas);

Table 6. Inventory of Tobacco Shops (Class 2) Located within City Limits and ETJ

#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
1	252 Tobacco Shop	3010 E. 10th St	06137	CH	Tobacco Shop Class 2
6	D's Drive Thru	2753 E. 10th St	03532	CG	Tobacco Shop Class 2
8	Dreams Tobacco Shop	501 S. Memorial Dr	48302	CG	Tobacco Shop Class 2
12	Expressions	424 Evans St	09026	CD	Tobacco Shop Class 2
17	Jolly Roger	405 E. 14th St	20459	CDF	Tobacco Shop Class 2

#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
36	NC Tobacco Discount	1400 S. Charles Blvd	00602	CG	Tobacco Shop Class 2
40	Sam & Moe's	139 SW Greenville Blvd	47883	CH	Tobacco Shop Class 2
46	Speedy Mart of Pitt	701 Hooker Rd	23706	CN	Tobacco Shop Class 2
52	Tobacco Plus	4125 Old Tar Rd	31595	CG	Tobacco Shop Class 2

Map 4. Location of Tobacco Shops (Class 2)



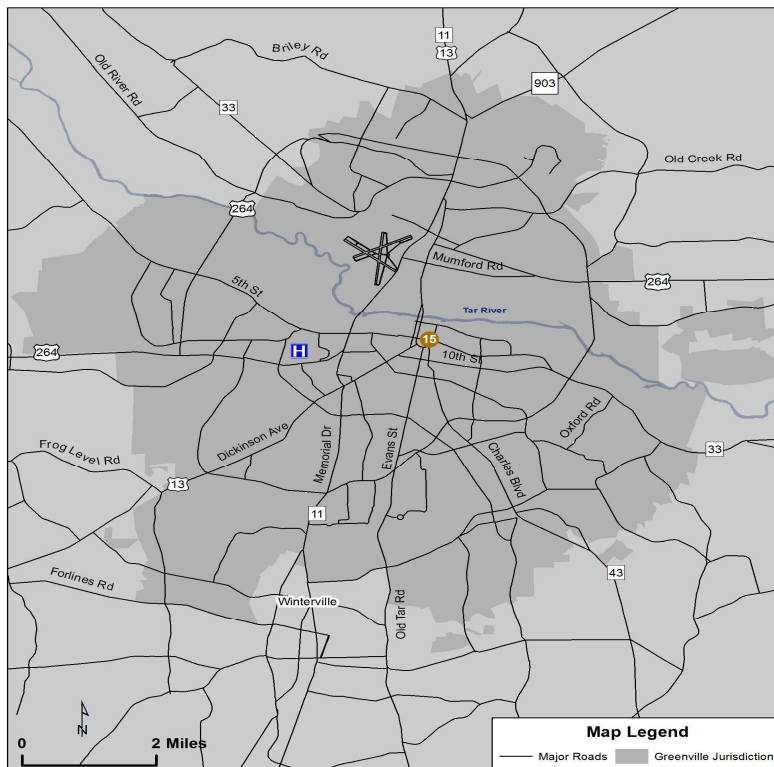
5. Hookah Cafe

- This is a new land use classification intended to define and provide standards for any establishment that, as a primary or accessory use, provides for the on-site consumption of shisha or similar flavored tobacco products.
- This land use is proposed to be permitted with a special use permit in the CH; CG; CD and CDF districts subject to the following separation requirements:
 - ❖ 1/4 mile separation of a proposed hookah cafe from an existing or approved hookah cafe.

Table 6. Inventory of Hookah Cafes Located within City Limits and ETJ

#	Business Name	Address	Pitt Co. Parcel I.D. #	Zoning District	Land Use Classification
15	Hookalicious	203 E. 5th St	12630	CD	Hookah Lounge

Map 5. Location of Hookah Cafes





City of Greenville, North Carolina

Meeting Date: 2/14/2013
Time: 7:00 PM

Title of Item: Ordinance requiring the repair or the demolition and removal of the dwelling located at 908 Fairfax Avenue

Explanation: Abstract: The dwelling located at 908 Fairfax Avenue was severely damaged as a result of Hurricane Irene in August 2011. Time elapsed as Code Enforcement staff attempted to contact an heir to the property. After making contact, the heir entered an agreement to abate the damage and the condition of the property within 90 days. No abatement has begun, and ordinance adoption requiring the repair or the demolition and removal of the dwelling at this location is now requested.

Explanation: The dwelling at 908 Fairfax Avenue suffered severe damage as a result of Hurricane Irene in August 2011. The heirs to the property entered into agreement with Code Enforcement staff to repair the structure and address the condition of the property within 90 days. This process has not occurred, and the property continues to be in a state of abandonment with damage beyond what is believed is suitable for repair. It is now requested that this property be subject to a City ordinance requiring repair or demolition within 90 days. This action would result in May 15, 2013, being the final day for abatement. If no repairs are made by May 15, 2013, it is requested that the property be demolished by ordinance.

Fiscal Note: If approved by ordinance and required repairs are not made by the owner, demolition will consist of the following:

- Asbestos test (approximately \$1,500)
- Asbestos removal (approximately \$2,000 if needed)
- Demolition and debris removal (approximately \$6,000)

Recommendation: Due to its current state of damage and apparent disrepair, it is the

recommendation of the Code Enforcement Division that the ordinance concerning repair or demolition of 908 Fairfax Avenue be approved.

