



Agenda

Greenville City Council

February 14, 2019

6:00 PM

City Hall Council Chambers

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 - Mayor Connelly**
- III. Pledge of Allegiance**
- IV. Roll Call**
- V. Approval of Agenda**
- VI. Public Comment Period**

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

VII. Special Recognitions

1. Tim Langley - Police Department Retiree

VIII. Appointments

2. Appointments to Boards & Commissions

IX. New Business

Public Hearings

3. Ordinance to annex Grey Fox Run, Phase 2 involving a total of 2.2018 acres located along Bluebill Drive and 450+/- feet east of Kittrell Farms Duplexes
4. Ordinance to annex property owned by the City of Greenville involving 9.57 acres located along the western right-of-way of the CSX Railroad and north of West Fire Tower Road
5. Ordinance requested by Carolina Penn Investment Group, LLC to rezone a total of 0.939 acres located along West 3rd Street between South Pitt Street and the CSX Railroad from CDF (Downtown Commercial Fringe) and R6 (Residential [High Density Multi-family]) to CD (Downtown Commercial)
6. Ordinance requested by Happy Trail Farms, LLC to rezone 10.066 acres located between Stantonsburg Road and the Norfolk Southern Railroad and west of the Southwest Bypass from RA20 (Residential-Agricultural) to I (Industry)
7. Ordinance requested by Bent Creek Farms, LLC to rezone 1.362 acres located along the western right-of-way of Allen Road and 400+/- feet north of Woodridge Park Drive from RA20 (Residential-Agricultural) to CH (Heavy Commercial)
8. Ordinance requested by Craig F. Goess and Craig M. Goess to rezone 7.687 acres located on the northwestern corner of the intersection of West Arlington Boulevard and Dickinson Avenue from MCG (Medical-General Commercial) to MCH (Medical-Heavy Commercial)
9. Ordinance requested by Bobby W. Joyner to rezone 12.943 acres located along the northern right-of-way of East Fire Tower Road and adjacent to Meeting Place Subdivision from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family])
10. Ordinance initiated by the Greenville City Council to amend the Greenville Future Land Use and Character Map for the area located adjacent to the East Carolina University (ECU) Main Campus roughly between East 5th Street and Shady Lane and 130+/- feet west of Maple Street containing 0.90+/- acres from University/Institutional (UI) to Traditional Neighborhood, Medium-High Density (TNMH)

11. Resolution to Close an alleyway located on the east side of Cedar Lane and south of East Tenth Street
12. Resolution to Close an alleyway located on the east side of East Rock Spring Road and south of East Tenth Street
13. Ordinance to amend City Code Title 9, Chapter 7, Section 9-7-12 Powers of Preservation Commission

X. City Manager's Report

XI. Comments from Mayor and City Council

XII. Adjournment



City of Greenville, North Carolina

Meeting Date: 2/14/2019
Time: 6:00 PM

Title of Item: Appointments to Boards & Commissions

Explanation: **Abstract:** The City Council fills vacancies and makes appointments on the City's boards and commissions. Appointments are scheduled to be made to nine of the boards and commissions.

Explanation: City Council appointments need to be made to the Affordable Housing Loan Committee, Community Appearance Commission, Environmental Advisory Commission, Greenville Bicycle and Pedestrian Commission, Historic Preservation Commission, Human Relations Council, Recreation & Parks Commission, Redevelopment Commission, and the Youth Council.

The City Council updated the Board and Commission Policy on October 9, 2017. A provision for extended vacancies was included:

Nominations for Extended Vacancies

In the event there is a vacancy on a City board or commission which has been on the City Council agenda for appointment by City Council for more than three (3) calendar months in which a regular City Council meeting has been held, then any Council Member may make a nomination to fill the vacancy without regard to any other provision relating to who has the authority to make the nomination. If there is more than one nomination, the appointment shall be conducted in accordance with the procedure for nominations and elections in Robert's Rules of Order.

Under this provision, the following seats are open to nominations from the City Council:

- Durk Tyson - Environmental Advisory Commission, Engineer Seat
- Heena Shah - Human Relations Council
- Maurice Whitehurst - Human Relations Council, Pitt Community College Seat
- Jermaine McNair, Police Community Relations Committee
- Leonard Naipaul, Police Community Relations Committee

Fiscal Note: No direct fiscal impact.

Recommendation: Make appointments to the Affordable Housing Loan Committee, Community Appearance Commission, Environmental Advisory Commission, Greenville Bicycle and Pedestrian Commission, Historic Preservation Commission, Human Relations Council, Recreation & Parks Commission, Redevelopment Commission, and the Youth Council.

ATTACHMENTS:

☐ **Muni_Report_Appointments_to_Boards_and_Commissions_998631**

Appointments to Boards and Commissions

February 2019

Affordable Housing Loan Committee

Council Liaison: Council Member Monica Daniels

Name	District #	Current Term	Reappointment Status	Expiration Date
David Campbell	2	First term	Eligible	January 2019

Community Appearance Commission

Council Liaison: Council Member Rick Smiley

Name	District #	Current Term	Reappointment Status	Expiration Date
Byron Aynes	4	Filling unexpired term	Resigned	April 2020
Karen Brookins	3	Filling unexpired term	Resigned	July 2021

Environmental Advisory Commission

Council Liaison: Council Member Brian Meyerhoeffler, Jr.

Name	District #	Current Term	Reappointment Status	Expiration Date
Nathaniel Hamilton	5	Filling unexpired term	Resigned	April 2019
<i>(An educator of the natural or physical sciences, or physician)</i>				

Durk Tyson	4	Filling unexpired term	Resigned	April 2018
<i>(Professional Engineer)</i>				

Greenville Bicycle & Pedestrian Commission

Council Liaison: Council Member Will Bell

Name	District #	Current Term	Reappointment Status	Expiration Date
Corina Jury	3	First term	Not seeking 2 nd term	January 2019

Connor Tanferno 3 First term Resigned January 2021

Historic Preservation Commission

Council Liaison: Council Member William Litchfield

Name	District #	Current Term	Reappointment Status	Expiration Date
Troy Demers	3	Filling unexpired term	Resigned	January 2021
Christopher Nunnally	3	Filling unexpired term	Eligible	January 2019

Human Relations Council

Council Liaison: Mayor Pro-Tem Rose Glover

Name	District #	Current Term	Reappointment Status	Expiration Date
Heena Shah	1	Second term	Ineligible	Sept. 2018
Maurice Whitehurst <i>(Pitt Community College)</i>	2	Second term	Did not meet attendance Requirement	Oct. 2015

Recreation & Parks Commission

Council Liaison: Council Member Monica Daniels

Name	District #	Current Term	Reappointment Status	Expiration Date
Ebonee Downey <i>(Mayor Pro-Tem Rose Glover)</i>	1	Filling unexpired term	Resigned	May 31, 2020

Redevelopment Commission

Council Liaison: Council Member Will Bell

Name	District #	Current Term	Reappointment Status	Expiration Date
Tracie Gardner <i>(Council Member Rick Smiley)</i>	3	Final term	Resigned	Nov. 14, 2020

Youth Council

Council Liaison: Mayor Pro-Tem Rose Glover

Name	Current Term	Reappointment Status	Expiration Date
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5 spots open

*Seats that are open to nomination from the City Council are highlighted.

Applicants for Affordable Housing Loan Committee

None.

Applicants for Community Appearance Commission

Gregory Hemby
1410 W. 6th Street
Greenville, NC 27834

Application Date: 4/22/2018

Home Phone: (202) 412-4369

Business Phone:

Email: hembyg@gmail.com

District #: 1

Applicants for Environmental Advisory Commission

Orrin Allen Beasley
3601 Live Oak Lane
Greenville, NC 27858

Application Date: 12/8/2015

District #: 5

Home Phone: (252) 216-6099
Business Phone: (252) 216-6099
Email: oab0119@gmail.com

Eric Hogue
2911 Tripp Lane
Greenville, NC 27834

Application Date: 9/01/2017

District #: 1

Home Phone:
Business Phone: (252) 375-1445
Email: ericdhogue@gmail.com

Derrick C Smith
2203 Crooked Creek Road
Greenville, NC 27858

Application Date: 1/7/2019

District #: 4

Home Phone: (252) 714-3034
Business Phone: (252) 757-1096
Email: dsmith@thewootencompany.com

Applicants for

Greenville Bicycle & Pedestrian Commission

John A. Kohler
412 Oxford Road
Greenville, NC 27858

Application Date: 10/18/2018

District #: 4

Home Phone: (843) 576-9798

Business Phone: (252) 744-2637

Email: john.kohler.sr@gmail.com

Applicants for Historic Preservation Commission

Jeremy Miller
2005B Coleman Dr.
Greenville, NC 27834

District #: 5

Charles Ogletree
2072 G Quail Ridge Road
Greenville, NC 27858

District #: 4

Application Date: 11/27/2018

Home Phone: (252) 751-3392
Business Phone: (252) 752-1100 x. 38219
Email: Jermiller12@gmail.com

Application Date: 8/24/2017

Home Phone: (252) 689-4771
Business Phone: (252) 796-7379
Email: cwounc1962@gmail.com

Applicants for Human Relations Council

Eric Hogue
2911 Tripp Lane
Greenville, NC 27834

District #: 1

Alaric Martin
3195 Boardwalk Lane Apt. #9
Greenville, NC 27834

District #: 2

Travis Williams
3408 Evans Street Apt. E
Greenville, NC 27834

District #: 5

Keshia B. Williams
945 Spring Forest Rd.
Greenville, NC

District #: 4

Stephanie Winfield
1103 Red Banks Road
Greenville, NC

District #: 4

Application Date: 9/01/2017

Home Phone:
Business Phone: (252) 375-1445
Email: ericdhogue@gmail.com

Application Date: 9/4/2018

Home Phone: (919) 924-1631
Business Phone:
Email: amartin@gmail.com

Application Date: 4/16/2017

Home Phone: (252) 412-4584
Business Phone:
Email: taft1986@yahoo.com

Application Date: 4/24/2018

Home Phone: 252-558-3620
Business Phone:
Email: williak5@pitt.k12.nc.us

Application Date: 7/14/2017

Home Phone:
Business Phone:
Email: ladona12@gmail.com

Applicants for Recreation and Parks Commission

Gregory Hemby
1410 W. 6th Street
Greenville, NC 27834

District #: 1

Anna L. Logemann
1105 Turtle Creek Road Unit G
Greenville, NC 27858

District #: 4

Anthony Mizzelle
1988-B Hyde Drive
Greenville, NC 27858

District #: 4

Christopher Powell
108 B Chandler Drive
Greenville, NC 27834

District #: 1

Application Date: 4/22/2018

Home Phone: (202) 412-4369

Business Phone:

Email: hembyg@gmail.com

Application Date: 4/26/2017

Home Phone: (336) 624-6514

Business Phone:

Email: annlogemann85@gmail.com

Application Date: 5/28/2016

Home Phone: (252) 215-9245

Business Phone: (252) 290-5515

Email: anthonymizzelle.am@gmail.com

Application Date: 6/24/2016

Home Phone: (252) 714-0286

Business Phone:

Email: christopherpowell@yahoo.com

Applicants for Redevelopment Commission

Anna L. Logemann
1105 Turtle Creek Road Unit G
Greenville, NC 27858

District #: 4

Application Date: 4/26/2017

Home Phone: (336) 624-6514

Business Phone:

Email: annlogemann85@gmail.com

Deryck Steven Wilson
1744 Beaumont Drive
Greenville, NC 27858

District #: 4

Application Date: 11/27/2017

Home Phone: (252) 714-5950

Business Phone: (252) 321-5200

Email: deryck.wilson@me.com

Applicants for Youth Council

Lexi Karivanova
JH Rose High School

Javier Limon
JH Rose High School



City of Greenville, North Carolina

Meeting Date: 2/14/2019
Time: 6:00 PM

Title of Item: Ordinance to annex Grey Fox Run, Phase 2 involving a total of 2.2018 acres located along Bluebill Drive and 450+/- feet east of Kittrell Farms Duplexes

Explanation: **Abstract:** The City received a voluntary annexation petition to annex Grey Fox Run, Phase 2 involving a total of 2.2018 acres located along Bluebill Drive and 450+/- feet east of Kittrell Farms Duplexes. The subject area is currently undeveloped and is anticipated to yield 18 townhome lots.

ANNEXATION PROFILE

A. SCHEDULE

1. Advertising date: February 4, 2019
2. City Council public hearing date: February 14, 2019
3. Effective date: June 30, 2019

B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 2.2018
4. Voting District: 5
5. Township: Winterville
6. Zoning: R6 (Residential)

7. Land Use: Existing: Vacant
Anticipated: 18 townhome lots

8. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	18 x 2.18*	39
Current Minority	-----	0
Estimated Minority at full development	39 x 43.4%	17
Current White	-----	0
Estimated White at full development	39-17	22

9. Rural Fire Tax District: Eastern Pines

10. Greenville Fire District: Station #3 (Distance of 3.0 miles)

11. Present Tax Value: \$143,117
Estimated Future Tax Value: \$2,614,590

Fiscal Note: The total estimated tax value at full development is \$2,614,590.

Recommendation: Approve the attached ordinance to annex Grey Fox Run, Phase 2

ATTACHMENTS:

- ☐ **Ordinance_-_Grey_Fox_Run_annexation_1099995**
- ☐ **Survey**

ORDINANCE NO. 19-
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE CITY OF GREENVILLE, NORTH CAROLINA

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

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

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall at 6:00 p.m. on the 14th day of February, 2019, after due notice by publication in The Daily Reflector on the 4th day of February, 2019; and

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

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

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

TO WIT: Being all of that certain property as shown on the annexation map entitled "Grey Fox Run, Phase 2" involving 0.7519 acres as prepared by Stroud Engineering, PA.

LOCATION: Lying and being situated in Winterville Township, Pitt County, North Carolina, located along Bluebill Drive and 450+/- feet east of Kittrell Farms Duplexes.

GENERAL DESCRIPTION:

Lying and being in Winterville Township, Pitt County, North Carolina, lying southwest of NC Highway 43, east of NCSR 1898 Bells Chapel Road and being bounded on the southeast by the northwestern right-of-way of Bluebill Drive as recorded in Map Book 70, Page 25 and being more particularly described as follows:

Beginning at an existing iron pipe on the northwestern right-of-way of Bluebill Drive, the easternmost corner of Common Area 2 as recorded in Map Book 73, Page 129, the true Point of Beginning. Thence from the True Point of Beginning, leaving the northwestern right-of-way of Bluebill Drive and following the northern boundary to Common Area 2 N 58°58'57" W a distance of 43.87 feet to an existing iron stake, thence N 63°24'14" W a distance of 110.56 feet to an existing iron stake, thence leaving the northern boundary of Common Area 2 and following a line for annexation through the lands of Bill Clark Homes of Greenville, LLC (Deed Book 2578, Page 865) the following calls: thence N 02°08'59" E a distance of 118.85 feet, thence N 20°35'44" E a distance of 24.95 feet, thence N 02°20'46" W a distance of 18.11 feet, thence along an arc 220.68 feet to the right, having a radius of 250.00 feet, the chord of which is S 60°59'21" E for a distance of 213.58 feet, thence S 35°42'06" E a distance of 52.66 feet to a point on the northwestern right-of-way of Bluebill Drive, thence along the northwestern right-of-way of Bluebill Drive with an arc 128.80 feet to the left, having a radius of 225.00 feet, the chord of which is S 47°25'01" W for a distance of 127.05 feet to the POINT OF

BEGINNING, containing 0.7519 acres and being a portion of Parcel Number 74321 as filed with the Pitt County Tax Assessor's Office.

Section 2. That by virtue of the authority vested in the City Council of the City of Greenville, North Carolina, under G. S. 160A-31, as amended, the following described contiguous territory is annexed:

TO WIT: Being all of that certain property as shown on the annexation map entitled "Grey Fox Run, Phase 2" involving 1.4499 acres as prepared by Stroud Engineering, PA.

LOCATION: Lying and being situated in Winterville Township, Pitt County, North Carolina, located along Bluebill Drive and 620+/- feet east of Kittrell Farms Duplexes.

GENERAL DESCRIPTION:

Lying and being in Winterville Township, Pitt County, North Carolina, lying southwest of NC Highway 43, east of NCSR 1898 Bells Chapel Road and being bounded on the southeast by the northwestern right-of-way of Bluebill Drive as recorded in Map Book 70, Page 25 and being more particularly described as follows:

Beginning at an existing iron pipe on the northwestern right-of-way of Bluebill Drive, the easternmost corner of Common Area 2 as recorded in Map Book 73, Page 129, leaving the northwestern right-of-way of Bluebill Drive and following the northern boundary to Common Area 2 N 58°58'57" W a distance of 43.87 feet to an existing iron stake, thence N 63°24'14" W a distance of 110.56 feet to an existing iron stake, thence continuing along the northern line of Common Area 2 S 88°15'04" W a distance of 20.05 feet to an existing iron stake, the true Point of Beginning. Thence from the true Point of Beginning, along the northern line of Common Area 2 and along the northernmost boundary of the property recorded in Map Book 83, Page 113 S 86°43'00" W a distance of 180.61 feet, thence leaving the northernmost boundary recorded in Map Book 83, Page 113 and following a line for annexation through the lands of Bill Clark Homes of Greenville, LLC (Deed Book 2578, Page 865) the following calls: N 03°07'58" W a distance of 143.07 feet, thence N 86°52'02" E a distance of 11.48 feet, thence N 03°07'58" W a distance of 213.01 feet to the southern boundary of the Mary Lee Branch Worthington and Vivian Branch property as recorded in Map Book 64, Page 128, thence along their southern line N 86°52'05" E a distance of 173.10 feet, thence leaving the Worthington and Branch property and following the western line of Bill Clark Homes of Greenville, LLC (Deed Book 2278, Page 228) S 02°20'46" E a distance of 212.95 feet, thence S 26°42'30" E a distance of 25.06 feet, thence S 02°08'59" W a distance of 120.21 feet to the POINT OF BEGINNING, containing 1.4499 acres and being a portion of Parcel Number 74325 as filed with the Pitt County Tax Assessor's Office.

Section 3. Territory annexed to the City of Greenville by this ordinance shall, pursuant to the terms of G.S. 160A-23, be annexed into Greenville municipal election district five. The City Clerk, City Engineer, representatives of the Board of Elections, and any other person having responsibility or charge of official maps or documents shall amend those maps or documents to reflect the annexation of this territory into municipal election district five.

Section 4. The territory annexed and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Greenville and shall be entitled to the same privileges and benefits as other territory now within the City of Greenville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 5. The Mayor of the City of Greenville, North Carolina, shall cause a copy of the map of the territory annexed by this ordinance and a certified copy of this ordinance to be recorded in the office of the Register of Deeds of Pitt County and in the Office of the Secretary of State in Raleigh, North Carolina. Such a map shall also be delivered to the Pitt County Board of Elections as required by G.S. 163-288.1.

Section 6. This annexation shall take effect from and after the 30th day of June, 2019.

ADOPTED this 14th day of February, 2019.

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

NORTH CAROLINA
PITT COUNTY

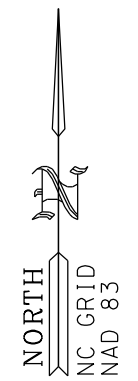
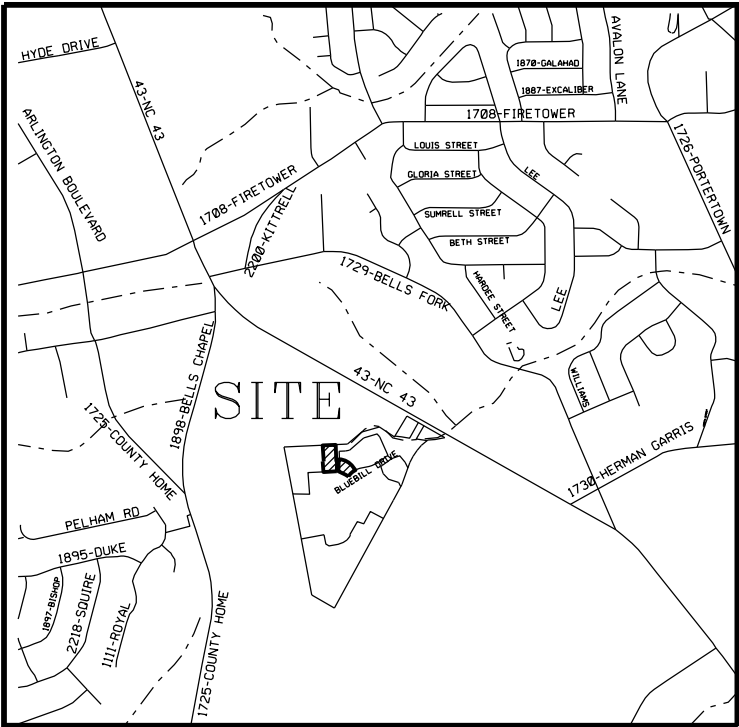
I, Polly Jones, a Notary Public for said County and State, certify that Carol L. Barwick personally came before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument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

WITNESS my hand and official seal this ____th day of _____, 2019.

Notary Public

My Commission Expires: _____

1099995



PARCEL NO. 35554
**MARY LEE BRANCH WORTHINGTON
 & VIVIAN BRANCH**
 ESTATE FILE 03E, SLIDE 284
 DB 2027, PG 111
 MB 64, PG 128

PARCEL NO. 80699
**GREYFOX RUN CLUBHOUSE
 AND POOL ASSOCIATION**
 DB 2856, PG 745
 MB 74, PG 103

PARCEL NO. 77393
**BILL CLARK HOMES
 OF GREENVILLE, LLC**
 DB 2278, PG 228

A PORTION OF
 PARCEL NO. 74325
**BILL CLARK HOMES
 OF GREENVILLE, LLC**
 DB 2578, PG 865

A PORTION OF
 PARCEL NO. 74321
**BILL CLARK HOMES
 OF GREENVILLE, LLC**
 DB 2578, PG 865

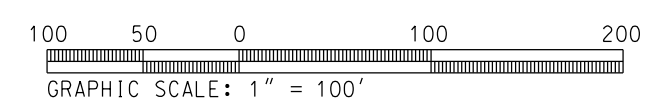
**KITRELL FARMS
 DUPLEXES**
 MB 71, PG 148

GREYFOX SUBDIVISION
 MB 73, PG 129

BLUEBILL DRIVE
 (50' R/W 28' BC/BC PUBLIC)
 MB 70, PG 25

THIS MAP IS EXEMPT FROM GS 47-30
 REQUIREMENTS PER GS 47-30 (j) WHICH
 STATES:
 "THE PROVISIONS OF THIS SECTION
 SHALL NOT APPLY TO BOUNDARY PLATS OF
 STATE LINES, COUNTY LINES, AREAS ANNEXED
 BY MUNICIPALITIES, NOR TO PLATS OF
 MUNICIPAL BOUNDARIES, WHETHER OR NOT
 REQUIRED BY LAW TO BE RECORDED."

LEGEND:
 - - - - - NEW CITY LIMIT LINE
 - - - - - OLD CITY LIMIT LINE
 - - - - - EXISTING CITY LIMIT LINE
 - - - - - PARCEL LINE



A PORTION OF PARCEL NO. 74325 AND A PORTION OF PARCEL NO. 74321 REFERENCE: DB 2578, PG 865

FOR REVIEW ONLY

I, **DEBORAH T. BOYETTE**, CERTIFY THAT THIS
 MAP WAS DRAWN BY **DEE MULLALLY** UNDER
 MY SUPERVISION FROM AN ACTUAL SURVEY
 BY **HOWARD D. BARNUM**; THAT THE BOUNDARIES
 NOT SURVEYED ARE SHOWN AS BROKEN LINES
 PLOTTED FROM INFORMATION FOUND IN DEEDS
 AND MAPS REFERENCED HEREON.

WITNESS MY HAND AND SEAL THIS
 DAY OF _____, 20____.

SIGNED _____
 PROFESSIONAL LAND SURVEYOR L-4146

NORTH CAROLINA, _____ COUNTY
 I, _____, NOTARY
 PUBLIC OF THE COUNTY AND STATE
 AFORESAID, CERTIFY THAT _____
 _____, A PROFESSIONAL LAND
 SURVEYOR, PERSONALLY APPEARED BEFORE
 ME THIS DAY AN ACKNOWLEDGED THE
 EXECUTION OF THE FOREGOING INSTRUMENT.
 WITNESS MY HAND AND OFFICIAL STAMP OR
 SEAL THIS THE _____ DAY OF _____, 20____.

NOTARY PUBLIC _____
 MY COMMISSION EXPIRES _____

NORTH CAROLINA, PITT COUNTY
 THE FOREGOING CERTIFICATE OF _____
 _____, A NOTARY PUBLIC, IS CERTIFIED
 TO BE CORRECT. FILED FOR REGISTRATION
 THIS _____ DAY OF _____, 20____ AT _____ O'CLOCK _____ M.
 JUDY J. TART, REGISTER OF DEEDS
 BY _____
 DEPUTY REGISTER OF DEEDS

GREYFOX RUN, PHASE 2 WINTERVILLE TWP. PITT COUNTY NORTH CAROLINA	
OWNER: BILL CLARK HOMES OF GREENVILLE, LLC 200 E. ARLINGTON BLVD. GREENVILLE, NC 27858 (252) 355-5805	
STROUD ENGINEERING, P.A. 107-B COMMERCE ST. GREENVILLE, NC 27858 (252) 756-9352 LICENSE NO. C-0647	SURVEYED: N/A DRAWN: QM CHECKED: HOB
APPROVED: HOB DATE: 1/31/18 SCALE: 1" = 100'	

MAP NO.	MAPS RECORDED	BOOK	PAGE

MAP SHOWING AREA ANNEXED BY		
THE CITY OF GREENVILLE		
DATE	ORDINANCE NO.	AREA
		2.2018 ACRES



City of Greenville, North Carolina

Meeting Date: 2/14/2019
Time: 6:00 PM

Title of Item:

Ordinance to annex property owned by the City of Greenville involving 9.57 acres located along the western right-of-way of the CSX Railroad and north of West Fire Tower Road

Explanation:

Abstract: The City received a voluntary annexation petition for property owned by the City of Greenville involving 9.57 acres located along the western right-of-way of the CSX Railroad and north of West Fire Tower Road. The subject area contains a utility substation.

ANNEXATION PROFILE

A. SCHEDULE

1. Advertising date: February 4, 2019
2. City Council public hearing date: February 14, 2019
3. Effective date: June 30, 2019

B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 9.57
4. Voting District: 5
5. Township: Winterville
6. Zoning: RA20 (Residential-Agricultural)

7. Land Use: Existing: Utility Substation
Anticipated: Utility Substation

8. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	-----	0
Current Minority	-----	0
Estimated Minority at full development	-----	0
Current White	-----	0
Estimated White at full development	-----	0

9. Rural Fire Tax District: Rural Winterville

10. Greenville Fire District: Station #5 (Distance of 4.0 miles)

11. Present Tax Value: \$185,888
Estimated Future Tax Value: \$14,000,000

Fiscal Note: The total estimated tax value at full development is \$14,000,000.

Recommendation: Approve the attached ordinance to annex City of Greenville property

ATTACHMENTS:

- ❑ **Ordinance_-_City_Owned_PIN_1100388**
- ❑ **Area map**

ORDINANCE NO. 19-
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE CITY OF GREENVILLE, NORTH CAROLINA

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

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

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall at 6:00 p.m. on the 14th day of February, 2019, after due notice by publication in The Daily Reflector on the 4th day of February, 2019; and

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

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

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

TO WIT: Being all of that certain property as shown on the annexation map entitled “City of Greenville” involving 9.57 acres.

LOCATION: Lying and being situated in Winterville Township, Pitt County, North Carolina, located along the western right-of-way of the CSX Railroad and north of West Fire Tower Road.

GENERAL DESCRIPTION:

BEGINNING an iron pipe located in the northern right-of-way line of W. Fire Tower Road (NCSR 1708) as shown on a Plat recorded in Map Book 28, Page 85, of the Pitt County Register, with said point being located as N 88°15'20" W – 25.75 feet from the intersection of the northern right-of-way of W. Fire Tower Road with the western right-of-way of the Seaboard Coastline Railroad; thence, from said located BEGINNING POINT and running along the northern right-of-way of W. Fire Tower Road, N 88°15'20" W – 50.47 feet to an iron pipe; thence N 09°35'35" E – 456.91 feet to an iron pipe; thence, N 07°10'E – 556.50 feet to an iron; thence, S 76°30'E – 50.31 feet to an iron; thence, N 07°10'E – 590.39 feet to an iron pipe; thence, N 72°09'50" E – 511.56 feet to an iron pipe; thence, S 07°03'20" W – 182.55 feet to an iron pipe located in the eastern right-of-way of Seaboard Coastline Railroad; thence running along the railroad right-of-way, S 22°53'40" W – 1,103.24 feet to an iron; thence, leaving the railroad right-of-way, N 74°07'22" W – 166.85 feet to an iron pipe; feet to an iron pipe; thence, S 07°10' W – 139.40 feet to an iron pipe; thence, S 09°35'35" W – 451.09 feet to an iron pipe located in the northern right-of-way line of W. Fire Tower Road, the POINT OF BEGINNING, containing 9.568 acres and being all of the tract of land shown on a plat recorded in Map Book 28, Page 85, having Pitt County Tax Assessor's parcel number 36048.

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

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

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

Section 6. This annexation shall take effect from and after the 30th day of June, 2019.

ADOPTED this 14th day of February, 2019.

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

1100388

NORTH CAROLINA
PITT COUNTY

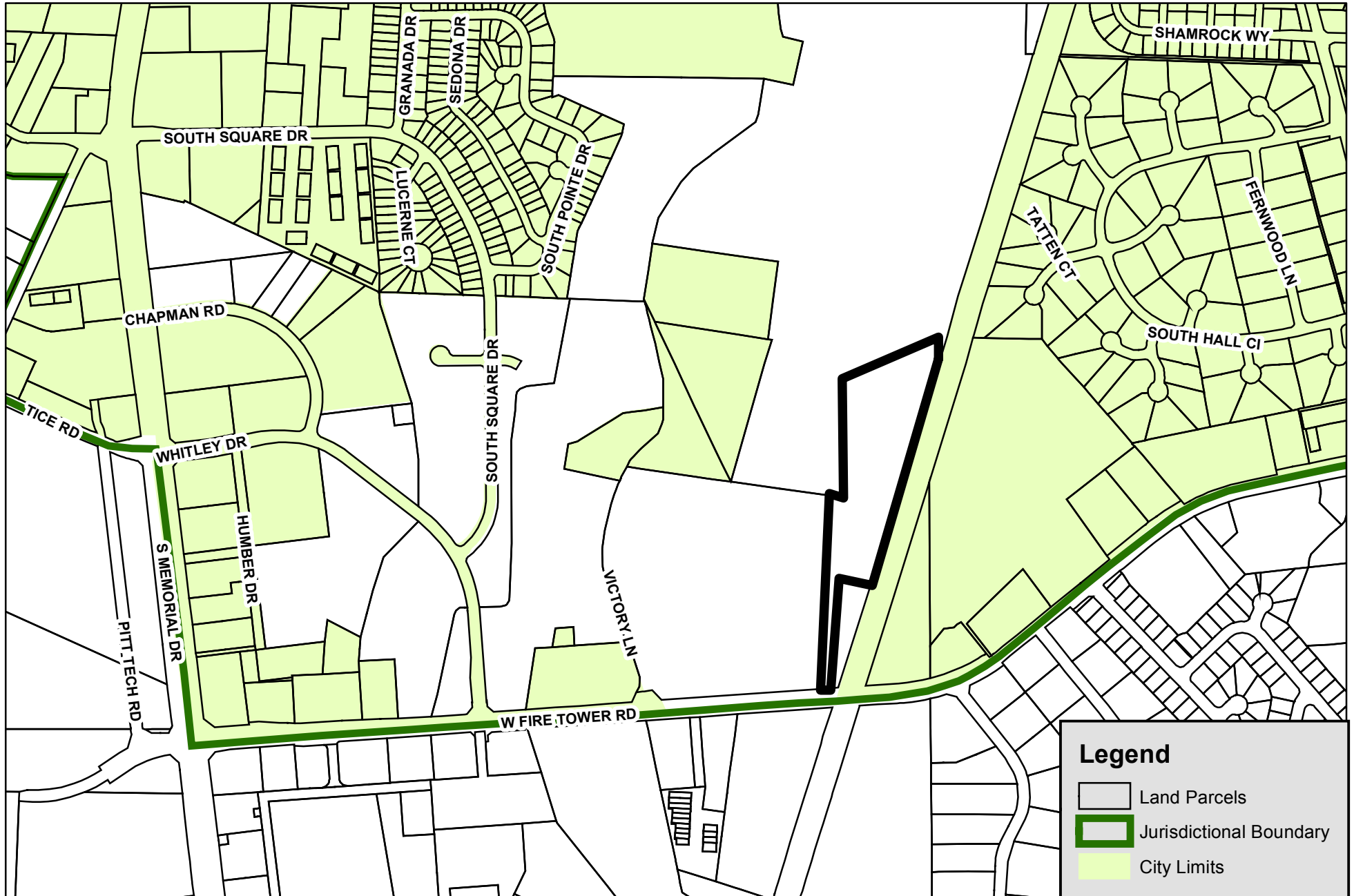
I, Polly Jones, a Notary Public for said County and State, certify that Carol L. Barwick personally came before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument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

WITNESS my hand and official seal this ___th day of ____, 2019.

