



# Agenda

## Planning and Zoning Commission

August 21, 2018

6:00 PM

City Hall Council Chambers, 200 W. Fifth Street

---

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

---

**I. Call Meeting To Order**

**II. Invocation-Les Robinson**

**III. Roll Call**

**IV. Approval of Minutes**

1. July 17, 2018

**V. New Business**

**Rezoning**

2. Ordinance requested by McKesson Properties, LLC to rezone 9,670.5 square feet located along the eastern right-of-way of McKinley Avenue and 65+/- feet south of West 5th Street from R6 (Residential [High Density Multi-family]) to CDF (Downtown Commercial Fringe).
3. Ordinance requested by Jack Somers to rezone 1.66 acres located at the southeastern corner of the intersection of South Memorial Drive and Whitley Drive from CG (General Commercial) to CH (Heavy Commercial).
4. Ordinance requested by Synergy Properties, LLC to rezone a total of 2.032 acres (0.341 acres of right-of-way) located along Ellsworth Drive and 350+/- feet north of Briarcliff Drive from R6S (Residential-Single-family [Medium Density]) to R6 (Residential [High Density Multi-family]).

**Text Amendment**

5. Ordinance to amend the Zoning Ordinance by amending the Water Supply Watershed Overlay District Standards - Zoning Ordinance Text Amendment

## **VI. Adjournment**

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

July 17, 2018

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

Mr. Michael Overton – Chair \*  
Mr. Doug Schrade – \*      Ms. Chris Darden – \*  
Mr. Les Robinson – \*      Mr. John Collins - \*  
Ms. Margaret Reid - \*      Mr. Hap Maxwell - \*  
Mr. Ken Wilson - \*      Mr. Terry King - \*  
Mr. Max Ray Joyner III - \*      Mr. Chris West - \*

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

**VOTING MEMBERS:** Schrade, Robinson, Reid, Wilson, Darden, Collins, Maxwell, King

**PLANNING STAFF:** Chantae Gooby, Planner II; Mike Dail, Lead Planner; Tom Weitnauer, Chief Planner and Corinne Becker, 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 Mr. King, to accept the June 19, 2018 minutes as presented. Motion passed unanimously.

**NEW BUSINESS:**

**REZONINGS**

ORDINANCE REQUESTED BY THE CITY OF GREENVILLE TO REZONE 0.10+/- ACRES (4,356 SQUARE FEET) LOCATED ALONG THE EASTERN RIGHT-OF-WAY OF ROOSEVELT AVENUE AND 75+/- FEET SOUTH OF WEST 5TH STREET FROM R6 (RESIDENTIAL) TO CDF (DOWNTOWN COMMERCIAL FRINGE).

Ms. Gooby, delineated the property. The city owns the property. Currently, there is a boarded-up duplex on the property. This area is mainly single-family homes. There are commercial uses along West 5<sup>th</sup> Street. Due to the small size, a traffic report wasn't prepared. Since the property is less than a half-acre, stormwater rules do not apply. This rezoning is located in Area 6 of The Center City – West Greenville Revitalization Plan. The plan states the focus of this area should be the rehabilitation of structures and acquisition/demolition of dilapidated structures to allow for new construction. The property is adjacent to a single-family home that is owned by the city,

which is zoned CDF. The Future Land Use and Character Map recommends mixed use along West 5<sup>th</sup> Street roughly between Bonners Lane and South Memorial Drive. This character is described as a place to live, work and shop. In staff's opinion, the request is in compliance with the Horizons 2026: Greenville's Community Plan, the Future Land Use and Character Map and The Center City – West Greenville Revitalization Plan. Staff recommends approval.

Mr. Overton opened the public hearing.

Ms. Karen Gilkey, representing the Greenville Housing Division, spoke in favor of the request. In addition to this property, the City owns the adjacent single-family property. The plan is to demolish the existing duplex on the rezoning site and combine it with the single-family property. This will allow for a driveway for the single-family property on Roosevelt Avenue instead of West 5<sup>th</sup> Street.

No one spoke in opposition.

**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.**

Mr. Maxwell stated that staff should revisit the regulation the stormwater regulations that properties less than half-acre do not have to comply with storm water rules. This rule was put in place in the early 2000's and it is shortsighted. After a while properties of this size in an area add up and could present a problem.

ORDINANCE REQUESTED BY SALVATORE PASSALACQUA TO REZONE 0.220 ACRES (9,583 SQUARE FEET) LOCATED AT THE NORTHWESTERN CORNER OF THE INTERSECTION OF DICKINSON AVENUE AND COLUMBIA AVENUE FROM CDF (DOWNTOWN COMMERCIAL FRINGE) TO CD (DOWNTOWN COMMERCIAL).

Ms. Gooby, delineated the property. It's located on the south side of the Tenth Street Connector. Since the property is less than a half-acre, stormwater rules do not apply. There are a variety of uses in this area. This rezoning could generate an increase of 350 trips per day. The proposed CD zoning district will allow for denser development because there are no vegetation requirements and setbacks. This site is included in The Dickinson Avenue Corridor Plan and specifically in Area 8, which is described as an area for recreation and mixed uses. The Future Land Use and Character Map recommends urban edge along Dickinson Avenue from West 14<sup>th</sup> Street to Reade Circle. This character is described as having mixed uses and infill and redevelopment. In staff's opinion, the request is in compliance with the Horizons 2026: Greenville's Community Plan, the Future Land Use and Character Map and The Dickinson Avenue Corridor Plan. Staff recommends approval.

Mr. Wilson asked for an update on the people that were displaced by the Tenth Street Connector.

Mr. Overton opened the public hearing.

Mr. Mike Baldwin, Baldwin Design Consultants, representing the applicant, spoke in favor of the request. Since there are no setbacks, it will allow for the property to be developed in a way that is more in keeping with the rest of downtown. This will allow more flexibility by adding more uses. He does not anticipate an increase in traffic.

Mr. Michael White, spoke in favor, owns a hairstyling business next door and expressed concern as to what uses would be permitted. He is concerned that a restaurant or convenience store might cause loitering.

No one spoke in opposition.

Mr. Overton closed the public hearing.

**Motion made by Mr. Robinson, 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 RECEIVED FROM HAPPY TRAIL FARMS, LLC TO REZONE A TOTAL OF 60.895 ACRES LOCATED BETWEEN BELVOIR HIGHWAY AND SUNNYBROOK ROAD FOR TRACT 1 AND AT THE NORTHEASTERN CORNER OF THE INTERSECTION OF BELVOIR HIGHWAY AND REDMOND LANE FOR TRACT 2 FROM RA20 (RESIDENTIAL-AGRICULTURAL) AND CG (GENERAL COMMERCIAL) TO I (INDUSTRY) FOR TRACT 1 – 51.035 ACRES AND CH (HEAVY COMMERCIAL) FOR TRACT 2 – 9.860 ACRES.

Ms. Gooby delineated the property. This property is vacant as is most of the surrounding properties. However, there are a number of residential uses in the area, as well. There is an existing sand mine on the west side of Sunnybrook Road. This property is not included in the Recognized Industrial Area. The property is located in the Moyes Run / Cannon Swamp Watershed. When developed, stormwater rules will require 10-year detention. Under the current zoning for Tract 1, the site could accommodate 150 single-family lots. The CG-zoned portion is not developable due to its size. Under the requested zoning for Tract 1, the property could accommodate sandmining and distribution. Under the current zoning for Tract 2, the site could accommodate 20 single-family lots and a convenience store and mini-storage. Under the requested zoning for Tract 2, the property could accommodate sandmining and distribution. An increase in traffic is not anticipated. The Future Land Use and Character Map recommends commercial at the intersection of Belvoir Highway and Sunnybrook Road transitioning to medium-high density residential along Sunnybrook Road and industrial/logistics (IL) to the north. Further, potential conservation/open space is recommended between the residential and

industrial and the lower density residential to the north. For Tract 2, the Future Land Use and Character Map recommends industrial/logistics (IL) at the intersection of Belvoir Highway and Redmond Lane. In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map. Staff recommends approval.

Mr. Overton opened the public hearing.

Mr. Mike Baldwin, Baldwin Design Consultants, represents the owner, Mr. Woody Whichard, spoke in favor of the request. Mr. Whichard purchased this property about a year ago. He buys, improves and re-sells properties. He does not anticipate that any potential use would create more traffic.

Mr. Richard Mabry, 2101 Sunnybrook Road, spoke in opposition. He lives next door to the existing sand mine and has suffered and complained for years about dust and noise. The trucks going in and out of the existing sand mine shakes his house and he doesn't want more of this happening.

Mr. Steve Nichols, Sunnybrook Road, spoke in opposition. He has lived on Sunnybrook Road since its inception, as do other family members prior to the existing sand mine. The trucks tear up the road.

Ms. Reid requested to be recused from voting on this agenda item. She stated her daughter lives in the area.

Mr. Overton asked her to hold off until the hearing is over.

Ms. Mary Whitley Joyner, 1993 Sunnybrook Road, spoke in opposition. The trucks don't allow them to get out and that when it rains the water backs up.

Mr. William E. Joyner, 1993 Sunnybrook Road, spoke in opposition. He and his wife need peace and quiet and their health. He objects to the trucks and the noise.

Ms. Sonya Atkinson Briley, 1995 & 1997 Sunnybrook Road, spoke in opposition, has all the same complaints from her tenants as the previous speakers.

Mr. Edward Downing, spoke in opposition, stated that he is under contract to buy 2102 Sunnybrook Road and isn't sure if he should break it. It's not fair how big companies impact people to make money.

Mr. Larry Miner, owner of 2102 Sunnybrook Road, spoke in opposition. As a property owner adjacent to Tract 1, the noise, dust and trucks are horrendous. The road is narrow and property would be better off with houses.

Mr. Jeremy Albright, 2100 Sunnybrook Road, spoke in opposition. As an adjacent property owner, his children can't play outside due to the dust. Despite an alternative access was added

for trucks to use, they still come through Sunnybrook Road. He is concerned that no traffic impact study had been done. The zoning isn't compatible with surrounding uses.

Mr. Andrew Steinlein, 2160 Sunnybrook Road, spoke in opposition. The road is so torn up that his daughter's rim had to be replaced after hitting a pot hole. The trucks dump sand in the road as they turn which presents a danger.

Mr. Bill Kitchner, 2110 Sunnybrook Road, spoke in opposition. It is currently unsafe for young children and for people to walk. He has asthma and a heart condition, which is exasperated by the sand.

Mr. Michael Baldwin, spoke in rebuttal in favor of the request, it's unfortunate that S.T. Wooten Sand Mine has access to Sunnybrook Road, but feels that shouldn't affect this rezoning. There will be access off Belvoir Highway, which will drive the development of the property. He does not feel single-family housing is appropriate for this property.

Mr. Joyner inquired as to the reason for the buffer zone.

Ms. Gooby stated the green buffer zone could mean various things such as an environmental issue or some other type of incompatibility. It means there should be a buffer such as a setback or vegetation requirement. She showed the chart of buffer requirements depending on uses.

Mr. Overton stated that sand mining is a potential use under this request and that members have to consider all of the uses allowed in the requested zoning districts.

Mr. Baldwin speculated that there may be a blue line stream in the referenced buffer area.

Mr. Richard Mabry, spoke in rebuttal in opposition, that the drainage in the area is horrible. It floods in the yards and the streets.

Mr. Overton closed the public hearing.

**Motion made by Ms. Darden, seconded by Mr. King, to recuse Ms. Reid. Motion passed unanimously.**

Mr. Joyner voted in Ms. Reid's place.

Mr. Maxwell stated that he is concerned for the people living there.

Ms. Darden stated that it would be better if there was a buffer.

**Motion made by Mr. Collins, seconded by Mr. Maxwell, to recommend denial of the proposed amendment, to advise that it is inconsistent with the comprehensive plan and to adopt the staff report which addressed plan consistency and other matters. Voting in favor:**

**Collins, Maxwell, Wilson, King, Schrade, and Darden. Voting in opposition: Robinson and Joyner. Motion carried.**

ORDINANCE RECEIVED FROM THE IMPERIAL BUILDING, LLC AND SAAD RENTALS, LLC TO REZONE 0.428 ACRES (18,644 SQUARE FEET) LOCATED AT THE SOUTHEASTERN CORNER OF THE INTERSECTION OF DICKINSON AVENUE AND WEST 9TH STREET FROM CDF (DOWNTOWN COMMERCIAL FRINGE) TO CD (DOWNTOWN COMMERCIAL).

