



Agenda

Planning and Zoning Commission

May 15, 2018
6:00 PM

Council Chambers City Hall, 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 - Hap Maxwell
- III. ROLL CALL
- IV. APPROVAL OF MINUTES - April 17, 2018
- V. OLD BUSINESS

PRELIMINARY PLATS

1. Request by Bill Clark Homes of Greenville, LLC, to revise an existing preliminary plat. The proposed plat is titled "Paramore Farms Cluster Revised". The subject property is located north of Donald Drive and east of Live Oak Lane and is further identified as Tax Parcel 68318. The preliminary plat consists of 50 lots totaling 15.3 acres.

- VI. NEW BUSINESS

REZONINGS

2. Ordinance requested by Pitt County Committee of 100, Incorporated to rezone a total of 3.42 acres located near the northwestern corner of the intersection of Old Creek Road and Sugg Parkway from RA20 (Residential-Agricultural) and PIU (Planned Unoffensive Industry) to PIU (Planned Unoffensive Industry) for Tract 1 and IU (Unoffensive Industry) for Tract 2.
3. Ordinance requested by 101010, LLC, Cook RE Holdings, LLC and Delta Alpha East, LLC to rezone a total of 3.9174 acres located at the southwestern corner of the intersection of East

10th Street and Elm Street from R9 (Residential [Medium Density]) to OR (Office-Residential [High Density Multi-family]).

4. Ordinance requested by Jeffrey Daniels and Timothy McCarthy to rezone 0.25 acres located along the southern right-of-way of East 6th Street adjacent to the East Carolina University Main Campus from R9S (Residential-Single-family [Medium Density]) to OR (Office-Residential [High Density Multi-family]).
5. Ordinance requested by Happy Trail Farms, LLC to rezone 1.322 acres located along the western right-of-way of Charles Boulevard and 200+/- feet northwest of Bluebill Drive from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family]).

TEXT AMENDMENTS

6. Sand Mining in CH Zoning District Text Amendment
7. Thresholds for Vegetation Compliance Text Amendment

VII. ADJOURN

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

April 17, 2018

The Greenville Planning and Zoning Commission met on the above date at 6:00 P.M. in Council Chambers of City Hall.

Mr. Terry King –Chair *
Mr. Doug Schrade – X Ms. Chris Darden – *
Mr. Les Robinson –* Mr. John Collins - *
Ms. Margaret Reid - * Mr. Hap Maxwell - *
Ms. Betsy Leech –* Mr. Ken Wilson - *
Mr. Michael Overton - X

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

VOTING MEMBERS: Robinson, Darden, Collins, Maxwell, Reid, Wilson, Overton, Leech

PLANNING STAFF: Chantae Gooby, Planner II; Mike Dail, Lead Planner; Thomas Weitnauer, Chief Planner; Joe K. Durham, Interim Director of Community Development; and Amy Nunez, Secretary

OTHERS PRESENT: Emanuel McGirt, City Attorney; Rik DiCesare, Traffic Engineer; Cathy Meyer, Civil Engineer; Scott Godefroy, City Engineer; and Kelvin Thomas, Communication Technician

MINUTES: Motion made by Mr. Robinson, seconded by Ms. Darden, to accept the March 20, 2018 minutes as presented. Motion passed unanimously.

NEW BUSINESS

PETITION TO CLOSE A PORTION OF GLEN ARTHUR AVENUE – APPROVED

Mr. Scott Godefroy presented the information and delineated the request on a map. The City received a petition from Crones, LLC requesting the closure of a portion of Glen Arthur Avenue from Thirteenth Street to Fourteenth Street. The petitioner is the owner of the property adjoining both sides of the street section requested to be closed. The petition has been reviewed by City staff and Greenville Utilities Commission (GUC). As a condition of final street closure the owner will pay all costs associated with the abandonment of any utilities in the street section to be closed, and a final plat is required to recombine all properties into one parcel. Budgeted funds for the maintenance of this street section and street lighting will no longer be required upon the effective date of the Resolution to Close by City Council. The City will no longer receive Powell Bill funds for the closed street section. Staff recommends to City Council the closure of a portion of Glen Arthur Avenue from Thirteenth Street to Fourteenth Street.

Ms. Leech asked, if the streets belong to the taxpayers, is there compensation for imminent domain.

Mr. Godefroy stated there is no compensation. The right-of-way is split and goes to the property owners. The property around this street has the same property owner.

Ms. Leech asked about future expansion.

Mr. Godefroy stated that will be detailed in the final plat. There will be a 100 foot right-of-way for 14th Street for future expansion.

Chairman King opened the public hearing.

Mr. Brian Fagundus spoke in favor of the request. He stated he was present to answer questions.

No one spoke in opposition.

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

Motion made by Mr. Robinson, seconded by Ms. Leech, to recommend approval of the petition to close a portion of Glen Arthur Avenue to City Council. Motion passed unanimously.

REZONINGS

ORDINANCE REQUESTED BY AGCAROLINA FARM CREDIT TO REZONE 34.7+/- ACRES LOCATED AT THE SOUTHWESTERN CORNER OF THE INTERSECTION OF NC HIGHWAY 43 N AND ROCK SPRING ROAD FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO CN (NEIGHBORHOOD COMMERCIAL) - APPROVED

Ms. Gooby delineated the property. It is located along NC Highway 43 North. Ironwood Subdivision is to the west and The Oakwood School is to the south. The area is mainly agricultural and residential. Tyson's Run is located along the southern property line of the subject property. This request is for commercial. It is anticipated to generate an increase of 3,000 trips per day. Rock Spring Road is currently a gravel road, but will be improved as part of the re-location of the GUC operations center to the east of the subject property. Under the current zoning, the site could accommodate 100 single-family lots. Under the proposed zoning, the site could accommodate 220,000 square feet of mixed use development such as, conventional restaurants, office space, and banks. Fast food restaurants and convenience stores with gasoline sales are allowed with a special use permit. The Future Land Use and Character Map recommends commercial (C) at the southwestern corner of the intersection of Martin Luther King, Jr. Highway and NC Highway 43 N transitioning to traditional neighborhood, medium-high density (TNMH) to the west and traditional neighborhood, low-medium density to the south. Further, conservation/open space is recommended along Tyson's Run. In staff's opinion, the request is in general compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map. The

property is located in an area of transitioning land uses. The Future Land Use and Character Map is not dimensionally- or site-specific.

Chairman King opened the public hearing.

Mr. Will Hilliard spoke in favor of the request.

No one spoke in opposition.

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

Motion made by Mr. Wilson, seconded by Ms. Darden, to recommend approval of the proposed amendment to advise that it is consistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

ORDINANCE REQUESTED BY THE COUNTY OF PITT TO REZONE 9.860 ACRES LOCATED BETWEEN THE PITT COUNTY LANDFILL AND THE SOUTHWEST BYPASS AND NORTH OF THE NORFOLK SOUTHERN RAILROAD FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO I (INDUSTRY) – APPROVED

Ms. Gooby delineated the property. It is located between the western end of the Pitt County Landfill and the Southwest Bypass. Currently, the property is vacant. The property directly south is owned by the landfill and is used for lime distribution. The property is not impacted by the floodway and floodplain. This request is for industrial. An increase in traffic is not anticipated. Under the current zoning, the property could accommodate 30-35 single-family lots. Under the requested zoning, staff would anticipate the property to be used for lime distribution. The Future Land Use and Character Map recommends industrial/logistics along the eastern right-of-way of the Southwest Boulevard. In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

Chairman King opened the public hearing.

Mr. John Demary, Director of Pitt County Landfill, spoke in favor of the request.

No one spoke in opposition.

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

Motion made by Ms. Leach, seconded by Mr. Wilson, to recommend approval of the proposed amendment to advise that it is consistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

PRELIMINARY PLAT

REQUEST BY BILL CLARK HOMES OF GREENVILLE, LLC, TO REVISE AN EXISTING PRELIMINARY PLAT. THE PROPOSED PLAT IS TITLED "PARAMORE FARMS CLUSTER REVISED". THE SUBJECT PROPERTY IS LOCATED NORTH OF DONALD DRIVE AND EAST OF LIVE OAK LANE AND IS FURTHER IDENTIFIED AS TAX PARCEL 68318. THE PRELIMINARY PLAT CONSISTS OF 50 LOTS TOTALING 15.3 ACRES. - CONTINUED

Mr. Dail delineated the property and presented the request. The subject property is located in the southern section of the City's jurisdiction, north of Donald Drive and east of Live Oak Lane. This is a proposed revision to a preliminary plat that was originally approved by the Planning and Zoning Commission in 2004 and revised in 2005. The original plat contained 166 single family residential lots on 99.21 acres. The requested revision is to increase the number of single family residential lots in phases 4 and 5 from 26 lots to 50 lots and to reserve an additional 4.59 acres of common area. Oliver Court and Alma Lee Drive will be extended to access these lots. A stormwater detention pond is also proposed to serve the new development. The property is zoned R9S (residential single family). The 100 year flood plain does impact the property, which most is in the common area. The request was advertised in the Daily Reflector on April 2, 2018 and April 9, 2018. Notices were mailed to adjoining property owners on April 6, 2018. The City's Technical Review Committee has reviewed the preliminary plat and has determined that it meets all technical requirements.

Chairman King opened the public hearing.

Mr. Ken Malpass, representative for the applicant, spoke in favor of the request. The proposed changes are due to the large lots not being successful in the area. Twenty-five acres of the area will be in common areas.

Mr. Landon Weaver, representative for the applicant, spoke in favor of the request. The original plat was approved in 2005 then the recession came and that changed the economy. The smaller patio home product is in demand and successful in this area.

Ms. Leech asked what is the name of the stream feeding into the greenway.

Mr. Weaver stated Fork Swamp Canal. The original plat approval did not have storm water detention but this revision will now require it and they will comply.

Ms. Leech asked how the lots would be protected from the flood plain.

Mr. Weaver stated there is ample space outside of the flood plain for construction. The cul-de-sac is already constructed and recorded.

Mr. Wilson asked if this development would connect to Paramore Park.

Mr. Weaver stated that Fork Swamp Canal is a natural divide. Bill Clark deeded the area of the now current park to the City so the City could build the park. He stated the City has an interest in the common area and they will discuss that later. He stated there are ample amenities to include the new development for the size of the community.

Mr. Robinson asked if a detention pond was required for the original plat.

Mr. Weaver stated no, but one is required now.

Attorney McGirt stated the request is an administrative hearing and they are to make sure standards are met. If the applicant meets the standards, it should be approved. City Code 9-5-46 states that if the preliminary plat is disapproved, the Planning and Zoning Commission shall specify the specific reason in writing. The request can be appealed to Superior Court.

Mr. Robison asked for clarity about the obligation of the Technical Review Committee to review the request and make sure it meets standards.

Mr. Dail stated yes, the Technical Review Committee met on this request and it meets all standards.

Mr. Glenn Cauvin, of 209 Jack Place, spoke in opposition of the request. He has concerns with capacity of the road due to heavy traffic and it being a cut-through from Evans to Fire Tower. He would like to see 3 stop signs added in the community and 2 speed bumps. There is a drainage problem in the area, there is an unauthorized/not approved drainage area, and there are several street cave-ins. He asked who would be responsible for the detention pond. He stated the spacing between homes are too close and that the amenities will be overused with more lots.

Mr. Rik DiCesare, Traffic Engineer, stated they have looked into speed cushions for the area and they do not meet criteria at this time. After the new development, they will do another traffic study. They cannot do anything according to code.

Mr. Cauvin stated there was an initial study that warranted speed cushions. He stated it is common sense to add speed cushions and three stop signs. It might not meet the guidelines, but it is needed.

Mr. DiCesare stated they have done a study and a follow up study. At this time it doesn't meet criteria. They cannot set a precedent. They will do another study when the traffic increases.

Mr. Scott Godefroy, City Engineer, stated the drainage proposed for the new development will meet current requirements for detention, which was not required previously with the original plat.

Mr. Maxwell asked about the cave-ins.

Mr. Godefroy stated the Street Division responds to sink holes. They have increased their inspections of insulation of drainage pipes now and for the future.

Mr. Cauvin stated Bill Clark put in an unapproved drainage.

Mr. Godefroy stated that private drainage does exist that is not maintained by the City. Many times it is done to deal with backyard drainage. He also stated that the developer and/or owners will be responsible for the detention pond.

Ms. Grace Johnson spoke in opposition of the request. She was concerned with what Attorney McGirt stated that the Technical Review Committee already approved the request and if it meets standards, the Commission cannot deny it. She feels she has no say. She stated they were not given an opportunity to give input to the Technical Review Committee about their valid concerns.

Chairman King asked staff to explain the approval process.

Mr. Dail stated they receive the request 30 working days before the meeting. It is routed out to the TRC members for approval, denial, or revisions. It is routed back and forth until approval is met. There is no requirement by state law to notify neighborhoods or adjoining property owners. The City goes above and beyond by notifying adjoining property owners. It is also advertised in the newspaper per the request of the P&Z Commission.

Mr. Robinson stated that staff is tasked to see if the plat meets regulations and laws that they are bound by. They look at the request to see if it complies with the rules and regulations that govern the City of Greenville. It is an administrative function to say if the plat complies or not.

Mr. Dail stated he was correct in this statements.

Mr. Robinson asked if there is an aspect against the decision, it can be challenged.

Attorney McGirt stated that state statute says the decision can be challenged in superior court by an aggrieved person with private counsel. He suggested the possibility of the homeowners concerns to be discussed directly with the developer.

Mr. Wilson asked how the people can make their concerns known.

Attorney McGirt suggested they speak to the developer and the developer share their plan.

Mr. Wilson asked if he could make a motion to continue the request so that the developer and property owners can meet.

Mr. Joe Durham stated the plat is an administrative function for the P&Z Commission. This request has already been reviewed, evaluated, and approved by the TRC. It meets the technical aspects of the City's development ordinances. The citizens' concerns are about drainage and traffic which have been addressed and will continue to be monitored. Those concerns can also be

brought to the developer. The purpose of the plat before the P&Z Commission is an amendment to the existing approved plat. The request contains an increase in density with more lots and open space. He suggested to not continue the request because the plat meets the technical requirements.

Ms. Grace Johnson stated that as citizens they are not aware of the requirements and therefore cannot speak against them. She liked the idea of a delay so that the association can meet, speak with professionals, and find legal help.

Chairman King asked that any public comment would need to be a technical objection in order for the Commission to consider it for the denial of the plat.

Mr. Durham stated it has to be something technical in nature that is not in compliance with the development ordinance.

Mr. Godefroy stated this is the first step in the overall development. Construction drawings and a site plan will be submitted and reviewed by staff. Staff will take into consideration their concerns.

Mr. Brett Starr, of 512 Mary Lee Court, spoke in opposition of the request. His challenge of the technical review is the validity of the flood plain. It appeared to him that the maps were not accurate. He lives on Mary Lee Court and his yard was completely flooded after the last hurricane.

Mr. Godefroy stated the map includes the floodway and the 100 and 500 flood plains. The studies and maps are done by FEMA and were recently updated.

Mr. Starr stated water was coming up from the street. It is from poor drainage or the map is wrong.

Mr. Godefroy stated major storms will always cause flooding. The drainage system for the request will be for a 25 year storm. It is not feasible to design drainage for a 100 year storm.

Chairman King asked Mr. Weaver if he would like to continue the request.

Mr. Weaver stated he had spoken with the association president, met with some people earlier today, and heard their concerns tonight. The plat meets all technical standards and they will comply with all requirements. He would like to move forward. A delay would hurt their business. He will continue to meet with people to hear their concerns.

Mr. Malpass stated they didn't have a separate meeting with the City for the review of the plat. He turned the plat in, it was returned to him with comments. Revisions were made and resubmitted and this process continued until all technical standards were met and approved.

Ms. Margaret Heiney, of 3708 Live Oak Lane, spoke in opposition to the request. She stated she asked about this future development when she purchased her home and was told it was for premium lots with larger homes. This request has more lots and the affects will be more drastic. She has concerns regarding the ditch, screening, and the fact that the information was not shared.

Mr. Mark Hollingsworth, of 3702 Live Oak Lane, spoke in opposition of the request. He is upset that the residents have no voice in this process. He is pro development but the original plat was done in 2004, he moved there in 2008, and now the development is changing. The area is already congested, there is a lot of traffic, it will affect property values, and he is concerned with wildlife.

Mr. Shaojian Fu, of 3710 Live Oak Lane, spoke in opposition to the request. He is concerned with traffic, drainage, and the major environmental impact to the wildlife and forest area.

Mr. Jesus Elizondo Yerena, of 3800 Live Oak Lane, spoke in opposition to the request. He purchased his home two years ago and asked about the future development and was told it would be larger premium lots. Now it is going from 20 to 50 houses in an area where 20 houses is probably the right size. The request will cause too much traffic, speeding through the neighborhood and endangering his children. He is not against development but too much is not good either. He requested a delay of the request for further review. He was upset that his concerns are not considered regarding the request.

Ms. Louise Keel, adjoining property owner and real estate agent, spoke in opposition of the request. She owns properties in the community and there is a problem with drainage. With more development, the drainage problem gets worse and becomes the homeowners' problem and not the developer. Detention ponds are unsightly, unhealthy and not an appropriate answer to drainage issues. There are sink holes and they don't need more problems.

Mr. Keith Henderson, of 3706 Live Oak Lane, spoke in opposition to the request. He stated the traffic is awful and people speed through the neighborhood where his children are playing. The detention pond will cause a mosquito haven. He asked if the detention pond would be fenced.

Ms. Lynn Evans, of 305 Donald Drive, spoke in opposition to the request. She was told that larger premium homes would be in this area. The change with more homes will affect the land and should be reevaluated. She requested a delay to review the technical aspects of the request.

Mr. Mike Heiney, of 3708 Live Oak Lane, spoke in opposition to the request. He stated there are premium homes being built on Dunhagan Road on the other side of the flood plain that back up to this request. He stated it should stay the same as the original plat.

Mr. Tim Evans, of 305 Donald Drive, spoke in opposition to the request. He stated accountability needs to be held by the developer since they want to sell more homes at the cost of the current homeowners. People's lives are affected and Bill Clark doesn't care. He requested a delay.

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

Ms. Leech stated the citizens' concerns are valid and they deserve a right to be heard.

Mr. Maxwell stated people bought their properties in this area based on an approved plat 13 years ago and now it's changing without notification.

Ms. Reid stated she was concerned for the owners in this neighborhood because of the limited notice received and not being able to give their input. There needs to be better communication.

Ms. Leech stated there seems to be a history of problematic situations. Drainage issues are all over the City. She hopes the issues can be mitigated.

Mr. Wilson asked if the Commission could legally delay the request until next month.

Attorney McGirt stated the Commission does have the authority to delay the request but that the standards for the plat have been met. They can only consider the technical standards. He suggested staff, the developer, and the homeowners meet.

Mr. Weaver stated he would like to move forward with the request. Property values are in line with other homes in the neighborhood.

Attorney McGirt stated that the Commission can only make their decision based on the standards in the ordinance. If it is disapproved, specific reasons why must be in writing.

Mr. Durham stated that the Commission does have the authority to delay the request. He recommends approving the request since it meets the technical standards.

Mr. Robinson stated the request meets the technical standards. There is no evidence that it does not meet. The applicant needs to move forward.

Mr. Collins stated that they don't know what the standards are.

Ms. Darden stated staff said it meets standards but as a Commission we represent the citizens.

Ms. Leech stated the citizens need time to review to demonstrate against the technical standards.

Ms. Darden stated the citizens are not against development.

Mr. Weaver stated he will take the opportunity to speak with owners and will compromise for the 30 day delay.

Ms. Gooby stated that the next meeting is May 15th which is slightly less than 30 days.

Motion made by Mr. Maxwell, seconded by Ms. Leech, to delay the request until the next meeting to allow staff, the developer, and the association to communicate. Motion passed unanimously.

TEXT AMENDMENT

ORDINANCE TO AMEND THE ZONING ORDINANCE BY ADDING A DANCE STUDIO AS A PERMITTED LAND USE WITHIN THE IU (UNOFFENSIVE INDUSTRY) ZONING DISTRICT. – APPROVED.

Ms. Leech requested to be recused for this item due to her husband's legal representation of the Saad family for many years.

Motion made by Ms. Darden to recuse Ms. Leech from this item, seconded by Ms. Reid, and the motion passed unanimously.

Mr. Weitnauer presented the amendment. The City of Greenville received a text amendment application from Mrs. Kimberly Saad that proposes a dance studio as a permitted land use within the IU (Unoffensive Industry) zoning district. Mrs. Kimberly Saad and her husband own a building within an IU zoning district and desire to open a dance studio. Under the current zoning ordinance, the proposed use is not allowed in the IU district. The Saads have submitted this zoning ordinance text amendment to allow dance studios in the IU district, by right. The Zoning Ordinance defines the Unoffensive Industry zoning districts as follows. "*Section 9-4-70 IU Unoffensive Industry. The IU District is primarily designed to accommodate those industrial and wholesale, and warehouse uses which, by their nature, do not create an excessive amount of noise, odor, smoke, dust, airborne debris or other objectionable impacts which might be detrimental to the health, safety or welfare of surrounding uses.*" In the southeastern portion of the city along County Home Road, just south of Fire Tower, there is a small area zoned IU. This is the area where the Saads own a building zoned IU where they desire to open their dance studio. There are already similar indoor recreation uses in this area along County Home Road zoned IU which include: two gyms (Tier I CrossFit and MMA Boxing), and a dance studio (Greenville Civic Ballet). He showed a list of all permitted and special uses allowed in the Unoffensive Industry zoning district. Dance studios are currently allowed in the OR (Office Residential), Office (O), Downtown Commercial (CD), and Neighborhood Commercial (CN) zoning districts as a permitted use and are allowed in the Downtown Commercial Fringe (CDF) zoning district as a special use. Currently, there are some recreational/entertainment uses permitted, by right, in the IU district. Pursuant to the Table of Uses, (6)g., "*Private noncommercial park or recreational facility*" are permitted, by right, in the IU district. The Table of Uses, 6(i) also allows "*Miniature Golf or Putt-Putt Course; Commercial recreation; indoor and outdoor, not otherwise listed*" pending approval of special use permits in the IU district. In addition, services, including *Child Day Care Facilities, Schools and Kindergarten and Nurseries*, are allowed in the IU district pending approval of special use permits. This text amendment application proposes to amend Title 9, Chapter 4, Article F, Section 9-4-78 (Appendix A, Table of Uses), by adding the dance studio land use, by right, in the Unoffensive Industry (IU) zoning district by adding a "P" for "Permitted" to the table. Mr. Weitnauer showed a map with locations of existing IU zoning districts throughout the City's jurisdiction.

Mr. Weitnauer stated staff reviewed the Plan and provides the following findings regarding consistency between the proposed text amendment and the Plan. In staff's opinion, the proposed

Zoning Ordinance Text Amendment is in compliance with Horizons 2026: Greenville's Community Plan. Following is a relevant excerpt from Horizons 2026: Greenville's Community Plan: Chapter 7, Growing a Healthy City: Policy 7.2.2, Encourage Recreation Space for Children, *"Provide active recreation options for Greenville's youngest residents. Investigate the necessary conditions to support non-city-run play destinations such as children's museums. Explore opportunities for adventure parks and playgrounds."*

Mr. Collins asked if the Greenville Civic Ballet was grandfathered or in the same zone.

Mr. Weitnauer stated it is in the same zone. He stated it was probably grandfathered when the property was encompassed into the City jurisdiction.

Mr. Collins asked if this was an expansion of the ballet on a different property.

Mr. Weitnauer stated the request is on a separate parcel across the street from the ballet.

Chairman King opened the public hearing.

Mr. James "Jimmy" Nelson Jr., attorney for the applicant, spoke in favor of the request. He stated that the use in this zoning will not create do an excessive amount of noise, odor, smoke, dust, airborne debris. He stated the dance studio is important to the children and community in this area.

Ms. Kimberly Saad, applicant, spoke in favor of the request. She is the owner and director of the Greenville Civic Ballet, which opened 21 years ago, and has had many children pass through her business. The dance studio is very important to the community. With her non-profit foundation, they award scholarships to children and they perform outreach with the Boys and Girls Club.

No one spoke in opposition.

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

Mr. Robinson commended Ms. Saad for her work with children in the community because it is a long term investment for the future of the City of Greenville.

Motion made by Mr. Robinson, seconded by Ms. Reid, to recommend approval of the proposed amendment to advise that it is consistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

Mr. Weitnauer stated that a replacement was needed for the Southwest Bypass Land Use Committee by Pitt County Government. Mr. King needed to step down. He asked for a volunteer.

Ms. Darden volunteered to be on the Southwest Bypass Committee.

With no further business, Mr. Robinson made a motion to adjourn, seconded by Ms. Reid. Motion passed unanimously. Meeting adjourned at 8:15 P.M.