Notary Public

My Commission Expires: _____

Annexation Map
City of Greenville
9.57 acres
February 6, 2014





City of Greenville, North Carolina

Meeting Date: 2/14/2019
Time: 6:00 PM

Title of Item:

Ordinance requested by Carolina Penn Investment Group, LLC to rezone a total of 0.939 acres located along West 3rd Street between South Pitt Street and the CSX Railroad from CDF (Downtown Commercial Fringe) and R6 (Residential [High Density Multi-family]) to CD (Downtown Commercial)

Explanation:

Abstract: The City has received a request from Carolina Penn Investment Group, LLC to rezone a total of 0.939 acres located along West 3rd Street between South Pitt Street and the CSX Railroad from CDF (Downtown Commercial Fringe) and R6 (Residential [High Density Multi-family]) to CD (Downtown Commercial).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on December 31, 2018.

On-site sign(s) posted on December 31, 2018.

City Council public hearing notice (property owner and adjoining property owner letter) mailed on January 29, 2019.

Public hearing legal advertisement published on February 4 and February 11, 2019.

Comprehensive Plan:

The Future Land Use and Character Map recommends uptown edge (UE) for the area bounded by South Pitt Street, West 5th Street, the CSX Railroad and north of West 3rd Street.

Further, the Future Land Use and Character Map recommends potential conservation/open space (PCOS) to the north of Tract 1.

Uptown Edge:

Uptown Edge surrounds the Uptown Core and continues the urban street grid. It

includes the Warehouse District and the area near the future ECU Millennial Campus. Development should extend the mixed use and walkable pattern of the core. With parcels generally larger than in Uptown Core, this area offers opportunity for larger-scale infill and redevelopment projects.

Intent:

- Infill and redevelopment with a mix of uses
- Adapt and reuse existing buildings for non-industrial uses
- Improve public realm with sidewalks and street trees
- Reduce/consolidate surface parking

Primary Uses:

Commercial

Institutional/Civic

Neighborhood-scale commercial

Secondary uses:

Multi-family residential

Potential conservation/open space (PCOS)

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

Intent:

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

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

Based on the analysis comparing the existing zoning (59 trips) and requested rezoning, the proposed rezoning could generate approximately 93 trips to and from the site on West 3rd

Street. Since the increase is small and there are several roadways in the surrounding network for the traffic to disperse, a traffic volume report was not generated.

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

History/Background:

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

Present Land Use:

Three (3) single-family dwellings on one (1) lot, two (2) duplexes, and three (3) vacant lots

Water/Sewer:

Water and sanitary sewer are available.

Historic Sites:

There are no known effects on designated properties.

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 it is located in the West Greenville Revitalization Area, it is exempt from water quality requirements.

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 - Greenville Utilities Commission property; CD - one (1) vacant lot

South: CDF - Three (3) vacant lots and one (1) single-family dwelling

East: CD - One (1) vacant lot and Instigator Marketing; CDF - one (1) commercial building

West: R6 - Two (2) vacant parcels and one (1) multi-family building

Density

Tract 1

Gross Acreage: 0.270 (11,761 sq. ft.)

Current Zoning: R6 (Residential [High Density Multi-family])

Proposed Zoning: CD (Downtown Commercial)

Under the current zoning, the site could accommodate one (1) duplex building.

Tract 2

Gross Acreage: 0.414 (18,034 sq. ft.)
Current Zoning: CDF (Downtown Commercial Fringe)
Proposed Zoning: CD (Downtown Commercial)

Currently, the site contains two (2) duplexes and two (2) vacant lots.

Under proposed zoning the site could accommodate 10 multi-family units (1, 2 and 3 bedroom units).

Tract 3

Gross Acreage: 0.255 (11,108 sq. ft.)
Current Zoning: CDF (Downtown Commercial Fringe)
Proposed Zoning: CD (Downtown Commercial)

Currently, the site contains three (3) single-family dwellings on one (1) lot.

The anticipated build-out time is 1-3 years.

Fiscal Note:

No cost to the City.

Recommendation:

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

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

The Planning and Zoning Commission unanimously voted to approve the request at its January 15, 2019 meeting.

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

If City Council determines to deny the rezoning request, in order to comply with this statutory requirement, it is recommended that the motion be as follows:

Motion to deny the proposed amendment and to make a finding and determination that, although the rezoning request is consistent with the comprehensive plan, there is a more appropriate zoning classification and, therefore, denial is reasonable and in the public interest.

Note: In addition to 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 districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

ATTACHMENTS:

- ❑ **Ordinance_-_Carolina_Penn_Investments_1100370**
- ❑ **Minutes_-_Carolina_Penn_Invest_1100369**
- ❑ **Attachments**

ORDINANCE NO. 19-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 14th day of February, 2019, at 6:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Policy 1.1.1 guide development with the Future Land Use and Character Map and Policy 1.1.6 guide development using the Tiered Growth Approach; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, promote the safety and general welfare of the community because the requested zoning is consistent with the recommended Future Land Use and Character designation and is located in a Primary Service Area;

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

Section 1. That the following described territory is rezoned from R6 (Residential [High Density Multi-family]) to CD (Downtown Commercial).

TO WIT: Carolina Penn Investment Group, LLC

LOCATION: Located at the northwestern corner of the intersection of West 3rd Street and New Street.

DESCRIPTION: Beginning at a point where the northern right-of-way of W. 3rd Street intersects the western right-of-way of New Street. From the above described beginning, so located, running thence as follows:

With the northern right-of-way of W. 3rd Street, N 78°38'06" W 65.07', thence leaving the northern right-of-way of W. 3rd Street N 11°10'36" E 180.49', thence S 78°41'47" E 65.25' to a point at the northwestern terminus of New Street, thence with the western right-of-way of New Street S 11°14'00" W 180.56' to the point of beginning containing 0.270 acre.

Section 2. That the following described territory is rezoned from CDF (Downtown Commercial Fringe) to CD (Downtown Commercial).

TO WIT: Carolina Penn Investment Group, LLC

LOCATION: Located along the southwestern corner of the intersection of West 3rd Street and the CSX Railroad.

DESCRIPTION: Beginning at a point where the eastern right-of-way of CSX Railroad intersects with the southern right-of-way of W. 3rd Street. From the above described beginning, so located, running thence as follows:

With the southern right-of-way of W. 3rd Street S 79°51'50" E 204.34', thence leaving the southern right-of-way of W. 3rd Street S 09°34'17" W 90.88', thence N 77°35'28" W 212.13' to the eastern right-of-way of CSX Railroad, thence with the eastern right-of-way of CSX Railroad N 14°47'42" E 82.74' to the point of beginning containing 0.414 acre.

Section 3. That the following described territory is rezoned from CDF (Downtown Commercial Fringe) to CD (Downtown Commercial).

TO WIT: Carolina Penn Investment Group, LLC

LOCATION: Located along the southern right-of-way of W. 3rd Street and 400+/- feet east of the CSX Railroad.

DESCRIPTION: Beginning at a point located on southern right-of-way of W. 3rd Street, said point being the northwestern corner of the A Curious Soup, LLC. Property as described in Deed Book 2510, Page 653 of the Pitt County Register of Deeds. From the above described beginning, so located, running thence as follows:

Leaving the southern right-of-way of W. 3rd Street S 12°13'57" W 89.43'', thence N 78°07'48" W 122.68', thence N 10°56'56" E 89.99' to a point on the southern right-of-way of W. 3rd Street, thence with the southern right-of-way of W. 3rd Street S 77°52'39" E 124.70 to the point of

beginning containing 0.255 acre and being all of the property described in Deed Book 3605, Page 206 of the Pitt County Register of Deeds.

Section 4. That the Director of Community Development is directed to amend the zoning map of the City of Greenville in accordance with this ordinance.

Section 5. That the Director of Community Development is directed to amend the Future Land Use and Character Map of the City of Greenville in accordance with this ordinance.

Section 6. That all ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 7. That this ordinance shall become effective upon its adoption.

ADOPTED this 14th day of February, 2019.

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

1100370

Excerpt from the draft Planning & Zoning Commission Minutes (01/15/2019)

ORDINANCE REQUESTED BY CAROLINA PENN INVESTMENT GROUP, LLC TO REZONE A TOTAL OF 0.939 ACRES LOCATED ALONG WEST 3RD STREET BETWEEN SOUTH PITT STREET AND THE CSX RAILROAD FROM CDF (DOWNTOWN COMMERCIAL FRINGE) AND R6 (RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) TO CD (DOWNTOWN COMMERCIAL) - APPROVED

Motion made by Mr. Joyner, seconded by Mr. West, to recuse Chairman Overton. Motion passed unanimously.

Ms. Gooby delineated the three (3) tracts. The Uptown Area contains a variety of uses. This rezoning could generate a net increase of 93 trips per day. Over the last few years, the trend has been for properties in the Uptown Area to be rezoned to CD because it allows more uses with relaxed standards that allows for more intensive and appropriate development. The Future Land Use Character Map recommends urban core (UC) in the “horse shoe” area transitioning to urban edge (UE) to the west and south. The request is a natural progression between Uptown and West Greenville. In staff’s opinion, the request is in compliance with the Horizons 2026: Greenville’s Community Plan and the Future Land Use Character Map. Staff recommends approval.

Mr. Mike Baldwin, Baldwin Design Consultants, spoke in favor, on behalf of the applicant. The vision for the property is to have something there that will fit in with the existing developments being done in the downtown area. The requested CD zoning gives more flexibility.

Mr. Overton, spoke in favor, that he has no intention of doing anything commercial on the street. I own the property across the street under another company. The setbacks are eased under the CD zoning. I see the street with really nice townhouses. The houses that were there were beyond repair. The intention is put residences that would appeal to the young professionals, doctors, professors that want to live downtown but not alongside students.

Ms. Ann Harrington, spoke in opposition. She lives on West 4th Street and would prefer single-families.

Ms. Darden asked if Ms. Harrington was opposed to the dilapidated houses being torn down.

Ms. Harrington replied that she wasn’t because they were in bad shape.

Mr. Overton, spoke in rebuttal in favor, that he would like to see single-family homes in this area. My goal is to split the three (3) single-homes on one (1) lot into three (3) separate lots.

Ms. Harrington, spoke in rebuttal in opposition, that potential is the key word. The property would be a rental for a long time. Its many things that it could be but who knows what it will be.

Ms. Darden stated she frequents the area and has seen the positive impact the development has had on the area. The area need it and I don’t understand why anyone wouldn’t want to see the dilapidated duplexes gone.

Mr. Schrade replied I never thought it would turned around, I understand your concern, but on this particular road change would be good for the city.

Motion made by Mr. West, 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.

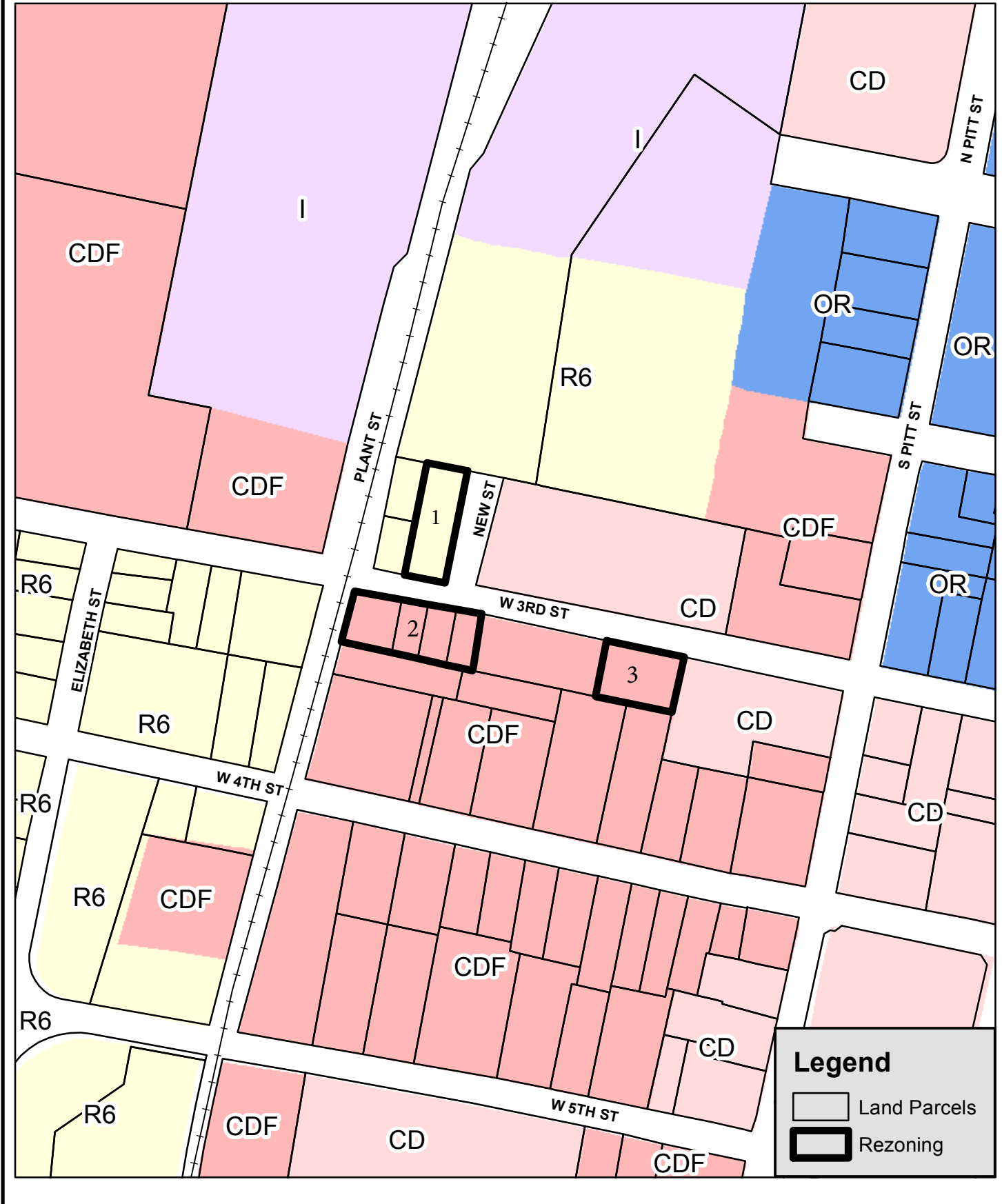
Carolina Penn Investment Group, LLC

Total acres: 0.939

From: R6 and CDF

To: CD

December 20, 2018



Carolina Penn Investment Group, LLC

Total acres: 0.939

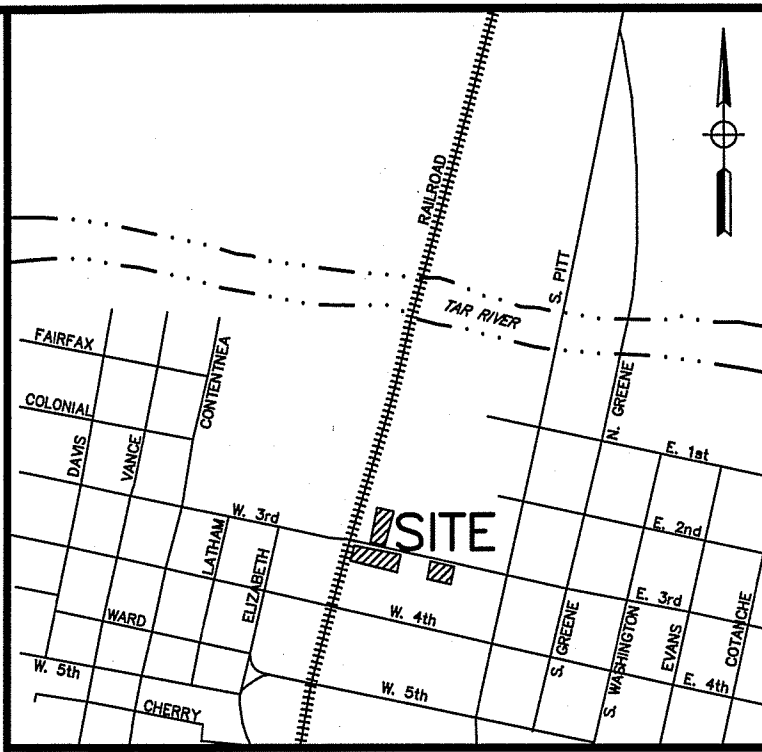
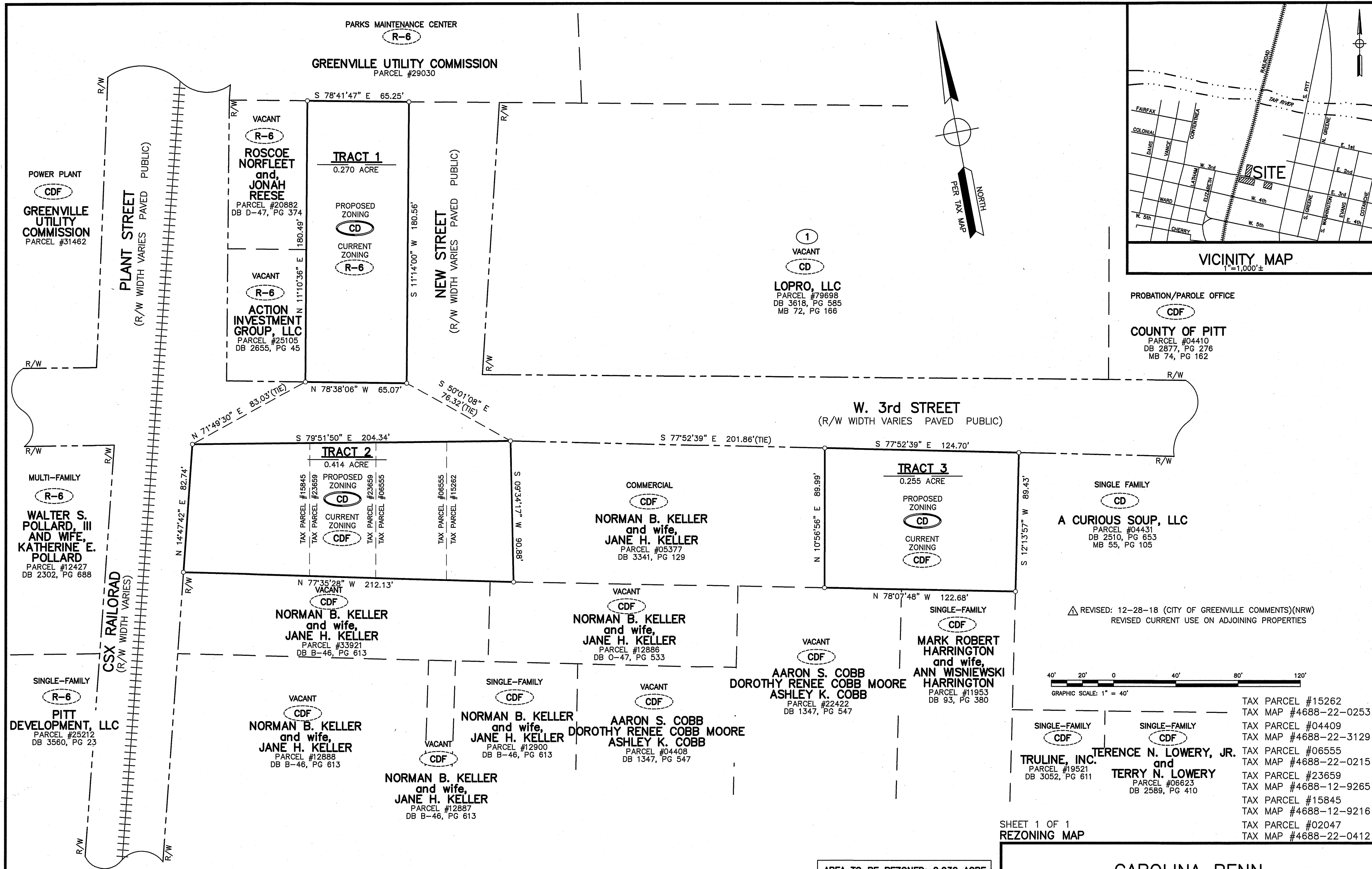
From: R6 and CDF

To: CD

December 20, 2018

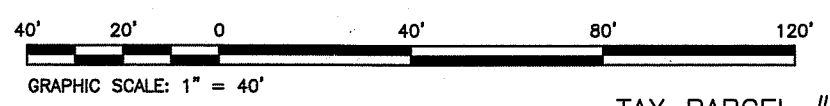


Y:\DRAWINGS\18-158 CAROLINA PENN INVEST GROUP\REZONING.dwg Fri, Dec 28, 2018-8:39am RWELLS



VICINITY MAP
1"=1,000'±

PROBATION/PAROLE OFFICE
CDF
COUNTY OF PITT
PARCEL #04410
DB 2877, PG 276
MB 74, PG 162



REVISOR: 12-28-18 (CITY OF GREENVILLE COMMENTS)(NRW)
REVISED CURRENT USE ON ADJOINING PROPERTIES

TAX PARCEL #15262
TAX MAP #4688-22-0253
TAX PARCEL #04409
TAX MAP #4688-22-3129
TAX PARCEL #06555
TAX MAP #4688-22-0215
TAX PARCEL #23659
TAX MAP #4688-12-9265
TAX PARCEL #15845
TAX MAP #4688-12-9216
TAX PARCEL #02047
TAX MAP #4688-22-0412

SHEET 1 OF 1
REZONING MAP

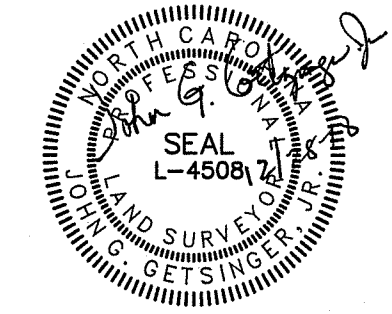
AREA TO BE REZONED: 0.939 ACRE

CAROLINA PENN INVESTMENT GROUP, LLC

GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER: CAROLINA PENN INVESTMENT GROUP, LLC
ADDRESS: 401 W. FIRST STREET
GREENVILLE, NC 27834
PHONE: (252) 355-7006

 Baldwin Design Consultants, PA ENGINEERING - SURVEYING - PLANNING 1700-D EAST ARLINGTON BOULEVARD GREENVILLE, NC 27858	LICENSE # C-3498	SURVEYED: N/A	APPROVED: MWB
		DRAWN: JGG	DATE: 12/11/18
	CHECKED: MWB	SCALE: 1" = 40'	



CLOSURE CHECK BOUNDARY	
CHECKED: JGG	DATE: 12/11/18

NOTES

- ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
- REFERENCE: DEED BOOK 3605, PAGE 206; DEED BOOK 3724, PAGE 684; DEED BOOK 3724, PAGE 687; DEED BOOK 3591, PAGE 818 AND DEED BOOK 3590, PAGE 123 OF THE PITT COUNTY REGISTER OF DEEDS.
- SURVEY INFORMATION AS SHOWN HEREON TAKEN FROM PITT COUNTY OPIS AND DOES NOT REPRESENT AN ACTUAL FIELD SURVEY BY BALDWIN DESIGN CONSULTANTS, P.A.
- THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. REFERENCE: PITT COUNTY FIRM 3720468800K, DATED 7/7/2014.

LEGEND

- R/W = RIGHT-OF-WAY
- = ZONING

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	
CDF (DOWNTOWN COMMERCIAL FRINGE) - PERMITTED USES	
(1) General	
a.	Accessory use or building
b.	Internal service facilities
c.	On-premise signs per Article N
e.	Temporary uses; of listed district uses
f.	Retail sales; incidental
g.	Incidental assembly of products sold at retail or wholesale as an accessory to 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
	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	
CDF (DOWNTOWN COMMERCIAL FRINGE) - SPECIAL USES	
(1) General - None	
(2) Residential	
d.	Land use intensity multi-family (LUI) development rating 50 per Article K
e.	Land use intensity multi-family (LUI) development rating 67 per Article K
i.	Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
m.	Shelter for homeless or abused (see also section 9-4-103)

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
PROPOSED ZONING	
CD (DOWNTOWN COMMERCIAL) - PERMITTED USES	
(1) General	
	a. Accessory use or building
	b. Internal service facilities
	c. On-premise signs per Article N
	e. Temporary uses; of listed district uses
	f. Retail sales; incidental
	g. Incidental assembly of products sold at retail or wholesale as an accessory to principal uses
(2) Residential	
	c. Multi-family development per Article I
	i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
	n. Retirement center or home
	o. Nursing, convalescent or maternity home; major care facility
	q. Room renting
(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
	g. Liquor store, state ABC
(5) Agricultural/Mining	
	a. Farming; agricultural, horticulture, forestry (see also section 9-4-103)
(6) Recreational/Entertainment	
	f. Public park or recreational facility
	g. Private noncommercial recreation; indoor only, not otherwise listed
	h. Commercial recreation; indoor only, not otherwise listed
	j. Bowling alley
	o. Theater; movie or drama, including outdoor facilities
	s. Athletic club; indoor only
(7) Office/Financial/Medical	
	a. Office; professional and business, not otherwise listed
	b. Operation/processing center

	c. Office; customer service, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
	d. Bank, savings and loans or other savings or investment institutions
	e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
	f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)
	g. Catalogue processing center
(8) Services	
	c. Funeral home
	e. Barber or beauty salon
	f. Manicure, pedicure or facial salon
	j. College and other institutions of higher learning
	k. Business or trade school
	n. Auditorium
	o. Church or place of worship (see also section 9-4-103)
	p. Library
	q. Museum
	r. Art gallery
	s. Hotel, motel bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
	u. Art studio including art and supply sales
	v. Photography studio including photo and supply sales
	w. Recording studio
	x. Dance studio
	y. 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
	oo. Clothes alteration or shoe repair shop
(9) Repair	
	f. Appliance; household and office equipment repair
	g. Jewelry, watch, eyewear or other personal item repair
(10) Retail Trade	
	a. Miscellaneous retail sales; non-durable goods, not otherwise listed
	d. Pharmacy
	e. Convenience store (see also gasoline sales)
	f. Office and school supply, equipment sales
	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
	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)
	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
(12) Construction	
	a. Licensed contractor; general electrical, plumbing, mechanical, etc... excluding outside storage
	c. Construction office; temporary, including modular office (see also section 9-4-103)
	f. Hardware store
(13) Transportation	
	b. Bus station; passenger and related freight
	c. Taxi or limousine service
	e. Parcel delivery service
	h. Parking lot or structure; principal use
(14) Manufacturing/Warehousing	
	g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholstery
	h. Engraving; metal, glass or wood
(15) Other Activities (not otherwise listed - all categories) - None	
CD (DOWNTOWN COMMERCIAL) - SPECIAL USES	
(1) General - None	
(2) Residential	
	e(1). Dormitory Development
(3) Home Occupations - None	
(4) Governmental - None	
(5) Agricultural/Mining - None	
(6) Recreational/Entertainment	
	d. Game center
	l. Billiard parlor or pool hall
	m. Public or private club
	m(1). Dining and entertainment establishment (see also section 9-4-103)
	t. Athletic club; indoor and outdoor facilities

(7) Office/Financial/Medical - None	
(8) Services	
a.	Child day care facilities
b.	Adult day care facilities
i.	School; nursery and kindergarten (see also section 9-4-103)
l.	Convention center; private
ff(1).	Mental health, emotional or physical rehabilitation day program facility
(9) Repair	
b.	Minor repair; as an accessory or principal use
(10) Retail Trade	
b.	Gasoline or automotive fuel sales; accessory or principal use, retail
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
n.	Appliance; commercial use, sales and accessory repair; excluding outside storage
aa.	Pawnbroker
ff.	Tobacco shop (Class 1) (see also section 9-4-103)
hh.	Hookah café (see also section 9-4-103)
ii.	Microbrewery (see also section 9-4-103)
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction - None	
(13) Transportation - None	
(14) Manufacturing/Warehousing	
y.	Recycling collection station or facilities
(15) Other Activities (not otherwise listed - all categories)	
a.	Other activities; personal services not otherwise listed
b.	Other activities; professional 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 and CD*	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

* The residential density of the CD zoning district is based on the size of the mechanically conditioned floor area. See Section 9-4-153 in the City Code for development standards.

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



City of Greenville, North Carolina

Meeting Date: 2/14/2019
Time: 6:00 PM

Title of Item: Ordinance requested by Happy Trail Farms, LLC to rezone 10.066 acres located between Stantonsburg Road and the Norfolk Southern Railroad and west of the Southwest Bypass from RA20 (Residential-Agricultural) to I (Industry)

Explanation: **Abstract:** The City has received a request from Happy Trail Farms, LLC to rezone 10.066 acres located between Stantonsburg Road and the Norfolk Southern Railroad and west of the Southwest Bypass from RA20 (Residential-Agricultural) to I (Industry).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on December 31, 2018.

On-site sign(s) posted on December 31, 2018.

City Council public hearing notice (property owner and adjoining property owner letter) mailed on January 29, 2019.

Public hearing legal advertisement published on February 4 and February 11, 2019.

Comprehensive Plan:

The Future Land Use and Character Map recommends office/institutional (OI) at the southwestern corner of the intersection of Stantonsburg Road and the Southwest Bypass transitioning to industrial/logistic (IL) to the south and potential conservation/open space (PCOS) to the west.

Office/Institutional

- These areas serve as a transition between more intense commercial areas and surrounding neighborhoods. The form of future development should take a more walkable pattern with shorter blocks, buildings near streets, shared parking, and connections to surrounding development.

Intent:

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

Primary uses:

Office

Institutional/civic

Industrial/Logistics

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

Intent:

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

Primary uses:

Industrial

Light industrial

Research and assembly

Warehousing

Secondary uses:

Office

Commercial

Potential Conservation/Open Space

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

The Future Land Use and Character Map identifies certain areas as potential conservation/open space. Much of this area is designated based upon data on flood-prone land and environmental constraints that may not correspond precisely with conditions on the ground. Seeing an area designated this way is the beginning of a conversation. When considering rezoning requests or other development proposals, some areas classified as potential conservation/open space may be determined not to

contain anticipated limitations on development, or that existing concerns can reasonably be mitigated. In such cases, the future preferred land use should be based on adjacent Land Use and Character designations, contextual considerations, and the general policies of the comprehensive plan.

Intent:

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

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

Based on the analysis comparing the existing zoning (335 daily trips) and requested rezoning, the proposed rezoning classification could generate approximately 209 trips to and from the site on Stantonsburg Road, which is a net *decrease* of 126 trips per day. Since the traffic analysis for the requested rezoning indicates that the proposal would generate less traffic than the existing zoning, a traffic volume report was not generated.

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

History/Background:

In 2001, the subject property was part of a large-scale extra-territorial jurisdiction (ETJ) extension and was zoned its current zoning.

There was a Future Land Use and Character Map Amendment associated with this request to amend the Future Land Use and Character Map for 10.066 acres from the Office/Institutional (OI) land use character to the Industrial/Logistics (IL) land use character.

At its December 13, 2018 City Council meeting, the request was denied.

Present Land Use:

Farmland

Water/Sewer:

Water will be provided by Bell Arthur Water Corporation. However, sanitary sewer is not currently available.

Historic Sites:

There are no known effects on historic sites.

Environmental Conditions/Constraints:

The property is located in the Greens Mill Run Watershed. If stormwater rules apply, it would require 10-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: RA20 - Four (4) vacant lots
East: I - Pitt County Landfill
West: RA20 - One (1) vacant lot

Density Estimates:

Under the current zoning, the site could accommodate 30-35 single-family lots.

Under the proposed category, the site could yield 58,800+/- square feet of industrial/warehouse space.

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

Additional Staff Comments:

Under North Carolina General Statutes 160A-383, effective October 1, 2017, if the governing board wishes to approve a rezoning request that is not in compliance with the adopted comprehensive plan, then a statement is required that the action taken is reasonable and in the public interest (See (3) b. and c.). This action will also amend the Future Land Use and Character Map for the subject property (See (3) a.).

160A-383 Purposes in view.

- (a) Zoning regulations shall be made in accordance with a comprehensive plan.
- (b) Prior to adopting or rejecting any zoning amendment, the governing board shall adopt one of the following statements which shall not be subject to judicial review

- (1) A statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and why the action taken is reasonable and in the public interest.
- (2) A statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.
- (3) A statement approving the zoning amendment and containing at least all of the following:

- a. A declaration that the approval is also deemed an amendment to the comprehensive plan. The governing board shall not require any additional request or application for amendment to the comprehensive plan.
- b. An explanation of the change in conditions the governing board took into account in amending the zoning ordinance to meet the development needs of the community.
- c. Why the action taken is reasonable and in the public interest.

Fiscal Note: No cost to the City.

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

"Not in compliance with the comprehensive plan" should be construed as meaning the requested zoning (i) is specifically noncompliant with plan objectives and recommendations including the range of allowable uses in the proposed zone, etc... and/or is of a scale, dimension, configuration or location that is not objectively in keeping with plan intent and (ii) does not promote or preserve the desired urban form. The requested zoning is considered undesirable and not in the public interest, and staff recommends denial of the requested rezoning.

The Planning and Zoning Commission voted (6:2) to approve the request at its January 15, 2019 meeting.

If the City Council determines to approve the zoning map amendment, a motion to adopt the attached zoning map amendment ordinance will accomplish this. The ordinance includes the statutorily required statement describing whether the action taken is consistent with the comprehensive plan and explaining why Council considers the action taken to be reasonable and in the public interest. This action will amend the Future Land Use and Character Map for the subject property.