Ms. Gooby, delineated the property. It's located on the north side of the Tenth Street Connector. This request is comprised of two separate parcels. Since the property is less than a half-acre, stormwater rules do not apply. There is retail on the first floor and multi-family on the second floor of one of the buildings. The second building is vacant. There is mainly commercial uses in this area. Since the property is developed, staff does not anticipate an increase in traffic. The proposed CD zoning district will allow for denser development because there are no vegetation requirements and setbacks. It also offers more flexibility in uses. This site is included in The Dickinson Avenue Corridor Plan and specifically in Area 1, which is described as an area for historic building infill. The buildings are located in the National Register Tobacco Warehouse Historic District. The Future Land Use and Character Map recommends urban edge along Dickinson Avenue from West 14<sup>th</sup> Street to Reade Circle. This character is described as having mixed uses and infill and redevelopment. In staff's opinion, the request is in compliance with the Horizons 2026: Greenville's Community Plan, the Future Land Use and Character Map and The Dickinson Avenue Corridor Plan. Staff recommends approval.

Mr. Overton requested to be recused from voting on this agenda item. He is a broker for one of the properties.

**Motion made by Mr. Robinson, seconded by Ms. Darden, to recuse Mr. Overton. Motion passed unanimously.**

Mr. Overton said he would conduct the hearing and then recuse himself before the vote.

Mr. Overton opened the public hearing.

Mr. Mike Baldwin, Baldwin Design Consultants, representing the applicant, spoke in favor. He stated that CD would allow more appropriate uses for the downtown area.

No one spoke in opposition.

Mr. Overton closed the public hearing.

Mr. Robinson acted as Chair in Mr. Overton's place.

**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 GARY L. WARREN, TRUSTEE OF THE GARY L. WARREN REVOCABLE TRUST, ET AL TO REZONE 130.6 ACRES LOCATED AT THE NORTHEASTERN CORNER OF THE INTERSECTION OF MARTIN LUTHER KING, JR. HIGHWAY AND OLD CREEK ROAD FROM RA20 (RESIDENTIAL-AGRICULTURAL), I (INDUSTRY) AND IU (UNOFFENSIVE INDUSTRY) TO PIU (PLANNED UNOFFENSIVE INDUSTRY).

Ms. Gooby delineated the property. It is located at the northeastern corner of the intersection Martin Luther King, Jr. Highway and Old Creek Road. The property is located in the Recognized Industrial Area. The area is largely vacant, commercial and industrial uses. An increase in traffic is not anticipated. The property is located in the Moyes Run / Cannon Swamp Watershed. When developed, stormwater rules will require 10-year detention. Any development plan will be reviewed by Pitt County Drainage along with the city. Under the current zoning, the site could accommodate 390 single-family lots and 151,000+/- square feet of pharmaceutical manufacturing. Under the requested zoning, the property could accommodate 754,000+/- square feet of pharmaceutical manufacturing. The Future Land Use and Character Map recommends industrial/logistics (IL) for this area. In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map. Staff recommends approval.

Mr. Overton opened the public hearing.

Mr. Jim Walker, Rivers & Associates, spoke in favor, representing the applicants. The property is currently farm land and is immediately adjacent to the Indigreen Industrial Park. The hope is to develop the property like the Indigreen Industrial park and its covenants. This rezoning will bring the property into agreement with other uses in the area.

Mr. Brad Hufford, Pitt County Development Commission, spoke in favor. The Commission is actively marketing the property. The request is appropriate because it fits with the surrounding area.

Mr. Robert V. Parker, 2201 Old Creek Road, spoke in opposition, there are actually residential houses nearby and it needs to be considered how this would impact them. The recently added turn lane on Sugg Parkway has had a negative impact on his property.

Mr. Overton closed the public hearing.

**Motion made by Mr. Robinson, 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.**

## **Preliminary Plats**

REQUEST BY THE PITT COUNTY DEVELOPMENT COMMISSION, FOR A PRELIMINARY PLAT TITLED "MW WARREN HEIRS SUBDIVISION". THE SUBJECT PROPERTY IS LOCATED NORTH OF OLD CREEK ROAD AND EAST OF MLK JR. HIGHWAY AND IS FURTHER IDENTIFIED AS TAX PARCELS 23992 AND 19580. THE PRELIMINARY PLAT CONSISTS OF 3 LOTS TOTALING 130.59 ACRES.

Mr. Michael Dail delineated the property and showed the street network. He stated that it will create three industrial lots. He stated that the property is not impacted by the 100 year flood plain.

Mr. Wilson asked if any buffer had been discussed.

Mr. Dail stated that the plat does not abut any residential property.

Mr. Overton opened the public hearing.

Mr. Jim Walker spoke in favor of the plat on behalf of the development commission. He said it was similar to any industrial development lot that would create an addition to the Indigreen development. Water and sewer are available.

Mr. Overton asked if the DOT was in agreement for the opening.

Mr. Walker stated there was already an opening. All streets would be approved by DOT.

Mr. Brad Hufford of Pitt Co. Development Commission stated they've been working with the development of this plan and to market the lots. He said it's a logical extension to the Indigreen Industrial Park. He feels there needs to be an increase in industrial development.

With no additional speakers, Mr. Overton closed the public hearing.

Attorney McGirt stated that when the board hears a request for a preliminary plat it is conducting an administrative hearing as opposed to a legislative hearing. If the standards and the ordinance have been met and they are clear and objective, staff makes a report that they have been met. If opponents don't present expert evidence to the contrary, the request should be granted. If it is denied specific reasons why must be specified in writing.

**Motion made by Mr. Robinson, seconded by Mr. King, to recommend approval of the preliminary plat for the MW Warren Heirs Subdivision. Motion passed unanimously.**

## **Land Use Plan Map Amendment**

ORDINANCE REQUESTED BY THE TAR RIVER UNIVERSITY NEIGHBORHOOD ASSOCIATION (TRUNA) PRESIDENT HAP MAXWELL TO AMEND THE CITY OF

GREENVILLE FUTURE LAND USE AND CHARACTER MAP FOR THE AREA LOCATED ADJACENT TO THE ECU MAIN CAMPUS ROUGHLY BETWEEN EAST 5TH STREET AND SHADY LANE AND 130+/- FEET WEST OF MAPLE STREET CONTAINING 0.90+/- ACRES.

Mr. Maxwell stated that he would like to withdrawal this request from the agenda because staff's wording does not accurately reflect their request

**Motion made by Mr. Schrade, seconded by Mr. King, to withdraw the request. Motion passed unanimously.**

**Other**

REQUEST FOR TWO MEMBERS OF THE PLANNING AND ZONING COMMISSION TO SERVE ON THE ADVISORY COMMITTEE FOR THE 2045 METROPOLITAN TRANSPORTATION PLAN, A MULTI-MODAL TRANSPORTATION PLAN TO GUIDE NETWORK DEVELOPMENT ACROSS A 25+ YEAR HORIZON.

Mr. Maxwell, Mr. Wilson, Mr. Robinson and Mr. Joyner expressed interest in volunteering.

Mr. Joyner and Mr. Robinson were elected to be the volunteers on the advisory committee.

**With no further business, Mr. Maxwell made a motion to adjourn, seconded by Mr. Wilson. Motion passed unanimously Meeting adjourned at 7:30 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: 8/21/2018  
Time: 6:00 PM

---

**Title of Item:** Ordinance requested by McKesson Properties, LLC to rezone 9,670.5 square feet located along the eastern right-of-way of McKinley Avenue and 65+/- feet south of West 5th Street from R6 (Residential [High Density Multi-family]) to CDF (Downtown Commercial Fringe).

**Explanation:** **Abstract:** The City has received a request by McKesson Properties, LLC to rezone 9,670.5 square feet located along the eastern right-of-way of McKinley Avenue and 65+/- feet south of West 5th Street from R6 (Residential [High Density Multi-family]) to CDF (Downtown Commercial Fringe).

### **Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on August 7, 2018.  
On-site sign(s) posted on August 7, 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 mixed use (MU) along the southern right-of-way of West 5th Street roughly between Bonners Lane and South Memorial Drive transitioning to uptown neighborhood (UN) and traditional neighborhood, medium-high density (TNMH) to the south.

### Mixed Use

Small-scale activity centers that contain places to live, work, and shop integrated in a walkable pattern. Mixed use buildings are located close together and near the street. Buildings tend to be smaller than mixed use, high intensity (MUHI),

supporting primarily locally-oriented uses and serving as a transition in intensity to nearby neighborhoods.

Intent:

- Vertical mixed use buildings (residential or office above commercial) as well as various single-use buildings that are integrated in a walkable street pattern
- Accommodate parking on-street, behind or to one side of buildings, or in parking structures; limit curb cuts that break main pedestrian ways; wrap parking structures with other uses or decorative elements; light parking well for safety
- Provide pedestrian and vehicular connection to surrounding development

Primary uses:

Office

Commercial

Multi-family residential

Secondary uses:

Institutional/civic

Uptown Neighborhood

Uptown neighborhood is a primarily residential area surrounding the uptown core (UC) and uptown edge (UE). It features a grid street pattern and mix of residential building types on small lots, with some commercial, office and civic uses.

Intent:

- Improve/maintain streetscape features such as consistent sidewalks, street trees, and lighting
- Introduce neighborhood-scale commercial centers at key intersections
- Address blight/property maintenance
- Address historic preservation efforts

Primary uses:

Single-family residential

Two-family residential

Secondary uses:

Multi-family residential

Commercial (neighborhood scale)

Institutional/civic (neighborhood scale)

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)

This subject property is included in the West Greenville Certified Redevelopment Area in The Center City - West Greenville Revitalization Plan. It is specifically located in Focus Area 6, which is described as:

Area 6: Fourteenth Avenue and Sixth Street

The Fourteenth Avenue and Sixth Street area is primarily residential in character. As with most of the areas within the Redevelopment Plan, there are numerous rental properties. Many of the rental properties have experienced a high degree of deterioration. In response, efforts to improve the area may include rehabilitation of owner-occupied units and acquisition/demolition of dilapidated units to make lots available for new construction. The focus in this area will be on providing diverse array of residential opportunities.

Policy statements include:

- To improve and revitalize existing neighborhoods.
- To improve, preserve and develop residential areas.
- To encourage the rehabilitation of dilapidated units and the development of vacant lots, and encourage the preservation, renovation, code enforcement, and rehabilitation of older housing stock.

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

Due to the small size of the tract, an increase in density is not anticipated. Therefore, a traffic volume report was not generated.

**History/Background:**

In 1969, the property was zoned to its current zoning.

**Existing Land Uses:**

Vacant

**Water/Sewer:**

Water and sanitary sewer are available to the property.

**Historic Sites:**

There are no known effects on historic sites.

**Environmental Conditions/Constraints:**

The property is located in the Harris Mill Run / Schoolhouse Branch Watershed. Since the property is less than 0.5 acres, stormwater rules will not apply. If stormwater rules apply, 10-year detention would be required. Since its located in the West Greenville Revitalization Area, it is exempt from water quality requirements.

**Surrounding Land Uses and Zoning:**

North: CDF - One (1) single-family residence (under common ownership of the applicant)  
South: R6 - One (1) single-family residence  
East: R6 - One (1) duplex residence  
West: R6 - One (1) single-family residence

**Density Estimates:**

Due to the small size of the tract, an increase in density is not anticipated.

The anticipated build-out 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 and The Center City - West Greenville Revitalization Plan.