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Attachments / click to download

 [Photos of 908 Fairfax Avenue](#)

 [908 Fairfax Avenue_946293](#)

ORDINANCE NO.
ORDINANCE REQUIRING THE OWNER OF A DWELLING VACATED
AND CLOSED FOR A PERIOD OF AT LEAST SIX MONTHS PURSUANT TO THE
ENFORCEMENT OF THE MINIMUM HOUSING CODE TO REPAIR OR DEMOLISH
AND REMOVE THE DWELLING LOCATED AT 908 FAIRFAX AVENUE
TAX PARCEL NUMBER 18431

WHEREAS, pursuant to the enforcement of the Minimum Housing Code contained in Article F of Chapter 1 of Title 9 of the Code of the City of Greenville, North Carolina, as authorized by the provisions of Part 6 of Article 19 of Chapter 160A of the North Carolina General Statutes, the dwelling described herein has been vacated and closed for a period of at least six (6) months;

WHEREAS, the City Council of the City of Greenville hereby finds that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling described herein in order to render it fit for human habitation and the continuation of the dwelling in its vacated and closed state would be inimical to the health, safety, morals and welfare of the city in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State; and

WHEREAS, G.S. 160A-443 (5), which applies to the City of Greenville pursuant to the provisions of Chapter 200 of the 2005 Session Laws of the North Carolina General Assembly, and Section 9-1-111 of the Code of the City of Greenville, North Carolina, empowers the City Council of the City of Greenville to enact this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Greenville that:

Section 1. The owner(s), Larry James Staton & Maggie Mae Staton, along with heirs Martha Harris and Hester Hartley of the dwelling located at 908 Fairfax Avenue in the City of Greenville, North Carolina, is hereby directed and required to either repair said dwelling so that it fully complies with the standards of the Minimum Housing Code or to demolish and remove said dwelling within ninety (90) days from the effective date of this ordinance.

Section 2. No building or repair permits shall be issued to the owner or representative of the owner without prior approval of the Code Enforcement Officer. Failure to comply with any approval of the Code Enforcement Officer shall result in recession of any building permit.

Section 3. The Code Enforcement Officer is hereby authorized and directed to proceed to either repair or demolish and remove the dwelling in the event the owner fails to comply with the provisions of Section 1 of this ordinance within ninety (90) days, or fails to comply with any approval by the Code Enforcement Officer in Section 2, said dwelling being located at 908

Fairfax Avenue owned by Larry James Staton & Maggie Mae Staton, along with heirs Martha Harris and Hester Hartley.

Section 4. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The material of the dwelling and any personal property, fixtures, or appurtenances found in or attached to the dwelling shall be sold and the proceeds shall be credited against the cost of removal or demolition and any balance remaining shall be deposited in superior court where it shall be secured and disbursed in the manner provided by G.S. 160A-443 (6).

Section 5. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Section 6. This ordinance shall become effective upon its adoption.

This the 14th day of February, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

#946293





City of Greenville, North Carolina

Meeting Date: 2/14/2013
Time: 7:00 PM

Title of Item: One-Stop Voting for 2013 Municipal Elections

Explanation: **Abstract:** The Pitt County Board of Elections has requested a decision on whether the City would like to host a One-Stop voting site for the 2013 Municipal Elections. The One-Stop site, if approved, would be in addition to those at the Pitt County Agricultural Center and the Community Schools Building

Explanation: The City Clerk's Office received an email from the Pitt County Board of Elections Director Dave Davis inquiring as to whether the City would like to host an additional One-Stop site for early voting in the 2013 municipal elections.

In accordance with the 2009 agreement regarding conduct of municipal elections, two One-Stop voting sites will in operation beginning no earlier than October 17, 2013, and must close by 1:00 p.m. on November 2, 2013. Those One-Stop sites will be located at the Pitt County Agricultural Center and the Community Schools Building, with operational costs being shared proportionally by all Pitt County municipalities based on their number of registered voters.

A municipality may request an additional One-Stop voting site located within their jurisdiction and, if approved, said municipality shall be responsible for all expenses related to the operation of the additional One-Stop site.

The City of Greenville hosted an additional One-Stop voting site at the Municipal Building in 2009 and in the PATS Conference Room behind the County Office Building at 1717 West 5th Street in 2011. The change in location to the PATS Conference Room was made because the Board of Elections determined in 2011 that the Municipal Building was too small to serve as a suitable One-Stop site.

If the City wishes to host the additional One-Stop voting site, Mr. Davis recommends that it be open from October 28, 2013, through November 2, 2013, which mirrors the dates hosted for the two previous elections.

Fiscal Note:

Cost of hosting an additional One-Stop voting site for the 2013 municipal elections for a period of one week is estimated at \$2,919.46, and funding is available in the FY 2014 budget.

Recommendation:

Discuss One-Stop voting and determine whether the City will request an additional site be opened in the PATS Conference Room behind the County Office Building at 1717 West 5th Street from October 28, 2013, through November 2, 2013.

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

Attachments / click to download

 [Detail for 2013 Municipal Elections 946473](#)

One-Stop site for 2013 Municipal Elections

FROM: Davis, David [dpdavis@pittcountync.gov]

Email Received 01/24/2013:

We are currently working on the budget for the 2013-2014 fiscal year, which includes the Municipal Elections. In previous elections Greenville & Winterville have both hosted a One-Stop site for their election. In order to prepare our budget & also provide you with an estimate of the election expenses, can you please let me know if your municipality will host a site this year. If so, please also let me know how many days you'd like the site open. At this time the earliest One-Stop can open is October 17 & must close by 1pm November 2.

Thanks,

Dave Davis

Director of Elections

Pitt County Board of Elections

www.pittcountync.gov/depts/elections

PO Box 56, Greenville NC 27835

(252) 902-3300

In a reply to Mr. Davis on 01/24/2013, the City Clerk asked for a cost estimate for hosting an additional site and about flexibility/choice of locations.

Email Received 01/24/2013

At this time it would more than likely be the PATS conference room (what was used in 2011). I'll work on those numbers for you.

Dave

Email Received 01/25/2013

Here's the rough estimates:

Without County Office site = \$11,123.13

This covers the Ag. Center & Community Schools sites. Per the municipal agreement the cost of these 2 sites are shared proportionately across the municipalities.

With County Office site = \$14,042.59

This covers the "shared" One-Stop sites (Ag. Center & Community Schools) plus the County Office site. The expense of the "Greenville" site per the municipal agreement would be the sole responsibility of Greenville. However, based on NC election law any voter would be allowed to vote there.

County Office site open from Mon., Oct. 28 – Sat., Nov. 2. This mirrors the dates from 2011.

Dave



City of Greenville, North Carolina

Meeting Date: 2/14/2013
Time: 7:00 PM

Title of Item: Discussion on Contract for Services with the Greenville-Pitt County Chamber of Commerce

Explanation: **Abstract:** Mayor Pro-Tem Glover has requested that the City's contract for services with the Greenville-Pitt County Chamber of Commerce be added as a discussion item for City Council. This item was initially placed on the January 17, 2013, agenda but asked to be continued to the February 11, 2013, agenda. The City's current contract for services with the Chamber is for \$10,000. This contract runs July 1, 2012 – June 30, 2013, and has been paid in full via two payments of \$5,000.