Respectfully Submitted,

Joe K. Durham, Secretary to the Commission
Interim Director of the Community Development Department



City of Greenville, North Carolina

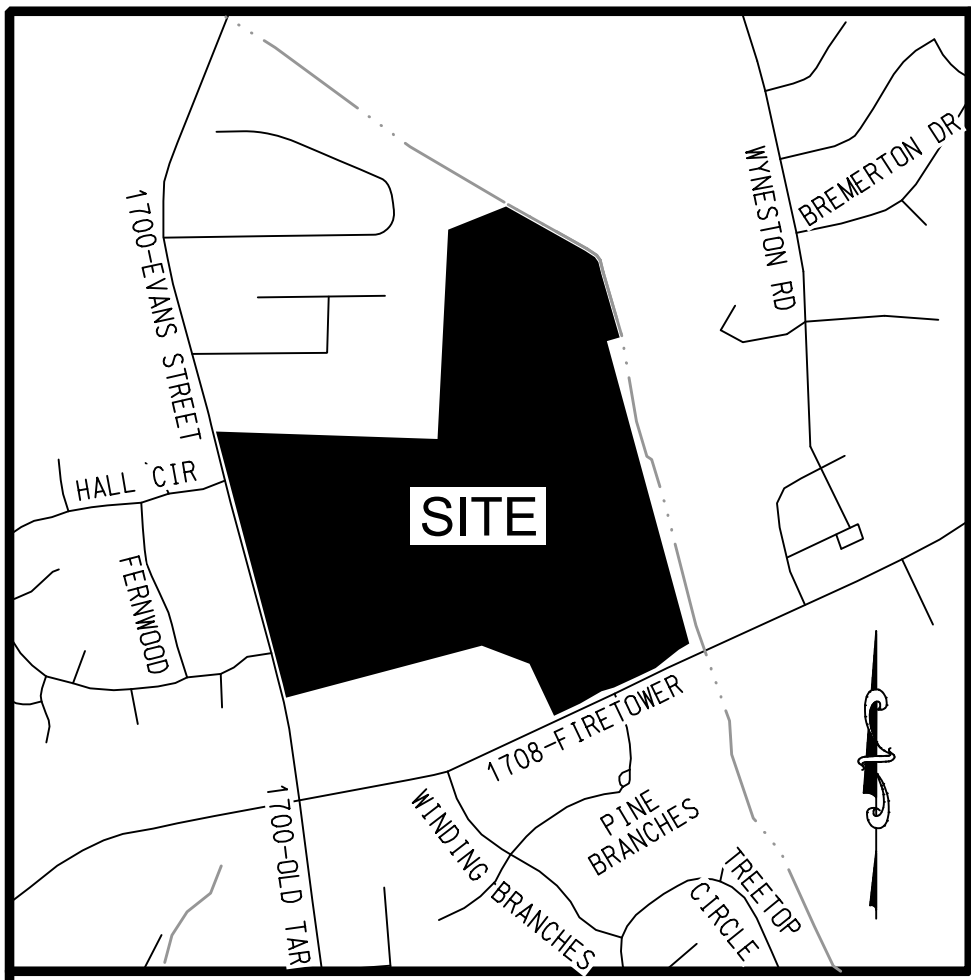
Meeting Date:
5/15/2018
Date time: 6:00 PM

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- Title of Item:** Request by Bill Clark Homes of Greenville, LLC, to revise an existing preliminary plat. The proposed plat is titled "Paramore Farms Cluster Revised". The subject property is located north of Donald Drive and east of Live Oak Lane and is further identified as Tax Parcel 68318. The preliminary plat consists of 50 lots totaling 15.3 acres.
- Explanation:** This is a proposed revision to a preliminary plat that was originally approved by the Planning and Zoning Commission in August of 2004. The original plat contained 166 single family residential lots and 3 offices lots on 99.21 acres. The requested revision is to increase the number of single family residential lots in phases 4 and 5 from 26 lots to 50 lots and to reserve an additional 4.59 acres of common area. A stormwater detention pond is also proposed to serve the new development. If approved the total number of lots will increase to 190 single family residential lots and 3 office lots.
- Fiscal Note:** There will be no costs to the City of Greenville associated with this subdivision other than routine costs to provide public services.
- Recommendation:** The City's Technical Review Committee has reviewed the preliminary plat and has determined that it meets all technical requirements.
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ATTACHMENTS:

Description

Map



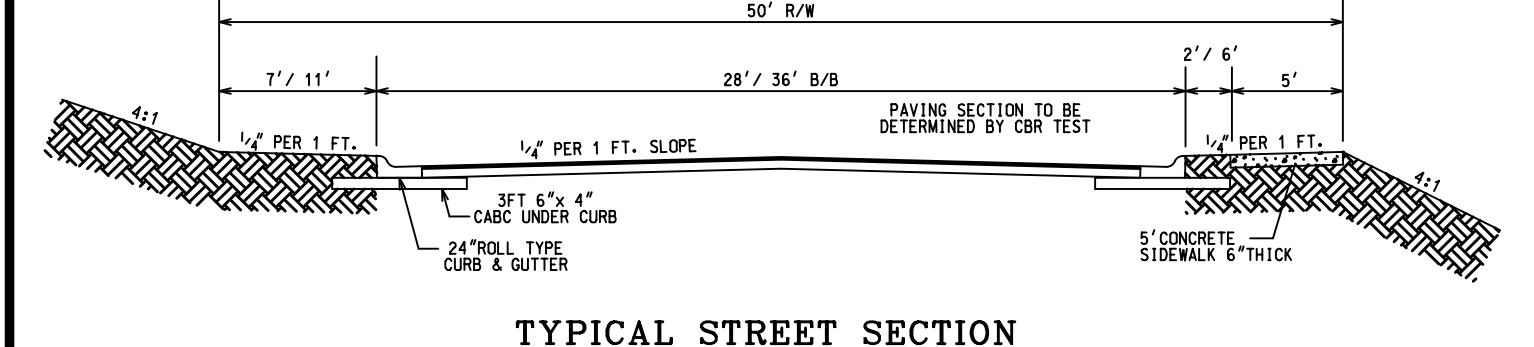
VICINITY MAP
1" = 1000'

- NOTES:
- CONSTRUCTION PLANS SHALL BE APPROVED BY GREENVILLE UTILITIES COMMISSION (GUC) AND THE CITY OF GREENVILLE PRIOR TO THE CONSTRUCTION OF ANY SANITARY SEWER OR STORM DRAINAGE.
 - ALL REQUIRED IMPROVEMENTS SHALL CONFORM TO THE CITY OF GREENVILLE MANUAL OF STANDARD REQUIREMENTS AND DETAILS AND THE MANUAL FOR THE DESIGN AND CONSTRUCTION OF WATER AND WASTEWATER SYSTEM EXTENSIONS FOR GUC.
 - ALL LOTS SHALL EQUAL OR EXCEED THE MINIMUM DEVELOPMENT STANDARDS OF THE CITY OF GREENVILLE ZONING ORDINANCE.
 - SANITARY SEWER, WATER AND ELECTRICAL SERVICE PROVIDED BY GREENVILLE UTILITIES COMMISSION.
 - EROSION CONTROL PLAN APPROVAL REQUIRED PRIOR TO CONSTRUCTION.
 - ALL UTILITIES SHALL BE INDICATED AND DEPTH SHALL BE DETERMINED BY BOUNDARY AND TOPOGRAPHIC SURVEY BY PARKER AND ASSOCIATES.
 - STORM DRAINAGE SYSTEMS ARE APPROXIMATE SIZES WILL BE FINALIZED ON THE CONSTRUCTION PLANS.
 - HYDRAULIC ANALYSIS OF THE WATER MAIN IS REQUIRED TO EVALUATE FLOW.
 - ALL DITCHES WHICH REQUIRE LESS THAN OR EQUAL TO 48" W/CD SHALL BE PIPED SEWER MAIN AND OUTLET AREAS FEES HAVE NOT BEEN PAID FOR THIS SITE AND ARE REQUIRED TO BE PAID TO GREENVILLE UTILITIES COMMISSION PRIOR TO ANY ACCEPTANCE OF ANY UTILITY IMPROVEMENTS.
 - PROJECT IS LOCATED WITHIN THE 100 YEAR FLOOD PLAIN AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM, FIRM 37204B000K, DATED JULY 7, 2014.
 - OPEN SPACE IS TO BE PERPETUALLY OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION AND IS ACCESSIBLE BY THE 20' DRAINAGE/ACCESS EASEMENT BETWEEN LOTS 338 & 186. THESE AREAS SHALL BE CAPABLE OF BEING USED AND ENJOYED FOR PURPOSES OF INFORMAL AND UNSTRUCTURED RECREATION AND RELAXATION OR FOR HOBBY CULTURE IF NOT DEVOTED TO OTHER ALLOWABLE USES.
 - THE OWNER SHALL PRESUMPTUOUSLY TO THE SUBDIVISION REGULATIONS, CAUSE A FINAL PLAT TO BE RECORDED IN THE PITT COUNTY REGISTER OF DEEDS WHICH CLEARLY DESCRIBES THE OPEN SPACES AND CONDITIONS THEREOF, PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS.
 - STORM DRAINAGE EASEMENT IS 15' IN WIDTH AND CENTERED OVER THE GAS LINES AS INSTALLED.
 - NO PERMANENT STRUCTURES, INCLUDING BUT NOT LIMITED TO SUBDIVISION SIGNAGE, FENCES OR STORAGE BUILDINGS, SHALL BE CONSTRUCTED OR LOCATED IN ANY DRAINAGE EASEMENT SHOWN ON THIS PLAT WITHOUT PRIOR APPROVAL FROM THE CITY OF GREENVILLE. WORK SHALL BE REPAIR WORK ENCROACHMENT AGREEMENTS WITH THE CITY OF GREENVILLE ARE REQUIRED FOR ANY SIGNS OR LANDSCAPING LOCATED WITHIN THE RIGHT OF WAYS OF THE PUBLIC STREETS.
 - THE REQUIRED COMMON AREA/OPEN SPACE DEDICATION IS THE MINIMUM OF THE AMOUNT EACH LOT WAS REDUCED BELOW THE MINIMUM LOT SIZE OR A MINIMUM OF 10% OF THE GROSS AREA OF THE RESIDENTIAL DEVELOPMENT. THE TOTAL LOT SIZE REDUCTIONS FOR THE DEVELOPMENT IS 0.5766 ACRES WHILE 15% OF THE TOTAL GROSS RESIDENTIAL ACRES IS 0.7278 ACRES. 14.0587 ACRES WHICH IS THE MINIMUM SIZE ACRES ALLOWED FOR THE COMMON AREA. A TOTAL OF 26.6894 ACRES IS PROPOSED FOR THE OPEN SPACE AND CITY OF GREENVILLE (PARAMORE PARK) DONATION.
 - STORMWATER DETENTION IS BEING REQUIRED BY THE CITY OF GREENVILLE FOR THE REVISED SMALL LOTS (LOTS 10-24, 26-35, AND 170-193). NUTRIENT TREATMENT IS NOT REQUIRED FOR THE PROPOSED LOTS DUE TO VESTED RIGHTS BUT A 30% REDUCTION IN NITROGEN WILL BE REQUIRED FOR THE SIXTH PHASE DUE TO THE ENCROACHMENT NEEDED WITHIN THE RIPARIAN BUFFER IN ORDER TO PROVIDE AN OUTLET PIPE FOR THE PROPOSED DETENTION POND TO THE EXISTING FORK SWAMP CANAL. MAXIMUM RESIDENTIAL DENSITY SHALL NOT EXCEED THAT WHICH WOULD NORMALLY BE PERMITTED UNDER SINGLE FAMILY STANDARDS WITHIN THE PREVAILING ZONING DISTRICT ON A NET AREA BASIS. PUBLIC STREETS AND RIGHT OF WAYS DO NOT COUNT TOWARD THE NET AREA.
 - MAXIMUM ALLOWABLE NUMBER OF LOTS IS BASED UPON CALCULATIONS AS SHOWN IN THE CHART BELOW.

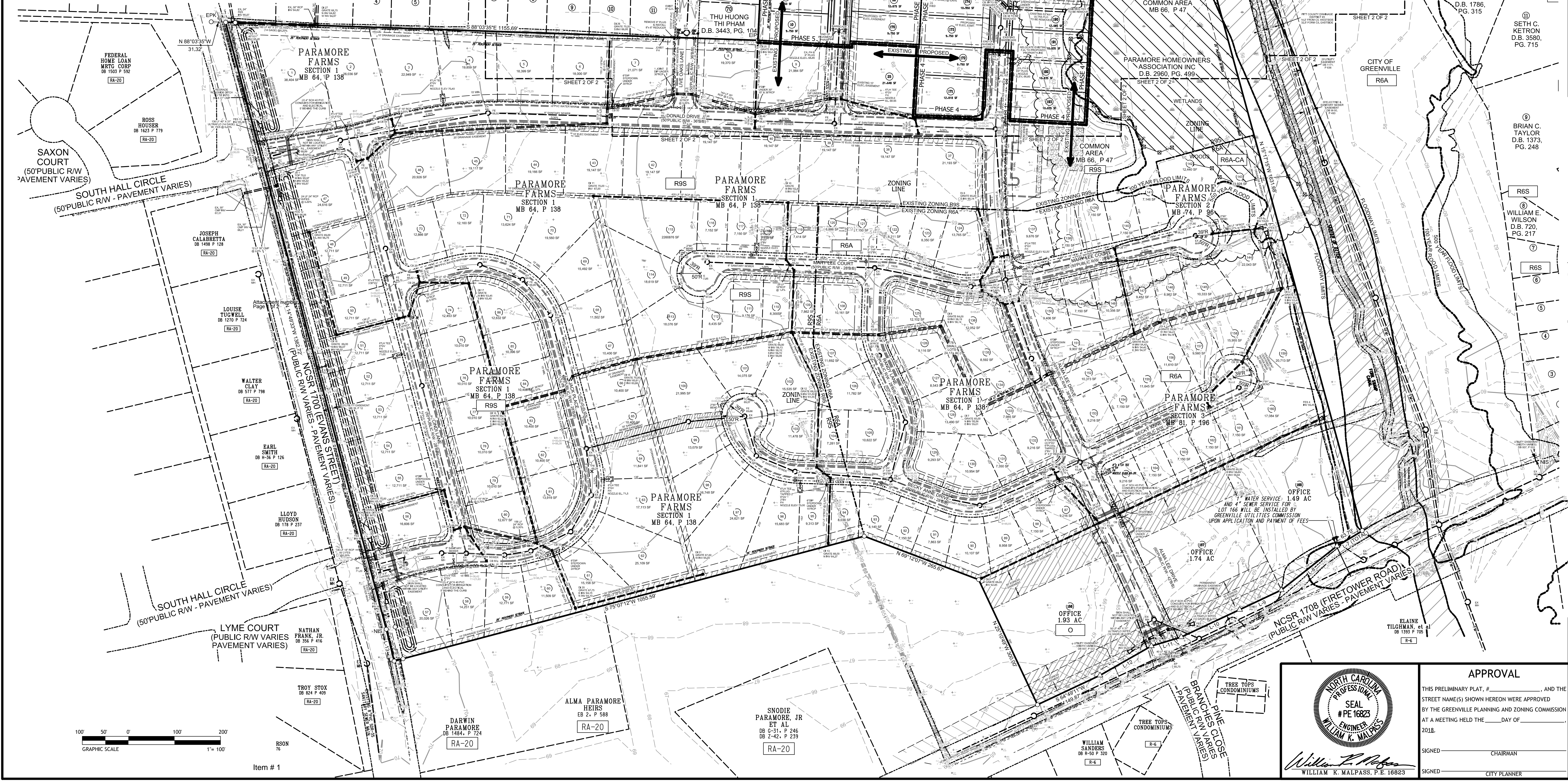
ZONING	GROSS AREA (ACRES)	R/W AREA (ACRES)	NET AREA (ACRES)	MINIMUM LOT SIZE (SQ FT)	MAXIMUM NUMBER OF ALLOABLE LOTS
R6A	32.0960	3.55	28.5460	6000	207
R9S	61.6278	7.96	53.6678	9000	260
TOTAL	93.7238	11.51	82.2138		467*

* ACTUAL NUMBER OF LOTS IN PROPOSED PROJECT IS 190 WHICH IS LESS THAN THE MAXIMUM ALLOWABLE 467 LOTS

21) NO CONSTRUCTION IS ALLOWED WITHIN ANY CONSERVATION OVERLAY AREAS.



TYPICAL STREET SECTION
MINIMUM GRADE FOR ROLLED CURB 0.5%



SITE DATA - TOTAL PROJECT

PARCEL NUMBERS	68318
TAX MAP NUMBERS	4626.17
CURRENT ZONING	R-9S, R-6A, 0
RESIDENTIAL DEVELOPMENT (CLUSTER TOTAL INCLUDING DEDICATED COMMON AREA)	
AREA	93.7238 AC
NUMBER OF LOTS	190
LINEAR FEET IN STREETS	9346 FT
AREA IN STREETS	11.51 AC
LOT SIZE REDUCTIONS BELOW STANDARD ZONING MINIMUMS	0.5766 AC
AREA IN OPEN SPACES/RECREATION, ETC.	
COMMON AREA 1A EXISTING	6.6944 AC
COMMON AREA 1B PROPOSED	4.5966 AC
COMMON AREA 2 (CITY OF GREENVILLE DONATION/ PARAMORE PARK)	15.2671 AC
COMMON AREA TOTAL	26.6894 AC
COMMON AREA INSIDE STORM WATER DETENTION POND AREA	0.9122 AC
TOTAL COMMON AREA WITHIN FLOODWAY ZONE	(21.7%) 5.80 AC
MINIMUM REQUIRED OPEN SPACE FOR RESIDENTIAL CLUSTER 15% OF GROSS RESIDENTIAL ACREAGE	14.0586 AC
OFFICE SECTION (TOTAL)	
AREA	5.4918 AC
NUMBER OF LOTS	3
LINEAR FEET IN STREETS	234 FT
AREA IN STREETS	0.42 AC
TOTAL AREA	99.2156 AC

SITE DATA
RESIDENTIAL CLUSTER SECTIONS

EXISTING LARGE LOT SECTION (LOTS 1-9, 25, 37-46)	
ZONING	R-9S
AREA	13.1538 AC
NUMBER OF LOTS	21
LINEAR FEET IN STREETS	2,325 FT
AREA IN STREETS	2.62 AC
EXISTING MEDIUM LOT SECTION (LOTS 47-86)	
ZONING	R-9S
AREA	14.4014 AC
NUMBER OF LOTS	40
LINEAR FEET IN STREETS	2,093 FT
AREA IN STREETS	2.41 AC
EXISTING SMALL LOT SECTION (LOTS 87-165)	
ZONING	R6A/R-9S
AREA	24.1724 AC
NUMBER OF LOTS	79
LINEAR FEET IN STREETS	4,439 FT
AREA IN STREETS	4.44 AC
PROPOSED SMALL LOT SECTION (PHASES 4 AND 5, LOTS 10-24, 26-36, 170-193)	
ZONING	R-9S
AREA	15.3073 AC
NUMBER OF LOTS	50
LINEAR FEET IN STREETS	1,489 FT
AREA IN STREETS	2.04 AC

LEGEND

PROPOSED CLEAN OUT	TC	TOP OF CURB
EXISTING CLEAN OUT	TP	TOP OF PAVEMENT
EXISTING MANHOLE	TSW	TOP OF SIDEWALK
EXISTING SANITARY SEWER MAIN	TB	TOP OF BANK
EXISTING BALL VALVE	BB	BOTTOM OF BANK
PROPOSED BALL VALVE	-66-	EXISTING CONTOUR
PROPOSED WATER METER	-66-	EXISTING CONTOUR
EXISTING GATE VALVE	EX	EXISTING
PROPOSED GATE VALVE	CB	CATCH BASIN
EXISTING WATER MAIN	FES	FLARED END SECTION
PROPOSED WATER MAIN	FF	FINISHED FLOOR
EXISTING FIRE HYDRANT	INV	INVERT
PROPOSED FIRE HYDRANT	RCP	REINFORCED CONCRETE PIPE
PROPOSED CATCH BASIN OR DROP INLET	LF	LINEAL FEET
EXISTING CATCH BASIN OR DROP INLET	-x-	SILT FENCE
EXISTING STORM DRAINAGE	-LO-	LIMITS OF DISTURBANCE
EXISTING REDUCER	INV	INVERT
EXISTING UNDERGROUND ELECTRIC	BSP	BACTERIOLOGICAL SERVICE POINT
PROPOSED UNDERGROUND ELECTRIC	DI	DROP INLET
RD		ROOF DRAIN
CLR		CENTERLINE OF ROAD
EX TC		EXISTING TOP OF CURB
FL		FLOW LINE OF CURB
		ROCK INLET SEDIMENT TRAP
		DETENTION POND SKIMMER

REVISIONS

BY	NO.	DATE	DESCRIPTION
WKM	1	3/21/18	CITY OF GREENVILLE REVIEW COMMENTS
WKM	2	3/28/18	FLOORPLAN REVISIONS

PRELIMINARY PLAT - COVER SHEET
PARAMORE FARMS - (CLUSTER) - REVISED

GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER/DEVELOPER: BILL CLARK HOMES OF GREENVILLE
ADDRESS: 200 EAST ARLINGTON BLVD GREENVILLE, NC 27858
PHONE: (252) 355-2000

APPROVAL
THIS PRELIMINARY PLAT, # _____, AND THE STREET NAME(S) SHOWN HEREON WERE APPROVED BY THE GREENVILLE PLANNING AND ZONING COMMISSION AT A MEETING HELD THE _____ DAY OF _____ 2018.

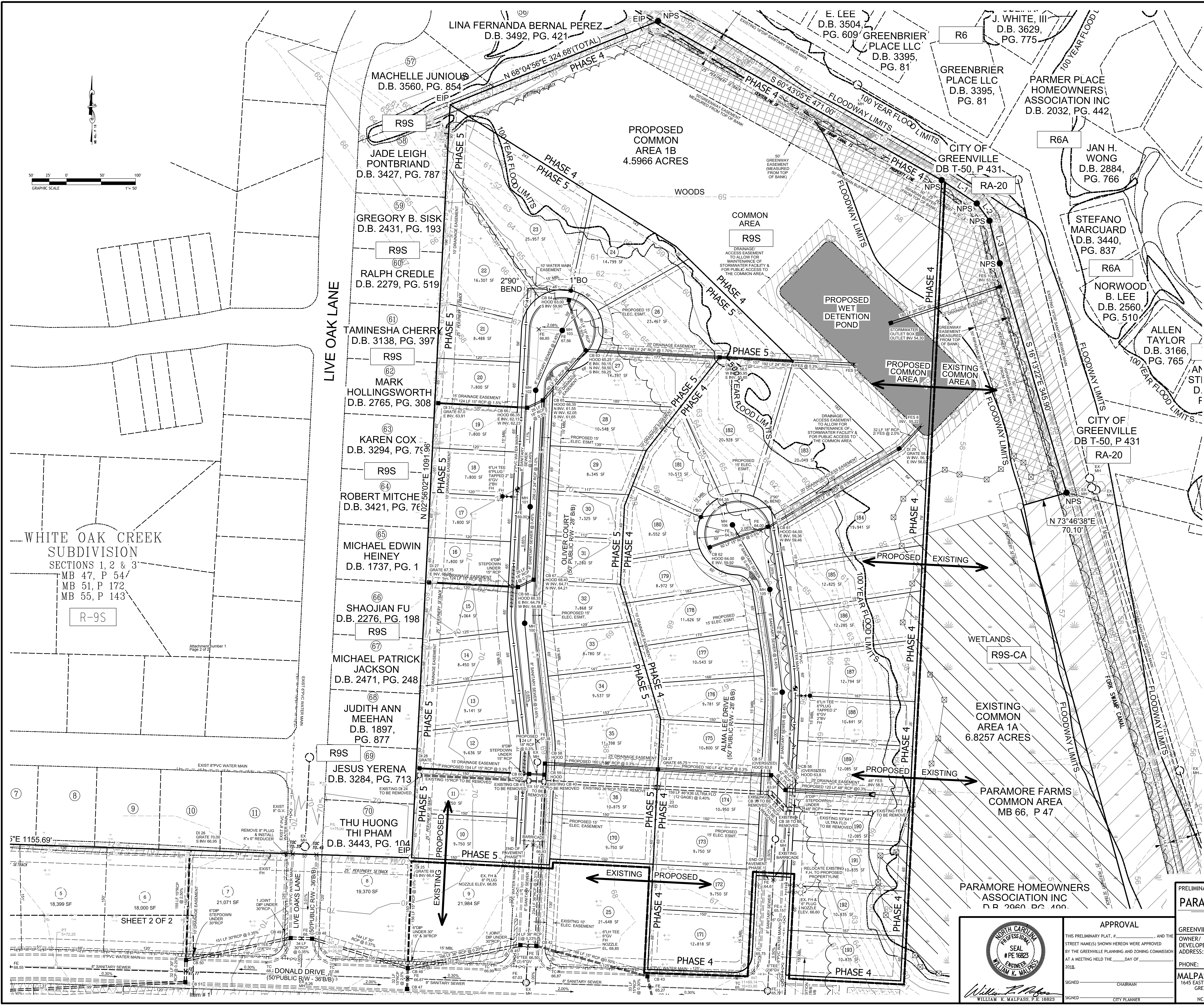
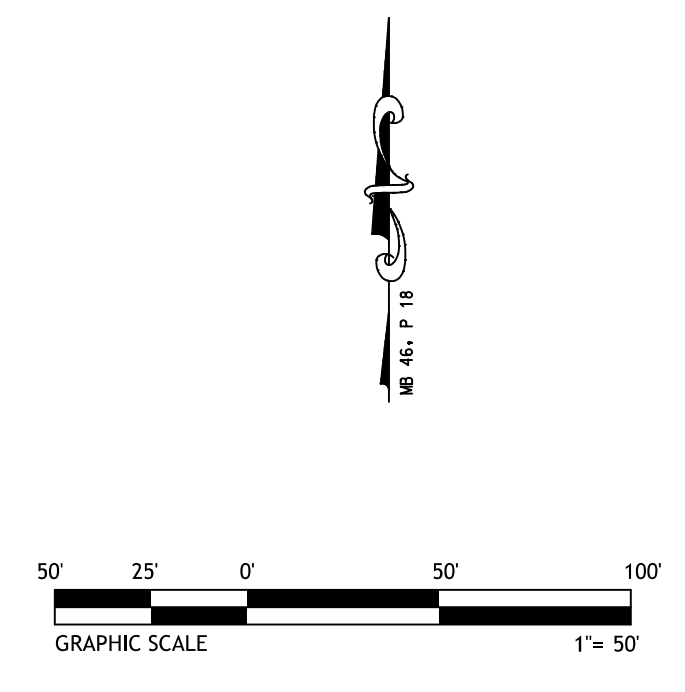
SIGNED: CHAROXAN
SIGNED: CITY PLANNER

WILLIAM K. MALPASS, P.E. 16823

MALPASS & ASSOCIATES
1645 EAST ARLINGTON BLVD., SUITE D GREENVILLE, N.C. 27858
(252) 756-1780
NC LICENSE NO. C-1289

DRAWN: WCO
SCALE: 1" = 100'
DATE: 02/13/18
CHECKED: WKM
APPROVED: WKM SHEET 1 OF 2

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LOT SIZE REDUCTIONS BELOW ZONING MINIMUMS FOR CLUSTER CALCULATIONS				
Lot Num.	Zoning	Req. (SF)	Actual (SF)	Lot Square Footage Deficit (SF)
1	R9S	8000	7800	-200
2	R9S	8000	7800	-200
3	R9S	8000	7800	-200
4	R9S	8000	7800	-200
5	R9S	8000	7800	-200
6	R9S	8000	7800	-200
7	R9S	8000	7800	-200
8	R9S	8000	7800	-200
9	R9S	8000	7800	-200
10	R9S	8000	7800	-200
11	R9S	8000	7800	-200
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197	R9S	8000	7800	-200
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199	R9S	8000	7800	-200
200	R9S	8000	7800	-200
TOTAL (SF) UNDER REQUIREMENT			253,181 SF	
TOTAL (AC) UNDER REQUIREMENT			0.5766 AC	

WHITE OAK CREEK SUBDIVISION SECTIONS 1, 2 & 3
 MB 47, P 547
 MB 51, P 172
 MB 55, P 143
 R-9S

Attachment Number 1
 Page 2 of 2

SHEET 2 OF 2



APPROVAL
 THIS PRELIMINARY PLAN, # _____, AND THE STREET NAME(S) SHOWN HEREON WERE APPROVED BY THE GREENVILLE PLANNING AND ZONING COMMISSION AT A MEETING HELD THE _____ DAY OF _____ 2018.
 SIGNED: _____ CHAIRMAN
 SIGNED: _____ CITY PLANNER

PRELIMINARY PLAN
PARAMORE FARMS - (CLUSTER) - REVISED
 GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA
 OWNER/DEVELOPER: BILL CLARK HOMES OF GREENVILLE
 ADDRESS: 200 EAST ARLINGTON BLVD GREENVILLE, N.C. 27858
 PHONE: (252) 355-2000
 DRAWN: WCD DATE: 02/13/18
 CHECKED: WKM SCALE: 1"=50'
 APPROVED: WKM SHEET 2 OF 2

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City of Greenville, North Carolina

Meeting Date:
5/15/2018
Date time: 6:00 PM

Title of Item: Ordinance requested by Pitt County Committee of 100, Incorporated to rezone a total of 3.42 acres located near the northwestern corner of the intersection of Old Creek Road and Sugg Parkway from RA20 (Residential-Agricultural) and PIU (Planned Unoffensive Industry) to PIU (Planned Unoffensive Industry) for Tract 1 and IU (Unoffensive Industry) for Tract 2.