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

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:**

Attachments



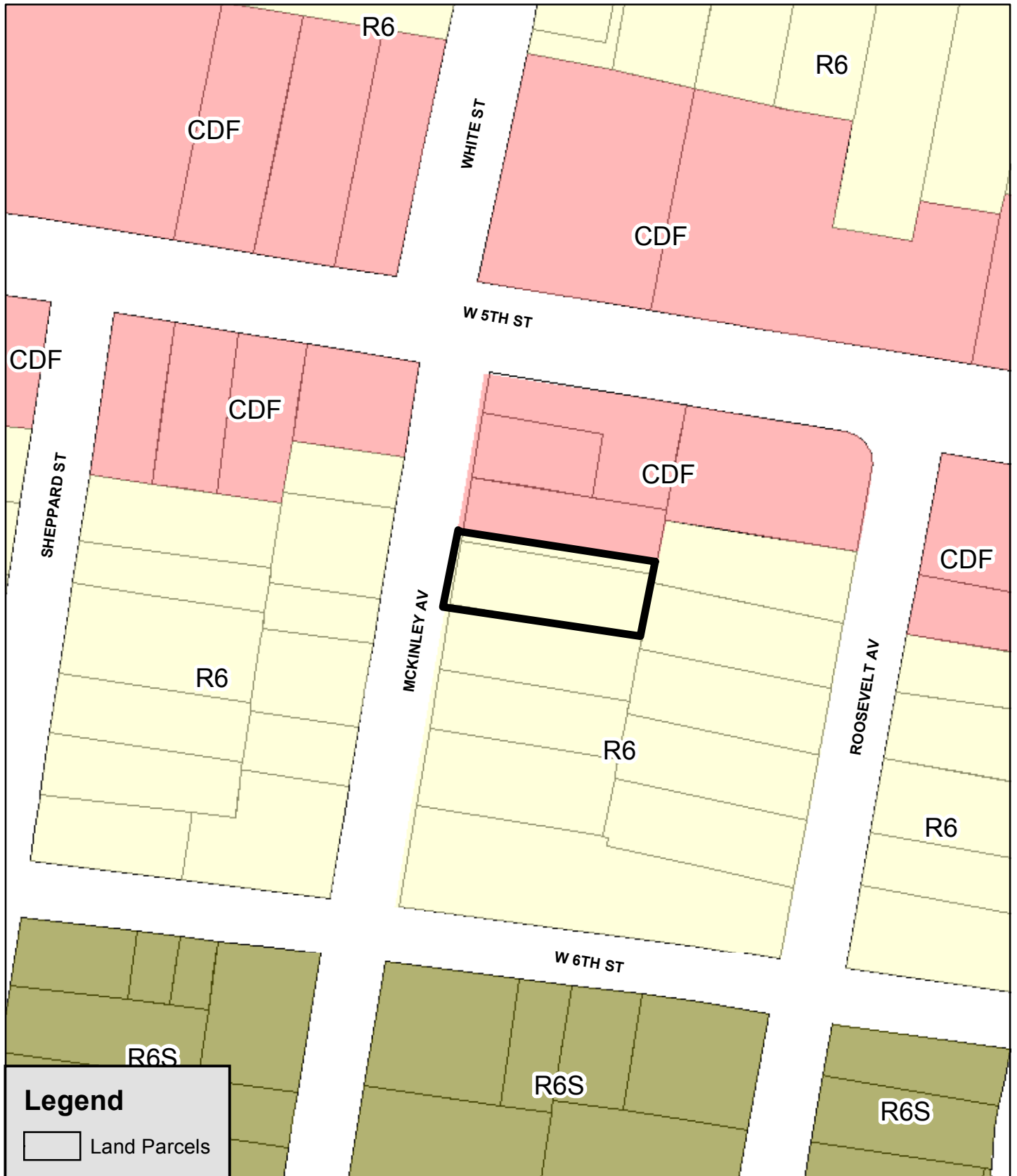
McKesson Properties, LLC

Square feet: 9,670.50

From: R6

To: CDF

August 6, 2018



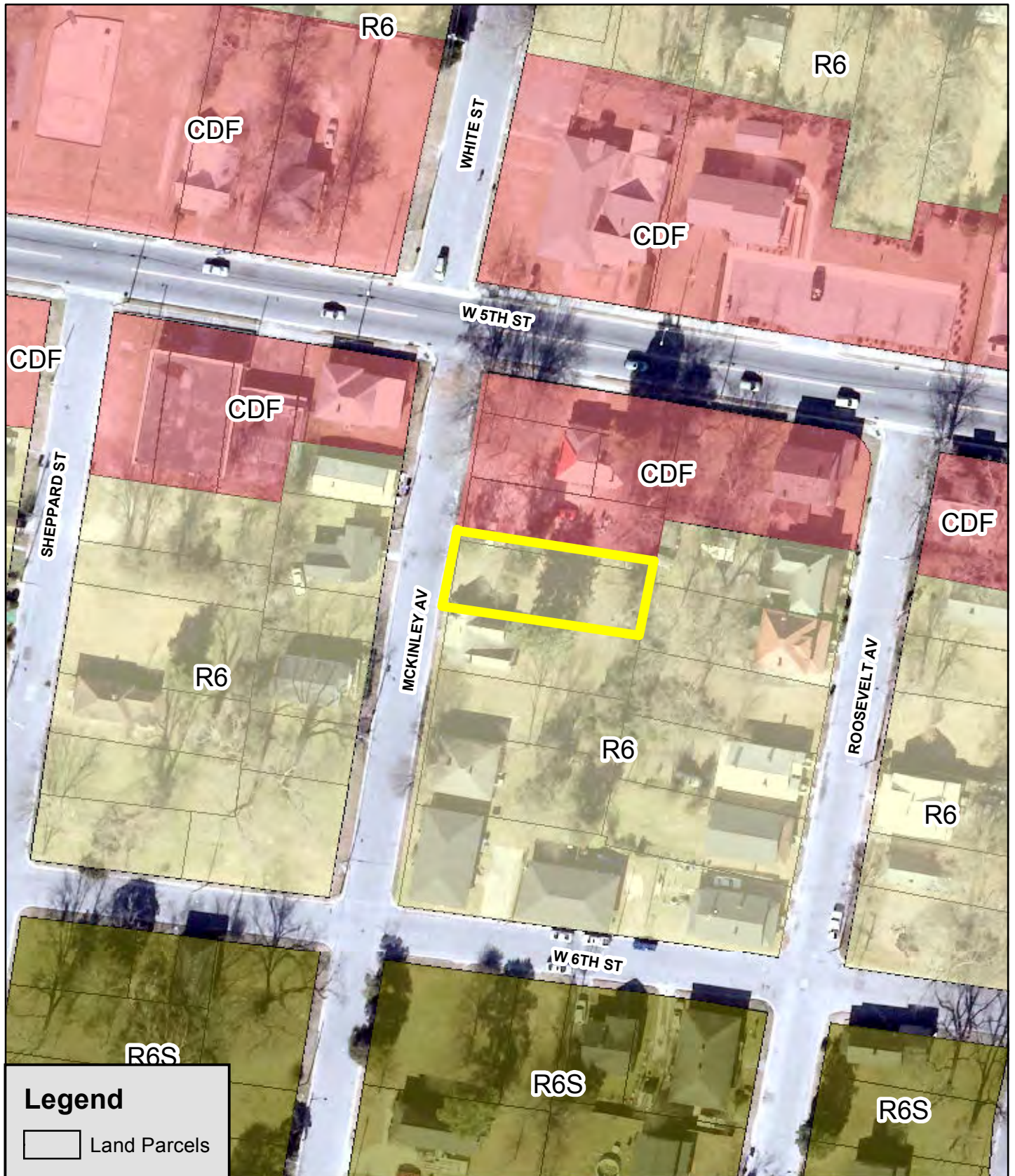
McKesson Properties, LLC

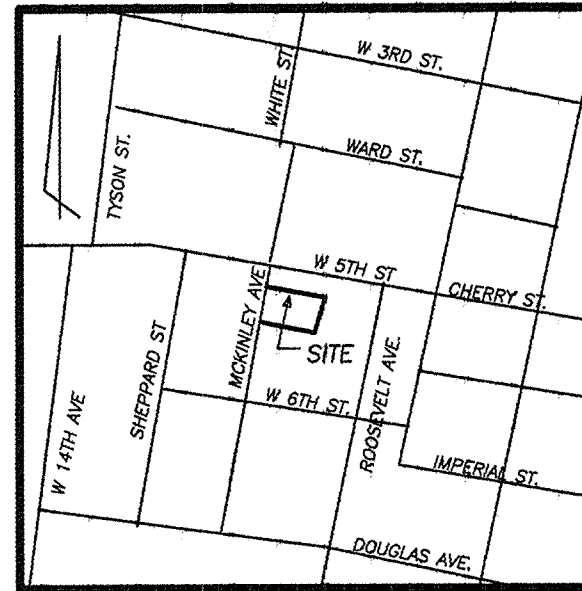
Square feet: 9,670.50

From: R6

To: CDF

August 6, 2018





VICINITY MAP  
N.T.S.

CITY OF GREENVILLE  
M.B. 69, P. 75  
PARCEL 79879  
CDF

ROSHAWN M. ANDERSON  
D.B. 3250, P. 6  
PARCEL 07642  
CDF

WHITE STREET

CITY OF GREENVILLE  
D.B. X-06, P. 487  
PARCEL 03064  
CDF

- LEGEND
- EXISTING IRON PIPE
  - △ EXISTING CONCRETE MONUMENT
  - NO POINT SET
  - IRON PIPE SET
  - ⊗ EXISTING IRON BAR

I CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET

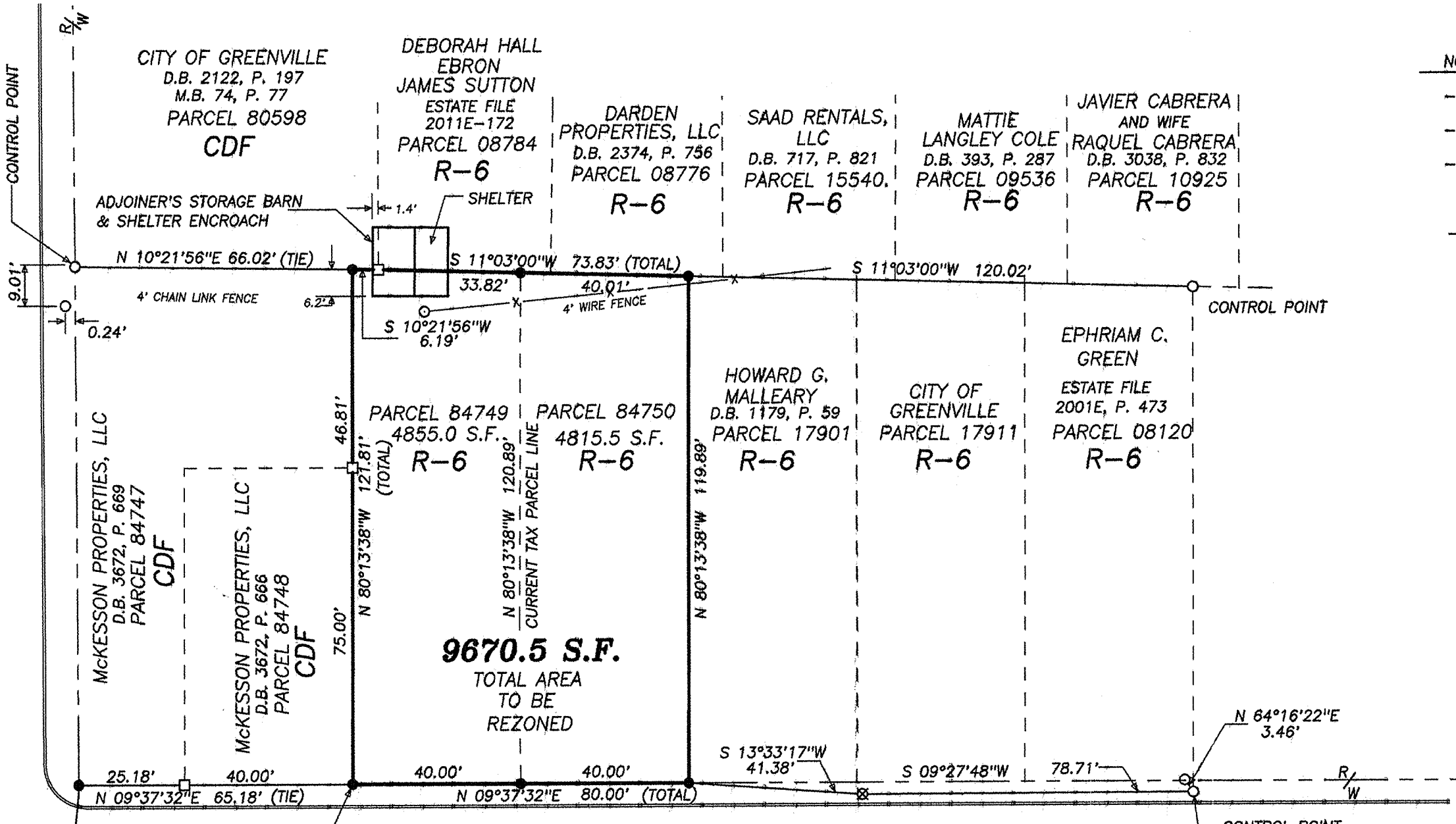
*Stephen N. Spruill*  
STEPHEN N. SPRUILL L-2723

NCGS MONUMENT  
"TYSON"  
N=207855.855 METERS  
E=755759.591 METERS  
NAD 83(2001)

NCGS MONUMENT  
"GREENVILLE 1933"  
N=207864.207 METERS  
E=755397.423 METERS  
NAD 83(2001)

NC GRID NORTH NAD83(2001)

NCSR 1571 ~ WEST FIFTH STREET  
(VARIABLE R/W ~ 37' B/B)



N=207803.544 METERS  
E=755887.084 METERS  
NAD 83(2001)

MCKINLEY AVENUE  
(APPARENT 40' R/W ~ 30' B/B)

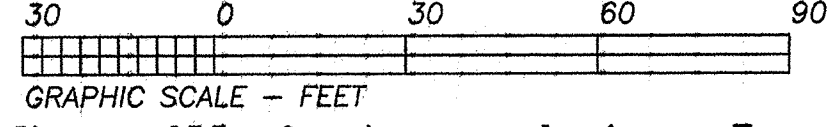
- NOTES
- ALL DISTANCES SHOWN ARE HORIZONTAL FIELD DISTANCES; NO GRID FACTOR APPLIED
  - THE COMBINED GRID FACTOR USED FOR GRID COORDINATE CALCULATIONS IS 0.99989470
  - THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA; LOCATED IN ZONE X UNSHADED AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP 3720468800K, DATED 7/7/2014
  - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION REPORT AND IS SUBJECT TO ANY TITLE MATTERS OF RECORD WHICH MAY AFFECT THIS PROPERTY

CURRENT ZONING: R-6  
PROPOSED ZONING: CDF

OWNER/APPLICANT  
McKESSON PROPERTIES, LLC  
3507 WARWICK DR.  
GREENVILLE, NC, 27858  
252-258-4649

REZONING SURVEY FOR  
**McKESSON PROPERTIES, LLC**

DEED BOOK 3672, PAGE 669  
DEED BOOK 3694, PAGE 726  
ESTATE FILE 81E-216  
CITY OF GREENVILLE ~ GREENVILLE TOWNSHIP  
PITT COUNTY ~ NORTH CAROLINA  
DATE: JULY 20, 2018 SCALE: 1"= 30'



SPRUILL & ASSOCIATES INC.