Explanation

The City currently has a contract for services with the Chamber for \$10,000. This contract runs July 1, 2012 – June 30, 2013, and has been paid in full via two payments of \$5,000. Under the terms of the contract for services, it is stated that the Chamber will use its best efforts to publicize the economic, educational, social, and cultural benefits of Greenville; assist in recruiting business and industry to Greenville; and provide information on the City. Further, the Chamber will:

- a. Help publicize and promote the City's economic development initiatives and programs;
- b. Coordinate the annual joint appreciation dinner for law enforcement and Greenville Fire-Rescue professionals;
- c. Coordinate the annual Community Unity Breakfast; and
- d. Help support and promote the Minority Business Council.

The Chamber is required at the end of the contract period to provide City Council with a report outlining the significant achievements of the Chamber with regard to the work performed under the contract.

In addition to this contract for services, the City is a member of the Chamber and, as such, membership dues are paid annually. The City's Chamber

membership runs January 1 – December 31, and the City has paid the invoice for calendar year 2013 dues in the amount of \$4,086.

Fiscal Note:

Funds were included in the current year's budget for the contract for services and the Chamber membership. The City has paid the Chamber the full \$10,000 obligated under the current Contract for Services, which is effective until June 30, 2013. The City has also paid the Chamber \$4,086 for membership dues for calendar year 2013.

Recommendation:

Provide direction to staff on any further action desired.

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

Attachments / click to download

 [Contract](#)

NORTH CAROLINA
PITT COUNTY

CONTRACT FOR SERVICES

This CONTRACT is made the 1st day of July, 2012 between the City of Greenville, a North Carolina municipal corporation (the CITY), and the Greenville-Pitt County Chamber of Commerce (the CHAMBER);

WITNESSETH

1. Consideration.

The consideration of this CONTRACT are the services to be performed by the CHAMBER for the CITY, and the sum of \$10,000 paid by the CITY to the CHAMBER.

2. Work to be Performed.

The CHAMBER will use its best efforts to publicize the economic, educational, social, and cultural benefits of Greenville; assist in recruiting business and industry to Greenville; and provide information on the City.

Further, the CHAMBER will:

- a. Help publicize and promote the CITY's economic development initiatives and programs;
- b. Coordinate the annual joint appreciation dinner for law enforcement and Greenville Fire-Rescue professionals;
- c. Coordinate the annual Community Unity Breakfast; and
- d. Help support and promote the Minority Business Council.

Both parties expressly acknowledge the mutual benefit of acting in a cooperative manner in pursuit of each of their missions. In the spirit of total quality, the CHAMBER seeks continuous improvement in those key areas of community development addressed in its Program of Work.

3. Schedule of Payments.

Payment of \$10,000 will be made by the CITY to the CHAMBER on a semi-annual basis. Each payment shall be \$5,000, with the first payment to be made within 30 days of receipt of the

annual report for the 2011-2012 contract period, and the second and final payment to be made on or about January 1, 2013.

4. Reports.

At the end of the contract period, the CHAMBER shall report to the City Council the significant achievements of the CHAMBER with regard to the work performed under Section 2 of this CONTRACT.

5. Duration, Termination, and Amendment.

This CONTRACT shall commence on July 1, 2012, and terminate on June 30, 2013. This CONTRACT may be amended with the consent of both parties when such an amendment is made in writing and signed by an authorized officer of each party.

IN WITNESS WHEREOF, the parties have set their hands and seals this the day and year first written above.

CITY OF GREENVILLE



Thomas M. Moton, Jr.
Thomas M. Moton, Jr., Interim City Manager

ATTEST:

Carol L. Barwick
Carol L. Barwick, City Clerk

APPROVED AS TO FORM:

David A. Holec
David A. Holec, City Attorney

PRE-AUDIT CERTIFICATION

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Bernita W. Demery
Bernita W. Demery, Director of Financial Services

Account Number 010-1050-400.00-01

CHAMBER OF COMMERCE

Susanne D. Sartelle
Susanne D. Sartelle, President

ATTEST:

SSP
Scott Senatore, Senior Vice President



City of Greenville, North Carolina

Meeting Date: 2/14/2013
Time: 7:00 PM

Title of Item: Economic Development Investment Zone Designations

Explanation: **Abstract:** Presentation of proposed local economic development investment (EDI) zones in which the City of Greenville will prioritize economic development programs, projects, and incentives in furtherance of the City's adopted Strategic Economic Plan.

Explanation: Among the action items listed in the City of Greenville's Strategic Economic Plan is to "study options for developing an economic development incentives toolkit." That item was included in the Strategic Economic Plan – Implementation Work Plan (July 1, 2012 – June 30, 2013).

As a first step, City staff provided a report on possible economic development incentive options to the City Council at the December 13, 2012, City Council meeting. City Council members provided valuable input during the meeting which City staff continues to evaluate prior to formalization of the possible incentive options into draft policy.

As part of the options report, City staff suggested the creation of four (4) new EDI zones in addition to the maintenance of both the West Greenville Redevelopment Area and Center City Revitalization Area as EDI zones. Adoption of these six (6) total EDI zones does not commit the City Council to any particular policy or program but does signal to the business community the City's desire to increase economic development within the zones. Establishment of these EDI zones does not alter or supersede any existing land use policy or regulation currently in effect nor does it prevent any future land use policies from being considered.

It is the intention of City staff to craft projects, programs, and policies for each of the EDI zones that over time will dovetail with the efforts of the private sector to build jobs and tax base in the target areas.

Fiscal Note: There is no budgetary impact related directly to creation of economic

development investment zones. Should the City subsequently choose to enact or move forward with economic development programs, projects, or incentive policies within any of the zones, each separate case may have a budgetary impact which would be analyzed by staff in advance of any recommendation to City Council.

Recommendation: City Council approve the resolution and accompanying map that establish six (6) economic development investment zones within the corporate limits of the City of Greenville.