Explanation: **Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on May 1, 2018.
On-site sign(s) posted on May 1, 2018.
City Council public hearing notice (property owner and adjoining property owner letter) mailed - N/A at this time.
Public hearing legal advertisement published - N/A at this time.

Comprehensive Plan:

The Future Land Use and Character Map recommends industrial/logistics (IL) at the northwestern corner of the intersection of Old Creek Road and Sugg Parkway. Potential conservation/open space (PCOS) is recommended along the western right-of-way of Sugg Parkway to act as a buffer between the industrial-zoned area and the current and recommended residential uses.

Industrial/Logistics

Area is characterized by warehouses and light manufacturing operations and related office uses. It includes the Greenville Industrial Park, airport area, and Southwest Bypass Corridor.

Intent:

- Encourage expansion of light industrial, assembly and research uses
- Encourage the use of higher-quality building materials and landscaping for highly-visible sites

Primary uses:

Industrial
Light industrial
Research and assembly
Warehousing

Secondary uses:

Office
Commercial

Potential Conservation/Open Space

Potential Conservation/Open Space land is typically located in areas that contain existing parkland, needed land buffers, exhibit potential for flooding, or are deemed inappropriate for development due to physical or environmental barriers. Some land within this area may not contain barriers to development, or there may be reasonable mitigation. Site analysis is needed to determine development capabilities in these areas.

The Future Land Use and Character Map identifies certain areas as Potential Conservation/Open Space. Much of this area is designated based upon data on flood-prone land and environmental constraints that may not correspond precisely with conditions on the ground. Seeing an area designated this way is the beginning of a conversation. When considering rezoning requests or other development proposals, some areas classified as Potential Conservation/Open Space may be determined not to contain anticipated limitations on development, or that existing concerns can reasonably be mitigated. In such cases, the future preferred land use should be based on adjacent Land Use and Character designations, contextual considerations, and the general policies of the comprehensive plan.

Intent:

- Conserve environmentally-sensitive land
- Buffer incompatible land uses with open space
- Provide open space network through the city for recreation
- Conservation/Open Space buffers adjacent to industrial development should be maintained at a width based on the type of industry and its potential to create compatibility problems
- Greenways and greenway connectors should be maintained to be consistent with the Greenway Plan.

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

Based on the analysis comparing the existing zoning (141 daily trips) and requested rezoning, the proposed rezoning classification could generate approximately 80 trips to and from the site on Sugg Parkway, which is a net decrease of 61 less trips per day. Since the traffic analysis for the requested rezoning indicates that the proposal would generate less traffic than the existing zoning, a traffic volume report was not generated.

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

History/Background:

In 1983, the property was incorporated into the City's extra-territorial jurisdiction (ETJ), as part of a large-scale ETJ extension and was zoned to its current zoning. The subject property is located in the Recognized Industrial Area and is part of the Indigreen Subdivision, Section 5, Lot 10.

Present Land Use:

Vacant

Water/Sewer:

Water is available in the right-of-way of Sugg Parkway. Sanitary sewer is not currently available.

Historic Sites:

There are no known effects on historic sites.

Environmental Conditions/Constraints:

There are no known environmental condition/constraints.

Surrounding Land Uses and Zoning:

North: PIU - Vacant (under common ownership applicant)
South: RA20 - Vacant
East: RA20 - Vacant (under common ownership applicant)
West: PIU - Vacant (under common ownership applicant)

Density Estimates:

Tract 1

Due to the size of the tract, it is not developable.

Tract 2

Under the current zoning, the site could accommodate 17,400 square feet of pharmaceutical manufacturing.

Under the proposed zoning, staff anticipates the site to accommodate a utility substation.

The anticipated build-out time is within one (1) year.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

"In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

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

"Motion to recommend approval of the proposed rezoning, to advise that it is consistent with the comprehensive plan and to adopt the staff report which addresses plan consistency and other matters."

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

"Motion to recommend denial of the proposed rezoning, to advise that, although the proposed amendment is consistent with the comprehensive plan, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency."

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

ATTACHMENTS:

Description
Attachments

Pitt County Committee of 100, Inc.

Tract 1

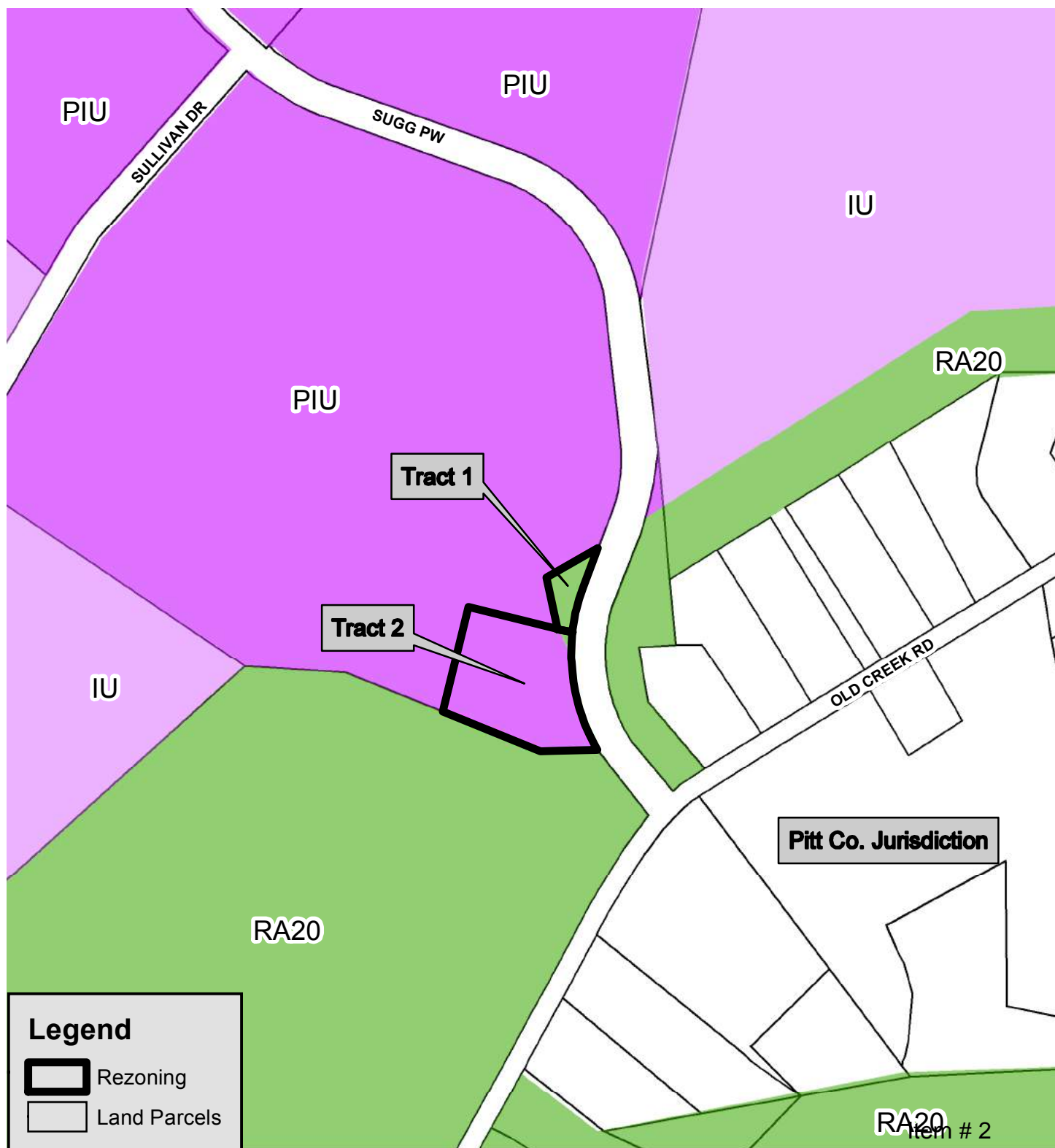
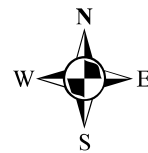
From: RA20 To: PIU

Tract: 2

From: RA20 and PIU To: IU

Total Acres: 3.42

May 1, 2018

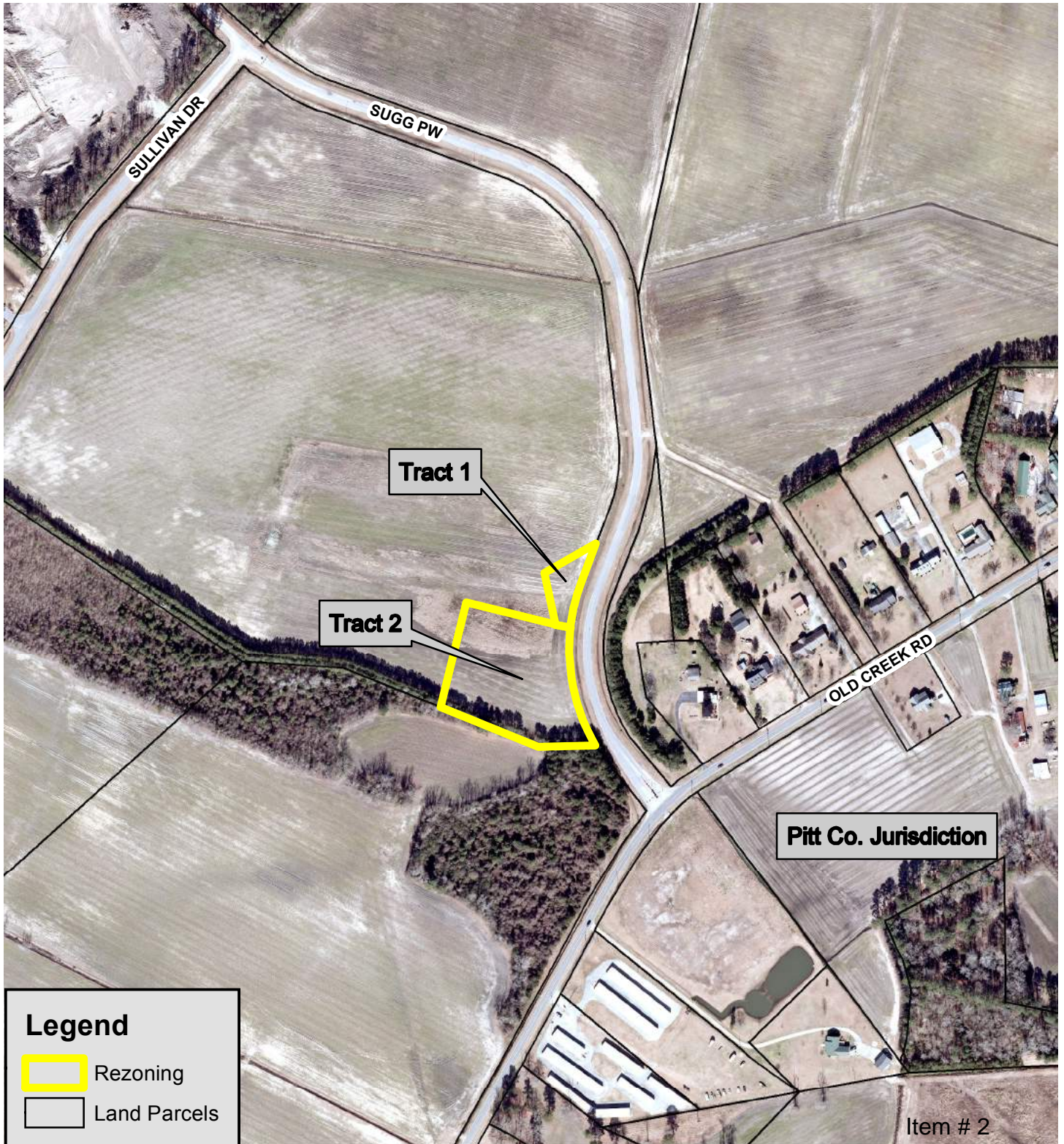


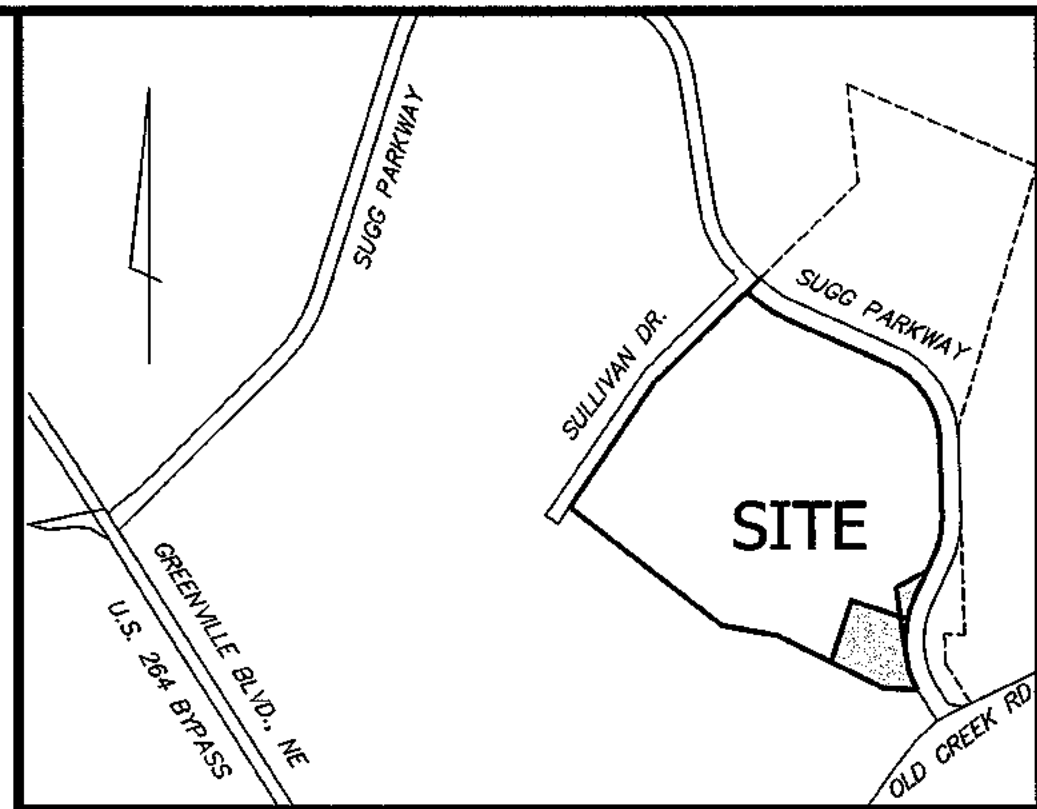
Legend

-  Rezoning
-  Land Parcels

RA20
Item # 2

Pitt County Committee of 100, Inc.
Tract 1
From: RA20 To: PIU
Tract: 2
From: RA20 and PIU To: IU
Total Acres: 3.42
May 1, 2018





VICINITY MAP SCALE: 1" = 1000'

LEGEND:

TOTAL	(T.)
TYPICAL	TYP.
RIGHT OF WAY	R/W
DEED BOOK	D.B.
PAGE	PG.
MAP BOOK	M.B.
PAVEMENT	PVMT
NOW OR FORMERLY	N/F
PARCEL NUMBER	P.N.
PLANNED UNOFFENSIVE INDUSTRY	PIU ZONING
UNOFFENSIVE INDUSTRY	IU ZONING
LOT/BLOCK NUMBER	(A) (B)
PROPERTY LINE	---
REZONING LINE	---
ADJACENT OWNER LINE	---
RIGHT OF WAY LINE	---

REFERENCE:

M.B. 82 PG. 28
M.B. 81 PG. 110
D.B. 2528, PG. 184
D.B. 926, PG. 766
D.B. 932, PG. 734
D.B. 878, PG. 216
D.B. H-47, PG. 663
D.B. 3256, PG. 25
M.B. 51, PG. 131
M.B. 34, PG. 160
M.B. 50, PG. 163
D.B. 0-49, PG. 403
D.B. 219, PG. 754
D.B. F53, PG. 182
D.B. 2953, PG. 429
D.B. 0-49, PG. 411
M.B. 30, PG. 57
M.B. 70, PG. 10
RIVERS DRAWING Z-439
RIVERS DRAWING W-2328
RIVERS DRAWING FP-416
RIVERS DRAWING FP-416-2

REZONED AREA:

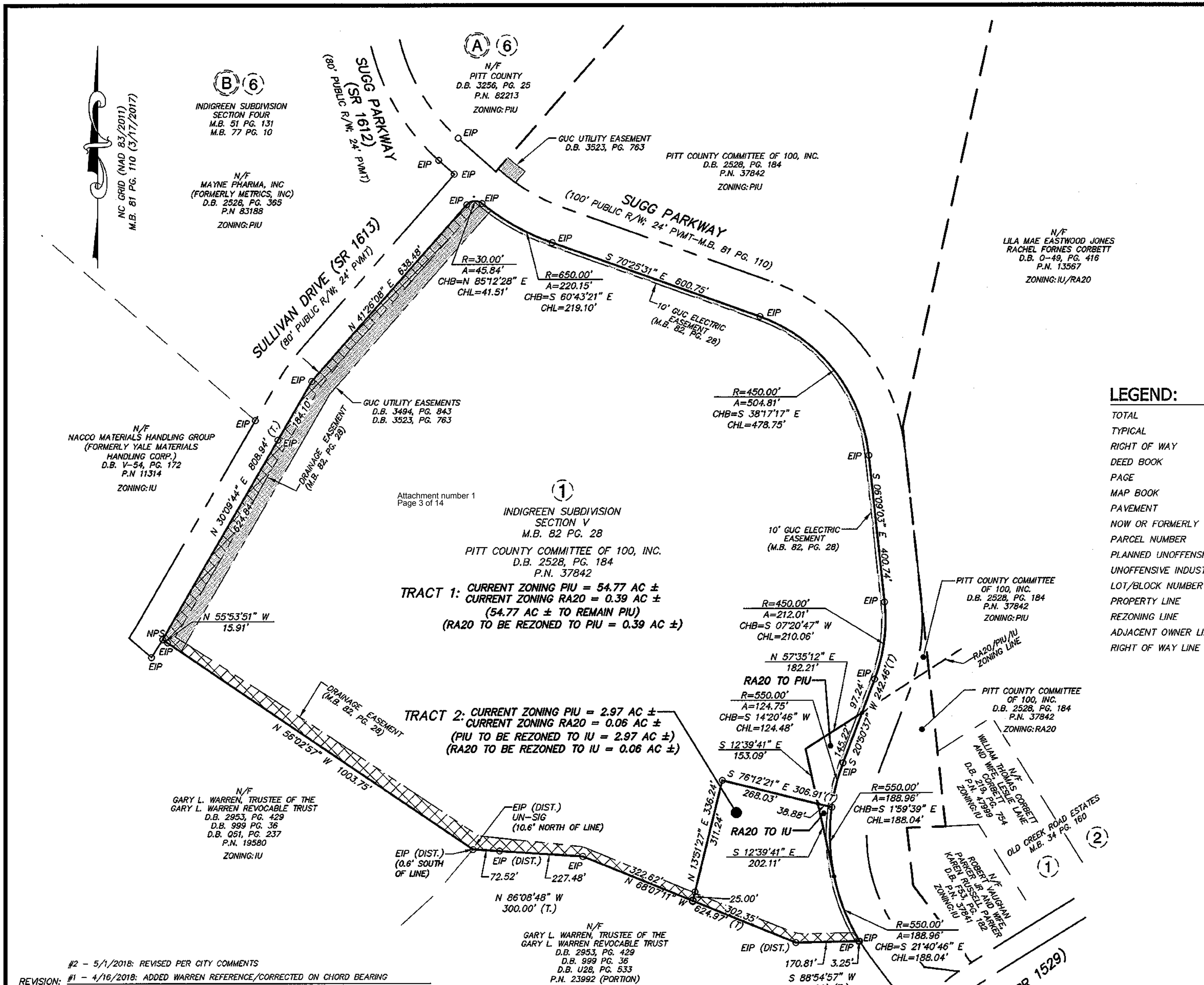
RA20 TO PIU:	17,034 SF ± (0.39 ACRES ±)
PIU TO IU:	129,648 SF ± (2.97 ACRES ±)
RA20 TO IU:	2,503 SF ± (0.06 ACRES ±)
TOTAL:	149,185 SF ± (3.42 ACRES ±)

OWNER:

PITT COUNTY COMMITTEE OF 100, INC.
 P.O. BOX 1714
 GREENVILLE, N.C. 27835
 PHONE: (252) 752-4101

NOTES:

- 1) AREA DETERMINED BY COORDINATES.
- 2) ALL DISTANCES ARE HORIZONTAL MEASUREMENTS.
- 3) NO POINT SET AT ANY CORNER UNLESS OTHERWISE NOTED.
- 4) THIS MAP WAS PREPARED FOR REZONING PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON.
- 5) EXISTING ZONING WAS TAKEN FROM THE OFFICIAL ZONING MAP, THE CITY OF GREENVILLE, DATED APRIL 22, 2005 AND INPUT FROM THE CITY OF GREENVILLE.
- 6) BOUNDARY INFORMATION SHOWN HEREON WAS DRAWN, IN PART, FROM A FIELD SURVEY PERFORMED BY RIVERS AND ASSOCIATES, INC. BASED ON FROM DEEDS AND MAPS REFERENCED HEREON.
- 7) ADJOINING PROPERTY DATA WAS TAKEN FROM THE PITT COUNTY ONLINE PARCEL INFORMATION WEB SITE AND HAS NOT BEEN VERIFIED FOR ACCURACY OR CORRECTNESS.



Attachment number 1
 Page 3 of 14

TRACT 1: CURRENT ZONING PIU = 54.77 AC ±
 CURRENT ZONING RA20 = 0.39 AC ±
 (54.77 AC ± TO REMAIN PIU)
 (RA20 TO BE REZONED TO PIU = 0.39 AC ±)

TRACT 2: CURRENT ZONING PIU = 2.97 AC ±
 CURRENT ZONING RA20 = 0.06 AC ±
 (PIU TO BE REZONED TO IU = 2.97 AC ±)
 (RA20 TO BE REZONED TO IU = 0.06 AC ±)

#2 - 5/1/2018: REVISED PER CITY COMMENTS
 REVISION: #1 - 4/16/2018: ADDED WARREN REFERENCE, CORRECTED ON CHORD BEARING

REZONING MAP FOR:
PITT COUNTY COMMITTEE OF 100, INC.
 PACTOLUS TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER **PITT COUNTY COMMITTEE OF 100, INC.**
 ADDRESS P.O. BOX 1714 GREENVILLE, NC 27835
 PHONE (252)-752-4101

NC License: F-0334
Rivers
 & ASSOCIATES, INC.
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Engineers
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107 East Second Street
 Greenville, NC 27858
 (252) 752-4195

SURVEYED	DATE
DRAWN KB/SBC	3/28/2018
CHECKED PWH	SCALE
APPROVED JDV	1" = 200'
DATE	Item #
3/28/2018	
SURVEY	DRAFT
DESIGN	CHECK
	PWH

CERTIFICATION

I, PATRICK W. HARTMAN, PROFESSIONAL LAND SURVEYOR CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM A SURVEY BY ME ON MAY 2017 AND OR MAPS AS REFERENCED HEREON, 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 28TH DAY OF MARCH, 2018.