If City Council determines to deny the zoning map amendment, in order to comply with this statutory requirement, it is recommended that the motion be as follows:

Motion to deny the request to rezone and to make a finding and determination that the rezoning request is inconsistent with the adopted comprehensive plan including, but not limited to, Policy 1.1.1 guide development with the Future Land Use and Character Map and Policy 1.1.6 guide development using the Tiered Growth

Approach, and further that the denial of the rezoning request is reasonable and in the public interest due to the rezoning request does not promote, in addition to the furtherance of other goals and objectives, the safety and general welfare of the community because the requested zoning is not consistent with the recommended Future Land Use and Character designation.

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:

- ☐ Ordinance_-_HTF_18-27_1100292**
- ☐ Minutes_-_HTF_18-27_1100126**
- ☐ Attachments**

ORDINANCE NO. 19-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 14th day of February, 2019, at 6:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the ordinance zoning the following described property is reasonable and in the public interest due by encouraging the most appropriate use of land;

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, promote the safety and general welfare of the community because the requested zoning encourages the most appropriate use of land that allows for the development needs of the community and is located in a Primary Service Area;

WHEREAS, the Horizons 2026: Greenville's Community Plan was adopted on September 8, 2016, by the City Council by the adoption of Ordinance No. 16-055 and includes text and a Future Land Use and Character Map;

WHEREAS, the Horizons 2026: Greenville's Community Plan serves as the City of Greenville's comprehensive plan for zoning purposes and will from time to time be amended by the City Council;

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, this ordinance is deemed an amendment to the comprehensive plan;

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

Section 1. That the following described territory is rezoned from RA20 (Residential-Agricultural) to I (Industry).

TO WIT: Happy Trail Farms, LLC

LOCATION: Located between Stantonsburg Road and the Norfolk Southern Railroad and west of the Southwest Bypass.

DESCRIPTION: Beginning at a point where the western right-of-way of the Southwest By-Pass Corridor intersects the northern right-of-way of Norfolk-Southern Railroad. From the above described beginning, so located, running thence as follows:

With the northern right-of-way of Norfolk-Southern Railroad, S 83°15'21" W 32.65', thence leaving the northern right-of-way of Norfolk-Southern Railroad N 05°23'58" E 1149.77' to a point on the southern right-of-way of NCSR 1200 (Stantonsburg Road), thence with the southern right-of-way of NCSR 1200 (Stantonsburg Road), S 88°52'31" E 661.86', thence leaving the southern right-of-way of NCSR 1200 (Stantonsburg Road), S 03°35'43" W 162.40' to a point on the western right-of-way of the Southwest By-Pass Corridor, thence with the western right-of-way of the Southwest By-Pass Corridor, S 38°26'49" W 767.45' and S 34°26'38" W 442.24' to the point of beginning containing 10.066 acres and being a portion of the property described in Deed Book 3005, Page 769 of the Pitt County Register of Deeds.

Section 2. The Future Land Use and Character Map is hereby amended by re-designating the "Office/Institutional" category to the "Industrial/Logistics" category for the area described in Section 1.

Section 3. That the Director of Community Development is directed to amend the zoning map of the City of Greenville in accordance with this ordinance.

Section 4. That the Director of Community Development is directed to amend the Future Land Use and Character Map of the City of Greenville in accordance with this ordinance.

Section 5. That all ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 6. That this ordinance shall become effective upon its adoption.

ADOPTED this 14th day of February, 2019.

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

1100292

Excerpt from the draft Planning & Zoning Commission Minutes (01/15/2019)

ORDINANCE RECEIVED FROM BY HAPPY TRAIL FARMS, LLC TO REZONE 10.066 ACRES LOCATED BETWEEN STANTONSBURG ROAD AND THE NORFOLK SOUTHERN RAILROAD AND WEST OF THE SOUTHWEST BYPASS FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO I (INDUSTRY) - APPROVED

Ms. Gooby delineated the property. This rezoning was associated a Future Land Use Character Map Amendment that was denied by Council. While the amendment was denied, the applicant would still like the rezoning to be considered. The majority of the surrounding property is vacant. The Pitt County Landfill is located to the east. The property is not in the flood zone but is in the Greens Mill Run Watershed and will require 25-year storm water detention. Under current zoning, the property could accommodate 30 to 35 single-family lots and under the requested zoning it could accommodate 58,000 square feet of warehouse or industrial space. The Future Land Use Character Map recommends office/institutional (OI) is used as transition between the Southwest Bypass and the Residential to the west. The requested industrial zoning is not part of the office/institutional character. In staff's opinion, the request is not in compliance with the Horizons 2026: Greenville's Community Plan and the Future Land Use Character Map. Staff recommends denial.

Mr. Maxwell asked if this property is located at the beginning of Greens Mill Run.

Ms. Gooby replied yes.

Mr. Robinson asked staff to explain what 25-year storm water detention means.

Ms. Meyer explained there is a 5% chance of that type of storm happening at any point in time. A 10-year storm means that there is a 10% chance that it will happen at any point in time.

Mr. Maxwell stated you could have two 10-year storms in July.

Mr. Godefroy replied yes because this based on statistical information.

Mr. Overton stated that it all ultimately affects the size of the storm water retention.

Mr. Overton open the public hearing.

Mr. Mike Baldwin, Baldwin Design Consultants, spoke in favor, on behalf of the applicant. He stated he is not trying to pick apart the Comprehensive Plan. The Land Use Map Amendment that came before this board was approved. The most important thing is the noise coming from the Pitt County Landfill is not appropriate near offices. The noise and vibration from the railroad is not appropriate near offices. The noise from the by-pass is not appropriate near offices. Office zoning is one of the most restrictive zoning classifications. Business like banks, medical offices and real estate offices would find it difficult to operate here.

Mr. Robert O'Neal, spoke in opposition of the request, lives on Allen Road about ¼ miles from the landfill. He has been in contact with County Manager who told him the noise is coming from the lime distribution company that is leasing a portion of the County property. He is told that the use is allowed and there basically nothing that could be done. They operate from sunup to sundown. I am against the request if they want industrial. They should go across the river where everything is zoned industrial. I have a son with special-needs and he is afraid to go outside now with all the noise.

Mr. Baldwin replied he appreciated the gentlemen's concern but there is only have 32 feet of frontage along the railroad for this property. The noise he is referring to is from the lime distribution. It is the nosiest machine I've

ever heard. That is why I am here requesting industrial because residential and offices don't belong around that noise. I think the height of the Southwest Bypass is going to give this gentlemen plenty of noise protection.

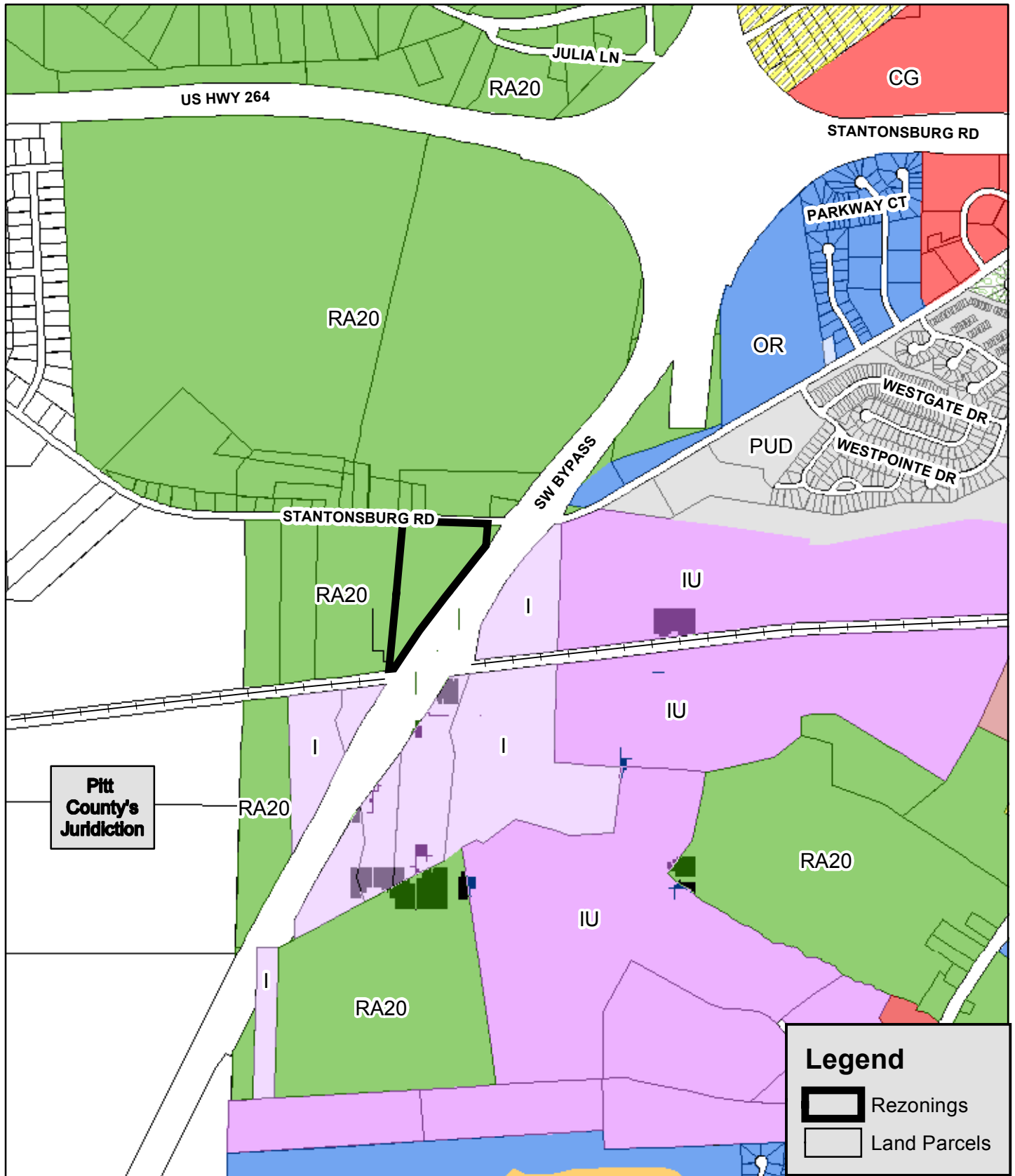
Mr. O'Neal replied that I know he wants his zoning but even with the trees being thick in the summer time it doesn't buffer the noise. I think it should be denied. We families living there. There is a nice park that the City just built and we barely go there because of the noise. I think it should be denied.

Mr. Overton closed the public hearing.

Motion made by Mr. Maxwell, seconded by Mr. Collins to recommend denial of the proposed amendment and to advise that it is inconsistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters Voting in favor: Maxwell, Wilson and Collins. Voting in opposition: Joyner, King, Schrade, Darden and West. Motion failed.

Motion made by Mr. Schrade, seconded by Mr. Joyner, to recommend approval of the proposed amendment, to advise that, although it is not consistent with the Comprehensive Plan, in this instance it is an appropriate zoning classification, and to adopt the staff report which addresses plan consistency and other matters. Voting in favor: Wilson (abstained), Joyner, King, Schrade, Darden, and West. Voting in opposition: Collins and Maxwell. Motion passed 6 to 2.

Happy Trail Farms, LLC
Acres: 10.066
From: RA20
To: I
November 26, 2018





Happy Trail Farms, LLC
Acres: 10.066
From: RA20
To: I
November 26, 2018

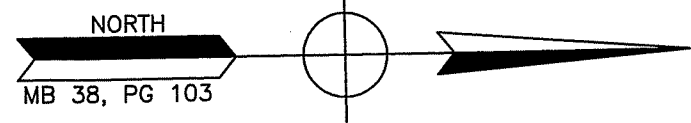


Pitt
County's
Jurisdiction

Legend

-  Rezoning
-  Land Parcel

Y:\DRAWINGS\14-112 HAPPY TRAIL FARMS-ROBERT MOORE\14-112 REZONING-REV.dwg Tue, Jul 24, 2018-12:54pm RWELLS



PITT COUNTY JURISDICTION
CITY OF GREENVILLE ETJ

NORFOLK-SOUTHERN RAILROAD
(100' R/W)

(2)
HAPPY TRAIL FARMS, LLC
DB 3035, PG 573
AGRICULTURAL

(8)
RA-20
NORTH CAROLINA
DISTRICT CHURCH OF THE NAZARENE
DB 2572, PG 263
PARTIALLY CLEARED/PARTIALLY WOODED

(1)
HAPPY TRAIL FARMS, LLC
DB 3005, PG 769
AGRICULTURAL

SOUTHWEST BY-PASS CORRIDOR
(R/W VARIES ASPHALT VARIES PUBLIC)

AGRICULTURAL
(7)
PROPOSED ZONING
(1)
CURRENT ZONING
RA-20

(1)
PITT COUNTY
LANDFILL

(1)
PITT COUNTY
LANDFILL/WOODED/CELL TOWER

(RA-20)
PITT COUNTY
VACANT

(RA-20)
LMS DRYWALL
& PLASTER
DB 2289, PG 62
COMMERCIAL

(RA-20)
E.H. TAFT, JR. ETAL
DB 259, PG 93
WOODED

(RA-20)
E. HOOVER TAFT, III ETAL
DB 331, PG 738
WOODED

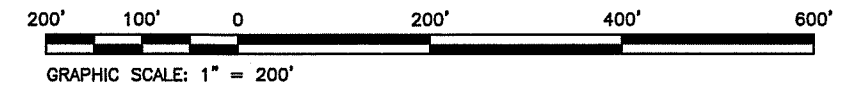
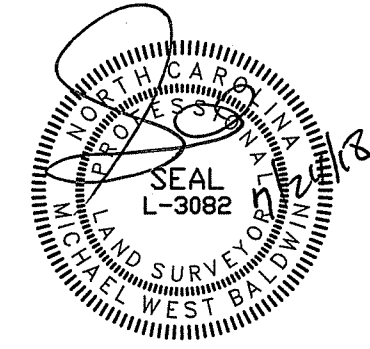
(RA-20)
NCDOT
DB 3508, PG 542
WOODED

NCSR 1200 - STANTONSBURG ROAD
(60' R/W 20' PVMT. PUBLIC)

AREA TO BE REZONED: 10.066 ACRES

LEGEND
R/W = RIGHT-OF-WAY
DB = DEED BOOK
PVMT = PAVEMENT

NOTE: THE BEARINGS AND DISTANCES SHOWN ON THIS MAP WERE TAKEN FROM THE PITT COUNTY OPIS WEBSITE AND MAP BOOK 38, PAGE 103 OF THE PITT COUNTY REGISTER OF DEEDS, AND DOES NOT REPRESENT AN ACTUAL SURVEY BY THIS BALDWIN DESIGN CONSULTANTS, PA.



SHEET 1 OF 1
REZONING MAP

TAX PARCEL #48572

HAPPY TRAIL FARMS, LLC

REFERENCE: MAP BOOK 38, PAGE 103, AND A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 3005, PAGE 769 OF THE PITT COUNTY REGISTER OF DEEDS

ARTHUR TOWNSHIP, PITT COUNTY, N.C.

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

Baldwin Design Consultants, PA
SITE & SUBDIVISION DESIGN - SURVEYING - PLANNING
3740-B EVANS STREET
GREENVILLE, NC 27834
252.756.1390

LICENSE# C-3498	SURVEYED: NA	APPROVED: MWB
	DRAWN: JGG/NRW	DATE: 07/24/18
	CHECKED: MWB	SCALE: 1" = 200'

BOUNDARY CLOSURE CHECK	
CHECKED: NRW	DATE: 07/24/18

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

	o.	Nursing, convalescent or maternity home; major care facility
	o(1).	Nursing, convalescent or maternity home; minor care facility
(3) Home Occupations		
	a.	Home occupation; not otherwise listed
	b.	Home occupation; barber and beauty shop
	c.	Home occupation; manicure, pedicure or facial salon
(4) Governmental		
	a.	Public utility building or use
(5) Agricultural/Mining		
	b.	Greenhouse or plant nursery; including accessory sales
	m.	Beekeeping; major use
	n.	Solar energy facility
(6) Recreational/Entertainment		
	a.	Golf course; 18-hole regulation length (see also section 9-4-103)
	a(1).	Golf course; 9-hole regulation length (see also section 9-4-103)
	c(1).	Tennis club; indoor and outdoor facilities
(7) Office/Financial/Medical - None		
(8) Services		
	a.	Child day care facilities
	b.	Adult day care facilities
	d.	Cemetery
	g.	School; junior and senior high (see also section 9-4-103)
	h.	School; elementary (see also section 9-4-103)
	i.	School; nursery and kindergarten (see also section 9-4-103)
(9) Repair - None		
(10) Retail Trade - None		
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None		
(12) Construction - None		
(13) Transportation - None		
(14) Manufacturing/Warehousing - None		
(15) Other Activities (not otherwise listed - all categories) - None		
PROPOSED ZONING		
I (INDUSTRY) - PERMITTED USES		
(1) General		
	a.	Accessory use or building
	b.	Internal service facilities
	c.	On-premise signs per Article N
	d.	Off-premise signs per Article N
	e.	Temporary uses; of listed district uses
	f.	Retail sales; incidental
	g.	Incidental assembly of products sold at retail or wholesale as an accessory to principal uses
(2) Residential - None		
(3) Home Occupations - None		
(4) Governmental		
	a.	Public utility building or use

	b.	City of Greenville municipal government building or use (see also section 9-4-103)
	c.	County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
	d.	Federal government building or use
	e.	County government operation center
(5) Agricultural/Mining		
	a.	Farming; agricultural, horticulture, forestry (see also section 9-4-103)
	b.	Greenhouse or plant nursery; including accessory sales
	e.	Kennel (see also section 9-4-103)
	f.	Stable; horse only (see also section 9-4-103)
	g.	Stable; per definition (see also section 9-4-103)
	h.	Animal boarding not otherwise listed; outside facility, as an accessory or principal use
	i.	Livestock sales pavilion, auditorium, yard, distribution or transshipment facility
	j.	Quarrying, mining, excavation and works including material storage and distribution; sand, stone gravel
	l.	Beekeeping; minor use (see also section 9-4-103)
(6) Recreational/Entertainment		
	f.	Public park or recreational facility
	g.	Private noncommercial park or recreational facility
	m(1).	Dining and entertainment establishment (see also section 9-4-103)
	p.	Circus, carnival, or fair
(7) Office/Financial/Medical		
	b.	Operation/processing center
	c.	Office; customer service, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
	g.	Catalogue processing center
(8) Services		
	n.	Auditorium
	s.	Hotel, motel bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
	y.	TV and/or radio broadcast facilities, including receiving and transmission equipment and towers or cellular telephone and wireless communication towers
	z.	Printing or publishing service including graphic art, maps, newspapers, magazines and books
	aa.	Catering service including food preparation (see also restaurant; conventional and fast food)
	gg.	Vocational rehabilitation center
	nn.	Industrial laundries
(9) Repair		
	a.	Major repair; as an accessory or principal use
	b.	Minor repair; as an accessory or principal use
	c.	Upholsterer; automobile, truck, boat, or other vehicle, trailer or van

	d.	Upholsterer; furniture
	e.	Furniture refinishing, stripping, or repair facility
	f.	Appliance; household and office equipment repair
	h.	Appliance; commercial and industrial equipment repair not otherwise listed
(10) Retail Trade		
	b.	Gasoline or automotive fuel sales; accessory or principal use, retail
	h.	Restaurant; conventional
	i.	Restaurant; fast food
	cc.	Farm supply and commercial implement sales
	dd.	Industrial implement, machinery or tool sales
(11) Wholesale/Rental/Vehicle-Mobile Home Trade		
	a.	Wholesale; durable and nondurable goods, not otherwise listed
	d.	Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
	e.	Rental of tractors and/or trailers, or other commercial or industrial vehicles or machinery
(12) Construction		
	b.	Licensed contractor; general electrical, plumbing, mechanical, etc... including outside storage
	c.	Construction office; temporary, including modular office (see also section 9-4-103)
	d.	Building supply; lumber and materials sales, plumbing and/or electrical supply including outdoor sales
(13) Transportation		
	a.	Railroad freight or distribution and/or passenger station
	d.	Truck terminal or distribution center
	e.	Parcel delivery service
	f.	Ambulance service
	g.	Airport and related activities; private
	h.	Parking lot or structure; principal use
(14) Manufacturing/Warehousing		
	a.	Ice plant and freezer lockers
	b.	Dairy; production, storage, and shipment facilities
	c.	Bakery; production, storage, and shipment facilities
	d.	Stone or monument cutting, engraving
	e.	Mobile home repair or rework facility; no sales allowed
	g.	Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholstery
	h.	Engraving; metal, glass or wood
	j.	Moving and storage; including outside storage
	k.	Mini-storage warehouse, household; excluding outside storage
	l.	Warehouse or mini-storage warehouse, commercial or industrial; including outside storage
	m.	Warehouse; accessory to approved commercial or industrial uses within the district; excluding outside storage
	n.	Petroleum (bulk) storage facility; excluding retail sales

	o.	Feed and grain elevator, mixing, redrying, storage or sales facility
	p.	Tobacco redrying or processing plant
	q.	Fertilizer or lime manufacture or bulk storage
	r.	Manufacturing of acid, toxic chemicals or other hazardous materials or explosive products not otherwise listed
	s.	Manufacture of nonhazardous products; general, including nonhazardous and nontoxic chemicals and/or materials not otherwise listed
	t.	Manufacture of nonhazardous medical supplies or medical products, including distribution
	u.	Tire recapping or retreading plant
	v.	Bottling or packing plant for nonhazardous materials or products
	w.	Bottling or packing plant for hazardous, flammable or explosive materials or products
	y.	Recycling collection station or facilities
	z.	Metallurgy, steel fabrication, welding
	aa.	Meat, poultry, or fish processing or packing plant
	bb.	Slaughterhouse
	cc.	Manufacture of pharmaceutical, biological, botanical, medicinal, and cosmetic products, and related materials
(15) Other Activities (not otherwise listed - all categories) - None		
I (INDUSTRY) - SPECIAL USES		
(1) General - None		
(2) Residential		
	i.	Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
	j.	Residential quarters for resident manager, supervisor or caretaker; including mobile home
(3) Home Occupations - None		
(4) Governmental		
	f.	Correctional facility
(5) Agricultural/Mining		
	m.	Beekeeping; major use
(6) Recreational/Entertainment		
	e.	Miniature golf or putt-putt course
	i.	Commercial recreation; indoor and outdoor, not otherwise listed
	k.	Firearm ranges; indoor or outdoor
(7) Office/Financial/Medical		
	a.	Office; professional and business, not otherwise listed
(8) Services		
	a.	Child day care facilities
	b.	Adult day care facilities
	l.	Convention center; private
	s(1).	Hotel, motel bed and breakfast inn; extended stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
(9) Repair - None		

(10) Retail Trade	
j.	Restaurant and/or dining and entertainment establishment; regulated outdoor activities
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
g.	Mobile home sales including accessory mobile home office
(12) Construction - None	
(13) Transportation - None	
(14) Manufacturing/Warehousing	
f.	Junkyard, automobile graveyard or materials reclamation facility
x.	Sanitary landfill or incinerator; public or private
(15) Other Activities (not otherwise listed - all categories)	
c.	Other activities; commercial services not otherwise listed
e.	Other activities; industrial uses not otherwise listed

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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

RESIDENTIAL DENSITY CHART

Density Level	Future Land Use and Character Type	Applicable Zoning District(s)	Units per Acre***
High	Uptown Edge (UE)	CDF and CD*	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

* The residential density of the CD zoning district is based on the size of the mechanically conditioned floor area. See Section 9-4-153 in the City Code for development standards.

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



City of Greenville, North Carolina

Meeting Date: 2/14/2019
Time: 6:00 PM

Title of Item: Ordinance requested by Bent Creek Farms, LLC to rezone 1.362 acres located along the western right-of-way of Allen Road and 400+/- feet north of Woodridge Park Drive from RA20 (Residential-Agricultural) to CH (Heavy Commercial)

Explanation: **Abstract:** The City has received a request from Bent Creek Farms, LLC to rezone 1.362 acres located along the western right-of-way of Allen Road and 400+/- feet north of Woodridge Park Drive from RA20 (Residential-Agricultural) to CH (Heavy Commercial).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on December 31, 2018.

On-site sign(s) posted on December 31, 2018.

City Council public hearing notice (property owner and adjoining property owner letter) mailed on January 29, 2019.

Public hearing legal advertisement published on February 4 and February 11, 2019.

Comprehensive Plan:

The Future Land Use and Character Map recommends industrial/logistics (IL) at the intersection of Allen Road and Woodridge Park Road.

Further, the Future Land Use and Character recommends potential conservation/open space (PCOS) along Greens Mill Run.

Industrial/Logistics

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

Intent:

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

Primary Uses:

Industrial
Light Industrial
Research and assembly
Warehousing

Secondary uses:

Office
Commercial

Potential conservation/open space (PCOS)

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

Intent:

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

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

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

Based on the possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 122 trips to and from the site on Allen Road, which is a net increase of 92 additional trips per day.

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

History/Background:

In 2001, the subject property was part of a large-scale extra-territorial jurisdiction (ETJ) extension and was zoned its current zoning.

Present Land Use:

One (1) single-family dwelling and three (3) mobile homes.

Water/Sewer:

Water and sanitary sewer are available.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

Greens Mill Run runs along the southern property line. A portion of the property is within the 100-year floodplain and floodway. This property may contain wetlands and is subject to the riparian buffer rules.

The property is located in the Greens Mill Run Watershed. If stormwater rules applies, it would require 25-year detention and nitrogen and phosphorous reduction.

Surrounding Land Uses and Zoning:

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

South: CH - Woodridge Corporate Park

East: RA20 - One (1) vacant lot (NCDOT-owned) and farmland

West: RA20 - Farmland

Density Estimate:

Currently, there is one (1) single-family dwelling and three (3) mobile homes.

Under the proposed zoning, the site could accommodate 11,050+/- square feet of office space.

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

Fiscal Note:

No cost to the City.

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

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

The Planning and Zoning Commission voted (6:2) to approve the request at its January 15, 2019 meeting.

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

If City Council determines to deny the rezoning request, in order to comply with this statutory requirement, it is recommended that the motion be as follows:

Motion to deny the proposed amendment and to make a finding and determination that, although the rezoning request is consistent with the comprehensive plan, there is a more appropriate zoning classification and, therefore, denial is reasonable and in the public interest.

Note: In addition to 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 districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

ATTACHMENTS:

- ❑ **Ordinance - Bent_Creek_18-31_1100348**
- ❑ **Minutes - Bent_Creek_18-31_1100341**
- ❑ **Attachments**

ORDINANCE NO. 19-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 14th day of February, 2019, at 6:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Policy 1.1.1 guide development with the Future Land Use and Character Map and Policy 1.1.6 guide development using the Tiered Growth Approach; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, promote the safety and general welfare of the community because the requested zoning is consistent with the recommended Future Land Use and Character designation and is located in a Primary Service Area;

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

Section 1. That the following described territory is rezoned from RA20 (Residential-Agricultural) to CH (Heavy Commercial).

TO WIT: Bent Creek Farms, LLC

LOCATION: Located along the western right-of-way of Allen Road and 400+/- feet north of Woodridge Park Drive.

DESCRIPTION: Beginning at a point on the western right-of-way of NCSR 1203 (Allen Road), said point being the northeastern corner of the Hardee Family Holdings, LLC Property as described in Deed Book 2972, Page 626 of the Pitt County Register of Deeds. From the above described beginning, so located, running thence as follows:

Leaving the western right-of-way of NCSR 1203 (Allen Road) N 45°00'00" W 92.90', thence N 56°00'00" W 57.60', thence S 83°30'00" W 30.00', thence N 55°30'00" W 34.00', thence N 37°45'00" E 349.50', thence S 52°15'00" E 58.00', thence S 37°00'00" W 38.00', thence S 50°00'00" E 128.10' to a point on the curved western right-of-way of NCSR 1203 (Allen Road), thence with the curved western right-of-way of NCSR 1203 (Allen Road) to the left an arc distance of 292.43', said curve having a radius of 1,949.97' a chord bearing S 34°07'00" W 292.16' to the point of beginning containing 1.362 acres.

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

Section 3. That the Director of Community Development is directed to amend the Future Land Use and Character Map of the City of Greenville in accordance with this ordinance.

Section 4. That all ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 5. That this ordinance shall become effective upon its adoption.

ADOPTED this 14th day of February, 2019.

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

1100348

Excerpt from the draft Planning & Zoning Commission Minutes (01/15/2019)

ORDINANCE REQUESTED BY BENT CREEK FARMS, LLC TO REZONE 1.362 ACRES LOCATED ALONG THE WESTERN RIGHT-OF-WAY OF ALLEN ROAD AND 400+/- FEET NORTH OF WOODRIDGE PARK DRIVE FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO CH (HEAVY COMMERCIAL) - APPROVED

Ms. Gooby delineated the property. Currently, there are three mobile homes and one single-family home on the site. The request could generate a net increase of 92 trips per day. There is a neighborhood activity center at the intersection of Allen Road and Allen Ridge Road, which is where commercial is encouraged. These areas are intended to serve a 1-mile radius. A portion of the property is located in the floodplain and floodway and the entire property is located in the Greens Mill Run Watershed, which would require 25-year stormwater detention. There are only a few properties in this area that are still zoned RA20. Surrounding properties are zoned commercial and industrial and this trend will likely continue with the remaining properties. The Future Land Use Plan recommends commercial © at the southwestern corner of the intersection of Allen Road and the Norfolk Southern Railroad transitioning to industrial/logistics (IL) to the east and south. Potential conservation area/open space (PCOS) is recommended along Greens Mill Run. In staff's opinion, the request is in compliance with the Horizons 2026: Greenville's Community Plan and the Future Land Use Character Map. Staff recommends approval.

Mr. Maxwell asked about the wetlands subject to riparian and buffer rules mentioned in the report.

Ms. Gooby replied that riparian buffer rules apply if there is a blue line stream, which would require a 50-foot buffer along the edge of the stream that would remain undisturbed.

Mr. Mike Baldwin, Baldwin Design Consultants, spoke in favor, on behalf of the applicant. With the widening of Allen Road and a grass median, there will be only right-in and right-out of this property. As far as the wetlands/riparian area, the wetlands are a question mark. The riparian buffer is required as there is a blue line stream there. We are trying to emulate what is already commercial in the area.

Mr. O'Neal, spoke in opposition, stated he didn't see how a small piece of property can be developed. I'm against it because it is close to my house. During Hurricanes Floyd and Irene, the water went over the road, and the trailer in the picture was covered with water within 6 inches of its roof.

Mr. Maxwell asked doesn't the Watershed Master Plan discourage building on flood prone land. With this degree of flooding and it being at the head of Greens Mill Run at what point do we look at the PCOS character. Shouldn't this land be deemed as conservation/open space for no further development.

Ms. Gooby replied that the zoning of a property has nothing to do with if it's suited for development. You can have a commercial property that is located in the flood plain that may not be developed. That is the purpose of PCOS on the map caution someone of potential environmental constraints.

Mr. Faison replied so green is buyer beware.

Ms. Gooby replied yes.

Mr. Robinson asked how will the widening of Allen Road affect the flooding concerns.

Mr. Godefroy, City Engineer, stated that the widening of the road will be on the east side of Allen Road and the culverts will be upsized.

Mr. O'Neal stated that flooding will only worsen with the construction.

Mr. Baldwin replied that culverts under city streets are designed for 10-year storms and NCDOT designs for 25-year storms on secondary road.

Motion made by Mr. Schrade, seconded by Mr. Robinson, 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. Voting in favor: Joyner, Collins, King, Schrade, Darden, and West. Voting in opposition: Wilson and Maxwell. Motion passed.