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



Firm No.  
C-978

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 1:15,200; 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 27 DAY OF JUNE 2018



*Stephen N. Spruill*  
STEPHEN N. SPRUILL L-2723

**EXISTING ZONING**

**R6 (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	
(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	

**R6 (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
	l. Group care facility
	n. Retirement center or home
	o(1). Nursing, convalescent or maternity home; minor care facility
	p. Board or rooming house
	r. Fraternity or sorority house
(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 - 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)
	m. Multi-purpose center
	t. Guest house for a college or other institution of higher learning
(9) Repair - None	
(10) Retail Trade - None	
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction - None	
(13) Transportation - None	
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories) - None	
<b>PROPOSED ZONING</b>	
<b>CDF (DOWNTOWN COMMERCIAL FRINGE) - PERMITTED USES</b>	
(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	
	a. Single-family dwelling
	b. Two-family attached dwelling (duplex)
	c. Multi-family development per Article I
	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)
	c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair

	d. Federal government building or use
	g. Liquor store, state ABC
(5) Agricultural/Mining	
	a. Farming; 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
	n. Theater; movie or drama, indoor only
(7) Office/Financial/Medical	
	a. Office; professional and business, not otherwise listed
	c. Office; customer service, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
	d. Bank, savings and 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)
	k. Business or trade school
	n. Auditorium
	o. Church or place of worship (see also section 9-4-103)
	p. Library
	q. Museum
	r. Art gallery
	s. Hotel, motel bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
	u. Art studio including art and supply sales
	v. Photography studio including photo and supply sales
	w. Recording studio
	z. Printing or publishing service including graphic art, maps, newspapers, magazines and books
	aa. Catering service including food preparation (see also restaurant; conventional and fast food)
	kk. Launderette; household users
	ll. Dry cleaners; household users
	mm. Commercial laundries; linen supply
	oo. Clothes alteration or shoe repair shop
	pp. Automobile wash
(9) Repair	
	d. Upholsterer; furniture
	f. Appliance; household and office equipment repair
	g. Jewelry, watch, eyewear or other personal item repair

(10) Retail Trade	
a.	Miscellaneous retail sales; non-durable goods, not otherwise listed
d.	Pharmacy
e.	Convenience store (see also gasoline sales)
f.	Office and school supply, equipment sales
g.	Fish market; excluding processing or packing
h.	Restaurant; conventional
i.	Restaurant; fast food
l.	Electronic; stereo, radio, computer, TV, etc... sales and accessory repair
m.	Appliance; household use, sales and accessory repair, excluding outside storage
n.	Appliance; commercial use, sales and accessory repair, excluding outside storage
p.	Furniture and home furnishing sales not otherwise listed
q.	Floor covering, carpet and wall covering sales
r.	Antique sales, excluding vehicles
s.	Book or card store, news stand
v.	Video or music store; records, tape, CD and the like sales
w.	Florist
x.	Sporting goods sales and rental shop
y.	Auto part sales (see also major and minor repair)
ee.	Christmas tree sales lot; temporary only (see also section 9-4-103)
(11) Wholesale/Rental/Vehicle-Mobile Home Trade	
c.	Rental of clothes and accessories; formal wear, and the like
d.	Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
f.	Automobiles, truck, recreational vehicle, motorcycles and boats sales and services (see also major and minor repair)
(12) Construction	
a.	Licensed contractor; general electrical, plumbing, mechanical, etc... excluding outside storage
c.	Construction office; temporary, including modular office (see also section 9-4-103)
e.	Building supply; lumber and materials sales, plumbing and/or electrical supply excluding outdoor sales
f.	Hardware store
(13) Transportation	
b.	Bus station; passenger and related freight
c.	Taxi or limousine service
e.	Parcel delivery service
f.	Ambulance service
(14) Manufacturing/Warehousing	
c.	Bakery; production, storage, and shipment facilities
(15) Other Activities (not otherwise listed - all categories) - None	
<b>CDF (DOWNTOWN COMMERCIAL FRINGE) - SPECIAL USES</b>	
(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)
n.	Retirement center or home
o(1).	Nursing, convalescent or maternity home; minor care facility
o.	Nursing, convalescent or maternity home; major care facility
r.	Fraternity or sorority house
(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 - None	
(6) Recreational/Entertainment	
d.	Game center
i.	Commercial recreation; indoor and outdoor, not otherwise listed
l.	Billiard parlor or pool hall
m.	Public or private club
m(1).	Dining and entertainment establishment (see also section 9-4-103)
s.	Athletic club; indoor only
(7) Office/Financial/Medical - None	
(8) Services	
a.	Child day care facilities
b.	Adult day care facilities
l.	Convention center; private
x.	Dance studio
bb.	Civic organizations
cc.	Trade or business organization
ff(1).	Mental health, emotional or physical rehabilitation day program facility
hh.	Exercise and weight loss studio; indoor only
(9) Repair	
a.	Major repair; as an accessory or principal use
b.	Minor repair; as an accessory or principal use
(10) Retail Trade	
b.	Gasoline or automotive fuel sales; accessory or principal use, retail
c.	Wine shop; including on-premise consumption (see also section 9-4-103)
g.	Fish market; excluding processing or packing
j.	Restaurant and/or dining and entertainment establishment; regulated outdoor activities
t.	Hobby or craft shop
u.	Pet shop (see also animal boarding; outside facility)
ff.	Tobacco shop (Class 1) (see also section 9-4-103)
hh.	Hookah café (see also section 9-4-103)
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	



(12) Construction	
d.	Building supply; lumber and materials sales, plumbing and/or electrical supply including outdoor sales
(13) Transportation	
h.	Parking lot or structure; principal use
(14) Manufacturing/Warehousing	
g.	Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholstery
(15) Other Activities (not otherwise listed - all categories)	
a.	Other activities; personal services not otherwise listed
b.	Other activities; professional services not otherwise listed
c.	Other activities; commercial services not otherwise listed
d.	Other activities; retail sales 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: 8/21/2018  
Time: 6:00 PM

---

**Title of Item:**

Ordinance requested by Jack Somers to rezone 1.66 acres located at the southeastern corner of the intersection of South Memorial Drive and Whitley Drive from CG (General Commercial) to CH (Heavy Commercial).

**Explanation:**

**Abstract:** The City has received a request by Jack Somers to rezone 1.66 acres located at the southeastern corner of the intersection of South Memorial Drive and Whitley Drive from CG (General Commercial) to CH (Heavy Commercial).

**Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on August 7, 2018.

On-site sign(s) posted on August 7, 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 mixed use high intensity (MUHI) at the northeast corner of the intersection of South Memorial Drive and Fire Tower Road transitioning to mixed use (MU) to the north and east.

**Mixed Use, High Intensity**

Large-scale activity centers that contain places to live, work, and shop integrated in a walkable pattern. Multi-story mixed use buildings are located close together and near the street. Large floorplate buildings may support uses that serve the broader community and region.

Intent:

- Vertical mixed use buildings (residential or office above commercial) as well as multi-story single-use buildings that are integrated in a walkable street pattern
- Accommodate parking on-street, behind or to one side of buildings, or in parking structures; limit curb cuts that break main pedestrian ways; wrap parking structures with other uses or decorative elements; light parking well for safety
- Provide pedestrian and vehicular connection to surrounding development

Primary uses:

Office

Commercial

Multi-family residential

Secondary uses:

Institutional/civic

Mixed Use

Small-scale activity centers that contain places to live, work, and shop integrated in a walkable pattern. Mixed use buildings are located close together and near the street. Buildings tend to be smaller than mixed use, high intensity (MUHI), supporting primarily locally-oriented uses and serving as a transition in intensity to nearby neighborhoods.

Intent:

- Vertical mixed use buildings (residential or office above commercial) as well as various single-use buildings that are integrated in a walkable street pattern
- Accommodate parking on-street, behind or to one side of buildings, or in parking structures; limit curb cuts that break main pedestrian ways; wrap parking structures with other uses or decorative elements; light parking well for safety
- Provide pedestrian and vehicular connection to surrounding development

Primary uses:

Office

Commercial

Multi-family residential

Secondary uses:

Institutional/civic

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

Since the property is already developed, staff does not anticipate a change in intensity. Therefore, a traffic volume report was not generated.

**History/Background:**

In 1972 the property was incorporated into the City's extra-territorial jurisdiction (ETJ) as part of a large-scale ETJ extension and was zoned RA20. By 1989, it was zoned CH (Heavy Commercial) and was later rezoned to its current zoning (CG).

**Existing Land Uses:**

Shoppes on Memorial Commercial Center

**Water/Sewer:**

Water and sanitary sewer are available to the property.

**Historic Sites:**

There are no known effects on historic sites.

**Environmental Conditions/Constraints:**

The property is located in the Fork Swamp Watershed. Current development meets stormwater rule requirements.

**Surrounding Land Uses and Zoning:**

North: CH and CG - Sheetz Convenience Store

South: CG - McDonald's

East: CG - CarMax Auto Sales

West: O&I - Pitt Community College

**Density Estimates:**

Since the property is already developed, staff does not anticipate a change in intensity. Therefore, a traffic volume report was not generated.