Patrick W. Hartman
 PROFESSIONAL LAND SURVEYOR
 LICENSE NUMBER L-4262



P:\LandDev\Pitt Committee of 100 - Mayne Parcel - 20170206SURVEY_DWG\FP-416-4 Pitt Committee of 100 Indigreen Division 2018.dwg 2/28/2018 11:16:10 AM

EXISTING ZONING	
RA20 (RESIDENTIAL-AGRICULTURAL) - PERMITTED USES	
(1) General	
	a. Accessory use or building
	c. On-premise signs per Article N
(2) Residential	
	a. Single-family dwelling
	b(1). Master Plan Community per Article J
	f. Residential cluster development per Article M
	k. Family care homes (see also 9-4-103)
	q. Room renting
(3) Home Occupations - None	
(4) Governmental	
	b. City of Greenville municipal government building or use (see also section 9-4-103)
(5) Agricultural/Mining	
	a. Farming; agricultural, horticulture, forestry (see also section 9-4-103)
	c. Wayside market for farm products produced on-site
	e. Kennel (see also section 9-4-103)
	f. Stable; horse only (see also section 9-4-103)
	g. Stable; per definition (see also section 9-4-103)
	h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use
	i. Beekeeping; minor use (see also section 9-4-103)
(6) Recreational/Entertainment	
	f. Public park or recreational facility
	g. Private noncommercial park or recreational facility
(7) Office/Financial/Medical - None	
(8) Services	
	o. Church or place of worship (see also section 9-4-103)
(9) Repair - None	
(10) Retail Trade - None	
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction	
	c. Construction office; temporary, including modular office (see also section 9-4-103)
(13) Transportation - None	
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories) - None	
RA20 (RESIDENTIAL-AGRICULTURAL) - SPECIAL USES	
(1) General - None	
(2) Residential	
	b. Two-family attached dwelling (duplex)
	g. Mobile home (see also section 9-4-103)
	n. Retirement center or home
	o. Nursing, convalescent or maternity home; major care facility

o(1).	Nursing, convalescent or maternity home; minor care facility
(3) Home Occupations	
a.	Home occupation; not otherwise listed
b.	Home occupation; barber and beauty shop
c.	Home occupation; manicure, pedicure or facial salon
(4) Governmental	
a.	Public utility building or use
(5) Agricultural/Mining	
b.	Greenhouse or plant nursery; including accessory sales
m.	Beekeeping; major use
n.	Solar energy facility
(6) Recreational/Entertainment	
a.	Golf course; 18-hole regulation length (see also section 9-4-103)
a(1).	Golf course; 9-hole regulation length (see also section 9-4-103)
c(1).	Tennis club; indoor and outdoor facilities
(7) Office/Financial/Medical - None	
(8) Services	
a.	Child day care facilities
b.	Adult day care facilities
d.	Cemetery
g.	School; junior and senior high (see also section 9-4-103)
h.	School; elementary (see also section 9-4-103)
i.	School; nursery and kindergarten (see also section 9-4-103)
(9) Repair - None	
(10) Retail Trade - None	
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction - None	
(13) Transportation - None	
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories) - None	
PIU (PLANNED UNOFFENSIVE INDUSTRY) - 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 principal uses
(2) Residential - None	
(3) Home Occupations - 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
(5) Agricultural/Mining		
	a.	Farming; agricultural, horticulture, forestry (see also section 9-4-103)
	b.	Greenhouse or plant nursery; including accessory sales
	e.	Kennel (see also section 9-4-103)
	f.	Stable; horse only (see also section 9-4-103)
	g.	Stable; per definition (see also section 9-4-103)
	h.	Animal boarding not otherwise listed; outside facility, as an accessory or principal use
(6) Recreational/Entertainment		
	f.	Public park or recreational facility
	g.	Private noncommercial park or recreational facility
	m(1).	Dining and entertainment establishment (see also section 9-4-103)
(7) Office/Financial/Medical		
	b.	Operation/processing center
	c.	Office; customer service, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
	g.	Catalogue processing center
(8) Services		
	n.	Auditorium
	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)
	z.	Printing or publishing service including graphic art, maps, newspapers, magazines and books
	aa.	Catering service including food preparation (see also restaurant;
	gg.	Vocational rehabilitation center
	nn.	Industrial laundries
(9) Repair		
	b.	Minor repair; as an accessory or principal use
	c.	Upholsterer; automobile, truck, boat, or other vehicle, trailer or van
	d.	Upholsterer; furniture
	f.	Appliance; household and office equipment repair
	h.	Appliance; commercial and industrial equipment repair not otherwise listed
(10) Retail Trade		
	b.	Gasoline or automotive fuel sales; accessory or principal use, retail
	h.	Restaurant; conventional
	i.	Restaurant; fast food
	cc.	Farm supply and commercial implement sales
	dd.	Industrial implement, machinery or tool sales
(11) Wholesale/Rental/Vehicle-Mobile Home Trade		
	a.	Wholesale; durable and nondurable goods, not otherwise listed

	d.	Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
	e.	Rental of tractors and/or trailers, or other commercial or industrial vehicles or machinery
(12) Construction		
	b.	Licensed contractor; general electrical, plumbing, mechanical, etc... including outside storage
	c.	Construction office; temporary, including modular office (see also section 9-4-103)
	d.	Building supply; lumber and materials sales, plumbing and/or electrical supply including outdoor sales
(13) Transportation		
	a.	Railroad freight or distribution and/or passenger station
	d.	Truck terminal or distribution center
	e.	Parcel delivery service
	f.	Ambulance service
	g.	Airport and related activities; private
	h.	Parking lot or structure; principal use
(14) Manufacturing/Warehousing		
	a.	Ice plant and freezer lockers
	b.	Dairy; production, storage, and shipment facilities
	c.	Bakery; production, storage, and shipment facilities
	g.	Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholstery
	h.	Engraving; metal, glass or wood
	j.	Moving and storage; including outside storage
	k.	Mini-storage warehouse, household; excluding outside storage
	l.	Warehouse or mini-storage warehouse, commercial or industrial; including outside storage
	m.	Warehouse; accessory to approved commercial or industrial uses within the district; excluding outside storage
	p.	Tobacco redrying or processing plant
	s.	Manufacture of nonhazardous products; general, including nonhazardous
	t.	Manufacture of nonhazardous medical supplies or medical products,
	v.	Bottling or packing plant for nonhazardous materials or products
	cc.	Manufacture of pharmaceutical, biological, botanical, medicinal, and
(15) Other Activities (not otherwise listed - all categories) - None		
PIU (PLANNED UNOFFENSIVE INDUSTRY) - SPECIAL USES		
(1) General - None		
(2) Residential		
	i.	Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
	j.	Residential quarters for resident manager, supervisor or caretaker; including mobile home

(3) Home Occupations - None	
(4) Governmental - None	
(5) Agricultural/Mining - None	
(6) Recreational/Entertainment	
	k. Firearm ranges; indoor or outdoor
(7) Office/Financial/Medical - None	
(8) Services	
	a. Child day care facilities
	b. Adult day care facilities
	l. Convention center; private
	s(1). Hotel, motel bed and breakfast inn; extended stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
(9) Repair	
	a. Major repair; as an accessory or principal use
(10) Retail Trade	
	j. Restaurant and/or dining and entertainment establishment; regulated outdoor activities
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction - None	
(13) Transportation - None	
(14) Manufacturing/Warehousing	
	d. Stone or monument cutting, engraving
	o. Feed and grain elevator, mixing, redrying, storage or sales facility
	u. Tire recapping or retreading plant
	y. Recycling collection station or facilities
	z. Metallurgy, steel fabrication, welding
(15) Other Activities (not otherwise listed - all categories)	
	c. Other activities; commercial services not otherwise listed
	e. Other activities; industrial uses not otherwise listed
PROPOSED ZONING	
IU (UNOFFENSIVE INDUSTRY) - PERMITTED USES	
(1) General	
	a. Accessory use or building
	b. Internal service facilities
	c. On-premise signs per Article N
	d. Off-premise signs per Article N
	e. Temporary uses; of listed district uses
	f. Retail sales; incidental
	g. Incidental assembly of products sold at retail or wholesale as an accessory to principal uses
(2) Residential - None	
(3) Home Occupations - None	
(4) Governmental	
	a. Public utility building or use

	b.	City of Greenville municipal government building or use (see also section 9-4-103)
	c.	County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
	d.	Federal government building or use
	e.	County government operation center
(5) Agricultural/Mining		
	a.	Farming; agricultural, horticulture, forestry (see also section 9-4-103)
	b.	Greenhouse or plant nursery; including accessory sales
	d.	Farmers market
	e.	Kennel (see also section 9-4-103)
	f.	Stable; horse only (see also section 9-4-103)
	g.	Stable; per definition (see also section 9-4-103)
	h.	Animal boarding not otherwise listed; outside facility, as an accessory or principal use
	l.	Beekeeping; minor use (see also section 9-4-103)
(6) Recreational/Entertainment		
	f.	Public park or recreational facility
	g.	Private noncommercial park or recreational facility
	m(1).	Dining and entertainment establishment (see also section 9-4-103)
	p.	Circus, carnival, or fair
(7) Office/Financial/Medical		
	b.	Operation/processing center
	c.	Office; customer service, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
	f.	Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)
	g.	Catalogue processing center
(8) Services		
	n.	Auditorium
	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)
	y.	TV and/or radio broadcast facilities, including receiving and transmission equipment and towers or cellular telephone and wireless communication towers
	z.	Printing or publishing service including graphic art, maps, newspapers, magazines and books
	aa.	Catering service including food preparation (see also restaurant; conventional and fast food)
	bb.	Civic organizations
	gg.	Vocational rehabilitation center
	mm.	Commercial laundries; linen supply
	nn.	Industrial laundries
(9) Repair		
	b.	Minor repair; as an accessory or principal use
	c.	Upholsterer; automobile, truck, boat, or other vehicle, trailer or van

	d. Upholsterer; furniture
	f. Appliance; household and office equipment repair
	h. Appliance; commercial and industrial equipment repair not otherwise listed
(10) Retail Trade	
	b. Gasoline or automotive fuel sales; accessory or principal use, retail
	h. Restaurant; conventional
	i. Restaurant; fast food
	cc. Farm supply and commercial implement sales
(11) Wholesale/Rental/Vehicle-Mobile Home Trade	
	a. Wholesale; durable and nondurable goods, not otherwise listed
	d. Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
	e. Rental of tractors and/or trailers, or other commercial or industrial vehicles or machinery
(12) Construction	
	b. Licensed contractor; general electrical, plumbing, mechanical, etc... including outside storage
	c. Construction office; temporary, including modular office (see also section 9-4-103)
	d. Building supply; lumber and materials sales, plumbing and/or electrical supply including outdoor sales
(13) Transportation	
	a. Railroad freight or distribution and/or passenger station
	d. Truck terminal or distribution center
	e. Parcel delivery service
	f. Ambulance service
	g. Airport and related activities; private
	h. Parking lot or structure; principal use
(14) Manufacturing/Warehousing	
	a. Ice plant and freezer lockers
	b. Dairy; production, storage, and shipment facilities
	c. Bakery; production, storage, and shipment facilities
	d. Stone or monument cutting, engraving
	g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholstery
	h. Engraving; metal, glass or wood
	j. Moving and storage; including outside storage
	k. Mini-storage warehouse, household; excluding outside storage
	l. Warehouse or mini-storage warehouse, commercial or industrial; including outside storage
	m. Warehouse; accessory to approved commercial or industrial uses within the district; excluding outside storage
	o. Feed and grain elevator, mixing, redrying, storage or sales facility
	p. Tobacco redrying or processing plant

	s.	Manufacture of nonhazardous products; general, including nonhazardous and nontoxic chemicals and/or materials not otherwise listed
	t.	Manufacture of nonhazardous medical supplies or medical products, including distribution
	u.	Tire recapping or retreading plant
	v.	Bottling or packing plant for nonhazardous materials or products
	y.	Recycling collection station or facilities
	cc.	Manufacture of pharmaceutical, biological, botanical, medicinal, and cosmetic products, and related materials
(15) Other Activities (not otherwise listed - all categories) - None		
IU (UNOFFENSIVE INDUSTRY) - SPECIAL USES		
(1) General - None		
(2) Residential		
	i.	Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
	j.	Residential quarters for resident manager, supervisor or caretaker; including mobile home
	o.	Nursing, convalescent or maternity home; major care facility
(3) Home Occupations - None		
(4) Governmental - None		
(5) Agricultural/Mining		
	k.	Sand mining(see also item (5)j)
	m.	Beekeeping; major use
(6) Recreational/Entertainment		
	e.	Miniature golf or putt-putt course
	i.	Commercial recreation; indoor and outdoor, not otherwise listed
	k.	Firearm ranges; indoor or outdoor
(7) Office/Financial/Medical		
	a.	Office; professional and business, not otherwise listed
(8) Services		
	a.	Child day care facilities
	b.	Adult day care facilities
	l.	Convention center; private
	o.	Church or place of worship (see also section 9-4-103)
	s(1).	Hotel, motel bed and breakfast inn; extended stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
(9) Repair		
	a.	Major repair; as an accessory or principal use
(10) Retail Trade		
	j.	Restaurant and/or dining and entertainment establishment; regulated outdoor activities
(11) Wholesale/Rental/Vehicle-Mobile Home Trade		
	g.	Mobile home sales including accessory mobile home office
(12) Construction - None		

(13) Transportation	
	c. Taxi or limousine service
(14) Manufacturing/Warehousing	
	z. Metallurgy, steel fabrication, welding
(15) Other Activities (not otherwise listed - all categories)	
	c. Other activities; commercial services not otherwise listed
	e. Other activities; industrial uses not otherwise listed

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 CHART			
Density Level	Future Land Use and Character Type	Applicable Zoning District(s)	Units per Acre***
High	Uptown Edge (UE)	CDF	17 units per acre
	Mixed Use, High Intensity (MUHI)	OR	17 units per acre
		R6	17 units per acre
	Residential, High Density (HDR)	R6	17 units per acre
		R6MH	17 units per acre
Medical-Transition (MT)	MR	17 units per acre	
High to Medium	Mixed Use (MU)	OR	17 units per acre
		R6	17 units per acre
		R6A	9 units per acre
	Uptown Neighborhood (UN)	R6S	7 units per acre
	Traditional Neighborhood, Medium-High Density (TNMH)	R6	17 units per acre
		R6A	9 units per acre
		R6S	7 units per acre
Medium to Low	Traditional Neighborhood, Low-Medium Density (TNLM)	R9	6 units per acre
		R9S	5 units per acre
		R15S	3 units per acre
	Residential, Low-Medium Density (LMHR)	R9S	5 units per acre
		R15S	3 units per acre
		RA20	4 units per acre
		MRS	4 units per acre

*** Maximim allowable density in the respective zoning district.



City of Greenville, North Carolina

Meeting Date:
5/15/2018
Date time: 6:00 PM

Title of Item: Ordinance requested by 101010, LLC, Cook RE Holdings, LLC and Delta Alpha East, LLC to rezone a total of 3.9174 acres located at the southwestern corner of the intersection of East 10th Street and Elm Street from R9 (Residential [Medium Density]) to OR (Office-Residential [High Density Multi-family]).

Explanation: **Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on May 1, 2018.
On-site sign(s) posted on May 1, 2018.
City Council public hearing notice (property owner and adjoining property owner letter) mailed - N/A at this time.
Public hearing legal advertisement published - N/A at this time.

Comprehensive Plan:

The Future Land Use and Character Map recommends residential, high density (HDR) at the southwestern corner of the intersection of East 10th Street and Elm Street transitioning to university/institutional (UI) to the west. Further, potential conservation/open space (PCOS) is recommended along Green Mill Run.

Residential, High Density

Residential areas composed primarily of multi-family housing in various forms. Defined by existing development patterns where building size and style tend to be consistent within a development, with large blocks, and limited connectivity between different building types and uses. Future development should take a more traditional neighborhood pattern where different residential types are

connected in a walkable pattern. High density residential is typically appropriate near activity centers and corridors.

Intent:

- Provide better vehicular and pedestrian connectivity between developments
- Improve architectural variety and site design for new developments
- Improve streetscape features such as consistent sidewalks, lighting and street trees

Primary uses:

Multi-family residential

Two-family residential

Attached residential (townhomes)

Secondary uses:

Office

Single-family residential detached (small lot)

Institutional/Civic (churches and schools)

Potential Conservation/Open Space

Potential Conservation/Open Space land is typically located in areas that contain existing parkland, needed land buffers, exhibit potential for flooding, or are deemed inappropriate for development due to physical or environmental barriers. Some land within this area may not contain barriers to development, or there may be reasonable mitigation. Site analysis is needed to determine development capabilities in these areas.

The Future Land Use and Character Map identifies certain areas as Potential Conservation/Open Space. Much of this area is designated based upon data on flood-prone land and environmental constraints that may not correspond precisely with conditions on the ground. Seeing an area designated this way is the beginning of a conversation. When considering rezoning requests or other development proposals, some areas classified as Potential Conservation/Open Space may be determined not to contain anticipated limitations on development, or that existing concerns can reasonably be mitigated. In such cases, the future preferred land use should be based on adjacent Land Use and Character designations, contextual considerations, and the general policies of the comprehensive plan.

Intent:

- Conserve environmentally-sensitive land
- Buffer incompatible land uses with open space
- Provide open space network through the city for recreation

- Conservation/Open Space buffers adjacent to industrial development should be maintained at a width based on the type of industry and its potential to create compatibility problems
- Greenways and greenway connectors should be maintained to be consistent with the Greenway Plan.

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

Based on the possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 333 trips to and from the site on East 10th Street, which is a net increase of 304 additional trips per day.

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

History/Background:

In 1969, the subject property was in the city limits and zoned R9.

Present Land Use:

Three (3) single-family residences.

Water/Sewer:

Water and sanitary sewer are available.

Historic Sites:

There are no known effects on historic sites.

Environmental Conditions/Constraints:

The subject properties are impacted by the 100-year flood plain and floodway associated with Green Mill Run.

Surrounding Land Uses and Zoning:

North: R9S - Four (4) single-family residences

South: OR - Drew Steele Center and East Carolina University parking lot; R9 - City-owned property

East: OR - Kappa Delta Sorority

West: OR - Alpha Phi Sorority

Density Estimates:

Currently, there are three (3) single-family residences located on-site.

Under the proposed zoning, the site could accommodate 45-50 multi-family units (1, 2 and 3 bedrooms).

The anticipated build-out time is within 1-2 years.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

"In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

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

"Motion to recommend approval of the proposed rezoning, to advise that it is consistent with the comprehensive plan and to adopt the staff report which addresses plan consistency and other matters."

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

"Motion to recommend denial of the proposed rezoning, to advise that, although the proposed amendment is consistent with the comprehensive plan, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency."

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

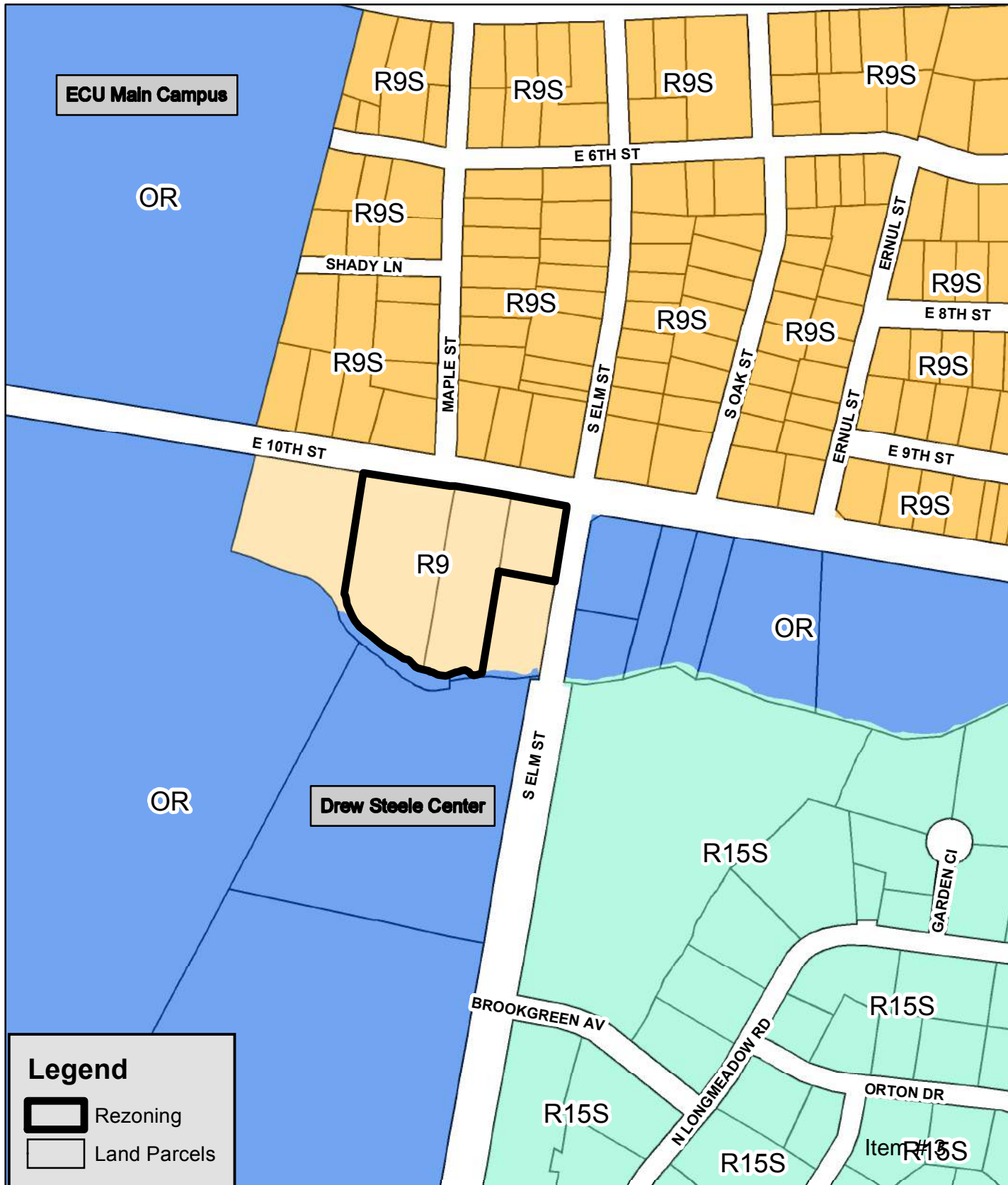
ATTACHMENTS:

Description

Attachments

101010, LLC, Cook RE Holdings, LLC and Delta Alpha East, LLC

From: R9
To: OR
Acres: 3.9174
May 1, 2018



Legend

- Rezoning
- Land Parcels

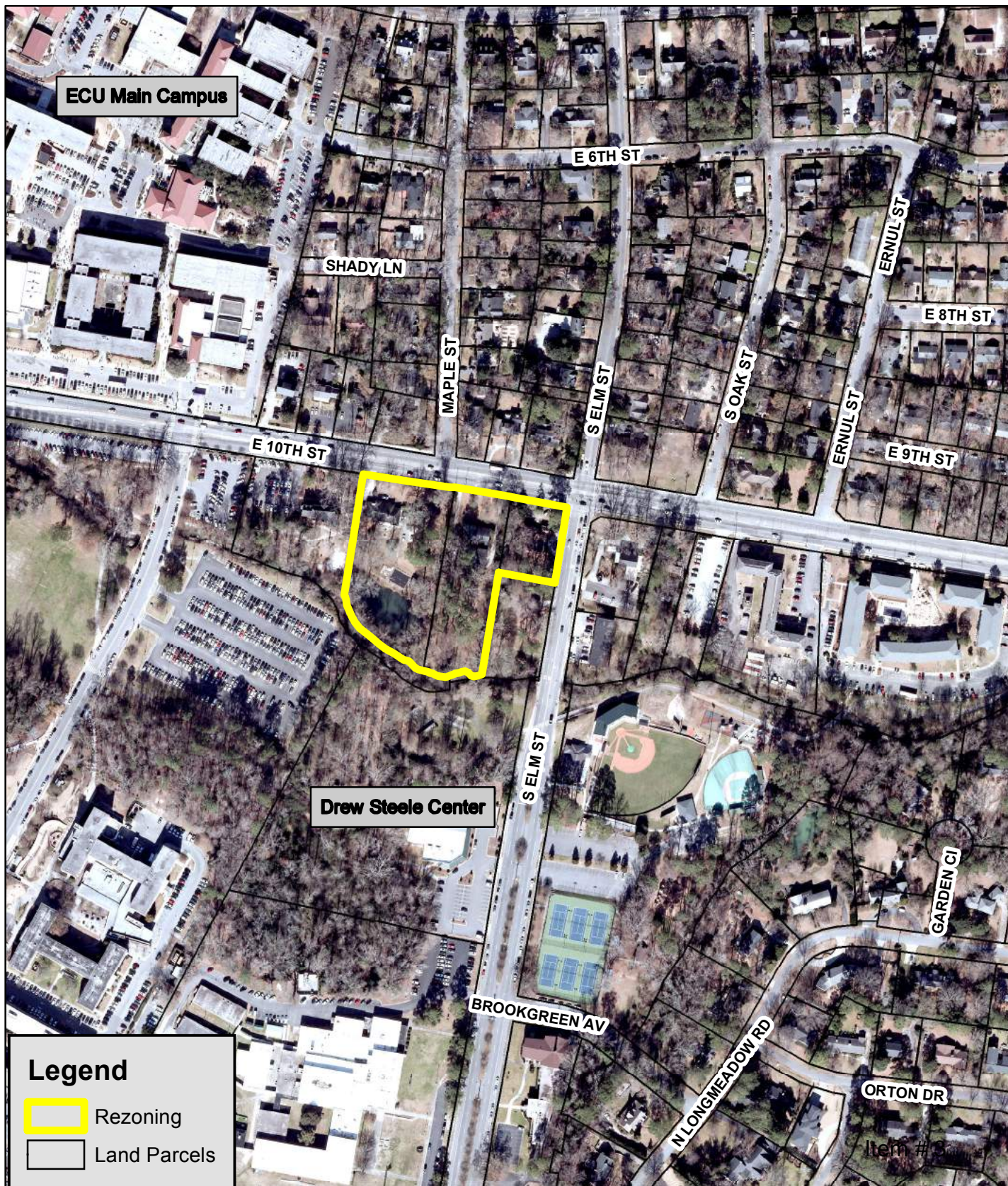
101010, LLC, Cook RE Holdings, LLC and Delta Alpha East, LLC

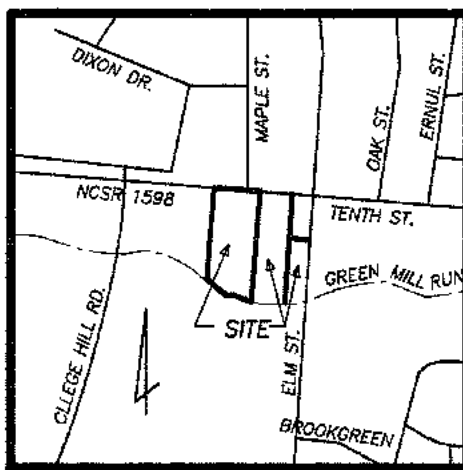
From: R9

To: OR

Acres: 3.9174

May 1, 2018

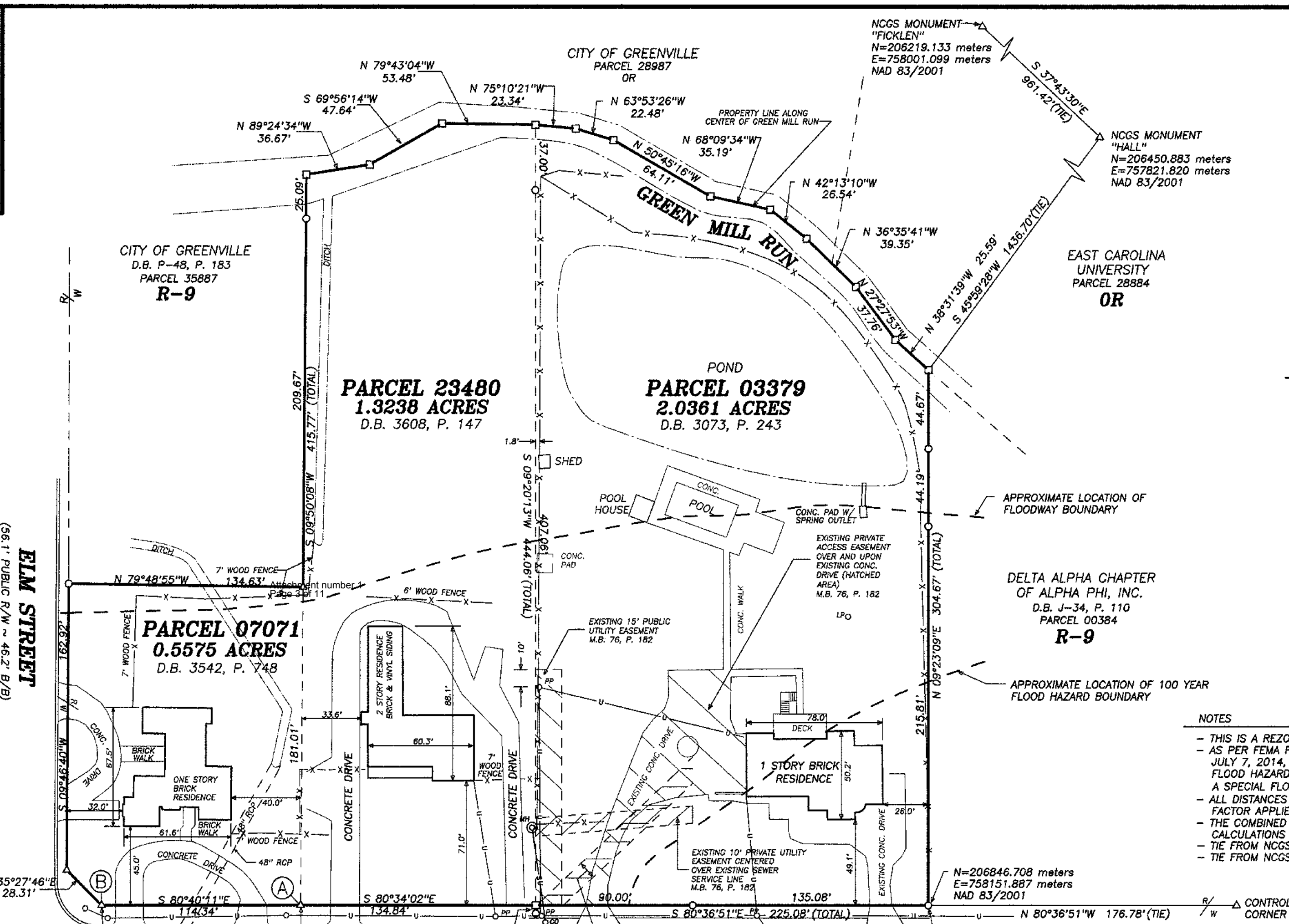




VICINITY MAP
1"=1000'