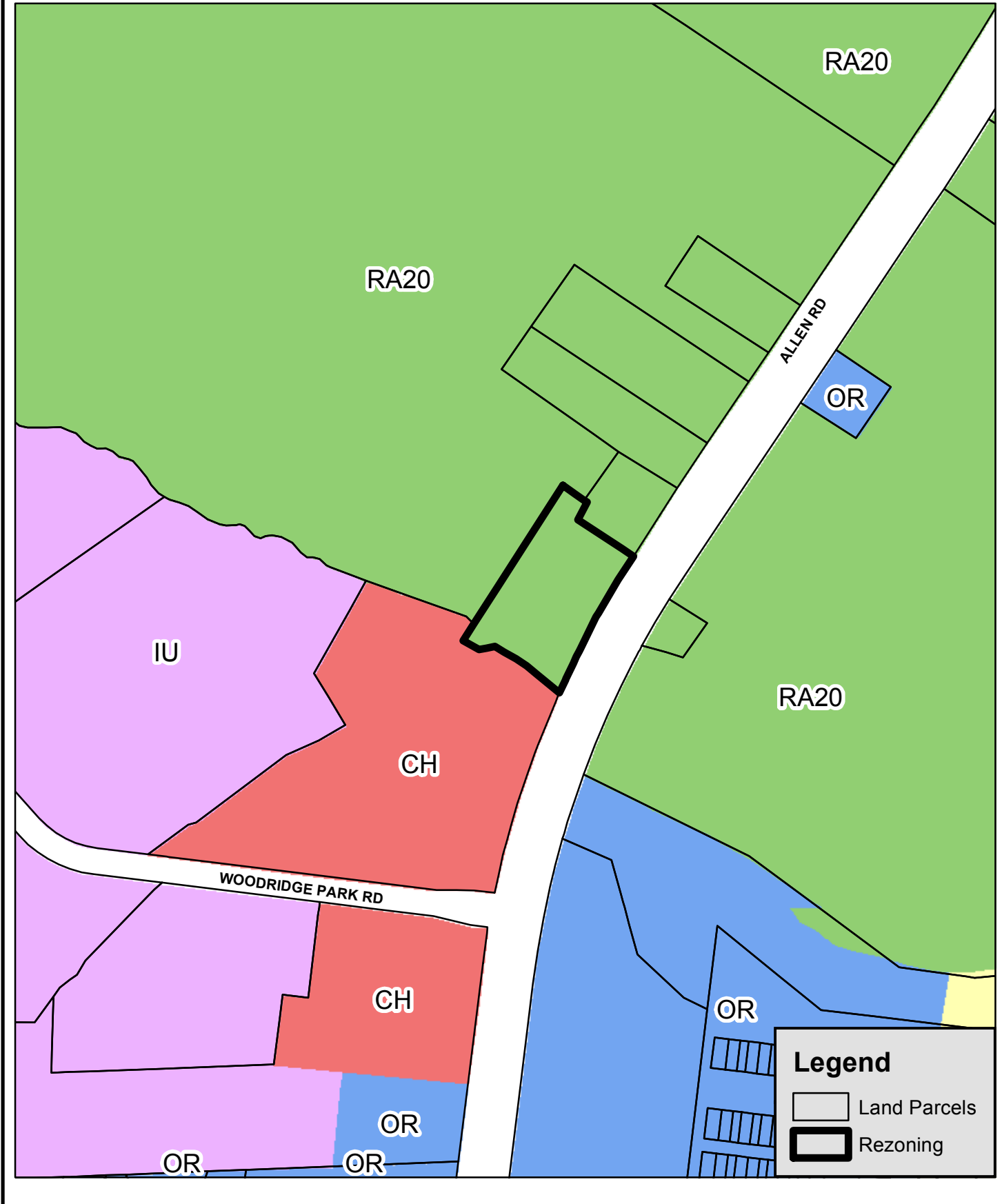
Bent Creek Farms, LLC

Acres: 1.362

From: RA20

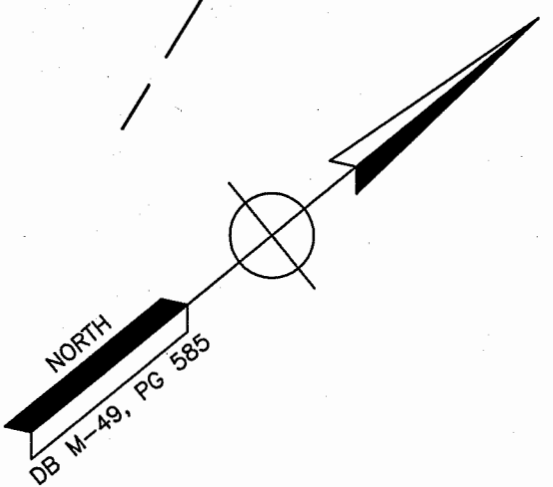
To: CH

December 21, 2018

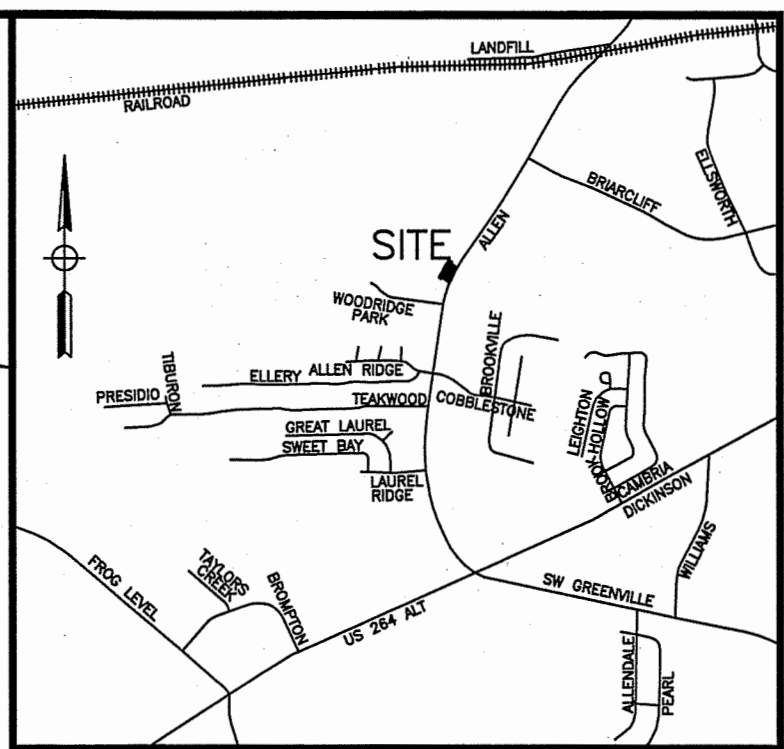


Bent Creek Farms, LLC
Acres: 1.362
From: RA20 To: CH
December 20, 2018





DB M-49, PG 585



VICINITY MAP 1"=1000'±

AGRICULTURAL/WOODED

RA-20

THOMAS J. ANDREWS and
NORMA S. HARRELL ANDREWS, ETAL.
DB N-50, PG 721
MB 13, PGs 37-37A

COMMERCIAL
(1)
CH

HARDEE FAMILY HOLDINGS, LLC
SECTION 1
DB 2972, PG 626
MB 60, PG 62

PROPOSED ZONING
CH
CURRENT ZONING
RA-20

AREA TO BE REZONED: 1.362 ACRES

SINGLE-FAMILY
RA-20

HERBERT S. COREY
DB 3444, PG 129

S 34°07'00" W
292.16'(CH)
R=1949.97'
L=292.43'

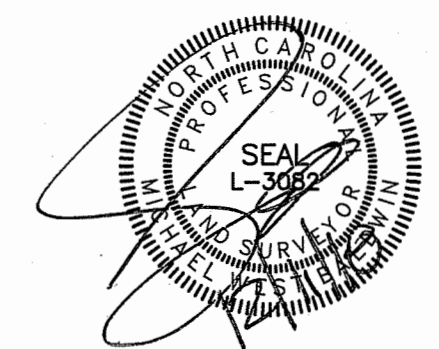
NCSR 1203 - ALLEN ROAD
(100' R/W 38' ASPHALT PUBLIC)

WOODED
RA-20

NC DEPARTMENT
OF TRANSPORTATION
DB 1822, PG 449

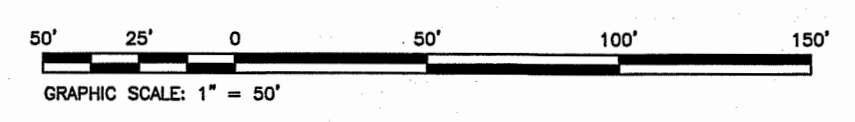
AGRICULTURAL/WOODED
RA-20

HARRELL LEE BRADLEY
and NORMA S. HARRELL



LEGEND

- R/W = RIGHT-OF-WAY
- MB = MAP BOOK
- DB = DEED BOOK
- - - = NOT TO SCALE



SHEET 1 OF 1
REZONING MAP

PARCEL# 00294
TAX MAP# 4667-53-8099

BENT CREEK FARMS, LLC

REFERENCE: DEED BOOK 3367, PAGE 444
OF THE PITT COUNTY REGISTER OF DEEDS
ARTHUR TOWNSHIP, PITT COUNTY, NC

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

Baldwin Design Consultants, PA
ENGINEERING - SURVEYING - PLANNING
1700-D EAST ARLINGTON BOULEVARD
GREENVILLE, NC 27858 252.756.1390

SURVEYED: N/A	APPROVED: MWB
DRAWN: MAH/NRW	DATE: 12/10/2018
CHECKED: MWB	SCALE: 1" = 50'

CLOSURE CHECK BOUNDARY	
CHECKED: NRW	DATE: 12/10/2018

NOTES

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. REFERENCE: DEED BOOK M-49, PAGE 583 OF THE PITT COUNTY REGISTER OF DEEDS.

Y:\DRAWINGS\2015 Drawings\15-147 BENT CREEK FARMS\Rezoning Map.dwg Tue, Dec 11, 2018-11:59am RWELLS

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 18-31

Applicant: Bent Creek Farms, LLC

Property Information

Current Zoning: RA20 (Residential-Agricultural)

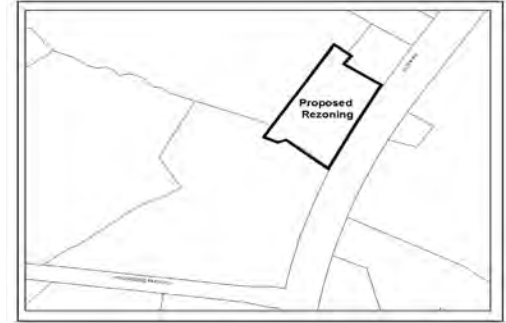
Proposed Zoning: CH (Heavy Commercial)

Current Acreage: 1.362 acres

Location: Allen Rd, north of Woodridge Park Dr

Points of Access: Allen Rd

Location Map



Transportation Background Information

1.) Allen Road- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	3 lanes - paved shoulder	4 lanes divided with raised median
Right of way width (ft)	60	90
Speed Limit (mph)	50	45
Current ADT:	16,980 (*)	
Design ADT:	12,000 vehicles/day (**)	39,700 vehicles/day (**)
Controlled Access	No	

Thoroughfare Plan Status Major Thoroughfare

Other Information: There are no sidewalks along Allen Road that service this property.

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

Transportation Improvement Program Status: Project U-5875 to widen approximately 2.3 miles of Allen Road from a two-lane roadway to a four-lane, median-divided roadway from Stantonsburg Road to Dickinson Avenue Extension (U.S. 13) in Greenville.

Trips generated by proposed use/change

Current Zoning: 30 -vehicle trips/day (*) **Proposed Zoning: 122** -vehicle trips/day (*)

Estimated Net Change: increase of 92 vehicle trips/day (assumes full-build out)

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

Impact on Existing Roads

The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on Allen Road are as follows:

1.) Allen Road , East of Site (50%): “No build” ADT of 16,980

Estimated ADT with Proposed Zoning (full build) – 17,041
 Estimated ADT with Current Zoning (full build) – 16,995
Net ADT change = 46 (<1% increase)

2.) Allen Road , West of Site (50%): "No build" ADT of 16,980

Estimated ADT with Proposed Zoning (full build) – 17,041

Estimated ADT with Current Zoning (full build) – 16,995

Net ADT change = 46 (<1% increase)

Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 122 trips to and from the site on Allen Road, which is a net increase of 92 additional trips per day.

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

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

	a.	Home occupation; not otherwise listed
	b.	Home occupation; barber and beauty shop
	c.	Home occupation; manicure, pedicure or facial salon
(4) Governmental		
	a.	Public utility building or use
(5) Agricultural/Mining		
	b.	Greenhouse or plant nursery; including accessory sales
	m.	Beekeeping; major use
	n.	Solar energy facility
(6) Recreational/Entertainment		
	a.	Golf course; 18-hole regulation length (see also section 9-4-103)
	a(1).	Golf course; 9-hole regulation length (see also section 9-4-103)
	c(1).	Tennis club; indoor and outdoor facilities
(7) Office/Financial/Medical - None		
(8) Services		
	a.	Child day care facilities
	b.	Adult day care facilities
	d.	Cemetery
	g.	School; junior and senior high (see also section 9-4-103)
	h.	School; elementary (see also section 9-4-103)
	i.	School; nursery and kindergarten (see also section 9-4-103)
(9) Repair - None		
(10) Retail Trade - None		
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None		
(12) Construction - None		
(13) Transportation - None		
(14) Manufacturing/Warehousing - None		
(15) Other Activities (not otherwise listed - all categories) - None		
PROPOSED ZONING		
CH (HEAVY COMMERCIAL) - PERMITTED USES		
(1) General		
	a.	Accessory use or building
	b.	Internal service facilities
	c.	On-premise signs per Article N
	d.	Off-premise signs per Article N
	e.	Temporary uses; of listed district uses
	f.	Retail sales; incidental
	g.	Incidental assembly of products sold at retail or wholesale as an accessory to 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
(5) Agricultural/Mining	
	a. Farming; agricultural, horticulture, forestry (see also section 9-4-103)
	b. Greenhouse or plant nursery; including accessory sales
	d. Farmers market
	e. Kennel (see also section 9-4-103)
	h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use
	l. Beekeeping; minor use (see also section 9-4-103)
(6) Recreational/Entertainment	
	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
(7) Office/Financial/Medical	
	a. Office; professional and business, not otherwise listed
	b. Operation/processing center
	c. Office; customer service, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
	d. Bank, savings and loans or other savings or investment institutions
	e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
	f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)
	g. Catalogue processing center
(8) Services	
	c. Funeral home
	e. Barber or beauty 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.	Laundrette; 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)
(11) Wholesale/Rental/Vehicle-Mobile Home Trade	
a.	Wholesale; durable and nondurable goods, not otherwise listed
b.	Rental of home furniture, appliances or electronics and medically-related products (see also 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
(12) Construction	
b.	Licensed contractor; general electrical, plumbing, mechanical, etc... including outside storage
c.	Construction office; temporary, including modular office (see also section 9-4-103)
e.	Building supply; lumber and materials sales, plumbing and/or electrical supply excluding outdoor sales
f.	Hardware store
(13) Transportation	
c.	Taxi or limousine service
e.	Parcel delivery service
f.	Ambulance service
h.	Parking lot or structure; principal use
(14) Manufacturing/Warehousing	
a.	Ice plant and freezer lockers
b.	Dairy; production, storage, and shipment facilities
c.	Bakery; production, storage, and shipment facilities
g.	Cabinet, woodwork or frame shop; excluding furniture manufacturing or 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	
CH (HEAVY COMMERCIAL) - SPECIAL USES	

(1) General - None	
(2) Residential	
i.	Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
j.	Residential quarters for resident manager, supervisor or caretaker; including mobile home
(3) Home Occupations - None	
(4) Governmental - None	
(5) Agricultural/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
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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 and CD*	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

* The residential density of the CD zoning district is based on the size of the mechanically conditioned floor area. See Section 9-4-153 in the City Code for development standards.

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



City of Greenville, North Carolina

Meeting Date: 2/14/2019
Time: 6:00 PM

Title of Item:

Ordinance requested by Craig F. Goess and Craig M. Goess to rezone 7.687 acres located on the northwestern corner of the intersection of West Arlington Boulevard and Dickinson Avenue from MCG (Medical-General Commercial) to MCH (Medical-Heavy Commercial)

Explanation:

Abstract: The City has received a request from Craig F. Goess and Craig M. Goess to rezone 7.687 acres located on the northwestern corner of the intersection of West Arlington Boulevard and Dickinson Avenue from MCG (Medical-General Commercial) to MCH (Medical-Heavy Commercial).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on December 31, 2018.

On-site sign(s) posted on December 31, 2018.

City Council public hearing notice (property owner and adjoining property owner letter) mailed on January 29, 2019.

Public hearing legal advertisement published on February 4 and February 11, 2019.

Comprehensive Plan:

The Future Land Use and Character Map recommends mixed use (MU) at the northwestern corner of the intersection of West Arlington Boulevard and Dickinson Avenue.

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 center, 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

There is a designated neighborhood activity center at the northwestern corner of the intersection of West Arlington Boulevard and Dickinson Avenue. These centers are intended to provide 20,000-50,000 square feet of commercial space serving an area within one mile.

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

Based on the analysis comparing the existing zoning (10,188 trips) and requested rezoning, the proposed rezoning could generate approximately 8,736 trips to and from the site on Arlington Boulevard and Dickinson Avenue, which is a *decrease* of 1,452 less trips per day. The traffic analysis for the requested rezoning indicates that the proposal would generate approximately 15% less traffic than the existing rezoning. Therefore, a traffic volume report was not generated.

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

History/Background:

In 1972, the subject properties were incorporated into the City's ETJ (extra-territorial jurisdiction) and zoned RA20 (Residential-Agricultural). In 2007, the property was rezoned to MO (Medical-Office). In 2016, the property was rezoned to its current zoning (MCG).

A portion of the property is included in the approved preliminary plat for Arlington West Office Park.

Present Land Use:

Vacant

Water/Sewer:

Water and sanitary sewer are available to the properties.

Historic Sites:

There are no known effects on historic sites.

Environmental Conditions/Constraints:

The property is located in the Greens Mill Run Watershed. If stormwater rules apply, it would 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: O - Arlington West Office Park; MCG and MCH - One (1) vacant lot
South: OR - Two (2) vacant lots; RA20 - Two (2) vacant lots
East: O - Bowman, Padgett and Associates Dentistry
West: RA20 - One (1) single-family residence and farmland

Density Estimates:

Under the current zoning, the site could accommodate 60,800 +/- square feet mixed retail/restaurant/service development including: one (1) conventional restaurant (5,600 sq. ft.), personal service (5,000 sq. ft.), fast food restaurants (10,000 sq. ft.), and office space (5,000). The remaining area would be used for miscellaneous retail.

Under the proposed zoning, the site could accommodate 60,800 +/- square feet mixed retail/restaurant/service development including: one (1) convenience store with gasoline sales (3,600 square feet), one (1) conventional restaurant (5,600 sq. ft.), personal service (2,000 sq. ft.), two (2) fast food restaurants (4,000 sq. ft.), and office space (2,000 sq. ft.). The remaining area would be used for miscellaneous retail.

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

Fiscal Note:

No cost to the City.

Recommendation:

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

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

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

The Planning and Zoning Commission unanimously voted to approve the request at its January 15, 2019 meeting.

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

If City Council determines to deny the rezoning request, in order to comply with this statutory requirement, it is recommended that the motion be as follows:

Motion to deny the proposed amendment and to make a finding and determination that, although the rezoning request is consistent with the comprehensive plan, there is a more appropriate zoning classification and, therefore, denial is reasonable and in the public interest.

Note: In addition to 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 districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

ATTACHMENTS:

- ❑ **Ordinance_-_Craig_Goess_1100338**
- ❑ **Minutes_-_Craig_Goess_1100325**
- ❑ **Attachments**
- ❑ **Pre Plat**

ORDINANCE NO. 19-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 14th day of February, 2019, at 6:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Policy 1.1.1 guide development with the Future Land Use and Character Map and Policy 1.1.6 guide development using the Tiered Growth Approach; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, promote the safety and general welfare of the community because the requested zoning is consistent with the recommended Future Land Use and Character designation and is located in a Primary Service Area;

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

Section 1. That the following described territory is rezoned from MCG (Medical-General Commercial) to MCH (Medical-Heavy Commercial).

TO WIT: Craig F. Goess and Craig M. Goess

LOCATION: Located on the northwestern corner of the intersection of West Arlington Boulevard and Dickinson Avenue.

DESCRIPTION: Beginning at an existing concrete monument where the southern right-of-way of NCSR 1323 (West Arlington Boulevard) intersects the western right-of-way of NCSR 1620 (Dickinson Avenue). From the above described beginning, so located, running thence as follows:

With the western right-of-way of NCSR 1620 (Dickinson Avenue) S 47°21'09" W 519.87', to an existing iron pipe, thence leaving the western right-of-way of NCSR 1620 (Dickinson Avenue) N 39°00'00" W 276.31', thence S 51°32'21" W 9.99', thence N 39°00'00" W 530.13', thence N 56°16'43" E 265.67', thence S 26°04'14" E 20.06', thence S 26°05'29" E 60.24', thence S 45°13'40" E 165.81', thence N 50°57'12" E 57.00' to the point of curvature, thence with a curve to the left an arc distance of 49.17', said curve having a radius of 143.00' a chord bearing N 41°03'32" E 48.93', thence N 38°51'57" W 5.72', thence N 43°01'53" E 99.65' to an existing iron pipe on the curved southern right-of-way of NCSR 1323 (West Arlington Boulevard), thence with the curved southern right-of-way of NCSR 1323 (West Arlington Boulevard) to the left an arc distance 59.91', said curve having a radius of 5,779.58' a chord bearing S 47°25'30" E 59.91' to the point of compound curvature, thence with a curve to the left an arc distance of 269.93', said curve having a radius of 5,779.58' a chord bearing S 48°56'19" E 269.90' to the point of reverse curvature, thence with a curve to the right an arc distance of 75.39', said curve having a radius of 5,779.58' a chord bearing S 50°39'13" E 75.39' to the point of tangency, thence S 51°01'14" E 96.28', thence S 02°24'01" E 50.85' to the point of beginning containing 7.687 acres.

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

Section 3. That the Director of Community Development is directed to amend the Future Land Use and Character Map of the City of Greenville in accordance with this ordinance.

Section 4. That all ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 5. That this ordinance shall become effective upon its adoption.

ADOPTED this 14th day of February, 2019.

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

1100338

Excerpt from the draft Planning & Zoning Commission Minutes (01/15/2019)

ORDINANCE REQUESTED BY CRAIG F. GOESS AND CRAIG M. GOESS TO REZONE 7.687 ACRES LOCATED ON THE NORTHWESTERN CORNER OF THE INTERSECTION OF WEST ARLINGTON BOULEVARD AND DICKINSON AVENUE FROM MCG (MEDICAL-GENERAL COMMERCIAL) TO MCH (MEDICAL-HEAVY COMMERCIAL) - **APPROVED**

Motion made by Ms. Darden, seconded by Mr. King, to recuse Chairman Overton. Motion passed unanimously.

Ms. Gooby delineated the property. It is located across the street from Physicians East. The 7.6 acre property is now adjacent to a new Dunkin Donuts. There is a neighborhood activity center at this property, which is where commercial is encouraged. These areas are intended to service a 1-mile radius. Staff anticipates about 60,000 square feet of mixed retail/restaurant and a convenience store at the corner. The Future Land Use Plan recommends mixed use at this corner, which is described as place to live, work and shop. The mixed use character allows a variety of zoning districts. In staff's opinion, the request is in compliance with the Horizons 2026: Greenville's Community Plan and the Future Land Use Character Map. Staff recommends approval.

Mr. Mike Baldwin, Baldwin Design Consultants, spoke in favor, on behalf of the applicant. The property was rezoned to MCG (Medical-General Commercial) 2016 right after the Horizons 2026 was adopted. The request will be in harmony with the surrounding zoning pattern. While it would require strong traffic mitigation, it still an appropriate zoning for this area.

No one spoke in opposition.

Mr. Overton closed the public hearing.

Motion made by Mr. Collins, 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.

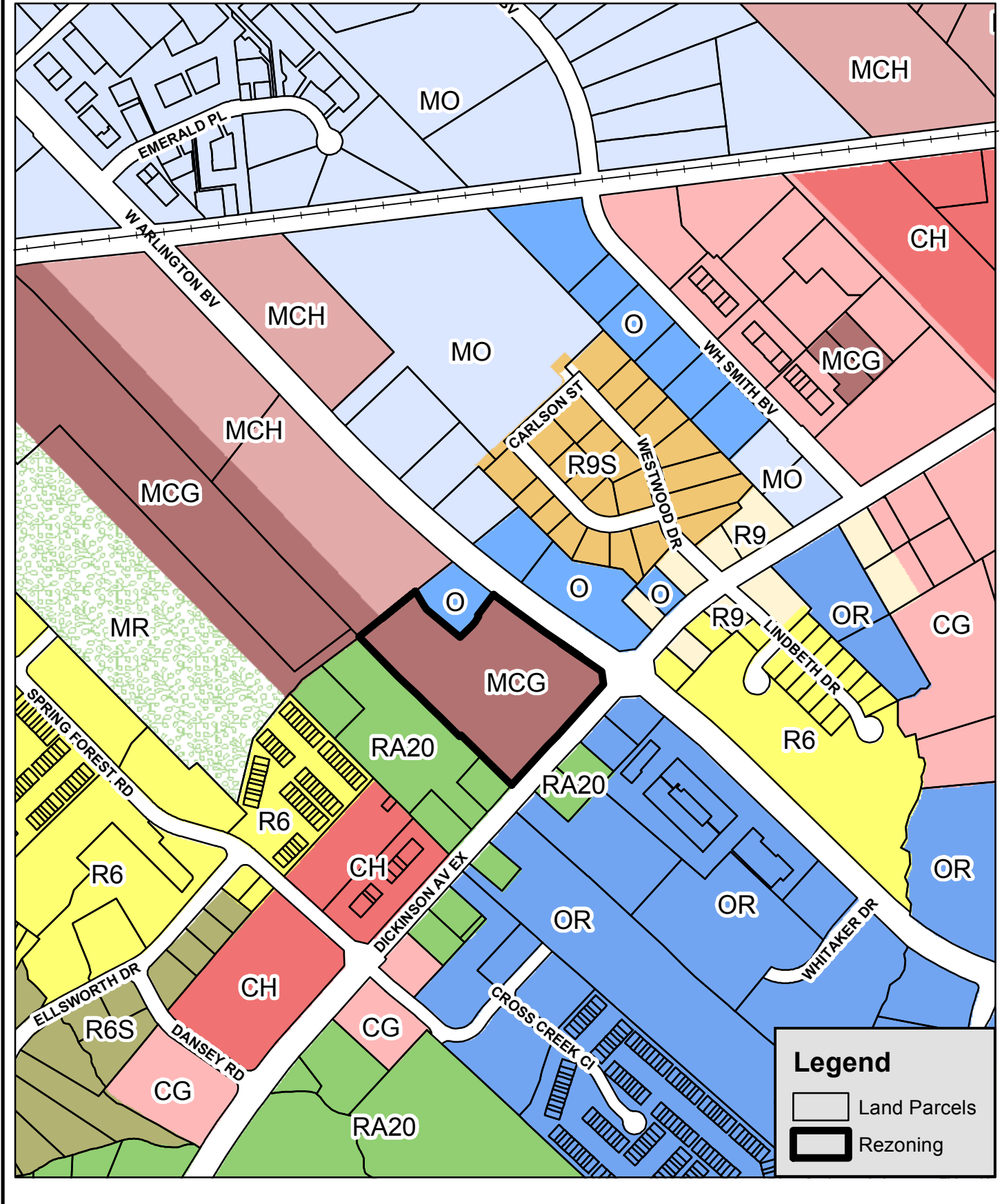
Craig F. Goess and Craig M. Goess

Acres: 7.687

From: MCG

To: MCH

December 21, 2018



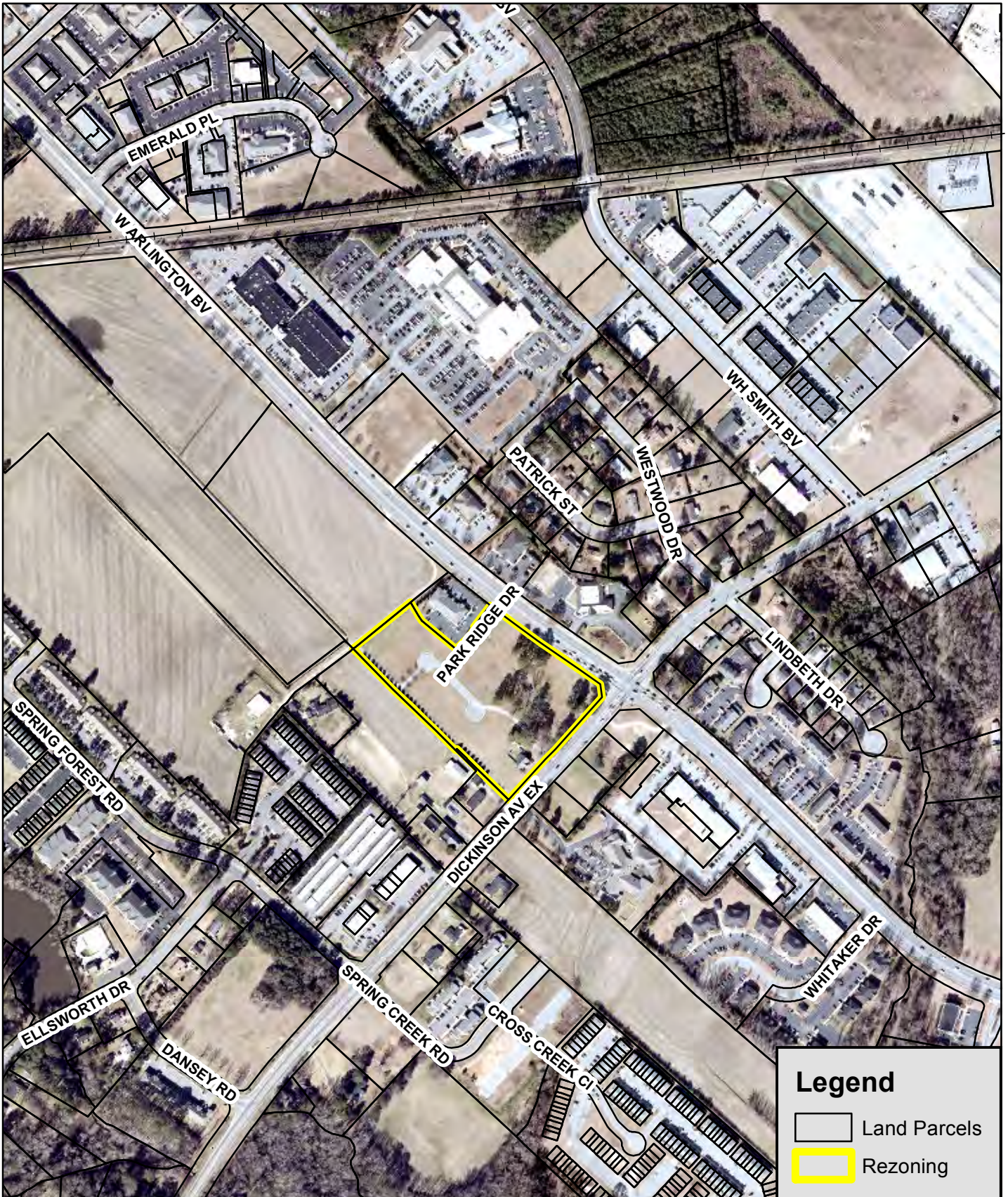
Craig F. Goess and Craig M. Goess

Acres: 7.687

From: MCG

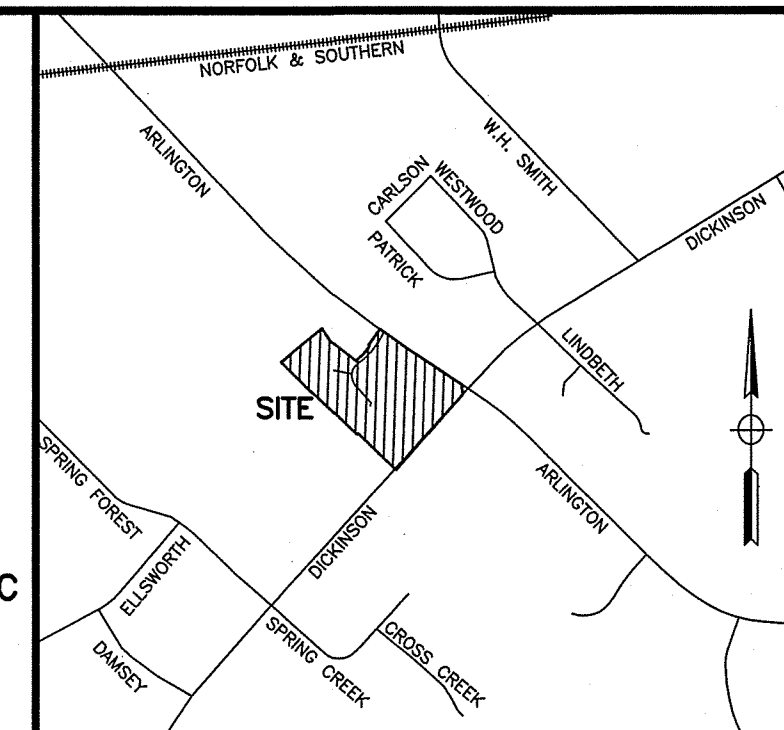
To: MCH

December 21, 2018



LEGEND

- R/W = RIGHT-OF-WAY
- C = CENTERLINE
- EIP = EXISTING IRON PIPE
- ECM = EXISTING CONCRETE MOUNUMENT
- B/B = BACK OF CURB TO BACK OF CURB
- () = ZONING