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

Attachments / click to download

 [Economic Development Zone Maps](#)

 [EDI Zone Resolution 946502](#)

RESOLUTION NO. 00 -13

RESOLUTION CREATING ECONOMIC DEVELOPMENT INVESTMENT ZONES WITHIN
THE CORPORATE LIMITS OF THE CITY OF GREENVILLE

WHEREAS, the City Council of the City of Greenville recognizes the importance of pursuing initiatives that create jobs and tax base within the City of Greenville;

WHEREAS, a comprehensive approach to economic development planning and program management allows elected officials to make conscious economic development decisions which are consistent and based on explicit, written policies and plans; and

WHEREAS, it is vital that certain geographic areas of the City be prioritized and promoted for economic development based on considerations such as investment potential, availability of infrastructure, relative lack of commercial services, wealth and/or employment of area residents;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENVILLE DOES HEREBY RESOLVE:

Section 1. Economic Development Investment Zones within the corporate limits of the City of Greenville are hereby established for the purpose of promoting economic development. The Economic Development Investment Zones are as follows:

- (a) An Airport Economic Development Investment Zone is hereby established. The boundaries of the Airport Economic Development Investment Zone shall be as shown on the map entitled "Airport Economic Development Investment Zone" dated February 14, 2013;
- (b) A Center City Economic Development Investment Zone is hereby established. The boundaries of the Center City Economic Development Investment Zone shall be as shown on the map entitled "Center City Economic Development Investment Zone" dated February 14, 2013;
- (c) A Dickinson Avenue Economic Development Investment Zone is hereby established. The boundaries of the Dickinson Avenue Economic Development Investment Zone shall be as shown on the map entitled "Dickinson Avenue Economic Development Investment Zone" dated February 14, 2013;
- (d) An East Tenth Street Economic Development Investment Zone is hereby established. The boundaries of the East Tenth Street Economic Development Investment Zone shall be as shown on the map entitled "East Tenth Street Economic Development Investment Zone" dated February 14, 2013;
- (e) A Medical District Economic Development Investment Zone is hereby established. The boundaries of the Medical District Economic Development Investment Zone shall be as shown on the map entitled "Medical District Economic Development Investment Zone" dated February 14, 2013; and

- (f) A West Greenville Economic Development Investment Zone is hereby established. The boundaries of the West Greenville Economic Development Investment Zone shall be as shown on the map entitled "West Greenville Economic Development Investment Zone" dated February 14, 2013.

Section 2. That the Director of Community Development is directed to file the maps showing the boundaries of the Economic Development Investment Zones in the office of the City Clerk.

ADOPTED this 14th day of February, 2013.

Allen M. Thomas, Mayor

Attest:

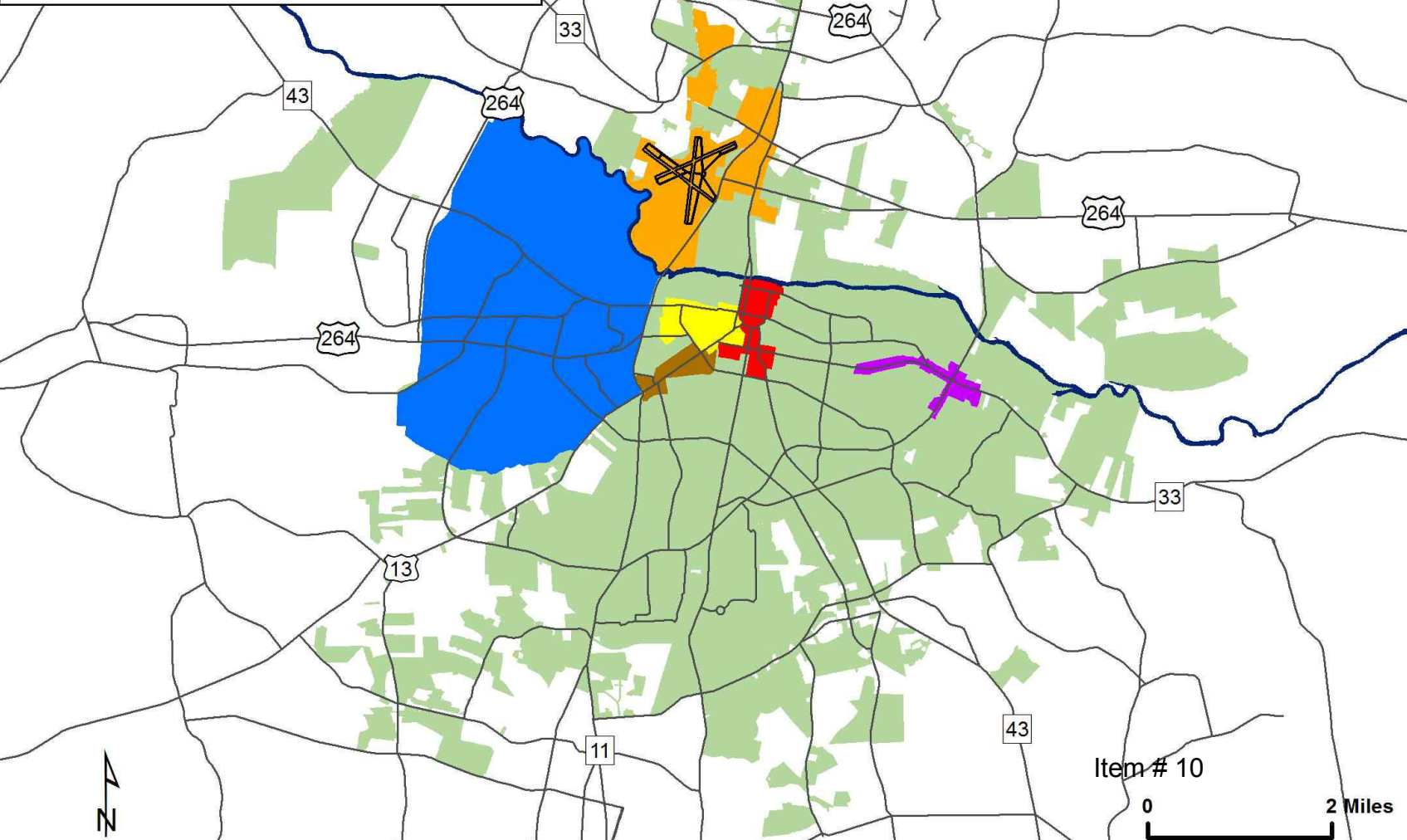
Carol L. Barwick

Economic Development Investment Zones

February 14, 2013

Map Legend

- Airport Area
- Center City
- Dickinson Ave
- East Tenth Street
- Medical District
- West Greenville
- Tar River
- City Limits
- Major Roads