WOLFTRI, LLC
D.B. 2441, P. 631
OR

GAMMA SIGMA HOUSE
CORP. OF KAPPA DELTA
SORORITY
D.B. 1690, P. 484
OR



SITE DATA

PARCEL 03379:	2.0361 AC.
PARCEL 23480:	1.3238 AC.
PARCEL 07071:	0.5575 AC.
TOTAL AREA:	3.9174 AC.
CURRENT ZONING:	R-9
PROPOSED ZONING:	OR

- REFERENCES**
- D.B. 3073, P. 243
 - D.B. 3608, P. 147
 - D.B. 3542, P. 748
 - D.B. M-39, P. 98
 - M.B. 76, P. 182
 - R/W BOOK 1, P. 12-D
 - PITT COUNTY REGISTRY

- NOTES**
- THIS IS A REZONING SURVEY FOR PITT COUNTY TAX PARCELS 03379, 23480 & 07071
 - AS PER FEMA FLOOD INSURANCE RATE MAP 3720468700K, DATED JULY 7, 2014, A PORTION PARCEL 03379 IS LOCATED IN A SPECIAL FLOOD HAZARD AREA; ALL OF PARCELS 23480 & 07071 ARE LOCATED IN A SPECIAL FLOOD HAZARD AREA
 - ALL DISTANCES SHOWN ARE HORIZONTAL FIELD DISTANCES; NO GRID FACTOR APPLIED
 - THE COMBINED NC GRID FACTOR USED FOR GRID COORDINATE CALCULATIONS IS 0.99989571
 - TIE FROM NCGS MONUMENT "HALL" TO POINT A IS N 49°13'52"E 1898.84'
 - TIE FROM NCGS MONUMENT "HALL" TO POINT B IS N 51°46'40"E 1974.14'

APPLICANT
RAHUL THAPAR, MEMBER MANAGER
P.O. BOX 2571
GREENVILLE, NC 27836
252-412-5583

OWNERS

PARCEL 07071	101010, LLC P.O. BOX 2564 GREENVILLE, NC 27836 252-412-5583
PARCEL 23480	COOK RE HOLDINGS, LLC P.O. BOX 2564 GREENVILLE, NC 27836 252-412-5583
PARCEL 03379	DELTA ALPHA EAST, LLC P.O. BOX 2561 GREENVILLE, NC 27836 252-412-5583

- LEGEND**
- EXISTING IRON PIPE
 - IRON PIPE SET
 - NO POINT SET
 - △ EXISTING CONCRETE MONUMENT
 - PP○ POWER POLE
 - U- OVERHEAD UTILITY LINE
 - R/W RIGHT OF WAY
 - X- 5' CHAINLINK FENCE
 - LPO LIGHT POLE
 - S- SEWER LINE

RYAN JAMES NYQUIST
D.B. 1640, P. 723
R-9S

CCH ECU LLC
D.B. 3540, P. 349
R-9S

WILLIAM J. HANLON
D.B. 3046, P. 528
PARCEL 19903
R-9S

MJ3, LLC
D.B. 2786, P. 732
PARCEL 18578
R-9S

PREM K. SINGLA AND SANTOSH SINGLA
D.B. 3657, P. 205
PARCEL 12089
R-9S

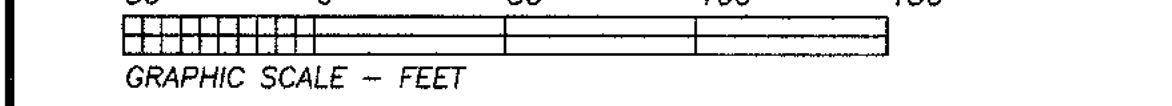
F. JOSEPH GOSSMAN, BISHOP
D.B. 95, P. 541
PARCEL 08651
R-9S

F. JOSEPH GOSSMAN, BISHOP
D.B. E49, P. 555
PARCEL 07529
R-9S

REZONING SURVEY FOR
101010, LLC; COOK RE HOLDINGS, LLC AND DELTA ALPHA EAST, LLC

DEED BOOK 3542, PAGE 748; DEED BOOK 3608, PAGE 147
DEED BOOK 3073, PAGE 243
CITY OF GREENVILLE

GREENVILLE TOWNSHIP ~ PITT COUNTY ~ NORTH CAROLINA
DATE: APRIL 16, 2018 SCALE: 1"=50'



Spruill & Associates Inc.

2747 East Tenth Street
Greenville, North Carolina 27858
(252) 757-1200
spruill@coastalnet.com

Firm No.
C-978

NCSR 1598 ~ TENTH STREET
(86' PUBLIC R/W ~ 65' B/B)

MAPLE STREET

I, STEPHEN N. SPRUILL, CERTIFY THAT THIS IS A SURVEY OF EXISTING PARCELS OF LAND, AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
Stephen N. Spruill
STEPHEN N. SPRUILL, P.L.S. L-2723



STATE OF NORTH CAROLINA, PITT COUNTY
I, STEPHEN N. SPRUILL, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, THAT THE RATIO OF PRECISION AS CALCULATED IS 1:21,380; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES; THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 2 DAY OF MAY, 2018
Stephen N. Spruill
STEPHEN N. SPRUILL L-2723

Case No: 18-14

Applicant: 101010, LLC, Cook RE Holdings, LLC and Delta Alpha East, LLC

Property Information

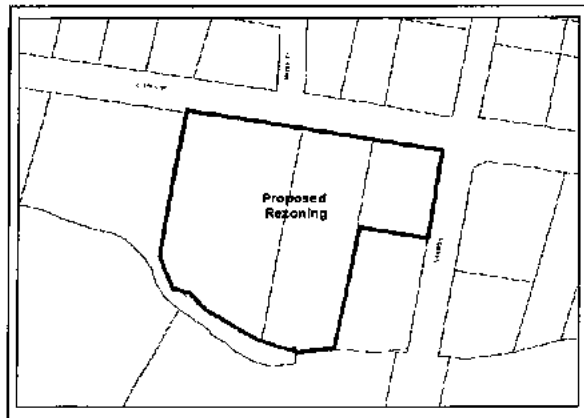
Current Zoning: R9 (Residential [Medium Density])

Proposed Zoning: OR (Office-Residential [High Density Multi-family])

Current Acreage: 3.9174 acres

Location: 10th St, west of Elm St

Points of Access: 10th St



Location Map

Transportation Background Information

1.) 10th St- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	5-lane with curb & gutter	4-lane with median
Right of way width (ft)	85	90
Speed Limit (mph)	35	no change
Current ADT:	21,850 (*)	UltimateDesign ADT: 28,100 vehicles/day (**)
Design ADT:	24,300 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	

Other Information: There are sidewalks along 10th St that service this property.

Notes: (*) 2016 NCDOT count adjusted for a 2% annual growth rate
(**) Traffic volume based on an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status:

Trips generated by proposed use/change

Current Zoning: 29 -vehicle trips/day (*) **Proposed Zoning: 333** -vehicle trips/day (*)

Estimated Net Change: increase of 304 vehicle trips/day (assumes full-build out)

(* - These volumes are estimated and based on an average of the possible uses permitted by the current and proposed zoning.)

Impact on Existing Roads

The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on 10th St are as follows:

1.) 10th St , East of Site (50%): **“No build” ADT of 21,850**

Estimated ADT with Proposed Zoning (full build) – 22,017
 Estimated ADT with Current Zoning (full build) – 21,865
Net ADT change = 152 (<1% increase)

2.) 10th St , West of Site (50%): "No build" ADT of 21,850

Estimated ADT with Proposed Zoning (full build) - 22,017

Estimated ADT with Current Zoning (full build) - 21,865

Net ADT change = 152 (<1% increase)

Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 333 trips to and from the site on 10th St, which is a net increase of 304 additional trips per day.

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

CURRENT ZONING	
R9 (RESIDENTIAL) - PERMITTED USES	
(1) General	
a.	Accessory use or building
c.	On-premise signs per Article N
(2) Residential	
a.	Single-family dwelling
b.	Two-family attached dwelling (duplex)
b(1).	Master Plan Community per Article J
c.	Multi-family development per Article I
f.	Residential cluster development per Article M
k.	Family care homes (see also 9-4-103)
q.	Room renting
(3) Home Occupations - None	
(4) Governmental	
b.	City of Greenville municipal government building or use (see also section 9-4-103)
(5) Agricultural/Mining	
a.	Farming; agricultural, horticulture, forestry (see also section 9-4-103)
l.	Beekeeping; minor use (see also section 9-4-103)
(6) Recreational/Entertainment	
f.	Public park or recreational facility
g.	Private noncommercial park or recreational facility
(7) Office/Financial/Medical - None	
	* None
(8) Services	
o.	Church or place of worship (see also section 9-4-103)
(9) Repair - None	
(10) Retail Trade - None	
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction	
c.	Construction office; temporary, including modular office (see also section 9-4-103)
(13) Transportation - None	
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories) - None	
R9 (RESIDENTIAL) - SPECIAL USES	
(1) General	
	* None
(2) Residential	
o(1).	Nursing, convalescent or maternity home; minor care facility
(3) Home Occupations	
a.	Home occupation; not otherwise listed
c.	Home occupation; manicure, pedicure or facial salon
(4) Governmental	
a.	Public utility building or use
(5) Agricultural/Mining - None	
(6) Recreational/Entertainment	
a.	Golf course; 18-hole regulation length (see also section 9-4-103)

a(1).	Golf course; 9-hole regulation length (see also section 9-4-103)
c(1).	Tennis club; indoor and outdoor facilities
(7) Office/Financial/Medical - None	
(8) Services	
a.	Child day care facilities
b.	Adult day care facilities
d.	Cemetery
g.	School; junior and senior high (see also section 9-4-103)
h.	School; elementary (see also section 9-4-103)
i.	School; nursery and kindergarten (see also section 9-4-103)
(9) Repair - None	
(10) Retail Trade - None	
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction - None	
(13) Transportation - None	
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories) - None	
PROPOSED ZONING	
OR (OFFICE-RESIDENTIAL) - PERMITTED USES	
(1) General	
a.	Accessory use or building
b.	Internal service facilities
c.	On-premise signs per Article N
f.	Retail sales; incidental
(2) Residential	
b.	Two-family attached dwelling (duplex)
c.	Multi-family development per Article I
k.	Family care homes (see also 9-4-103)
n.	Retirement center or home
o.	Nursing, convalescent or maternity home; major care facility
p.	Boarding or rooming house
q.	Room renting
(3) Home Occupations - None	
(4) Governmental	
b.	City of Greenville municipal government building or use (see also section 9-4-103)
c.	County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
d.	Federal government building or use
(5) Agricultural/Mining	
a.	Farming; agricultural, horticulture, forestry (see also section 9-4-103)
(6) Recreational/Entertainment	
f.	Public park or recreational facility
g.	Private noncommercial recreation; indoor only, not otherwise listed
(7) Office/Financial/Medical	
a.	Office; professional and business, not otherwise listed
b.	Operation/processing center

	c. Office; customer service, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
	d. Bank, savings and loans 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 salon
	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; nursery and kindergarten (see also section 9-4-103)
	j. College and 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
	u. Art studio including art and supply sales
	v. Photography studio including photo and supply sales
	w. Recording studio
	x. Dance studio
y(2)	TV and/or radio broadcast facilities, including receiving and transmission equipment and towers not exceeding 120 feet in height or cellular telephone and wireless communication towers not exceeding 120 feet in height (see also section 9-4-103)
	bb. Civic organizations
	cc. Trade or business organizations
(9) Repair - None	
(10) Retail Trade	
	s. Book or card store, news stand
	w. Florist
	ee. Christmas tree sales lot; temporary only (see also section 9-4-103)
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(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)
(13) Transportation - None	
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories) - None	
OR (OFFICE-RESIDENTIAL) - SPECIAL USES	
(1) General - None	
(2) Residential	
	d. Land use intensity multi-family (LUI) development rating 50 per Article K
	e. Land use intensity multi-family (LUI) development rating 67 per Article K

i.	Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
m.	Shelter for homeless or abused (see also section 9-4-103)
o(1).	Nursing, convalescent or maternity home; minor care facility
r.	Fraternity or sorority house
(3) Home Occupations - None	
(4) Governmental	
a.	Public utility building or use
(5) Agricultural/Mining - None	
(6) Recreational/Entertainment	
c(1).	Tennis club; indoor and outdoor facilities
h.	Commercial recreation; indoor only, not otherwise listed
m(1).	Dining and entertainment establishment (see also section 9-4-103)
(7) Office/Financial/Medical	
f.	Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)
(8) Services	
a.	Child day care facilities
b.	Adult day care facilities
l.	Convention center; private
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)
ff.	Mental health, emotional or physical rehabilitation day program facility
ff(1).	Mental health, emotional or physical rehabilitation day program facility
(9) Repair- None	
(10) Retail Trade - None	
h.	Restaurant; conventional
j.	Restaurant and/or dining and entertainment establishment; regulated outdoor activities
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction - None	
(13) Transportation	
h.	Parking lot or structure; principal use
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories)	
a.	Other activities; personal services not otherwise listed
b.	Other activities; professional services not otherwise listed

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 CHART			
Density Level	Future Land Use and Character Type	Applicable Zoning District(s)	Units per Acre***
High	Uptown Edge (UE)	CDF	17 units per acre
	Mixed Use, High Intensity (MUHI)	OR	17 units per acre
		R6	17 units per acre
	Residential, High Density (HDR)	R6	17 units per acre
		R6MH	17 units per acre
Medical-Transition (MT)	MR	17 units per acre	
High to Medium	Mixed Use (MU)	OR	17 units per acre
		R6	17 units per acre
		R6A	9 units per acre
	Uptown Neighborhood (UN)	R6S	7 units per acre
	Traditional Neighborhood, Medium-High Density (TNMH)	R6	17 units per acre
		R6A	9 units per acre
		R6S	7 units per acre
Medium to Low	Traditional Neighborhood, Low-Medium Density (TNLM)	R9	6 units per acre
		R9S	5 units per acre
		R15S	3 units per acre
	Residential, Low-Medium Density (LMHR)	R9S	5 units per acre
		R15S	3 units per acre
		RA20	4 units per acre
		MRS	4 units per acre

*** Maximim allowable density in the respective zoning district.



City of Greenville, North Carolina

Meeting Date:
5/15/2018
Date time: 6:00 PM

Title of Item: Ordinance requested by Jeffrey Daniels and Timothy McCarthy to rezone 0.25 acres located along the southern right-of-way of East 6th Street adjacent to the East Carolina University Main Campus from R9S (Residential-Single-family [Medium Density]) to OR (Office-Residential [High Density Multi-family]).

Explanation: **Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on May 1, 2018.
On-site sign(s) posted on May 1, 2018.
City Council public hearing notice (property owner and adjoining property owner letter) mailed - N/A at this time.
Public hearing legal advertisement published - N/A at this time.

Comprehensive Plan:

The Future Land Use and Character Map recommends university/institutional (UI) adjacent to the east side of the East Carolina University Main Campus south of East 5th Street, west of Maple Street and north of East 10th Street transitioning to traditional neighborhood, medium-high density (TNMH).

University/Institutional

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

Intent:

- Encourage better physical links between Uptown and ECU

- Support campus development as described in A Campus Within Context, A Comprehensive Master Plan for East Carolina University (2012) and in potential master plan updates by coordinating infrastructure improvements and leveraging investments to revitalize adjacent areas

Primary uses:
Institutional/Civic

Secondary uses:
Office
Multi-family residential

Traditional Neighborhood, Medium-High Density

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

Intent:

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

Primary uses:
Multi-family residential
Single-family residential attached (townhomes) and detached (small-lot)

Secondary uses:
Institutional (neighborhood scale)

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

Based on the possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 98 trips to and from the site on East 5th Street, which is a net increase of 84 additional trips per day.

Based on the possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 98 trips to and from the site on East 10th Street, which is a net increase of 84 additional trips per day.

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

History/Background:

The subject property has been in the city limits since 1969 and was zoned R9. In 2005, the subject property was rezoned to its current zoning (R9S - single-family only) as part of a large-scale city-initiated rezoning.

Present Land Use:

Vacant

Water/Sewer:

Water and sanitary sewer are available.

Historic Sites:

There are no known effects on historic sites.

Environmental Conditions/Constraints:

There are no known environmental condition/constraints.

Surrounding Land Uses and Zoning:

North: R9S - East Carolina University parking lot

South: R9S - One (1) single-family residence

East: R9S - One (1) single-family residence (under common ownership of applicant)

West: OR - East Carolina University Main Campus

Density Estimates:

Under the current zoning, the site could accommodate one (1) single-family residence.

Under the proposed zoning, the site could accommodate a private parking lot containing 25-30 spaces.

The anticipated build-out time is within one (1) year.

Fiscal Note:

No cost to the City.

Recommendation:

In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

"In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes

the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

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

"Motion to recommend approval of the proposed rezoning, to advise that it is consistent with the comprehensive plan and to adopt the staff report which addresses plan consistency and other matters."

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

"Motion to recommend denial of the proposed rezoning, to advise that, although the proposed amendment is consistent with the comprehensive plan, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency."

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

ATTACHMENTS:

Description

Attachments

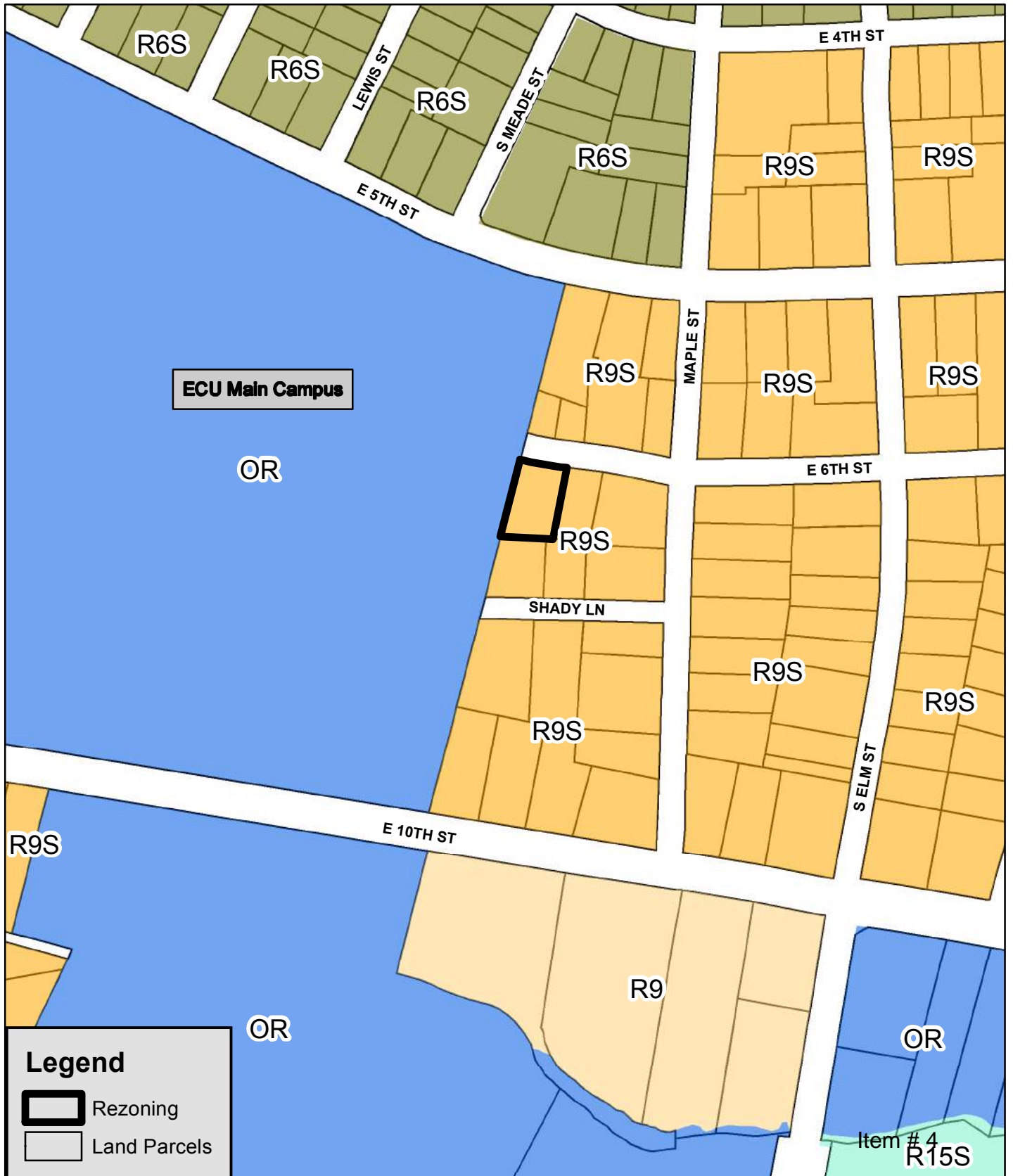
Jeffrey Daniels and Timothy McCarthy

From: R9S

To: OR

Acres: 0.246

May 1, 2018



Jeffrey Daniels and Timothy McCarthy

From: R9S

To: OR

Acres: 0.246

May 1, 2018



Case No: 18-15

Applicant: Jeffrey Daniels and Timothy McCarthy

Property Information

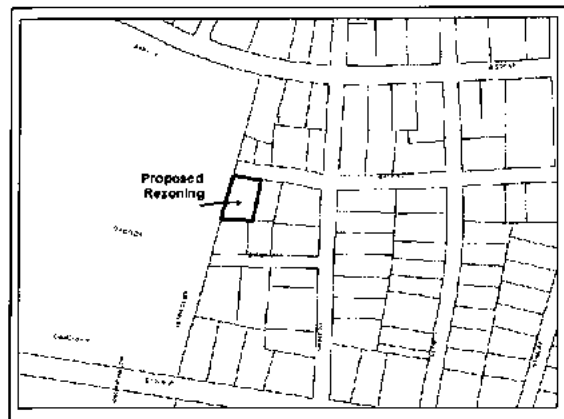
Current Zoning: R9S (Residential-Single-family [Medium Density])

Proposed Zoning: OR (Office-Residential [High Density Multi-family])

Current Acreage: 0.246 acres

Location: 6th St, west of Maple St

Points of Access: 10th St, 5th St



Location Map

Transportation Background Information

1.) 10th St- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	5 lanes - curb & gutter	4-lane with median
Right of way width (ft)	85	90
Speed Limit (mph)	35	no change
Current ADT:	21,850 (*)	UltimateDesign ADT: 28,100 vehicles/day (**)
Design ADT:	24,300 vehicles/day	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:		

Notes: (*) 2016 NCDOT count adjusted for a 2% annual growth rate
(**) Traffic volume based an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Planned Improvements.

2.) 5th St- City maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lane curb & gutter	no change
Right of way width (ft)	50	no change
Speed Limit (mph)	25	no change
Current ADT:	11,445 (*)	
Design ADT:	10,000	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:		

Notes: (*) 2016 NCDOT count adjusted for a 2% annual growth rate
(**) Traffic volume based an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Trips generated by proposed use/change

Current Zoning: 10 -vehicle trips/day (*)

Proposed Zoning: 178 -vehicle trips/day (*)

Estimated Net Change: increase of 168 vehicle trips/day (assumes full-build out)

(*) - These volumes are estimated and based on an average of the possible uses permitted by the current and proposed zoning.)

Impact on Existing Roads**The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on 10th St and 5th St are as follows:**

- 1.) 10th St, West of Site (25%):** "No build" ADT of 21,850
- | | |
|---|-----------------------------|
| Estimated ADT with Proposed Zoning (full build) – | 21,895 |
| Estimated ADT with Current Zoning (full build) – | 21,853 |
| Net ADT change = | 42 (<1% increase) |
- 2.) 10th St, East of Site (25%):** "No build" ADT of 21,850
- | | |
|---|-----------------------------|
| Estimated ADT with Proposed Zoning (full build) – | 21,895 |
| Estimated ADT with Current Zoning (full build) – | 21,853 |
| Net ADT change = | 42 (<1% increase) |
- 3.) 5th St, West of Site (25%):** "No build" ADT of 11,445
- | | |
|---|-----------------------------|
| Estimated ADT with Proposed Zoning (full build) – | 11,490 |
| Estimated ADT with Current Zoning (full build) – | 11,448 |
| Net ADT change = | 42 (<1% increase) |
- 4.) 5th St, East of Site (25%):** "No build" ADT of 11,445
- | | |
|---|-----------------------------|
| Estimated ADT with Proposed Zoning (full build) – | 11,490 |
| Estimated ADT with Current Zoning (full build) – | 11,448 |
| Net ADT change = | 42 (<1% increase) |

Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 89 trips to and from the site on 10th St, which is a net increase of 84 additional trips per day.

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 89 trips to and from the site on 5th St, which is a net increase of 84 additional trips per day.