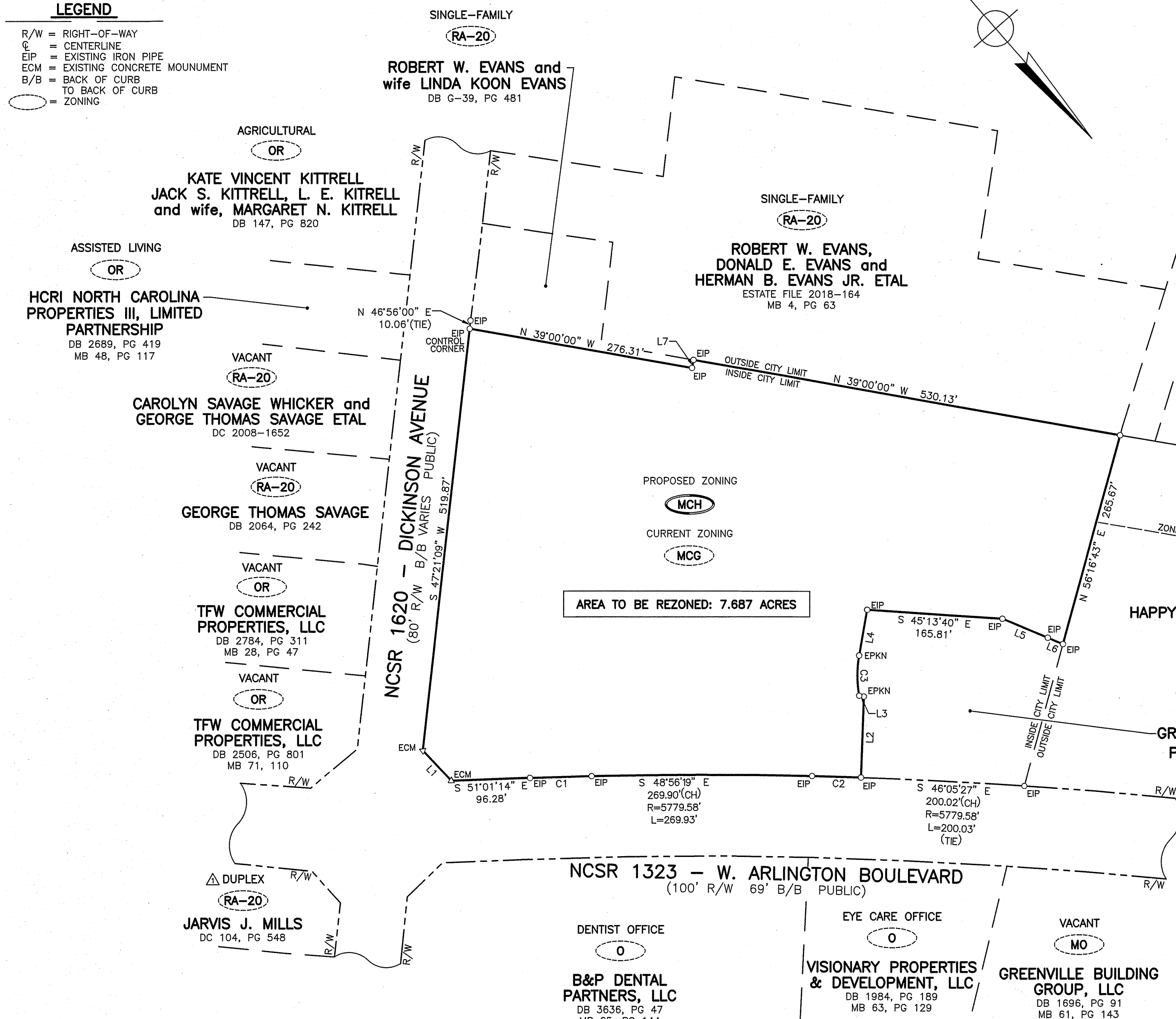
SCALE: 1"=1000'±
VICINITY MAP

LINE TABLE

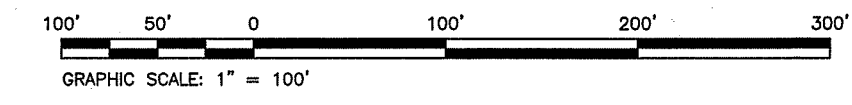
COURSE	BEARING	DISTANCE
L1	S 02°24'01" E	50.85'
L2	N 43°01'53" E	99.65'
L3	N 38°51'57" W	5.72'
L4	N 50°57'12" E	57.00'
L5	S 26°05'29" E	60.24'
L6	S 26°04'14" E	20.06'
L7	S 51°32'21" W	9.99'

CURVE TABLE

CURVE	BEARING	CHORD	RADIUS	LENGTH
C1	S 50°39'13" E	75.39'	5779.58'	75.39
C2	S 47°25'30" E	59.91'	5779.58'	59.91
C3	N 41°03'32" E	48.93'	143.00'	49.17



△ REVISED: 12-28-18 (CITY OF GREENVILLE COMMENTS)(NRW)
REVISED CURRENT USE ON ADJOINING PROPERTY



SHEET 1 OF 1
REZONING MAP
PARCEL# 07247
TAX MAP# 4677-45-3093

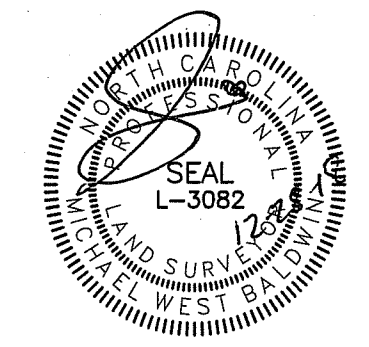
CRAIG F. GOESS AND CRAIG M. GOESS

REFERENCE: DEED BOOK 3521, PAGE 394 OF THE PITT COUNTY REGISTER OF DEEDS

GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NC

OWNER: **CRAIG F. GOESS and CRAIG M. GOESS**
ADDRESS: 3615 S. MEMORIAL DRIVE
GREENVILLE NC, 27834
PHONE: (252) 769-7738

	SURVEYED: N/A	APPROVED: MWB
	DRAWN: NRW	DATE: 12/10/18
ENGINEERING - SURVEYING - PLANNING 1700-D EAST ARLINGTON BOULEVARD GREENVILLE, NC 27858 252.756.1390	CHECKED: MWB	SCALE: 1" = 100'



CLOSURE CHECK BOUNDARY

CHECKED: NRW	DATE: 12/10/18
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GENERAL NOTES

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. REFERENCE: A PORTION OF A PROPERTY AS SHOWN ON RECORDED MAP BOOK 58, PAGE 57 OF THE PITT COUNTY REGISTER OF DEEDS.

Y:\DRAWINGS\17-008 CRAIG F. GOESS-ARLINGTON WEST SURVEY\REZONING MAP.dwg Fri, Dec 28, 2018-8:34am RWELLS

EXISTING ZONING	
MCG (MEDICAL-GENERAL COMMERCIAL) - PERMITTED USES	
(1) General	
a.	Accessory use or building
b.	Internal service facilities
c.	On-premise signs per Article N
f.	Retail sales; incidental
(2) Residential - None	
(3) Home Occupations - None	
(4) Governmental	
b.	City of Greenville municipal government building or use (see also section 9-4-103)
c.	County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
d.	Federal government building or use
(5) Agricultural/Mining	
a.	Farming; agricultural, horticulture, forestry (see also section 9-4-103)
(6) Recreational/Entertainment	
f.	Public park or recreational facility
s.	Athletic club; indoor only
(7) Office/Financial/Medical	
a.	Office; professional and business, not otherwise listed
d.	Bank, savings and loans or other savings or investment institutions
(8) Services	
e.	Barber or beauty salon
f.	Manicure, pedicure or facial salon
v.	Photography studio including photo and supply sales
y(3).	TV and/or radio broadcast facilities, including receiving and transmission equipment and towers or cellular telephone and wireless communication towers not exceeding 80 feet in height
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
ii.	Wellness center, indoor and outdoor facilities
kk.	Launderette; household users
ll.	Dry cleaners; household users
(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
f.	Office and school supply, equipment sales
h.	Restaurant; conventional
i.	Restaurant; fast food
k.	Medical supply sales and rental of medically-related products including uniforms and related accessories

	i.	Electronic; stereo, radio, computer, TV, etc... sales and accessory repair
	s.	Book or card store, news stand
	t.	Hobby or craft shop
	v.	Video or music store; records, tape, CD and the like sales
	w.	Florist
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None		
(12) Construction		
	c.	Construction office; temporary, including modular office (see also section 9-4-103)
(13) Transportation - None		
(14) Manufacturing/Warehousing		
	c.	Bakery; production, storage, and shipment facilities
(15) Other Activities (not otherwise listed - all categories) - None		
MCG (MEDICAL-GENERAL COMMERCIAL) - SPECIAL USES		
(1) General - None		
(2) Residential		
	i.	Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
(3) Home Occupations - None		
(4) Governmental		
	a.	Public utility building or use
(5) Agricultural/Mining - None		
(6) Recreational/Entertainment		
	m(1).	Dining and entertainment establishment (see also section 9-4-103)
	t.	Athletic club; indoor and outdoor facilities
(7) Office/Financial/Medical - None		
(8) Services		
	a.	Child day care facilities
	b.	Adult day care facilities
	ff(1).	Mental health, emotional or physical rehabilitation day program facility
	jj.	Health services not otherwise listed
(9) Repair - None		
(10) Retail Trade		
	c.	Wine shop; including on-premise consumption (see also section 9-4-103)
	j.	Restaurant and/or dining and entertainment establishment; regulated outdoor activities
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None		
(12) Construction - None		
(13) Transportation - None		
(14) Manufacturing/Warehousing - None		
(15) Other Activities (not otherwise listed - all categories) - None		
PROPOSED ZONING		
MCH (MEDICAL-HEAVY COMMERCIAL) - PERMITTED USES		
(1) General		
	a.	Accessory use or building
	b.	Internal service facilities
	c.	On-premise signs per Article N
	f.	Retail sales; incidental
(2) Residential - None		

(3) Home Occupations - None	
(4) Governmental	
b.	City of Greenville municipal government building or use (see also section 9-4-103)
c.	County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
d.	Federal government building or use
(5) Agricultural/Mining	
a.	Farming; agricultural, horticulture, forestry (see also section 9-4-103)
b.	Greenhouse or plant nursery; including accessory sales
(6) Recreational/Entertainment	
f.	Public park or recreational facility
s.	Athletic club; indoor only
(7) Office/Financial/Medical	
a.	Office; professional and business, not otherwise listed
d.	Bank, savings and 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)
(8) Services	
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)
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(3).	TV and/or radio broadcast facilities, including receiving and transmission equipment and towers or cellular telephone and wireless communication towers not exceeding 80 feet in height
aa.	Catering service including food preparation (see also restaurant; conventional and fast food)
hh.	Exercise and weight loss studio; indoor only
ii.	Wellness center, indoor and outdoor facilities
kk.	Launderette; household users
ll.	Dry cleaners; household users
(9) 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
d.	Pharmacy
e.	Convenience store (see also gasoline sales)
f.	Office and school supply, equipment sales
h.	Restaurant; conventional
i.	Restaurant; fast food

k.	Medical supply sales and rental of medically-related products including uniforms and related accessories
p.	Furniture and home furnishing sales not otherwise listed
s.	Book or card store, news stand
t.	Hobby or craft shop
v.	Video or music store; records, tape, CD and the like sales
w.	Florist
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction	
a.	Licensed contractor; general electrical, plumbing, mechanical, etc... excluding outside storage
c.	Construction office; temporary, including modular office (see also section 9-4-103)
f.	Hardware store
(13) Transportation	
h.	Parking lot or structure; principal use
(14) Manufacturing/Warehousing	
c.	Bakery; production, storage, and shipment facilities
i.	Moving and storage of nonhazardous materials; excluding outside storage
k.	Mini-storage warehouse, household; excluding outside storage
(15) Other Activities (not otherwise listed - all categories) - None	
MCH (MEDICAL-HEAVY COMMERCIAL) - SPECIAL USES	
(1) General	
g.	Incidental assembly of products sold at retail or wholesale as an accessory to principal uses
(2) Residential	
i.	Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
(3) Home Occupations - None	
(4) Governmental	
a.	Public utility building or use
(5) Agricultural/Mining - None	
(6) Recreational/Entertainment	
m(1).	Dining and entertainment establishment (see also section 9-4-103)
t.	Athletic club; indoor and outdoor facilities
(7) Office/Financial/Medical	
c.	Office; customer service, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
(8) Services	
a.	Child day care facilities
b.	Adult day care facilities
j.	College and other institutions of higher learning
s(1).	Hotel, motel bed and breakfast inn; extended stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
ff(1).	Mental health, emotional or physical rehabilitation day program facility
gg.	Vocational rehabilitation center
jj.	Health services not otherwise listed
(9) Repair	

a.	Minor repair; as an accessory or principal use
(10) Retail Trade	
c.	Wine shop; including on-premise consumption (see also section 9-4-103)
y.	Auto part sales (see also major and minor repair)
ff.	Tobacco shop (Class 1) (see also section 9-4-103)
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction - None	
(13) Transportation - None	
(14) Manufacturing/Warehousing	
m.	Warehouse; accessory to approved commercial or industrial uses within the district; excluding outside storage
t.	Manufacture of nonhazardous medical supplies or medical products, including distribution
(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.

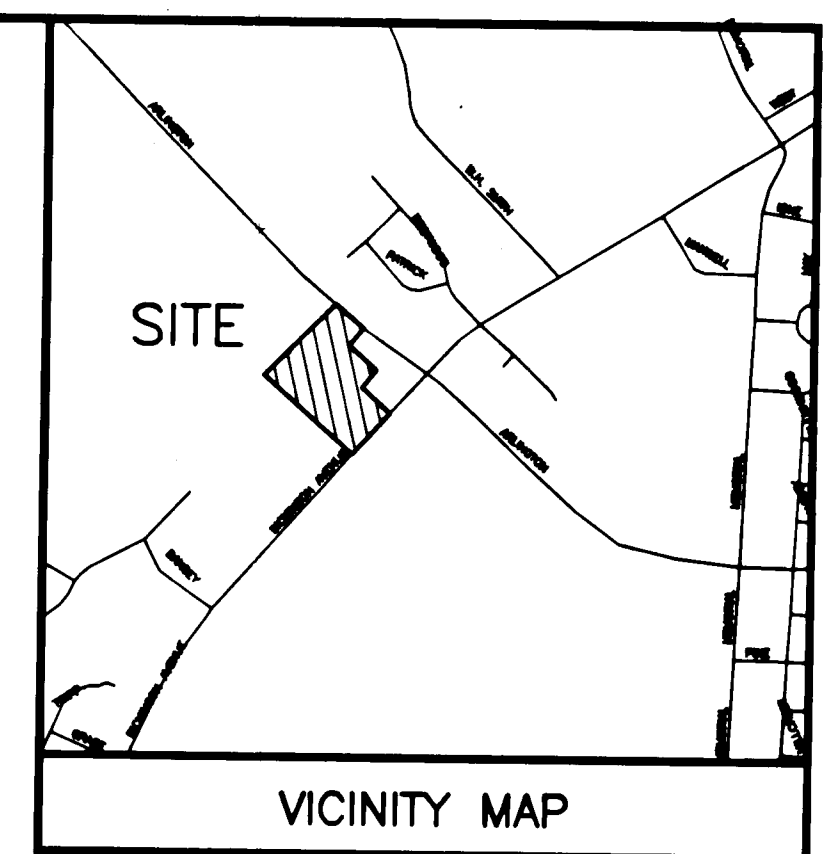
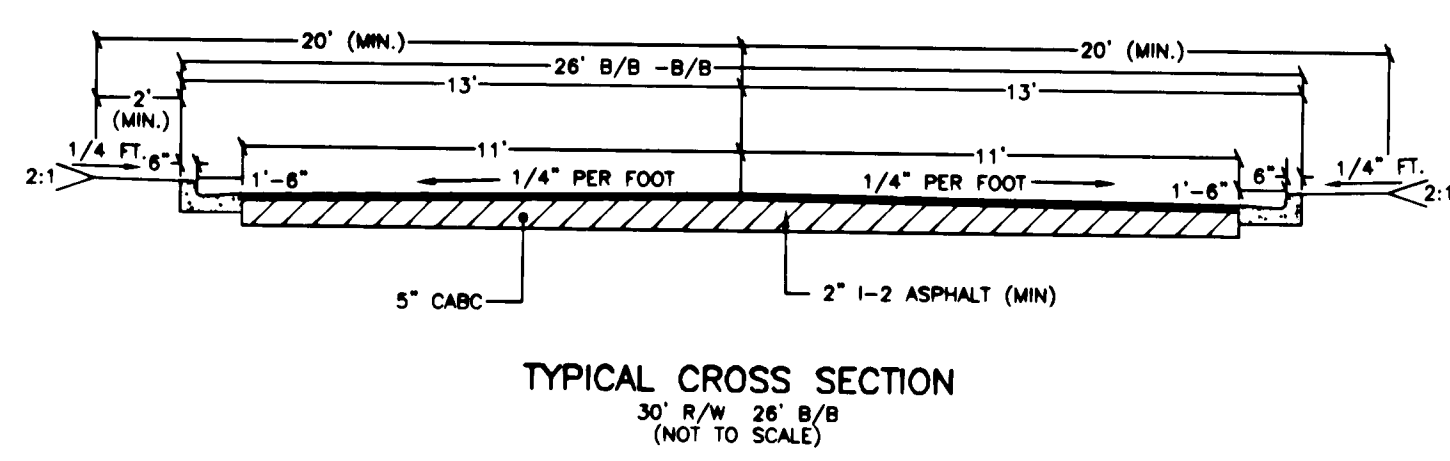
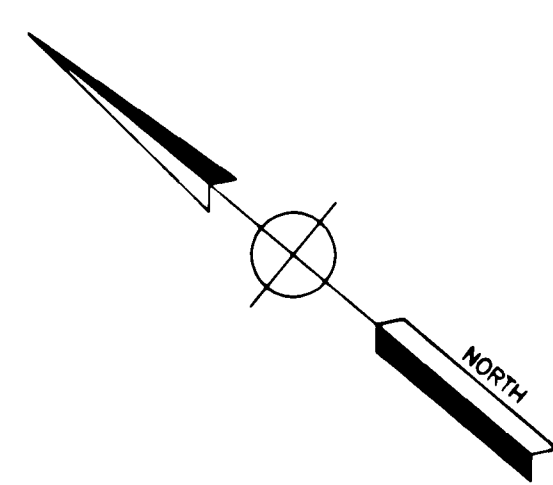
Bufferyard F (screen required)	
Width	For every 100 linear feet
50'	8 large evergreen trees 10 small evergreens 36 evergreen shrubs

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.

SITE DATA

TOTAL AREA IN TRACT	6.683 ACRES
NO. OF LOTS CREATED	9
ZONING CLASSIFICATION	0
LINEAR FEET IN ACCESS EASEMENTS	0
AREA IN STREETS	26,245 S.F.
ACREAGE IN PARKS, RECREATION AREAS, COMMON AREAS AND THE LIKE	0

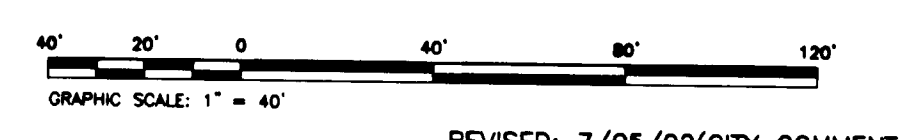
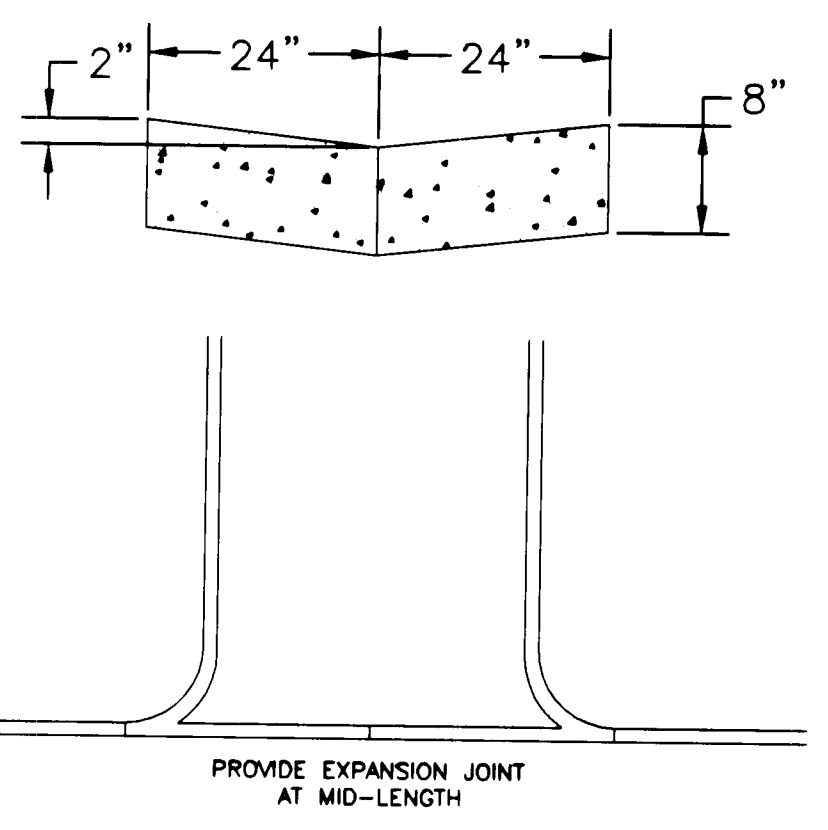


GENERAL NOTES

1. ALL REQUIRED IMPROVEMENTS TO BE BUILT IN ACCORDANCE WITH THE CITY OF GREENVILLE MANUAL OF STANDARD DESIGN AND DETAILS.
2. NCDOT DRIVEWAY PERMIT REQUIRED.
3. EROSION CONTROL PLAN IS REQUIRED.
4. THIS SITE IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY THE DEPT. OF HOUSING AND URBAN DEVELOPMENT. REF: FIRM 370191 0010 B, DATED APRIL 30, 1986.
5. A STORM WATER DETENTION PLAN IS REQUIRED FOR ALL LOTS.
6. THIS SITE IS NOT IN THE GREENVILLE WATER SUPPLY WATERSHED BOUNDARY.
7. CONSTRUCTION PLANS AND SPECIFICATIONS SHALL BE APPROVED BY GREENVILLE UTILITIES COMMISSION PRIOR TO CONSTRUCTION OF ANY WATER SEWER MAINS.
8. ALL REQUIRED IMPROVEMENTS SHALL CONFORM TO THE GREENVILLE UTILITIES MANUAL FOR THE DESIGN AND CONSTRUCTION OF WATER AND WASTEWATER SYSTEM EXTENSIONS.
9. HYDRAULIC ANALYSIS REQUIRED.
10. A PIGGING PLAN SHALL BE SUBMITTED TO AND APPROVED BY GUC PRIOR TO BEGINNING CONSTRUCTION OF THE WATERLINE.
11. ALL LOT AREAS ARE CALCULATED TO EDGE OF EASEMENTS.
12. 30' INGRESS, EGRESS AND REGRESS EASEMENT TO BE MAINTAINED BY OWNERS ASSOCIATION.
13. THIS MAP IS A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
14. MAIN & ACREAGE FEES ARE DUE.
15. ALL OPEN WATERCOURSES REQUIRING 48\"/>

LEGEND

- EIP = EXISTING IRON PIPE
- SIP = SET IRON PIPE
- ECM = EXISTING CONCRETE MONUMENT
- MBL = MINIMUM BUILDING LINE
- R/W = RIGHT-OF-WAY
- PP = POWER POLE
- INV = INVERT
- MSL = MEAN SEA LEVEL
- FES = FLARED END SECTION
- TC = TOP OF CURB
- E/P = EDGE OF PAVEMENT
- TB = TOP OF BANK
- C/L = CENTERLINE
- CB = CATCH BASIN
- MH = MANHOLE
- RCP = REINFORCED CONC. PIPE
- CMP = CORRUGATED METAL PIPE
- FH = FIRE HYDRANT
- BV = BALL VALVE
- GV = GATE VALVE
- FFE = FINISHED FLOOR ELEVATION
- ST = SIGHT TRIANGLE
- NPS = NO POINT SET
- P/L = PROPERTY LINE
- N.T.S. = NOT TO SCALE
- B/B = BACK OF CURB TO BACK OF CURB
- R = RADIUS
- CH = CHORD
- PT = POINT OF TANGENCY
- PC = POINT OF CURVATURE
- PRC = POINT OF REVERSE CURVATURE
- RCP = REINFORCED CONCRETE PIPE
- TPED = TELEPHONE PEDESTAL
- TYPED = TELEVISION PEDESTAL
- CO = CLEANOUT
- EBOX = ELECTRIC METER BOX
- WV = WATER VALVE



REVISED: 7/05/02(CITY COMMENTS)
 REVISED: 6/27/02(ACCESS EASEMENT)
 TAX PARCEL# 7247
 TAX MAP# 4677.10-45-3093
 TAX PARCEL# 61091
 TAX MAP# 4677.10-45-0355

SHEET 1 OF 1
 PRELIMINARY PLAT

ARLINGTON WEST OFFICE PARK

REFERENCE: DEED BOOK F-25, PAGE 287, DEED BOOK 485, PAGE 573 AND DEED BOOK 973, PAGE 779 OF THE PITT COUNTY REGISTRY

GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

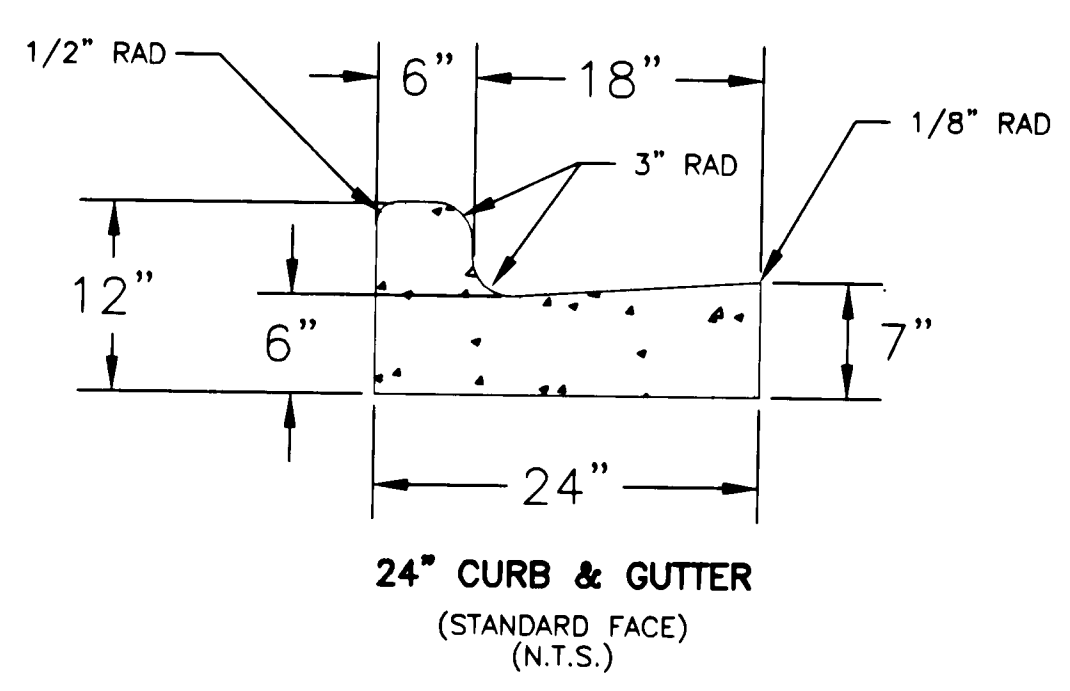
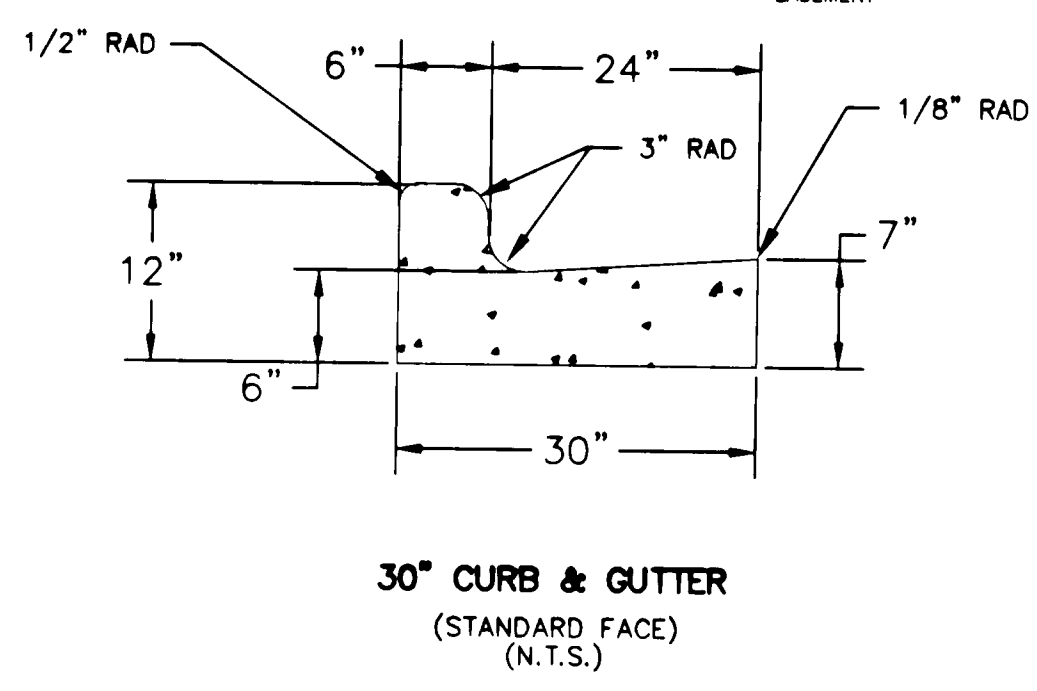
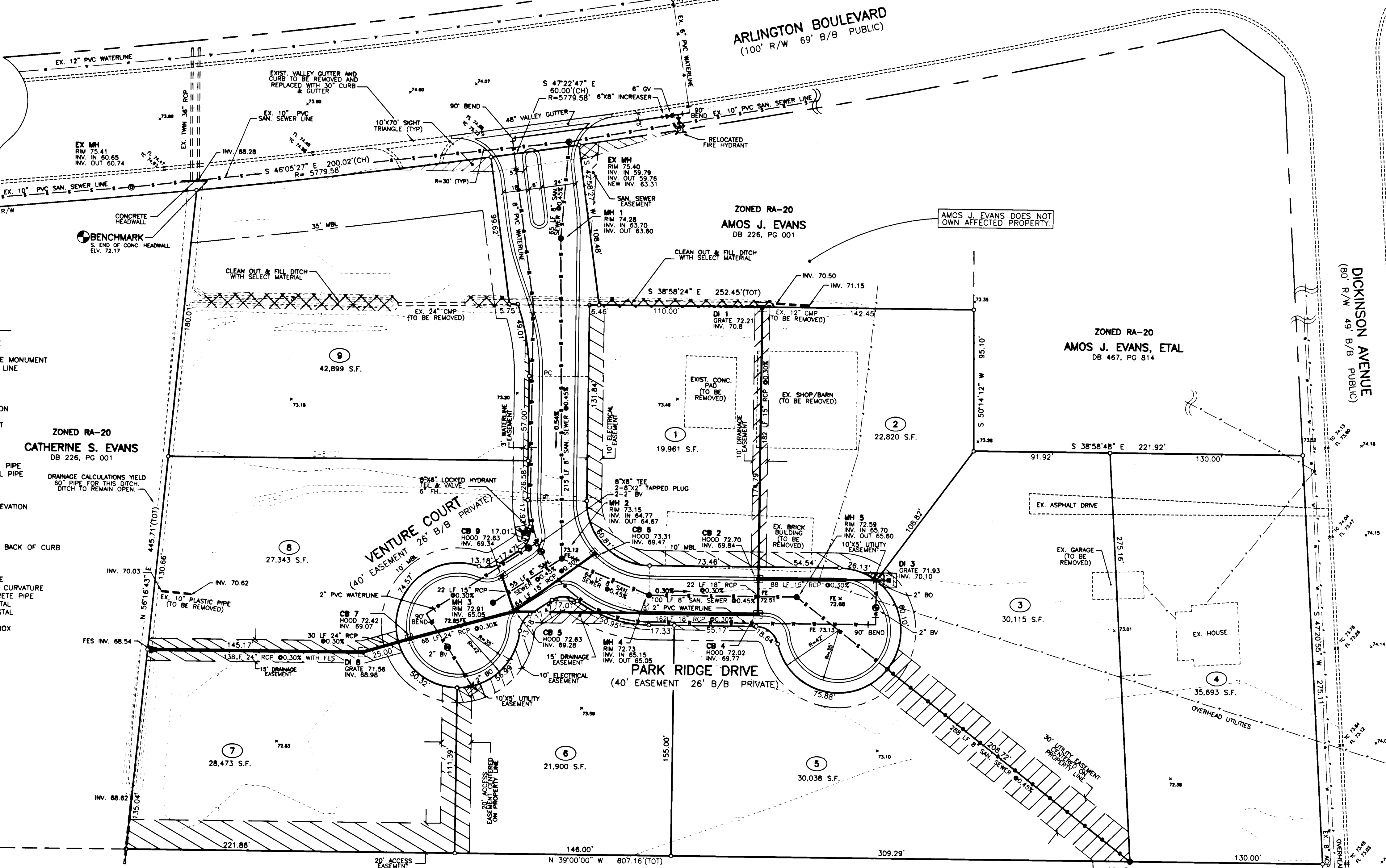
OWNER: JAMES A. EVANS, ETAL
 ADDRESS: 1861 WEST ARLINGTON BOULEVARD
 GREENVILLE, NC 27834
 PHONE: (252) 756-8996

Baldwin and ASSOCIATES ENGINEERING, LAND SURVEYING AND PLANNING 1015 CONFERENCE DRIVE GREENVILLE, NC 27858 (252) 756-1390	DESIGNED: MWB	APPROVED: MWB/JSU
	DRAWN: KWH/DWL	DATE: 06/17/02
	CHECKED: MWB	SCALE: 1\"/>

APPROVAL

THIS PRELIMINARY PLAT, # 02-10, AND THE STREET NAME(S) HEREON WERE APPROVED BY THE GREENVILLE PLANNING AND ZONING COMMISSION AT A MEETING HELD THE 16TH DAY OF JUNE, 2002.