**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."

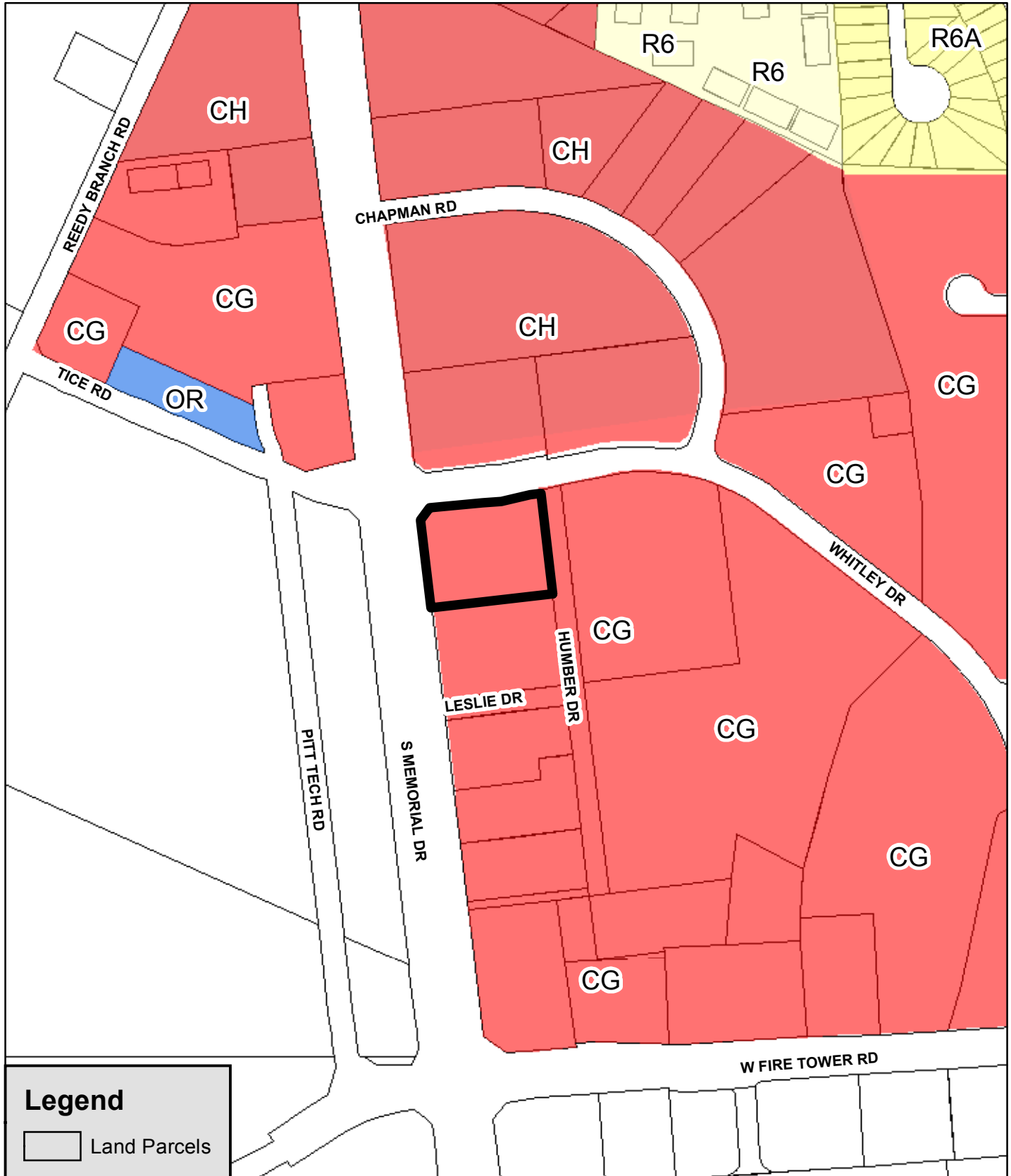
Note: In addition to the other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the existing and proposed zoning districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

---

**ATTACHMENTS:**

Attachments

Jack Somers  
From: CG  
To: CH  
Acres: 1.66  
August 7, 2018





**Jack Somers**  
**From: CG**  
**To: CH**  
**Acres: 1.66**  
**August 7, 2018**





EXISTING ZONING	
CG (GENERAL COMMERCIAL) - PERMITTED USES	
(1) General	
	a. Accessory use or building
	b. Internal service facilities
	c. On-premise signs per Article N
	e. Temporary uses; of listed district uses
	f. Retail sales; incidental
	g. Incidental assembly of products sold at retail or wholesale as an accessory to principal uses
(2) Residential - None	
(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
	g. Liquor store, state ABC
(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
	h. Commercial recreation; indoor only, not otherwise listed
	j. Bowling alley
	m(1). Dining and entertainment establishment (see also section 9-4-103)
	n. Theater; movie or drama, indoor only
	q. Circus, carnival, or fair, temporary only (see also section 9-4-103)
	s. Athletic club; indoor only
(7) Office/Financial/Medical	
	a. Office; professional and business, not otherwise listed
	b. Operation/processing center
	d. Bank, savings and loans or other savings or investment institutions
	e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
	g. Catalogue processing center
(8) Services	
	c. Funeral home
	e. Barber or beauty salon
	f. Manicure, pedicure or facial salon
	k. Business or trade school
	o. Church or place of worship (see also section 9-4-103)

	q. Museum
	r. Art gallery
	s. Hotel, motel bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
	u. Art studio including art and supply sales
	v. Photography studio including photo and supply sales
	y(1) TV and/or radio broadcast facilities, including receiving and transmission equipment and towers not exceeding 200 feet in height or cellular telephone and wireless communication towers not exceeding 200 feet in height (see also 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; conventional and fast food)
	hh. Exercise and weight loss studio; indoor only
	kk. Launderette; household users
	ll. Dry cleaners; household users
	oo. Clothes alteration or shoe repair shop
	pp. Automobile wash
(9) Repair	
	g. Jewelry, watch, eyewear or other personal item repair
(10) Retail Trade	
	a. Miscellaneous retail sales; non-durable goods, not otherwise listed
	d. Pharmacy
	e. Convenience store (see also gasoline sales)
	f. Office and school supply, equipment sales
	g. Fish market; excluding processing or packing
	h. Restaurant; conventional
	i. Restaurant; fast food (see also section 9-4-103)
	k. Medical supply sales and rental of medically-related products including uniforms and related accessories
	l. Electronic; stereo, radio, computer, TV and the like, sales and accessory repair
	m. Appliance; household use, sales and accessory repair, excluding outside storage
	p. Furniture and home furnishing sales not otherwise listed
	q. Floor covering, carpet and wall covering sales
	r. Antique sales, excluding vehicles
	s. Book or card store, news stand
	t. Hobby or craft shop
	u. Pet shop (see also animal boarding; outside facility)
	v. Video or music store; records, tape, CD and the like sales
	w. Florist
	x. Sporting goods sales and rental shop

	y.	Auto part sales (see also major and minor repair)
	aa.	Pawnbroker
	bb.	Lawn and garden supply and household implement sales and accessory service
	ee.	Christmas tree sales lot; temporary only (see also section 9-4-103)
<b>(11) Wholesale/Rental/Vehicle-Mobile Home Trade</b>		
	b.	Rental of home furniture, appliances or electronics and medically-related products (see also division (10k.))
	c.	Rental of clothes and accessories; formal wear, and the like
<b>(12) Construction</b>		
	c.	Construction office; temporary, including modular office (see also section 9-4-103)
	e.	Building supply; lumber and materials sales, plumbing and/or electrical supply excluding outdoor sales
	f.	Hardware store
<b>(13) Transportation</b>		
	c.	Taxi or limousine service
	h.	Parking lot or structure; principal use
<b>(14) Manufacturing/Warehousing - None</b>		
<b>(15) Other Activities (not otherwise listed - all categories) - None</b>		
<b>CG (GENERAL COMMERCIAL) - SPECIAL USES</b>		
<b>(1) General - None</b>		
<b>(2) Residential</b>		
	i.	Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
<b>(3) Home Occupations - None</b>		
<b>(4) Governmental</b>		
	a.	Public utility building or use
<b>(5) Agricultural/Mining - None</b>		
<b>(6) Recreational/Entertainment</b>		
	d.	Game center
	l.	Billiard parlor or pool hall
	m.	Public or private club
	t.	Athletic club; indoor and outdoor facilities
	u.	Internet sweepstakes business (see also section 9-4-103)
<b>(7) Office/Financial/Medical</b>		
	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)
<b>(8) Services</b>		
	a.	Child day care facilities
	b.	Adult day care facilities
	l.	Convention center; private
<b>(9) Repair</b>		

	a.	Major repair; as an accessory or principal use
	b.	Minor repair; as an accessory or principal use
(10) Retail Trade		
	b.	Gasoline or automotive fuel sales; accessory or principal use, retail
	c.	Wine shop; including on-premise consumption (see also section 9-4-103)
	j.	Restaurant and/or dining and entertainment establishment; regulated outdoor activities
	n.	Appliance; commercial use, sales and accessory repair; excluding outside storage
	ff.	Tobacco shop (Class 1) (see also section 9-4-103)
	gg.	Tobacco shop (Class 2) (see also section 9-4-103)
	hh.	Hookah café (see also section 9-4-103)
(11) Wholesale/Rental/Vehicle-Mobile Home Trade		
	d.	Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
	f.	Automobile, truck, recreational vehicle, motorcycle and boat sales and service (see also major and minor repair)
(12) Construction - None		
(13) Transportation - None		
(14) Manufacturing/Warehousing		
	k.	Mini-storage warehouse; household excluding outside storage
(15) Other Activities (not otherwise listed - all categories)		
	a.	Other activities; personal services not otherwise listed
	b.	Other activities; professional services not otherwise listed
	c.	Other activities; commercial services not otherwise listed
	d.	Other activities; retail sales not otherwise listed
<b>PROPOSED ZONING</b>		
<b>CH (HEAVY COMMERCIAL) - PERMITTED USES</b>		
(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
	g.	Liquor store, state ABC
<b>(5) Agricultural/Mining</b>		
	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)
	h.	Animal boarding not otherwise listed; outside facility, as an accessory or principal use
	l.	Beekeeping; minor use (see also section 9-4-103)
<b>(6) Recreational/Entertainment</b>		
	b.	Golf course; par three
	c.	Golf driving range
	c(1).	Tennis club; indoor and outdoor facilities
	e.	Miniature golf or putt-putt course
	f.	Public park or recreational facility
	h.	Commercial recreation; indoor only, not otherwise listed
	i.	Commercial recreation; indoor and outdoor, not otherwise listed
	j.	Bowling alley
	m(1).	Dining and entertainment establishment (see also section 9-4-103)
	n.	Theater; movie or drama, indoor only
	o.	Theater; movie or drama, including outdoor facilities
	q.	Circus, carnival, or fair, temporary only (see also section 9-4-103)
	s.	Athletic club; indoor only
	t.	Athletic club; indoor and outdoor facilities
<b>(7) Office/Financial/Medical</b>		
	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
	f.	Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)
	g.	Catalogue processing center
<b>(8) Services</b>		
	c.	Funeral home

	e.	Barber or beauty salon
	f.	Manicure, pedicure or facial salon
	n.	Auditorium
	o.	Church or place of worship (see also section 9-4-103)
	q.	Museum
	r.	Art gallery
	s.	Hotel, motel bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
	u.	Art studio including art and supply sales
	v.	Photography studio including photo and supply sales
	y.	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
	cc.	Trade or business organizations
	hh.	Exercise and weight loss studio; indoor only
	kk.	Launderette; household users
	ll.	Dry cleaners; household users
	mm.	Commercial laundries; linen supply
	oo.	Clothes alteration or shoe repair shop
	pp.	Automobile wash
(9) Repair		
	b.	Minor repair; as an accessory or principal use
	c.	Upholsterer; automobile, truck, boat, or other vehicle, trailer or van
	d.	Upholsterer; furniture
	f.	Appliance; household and office equipment repair
	g.	Jewelry, watch, eyewear or other personal item repair
(10) Retail Trade		
	a.	Miscellaneous retail sales; non-durable goods, not otherwise listed
	b.	Gasoline or automotive fuel sales; accessory or principal use, retail
	c.	Wine shop; including on-premise consumption (see also section 9-4-103)
	d.	Pharmacy
	e.	Convenience store (see also gasoline sales)
	f.	Office and school supply, equipment sales
	g.	Fish market; excluding processing or packing
	h.	Restaurant; conventional
	i.	Restaurant; fast food



k.	Medical supply sales and rental of medically-related products including uniforms and related accessories
l.	Electronic; stereo, radio, computer, TV, etc... sales and accessory repair
m.	Appliance; household use, sales and accessory repair, excluding outside storage
o.	Appliance; household, commercial or industrial use, sales and accessory repair, including outside storage
p.	Furniture and home furnishing sales not otherwise listed
q.	Floor covering, carpet and wall covering sales
r.	Antique sales, excluding vehicles
s.	Book or card store, news stand
t.	Hobby or craft shop
u.	Pet shop (see also animal boarding; outside facility)
v.	Video or music store; records, tape, CD and the like sales
w.	Florist
x.	Sporting goods sales and rental shop
y.	Auto part sales (see also major and minor repair)
aa.	Pawnbroker
bb.	Lawn and garden supply and household implement sales and accessory service
cc.	Farm supply and commercial implement sales
ee.	Christmas tree sales lot; temporary only (see also section 9-4-103)
<b>(11) Wholesale/Rental/Vehicle-Mobile Home Trade</b>	
a.	Wholesale; durable and nondurable goods, not otherwise listed
b.	Rental of home furniture, appliances or electronics and medically-related products (see also division (10k.))
c.	Rental of clothes and accessories; formal wear, and the like
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
f.	Automobiles, truck, recreational vehicle, motorcycles and boats sales and services (see also major and minor repair)
g.	Mobile home sales including accessory mobile home office
<b>(12) Construction</b>	
b.	Licensed contractor; general electrical, plumbing, mechanical, etc... including outside storage
c.	Construction office; temporary, including modular office (see also section 9-4-103)
e.	Building supply; lumber and materials sales, plumbing and/or electrical supply excluding outdoor sales
f.	Hardware store
<b>(13) Transportation</b>	
c.	Taxi or limousine service