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

R9S (RESIDENTIAL-SINGLE-FAMILY) - PERMITTED USES	
(1) General	
	a. Accessory use or building
	c. On-premise signs per Article N
(2) Residential	
	a. Single-family dwelling
	f. Residential cluster development per Article M
	k. Family care homes (see also 9-4-103)
	q. Room renting
(3) Home Occupations - None	
(4) Governmental	
	b. City of Greenville municipal government building or use (see also section 9-4-103)
(5) Agricultural/Mining	
	a. Farming; agricultural, horticulture, forestry (see also section 9-4-103)
	l. Beekeeping; minor use (see also section 9-4-103)
(6) Recreational/Entertainment	
	f. Public park or recreational facility
	g. Private noncommercial park or recreational facility
(7) Office/Financial/Medical - None	
(8) Services	
	o. Church or place of worship (see also section 9-4-103)
(9) Repair - None	
(10) Retail Trade - None	
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction	
	c. Construction office; temporary, including modular office (see also section 9-4-103)
(13) Transportation - None	
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories) - None	
R9S (RESIDENTIAL-SINGLE-FAMILY) - SPECIAL USES	
(1) General - None	
(2) Residential - None	
(3) Home Occupations	
	a. Home occupation; not otherwise listed
(4) Governmental	
	a. Public utility building or use
(5) Agricultural/Mining	
	l. Beekeeping; minor use (see also section 9-4-103)
(6) Recreational/Entertainment	
	a. Golf course; 18-hole regulation length (see also section 9-4-103)
	a(1). Golf course; 9-hole regulation length (see also section 9-4-103)
	c(1). Tennis club; indoor and outdoor facilities
(7) Office/Financial/Medical - None	
(8) Services	
	d. Cemetery

	g. School; junior and senior high (see also section 9-4-103)
	h. School; elementary (see also section 9-4-103)
	i. School; nursery and kindergarten (see also section 9-4-103)
(9) Repair - None	
(10) Retail Trade - None	
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction - None	
(13) Transportation - None	
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories) - None	
PROPOSED ZONING	
OR (OFFICE-RESIDENTIAL) - PERMITTED USES	
(1) General	
	a. Accessory use or building
	b. Internal service facilities
	c. On-premise signs per Article N
	f. Retail sales; incidental
(2) Residential	
	b. Two-family attached dwelling (duplex)
	c. Multi-family development per Article I
	k. Family care homes (see also 9-4-103)
	n. Retirement center or home
	o. Nursing, convalescent or maternity home; major care facility
	p. Boarding or rooming house
	q. Room renting
(3) Home Occupations - None	
(4) Governmental	
	b. City of Greenville municipal government building or use (see also section 9-4-103)
	c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
	d. Federal government building or use
(5) Agricultural/Mining	
	a. Farming; agricultural, horticulture, forestry (see also section 9-4-103)
(6) Recreational/Entertainment	
	f. Public park or recreational facility
	g. Private noncommercial recreation; indoor only, not otherwise listed
(7) Office/Financial/Medical	
	a. Office; professional and business, not otherwise listed
	b. Operation/processing center
	c. Office; customer service, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
	d. Bank, savings and loans 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 salon

	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; nursery and kindergarten (see also section 9-4-103)
	j. College and 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
	u. Art studio including art and supply sales
	v. Photography studio including photo and supply sales
	w. Recording studio
	x. Dance studio
	y(2) TV and/or radio broadcast facilities, including receiving and transmission equipment and towers not exceeding 120 feet in height or cellular telephone and wireless communication towers not exceeding 120 feet in height (see also section 9-4-103)
	bb. Civic organizations
	cc. Trade or business organizations
(9) Repair - None	
(10) Retail Trade	
	s. Book or card store, news stand
	w. Florist
	ee. Christmas tree sales lot; temporary only (see also section 9-4-103)
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(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)
(13) Transportation - None	
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories) - None	
OR (OFFICE-RESIDENTIAL) - SPECIAL USES	
(1) General - None	
(2) Residential	
	d. Land use intensity multi-family (LUI) development rating 50 per Article K
	e. Land use intensity multi-family (LUI) development rating 67 per Article K
	i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
	m. Shelter for homeless or abused (see also section 9-4-103)
	o(1). Nursing, convalescent or maternity home; minor care facility
	r. Fraternity or sorority house
(3) Home Occupations - None	

(4) Governmental	
	a. Public utility building or use
(5) Agricultural/Mining - None	
(6) Recreational/Entertainment	
	c(1). Tennis club; indoor and outdoor facilities
	h. Commercial recreation; indoor only, not otherwise listed
	m(1). Dining and entertainment establishment (see also section 9-4-103)
(7) Office/Financial/Medical	
	f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)
(8) Services	
	a. Child day care facilities
	b. Adult day care facilities
	l. Convention center; private
	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)
	ff. Mental health, emotional or physical rehabilitation day program facility
	ff(1). Mental health, emotional or physical rehabilitation day program facility
(9) Repair- None	
(10) Retail Trade - None	
	h. Restaurant; conventional
	j. Restaurant and/or dining and entertainment establishment; regulated outdoor activities
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction - None	
(13) Transportation	
	h. Parking lot or structure; principal use
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories)	
	a. Other activities; personal services not otherwise listed
	b. Other activities; professional services not otherwise listed

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 CHART			
Density Level	Future Land Use and Character Type	Applicable Zoning District(s)	Units per Acre***
High	Uptown Edge (UE)	CDF	17 units per acre
	Mixed Use, High Intensity (MUHI)	OR	17 units per acre
		R6	17 units per acre
	Residential, High Density (HDR)	R6	17 units per acre
		R6MH	17 units per acre
Medical-Transition (MT)	MR	17 units per acre	
High to Medium	Mixed Use (MU)	OR	17 units per acre
		R6	17 units per acre
		R6A	9 units per acre
	Uptown Neighborhood (UN)	R6S	7 units per acre
	Traditional Neighborhood, Medium-High Density (TNMH)	R6	17 units per acre
		R6A	9 units per acre
		R6S	7 units per acre
Medium to Low	Traditional Neighborhood, Low-Medium Density (TNLM)	R9	6 units per acre
		R9S	5 units per acre
		R15S	3 units per acre
	Residential, Low-Medium Density (LMHR)	R9S	5 units per acre
		R15S	3 units per acre
		RA20	4 units per acre
		MRS	4 units per acre

*** Maximim allowable density in the respective zoning district.



City of Greenville, North Carolina

Meeting Date:
5/15/2018
Date time: 6:00 PM

Title of Item: Ordinance requested by Happy Trail Farms, LLC to rezone 1.322 acres located along the western right-of-way of Charles Boulevard and 200+/- feet northwest of Bluebill Drive from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family]).

Explanation: **Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on May 1, 2018.
On-site sign(s) posted on May 1, 2018.
City Council public hearing notice (property owner and adjoining property owner letter) mailed - N/A at this time.
Public hearing legal advertisement published - N/A at this time.

Comprehensive Plan:

The Future Land Use and Character Map recommends traditional neighborhood, medium - high density (TNMH) along the western right-of-way of Charles Boulevard roughly between Signature Drive and Tull Road.

Traditional Neighborhood, Medium-High Density

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

Intent:

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

Primary uses:

Multi-family residential

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

Secondary uses:

Institutional (neighborhood scale)

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

Based on the possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 124 trips to and from the site on Charles Boulevard, which is a net increase of 76 additional trips per day.

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

History/Background:

In 1993, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) as part of a large-scale ETJ extension and was zoned to its current zoning.

Present Land Use:

Vacant

Water/Sewer:

The nearest sanitary sewer is located 750+/- feet away from the subject property. Water is available from Eastern Pines Water Corporation.

Historic Sites:

There are no known effects on historic sites.

Environmental Conditions/Constraints:

There are no known environmental condition/constraints.

Surrounding Land Uses and Zoning:

North: RA20 - One (1) single-family residence

South: R6 - Grey Fox Run Subdivision

East: OR - Vacant

West: RA20 - One (1) single-family residence

Density Estimates:

Under the current zoning, the site could accommodate no more than five (5) single-family lots.

Under the proposed zoning, the site could accommodate 15-18 multi-family units (1, 2 and 3 bedrooms) **OR** 10,200 - 11,300 square feet of office space.

The anticipated build-out time is within 1-2 years.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

"In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

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

"Motion to recommend approval of the proposed rezoning, to advise that it is consistent with the comprehensive plan and to adopt the staff report which addresses plan consistency and other matters."

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

"Motion to recommend denial of the proposed rezoning, to advise that, although the proposed amendment is consistent with the comprehensive plan, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency."

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

ATTACHMENTS:

Description

Attachments

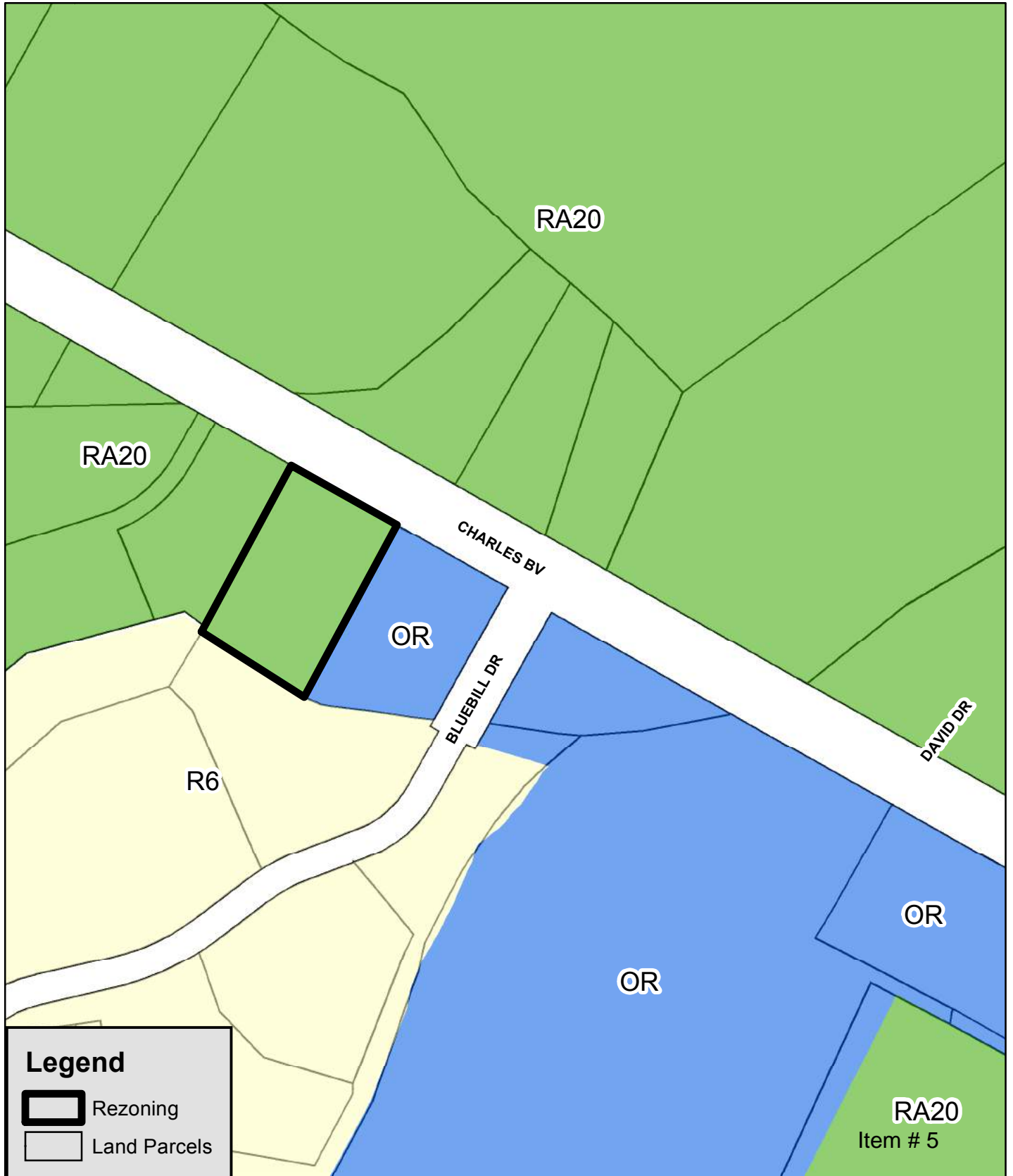
Happy Trail Farms, LLC

From: RA20

To: OR

Acres: 1.322

May 1, 2018



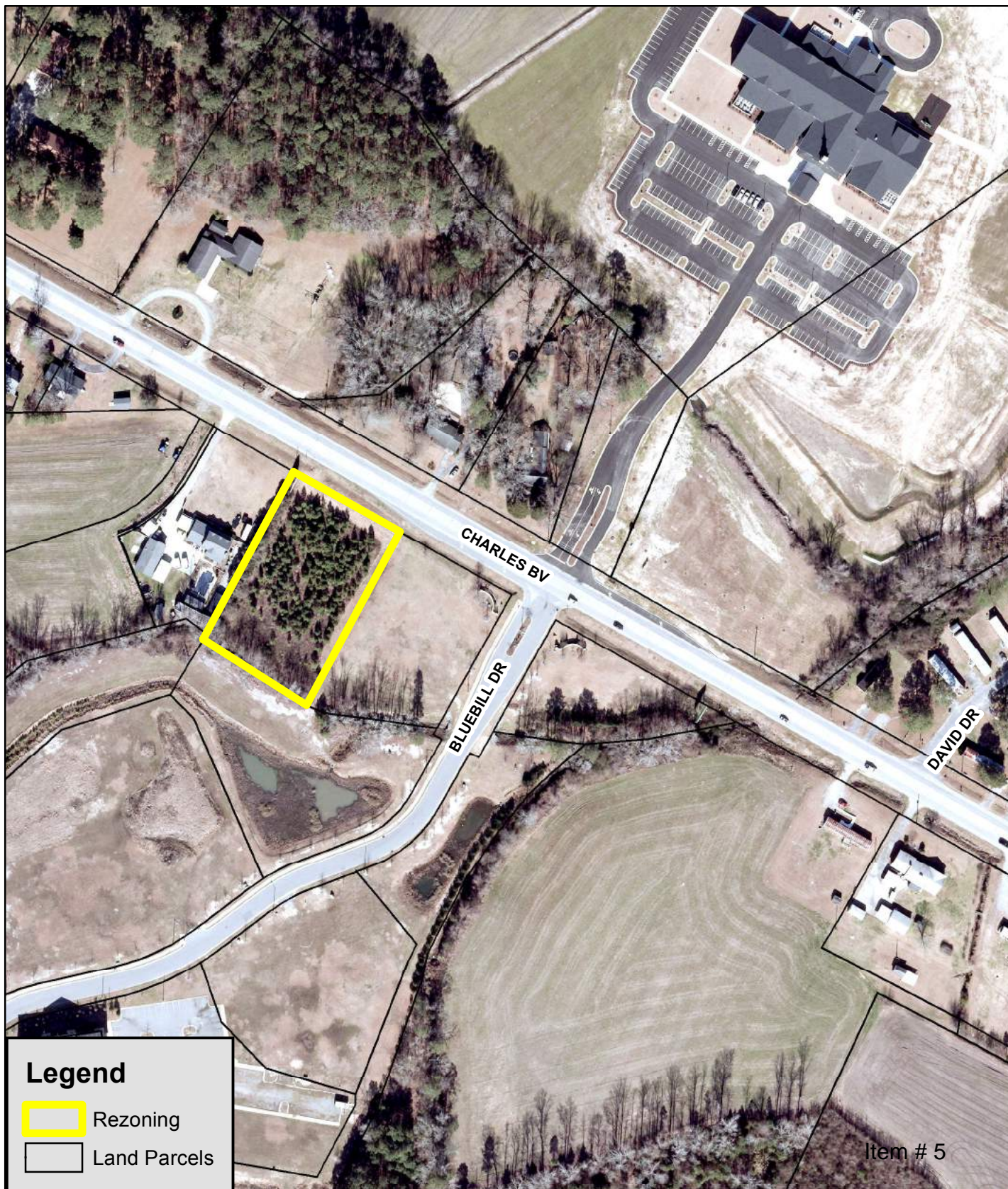
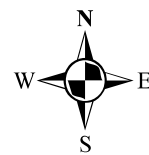
Happy Trail Farms, LLC

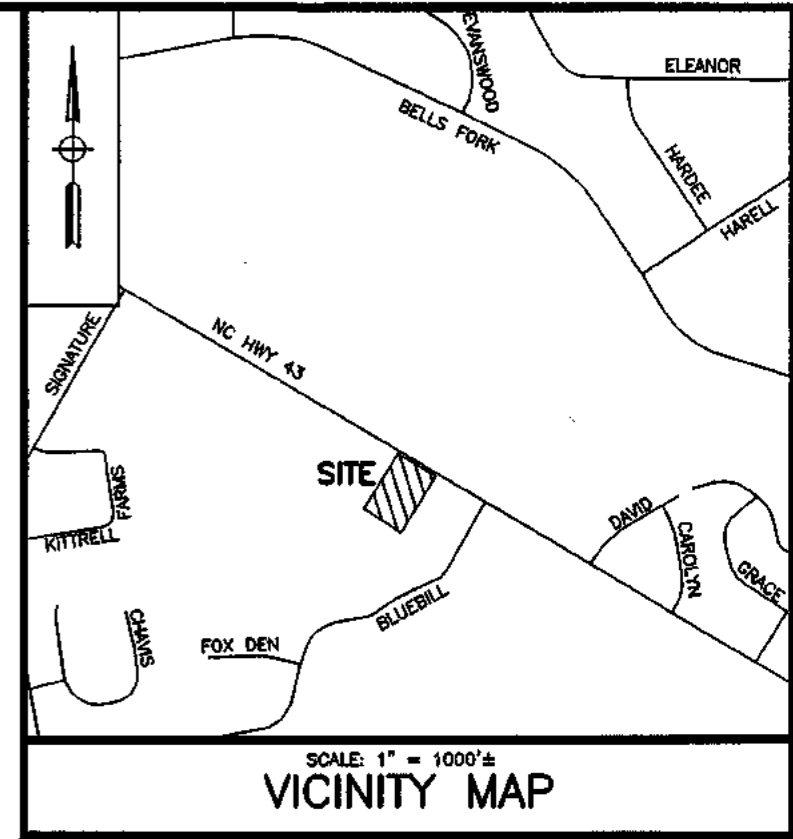
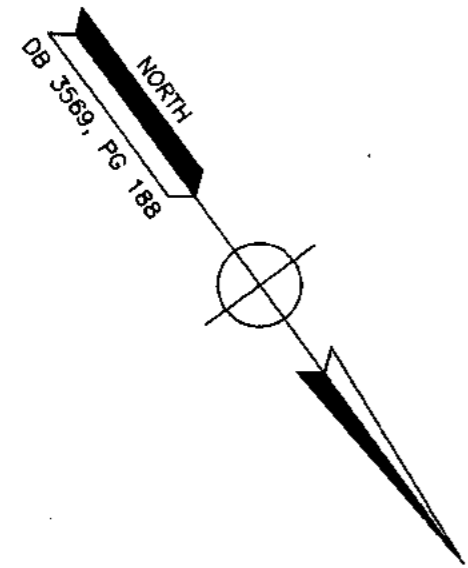
From: RA20

To: OR

Acres: 1.322

May 1, 2018





STORMWATER DETENTION POND
R-6
 GRAYFOX RUN CLUBHOUSE
 AND POOL ASSOCIATION
 PARCEL #77392
 DB 2856, PG 745

VACANT
R-6
 GRAYFOX RUN CLUBHOUSE
 AND POOL ASSOCIATION
 PARCEL #80699
 DB 2856, PG 745

Attachment number 1
 VACANT
OR
 BILL CLARK HOMES
 OF GREENVILLE, LLC
 PARCEL #74323
 DB 2578, PG 865

PROPOSED ZONING
OR
 CURRENT ZONING
RA-20

RESIDENTIAL/COMMERCIAL
RA-20
 ERNEST GLENN WORTHINGTON
 PARCEL #43577
 DB 3420, PG 803

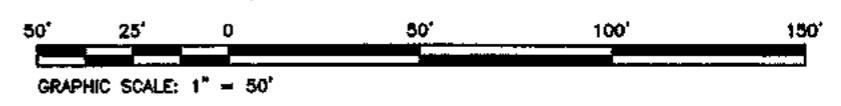
**PROPERTY OWNERS ADDRESSES
 WITHIN 100 FEET OF PROPERTY**

- FIRST WESLEYAN CHURCH**
 4131 CHARLES BOULEVARD
 GREENVILLE, NC 27858
- SABATO S. RAIA**
 PO BOX 30923
 GREENVILLE, NC 27833
- PHILLIP RAY JOYNER and
 RANDY LEON JOYNER HEIRS**
 159 NUTBUSH DR
 MANSON, NC 27553
- BILL CLARK HOMES OF GREENVILLE, LLC**
 200 EAST ARLINGTON BOULEVARD SUITE R
 GREENVILLE, NC 27858
- GREYFOX RUN CLUBHOUSE AND POOL
 ASSOCIATION**
 200 EAST ARLINGTON BOULEVARD SUITE A
 GREENVILLE, NC 27858
- ERNEST GLEN WORTHINGTON**
 4140 CHARLES BOULEVARD
 GREENVILLE, NC 27858

AREA TO BE REZONED: 1.322 ACRES

NOTES

1. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. REFERENCE: FIRM 3720469600J, DATED: JANUARY 02, 2004.
2. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
3. THIS MAP IS OF AN EXISTING PARCEL OF LAND.
4. REFERENCE: DEED BOOK 3569, PG 188 OF THE PITT COUNTY REGISTRY.



SHEET 1 OF 2 REZONING MAP TAX PARCEL #31521 TAX MAP #4696-32-2724

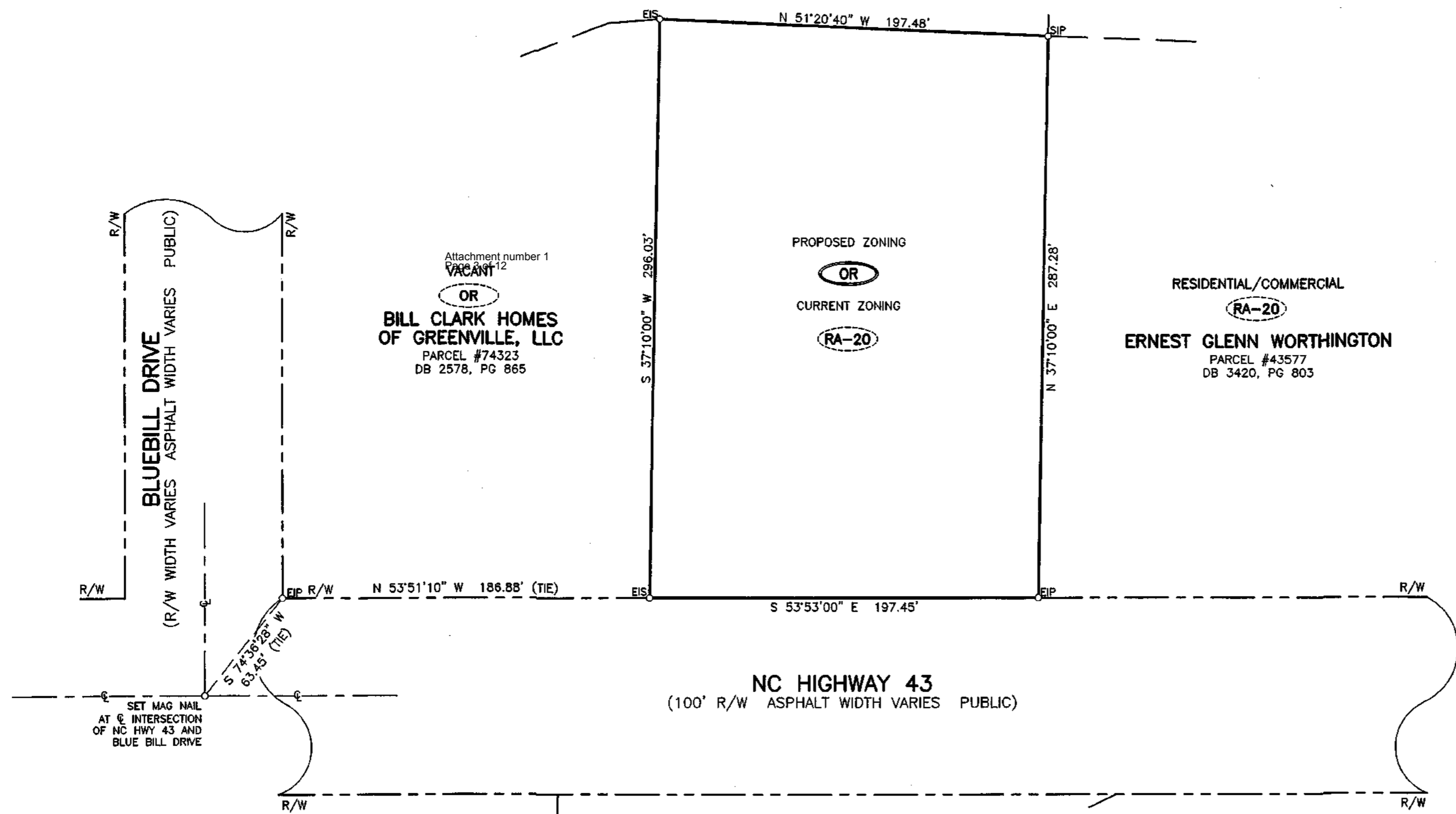
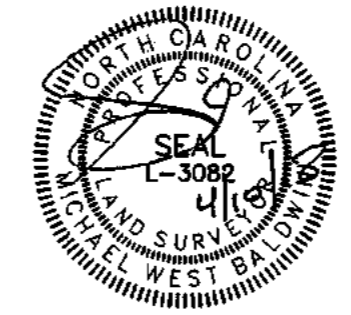
HAPPY TRAIL FARMS

REFERENCE: DEED BOOK 3569, PAGE 188 OF THE
 PITT COUNTY REGISTER OF DEEDS
 WINTERTVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER: **HAPPY TRAIL FARMS, LLC**
 ADDRESS: P.O. BOX 1863
 GREENVILLE, NC 27835
 PHONE: (252) 916-9028

 Baldwin Design Consultants, PA ENGINEERING - SURVEYING - PLANNING 1700-D EAST ARLINGTON BOULEVARD GREENVILLE, NC 27858	SURVEYED: JP	APPROVED: MWB
	DRAWN: JGG/MAH	DATE: 04/10/18
	CHECKED: MWB	SCALE: 1" = 50'
	LICENSE # C-3498 MICHAEL WEST BILLY	

CLOSURE CHECK BOUNDARY	
CHECKED: MAH	DATE: 04-10-18



LEGEND

- R/W = RIGHT-OF-WAY
- EIP = EXISTING IRON PIPE
- EIS = EXISTING IRON STAKE
- SIP = SET IRON PIPE
- ECM = EXISTING CONCRETE MONUMENT
- C/L = CENTERLINE
- DB = DEED BOOK
- NPS = NO POINT SET
- EPKN = EXISTING PARKER KALON NAIL
- - - = NOT TO SCALE

Y:\DRAWINGS\17-111_HTF_REZONING.dwg Tue, Apr 10, 2018-12:05pm MHERREJON

FINAL

EXISTING ZONING	
RA20 (RESIDENTIAL-AGRICULTURAL) - PERMITTED USES	
(1) General	
	a. Accessory use or building
	c. On-premise signs per Article N
(2) Residential	
	a. Single-family dwelling
	b(1). Master Plan Community per Article J
	f. Residential cluster development per Article M
	k. Family care homes (see also 9-4-103)
	q. Room renting
(3) Home Occupations - None	
(4) Governmental	
	b. City of Greenville municipal government building or use (see also section 9-4-103)
(5) Agricultural/Mining	
	a. Farming; agricultural, horticulture, forestry (see also section 9-4-103)
	c. Wayside market for farm products produced on-site
	e. Kennel (see also section 9-4-103)
	f. Stable; horse only (see also section 9-4-103)
	g. Stable; per definition (see also section 9-4-103)
	h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use
	l. Beekeeping; minor use (see also section 9-4-103)
(6) Recreational/Entertainment	
	f. Public park or recreational facility
	g. Private noncommercial park or recreational facility
(7) Office/Financial/Medical - None	
(8) Services	
	o. Church or place of worship (see also section 9-4-103)
(9) Repair - None	
(10) Retail Trade - None	
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction	
	c. Construction office; temporary, including modular office (see also section 9-4-103)
(13) Transportation - None	
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories) - None	
RA20 (RESIDENTIAL-AGRICULTURAL) - SPECIAL USES	
(1) General - None	
(2) Residential	
	b. Two-family attached dwelling (duplex)
	g. Mobile home (see also section 9-4-103)
	n. Retirement center or home
	o. Nursing, convalescent or maternity home; major care facility

	o(1). Nursing, convalescent or maternity home; minor care facility
(3) Home Occupations	
	a. Home occupation; not otherwise listed
	b. Home occupation; barber and beauty shop
	c. Home occupation; manicure, pedicure or facial salon
(4) Governmental	
	a. Public utility building or use
(5) Agricultural/Mining	
	b. Greenhouse or plant nursery; including accessory sales
	m. Beekeeping; major use
	n. Solar energy facility
(6) Recreational/Entertainment	
	a. Golf course; 18-hole regulation length (see also section 9-4-103)
	a(1). Golf course; 9-hole regulation length (see also section 9-4-103)
	c(1). Tennis club; indoor and outdoor facilities
(7) Office/Financial/Medical - None	
(8) Services	
	a. Child day care facilities
	b. Adult day care facilities
	d. Cemetery
	g. School; junior and senior high (see also section 9-4-103)
	h. School; elementary (see also section 9-4-103)
	i. School; nursery and kindergarten (see also section 9-4-103)
(9) Repair - None	
(10) Retail Trade - None	
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction - None	
(13) Transportation - None	
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories) - None	
PROPOSED ZONING	
OR (OFFICE-RESIDENTIAL) - PERMITTED USES	
(1) General	
	a. Accessory use or building
	b. Internal service facilities
	c. On-premise signs per Article N
	f. Retail sales; incidental
(2) Residential	
	b. Two-family attached dwelling (duplex)
	c. Multi-family development per Article I
	k. Family care homes (see also 9-4-103)
	n. Retirement center or home
	o. Nursing, convalescent or maternity home; major care facility
	p. Boarding or rooming house
	q. Room renting
(3) Home Occupations - None	