SIGNED: *[Signature]* CHAIRMAN
 SIGNED: *[Signature]* CITY PLANNER



ZONED RA-20
 DONALD E. EVANS
 DB N-45, PG 576

ZONED RA-20
 CATHERINE S. EVANS
 ESTATE FILE: 91-494

ZONED RA-20
 ROBERT W. EVANS
 DB G-39, PG 483



City of Greenville, North Carolina

Meeting Date: 2/14/2019
Time: 6:00 PM

Title of Item: Ordinance requested by Bobby W. Joyner to rezone 12.943 acres located along the northern right-of-way of East Fire Tower Road and adjacent to Meeting Place Subdivision from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family])

Explanation: **Abstract:** The City has received a request from Bobby W. Joyner to rezone 12.943 acres located along the northern right-of-way of East Fire Tower Road and adjacent to Meeting Place Subdivision from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family]).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on December 31, 2018.
On-site sign(s) posted on December 31, 2018.
City Council public hearing notice (property owner and adjoining property owner letter) mailed on January 29, 2019.
Public hearing legal advertisement published on February 4 and February 11, 2019.

Comprehensive Plan:

The Future Land Use and Character Map recommends commercial (C) at the northeastern corner of the intersection of East Fire Tower Road and Charles Boulevard, transitioning to office/institutional (OI) to the north and traditional neighborhood, medium-high density (TNMH) to the east.

Further, the Future Land Use and Character Map recommends potential conservation/open space (PCOS) along Meeting House Branch.

Traditional Neighborhood, Medium-High Density

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

Intent:

- Provide 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)

Office/Institutional:

These areas serve as a transition between more intense commercial areas and surrounding neighborhoods. The form of future development should take a more walkable pattern with shorter blocks, buildings near streets, shared parking, and connections to surrounding development.

Intent:

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

Primary Uses:

Office

Institutional/Civic

Commercial

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

Intent:

- Provide connectivity to nearby uses (paths, streets)
- Locate new buildings near street on at least one side and accommodate parking to the side or rear of buildings

- Improve/provide public realm features such as signs, sidewalks, landscaping
- Reduce access-points into development for pedestrian and vehicular safety
- Reduce and consolidate surface parking

Primary uses:

Commercial (small and large format)

Office

Secondary uses:

Institutional/civic

Potential conservation/open space (PCOS)

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

Intent:

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

There is a designated community activity center at the intersection of East Fire Tower Road and Charles Boulevard. These centers are intended to contain 50,000-250,000 square feet of conditioned floor space and serve an area within three (3) miles.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1,031 trips to and from the site on East Fire Tower Road, which is a net increase of 600 trips per day.

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

History/Background:

In 1972, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned to its present zoning.

Present Land Use:

One (1) single-family residence and farmland

Water/Sewer:

Water and sanitary sewer are available to the subject property.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

Meeting House Branch is along the northern property line, and a blue line stream traverses the property. There is not mapped flood plain on the subject property. This property may contain wetlands and is subject to the riparian buffer rules.

The property is located in the Meeting House Branch Watershed. If stormwater rules apply, it would require 25-year detention and nitrogen and phosphorous reduction.

Surrounding Land Uses and Zoning:

North: R6 and R6S - Farmland

South: RA20 - Farmland (under common ownership of the applicant) and one (1) single-family dwelling

East: R6S - Meeting Place Subdivision (single-family)

West: CG and OR - Farmland

Density Estimates:

Under the current zoning, the site could accommodate 40-45 single-family lots.

Under proposed zoning, the site could accommodate 145-155 multi-family units (1, 2 and 3 bedroom units).

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

Fiscal Note:

No cost to the City.

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

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

The Planning and Zoning Commission voted (6:2) to approve the request at its January 15, 2019 meeting.

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

If City Council determines to deny the rezoning request, in order to comply with this statutory requirement, it is recommended that the motion be as follows:

Motion to deny the proposed amendment and to make a finding and determination that, although the rezoning request is consistent with the comprehensive plan, there is a more appropriate zoning classification and, therefore, denial is reasonable and in the public interest.

Note: In addition to 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 districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

ATTACHMENTS:

- ▣ **Ordinance_-_Bobby_W_Joyner_1100334**
- ▣ **Minutes_-_Bobby_Joyner_1100289**
- ▣ **Attachments**

ORDINANCE NO. 19-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 14th day of February, 2019, at 6:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Policy 1.1.1 guide development with the Future Land Use and Character Map and Policy 1.1.6 guide development using the Tiered Growth Approach; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, promote the safety and general welfare of the community because the requested zoning is consistent with the recommended Future Land Use and Character designation and is located in a Primary Service Area;

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

Section 1. That the following described territory is rezoned from RA20 (Residential-Agricultural) to OR (Office-Residential).

TO WIT: Bobby W. Joyner

LOCATION: Located along the northern right-of-way of East Fire Tower Road and adjacent to Meeting Place Subdivision.

DESCRIPTION: Beginning at an existing bent re-bar reset having NC Grid Coordinates N 666321.57 and E 2492065.64 and being located at the intersection of the northern right-of-way of E. Fire Tower Road and the southwest property corner of Lot 1, Meeting Place Subdivision as recorded in Map Book 38, Page 136, Pitt County Registry; thence running along the northern right-of-way of E. Fire Tower Road S 56-06-41 W, 512.90 feet to an iron pipe set with cap located on the northern right-of-way of E. Fire Tower Road said iron pipe set with cap having NC Grid Coordinates N 666035.59 and E 2491639.87; thence leaving the northern right-of-way of E. Fire Tower Road N 04-01-37 W, 702.83 feet to an iron pipe set; thence continuing N 04-01-37 W, 644.56 feet to an iron pipe set; thence continuing N 04-01-37 W, 16.90 feet to a point located in the centerline of Meeting House Branch; thence running along the centerline of Meeting House Branch the following courses and distances S 81-43-58 E, 79.98 feet to a point; thence N 81-02-34 E, 78.36 feet to a point; thence N 84-13-25 E, 49.69 feet to a point; thence N 82-48-50 E, 97.83 feet to a point; thence N 86-34-06 E, 54.69 feet to a point; thence N 81-23-03 E, 65.80 feet to a point; thence N 59-24-42 E, 56.81 feet to a point; thence leaving the centerline of Meeting House Branch and following the western property line of Meeting Place Subdivision as recorded in Map Book 38, Page 136, Pitt County Registry the following courses and distances S 02-31-16 E, 10.18 feet to an iron pipe set; thence continuing S 02-31-16 E, 1,125.84 feet to the point of beginning containing 12.943 acres.

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

Section 3. That the Director of Community Development is directed to amend the Future Land Use and Character Map of the City of Greenville in accordance with this ordinance.

Section 4. That all ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 5. That this ordinance shall become effective upon its adoption.

ADOPTED this 14th day of February, 2019.

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

1100334

Excerpt from the draft Planning & Zoning Commission Minutes (01/15/2019)

ORDINANCE REQUESTED BY BOBBY W. JOYNER TO REZONE 12.943 ACRES LOCATED ALONG THE NORTHERN RIGHT-OF-WAY OF EAST FIRE TOWER ROAD AND ADJACENT TO MEETING PLACE SUBDIVISION FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO OR (OFFICE-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) - **APPROVED**

Ms. Gooby delineated the property. There is a community activity center at the intersection of Charles Boulevard and Fire Tower Road, which is where commercial is encouraged. These areas are intended to service a 3-mile radius. This request could generate net an increase of 600 trips per day. This area will be impacted by the planned road widening for Fire Tower Road, which will make it a 4-lane divided median highway. All traffic leaving from this property will eventually be required to make a right-hand turn. Under the current zoning, the property could accommodate 40-45 single-family lots. Under the proposed zoning, the property could accommodate 150 multi-family units. The Future Land Use Plan recommends commercial © at the intersection of Charles Boulevard and Fire Tower Road transitioning to office/institutional (OI) to the north and traditional neighborhood, medium-high density (TNMH). The requested OR zoning is part of the TNMH character. Further, potential conservation/open space (PCOS) is shown along the northern property line and along Meeting House Branch (which traverses the property). Meeting House Branch is a blue line stream, which may be subject to riparian buffer rules. In staff's opinion, the request is in compliance with the Horizons 2026: Greenville's Community Plan and the Future Land Use Character Map. Staff recommends approval.

Mr. Scott Anderson, Ark Consulting, spoke in favor, representing the applicant. The request is in compliance with Future Land Use Plan and the proposed OR zoning provides a transition from the commercial at Charles Boulevard and Fire Tower Road. The rear of the property drops off significantly and 25-year storm water detention required. So, that is where the storm water detention will be located. The property will be affected by the Fire Tower widening project so access will be limited to right-in and right-out.

Ms. Nikki Coutouzis, spoke in opposition. She lives on Cleere Court in the Red Banks Subdivision. She has 16 signatures of people that are in opposition that live in Meeting Place Subdivision, which is adjacent to the rezoning. There are no trees and is completely open to their homes. The biggest concern is traffic. The intersection has already deemed one of the most accident prone intersection in the city and with the increase of 600 trips per day and the DOT widening project this project is at a bad time. We would like to see the area stay single-family.

Ms. Scott, spoke in opposition. She lives on Cleere Court in the Red Banks Subdivision. Her main concern is with traffic and how horrible it is at certain times of the day. The overall plan should be considered to keep our neighborhood safe. If you look at accident reports, our neighborhood isn't safe. We don't have turning lane so please consider this.

Mr. Anderson, spoke in rebuttal, in favor. He stated traffic is bad and the roadway was designed to handle 12,000 trips per day and the new road is designed to handle 39,000 trips per day. The owner doesn't have any immediate plans for the area.

Mr. DiCesare, City Traffic Engineer, stated that City and NCDOT will work together to properly position the driveway of the proposed project. NCDOT would mostly likely request a dedicated right turn lane into the property. There will be signalized, time and coordinated traffic lights. The time of construction is 2020-2024. The efficacy will help flush out congestion.

Mr. Wilson stated he has a problem with putting additional traffic in that area. 600 trips doesn't seem like a lot but at 8:00 a.m. it is. If this was 2 years from now, once the widening begins it would be different.

Motion made by Mr. Wilson, seconded by Mr. Maxwell to recommend denial of the proposed amendment, to advise that, although it is consistent with the Comprehensive Plan, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency and other matters. Voting in favor: Maxwell and Wilson. Voting in opposition: Joyner, Collins, King, Schrade, Darden and West. Motion failed.

Motion made by Mr. King, seconded by Mr. Schrade to recommend approval of the proposed amendment and to advise that it is consistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters. Voting in favor: Joyner, Collins, King, Schrade, Darden (abstained) and West. Voting in opposition: Maxwell and Wilson. Motion passed.

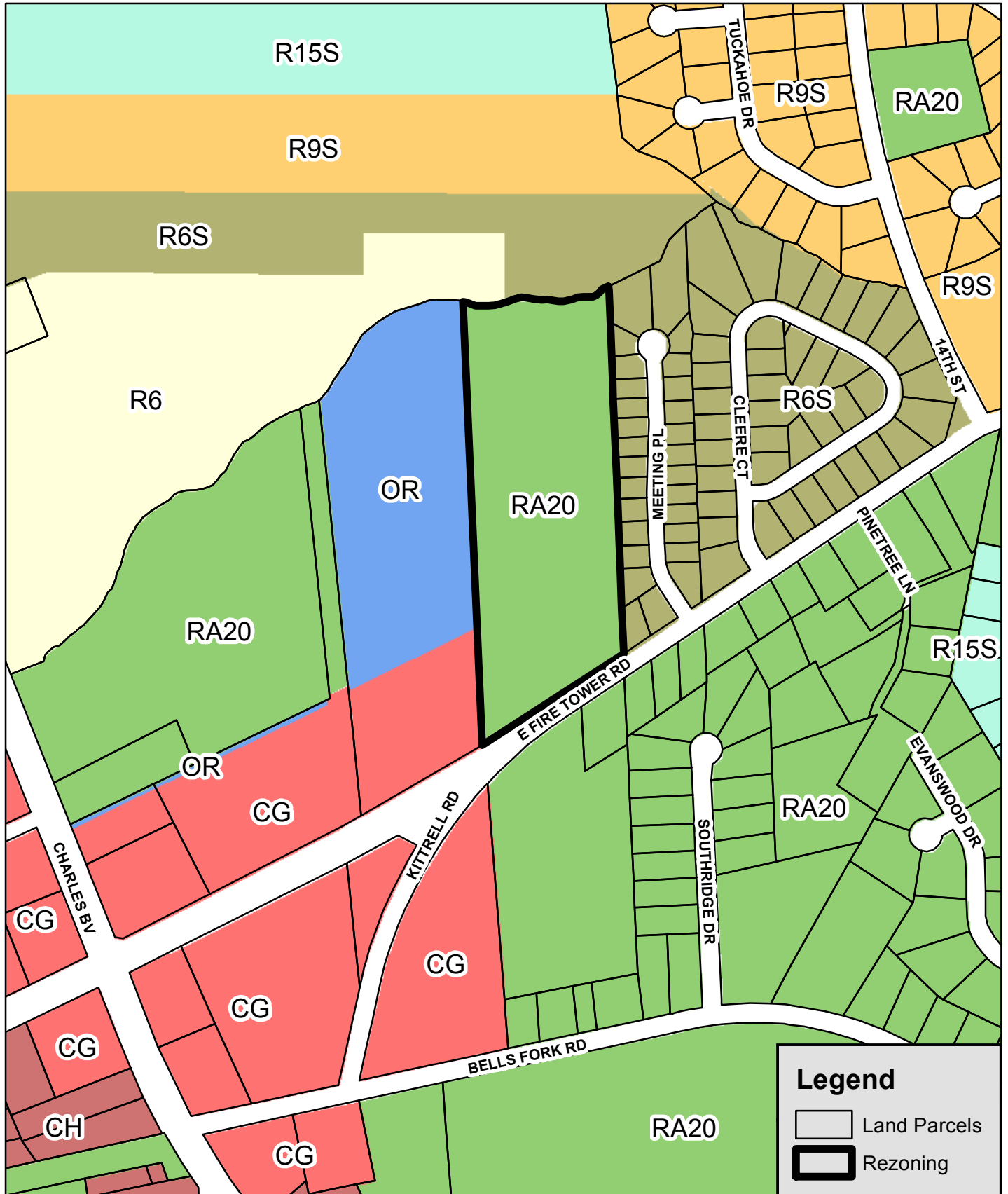
Bobby W. Joyner

Acres: 12.943

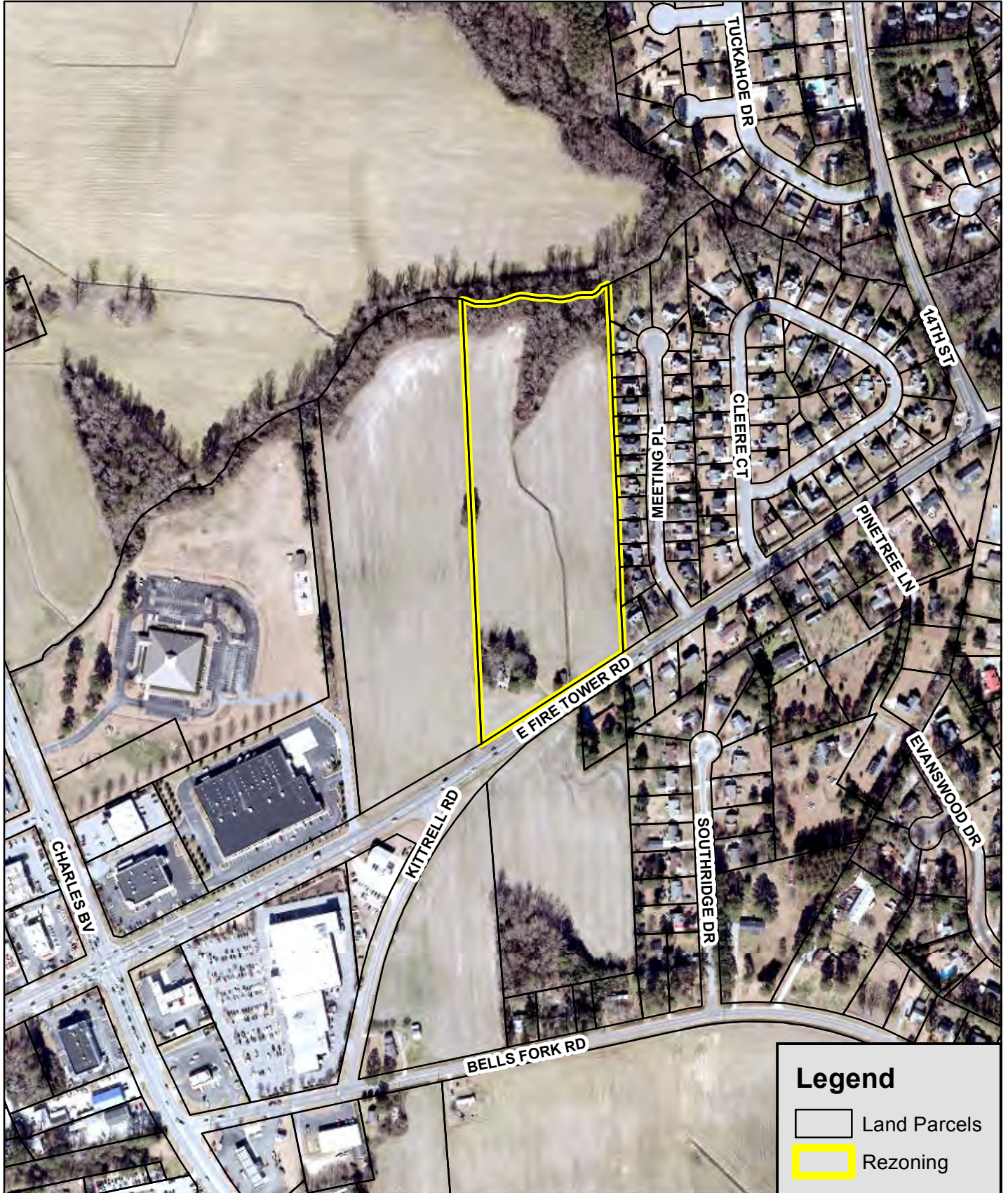
From: RA20

To: OR



December 21, 2018

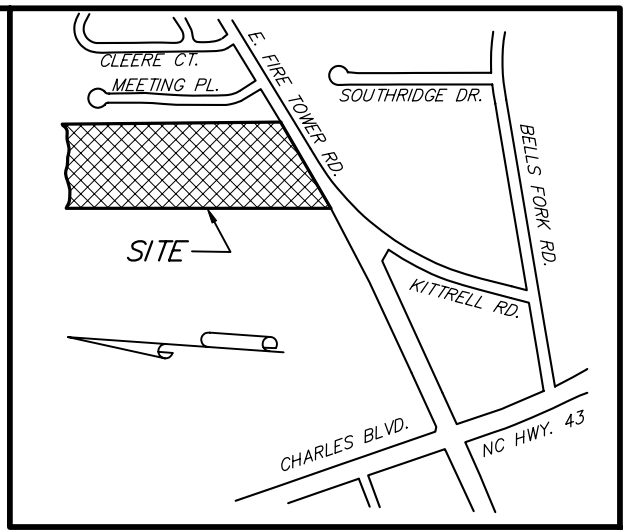


Bobby W. Joyner
Acres: 12.943
From: RA20
To: OR
December 21, 2018

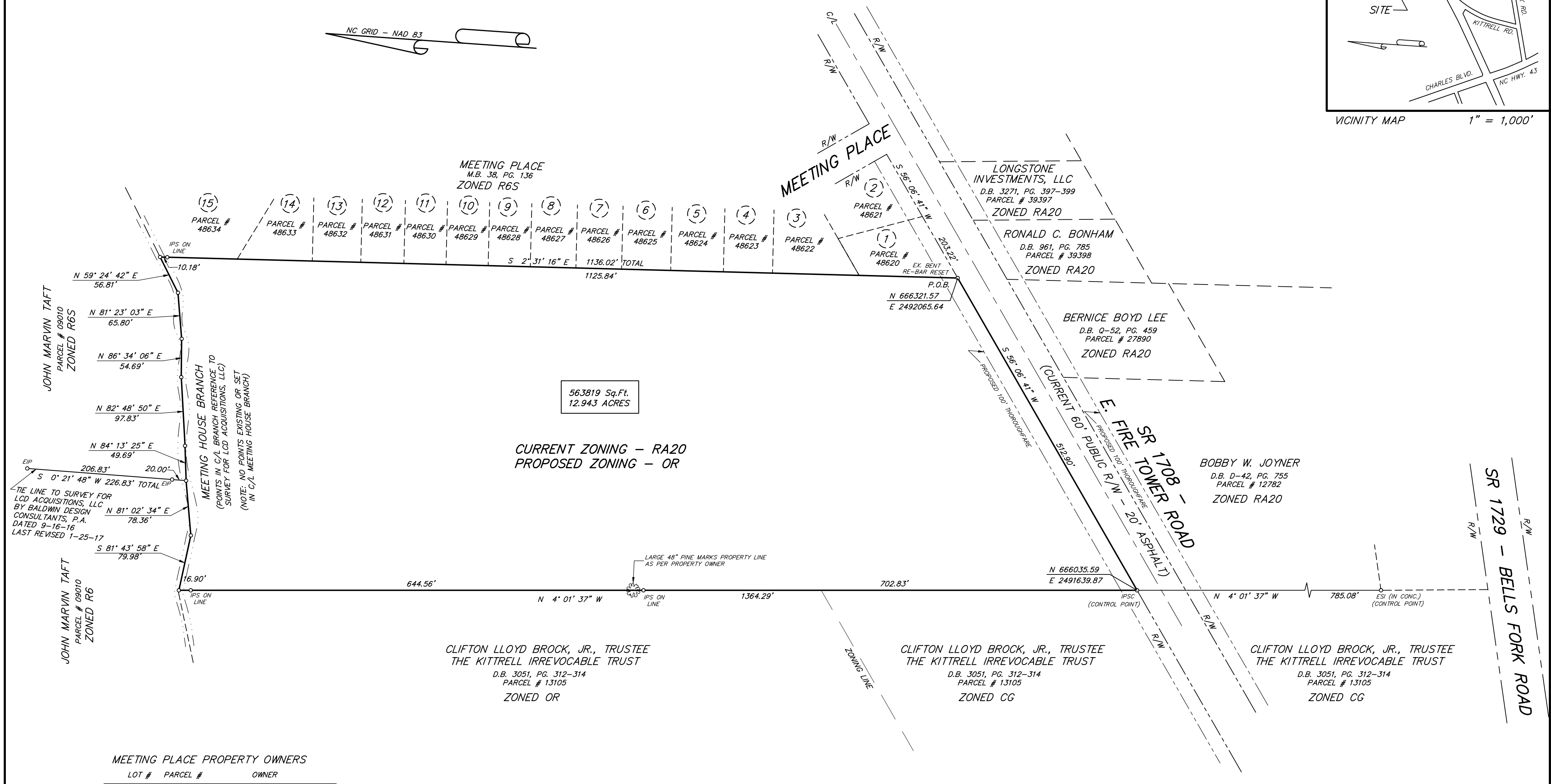


Legend

-  Land Parcels
-  Rezoning



NC GRID - NAD 83



563819 Sq. Ft.
12.943 ACRES

CURRENT ZONING - RA20
PROPOSED ZONING - OR

MEETING PLACE PROPERTY OWNERS

LOT #	PARCEL #	OWNER
1	48620	KAY S. HINES
2	48621	AUSTIN RAE JOHNSON
3	48622	MELANIE D. BOYER
4	48623	JENNIFER P. QUINN
5	48624	KELLI A. BOWE
6	48625	PAMELA JOYNER
7	48626	CHRISTIAN ALYSSA STANLEY
8	48627	NANCY M. AUSTIN HEIRS
9	48628	PATRICIA C. HODGES
10	48629	JORDAN PAUL LEE
11	48630	EDWARD WAYNE HARRISON
12	48631	ABC FAMILY, LLC
13	48632	COLTEN PROPERTIES, LLC
14	48633	AMANDA C. MARTIN
15	48634	PAUL BERNIER

CLIFTON LLOYD BROCK, JR., TRUSTEE
THE KITTRELL IRREVOCABLE TRUST
D.B. 3051, PG. 312-314
PARCEL # 13105
ZONED OR

CLIFTON LLOYD BROCK, JR., TRUSTEE
THE KITTRELL IRREVOCABLE TRUST
D.B. 3051, PG. 312-314
PARCEL # 13105
ZONED CG

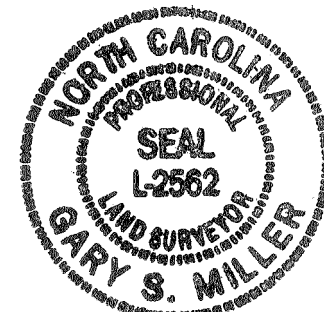
CLIFTON LLOYD BROCK, JR., TRUSTEE
THE KITTRELL IRREVOCABLE TRUST
D.B. 3051, PG. 312-314
PARCEL # 13105
ZONED CG

LEGEND:
EIP - EXISTING IRON PIPE
R/W - RIGHT OF WAY
C/L - CENTERLINE
IPSC - IRON PIPE SET WITH CAP
ESI - EXISTING SOLID IRON
P.O.B. - POINT OF BEGINNING

SURVEYED BY: MCP
DRAWN BY: GSM / BLW

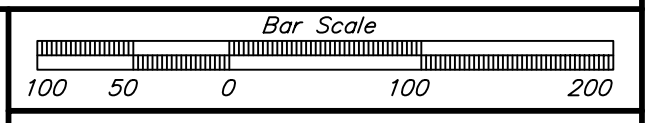
REFERENCE:
DEED BK D-42, PG. 755

PARCEL NO. 12782



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 D-42, Page 755 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 5th day of DECEMBER 2018.

Signed
Professional Land Surveyor No. L-2562



REZONING MAP FOR
BOBBY W. JOYNER

BEING A PORTION OF
TAX PARCEL # 12782
WINTERVILLE TOWNSHIP
PITT COUNTY
NORTH CAROLINA
SCALE: 1" = 100'
DECEMBER 5, 2018

WO 18233 FB 383
GARY S. MILLER & ASSOCIATES, P.A.
LAND SURVEYORS
1803 South Charles Blvd. Phone (252) 756-7878
Greenville, N.C. 27858 Fax (252) 756-0785
License # C-0225

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 18-33

Applicant: Bobby W. Joyner

Property Information

Current Zoning: RA20 (Residential-Agricultural)

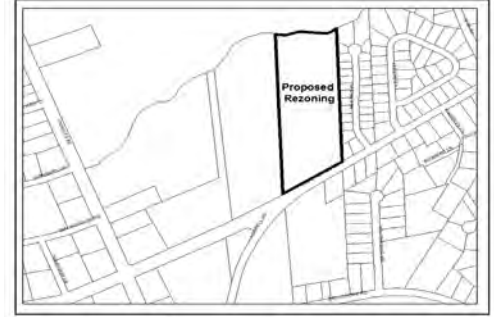
Proposed Zoning: OR (Office-Residential [High Density Multi-Family])

Current Acreage: 12.943 acres

Location: Fire Tower Rd, east of Charles Blvd

Points of Access: Fire Tower Rd

Location Map



Transportation Background Information

1.) Fire Tower Road- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2 lanes - paved shoulder	4 lanes divided with raised median
Right of way width (ft)	60	100
Speed Limit (mph)	45	no change
Current ADT:	23,350 (*)	
Design ADT:	12,000 vehicles/day (**)	39,700 vehicles/day (**)
Controlled Access	No	

Thoroughfare Plan Status Major Thoroughfare

Other Information: There are no sidewalks along Fire Tower Road that service this property.

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

Transportation Improvement Program Status: Project U-5785, which involves widening a 0.6-mile stretch of Fire Tower Road between Charles Boulevard (N.C. 143) and 14th Street and Project U-5870, which involves widening Fire Tower Road to Portertown Road and widening Portertown Road to 10th Street (N.C. 33), a distance of 2.2 miles.

Trips generated by proposed use/change

Current Zoning: 431 -vehicle trips/day (*) **Proposed Zoning: 1,031** -vehicle trips/day (*)

Estimated Net Change: increase of 600 vehicle trips/day (assumes full-build out)

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

Impact on Existing Roads

The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on Fire Tower Road are as follows:

1.) Fire Tower Road , East of Site (40%): “No build” ADT of 23,350

Estimated ADT with Proposed Zoning (full build) – 23,762
 Estimated ADT with Current Zoning (full build) – 23,522
Net ADT change = 240 (1% increase)

2.) Fire Tower Road , West of Site (60%): "No build" ADT of 23,350

Estimated ADT with Proposed Zoning (full build) – 23,969

Estimated ADT with Current Zoning (full build) – 23,609**Net ADT change = 360 (2% increase)****Staff Findings/Recommendations**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1031 trips to and from the site on Fire Tower Road, which is a net increase of 600 additional trips per day.

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

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

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

	b.	City of Greenville municipal government building or use (see also section 9-4-103)
	c.	County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
	d.	Federal government building or use
(5) Agricultural/Mining		
	a.	Farming; agricultural, horticulture, forestry (see also section 9-4-103)
(6) Recreational/Entertainment		
	f.	Public park or recreational facility
	g.	Private noncommercial recreation; indoor only, not otherwise listed
(7) Office/Financial/Medical		
	a.	Office; professional and business, not otherwise listed
	b.	Operation/processing center
	c.	Office; customer service, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
	d.	Bank, savings and loans or other savings or investment institutions
	e.	Medical, dental, ophthalmology or similar clinic, not otherwise listed
(8) Services		
	c.	Funeral home
	e.	Barber or beauty salon
	f.	Manicure, pedicure or facial salon
	g.	School; junior and senior high (see also section 9-4-103)
	h.	School; elementary (see also section 9-4-103)
	i.	School; nursery and kindergarten (see also section 9-4-103)
	j.	College and other institutions of higher learning
	k.	Business or trade school
	n.	Auditorium
	o.	Church or place of worship (see also section 9-4-103)
	p.	Library
	q.	Museum
	r.	Art gallery
	u.	Art studio including art and supply sales
	v.	Photography studio including photo and supply sales
	w.	Recording studio
	x.	Dance studio
	y(2)	TV and/or radio broadcast facilities, including receiving and transmission equipment and towers not exceeding 120 feet in height or cellular telephone and wireless communication towers not exceeding 120 feet in height (see also section 9-4-103)
	bb.	Civic organizations
	cc.	Trade or business organizations
(9) Repair - None		
(10) Retail Trade		
	s.	Book or card store, news stand
	w.	Florist
	ee.	Christmas tree sales lot; temporary only (see also section 9-4-103)

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

(13) Transportation	
	h. Parking lot or structure; principal use
(14) Manufacturing/Warehousing - None	
(15) Other Activities (not otherwise listed - all categories)	
	a. Other activities; personal services not otherwise listed
	b. Other activities; professional services not otherwise listed

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 and CD*	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

* The residential density of the CD zoning district is based on the size of the mechanically conditioned floor area. See Section 9-4-153 in the City Code for development standards.

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



City of Greenville, North Carolina

Meeting Date: 2/14/2019
Time: 6:00 PM

Title of Item:

Ordinance initiated by the Greenville City Council to amend the Greenville Future Land Use and Character Map for the area located adjacent to the East Carolina University (ECU) Main Campus roughly between East 5th Street and Shady Lane and 130+/- feet west of Maple Street containing 0.90+/- acres from University/Institutional (UI) to Traditional Neighborhood, Medium-High Density (TNMH)

Explanation:

Abstract: The City Council initiated a request to amend the City of Greenville Future Land Use and Character Map for the area located adjacent to the East Carolina University (ECU) Main Campus roughly between East 5th Street and Shady Lane and 130+/- feet west of Maple Street containing 0.90+/- acres from University/Institutional (UI) to Traditional Neighborhood, Medium-High Density (TNMH).

Comprehensive Plan:

Current Land Use Character: University/Institutional (UI)

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

Intent:

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

Primary uses:
Institutional/civic

Secondary uses:
Office
Multi-family residential

Proposed Land Use Character: 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)

History of Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map

In 2015, a Comprehensive Plan Committee (CPC) was established by City Council to update Horizons: Greenville's Community Plan and the Future Land Use map.

During 2015-2016, the CPC held nine meetings. The CPC was comprised of representatives from eight City boards and/or commissions along with invited representation from East Carolina University, Vidant Medical Center, Uptown Greenville, the Home Builders Association, Pitt County Committee of 100, Greenville-Pitt County Chamber of Commerce, and Mayor and City Council Member appointees.

In addition to attendance by the appointed 24 CPC members, Community Partners were also invited to all Committee meetings to review drafts and provide input throughout development of the plan. The Community Partners invited to participate included representatives from various City of Greenville departments, the Town of Winterville, Pitt County Government (Planning Department), Pitt County Schools, Greenville Utilities Commission, and NCDOT. Presentations and summaries from the CPC meetings were posted online following each meeting at the project website.

In addition to these meetings, two open houses were held at the Convention Center, and a two-day workshop was held at the Willis Building.

All meetings, workshops, open houses, and public hearings were advertised in The Daily Reflector. All information related to CPC meetings was posted on the City's website.

The Horizons 2026 update was an important opportunity to study current trends and conditions, reevaluate the community's priorities, and create a renewed vision for Greenville.

The Comprehensive Plan serves as a tool that expresses the values, aspirations, and vision of the community, along with goals, policies, and strategies to achieve that vision. It sets forth long-range planning in categories including transportation, housing, environment, and economic development, and weaves these elements through thematic topics.