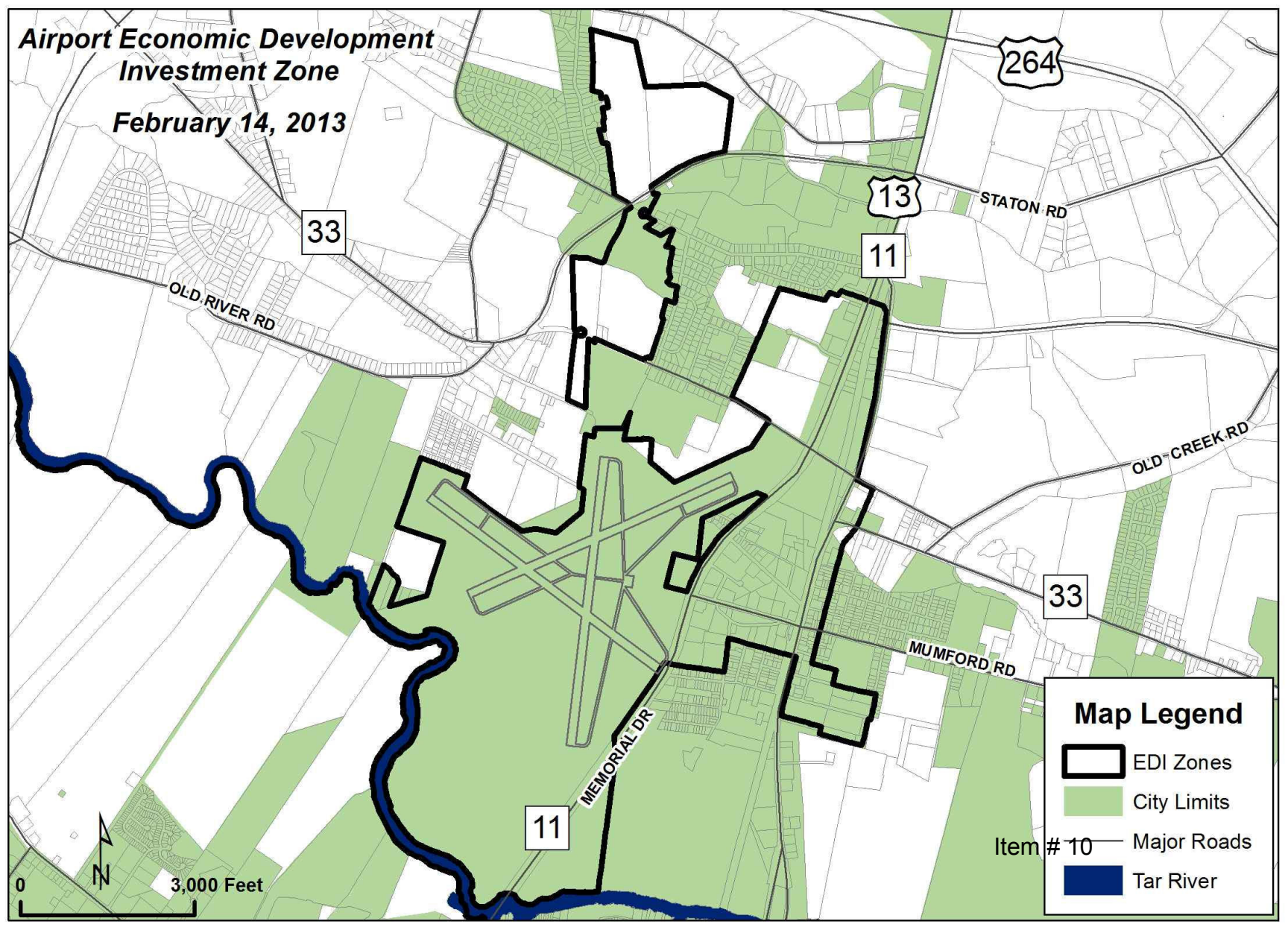


Item # 10

0 2 Miles

Airport Economic Development Investment Zone

February 14, 2013



Map Legend

- EDI Zones
- City Limits
- Major Roads
- Tar River

Item # 10

0 3,000 Feet



33

13

11

264

33

11

OLD RIVER RD

STATON RD

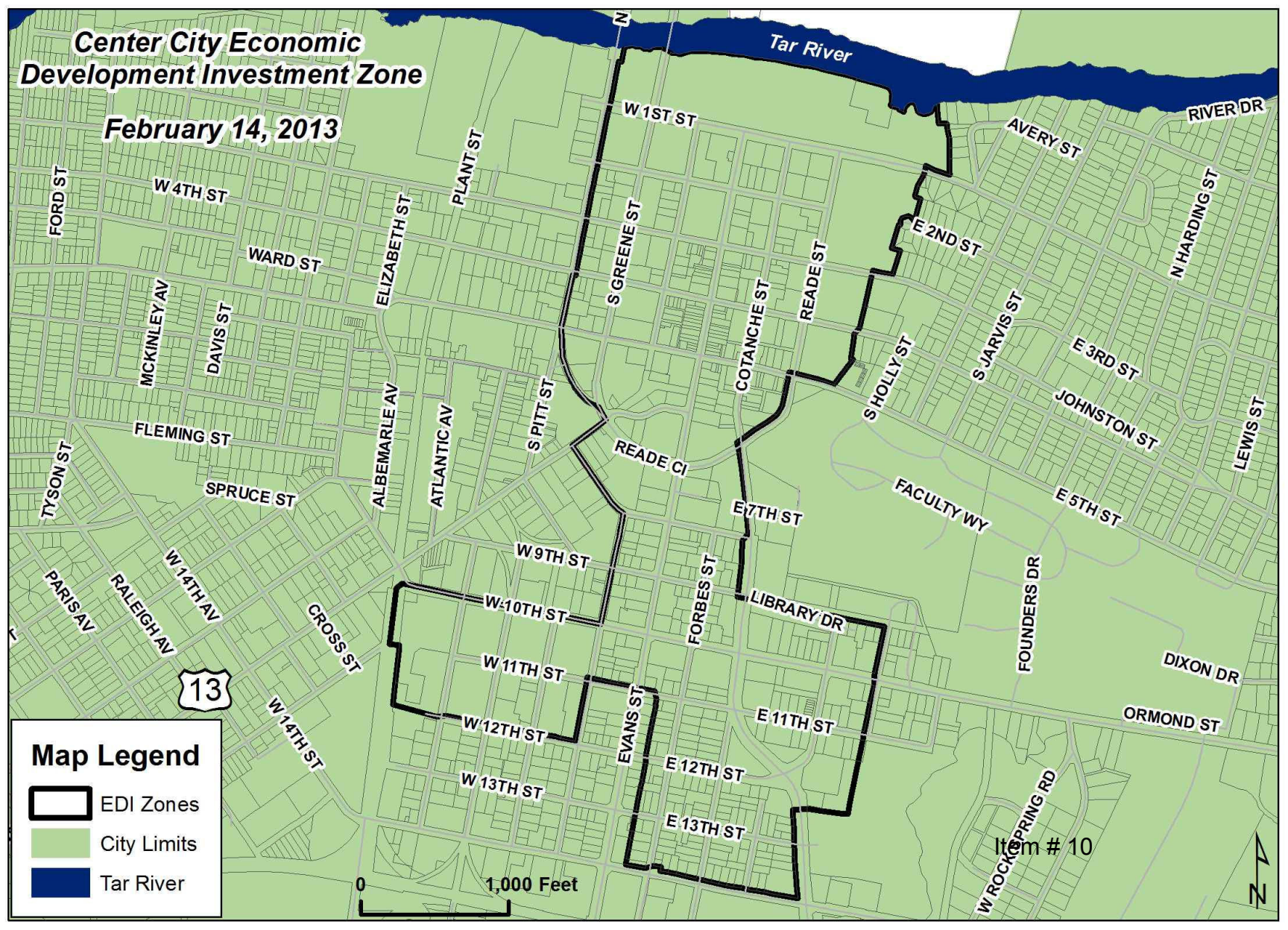
OLD CREEK RD