(4) Governmental	
	b. City of Greenville municipal government building or use (see also section 9-4-103)
	c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
	d. Federal government building or use
(5) Agricultural/Mining	
	a. Farming; agricultural, horticulture, forestry (see also section 9-4-103)
(6) Recreational/Entertainment	
	f. Public park or recreational facility
	g. Private noncommercial recreation; indoor only, not otherwise listed
(7) Office/Financial/Medical	
	a. Office; professional and business, not otherwise listed
	b. Operation/processing center
	c. Office; customer service, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
	d. Bank, savings and loans 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 salon
	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; nursery and kindergarten (see also section 9-4-103)
	j. College and 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
	u. Art studio including art and supply sales
	v. Photography studio including photo and supply sales
	w. Recording studio
	x. Dance studio
	y(2) TV and/or radio broadcast facilities, including receiving and transmission equipment and towers not exceeding 120 feet in height or cellular telephone and wireless communication towers not exceeding 120 feet in height (see also section 9-4-103)
	bb. Civic organizations
	cc. Trade or business organizations
(9) Repair - None	
(10) Retail Trade	
	s. Book or card store, news stand

	w.	Florist
	ee.	Christmas tree sales lot; temporary only (see also section 9-4-103)
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None		
(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)
(13) Transportation - None		
(14) Manufacturing/Warehousing - None		
(15) Other Activities (not otherwise listed - all categories) - None		
OR (OFFICE-RESIDENTIAL) - SPECIAL USES		
(1) General - None		
(2) Residential		
	d.	Land use intensity multi-family (LUI) development rating 50 per Article K
	e.	Land use intensity multi-family (LUI) development rating 67 per Article K
	i.	Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
	m.	Shelter for homeless or abused (see also section 9-4-103)
	o(1).	Nursing, convalescent or maternity home; minor care facility
	r.	Fraternity or sorority house
(3) Home Occupations - None		
(4) Governmental		
	a.	Public utility building or use
(5) Agricultural/Mining - None		
(6) Recreational/Entertainment		
	c(1).	Tennis club; indoor and outdoor facilities
	h.	Commercial recreation; indoor only, not otherwise listed
	m(1).	Dining and entertainment establishment (see also section 9-4-103)
(7) Office/Financial/Medical		
	f.	Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)
(8) Services		
	a.	Child day care facilities
	b.	Adult day care facilities
	l.	Convention center; private
	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)
	ff.	Mental health, emotional or physical rehabilitation day program facility
	ff(1).	Mental health, emotional or physical rehabilitation day program facility
(9) Repair- None		
(10) Retail Trade - None		
	h.	Restaurant; conventional

	j.	Restaurant and/or dining and entertainment establishment; regulated outdoor activities
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None		
(12) Construction - None		
(13) Transportation		
	h.	Parking lot or structure; principal use
(14) Manufacturing/Warehousing - None		
(15) Other Activities (not otherwise listed - all categories)		
	a.	Other activities; personal services not otherwise listed
	b.	Other activities; professional services not otherwise listed

Case No: 18-12

Applicant: Happy Trail Farms, LLC

Property Information

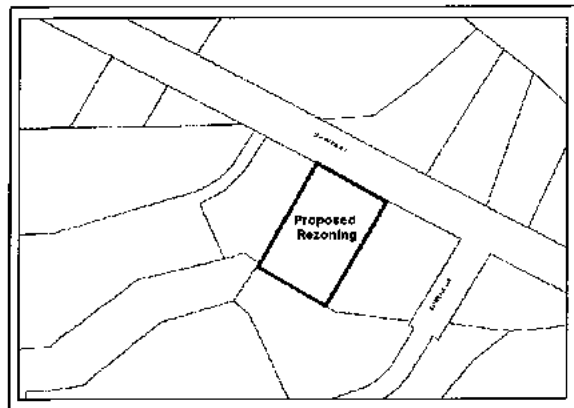
Current Zoning: RA20 (Residential-Agricultural)

Proposed Zoning: OR (Office-Residential [High Density Multi-family])

Current Acreage: 1.322 acres

Location: NC 43, north of Bluebill Drive

Points of Access: NC 43 (Charles Blvd)



Location Map

Transportation Background Information

1.) NC 43 (Charles Blvd)- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	3-lane with paved shoulders	4-lane with median
Right of way width (ft)	60	100
Speed Limit (mph)	45	no change
Current ADT:	13,525 (*)	UltimateDesign ADT: 39,700 vehicles/day (**)
Design ADT:	14,300 vehicles/day (**)	
Controlled Access	No	

Thoroughfare Plan Status: Major Thoroughfare

Other Information: There are sidewalks along NC 43 (Charles Blvd) that service this property.

Notes: (*) 2016 NCDOT count adjusted for a 2% annual growth rate
 (**) Traffic volume based on an operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Transportation Improvement Program Status: NCDOT project U-5991 will widen NC 43 from SR 1708 (FIRE TOWER ROAD) TO SR 1711 (WORTHINGTON ROAD) to multi lane with median.

Trips generated by proposed use/change

Current Zoning: 48 -vehicle trips/day (*) **Proposed Zoning: 124** -vehicle trips/day (*)

Estimated Net Change: increase of 76 vehicle trips/day (assumes full-build out)
 (* - These volumes are estimated and based on an average of the possible uses permitted by the current and proposed zoning.)

Impact on Existing Roads

The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on NC 43 (Charles Blvd) are as follows:

1.) NC 43 (Charles Blvd) , North of Site (70%): “No build” ADT of 13,525

Estimated ADT with Proposed Zoning (full build) – 13,612
 Estimated ADT with Current Zoning (full build) – 13,559
Net ADT change = 53 (<1% increase)

2.) NC 43 (Charles Blvd) , South of Site (30%): "No build" ADT of 13,525

Estimated ADT with Proposed Zoning (full build) – 13,562

Estimated ADT with Current Zoning (full build) – 13,539

Net ADT change = 23 (<1% increase)

Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 124 trips to and from the site on NC 43 (Charles Blvd), which is a net increase of 76 additional trips per day.

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

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 CHART			
Density Level	Future Land Use and Character Type	Applicable Zoning District(s)	Units per Acre***
High	Uptown Edge (UE)	CDF	17 units per acre
	Mixed Use, High Intensity (MUHI)	OR	17 units per acre
		R6	17 units per acre
	Residential, High Density (HDR)	R6	17 units per acre
		R6MH	17 units per acre
Medical-Transition (MT)	MR	17 units per acre	
High to Medium	Mixed Use (MU)	OR	17 units per acre
		R6	17 units per acre
		R6A	9 units per acre
	Uptown Neighborhood (UN)	R6S	7 units per acre
	Traditional Neighborhood, Medium-High Density (TNMH)	R6	17 units per acre
		R6A	9 units per acre
		R6S	7 units per acre
Medium to Low	Traditional Neighborhood, Low-Medium Density (TNLM)	R9	6 units per acre
		R9S	5 units per acre
		R15S	3 units per acre
	Residential, Low-Medium Density (LMHR)	R9S	5 units per acre
		R15S	3 units per acre
		RA20	4 units per acre
		MRS	4 units per acre

*** Maximim allowable density in the respective zoning district.



City of Greenville, North Carolina

Meeting Date:
5/15/2018
Date time: 6:00 PM

Title of Item: Sand Mining in CH Zoning District Text Amendment

Explanation: **Abstract:** The City of Greenville received a text amendment application from Mr. Mike Baldwin, Baldwin Design Consultants, PA, that proposes sand mines as a special use within the CH (Heavy Commercial) zoning district.

Explanation: Under the current zoning ordinance, the proposed use is not allowed in the CH district. Mr. Baldwin submitted this zoning ordinance text amendment to allow sand mining in the CH district, with approval of a special use permit. In order to amend the Table of Uses to allow sand mines as a special use in the CH zoning district, a text amendment is required. The Planning and Zoning Commission is required to review proposed text amendments and prepare recommendations to City Council.

The attached staff report provides additional details regarding this text amendment. The applicant's application submittal is attached to the staff report in Appendix A.

Consideration of any modification to the city zoning ordinance should include a consistency review of the community's comprehensive plan and other officially adopted plans that are applicable. Greenville's comprehensive plan, Horizons 2026: Greenville's Community Plan was reviewed to ascertain compliance with the Plan, and effectively with the community's values. Staff reviewed the Plan and provides the following findings regarding consistency between the proposed text amendment and the Plan. In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons 2026: Greenville's Community Plan. Following is a relevant excerpt from Horizons 2026: Greenville's Community Plan:

Chapter 4, Growing the Economic Hub, Policy 4.1.4. Support a Positive Business Climate:

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

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons 2026: Greenville's Community Plan.

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

"Motion to recommend approval of the proposed text amendment, to advise that it is consistent with the comprehensive plan and to adopt the staff report which addresses plan consistency and other matters."

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

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

ATTACHMENTS:

Description

Staff Report

**Staff Report to the Planning and Zoning Commission:
Sand Mining in CH (Heavy Commercial) – Text Amendment**

Planning and Zoning Commission Meeting: May 15, 2018

Applicant: Mike Baldwin, Baldwin Design Consultants, PA

Contents

Background 1
Proposed Text Amendment 1
Staff Review of Proposed Text Amendment..... 1
Compliance with Horizons 2026: Greenville’s Community Plan 6
Staff Recommendation 6

Maps

Map 1: Zoning Districts 7
Map 2: CH Zoning District Where Applicant Proposes to Permit Sand Mining 8
Map 3: CH Zoning District (Aerial) Where Applicant Proposes to Permit Sand Mining 9

Exhibits

Exhibit A: Text Amendment Application Package..... A-1
Exhibit B: Excerpt of the Table of Uses Illustrating Applicant’s Proposed Amendment ... B-1
Exhibit C: City of Greenville’s Temporary Sand Mining in RA-20 District, Review Criteria C-1
Exhibit D: Pitt County’s Sand Mining in RA District, Review Criteria D-1
Exhibit E: Ordinance..... E-1



City of Greenville
Community Development Department - Planning Division
May 7, 2018

Doc. #1079642

Item # 6

Background

Greenville's Zoning Ordinance currently does not allow sand mines in the CH (Heavy Commercial) zoning district. Omission of a particular land use is interpreted to mean uses not listed are prohibited. Sec. 9-4-13, Uses Prohibited states, *"Unless a use of land is specifically allowed in a zoning district, either as a matter of right or as a special use, then the use shall be prohibited in the district."*

The City of Greenville received an application for a text amendment from Mike Baldwin, Baldwin Design Consultants, PA, which proposes to allow sand mining in the CH (Heavy Commercial) zoning district with approval of a special use permit. (Exhibit B: Application Submittal Documents). The applicant's proposed text amendment does not include any review criteria. Therefore, the Board of Adjustment would be limited to reviewing sand mines with their standard criteria. If this text amendment is approved, it will apply city-wide in CH zoning districts.

Proposed Text Amendment

In order to amend the Zoning Code to allow sand mines to operate in the CH zoning district, a text amendment must be adopted. This text amendment application requires a public hearing before City Council. The Planning and Zoning Commission is required to review and if supportive, recommend an ordinance relating to sand mining regulations since they would be added in the Zoning Ordinance.

Staff recommends Planning and Zoning Commissioners review Mr. Baldwin's complete text amendment application provided in Exhibit A. The text amendment proposes sand mining in the CH (Heavy Commercial) zoning district through special use permits.

Title 9, Chapter 4, Article D, Part 3, Section 9-4-78 (Appendix A)(5)k. is proposed to be amended add sand mining subject to special use permits in the CH (Heavy Commercial) zoning district and maintaining the Land Use Code (LUC) of 5. Proposed text amendments to add sand mining provisions are illustrated below using underlined text to denote the addition of an "S" for Special Use Permit in the Table of Uses Under the column heading CH on the row labeled (5)k that is labeled Sand mining. Refer to Exhibit B: Excerpt of the Table of Uses Illustrating the Applicant's Proposed Amendment.

Staff Review of Proposed Text Amendment

Map 1 illustrates the zoning districts throughout the city limits and extraterritorial jurisdiction (ETJ). Sand mining is currently allowed in the I (Industrial) zoning district as a permitted use and is allowed in the IU (Unoffensive Industry) zoning district with approval of a special use permit. In October 2015, the City adopted a text amendment to allow temporary sand mining in the RA-20 (Residential Agricultural) zoning district with a special use permit and with rigorous review criteria added as part of that amendment. (Refer to Exhibit C: City of Greenville's Temporary Sand Mining in RA-20 District, Review Criteria). Pitt County amended their zoning ordinance this year to add

Item # 6

criteria for sand mining which include review and operation criteria. (Refer to Exhibit D: Pitt County's Sand Mining in RA District, Review Criteria).

Maps 2 and 3 illustrate locations of property zoned CH throughout the City where sand mines would be allowed under the proposed text amendment, pending special use permit approval by the Board of Adjustment.

The CH (Heavy Commercial) zoning district is defined in the Zoning Ordinance, Sec. 9-4-4-46 as follows:

The CH Heavy Commercial District is primarily designated to accommodate a variety of commercial and service activities on an individual lot-by-lot basis and in a planned center setting.

Title 9, Chapter 4, Article D, Section 9-4-78, Appendix A, Table of Uses, lists the following land uses currently allowed, by right, in the CH district:

General: *Accessory Use or Building; Internal Service Facilities; On-Premises Signs (per Article N); Off-Premises Signs (per Article N); Temporary Uses (of listed district uses); Retail Sales (incidental); Incidental Assembly of Products Sold at Retail or Wholesale as an Accessory to Principal Uses.*

Governmental: *Public Utility Building or Use; City of Greenville municipal government building or use; County or State Government Building or Use Not Otherwise Listed (excluding outside storage and major or minor repair); Federal Government Building or Use; County Government Operations Center; Liquor Store (state ABC).*

Agricultural: *Farming (agriculture, horticulture, forestry); Greenhouse or Plant Nursery (including accessory sales); Farmers Market; Kennel; Animal Boarding Not Otherwise Listed (outside facility as an accessory or principal use); Beekeeping (minor use).*

Recreational/Entertainment: *Golf Course (par three); Golf Driving Range; Tennis Club (indoor and outdoor facilities); Miniature Golf or Putt-Putt Course; Public Park or Recreational Facility; Commercial Recreation (indoor only, not otherwise listed); Commercial Recreation (indoor and outdoor, not otherwise listed); Bowling Alleys; Dining and Entertainment Establishment; Theater (movie or drama, indoor only).*

Office/Financial/Medical: *Office (professional and business, not otherwise listed); Operation/Processing Center; Office (customer service, not otherwise listed including accessory service delivery vehicle parking and indoor storage); Bank, Savings and Loan, or Other Savings or Investment Institutions; Medical, Dental, Ophthalmology, or Similar Clinic Not Otherwise Listed; Veterinary Clinic or Animal Hospital (see also animal boarding, outside facility, kennel, and stable); Catalogue Processing Center.*

Services: *Funeral Home; Barber or Beauty Shop; Manicure, Pedicure, or Facial Salon; Auditorium; Church or Place of Worship; Museum; Art Gallery; Hotel, Motel, Bed and Breakfast Inn (limited stay lodging); Art Studio including Art and Supply Sales; Photography Studio including Photo and Supply Sales; Television and/or Radio Broadcast*

Facilities (including receiving and transmission equipment and towers or cellular phone and wireless communication towers); Printing or Publishing Service including Graphic Art, Maps, Newspapers, Magazines, and Books; Catering Service including Food Preparation; Civic Organizations; Trade or Business Organizations; Exercise and Weight Loss Studios (indoor only); Launderette (household users); Dry Cleaners (household users); Commercial Laundries (linen supply); Clothes Alteration or Shoe Repair Shop; Automobile Wash.

Repair: *Minor Repair (as an accessory or principal use); Upholsterer (automobile, truck, boat or other vehicle, trailer, or van); Upholsterer (furniture); Appliance (household and office equipment repair); Jewelry, Watch, Eyewear, or Other Personal Item Repair.*

Retail Trade: *Miscellaneous Retail Sales (nondurable goods, not otherwise listed); Gasoline or Automotive Fuel Sales (accessory or principal use, retail); Wine and Craft Beer Shop; Pharmacy; Convenience Store (see also gasoline sales); Office and School Supply (equipment sales); Fish Market (excluding processing or packing); Restaurant (conventional); Restaurant (fast food); Medical Supply Sales and Rental of Medically Related Products including uniforms and related accessories; Electronic (stereo, radio, computer, television, and the like) Sales and Accessory Repair; Appliance (household use, sales and accessory repair, excluding outside storage); Appliance (household, commercial, or industrial use, sales and accessory repair including outside storage); Furniture and Home Furnishing Sales (not otherwise listed); Floor Covering, Carpet and Wall Covering Sales; Antique Sales (excluding vehicles); Book or Card Store (newsstand); Hobby or Craft Shop; Pet Shop (see also animal boarding; outside facility); Video or Music Store (record, tape, compact disk and the like sales); Florist; Sporting Goods Sales and Rental Shop; Auto Parts Sales (see also major and minor repair); Pawnbroker; Lawn and Garden Supply and Household Implement Sales and Accessory Service; Farm Supply and Commercial Implement Sales; Christmas Tree Sales Lot (temporary only, see 9-4-103).*

Wholesale/Rental/Vehicle Mobile Home Trade: *Wholesale (durable and nondurable goods, not otherwise listed); Rental of Home Furniture, Appliances or Electronics and Medically Related Products; Rental of Clothes and Accessories (formal wear and the like); Rental of Automobiles, Noncommercial Trucks or Trailers, Recreational Vehicles, Motorcycles and Boats; Rental of Tractors and/or Trailers or Other Commercial or Industrial Vehicles or Machinery; Automobile, Truck, Recreational Vehicle, Motorcycle and Boat Sales and Service; Mobile Home Sales Including Accessory Mobile Home Office.*

Construction: *Licensed Contractor (general, electrical, plumbing, mechanical, etc. including outside storage); Construction Office (temporary, including modular office); Building Supply (lumber and materials sales, plumbing and/or electrical supply excluding outside storage); Hardware Store.*

Transportation: *Taxi or Limousine Service; Parcel Delivery Service; Ambulance Service; Parking Lot or Structure (principal use).*

Manufacturing/Warehousing: *Ice Plant and Freezer Lockers; Dairy (production, storage, and shipment facilities); Bakery (production, storage, and equipment facilities); Cabinet, Woodwork, or Frame Shop (excluding furniture manufacturing or upholstery); Engraving (metal, glass, or wood); Moving and Storage of Nonhazardous Materials*

Item # 6

(excluding outside storage); Mini-Storage Warehouse (household, excluding outside storage); Warehouse (accessory to approved commercial or industrial uses within the district (excluding outside storage); Tire Recapping or Retreading Plant.

Title 9, Chapter 4, Article D, Section 9-4-78, Appendix A, Table of Uses, lists the following land uses currently allowed, by special use permit, in the CH zoning district:

Residential: *Residential Quarters for Resident Manager, Supervisor, or Caretaker (excluding mobile home); Residential Quarters for Resident Manager, Supervisor, or Caretaker (including mobile home).*

Governmental: *Public Utility Building or Use.*

Agricultural: *Beekeeping (major use).*

Recreational/Entertainment: *Game Center; Billiard Parlor or Pool Hall; Public or Private Club.*

Services: *Child Day Care Facilities; Adult Day Care Facilities; Convention Center (private); Massage Establishment; Mental Health, Emotional or Physical Rehabilitation day program facility.*

Repair: *Major Repair (as an accessory or principal use).*

Retail Trade: *Restaurant and/or Dining and entertainment establishment (regulated outdoor activities); Appliance (commercial use, sales and accessory repair, excluding outside storage); Flea Market; Tobacco Shop (class 1); Tobacco Shop (class 2); Hookah Café.*

Manufacturing/Warehousing: *Stone or Monument Cutting (engraving); Warehouse or Mini-storage warehouse (commercial or industrial, including outside storage); Moving and Storage (including outside storage); Recycling Collection Station or Facilities.*

Other Activities: *Other Activities (personal services, not otherwise listed); Other Activities (professional services, not otherwise listed); Other Activities (commercial services, not otherwise listed); Other Activities (retail services, not otherwise listed).*

Title 9, Chapter 4, Article D, Section 9-4-78, Appendix A, Table of Uses, (15) Other Activities (not otherwise listed – all categories) provides limited flexibility for other activities, not otherwise listed, in the Table of Uses for certain zoning districts through approval of special use permits. This catch-all flexibility tool is allowed in nine of the twenty seven zoning districts, including the CH district. However, since sand mines are already listed in the table of uses in other zoning districts, sand mining is not allowed to use the catch-all flexibility tool for consideration.

Currently, when a property owner in the IU (Unoffensive Industrial) district receive approval for a special use permit for sand mining, they must comply with regulations required in Sec. 9-4-86 Listed Uses: Specific Criteria (R) Mining and Quarrying. If this

proposed text amendment is adopted, applicants receiving approval of special use permits for sand mining in CH districts would be required to comply with the same regulations in this section. Following are regulations applicable to sand mines in the IU district which would be applicable to proposed sand mines in the CH if this text amendment is adopted.

(R) Mining and quarrying.

- (1) No mining, quarrying or excavation activity shall occur closer than 100 feet to an adjacent residential dwelling.*
- (2) Access to sites shall be located so as to avoid the routing of vehicles to and from the operation over streets that primarily serve abutting residential development. Maintenance of this access shall be the responsibility of the operator of the site. Measures to control dust along access roads shall be used as needed to maintain a relatively dust-free operation.*
- (3) Hours of operation may be from 7:00 a.m. to 6:00 p.m. Monday through Saturday except as further provided. Hours of operation, at sites where access is limited to ingress and egress over publicly maintained streets through areas which are residential in nature, shall be 8:00 a.m. to 6:00 p.m. Monday through Friday.*
- (4) A six-foot-high chain link fence shall be located not less than ten feet from the top edge of any exterior cut slope. Gates, the same height as the fence, shall be installed at all points of vehicular or pedestrian ingress and egress and shall be kept locked when not in regular use.*
- (5) Upon completion of mining or quarrying excavation activity, the land shall be restored to a condition that is suitable and amenable to existing or prospective uses of surrounding land.*

Staff believes the existing special use review criteria for sand mines for proposed sand mines in the IU district are appropriate and sufficient to apply to proposed sand mines in the CH district. The required buffer and setback regulations for sand mines require the highest of Greenville's standards as they have an assigned Land Use Code (LUC) of #5 in the Table of Uses. This LUC #5 requires a setback requirement of Type F between sand mines and residential uses of 50 feet and a buffer width of 25 feet including a 6 foot solid fence, berm or landscaping. Whenever there is a conflict between the special use criteria for a particular use, in this case sand mines, and the standard setback and buffer criteria, the more restrictive shall apply. Therefore, in compliance with R(1) above, the minimum setback between proposed sand mine excavation activities and adjacent residential dwellings is 100 feet, rather than 50 feet.

The existing regulations for sand mines in Greenville for setbacks, buffers and operations are also similar to temporary sand mining criteria in the RA-20 district and are similar to Pitt County's new sand mining development criteria in their RA district.

Compliance with Horizons 2026: Greenville's Community Plan

Consideration of any modification to the city zoning ordinance should include a review of the community's comprehensive plan and other officially adopted plans that are applicable. Greenville's comprehensive plan, Horizons 2026: Greenville's Community Plan, contain adopted goals and policy statements that should be reviewed and considered to ensure that proposed text amendments are in compliance with the Plan, and effectively with the community's values. Staff reviewed the Plan and provides the following findings regarding consistency between the proposed text amendment and the Plan. In staff's opinion, the proposed zoning ordinance text amendment is in compliance with the Plan. Following is a relevant excerpt from Horizons 2026: Greenville's Community Plan.

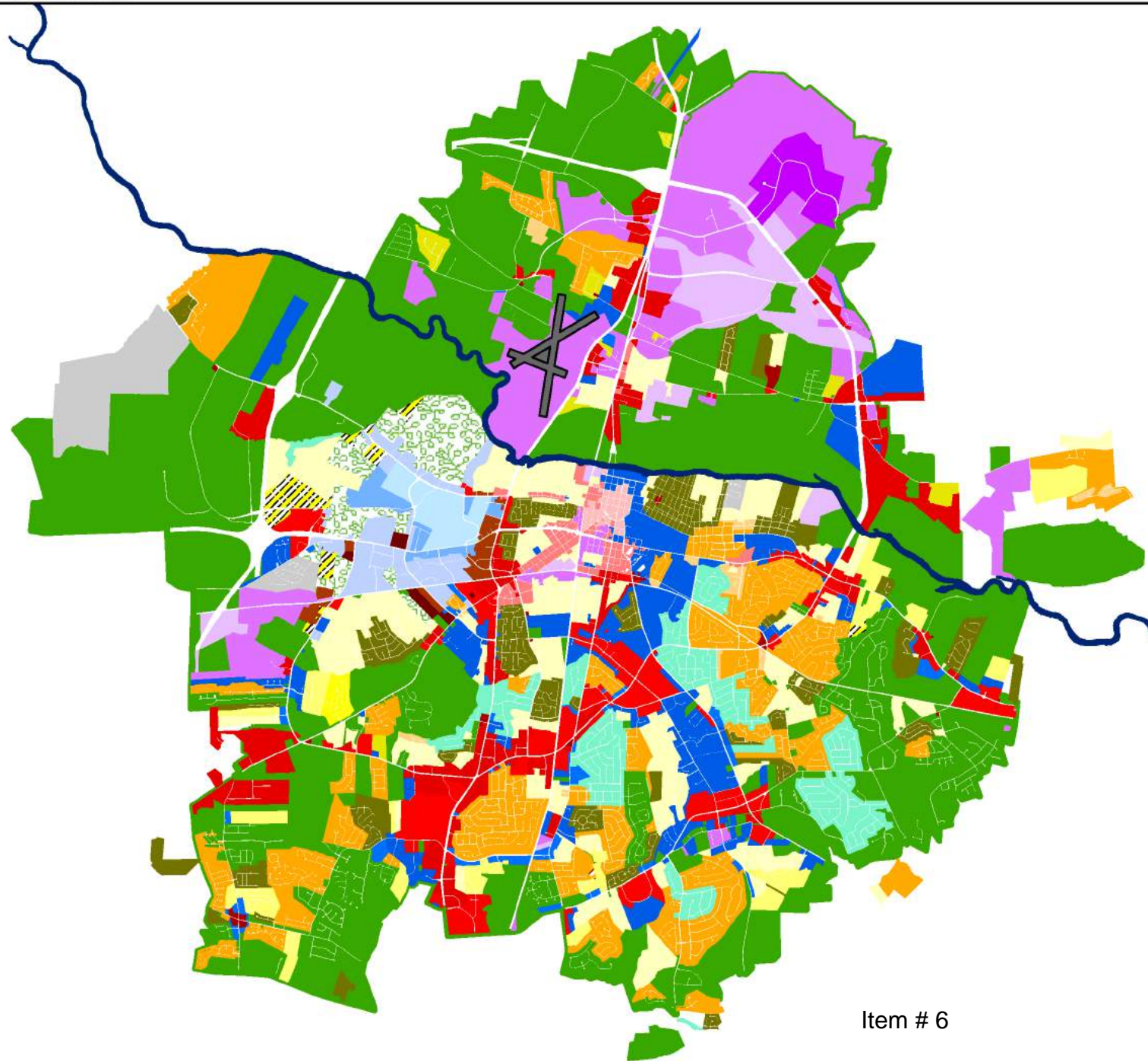
Chapter 4, Growing the Economic Hub, Policy 4.1.4. Support a Positive Business Climate:

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

Staff Recommendation

Staff recommends the Planning and Zoning Commission recommend approval of the proposed zoning ordinance text amendment to City Council.