Horizons 2009-2010 is the City's previous Comprehensive Plan, and prior plans were adopted in 2004, 1997, and 1992. There are several reasons the Horizons 2010 plan needed to be updated, including:

- Many of the action items have been accomplished;
- The population has grown and changed, resulting in new needs and demands;
- Local, regional, national, and global changes have resulted in a new social, economic, and environmental context; and
- New research and information have expanded the knowledge and thinking about community planning best practices.

During the November 16, 2015 and January 26, 2016 CPC meetings and the two-day workshop, the draft Future Land Use and Character Map was specifically discussed.

At the two-day workshop on November 4 and 5, 2015, the draft Future Land Use and Character Maps were presented to gather ideas, input, and comments from all interested parties.

At the January 25, 2016 CPC meeting, the principles discussed related to the draft Future Land Use and Character map were:

1. Infill and redevelopment are priorities
2. Quality design
3. Greater intensity of development in some locations
4. Create well-connected places
5. A vibrant Uptown
6. Create neighborhoods, maintain established ones
7. Protect natural features/amenities
8. Sustainable development practices

Similarities to the past plan:

1. Reduce "strip commercialization" emphasize nodal development
2. Incorporate mixed uses
3. Promote inter-connectivity

4. Create walkable (human-scale) developments

In conclusion, the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map are the result of a year-long process of CPC meetings, workshops, and open houses. A public meeting was held by the Planning and Zoning Commission, and a public hearing was held by City Council.

On August 8, 2016, the Comprehensive Plan Committee voted unanimously to endorse the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

On August 16, 2016, the Planning and Zoning Commission voted unanimously to recommend approval of the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map to the City Council.

On September 8, 2016, the City Council voted unanimously to approve the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

Present Land Use:

The subject area contains a total of six (6) parcels. Three (3) parcels are owned by ECU, and the remaining three (3) parcels are privately owned. Two of the ECU-owned parcels contain a University parking lot, and the third parcel contains a single-family dwelling that is used for visiting faculty. The three privately-owned parcels contain two (2) single-family dwellings and one (1) vacant lot. One of the single-family dwellings and the vacant lot are under common ownership.

Summarized History of this Request:

The vacant lot and one of the single-family dwellings, included in this request, are adjacent to each other and under common ownership. These same lots were involved in a rezoning request that was unanimously denied by the Planning and Zoning Commission on May 15, 2018. This request was withdrawn from consideration by City Council on August 9, 2018 at the request of the applicant. On that same date, City Council asked staff to make an assessment and/or recommendation on the appropriateness of the adopted Future Land Use and Character Map.

On July 17, 2018, the Planning and Zoning Commission was scheduled to consider a request from Hap Maxwell, President of TRUNA, to amend the Future Land Use and Character Map that was identical to the current request. This request was withdrawn from consideration by the Planning and Zoning Commission at the request of the applicant.

Please see the attached memo for a more detailed history.

Fiscal Note:

No cost to the City.

Recommendation: The current character designations for this area on the Future Land Use and Character Map support a sustainable development pattern. Therefore, staff recommends denial of this request.

On September 8, 2016, Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map were lawfully adopted by City Council. The adopted plan was the result of numerous meetings, workshops, and open houses that engaged the public.

The Planning and Zoning Commission unanimously voted to approve the request at its December 18, 2018 meeting.

ATTACHMENTS:

- ❑ **Ordinance - Amendment for LUP for TRUNA_1100384**
- ❑ **Minutes - CC initiated LUP amendment_1100380**
- ❑ **Map**
- ❑ **Notes to Council**
- ❑ **Residential Density Chart**

ORDINANCE NO. 19-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
AMENDING HORIZONS 2026: GREENVILLE'S COMMUNITY PLAN

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 14th day of February, 2019 at 6:00 p.m. in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the Future Land Use and Character Map for the following described territory;

WHEREAS, the Horizons 2026: Greenville's Community Plan was adopted on September 8, 2016, by the City Council by the adoption of Ordinance No. 16-055 and includes text and a Future Land Use and Character Map;

WHEREAS, the Horizons 2026: Greenville's Community Plan serves as the City of Greenville's comprehensive plan for zoning purposes and will from time to time be amended by the City Council; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Greenville have reviewed the proposed amendment to the Future Land Use and Character Map and a public hearing has been held to solicit public comment.

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

Section 1. The Future Land Use and Character Map is hereby amended by re-designating the "University/Institutional" category to the "Traditional Neighborhood, Medium-High Density" category for the area described as being located adjacent to the East Carolina University (ECU) Main Campus roughly between East 5th Street and Shady Lane and 130+/- feet west of Maple Street.

Beginning at a known point, said point being the intersection of the northern right-of-way of Shady Lane and the eastern property line of the property identified as Pitt County parcel number 28879 running in a northerly direction for 410+/- feet; thence running along the northern property line of the property identified as Pitt County parcel number 85083 in an easterly direction for 95+/- feet; thence running along the eastern property line of the property identified as Pitt County parcel number 85083 in a southerly direction for 75+/- feet; crossing East 6th Street in a southerly direction, thence running along the eastern property lines of the properties identified as Pitt County parcel numbers 18017 and 09535 in a southerly direction for 225+/- feet; thence running along the northern right-of-way of Shady Lane in a westerly direction for 180+/- feet returning to the point of beginning and containing 0.90 +/- acres.

Section 2. That the Director of Community Development is directed to amend the Future

Land Use and Character Map of the City of Greenville in accordance with this ordinance.

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

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

ADOPTED this 14th day of February, 2019.

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

1100384

Excerpt from the draft Planning & Zoning Commission Minutes (01/15/2019)

ORDINANCE INITIATED BY THE GREENVILLE CITY COUNCIL TO AMEND THE GREENVILLE FUTURE LAND USE AND CHARACTER MAP FOR THE AREA LOCATED ADJACENT TO THE EAST CAROLINA UNIVERSITY (ECU) MAIN CAMPUS ROUGHLY BETWEEN EAST 5TH STREET AND SHADY LANE AND 130+/- FEET WEST OF MAPLE STREET CONTAINING 0.90+/- ACRES FROM UNIVERSITY/INSTITUTIONAL (UI) TO TRADITIONAL NEIGHBORHOOD, MEDIUM-HIGH DENSITY (TNMH) - APPROVED

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

Ms. Gooby detailed the history of the request. This originally started as a result of a rezoning on East 6th Street, which is located in the subject area. The TRUNA Neighborhood Association initially requested this same amendment last year, but withdrew the request. City Council asked staff to do an assessment and bring back a recommendation. On City Council initiated this request. City staff met with representative of the TRUNA Neighborhood and ECU on eight (8) separate occasions related to this request. Within the subject area, there is a parking lot and a single-family home owned by for ECU, two (2) privately owned single-family homes and a vacant lot. In 2015, the Comprehensive Plan Committee was established to work on an update of the Horizons plan. This committee held nine (9) meetings. Of those meetings, there were two (2) meetings and a workshop specifically for the Future Land Use and Character Map. One of the guiding principles for the Future Land Use and Character Map is sustainable development practices. This property is adjacent to the ECU Main Campus and ECU owns almost half of the subject property. Due to the location of this property, it is an area for the natural progression of ECU. During the eight meetings, there was not support from either side for a compromise. In staff's opinion, the current version of the Future Land Use and Character Map still supports a sustainable pattern of development. Staff recommends denial.

Mr. King asked although this was initiated by City Council, staff is recommending denial.

Ms. Gooby replied yes. Horizons and the Future Land Use and Character Map are only two years old. There has not been any significant change in the development pattern that would warrant such a change.

Ms. Ann Maxwell spoke in favor of the request. She is a longtime resident and homeowner in the neighborhood. They live with sense of community and this "bump out" had to be a mistake that intends to steal the peacefulness and safety of their neighborhood.

Mr. John Gresham spoke in favor of the request. He is a longtime resident and homeowner in the neighborhood.

Ms. Marty Priddy spoke in favor of the request. She is a longtime resident and homeowner in the neighborhood.

Mr. John Whacker spoke in favor of the request. He is a longtime resident and homeowner in the neighborhood.

Ms. Marty Vainwright spoke in favor of the request. She is a longtime resident and homeowner in the neighborhood.

Mr. Hap Maxwell spoke in favor of the request. He is a longtime resident and homeowner in the neighborhood.

Ms. Susan Redding spoke in favor of the request. She is a longtime resident and homeowner in the neighborhood.

Mr. William Hanlon spoke in favor of the request. He is a longtime resident and homeowner in the neighborhood.

Mr. Bill Redding spoke in favor of the request. He is a longtime resident and homeowner in the neighborhood.

Mr. Greg Gurble spoke in favor of the request. He is a longtime resident and homeowner in the neighborhood.

Mr. Bagnell, Vice Chancellor of Campus Operations at ECU, spoke in opposition, replied that ECU has no plans at this time but needs to protect its future. I don't think that the Future Land Use and Character Map should be challenged in this way. Development is accruing within the current zoning and ECU can still proceed through the State.

Mr. Schrade stated I think it should be left the way it is, but I don't think it was a mistake.

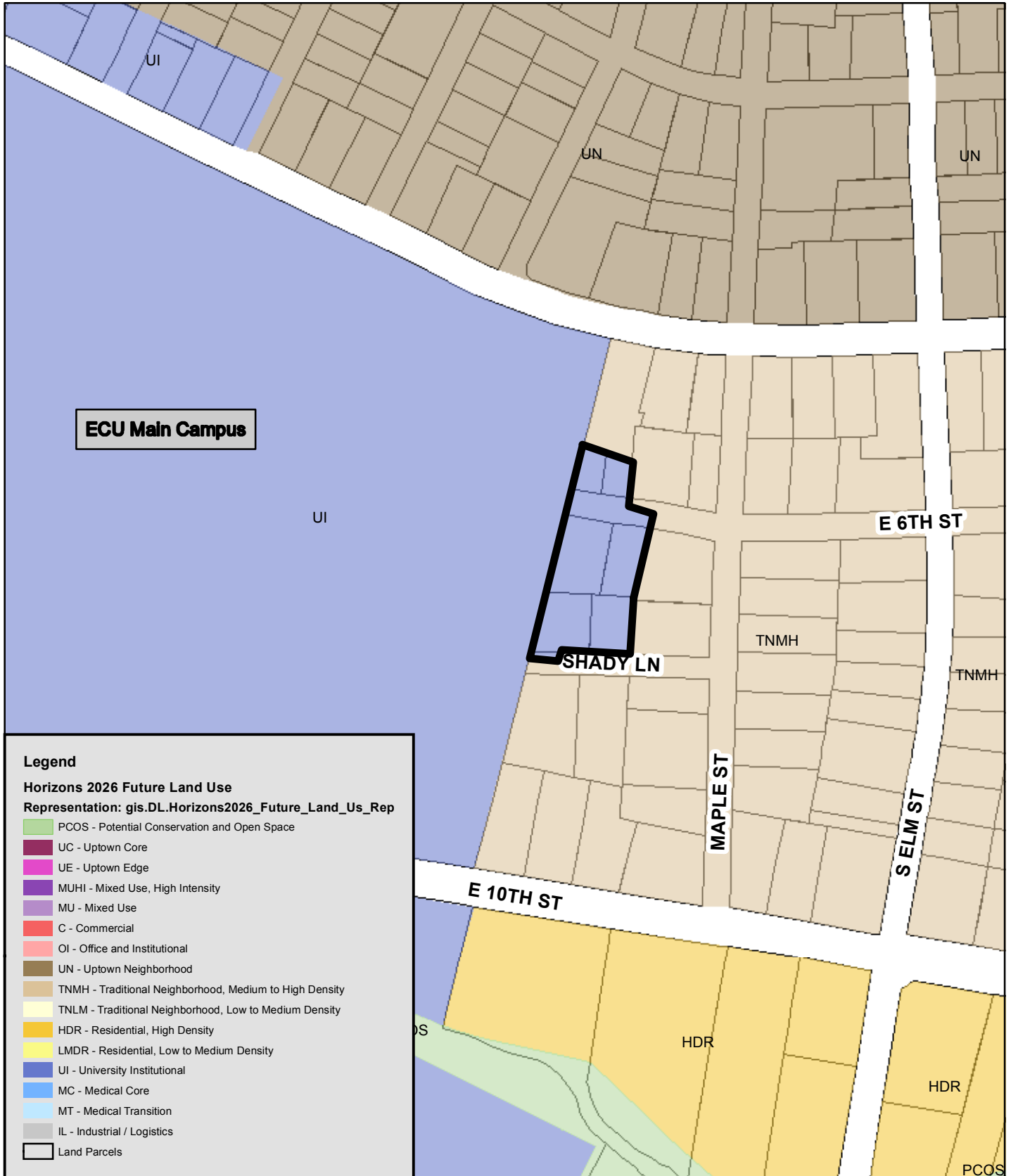
Mr. Robinson replied the neighborhood is a beautiful to drive through. I think ECU benefits from having future parents see what a beautiful and safe area they are dropping their kids in. The neighborhood gives a great impression of the University and community. I think we should give the neighbors what they want but keep in mind ECU can proceed through the State.

Mr. Wilson replied while I think it should be changed. I commend staff for defending the Plan.

Mr. Overton commented I do agree, it doesn't make sense why it is there. I also agree with staff by defending it. The Future Land Use and Character Map is not perfect map and we are going to a micro level. Changes and flexibility will be needed for the future.

Motion made by Mr. Schrade, seconded by Mr. Robinson, to approve the request. Motion passed unanimously.

Future Land Use and Character Map Amendment
From: UI (University/Institutional)
To: TNMH (Traditional Neighborhood, Medium - High Density)
Acres: 0.90+/-
December 31, 2018



Legend


Horizons 2026 Future Land Use
Representation: gis.DL.Horizons2026_Future_Land_Us_Rep

- PCOS - Potential Conservation and Open Space
- UC - Uptown Core
- UE - Uptown Edge
- MUHI - Mixed Use, High Intensity
- MU - Mixed Use
- C - Commercial
- OI - Office and Institutional
- UN - Uptown Neighborhood
- TNMH - Traditional Neighborhood, Medium to High Density
- TNLM - Traditional Neighborhood, Low to Medium Density
- HDR - Residential, High Density
- LMDR - Residential, Low to Medium Density
- UI - University Institutional
- MC - Medical Core
- MT - Medical Transition
- IL - Industrial / Logistics
- Land Parcels

MEMO

DEPARTMENT

TO: Ann E. Wall, City Manager

FROM: Thomas Barnett, Director of Community Development Department 

DATE: November 28, 2018

SUBJECT: Notes to Council – Requested Changes Future Land Use and Character Map Amendment – TRUNA (ECU)

On August 9, 2018, City Council held a public hearing on a rezoning request from Jeff Daniels and Timothy McCarthy (Daniels/McCarthy) to rezone 0.25 acres from R9S (Residential – Single-family) to OR (Office-Residential) located on East 6th Street adjacent to the East Carolina University (ECU) Main Campus. During the public hearing, several property owners in the vicinity spoke in opposition to the request. After the hearing, Mr. Daniels requested to withdrawal the item for consideration. Council approved the request and further asked staff to make an assessment and/or recommendation on the appropriateness of the adopted Future Land Use and Character Map FLUCM and to hold a stakeholder meeting to gather input.

After several discussions with all interested parties, in staff's opinion, there does not seem to be support from either side on working out a compromise. If it is the desire of City Council, an amendment to the FLUCM could be initiated. That amendment would be considered by the Planning and Zoning Commission for a recommendation and then considered for adoption by City Council.

Below is a timeline of events:

September 8, 2016 City Council adopted Horizons 2026: Greenville's Community Plan and the FLUCM.

April 17, 2018 – Planning Staff received a request from the Daniels/McCarthy request to rezone 0.25 acres. The subject property was a vacant lot. See Map 1.

May 9, 2018 – Tom Weitnauer, Chief Planner and Chantae Gooby, Planner, met with Ann and Hap Maxwell, at their request, who owned property near the Daniels/ McCarthy request. Ms. Maxwell served on the Comprehensive Plan Committee (CPC) for the Horizons 2026: Greenville's Community Plan and the FLUCM. As a CPC member, she did not recall the FLUCM recommending the area near the Daniels/McCarthy rezoning for University/institutional (UI). The Maxwells were concerned that the adopted FLUCM

was not in harmony with the surrounding neighborhood. Another concern was if the rezoning was approved the lot could be developed into a private parking lot. See Map

May 15, 2018 – The Planning and Zoning Commission considered the Daniels/McCarthy request. Some of the property owners who spoke in opposition were: Ann and Hap Maxwell, Inez Fridley, John Whacker, and Michael Barnum. The Commission recommended denial (unanimously).

May 21, 2018 - Tom Weitnauer and Chantae Gooby, Planner, met with Ann and Hap Maxwell and Inez Fridley to discuss the Daniels/McCarthy request relative to the adopted FLUCM. See Map 2. Ms. Maxwell and Ms. Fridley were both members of the CPC and were concerned that the adopted version of the FLUCM was a mistake. Specifically, the area near the Daniels/McCarthy request should have been designated as “residential” instead of University/Institutional.

June 14, 2018 - City Council approved Mr. Daniels’ request to continue the item to the August 8, 2018 City Council meeting. No public hearing was held. Ann Maxwell, Hap Maxwell and Inez Fridley spoke during the public comment period relative to the rezoning request.

June 29, 2018 – Planning Staff received a request from Hap Maxwell, President of TRUNA, to amend the FLUCM in the vicinity of the Daniels/McCarthy request from UI to “residential”. The request consisted of six (6) parcels. The property owners were: Jeff Daniels and Timothy McCarthy (two parcels), State of NC (3 parcels) and Hatteras Properties III, LLC (Walter R. Perkins, Jr.) (1 parcel). See Map 3.

July 16, 2018 - Emanuel McGirt, City Attorney and Ken Graves, Assistant City Manager met with Ann and Hap Maxwell to discuss the Daniels/McCarthy request and the TRUNA request.

July 17, 2018 – The Planning and Zoning Commission approved a request from Hap Maxwell, President of TRUNA, to withdraw the request to amend the FLUCM.

August 7, 2018 - Thomas Barnett, Community Development Department Director, Tom Weitnauer and Chantae Gooby met with Ann and Hap Maxwell to discuss the Daniels/McCarthy request and the adopted FLUCM.

August 9, 2018 - City Council held a public hearing on the Daniels/McCarthy request. During the public hearing, several property owners in the vicinity spoke in opposition to the request. After the hearing, Mr. Daniels requested to withdrawal the item for consideration. Council approved the request and further asked staff to make an assessment and/or recommendation on the appropriateness of the adopted FLUCM and to hold a stakeholder meeting to gather input.

September 12, 2018 - Thomas Barnett and Chantae Gooby held a stakeholder meeting with several property owners and Jeff Daniels to gather input. Along with Mr. Daniels, additional property owners that attended the meeting were: Ann and Hap Maxwell, William Hanlon, Marti Priddy, Michael Barnum, John and Lisa Weathington, and Lori and John Whacker. While several options were discussed, there was no clear consensus on a potential solution. Mr. Daniels expressed his willingness to work with

the neighborhood, but opposed amending the FLUCM.

October 4, 2018 - Tom Barnett and Chantae Gooby met with ECU representatives: James Hopf, Chief of Staff, Sara Thorndike, Vice Chancellor for Administration and Finance, and Bill Bagnell, Associate Vice Chancellor for Campus Operations. The representatives were in support of the adopted FLUCM. ECU expressed concern that the TRUNA request to amend the adopted FLUCM did not include or have the support of any property owners whose properties were included in the request. While there were no immediate plans for the university's properties, amending the FLUCM to a residential designation could negatively impact any future plans or actions by ECU. Currently, the three parcels owned by the State of NC are used as a parking lot and one (1) single-family residence for traveling faculty.

October 9, 2018 - Tom Barnett and Chantae Gooby met with Michael Barnum as a follow-up to the September 12, 2018 meeting. Mr. Barnum stated that he was representing himself and asked if staff would coordinate a meeting with ECU representatives.

November 6, 2018 - Tom Barnett and Chantae Gooby held a meeting with Mr. Barnum and Mr. Bagnell to discuss potentially amending the FLUCM. Mr. Bagnell reiterated ECU's desire to maintain the adopted FLUCM. While there were no immediate plans for the area, amending the FLUCM could negatively impact any future plans or actions by ECU. The current focus of ECU is the Reade Street and Millennial Campus areas. Mr. Barnum stated that the neighborhood does not support the adopted FLUCM and would like for the area to be recommended as residential.

November 19, 2018 - Bill Bagnell sent an email to staff that he had consulted with ECU leadership again and the university supports the adopted FLUCM.

Atch: Maps 1-3

cc: Ken Graves, Assistant City Manager

MAP 1

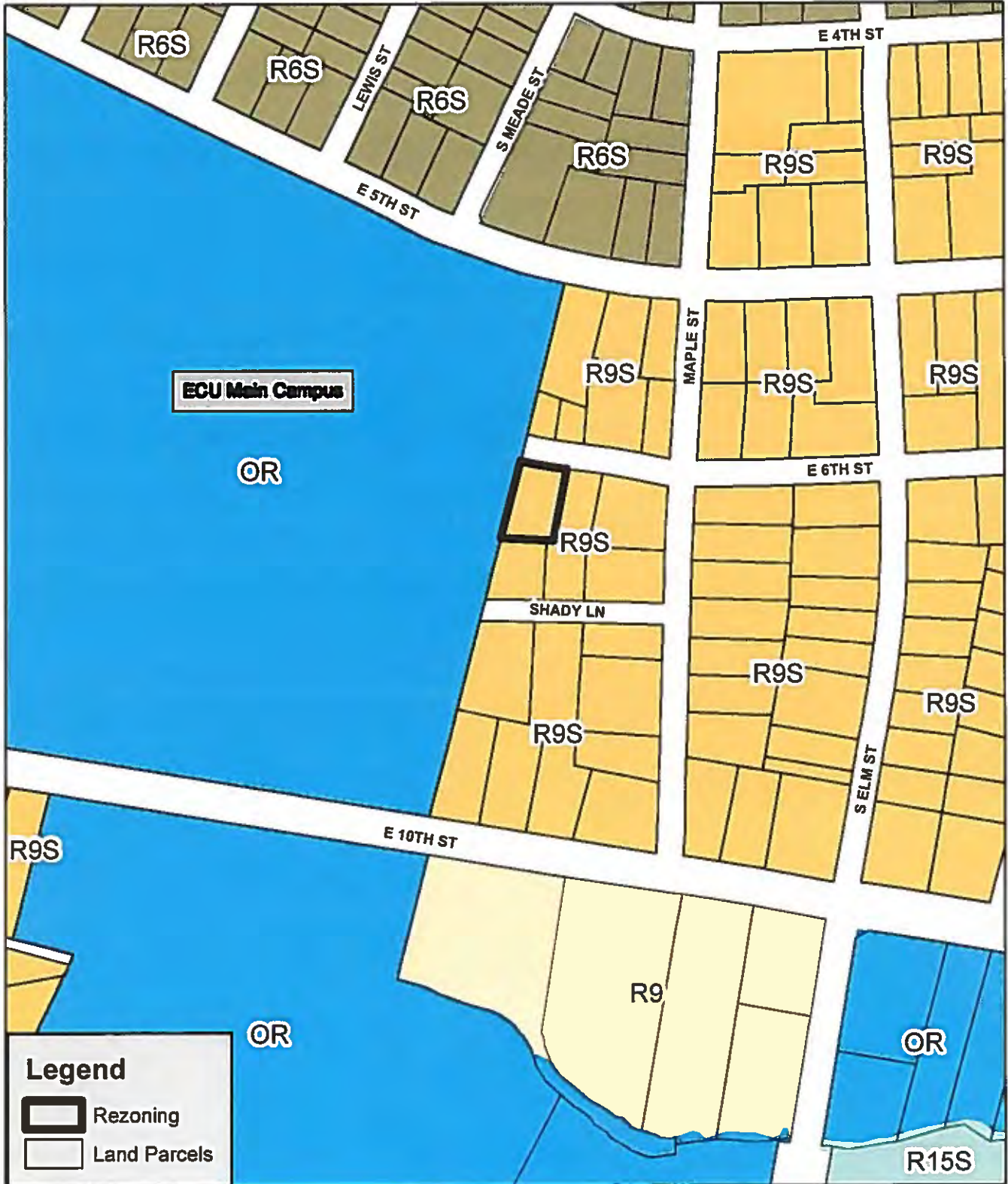
Jeffrey Daniels and Timothy McCarthy

From: R9S

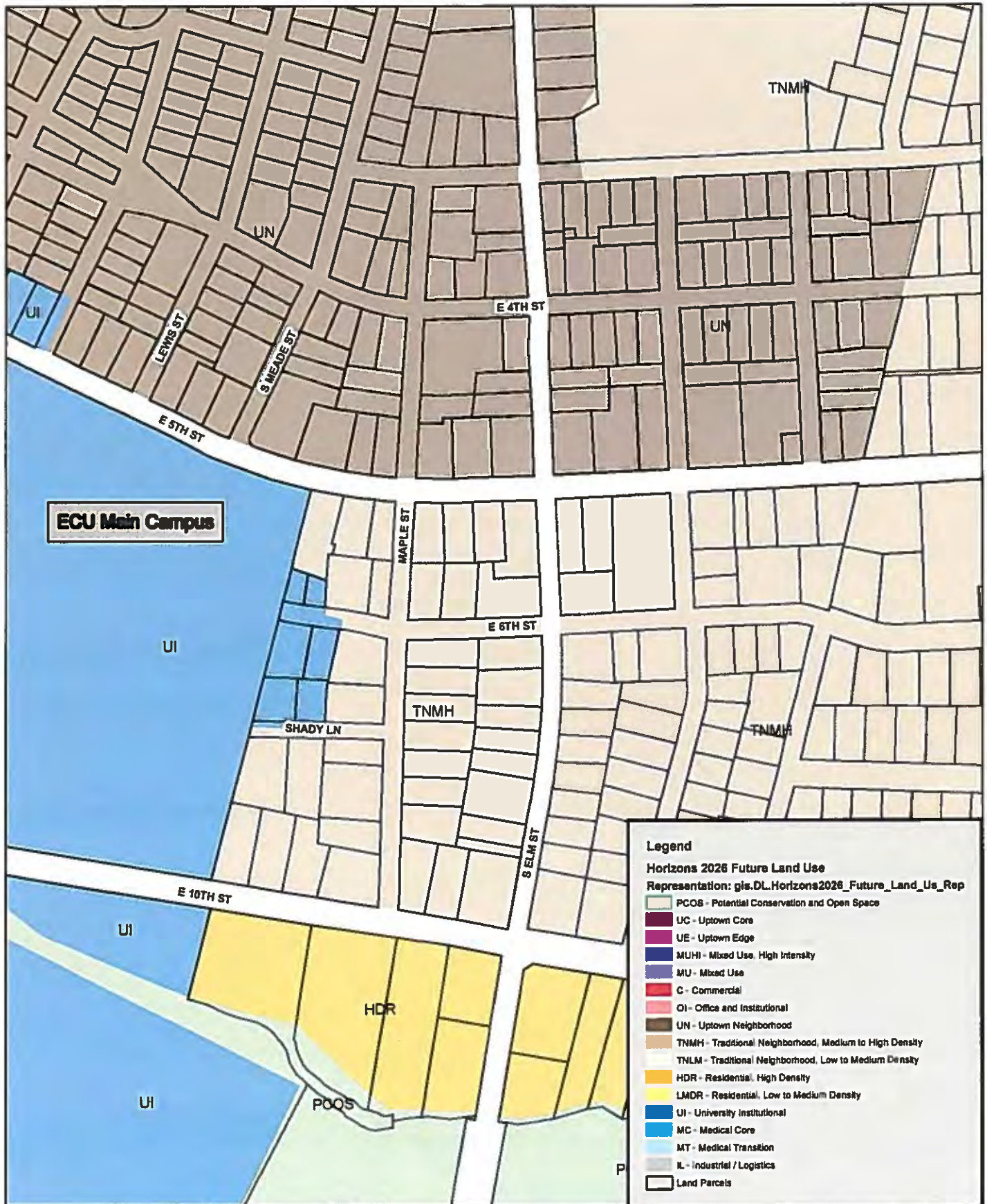
To: OR

Acres: 0.246

May 1, 2018



MAP 2 Future Land Use and Character Map



MAP 3

Tar River/University Neighborhood Association (TRUNA)
From: UI (University/Institutional)
To: TNMH (Traditional Neighborhood, Medium - High Density)
Acres: 0.90+/-
June 28, 2018



RESIDENTIAL DENSITY CHART

Density Level	Future Land Use and Character Type	Applicable Zoning District(s)	Units per Acre***
High	Uptown Edge (UE)	CDF and CD*	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

* The residential density of the CD zoning district is based on the size of the mechanically conditioned floor area. See Section 9-4-153 in the City Code for development standards.

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



City of Greenville, North Carolina

Meeting Date: 2/14/2019
Time: 6:00 PM

Title of Item: Resolution to Close an alleyway located on the east side of Cedar Lane and south of East Tenth Street

Explanation: **Abstract:** This item is to consider a Resolution to Close an alleyway located on the east side of Cedar Lane and south of East Tenth Street.

Explanation: This item is to consider a Resolution to Close an alleyway located on the east side of Cedar Lane and south of East Tenth Street. Closure of the alleyway is being requested by the City due to reoccurring public nuisance issues and to eliminate maintenance of what is used as a private driveway.

City Council adopted a Resolution of Intent to Close an alleyway located on the east side of Cedar Lane and south of East Tenth Street during its January 7, 2019, meeting setting the date for the public hearing on the regularly scheduled City Council meeting on February 14, 2019. The Planning and Zoning Commission gave a favorable recommendation to the petition for closure during its January 15, 2019, meeting.

Pursuant to the provisions of G.S. 160A-299, the Resolution of Intent to Close was published in The Daily Reflector on four consecutive Mondays (January 14, 21, and 28, and February 4, 2019), a copy thereof was sent by certified mail to all owners of property adjacent to the street as shown on the Pitt County tax records, and a notice of the closing and public hearing has been prominently posted in two places along the street section to be closed.

The street closure map has been reviewed by City staff and Greenville Utilities Commission (GUC). Staff and GUC request a utility and ingress/egress easement over and upon the alleyway.

Fiscal Note: The City receives no Powell Bill funds for maintenance of alleyways. Budgeted funds for yearly maintenance will no longer be required upon the effective date of the

Resolution to Close by City Council. The City has incurred the expense of \$4,700 for the preparation of the street closing map. The City has improved the conditions of the alley with the removal of tree and other vegetation. The City has also regraded the alley.

Recommendation: Hold a public hearing on the question of whether or not the closing would be detrimental to the public interest or the property rights of any individual. If it appears to the satisfaction of City Council after the hearing that closing of the alleyway is not contrary to the public interest and that no individual owning property in the vicinity of the alleyway in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to their property, City Council may adopt the Resolution to Close the alleyway located on the east side of Cedar Lane and south of East Tenth Street.

ATTACHMENTS:

- ☐ **Resolution_to_Close_alleyway_at_Cedar_Lane_1100093**
- ☐ **Cedar Lane Alley Map**

RESOLUTION NO. _____
AN ORDER OF THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA,
TO CLOSE AN ALLEYWAY LOCATED ON THE
EAST SIDE OF CEDAR LANE AND SOUTH OF EAST TENTH STREET

WHEREAS, the City Council of the City of Greenville, at its January 7, 2019, meeting, adopted a resolution declaring its intent to close the unnamed alleyway located on the east side of Cedar Lane and south of East Tenth Street; and

WHEREAS, pursuant to the provisions of G.S. 160A-299, said resolution was published once a week for four (4) successive weeks in The Daily Reflector setting forth that a hearing will be held on the 14th day of February, 2019 on the question of the closing said alleyway; and

WHEREAS, a copy of the resolution was sent by certified mail to all owners of the property adjoining the alleyway, as shown on the County tax records, and a notice of the closing and the public hearing was prominently posted in at least two (2) places along said alleyway; and

WHEREAS, a hearing was conducted on the 14th day of February, 2019, at which time all persons interested were afforded an opportunity to be heard on the question of whether or not the closing will be detrimental to the public interest or the property rights of any individual; and

WHEREAS, it appears to the satisfaction of the City Council of the City of Greenville, North Carolina, after conduction of said hearing, that the closing of the alleyway is not contrary to the public interest, and that no individual owning property in the vicinity of said alleyway or in the subdivision in which said alleyway is located would thereby be deprived of reasonable means of ingress and egress to their property;

IT IS NOW THEREFORE ORDERED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE that, upon the effective date of this Order, the property described below be and the same is closed, and all right, title and interest that may be vested in the public to said area for street purposes is released in accordance with the provisions of G.S. 160A-299:

To Wit: Being 20 foot wide alleyway as shown on that plat entitled “Street Closing Map For 20’ Alley - Map Book 8, Page 34”, prepared by Rivers & Associates, Inc.

Location: Lying and being in the City of Greenville, Pitt County, North Carolina and being located on the east side of Cedar Lane and 172.5 feet south of East Tenth Street, and being more particularly described as follows:

Description: BEGINNING at an iron pipe set at the intersection of the eastern right of way of Cedar Lane with the northern line of a 20’ alleyway, with side iron being referenced as N 33°12’43” E to an existing iron pipe located at the intersection of the eastern right of way of Cedar Lane with the southern right of way of East Tenth Street; thence from said BEGINNING POINT and running along the northern boundary of the 20’ alleyway, S60°33’55”E – 206.05’to an existing iron pipe; thence S60°33’55”E – 75.00’to an existing iron pipe; thence S60°33’55”E – 50.01’to a mag nail set in the common line with the Tash Dellagatta, et al, property as recorded in Deed Book 3138, Page 356; thence running along the common line with the Dellagatta property, S30°45’43”W – 20.00 feet to an iron pipe set in the southern boundary of the alleyway; thence running along the southern boundary of the alleyway, N60°30’24”W – 115.98’to an existing iron pipe; thence, N60°24’26”W – 89.93’to an existing iron pipe; thence, N60°47’20”W – 126.02’to an iron pipe set in the eastern right of way of Cedar Lane; thence running along the eastern right of way of Cedar Lane, N33°11’10”E – 20.16’ to the POINT OF BEGINNING containing 6,584.2 square feet.