MUMFORD RD

MEMORIAL DR

Center City Economic Development Investment Zone

February 14, 2013



Map Legend

-  EDI Zones
-  City Limits
-  Tar River

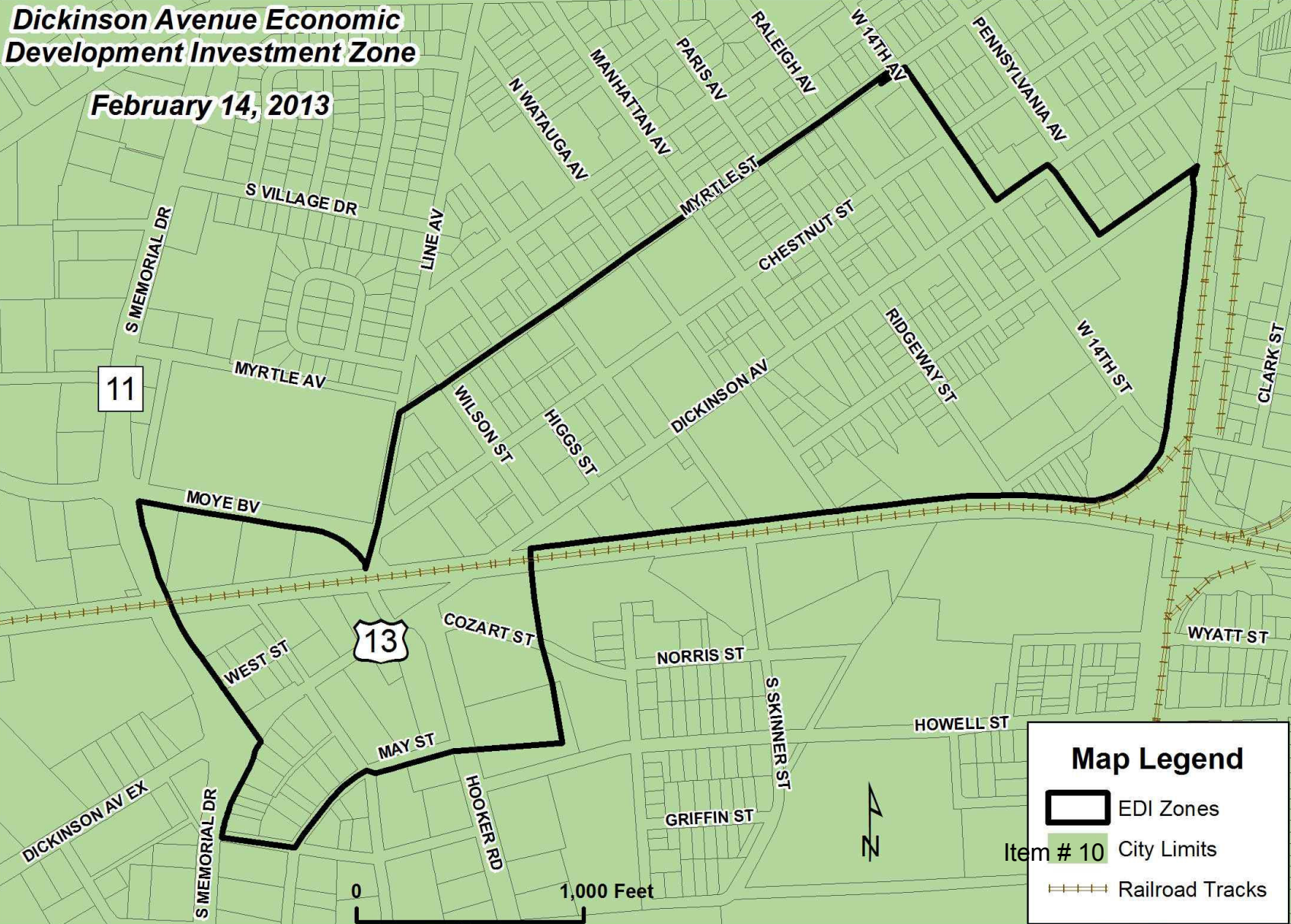
1,000 Feet

Item # 10

13

Dickinson Avenue Economic Development Investment Zone




February 14, 2013



11

13

Map Legend

-  EDI Zones