	e.	Parcel delivery service
	f.	Ambulance service
	h.	Parking lot or structure; principal use
(14) Manufacturing/Warehousing		
	a.	Ice plant and freezer lockers
	b.	Dairy; production, storage, and shipment facilities
	c.	Bakery; production, storage, and shipment facilities
	g.	Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholstery
	h.	Engraving; metal, glass or wood
	i.	Moving and storage of nonhazardous materials; excluding outside storage
	k.	Mini-storage warehouse, household; excluding outside storage
	m.	Warehouse; accessory to approved commercial or industrial uses within the district; excluding outside storage
	u.	Tire recapping or retreading plant
(15) Other Activities (not otherwise listed - all categories) - None		
<b>CH (HEAVY COMMERCIAL) - SPECIAL USES</b>		
(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		
	k.	Sand mining
	m.	Beekeeping; major use
(6) Recreational/Entertainment		
	d.	Game center
	l.	Billiard parlor or pool hall
	m.	Public or private club
	r.	Adult uses
	u.	Internet sweepstakes business (see also section 9-4-103)
(7) Office/Financial/Medical - None		
(8) Services		
	a.	Child day care facilities
	b.	Adult day care facilities
	l.	Convention center; private
	dd.	Massage establishment
	ff(1).	Mental health, emotional or physical rehabilitation day program facility
(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
n.	Appliance; commercial use, sales and accessory repair; excluding outside storage
z.	Flea market
ff.	Tobacco shop (Class 1) (see also section 9-4-103)
gg.	Tobacco shop (Class 2) (see also section 9-4-103)
hh.	Hookah café (see also section 9-4-103)
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction - None	
(13) Transportation - None	
(14) Manufacturing/Warehousing	
d.	Stone or monument cutting, engraving
j.	Moving and storage; including outside storage
l.	Warehouse or mini-storage warehouse, commercial or industrial; including outside storage
y.	Recycling collection station or facilities
(15) Other Activities (not otherwise listed - all categories)	
a.	Other activities; personal services not otherwise listed
b.	Other activities; professional services not otherwise listed
c.	Other activities; commercial services not otherwise listed
d.	Other activities; retail sales 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: 8/21/2018  
Time: 6:00 PM

---

**Title of Item:** Ordinance requested by Synergy Properties, LLC to rezone a total of 2.032 acres (0.341 acres of right-of-way) located along Ellsworth Drive and 350+/- feet north of Briarcliff Drive from R6S (Residential-Single-family [Medium Density]) to R6 (Residential [High Density Multi-family]).

**Explanation:** **Abstract:** The City has received a request by Synergy Properties, LLC to rezone total of 2.032 acres (0.341 acres of right-of-way) located along Ellsworth Drive and 350+/- feet north of Briarcliff Drive from R6S (Residential-Single-family [Medium Density]) to R6 (Residential [High Density Multi-family]).

### **Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on August 7, 2018.

On-site sign(s) posted on August 7, 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 high density residential (HDR) along Spring Forest Road south of the Norfolk Southern Railroad and along Nantucket Road and Ellsworth Drive transitioning to low-medium density residential (LMDR) to the south.

### **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 development
- 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)

Residential, Low-Medium Density

Residential, low to medium density areas are primarily single-family developments arranged along wide, curvilinear streets with few intersections. Building and lot size range in size and density but tend to be highly consistent within a development with limited connectivity between different residential types and non-residential uses.

Intent:

- Provide better pedestrian and vehicular connectivity between residential developments
- Improve streetscape features such as consistent sidewalks, lighting, and street trees

Primary Uses:

Single-family detached residential

Secondary Uses:

Two-family residential  
Institutional/civic (neighborhood scale)

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

Based on the analysis comparing the existing zoning (57 trips) and requested rezoning, the proposed rezoning classification could generate approximately 70

trips to and from the site on Ellsworth Drive, which is a net increase of 13 trips per day. Since the traffic analysis for the requested rezoning, indicates such a small increase that will be distributed to several thoroughfares that serve by this neighborhood. Therefore, a traffic volume report was not generated.

**History/Background:**

In 1972 the property was incorporated into the City's extra-territorial jurisdiction (ETJ) as part of a large-scale ETJ extension and was zoned RA20. By 1981, it was rezoned to it's current zoning.

**Existing Land Uses:**

Vacant (platted as part of the Bent Creek Subdivision)

**Water/Sewer:**

Water and sanitary sewer are available to the property.

**Historic Sites:**

There are no known effects on historic sites.

**Environmental Conditions/Constraints:**

The property is located in the Greens Mill Run Watershed. Stormwater rules require 25-year detention and nitrogen and phosphorous reduction.

It is not located in the Special Flood Hazards Area. Therefore, development is not subject to the Flood Damage Prevention Ordinance.

**Surrounding Land Uses and Zoning:**

North: R6 - Bent Creek Subdivision (duplex)  
South: R6S - Lake Ellsworth Subdivision (single-family)  
East: R6S - Lake Ellsworth Subdivision (single-family)  
West: R6S - Lakeforest Elementary School

**Density Estimates:**

Under the current zoning, the site could accommodate 6 single-family lots.

Under the proposed zoning, the site could accommodate 6 duplex lots (12 units).

The anticipated build-out 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:**