Map 1 - Zoning Districts

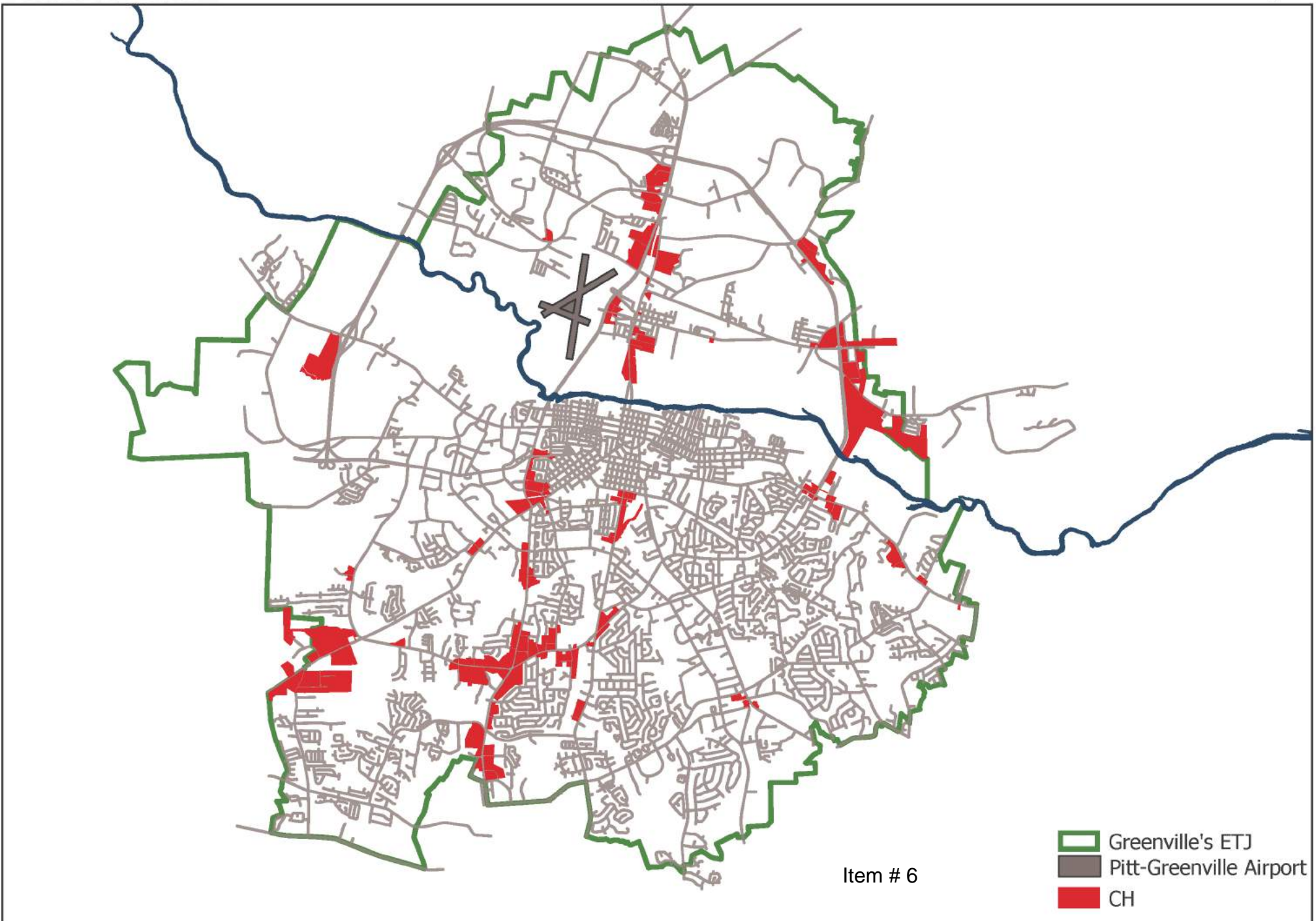


- Greenville's ETJ
- Pitt-Greenville Airport
- CD
- CDF
- CDF-UC
- CG
- CH
- CN
- MCH
- MCG
- I
- IU
- PIU
- MI
- MO
- MS
- O
- OR
- OR-UC
- R6
- R6A
- R6A-CA
- R6A-RU
- R6MH
- R6N
- R6S
- R9
- R9S
- R9S-CA
- R15S
- PUD
- MR
- MRS
- RA20



Item # 6



Map 2 - Location of CH (Heavy Commercial) Zoning Districts

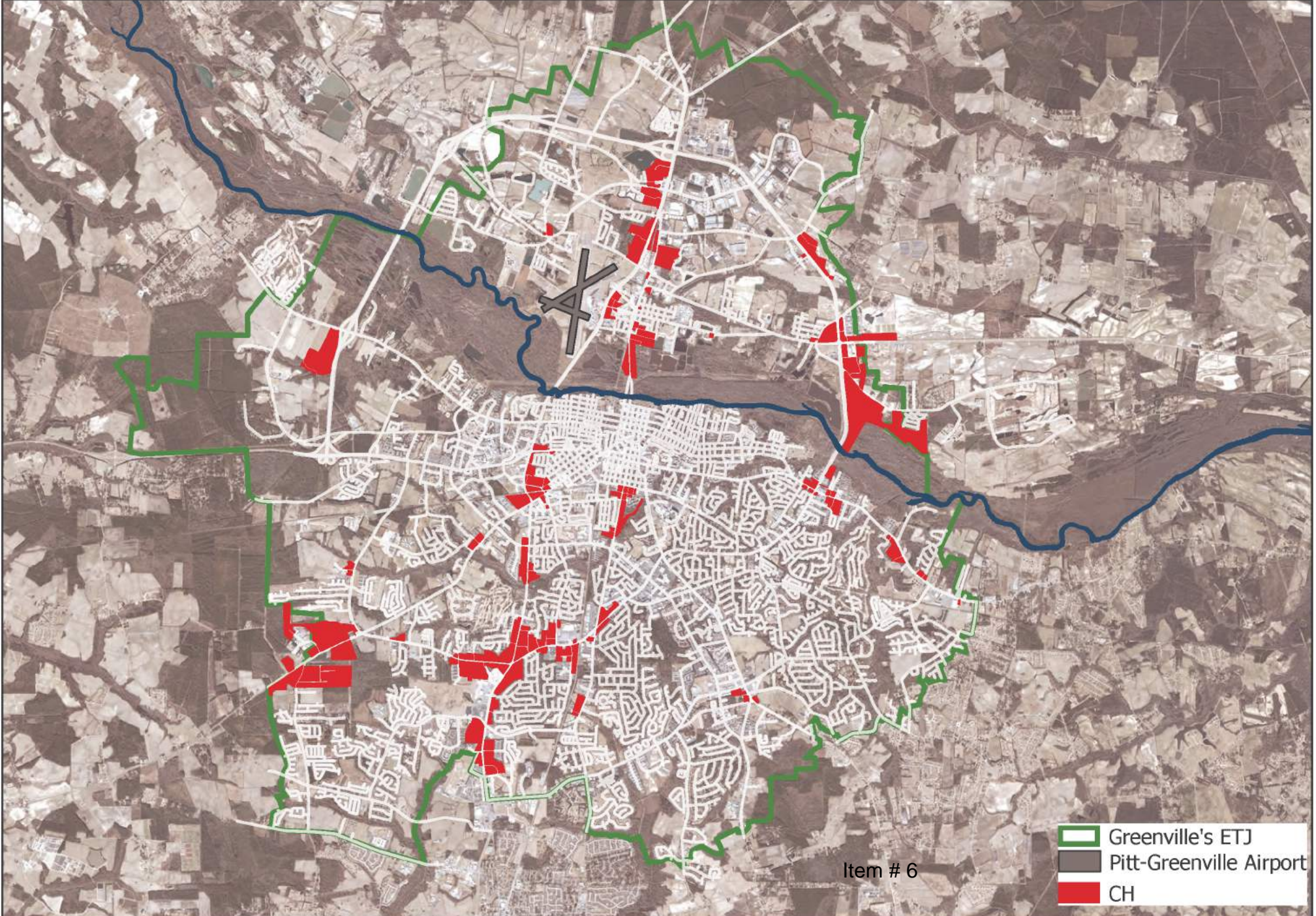





Item # 6

-  Greenville's ETJ
-  Pitt-Greenville Airport
-  CH

0 0.75 1.5 3 4.5 Miles

Map 3 - Location of CH (Heavy Commercial) Zoning Districts



-  Greenville's ETJ
-  Pitt-Greenville Airport
-  CH

Item # 6

0 0.75 1.5 3 4.5 Miles



1700-D East Arlington Blvd · Greenville, NC 27858
252-756-1390 · 252-321-1412 (fax)

To: City of Greenville-Planning
P.O. Box 7207
Greenville, NC 27835

Letter Of Transmittal

Date: 4/4/18 Job No: _____
Attention: Thomas Weitnauer
Re: Text Amendment Request

We are sending you: Attached Under separate cover via _____ the following:

- Drawings Plans Prints Pay Request/ Invoice Specifications
- Letter Package Other _____

Copies	Date	Number	Description
1	4/3/18		Text Amendment Application
1	4/4/18	8410	Check for \$495.00

Transmitted as checked below:

- For approval Approved as noted Resubmit _____ copies for approval
 For your use Approved as submitted Submit _____ copies for distribution
 As requested Returned for corrections Return _____ corrected copies
 For review Other _____

Remarks:

Signed: Mike Baldwin

Copy to:

Item # 6



Date Received 4/5/2018
mw

CITY OF GREENVILLE ZONING ORDINANCE TEXT AMENDMENT APPLICATION

Applicant Name(s) Michael Baldwin

Mailing Address 1700-D East Arlington Blvd
Greenville, NC 27858

Applicant's Phone Number (252) 756-1390

Applicant's e-mail Address (mwbaldwin) @baldwindesignconsultants.com

Zoning Ordinance Section Proposed to be Amended: CH (Heavy Commercial)

Reason for Request: Allow sand mining with a Special Use Permit

Proposed Language of Text Amendment (attach additional pages if needed): _____

**Revise table of permitted uses to allow sand mining operations in Heavy Commercial Zoning with
an approval of a Special Use Permit**

Michael Baldwin
Print Name

Signature of Applicant

4/3/18
Date

A non-refundable fee of \$495 must be attached to applications. Application deadlines are listed on the attached page. Incomplete applications will not be scheduled on the Planning and Zoning Commission agenda. Submit applications and a check written to the City of Greenville to: Tom Weitnauer, AICP, Chief Planner, Community Development Department, Planning Division, 201 W. Fifth St., Greenville, NC 27835.

Item # 6
#899917

Exhibit B: Excerpt of the Table of Uses Illustrating Applicant's Proposed Amendment

(5) *Agricultural/mining.*

USE	L U C #	RA 20	R 15 S	R 9 S	R 6 S	R 6 N	R 9 6	R 6 A	R 6 M H	M I	M S	M O	M C G	M R	M C H	M R S	O R	O	C D	C D F	C G	C N	C H	I U	I	P I U	P I
a. Farming; agriculture, horticulture, forestry (see also § 9-4-103)	1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
b. Greenhouse or plant nursery; including accessory sales	3	S												P	S								P	P	P	P	P
c. Wayside market for farm products produced on site	4	P																									
d. Farmers market	4																						P	P			
e. Kennel (see also § 9-4-103)	4	P																					P	P	P	P	P
f. Stable; horse only (see also § 9-4-103)	4	P	S													P								P	P	P	P
g. Stable; per definition (see also § 9-4-103)	4	P														P								P	P	P	P
h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use	4	P														P							P	P	P	P	P
i. Livestock sales pavilion, auditorium, yard, distribution or transshipment facility	5																								P	P	
j. Quarrying, mining, excavation and works including material storage and distribution; sand, stone, gravel	5																								P		
k. Sand mining (see also item j. above)	5																										
k(1). Temporary sand mining (see also § 9-4-86(SS))		S																									
l. Beekeeping; minor use (see also § 9-4-103)	1	P	P	P		P	P	P	P					P		P					P	P		P	P	P	
m. Beekeeping; major use	4	S																					S	S	S		
n. Solar energy facility	4	S																									

S ← Add

(Ord. No. 10-106, §§ 2, 3, passed 12-9-2010; Ord. No. 13-014, § 2, passed 4-11-2013; Ord. 15-059, § 2, passed 10-8-2015)

9-116H Exhibit C: City of Greenville's Temporary Sand Mining in RA-20 District, Review Criteria
Greenville - Building, Planning and Development Regulations

(TT) *Temporary sand mining (see also section 9-4-22).*

- (1) No excavation shall occur closer than 100 feet to an adjacent residential dwelling.
- (2) A 50 foot buffer (minimum) shall be maintained between the mining activity and adjacent property lines.
- (3) The borrow site shall be directly related to a designated and approved NC Department of Transportation (NCDOT) highway construction project.
- (4) The duration of the borrow material excavation and use of the borrow site for excavation shall be limited to the completion of the NCDOT highway construction project.
- (5) Upon completion of the NCDOT highway construction project, the borrow site shall be reclaimed in accordance with NCDOT requirements, and shall result in the creation of a recreational water body (lake or pond).
- (6) The borrow site shall have direct access to a primary highway and that highway shall be utilized for the transport of borrow materials from the excavation area in order to minimize the use of secondary roads or residential streets for this purpose.
- (7) No blasting shall be permitted in conjunction with the borrow material excavation or borrow site.
- (8) Any dust or other airborne emissions shall be minimized from the borrow material excavation and excavation area, whether at the borrow site or during transport of borrow materials over the haul route from the site in accordance with NCDOT regulations.
- (9) All loads of borrow material shall be covered when leaving the borrow site for transport over roadways.
- (10) All trucks used for transport of borrow material from the excavation site shall be registered, licensed and meet emissions standards for the State of North Carolina.
- (11) A gravel construction entrance shall be installed and maintained at the borrow site to prevent the tracking of borrow materials onto the roadways from the site, in accordance with NCDOT regulations.
- (12) Hours of operation at the borrow site shall be limited to 6:30 a.m. to 7:30 p.m. Monday through Saturday.
- (13) In order to protect the integrity and safety of roadways, trucks leaving the borrow site shall comply with all weight and load requirements for North Carolina roadways.
- (14) A six-foot earthen berm shall be installed and maintained in the excavation buffer area where no naturally wooded or vegetative screening exists between the borrow site and adjacent residential uses. This berm may be removed at the conclusion of the borrow site activity.

Exhibit D: Pitt County's Sand Mining in RA District, Conditional Use Review Criteria

Outdoor storage areas shall be no closer than 50 feet to any adjoining residentially or office and institutionally used or zoned property.

3. *Noise*

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

4. *Dust*

All non-paved storage areas shall be maintained in a manner so as to limit dust from leaving the storage area.

5. *Access*

- a. Access roads leading to any part of the operation shall be constructed with a gravel or crushed stone surface and maintained in a dust-free manner.
- b. No part of such roads shall be located closer than 15 feet to an external property line other than a limited access highway or railroad right-of-way line.
- c. A truck route plan shall be submitted showing truck routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools, or other uses which will be negatively affected by truck traffic.

DDD. Mining, Quarrying, Sand Pits, and Mineral Extraction

1. *Where Required*

RA district.

2. *Use Separation*

- a. The edges of any pit where a mining operation is taking place and any equipment used in the processing of rock and gravel or other industrial uses operated in conjunction with the mine or quarry shall be located at least 100 feet from the boundary of the mine or quarry as delineated in the mining permit issued by the State of North Carolina or site plan approved by the County, whichever is more restrictive.
- b. Where the mining operation site is bounded by a railroad right-of-way currently being used for rail service to the mining operation, no setback shall be required between the railroad right-of-way and such operation.

3. *Hours of Operation*

All operations involving blasting discernible beyond the external property line on a quarry shall only be conducted between the hours of 7:00 a.m. and 6:00 p.m.

4. *Mining Permit*

A valid state-issued mining permit must be obtained.

5. *Screening*

Screening shall be provided in accordance with the requirements of Section 10(H). However, if a berm is determined to be an adequate alternative screening method as provided for in Section 10(H), the minimum height of the berm shall be six feet.

Exhibit E: Ordinance

ORDINANCE NO. 18-
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 June 14, 2018, at 6:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Horizons 2026: Greenville's Community Plan, Chapter 4, Growing the Economic Hub, Policy 4.1.4, Support a Positive Business Climate: Continue to market Greenville's excellent business climate; where appropriate, promote flexibility in development regulations to ensure a business climate that encourages growth and expansion; support business growth, expansion, and retention through strategic public improvements; and ensure land use regulations align with target industry needs;.

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

Section 1: That Title 9, Chapter 4, Article D, Part 3, Section 9-4-78, (Appendix A) (5)k, of the City Code is hereby amended by adding "Sand mining" as a special use in the CH (Heavy Commercial) district.

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

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

Adopted this 14th day of June, 2018.

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

#1079683



City of Greenville, North Carolina

Meeting Date:
5/15/2018
Date time: 6:00 PM

Title of Item: Thresholds for Vegetation Compliance Text Amendment

Explanation: **Abstract:** The City of Greenville City Council initiated this text amendment to revise the thresholds for vegetation compliance.

Explanation: Title 9, Chapter 4, Article P, Vegetation Requirements, Section 9-4-271, entitled, Nonconforming Vegetation; Compliance Required, requires vegetation for existing projects undergoing expansions. City Council requested staff evaluate the suitability of the thresholds of these regulations to current projects, particularly industrial expansions. As requested by Council, staff presented summaries of Greenville's vegetation requirements for expanding businesses during Council meetings on March 8 and April 9, 2018 for Council's discussion. During these meetings, Staff summarized existing regulations and results of a survey of how other cities require vegetation for expanding businesses. This zoning ordinance text amendment was developed between staff and Council to address shared concerns to revise thresholds when landscaping would be required during expansions and how to enhance flexibility in administering vegetation requirements for projects that don't meet vegetation requirements prior to expansion.

The proposed amendments to Section 9-4-271, Nonconforming Vegetation: Compliance Required, and Section 9-4-272, Flexibility in Administration, are attached. Underlined text denote text to add while striken text denote text to delete. (Exhibit A)

In order to amend the Zoning Code to revise the thresholds when projects must comply with vegetation requirements, a text amendment must be adopted. This text amendment application requires a public hearing before City Council. The Planning and Zoning Commission is required to review and if supportive,

recommend an ordinance relating to vegetation regulations since they would amend the Zoning Ordinance.

Consideration of any modification to the city zoning ordinance should include a consistency review of the community's comprehensive plan and other officially adopted plans that are applicable. Greenville's comprehensive plan, Horizons 2026: Greenville's Community Plan was reviewed to ascertain compliance with the Plan, and effectively with the community's values. Staff reviewed the Plan and provides the following findings regarding consistency between the proposed text amendment and the Plan. In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons 2026: Greenville's Community Plan. Following is a relevant excerpt from Horizons 2026: Greenville's Community Plan:

Chapter 4, Growing the Economic Hub, Policy 4.1.4. Support a Positive Business Climate:

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

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons 2026: Greenville's Community Plan.

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

"Motion to recommend approval of the proposed text amendment, to advise that it is consistent with the comprehensive plan and to adopt the staff report which addresses plan consistency and other matters."

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

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

ATTACHMENTS:

Description

Proposed Amendments

Exhibit A: Proposed Amendments to Sec. 9-4-271 and Sec. 9-4-272

SEC. 9-4-271 NONCONFORMING VEGETATION; COMPLIANCE REQUIRED.

(A) Property that does not comply with the requirements contained in this article shall meet the provisions of this section.

(B) When there is noncompliance with the vegetation standards and requirements of this article, and when an applicant files the necessary forms for a building permit and/or change of use permit, one of the ~~two~~ three following situations shall apply:

- (1) The provisions of this article are not applicable when:
 - (a) There is a change of land use where the new land use is of the same or lower land use classification;
 - (b) Building expansion(s) are proposed which constitute less than a 20% expansion in lot coverage;
 - (c) Parking area and/or drive expansion(s) are proposed which constitute less than a 20% expansion in impervious surface areas;
 - (d) Building and parking area and/or drive expansion(s) are proposed which collectively constitute less than a ~~20%~~ 50% expansion in ~~total ground coverage~~ existing impervious area and lot coverage combined; and
 - (e) The valuation of any proposed building construction, including repairs, renovations and/or expansions, is less than or equal to 50% of the current tax valuation of all on-site building improvements as listed on the Pitt County tax record. The valuation of proposed construction shall be based on applicable building permit application data.
 - (f) Complete demolitions and reconstructions invoke full compliance with vegetation requirements.
- (2) Vegetation improvements will be required in accordance with subsection (C) below when:
 - (a) There is a change in land use where the new land use is of a higher land use classification;
 - (b) Building expansion(s) are proposed which constitute a ~~20%~~ 50% or more expansion in lot coverage;
 - (c) Parking area and/or drive expansion(s) are proposed which constitute a ~~20%~~ 50% or more expansion in existing impervious ~~surface~~ areas;
 - (d) Building and parking area and/or drive expansion(s) are proposed which collectively constitute a ~~20%~~ 50% or more expansion in ~~total ground coverage~~ existing impervious area and lot coverage combined; or
 - (e) The valuation of any proposed building construction, including repairs, renovations and/or expansions, exceeds 50% of the current tax valuation of all on-site building improvements as listed on the Pitt County tax record. The valuation of proposed construction shall be based on applicable building permit application data.

(3) Only street trees and parking screening shall be required vegetation in accordance with subsection (C) below when building expansions or parking and/or drive expansion or a combination of both with constitute an expansion between 20% to 50%.

(C) When vegetation improvements are required based on subsection (B)(2) and/or (B)(3) above the following shall apply:

(1) *Screening vegetation requirements (Bufferyards C, D, E and F).*

- (a) Where all of the minimum bufferyard width is available all required screening vegetation shall be installed.
- (b) Where less than 100% of the minimum standard bufferyard width is available a fence, evergreen hedge or berm meeting the requirements of section 9-4-119, Article G of this chapter, shall be installed and all required screening vegetation shall be installed except as further provided.
- (c) Where less than 100% of the minimum reduced width bufferyard is available, a percentage of each required material (small trees, large trees, shrubs) equal to the percentage of the reduced bufferyard width available shall be installed within such areas.
- (d) Where less than six feet of bufferyard width is available, small trees may be substituted for large trees on a one-for-one basis.
- (e) Where less than three feet of bufferyard width is available, shrubs may be substituted for small trees on a one-for-one basis.
- (f) Where less than two feet of bufferyard width is available, ground cover may be substituted for shrubs.

(2) *Site vegetation requirements.*

- (a) All required site vegetation shall be installed.
- (b) The provisions of this section shall not be deemed to require the removal of existing structures, buildings, mechanical equipment, and lighting or any existing impervious areas; ~~provided, however, all other encroachments including but not limited to concrete islands and the like shall be removed.~~
- (c) The intent of this section shall be to require the installation of required vegetation, to the greatest extent possible, in all available open space areas existing at the time of site plan application. All required vegetation materials shall be planned for installation prior to the location or expansion of any new impervious area or building.
- (d) This section shall apply to street yard vegetation as part of the site vegetation requirement.

(3) *Parking lot and drive area vegetation requirements.*

- (a) All required parking lot and drive area vegetation shall be provided in accordance with section 9-4-268(L) of this article.
- (b) The provisions of this section shall not be deemed to require the removal of existing structures, buildings, mechanical equipment, and lighting or any existing impervious areas.

~~Provided however, when necessary existing parking shall be removed in accordance with section 9-4-268(L)(10) of this article and all other encroachments including but not limited to concrete islands and the like shall be removed.~~

- (c) The intent of this section shall be to require the installation of all required parking lot and drive area vegetation to the greatest extent possible, in all available open space areas existing at the time of site plan application. All required vegetation materials shall be planned for installation prior to the location or expansion of any new impervious area or building.

SEC. 9-4-272 FLEXIBILITY IN ADMINISTRATION.

(A) The City Council recognizes that, due to the wide variety of types of development and property boundary configurations, the varying quantity and dimension of available open spaces, the natural and built environment and other existing adverse physical conditions, it is neither possible nor prudent to establish inflexible vegetation regulations. Therefore, the Director of Community Development, or his or her authorized representative, may permit deviations from the specific requirements of this article provided the deviations are in accordance with subsection (B) or (E).

(B) Prior to the administrative approval of any deviation to the requirements of this article, the Director of Community Development, or his or her authorized representative, shall first determine the application meets all of the following criteria:

- (1) The deviation is necessary due to unique physical conditions of the property, which may include existing vegetation conditions;
- (2) The hardship in complying with the requirements is not created by a proposed building, building expansion or expansion of impervious area into available open space wherein required plantings could be located in accordance with ordinance provisions;
- (3) The hardship in complying with the requirements is not related to the expense or cost of installing the required materials or other improvements;
- (4) The deviation represents the least possible deviation from the letter of this article that will allow reasonable use of the property; and
- (5) The deviation is in harmony with the general purpose and intent of this article and preserves its spirit.

(C) Any approved deviation shall be noted on the preliminary and final vegetation plan and including the original minimum requirement, the justifications for the deviation and the resulting modified requirement.

(D) Whenever the condition or circumstances for which any approved deviation was approved no longer exist, the original applicable minimum requirements shall immediately apply and the vegetation improvements required by the requirements shall be installed.

(E) The Director of Community Development, or his or her authorized representative, may reduce vegetation requirements for property located in any industrial zoning district on a case-by-case basis. However, street trees, bufferyard screening and parking area screening shall continue to be required, but the actual locations may be adjusted based on site constraints, including but not limited to, conflicting locations of utilities, swales, storm water structures and egress.