-  City Limits
-  Railroad Tracks

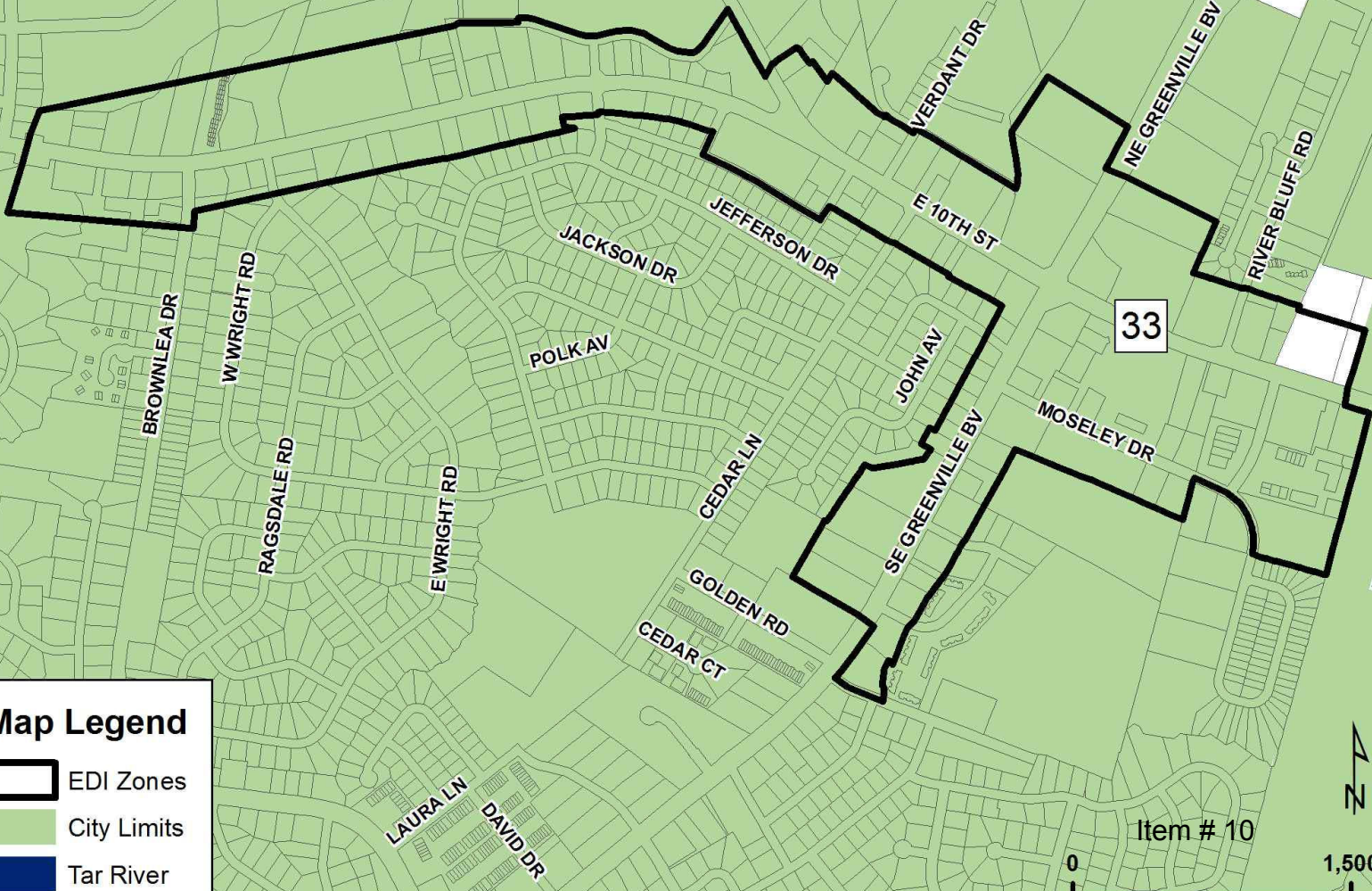
Item # 10

0 1,000 Feet



East Tenth Street Economic Development Investment Zone

February 14, 2013



Map Legend

-  EDI Zones
-  City Limits
-  Tar River

Item # 10

0 1,500 Feet

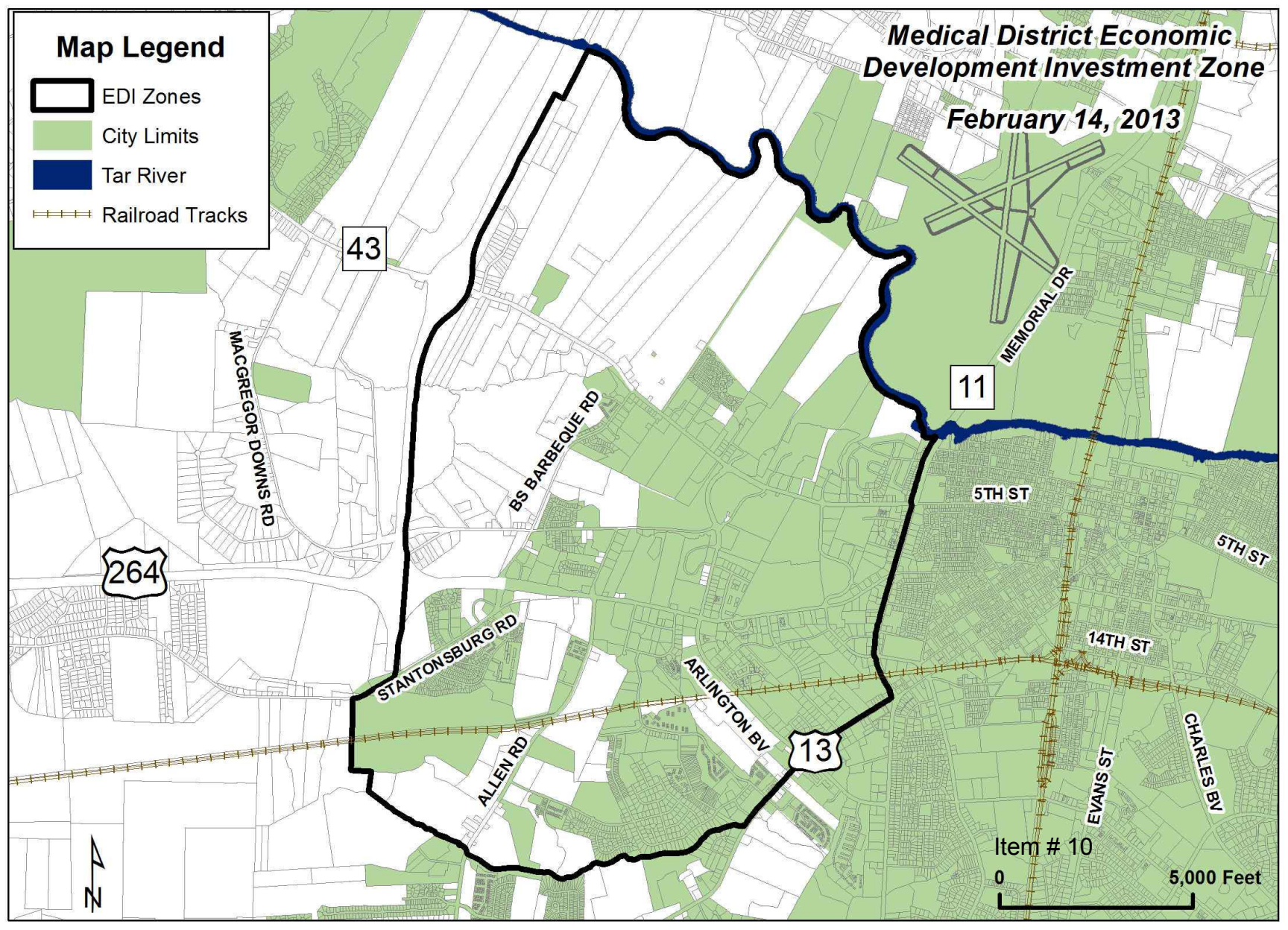


Map Legend

-  EDI Zones
-  City Limits