Attachments

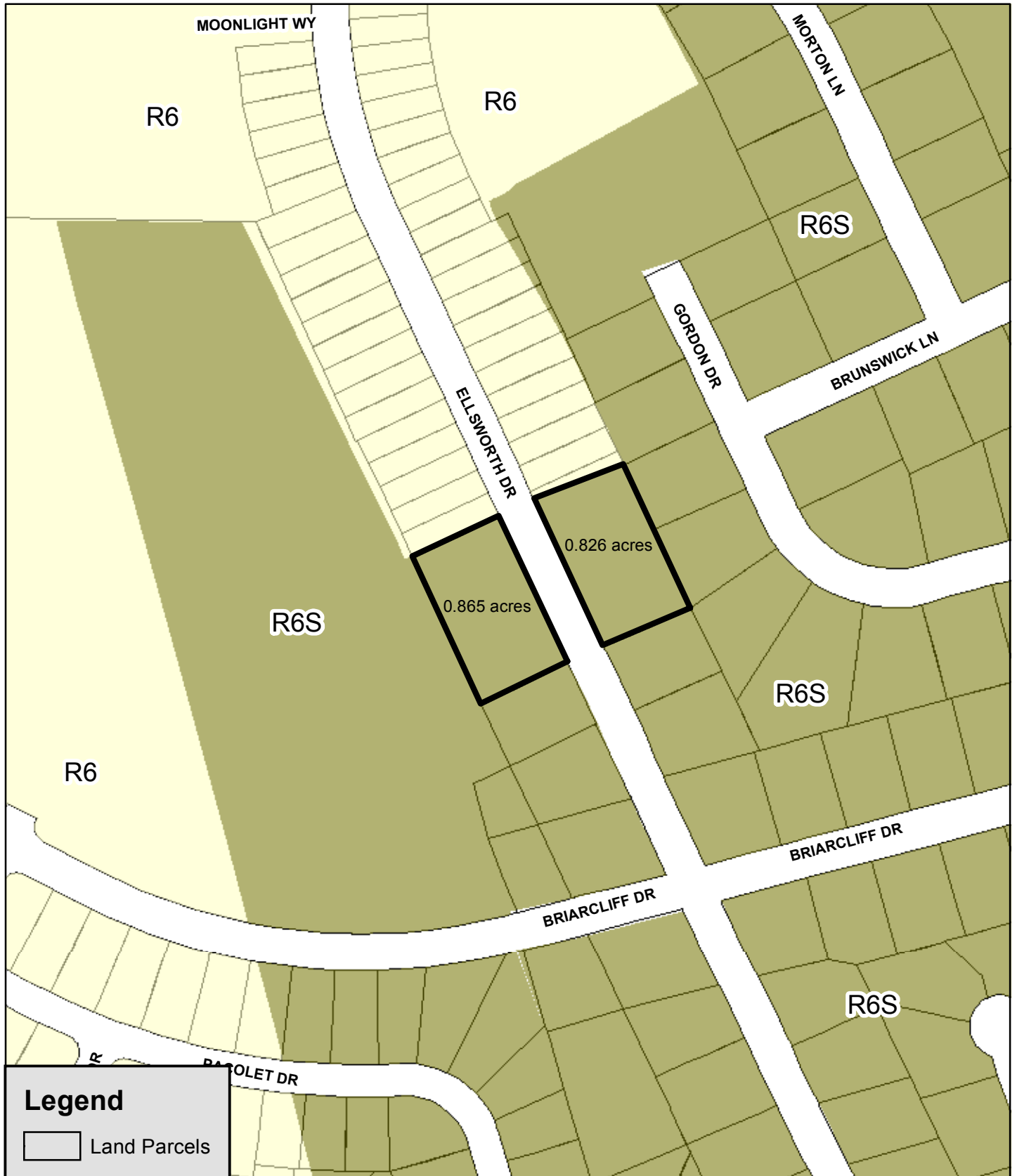
Synergy Properties, LLC

Total acres: 1.691


From: R6S

To: R6

August 6, 2018



**Legend**

 Land Parcels

**Synergy Properties, LLC**

**Total acres: 1.691**

**From: R6S**

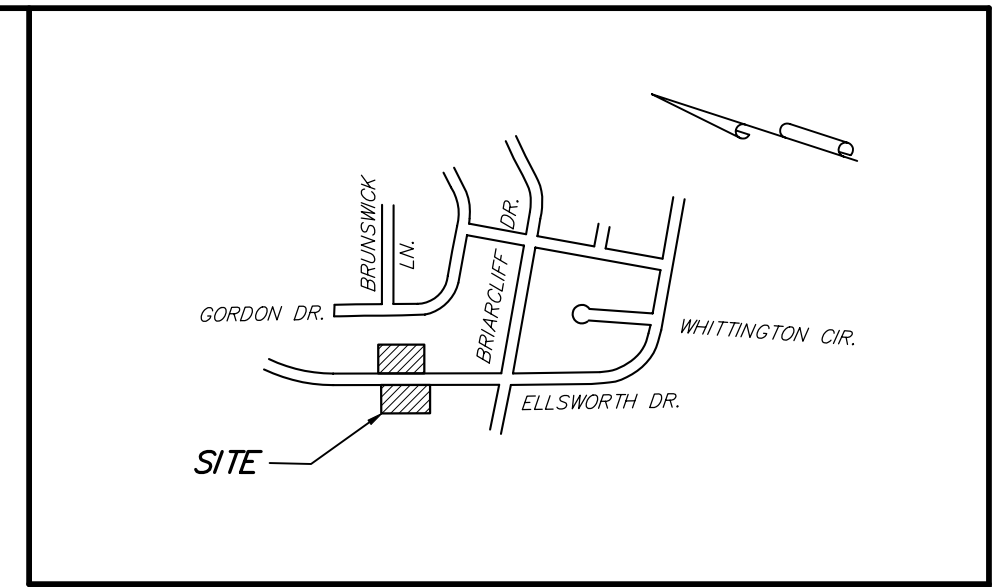
**To: R6**

**August 6, 2018**

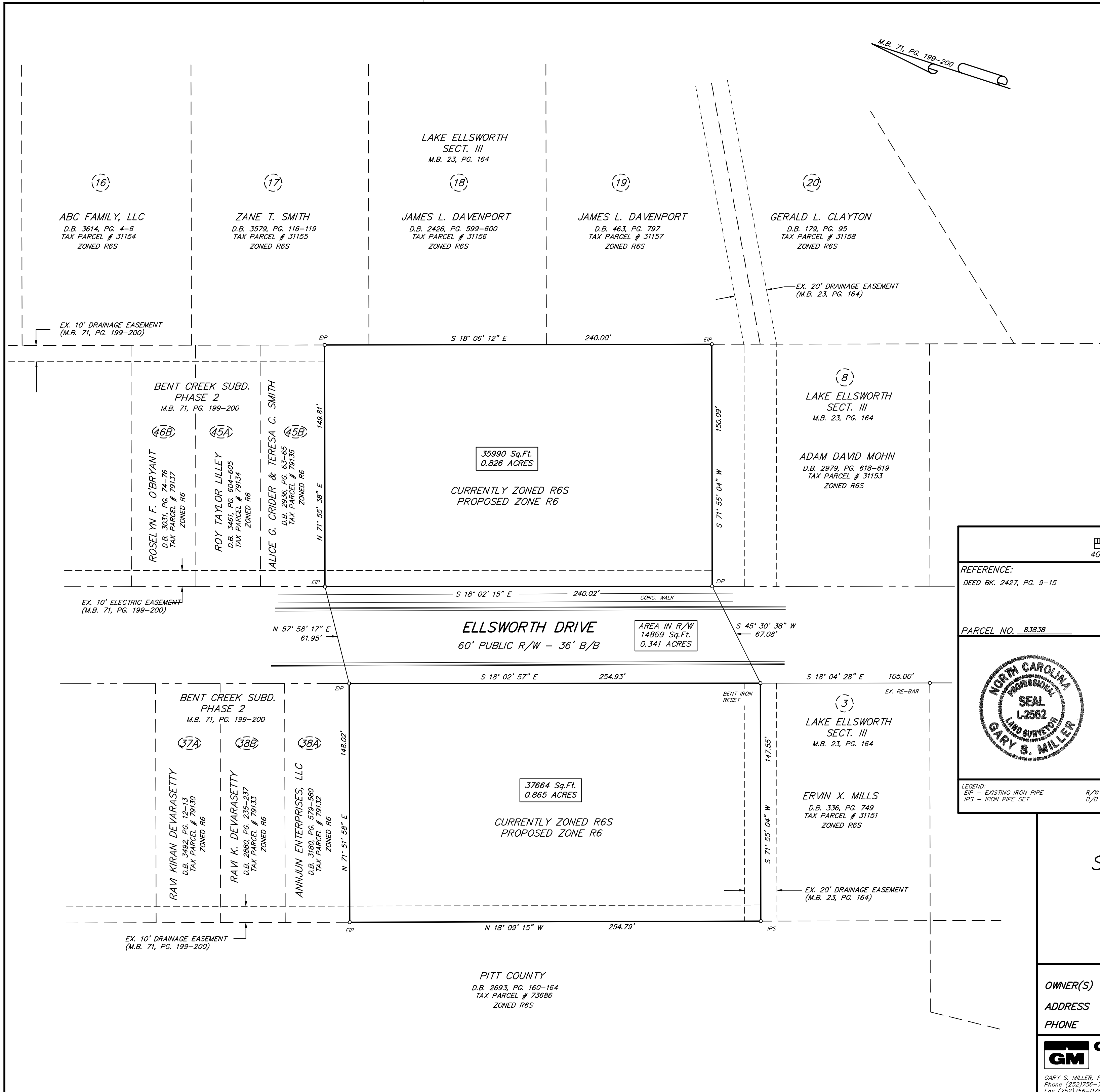


**Legend**

Land Parcels



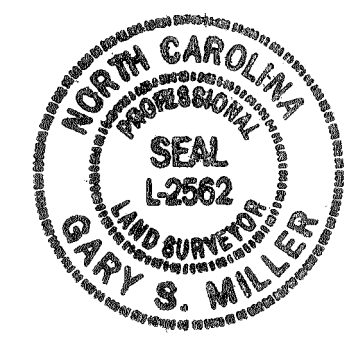
VICINITY MAP 1" = 1,000'



REFERENCE:  
DEED BK. 2427, PG. 9-15

PARCEL NO. 83838

I, Gary S. Miller, certify to the following:  
This survey is of an existing parcel or parcels of land and does not create a new street or change an existing street;  
that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 2427, Page 9-15 or other reference source \_\_\_\_\_); that the boundaries not surveyed are indicated as drawn from information in Book \_\_\_\_\_, Page \_\_\_\_\_ or other reference source SEE REF. \_\_\_\_\_; that the ratio of precision or positional accuracy is 1:10,000+; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600).  
Witness my hand and seal this 19th day of JULY, 2018.



Signed \_\_\_\_\_  
Professional Land Surveyor No. L-2562

LEGEND:  
EIP - EXISTING IRON PIPE  
IPS - IRON PIPE SET  
R/W - RIGHT OF WAY  
B/B - BACK TO BACK

REZONING MAP FOR  
**SYNERGY PROPERTIES, LLC**  
GREENVILLE, GREENVILLE TOWNSHIP  
PITT COUNTY, NORTH CAROLINA

OWNER(S) SYNERGY PROPERTIES, LLC  
ADDRESS 2131 JUBILEE LANE, WINTERVILLE, NC 28590  
PHONE \_\_\_\_\_

<b>GARY S. MILLER &amp; ASSOCIATES, P.A.</b> LAND SURVEYORS 1803 South Charles Blvd. Greenville, N.C. 27859 Phone (252)756-7878 Fax (252)756-0785 License # C-0225	SURVEYED: MCP	APPROVED: GSM
	DRAWN: BLW	DATE: 07-19-18
CHECKED: GSM	SCALE: 1" = 40'	

<b>EXISTING ZONING</b>	
<b>R6S (RESIDENTIAL-SINGLE-FAMILY) - PERMITTED USES</b>	
(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)
(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	
<b>R6S (RESIDENTIAL-SINGLE-FAMILY) - SPECIAL USES</b>	
(1) General - None	
(2) Residential - None	
(3) Home Occupations	
	a. Home occupation; not otherwise listed
	d. Home occupation; bed and breakfast inn
(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	
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)
t.	Guest house for a college or other institution of higher learning
(9) Repair - None	
(10) Retail Trade - None	
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction - None	
(13) Transportation - None	
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories) - None	
<b>PROPOSED ZONING</b>	
<b>R6 (RESIDENTIAL) - PERMITTED USES</b>	
(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	
(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	
<b>R6 (RESIDENTIAL) - SPECIAL USES</b>	
(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. Group care facility
	n. Retirement center or home
	o(1). Nursing, convalescent or maternity home; minor care facility
	p. Board or rooming house
	r. Fraternity or sorority house
(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 - 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)
	m. Multi-purpose center
	t. Guest house for a college or other institution of higher learning
(9) Repair - None	
(10) Retail Trade - None	
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	

(12) Construction - None	
(13) Transportation - None	
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories) - None	



## 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: 8/21/2018  
Time: 6:00 PM

---

**Title of Item:** Ordinance to amend the Zoning Ordinance by amending the Water Supply Watershed Overlay District Standards - Zoning Ordinance Text Amendment

**Explanation:** **Abstract:** The City of Greenville received a text amendment application from Mr. Steve Janowski, P.E., of Rivers and Associated, Inc. that proposes amendments to the zoning ordinance's Water Supply Watershed (WS) Overlay District Standards in Sec. 9-4-197.

**Explanation:** The City of Greenville received a text amendment application from Mr. Steve Janowski, P.E., of Rivers and Associated, Inc. that proposes amendments to the zoning ordinance's Water Supply Watershed (WS) Overlay District Standards in Sec. 9-4-197.

Engineers from the City's Public Works Department, Engineering Division met with the applicant, conferred with the State of North Carolina, and drafted revised regulations in response to Mr. Janowski's original application. Mr. Janowski accepted to substitute his original text amendments with the Engineering Division's recommended changes.

The proposed text amendments (Exhibit A) illustrates the proposed amendments City staff and the applicant are in agreement to put forward for the Planning and Zoning Commission's consideration. Existing language proposed to be deleted are denoted with stricken text and new language proposed to be added are denoted with underlined text. This application proposes revisions to make the City of Greenville ordinance current with State law while updating the regulations so that they are more enforceable for city staff.

Map 1, Watershed Protection Area, identifies the location of the existing Water Supply Watershed (WS) Overlay District subject to existing and proposed standards within the City of Greenville Extraterritorial Jurisdiction (ETJ). The

map illustrates the critical areas and the protected areas referenced in Sec. 9-4-197(C)

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

Chapter 5, Creating Complete Neighborhoods, Goal 5.4. Neighborhoods that Coexist with Nature

*Policy 5.4.2. Retain Existing Topography as Land is Developed  
Promote neighborhood designs that work with the existing topography. Discourage projects that rely heavily on making grade adjustments, including so-called cut-and-fill projects that level the heights of a site to fill the lowlands, creating a flat plain for construction. Preserving existing hydrology protects the watershed and reduces stormwater hazards.*

Chapter 6, Fostering a Resilient City, Goal 6.1. Environmental Conservation

*Policy 6.1.3. Preserve Natural Infrastructure  
Preserve valued open space in floodplains and other environmentally-sensitive areas through regulations including overlay districts, incentives, conservation easements, and/or public acquisition. Conserve and grow contiguous forests.*

**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:

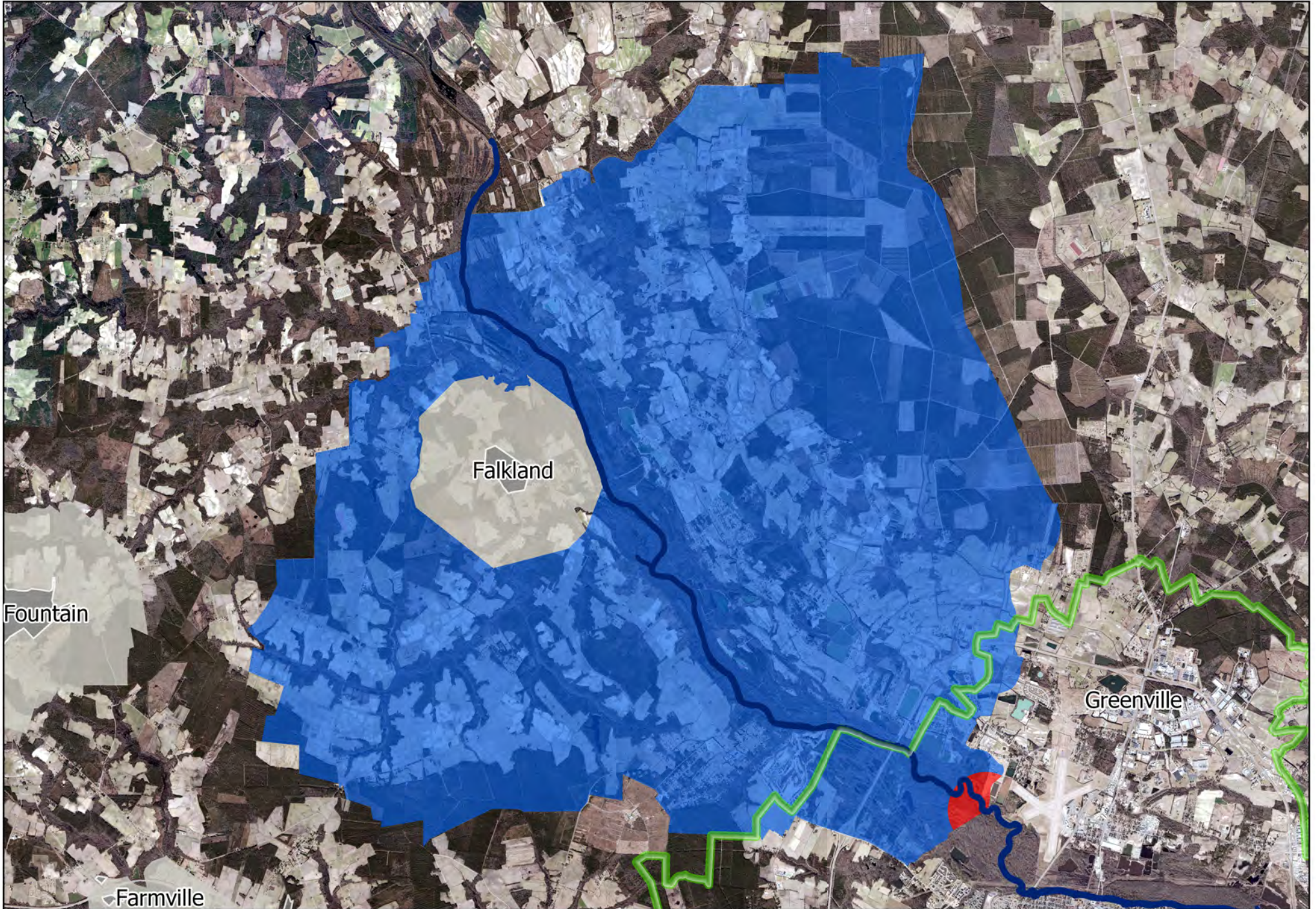
"Motion to recommend denial of the proposed text amendment, to advise that it is inconsistent with the comprehensive plan, and to adopt the staff report which addresses plan consistency and other matters."

---

**ATTACHMENTS:**

Attachments to Staff Report

### Map 1: Water Supply Watershed Overlay



**EXHIBIT A: Proposed Zoning Ordinance Text Amendments**

*Doc. #1086264*

**SEC. 9-4-197 WATER SUPPLY WATERSHED (WS) OVERLAY DISTRICT STANDARDS.**

*(A) Purpose and intent; definition.*

(1) The purpose of the Water Supply Watershed (WS) Overlay District and the standards set forth under this section are to protect and manage surface water supply watersheds pursuant to the Water Supply Watershed Act of 1989 and G.S. 143-214.5, as amended.

(2) The standards contained herein shall be in addition to the standards of the underlying zoning district(s).