-  Tar River
-  Railroad Tracks

Medical District Economic Development Investment Zone

February 14, 2013

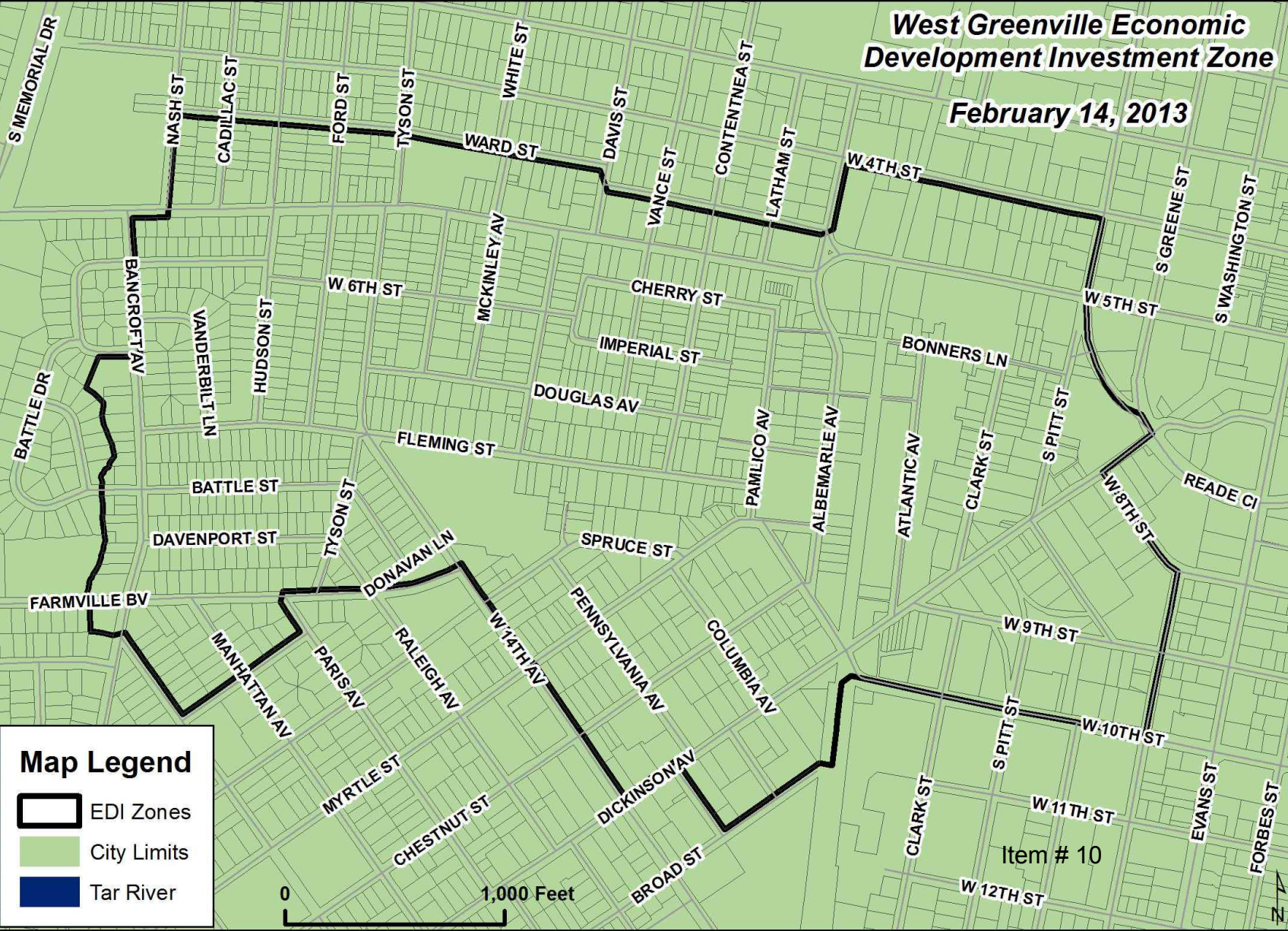


Item # 10

0 5,000 Feet

West Greenville Economic Development Investment Zone

February 14, 2013



Map Legend

-  EDI Zones
-  City Limits
-  Tar River

Item # 10

0 1,000 Feet