(3) For purposes of this section a Water Supply Watershed (WS) District is defined as an overlay zoning district which controls development density and intensity through minimum lot area and maximum impervious surface coverage (built-upon area) standards within the regulated water supply watersheds.

*(B) Regulated area.*

(1) The provisions of this section shall apply within the areas designated as a surface water supply watershed by the North Carolina Environmental Management Commission and as illustrated on the map entitled, "Watershed Protection Map of Pitt County, North Carolina," which is incorporated herein by reference.

(2) The regulated area(s) are hereby adopted by reference as overlay zoning district(s) entitled "Water Supply Watershed (WS) District" and included on the official zoning map of the city. Where any discrepancy is found to exist as to the boundaries of the regulated area(s) as illustrated and described by and between the official zoning map of the City of Greenville and the "Watershed Protection Map of Pitt County, North Carolina," the more restrictive shall apply.

(3) The regulated area is hereby further divided into two districts entitled "Water Supply Watershed – Critical (WS-C)" and "Water Supply Watershed - Protected (WS-P)." The boundaries of these districts are illustrated and described on the map entitled "Watershed Protection Map of Pitt County, North Carolina," and the official zoning map of the City of Greenville.

(4) The provisions of this section shall apply to regulated area(s) both within the city limits and within the extraterritorial zoning jurisdiction of the city as amended.

*(C) Watershed classification.*

(1) The Environmental Management Commission of North Carolina has classified all surface water supply watersheds within the city's zoning jurisdiction as WS-IV. The Commission has further divided the regulated area as described herein into critical and protected areas.

(2) Critical areas (WS-C) are defined as the area adjacent to a water supply intake where the risk associated with pollution is greater than from remaining portions of the watershed. The critical area, as illustrated on the Watershed Protection Map, extends

one-half mile upstream from the intake located directly in the river, or to the ridge line of the watershed, whichever comes first.

(3) Protected areas (WS-P) are defined as those areas adjoining and upstream of the critical area in which protection measures are required. The boundaries of the protected area extend ten miles upstream and draining to the intake located directly from the river, or to the ridge line of the watershed, whichever comes first.

*(D) Applicability.* All new development activities, commenced after the effective date (July 1, 1993) of this section, requiring a sedimentation and erosion control plan shall comply with the provisions of this section.

*(E) Exemptions.*

(1) Single-family dwelling or addition(s) thereto located on an individual lot of record established prior to the effective date (July 1, 1993) of this section.

(2) Existing development as defined and regulated in accordance with Article C of this chapter.

(3) Completion of nonconforming projects allowed in accordance with Article C of this chapter.

(4) [Additional exclusions as defined in 15A NCAC 02B .0624 \(3\).](#)

*(F) Certificates of watershed protection compliance.*

(1) The ~~Director of Community Development~~ City Engineer or his or her designated representative is hereby authorized to issue certificates of watershed protection compliance for activities subject to this section.

(2) A certificate of watershed protection compliance shall be required for all activities within the regulated area in addition to other zoning compliance permits or other approvals as may be required. No land disturbing activity within the regulated area shall begin until a certificate of watershed protection compliance has been issued in accordance with this section.

(3) Subdivision plats and site plans approved after the effective date (July 1, 1993) of this section shall be subject to the following requirements.

(a) The boundaries of the Water Supply Watershed Protected (WS-P) and Critical (WS-C) Districts shall be indicated on all preliminary and final subdivision plats and site plans.

(b) Where any portion of land proposed for subdivision lies within a Watershed Protection District a certificate of watershed protection compliance shall be included on all final subdivision plats. The certificate shall read as follows:

Certificate of Approval for Recording



I certify that the final plat shown hereon complies with the Water Supply Watershed Overlay District standards in accordance with Title 9, Chapter 4, Zoning of the Greenville City Code and is approved for recordation in the Register of Deeds.

\_\_\_\_\_  
Chairperson, Subdivision Review Board          Date

Notice: This property, or part indicated, is located within a Public Water Supply Watershed and development restrictions may apply.

(c) Where any portion of land proposed for development lies within a watershed protection district a certificate of watershed protection compliance signed and sealed by a professional engineer shall be included on all site development plans. The certificate shall read as follows:

Certificate of Watershed Protection Compliance

I, \_\_\_\_\_, hereby certify that the site development plan shown hereon complies with the Water Supply Watershed Overlay District standards in accordance with Title 9, Chapter 4, Zoning of the Greenville City Code.

\_\_\_\_\_  
Signature                                  Date

SEAL:

(G) *Enforcement.* The ~~Building Inspector~~ City Engineer or his or her authorized representative is hereby designated by the City Council as its agent for the enforcement of these regulations.

(H) *Development restrictions.*

(1) Critical area (WS-C). Low density option:

(a) Single-family residential development shall not exceed two dwelling units per gross acre on a project-by-project basis. No single-family residential lot shall be less than one-half acre or 20,000 square feet in area, excluding street rights-of-way, except as provided under section 9-4-197(H)(3) for cluster development.

(b) All other residential and nonresidential development shall not exceed 24% built-upon area on a project-by-project basis. For purposes of calculating built-upon area, total project area shall include total acreage in the tract on which the project is to be developed.

(2) Protected area (WS-P). Low density option:

(a) Single-family residential development shall not exceed two dwelling units per gross acre on a project-by-project basis. No single-family residential lot shall be less than one-half acre or 20,000 square feet in area, excluding street rights-

of-way, or 15,000 square feet in area, excluding street rights-of-way, for projects without curb and gutter street construction and an underground piped storm drainage system, except as provided under section 9-4-197(H)(3) for cluster development and section 9-4-197(H)(4) for high density development.

(b ) Except as otherwise provided, all other residential and nonresidential development shall not exceed 24% built-upon area on a project-by-project basis. For projects without curb and gutter street construction and an underground piped storm drainage system, development shall not exceed 36% built-upon area on a project-by-project basis. For purposes of calculating built-upon area, total project area shall include total acreage in the tract on which the project is to be developed.

(3) Clustering. Clustering of development shall be allowed on a project-by-project basis subject to all of the following requirements:

(a) Overall density of the project shall meet the associated density or stormwater runoff requirements of the controlling water supply watershed district classification, WS-C or WS-P;

(b) Single-family detached residential developments shall be subject to the provisions of Article F and Article M of this chapter;

(c) Two-family attached (duplex) residential developments shall be subject to the provisions of Article F of this chapter;

(d ) Multi-family residential developments shall be subject to the provisions of Article I of this chapter;

(e) Mobile home development shall be subject to the provisions of Article F and Article H of this chapter;

(f) Nonresidential developments shall be subject to the provisions of Article F of this chapter;

(g) Built-upon areas shall be designed and cited to minimize stormwater runoff impact to the receiving waters and to minimize concentrated stormwater flow in accordance with best management practices in the opinion of the City Engineer; and

(h ) The area by which each lot is reduced below the minimum lot area requirement of this section shall be reserved as perpetual open space. Such open space shall be set forth by description and notation upon a final subdivision map and any development or other land disturbing activity shall be prohibited within the area. Specifically, the open space area shall be perpetually maintained in its vegetated or natural state.

(4) Protected area (WS-P). High density option: Where new development exceeds the low density limits provided in section 9-4-197(H)(2), engineered stormwater controls

shall be used to control stormwater runoff from the development site and development shall not exceed 70% built-upon area. High density development shall meet the requirements of Section 9-4-197(O) and 15A NCAC 02B .0624 (7).

*(I) Buffer area required.*

(1) A vegetative buffer, as measured from top of bank, shall be required for new development activities along each side of all perennial waters indicated on the most recent versions of the U.S.G.S. 1:24,000 (7.5 minute) scale topographical maps, or as determined by local government studies, in accordance with the following:

Low density option - Minimum ~~30~~50 feet.

High density option – Minimum 100 feet.

(2) No new development is allowed in the buffer area except for water dependent structures, other structures such as flag poles, signs and security lights which result in only diminutive increase in impervious area and public projects such as road crossings and greenways where no practicable alternative exists. These activities should minimize built-upon area, direct runoff away from the surface waters and maximize the utilization of stormwater best management practices.

(3) Desirable artificial streambank or shoreline stabilization may be permitted.

(J) Prohibited uses. Regardless of the underlying zoning district, the following uses are prohibited in the Water Supply Watershed - Critical (WS-C) District.

(1) Landfills; and

(2) Sites for land application of residual or petroleum contaminated soils.

*(K) Variances.*

(1) Prior to final consideration by the Board of Adjustment as authorized by Article S of this chapter, all major variance requests shall be reviewed by the N.C. Environmental Management Commission. For purposes of this section a “major variance” is defined as:

(a) Any variance that constitutes greater than a 10% deviation from any numerical standard specified by this section; or

(b) Any variance to any standard set forth under the high density development option.

(2) The Board of Adjustment shall not be authorized to grant or approve any major variance which has not first been reviewed by and received approval of the N.C. Environmental Management Commission.

(3) Prior to Board of Adjustment consideration of any variance the Director of Community Development or his or her designated representative shall notify in writing each local government having jurisdiction within the subject watershed and each local government or other entity using the watershed for water consumption, including

private water corporations and the like. The notice shall contain a copy of the complete application as submitted, including a description of the variance and any required map. The local government(s) and/or other entities may submit written comments for consideration by the Board of Adjustment.

(4) The findings and recommendation of the N.C. Environmental Management Commission and any written comments of the local government(s) having jurisdiction within the subject watershed shall be made a part of the findings of fact and record of the Board of Adjustment. Such findings, recommendations and written comments and other competent evidence as may be presented shall be considered by the Board of Adjustment in accordance with law.

(5) If an application calls for the granting of a major variance, and if the Board of Adjustment decides in favor of granting the variance, the Board shall prepare a preliminary record of the hearing. The preliminary record of the hearing shall include: the variance application; the hearing notices; the evidence presented; motions, offers of proof, objections to evidence, and rulings on them; proposed findings and exceptions; and the proposed decision, including all conditions proposed to be added to the permit. The preliminary record shall be sent to the Environmental Management Commission for its review as follows:

(a) If the Commission concludes from the preliminary record that the variance qualifies as a major variance and that both the property owner can secure no reasonable return from, nor make any practical use of the property unless the proposed variance is granted; and the variance, if granted, will not result in a serious threat to the water supply; then the Commission shall approve the variance as proposed or approve the proposed variance with conditions and stipulations. The Commission shall prepare a commission decision and send it to the Board of Adjustment. If the Commission approves the variance as proposed, the Board shall prepare a final decision granting the proposed variance. If the Commission approves the variance with conditions and stipulations, the Board shall prepare a final decision, including such conditions and stipulations, granting the proposed variance.

(b) If the Commission concludes from the preliminary record that the variance qualifies as a major variance and that either: the property owner can secure a reasonable return from or make a practical use of the property without the variance, or the variance, if granted, will result in a serious threat to the water supply, then the Commission shall deny approval of the variance as proposed. The Commission shall prepare a Commission decision and send it to the Board of Adjustment. The Board shall prepare a final decision denying the variance as proposed.

*(L) Amendment.* Amendment to the Water Supply Watershed Overlay District regulations as contained herein shall be filed with the N.C. Division of Environmental Management and the N.C. Division of Community Assistance. No amendment shall become effective until the city has received approval from the state as provided by law and the applicable water supply watershed protection rules.

*(M) Record of amendments and variances.*

(1) Amendments. The Director of Community Development or his or her designated representative shall keep a record of amendments to this section and provide copies of all amendments upon adoption to the Supervisor of the Classification and Standards Group, Water Quality Section, Division of Environmental Management, the N.C. Division of Environmental Health, and the N.C. Division of Community Assistance.

(2) Variances. The Director of Community Development or his or her designated representative shall keep a record of all variances from this section. This record shall be submitted to the Supervisor of the Classification and Standards Group, Water Quality Section, Division of Environmental Management on or before January 1 of each year and shall provide a description of each project receiving a variance and the reasons for granting the variance.

*(N) Compliance with subdivision standards.* All development regulated in accordance with this section shall be subject to the requirements, conditions and restrictions of the subdivision regulations whether or not the subject tract is actually divided for the purpose of transferring title.

*(O) Stormwater management requirements.*

(1) All stormwater management techniques and improvements shall be in accordance with best management practices (BMPs). For purposes of this section, "best management practices (BMPs)" are defined as structural or nonstructural management-based practice used singularly or in combination to reduce nonpoint source inputs to receiving waters in order to achieve water quality protection goals.

(2) Stormwater controls shall be reviewed, regulated and improved pursuant to Title 9, Chapter 9, Stormwater Management and Control, of the Greenville City Code.