IT IS FURTHER ORDERED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE that the City of Greenville does hereby reserve its right, title, and interest in any utility improvement or easement within the unnamed alleyway closed pursuant to this order. Such reservation also extends, in accordance with the provisions of G.S. 160A-299(f), to utility improvements or easements owned by private utilities which at the time of the closing have a utility agreement or franchise with the City of Greenville.

IT IS FURTHER ORDERED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE that, upon the effective date of this Order, the Mayor and City Clerk are authorized to execute quit-claim deeds or other legal documents to prove vesting of any right, title or interest to those persons owning lots or parcels adjacent to the street in accordance with G.S. 160A-299(c), provided all costs shall be paid by any adjoining landowner requesting such action, all documents must be approved by the City Attorney and all documents, when appropriate, must reserve to the City any easements retained by the City. The intent of this paragraph is to authorize the execution of quit-claim deeds when requested by adjacent property owners; however, none are required and this paragraph is not intended to alter the vesting of title by operation of law as established by G.S. 160A-299(c).

IT IS FURTHER ORDERED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE that a copy of this Order shall be filed in the Office of the Register of Deeds of Pitt County after the effective date of this Order.

ADOPTED this the 14th day of February, 2019.

P.J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

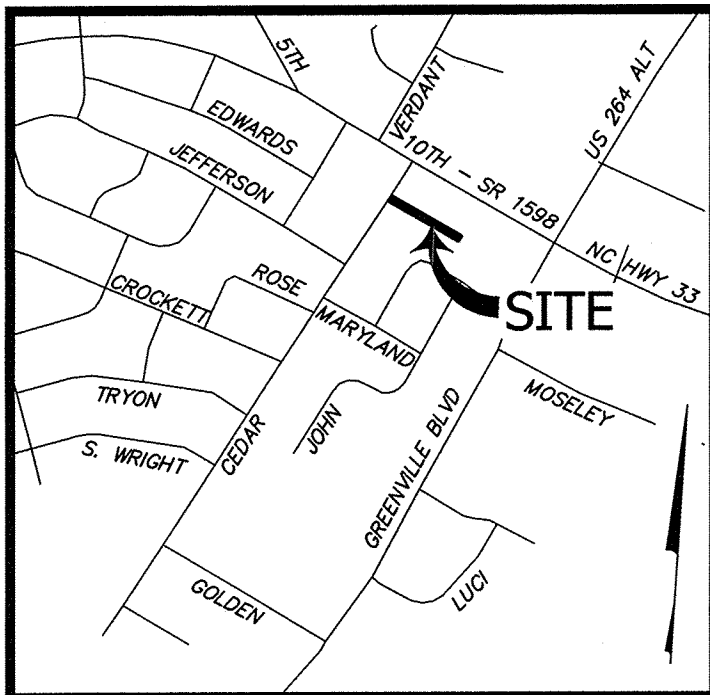
NORTH CAROLINA
PITT COUNTY

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

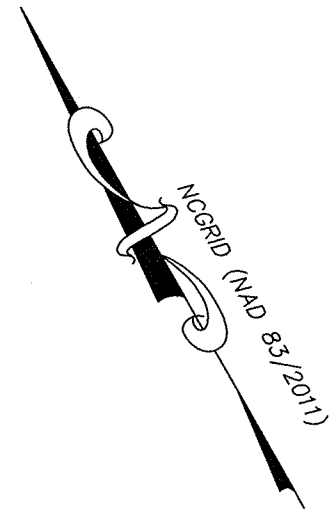
WITNESS my hand and official seal this 14th day of February, 2019.

Notary Public

My Commission Expires: _____



Vicinity Map
SCALE: 1" = 1000'

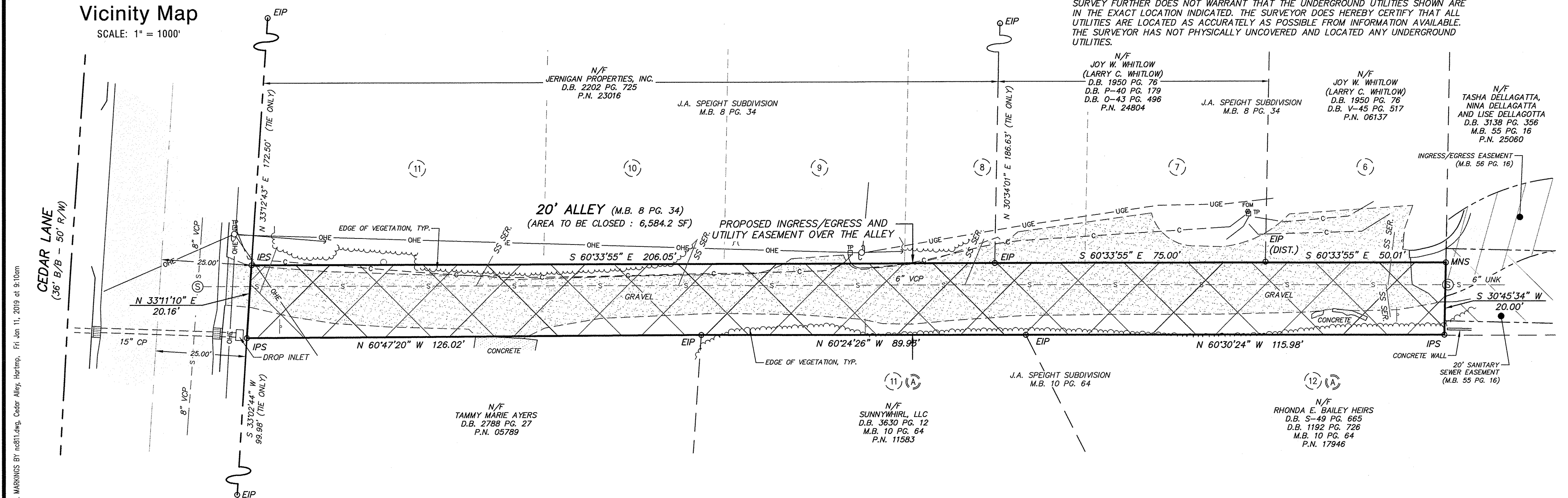


REFERENCES:

- M.B. 8 PG. 34
- M.B. 10 PG. 64
- M.B. 55 PG. 16
- D.B. 3630 PG. 12
- D.B. 3138 PG. 356
- D.B. 2728 PG. 27
- D.C. 2202 PG. 725
- D.B. 104 PG. 253
- D.B. V 45 PG. 517
- D.B. P 40 PG. 179
- D.B. 1950 PG. 76
- D.B. 0 43 PG. 496

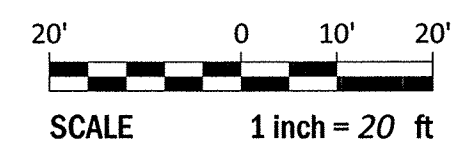
NOTES:

1. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS.
2. NO POINTS SET UNLESS OTHERWISE INDICATED.
3. THIS PROPERTY IS LOCATED WITHIN A MINIMAL FLOOD RISK AREA, "ZONE X" (AREAS OUTSIDE THE 0.02% ANNUAL CHANCE FLOOD), AS DETERMINED FROM FIRM MAP NUMBER 3720468800K PANEL 4688, EFFECTIVE JULY 7, 2014.
4. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT. RIVERS AND ASSOCIATES DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THIS PROPERTY ARE SHOWN HEREON.
5. PROPERTY SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD.
6. UNDERGROUND UTILITIES PLOTTED IN PART FROM ACTUAL MAPS PROVIDED BY OTHERS AS NOTED. ACTUAL LOCATIONS MAY VARY. OTHER UTILITIES MAY EXIST. SURVEYOR CANNOT PROVIDE ACCURACY OF NC811 MARKINGS. CONTRACTOR SHOULD CONTACT NC811 AT 1-800-632-4949 TO HAVE UNDERGROUND UTILITIES LOCATED PRIOR TO EXCAVATING OR TRENCHING. TICKET NUMBER C183091670.
7. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN ARE COMPRISED OF ALL SUCH UTILITIES IN THE AREA OF SURVEY EITHER IN SERVICE OR ABANDONED. THE SURVEY FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR DOES HEREBY CERTIFY THAT ALL UTILITIES ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY UNCOVERED AND LOCATED ANY UNDERGROUND UTILITIES.



LEGEND

— R/W —	RIGHT-OF-WAY (R/W)	B/B	BACK TO BACK	⊙	SEWER MANHOLE	[Hatched Box]	INGRESS/EGRESS EASEMENT (D.B. 1101 PG. 524)
-c-	COMMUNICATION LINE (MARKINGS BY NC811)	M.B.	MAP BOOK	⊕	TELEPHONE PEDESTAL	[Hatched Box]	SANITARY SEWER EASEMENT (M.B. 55 PG. 16)
-OHE-	OVERHEAD ELECTRIC	D.B.	DEED BOOK	⊕	SIGN	[Hatched Box]	GRAVEL
-UGE-	UNDERGROUND ELECTRIC (GUC/NC811 MARKING)	P.G.	PAGE	⊕	GUY WIRE	[Hatched Box]	CONCRETE
-S-	ALLEY CLOSING BOUNDARY	P.N.	PARCEL NUMBER	⊕	UTILITY POLE	[Hatched Box]	ASPHALT
-S-	SANITARY SEWER	R/W	RIGHT OF WAY	⊕	FIBER OPTIC MARKER	[Hatched Box]	PROPOSED EASEMENT (AS NOTED)
-SD-	STORM DRAIN	EIP	EXISTING IRON PIPE	⊕	TREE STUMP	[Hatched Box]	
-EVE-	EDGE OF VEGETATION	CP	CONCRETE PIPE	⊕	NO POINT SET	[Hatched Box]	
-ADP-	ADJOINER PARCEL LINE	IPS	IRON PIPE SET	⊕	PLATTED BLOCK/LOT NO	[Hatched Box]	
-SS SER.	SANITARY SEWER SERVICE (NC 811 MARKING)	MNS	MAG NAIL SET	⊕	CATCH BASIN	[Hatched Box]	
-VCP-	VITRIFIED CONCRETE PIPE	DIST.	DISTURBED	⊕	SHRUB	[Hatched Box]	



#3- 1/11/2019: CHANGED EASEMENT TO ADD INGRESS/EGRESS PER CITY COMMENTS
 #2- 12/18/2018: ADDITIONAL NC811 MARKINGS
 REVISIONS: #1- 11/29/2018: REVISED CITY OF GREENVILLE COMMENTS

MAYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF GREENVILLE HAS PASSED A RESOLUTION TO CLOSE 20' ALLEY AS SHOWN HEREON.

RESOLUTION NO. _____

SIGNED _____ MAYOR

SIGNED _____ CITY CLERK

STATE OF NORTH CAROLINA
 COUNTY OF PITT

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

REVIEW OFFICER _____
 DATE _____

SOURCE OF TITLE

THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS: (AS NOTED ABOVE)

Patrick W. Hartman
 PROFESSIONAL LAND SURVEYOR
 REGISTRATION NO. L-4262

NORTH CAROLINA, PITT COUNTY

I, PATRICK W. HARTMAN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY RB/JA ON 11/04/18 - 11/28/2018, THAT THE RATIO OF PRECISION IS 1:10,000+; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f) (11) THAT THIS SURVEY IS OF ANOTHER CATEGORY, BEING A SURVEY FOR A STREET CLOSING. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 28TH DAY OF NOVEMBER, 2018.

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

NORTH CAROLINA
 PROFESSIONAL LAND SURVEYOR
 SEAL
 L-4262
 PATRICK W. HARTMAN

Patrick W. Hartman

DATE 11/28/18

SURVEY RB DRAFT PH/KB
 DESIGN CHECK PWH

NC License: F-0334

Rivers
 & ASSOCIATES, INC.
 riversandassociates.com Since 1918

Engineers
 Planners
 Surveyors
 Landscape Architects
 107 East Second Street
 Greenville, NC 27858
 (252) 752-4135

STREET CLOSING MAP FOR
20' ALLEY - MAP BOOK 8 PAGE 34

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

SCALE 1" = 20'
 DRAWING NO. Z-2641
 SHEET 1 OF 1



City of Greenville, North Carolina

Meeting Date: 2/14/2019
Time: 6:00 PM

Title of Item:

Resolution to Close an alleyway located on the east side of East Rock Spring Road and south of East Tenth Street

Explanation:

Abstract: This item is to consider a Resolution to Close an alleyway located on the east side of East Rock Spring Road and south of East Tenth Street.

Explanation: This item is to consider a Resolution to Close an alleyway located on the east side of East Rock Spring Road and south of East Tenth Street. Closure of the alleyway is being requested by the City.

City Council adopted a Resolution of Intent to Close an alleyway located on the east side of East Rock Spring Road and south of East Tenth Street during its January 7, 2019, meeting setting the date for the public hearing on the regularly scheduled City Council meeting on February 14, 2019. The Planning and Zoning Commission gave a favorable recommendation to the petition for closure during its January 15, 2019, meeting.

Pursuant to the provisions of G.S. 160A-299, the Resolution of Intent to Close was published in The Daily Reflector on four consecutive Mondays (January 14, 21, and 28, and February 4, 2019), a copy thereof was sent by certified mail to all owners of property adjacent to the street as shown on the Pitt County tax records, and a notice of the closing and public hearing has been prominently posted in two places along the street section to be closed.

The street closure map has been reviewed by City staff and Greenville Utilities Commission (GUC). Staff and GUC request a utility, drainage, and ingress/egress easement over and upon the alleyway.

Fiscal Note:

The City receives no Powell Bill funds for maintenance of alleyways. Budgeted funds for yearly maintenance will no longer be required upon the effective date of the Resolution to Close by City Council. The City has paved the alleyway as part of the

2018 resurfacing project at the estimated cost of \$10,000 and has incurred the expense of \$4,600 for the preparation of the street closing map.

Recommendation: Hold a public hearing on the question of whether or not the closing would be detrimental to the public interest or the property rights of any individual. If it appears to the satisfaction of City Council after the hearing that closing of the alleyway is not contrary to the public interest and that no individual owning property in the vicinity of the alleyway in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to their property, City Council may adopt the Resolution to Close the alleyway located on the east side of East Rock Spring Road and south of East Tenth Street.

ATTACHMENTS:

- ☐ **Resolution_to_Close_East_Rock_Spring_Road_Alley_1100094**
- ☐ **Rock Springs Alley Map**

RESOLUTION NO. _____
AN ORDER OF THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA TO CLOSE AN ALLEYWAY LOCATED ON THE EAST SIDE OF EAST ROCK SPRING ROAD AND SOUTH OF EAST TENTH STREET

WHEREAS, the City Council of the City of Greenville, at its January 7, 2019, meeting, adopted a resolution declaring its intent to close the unnamed alleyway located on the east side of East Rock Spring Road and south of East Tenth Street; and

WHEREAS, pursuant to the provisions of G.S. 160A-299, said resolution was published once a week for four (4) successive weeks in The Daily Reflector setting forth that a hearing will be held on the 14th day of February, 2019 on the question of closing the said alleyway; and

WHEREAS, a copy of the resolution was sent by certified mail to all owners of the property adjoining the alleyway, as shown on the County tax records, and a notice of the closing and the public hearing was prominently posted in at least two (2) places along said alleyway; and

WHEREAS, a hearing was conducted on the 14th day of February, 2019, at which time all persons interested were afforded an opportunity to be heard on the question of whether or not the closing will be detrimental to the public interest or the property rights of any individual; and

WHEREAS, it appears to the satisfaction of the City Council of the City of Greenville, North Carolina, after conduction of said hearing, that the closing of the alleyway is not contrary to the public interest, and that no individual owning property in the vicinity of said alleyway or in the subdivision in which said alleyway is located would thereby be deprived of reasonable means of ingress and egress to their property;

IT IS NOW THEREFORE ORDERED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE that, upon the effective date of this Order, the property described below be and the same is closed, and all right, title and interest that may be vested in the public to said area for street purposes is released in accordance with the provisions of G.S. 160A-299:

To Wit: Being 20 foot wide alleyway as shown on that plat entitled "Street Closing Map For 20' Alley - Map Book 3, Page 141", prepared by Rivers & Associates, Inc.

Location: Lying and being in the City of Greenville, Pitt County, North Carolina and being located on the east side of East Rock Spring Road and about 360 feet south of E. Tenth Street, and being more particularly described as follows:

Description: BEGINNING at an existing iron pipe at the intersection of the eastern right of way of East Rock Spring Road with the northern line of a 20' alleyway, with side iron being referenced as S14°26'24"E from an existing iron pipe located at the northwestern corner of Lot 18, Block B, Rock Spring Park Subdivision; thence from said BEGINNING POINT and running along the northern boundary of the 20' alleyway, N75°24'48"E – 144.05' to an existing iron pipe; thence N75°24'48"E – 24.95' to a drill hole set in a concrete parking pad; thence S73°12'55"E – 83.32' to an existing iron pipe in concrete; thence S73°12'55"E – 80.13' to an iron pipe set in, a common corner with the property of East Carolina University; thence running along the common line with East Carolina University, S26°50'55"W – 20.31 feet to an iron pipe set in the southern boundary of the alleyway; thence running along the southern boundary of the alleyway, N73°12'56"W – 153.28' to a mag nail set in the asphalt pavement; thence, S75°24'48"W – 162.96' to an existing iron pipe in the eastern right of way of East Rock Spring Road; thence running along the eastern right of way of East Rock Spring Road, N15°48'15"E – 20.00' to the POINT OF BEGINNING containing 6,476.9 square feet.

IT IS FURTHER ORDERED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE that the City of Greenville does hereby reserve its right, title, and interest in any utility improvement or easement within the unnamed alleyway closed pursuant to this order. Such reservation also extends, in accordance with the provisions of G.S. 160A-299(f), to utility improvements or easements owned by private utilities which at the time of the closing have a utility agreement or franchise with the City of Greenville.

IT IS FURTHER ORDERED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE that, upon the effective date of this Order, the Mayor and City Clerk are authorized to execute quit-claim deeds or other legal documents to prove vesting of any right, title or interest to those persons owning lots or parcels adjacent to the street in accordance with G.S. 160A-299(c), provided all costs shall be paid by any adjoining landowner requesting such action, all documents must be approved by the City Attorney and all documents, when appropriate, must reserve to the City any easements retained by the City. The intent of this paragraph is to authorize the execution of quit-claim deeds when requested by adjacent property owners; however, none are required and this paragraph is not intended to alter the vesting of title by operation of law as established by G.S. 160A-299(c).

IT IS FURTHER ORDERED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE that a copy of this Order shall be filed in the Office of the Register of Deeds of Pitt County after the effective date of this Order.

ADOPTED this the 14th day of February, 2019.

P.J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

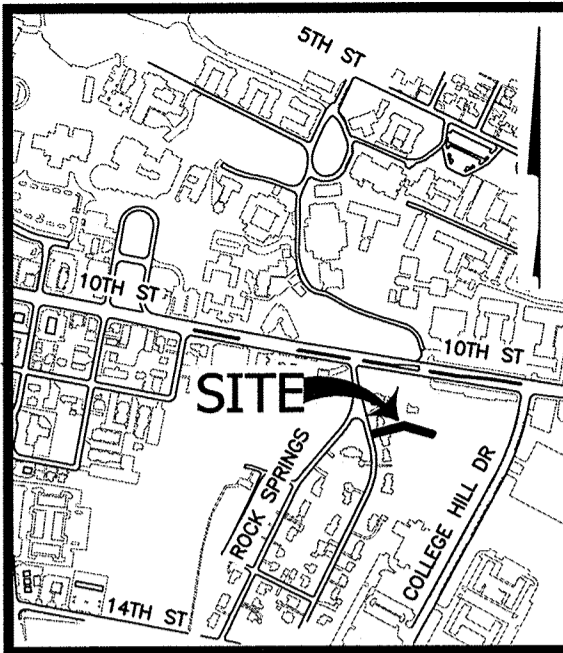
NORTH CAROLINA
PITT COUNTY

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

WITNESS my hand and official seal this 14th day of February, 2019.

Notary Public

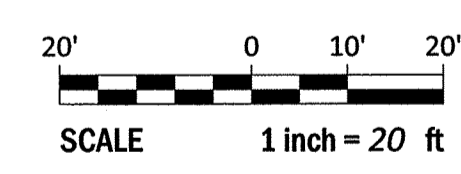
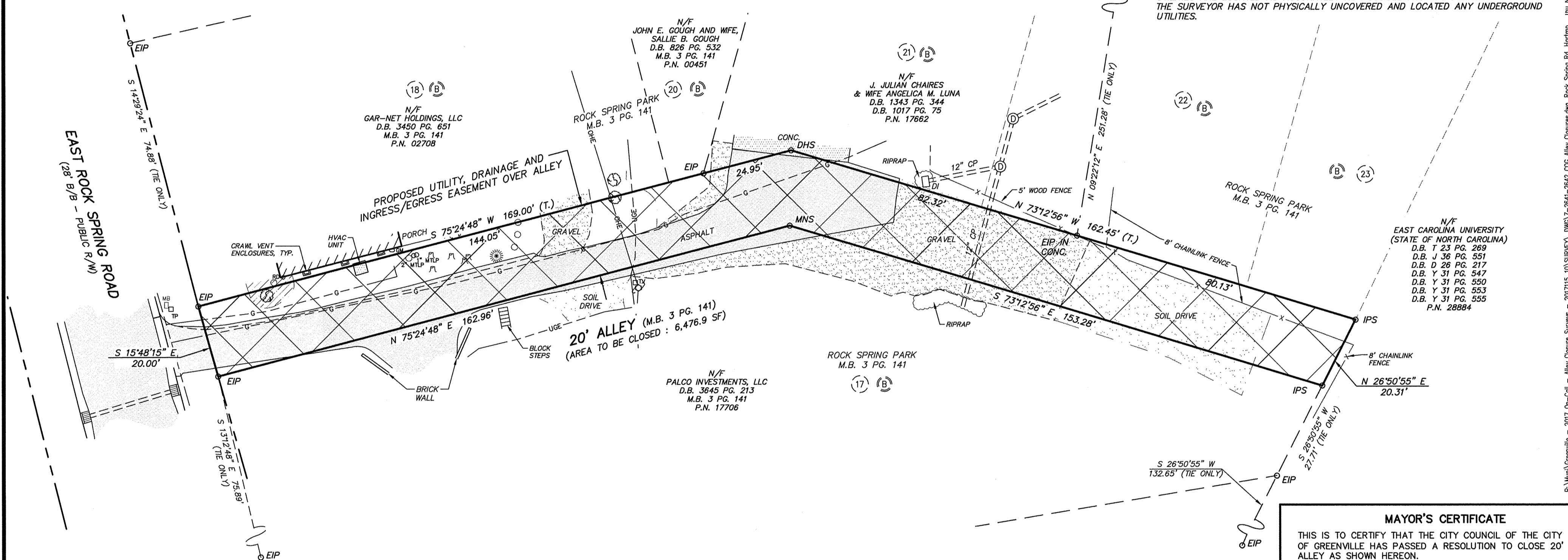
My Commission Expires: _____



Vicinity Map
SCALE: 1" = 1000'

LEGEND	
	RIGHT-OF-WAY (R/W)
	EXISTING BUILDING
	OVERHEAD ELECTRIC
	STREET CLOSING BOUNDARY
	STORM DRAIN
	CHAINLINK FENCE
	ADJOINER PARCEL LINE
	VACATED PLATTED LOT LINE
	GAS LINE (GUC/NC811 MARKING)
	UNDERGROUND ELECTRIC (GUC/NC811 MARKING)
	BACK TO BACK
	MAP BOOK
	DEED BOOK
	PAGE
	PARCEL NUMBER
	RIGHT OF WAY
	LANDSCAPE AREA
	GRAVEL/CRUSHED ROCK
	UNPAVED
	ASPHALT
	CONCRETE
	PROPOSED EASEMENT (AS NOTED)
	SHRUB
	ORNAMENTAL TREE
	CEDAR TREE
	PLATTED BLOCK/LOT NO
	CONCRETE PIPE
	CATCH BASIN
	DROP INLET
	STORM DRAIN MANHOLE
	TELEPHONE PEDESTAL
	ROOF DRAIN
	MAILBOX
	CATV
	LIGHT POLE
	UTILITY POLE
	CONCRETE
	TREE STUMP
	DRILL HOLE SET
	MAG NAIL SET
	EXISTING IRON PIPE
	IRON PIPE SET
	METAL PIPE WITH CAP

- NOTES:**
- ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS.
 - NO POINTS SET UNLESS OTHERWISE INDICATED.
 - THIS PROPERTY IS LOCATED WITHIN A MINIMAL FLOOD RISK AREA, "ZONE X" (AREAS OUTSIDE THE 0.02% ANNUAL CHANCE FLOOD), AS DETERMINED FROM FIRM MAP NUMBER 37204688BOOK PANEL 4688, EFFECTIVE JULY 7, 2014.
 - THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT. RIVERS AND ASSOCIATES DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THIS PROPERTY ARE SHOWN HEREON.
 - PROPERTY SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD.
 - UNDERGROUND UTILITIES PLOTTED IN PART FROM ACTUAL MAPS PROVIDED BY OTHERS AS NOTED. ACTUAL LOCATIONS MAY VARY. OTHER UTILITIES MAY EXIST. SURVEYOR CANNOT PROVIDE ACCURACY OF NC811 MARKINGS. CONTRACTOR SHOULD CONTACT NC811 AT 1-800-632-4949 TO HAVE UNDERGROUND UTILITIES LOCATED PRIOR TO EXCAVATING OR TRENCHING. TICKET NUMBER: C183091737 (NO CATV OR TELEPHONE MARINGS)
 - THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN ARE COMPRISED OF ALL SUCH UTILITIES IN THE AREA OF SURVEY EITHER IN SERVICE OR ABANDONED. THE SURVEY FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR DOES HEREBY CERTIFY THAT ALL UTILITIES ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY UNCOVERED AND LOCATED ANY UNDERGROUND UTILITIES.



REVISIONS: #1- 11/29/2018: REVISED CITY OF GREENVILLE COMMENTS

REFERENCES:

- M.B. 3 PG. 141
- D.B. 3645 PG. 213
- D.B. 3450 PG. 651
- D.B. 1343 PG. 344
- D.B. 1017 PG. 75
- D.B. 826 PG. 532

STATE OF NORTH CAROLINA
COUNTY OF PITT

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

REVIEW OFFICER _____
DATE _____

SOURCE OF TITLE

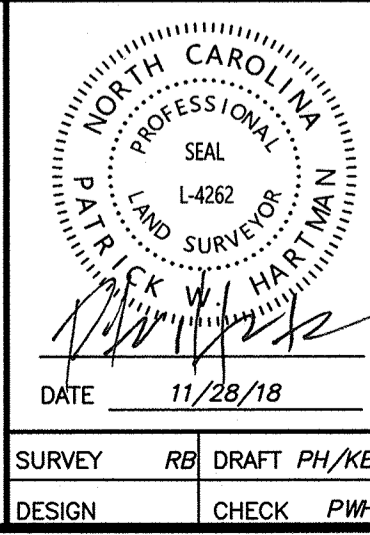
THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS: (AS NOTED ABOVE)

Patrick W. Hartman
PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. L-4262

NORTH CAROLINA, PITT COUNTY

I, PATRICK W. HARTMAN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY RB/JA ON 11/04/18 - 11/28/2018; THAT THE RATIO OF PRECISION IS 1:10,000+; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f) (11) THAT THIS SURVEY IS OF ANOTHER CATEGORY, BEING A SURVEY FOR A STREET CLOSING. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 28TH DAY OF NOVEMBER, 2018.

PROFESSIONAL LAND SURVEYOR *Patrick W. Hartman*
REGISTRATION NUMBER L-4262



Rivers & Associates, Inc.
riversandassociates.com Since 1918

NC License: F-0394
Engineers
Planners
Surveyors
Landscape Architects
107 East Second Street
Greenville, NC 27858
(252) 752-4195

STREET CLOSING MAP FOR
20' ALLEY - MAP BOOK 3 PAGE 141
CITY OF GREENVILLE, GREENVILLE TOWNSHIP, PITT CO., N.C.

SURVEY	RB	DRAFT	PH/KB	SCALE	1" = 20'	DRAWING NO.	Z-2642	SHEET	1 OF 1
DESIGN		CHECK	PWH						

MAYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF GREENVILLE HAS PASSED A RESOLUTION TO CLOSE 20' ALLEY AS SHOWN HEREON.

RESOLUTION NO. _____

SIGNED _____ MAYOR

SIGNED _____ CITY CLERK

F:\Muni\Greenville - 2017 On-Call - Alley Closure Surveys - 20171115_10\SURVEY_DRAWING\Z-2642-COC Alley Closures.dwg, Rock Spring Rd, Hartmp, Thu Nov 29, 2018 at 10:29:40m



City of Greenville, North Carolina

Meeting Date: 2/14/2019
Time: 6:00 PM

Title of Item: Ordinance to amend City Code Title 9, Chapter 7, Section 9-7-12 Powers of Preservation Commission

Explanation: **Abstract:** The Historic Preservation Commission desires to post signs on historic properties as notice that a Certificate of Appropriateness has been issued. An ordinance to amend the City Code is required to grant authority to the Historic Preservation Commission to post such signs.

Explanation: The Historic Preservation Commission (HPC) would like to have the ability to post a notice signifying a certificate of appropriateness (COA) has been issued. A COA is requested by owners of properties located within the College View Local Historic District or a Local Landmark for proposed exterior changes. The COA is considered by the HPC and issued if the proposed work is in compliance with the Historic District and Local Landmark Design Guidelines. A COA is not required for routine maintenance and repairs.

At the January 22, 2019 HPC meeting, the attached draft ordinance was considered and approved by the HPC. Further, the HPC approved a motion requesting the City Council to consider the adoption of this ordinance. In accordance with the City's Board and Commission Policy, the HPC request was forwarded to the City Council by the City Clerk. Council Member Rick Smiley requested that this item be added to the City Council agenda for consideration.

Title 9, Chapter 7, Section 9-7-12 of the City Code would need to be amended by City Council to add Subsection (T) to read as follows:

(T) Post on the site that is the subject of a public hearing, as authorized under Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes or this Chapter, or on an adjacent street or highway right-of-way of the site that is the subject of a public hearing, as authorized under Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes or this Chapter, a notice of hearing or a notice of the issuance of a certificate of appropriateness in

accordance with the Historic Preservation Commission, Greenville, North Carolina, Rules of Procedure.

The following is a relevant excerpt from Horizons 2026: Greenville's Community Plan:

Chapter 1, Building Great Places

Goal 1.5. A Valued History

Policy 1.51. Preserve Historic Buildings, Landmarks, and Areas: Cultural and historic buildings should be restored and reused in order to foster a sense of place, promote green building practices, and emphasize Greenville's unique heritage. New buildings in historic areas should be compatible with the surrounding neighborhood. Greenville's Historic District and Local Landmark Design Guidelines should continue to be maintained and used. Historic cemeteries should be preserved for their heritage. Preserve heritage important to the history of minority communities in Greenville.

Policy 1.5.3. Support Historic Neighborhoods. Encourage revitalization of historic neighborhoods in Greenville in a manner that preserves and enhances the neighborhood identity and character of historic district.

Fiscal Note: Funds for the purchase of the signs will be paid for from the department budget.

Recommendation: Staff recommends that City Council approve the ordinance to amend City Code Title 9, Chapter 7, Section 9-7-12 Powers of Preservation Commission

ATTACHMENTS:

▣ **Draft_HPC_Ordinance__placard__1100007**

ORDINANCE NO. 19-
AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 14th day of February, 2019, at 6:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Horizons 2026: Greenville's Community Plan, Chapter 1, Building Great Places, Goal 1.5. A Valued History, Policy 1.51. Preserve Historic Buildings, Landmarks, and Areas: Cultural and historic buildings should be restored and reused in order to foster a sense of place, promote green building practices, and emphasize Greenville's unique heritage. New buildings in historic areas should be compatible with the surrounding neighborhood. Greenville's *Historic District and Local Landmark Design Guidelines* should continue to be maintained and used. Historic cemeteries should be preserved for their heritage. Preserve heritage important to the history of minority communities in Greenville and Policy 1.5.3. Support Historic Neighborhoods. Encourage revitalization of historic neighborhoods in Greenville in a manner that preserves and enhances the neighborhood identity and character of historic district;

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

Section 1. That Title 9, Chapter 7, Section 9-7-12, of the City Code is hereby amended by adding subsection (T) so that it shall read as follows:

(T) Post on the site that is the subject of a public hearing, as authorized under Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes or this Chapter, or on an adjacent street or highway right-of-way of the site that is

the subject of a public hearing, as authorized under Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes or this Chapter, a notice of hearing or a notice of the issuance of a certificate of appropriateness in accordance with the Historic Preservation Commission, Greenville, North Carolina, Rules of Procedure.

Section 2. That this ordinance shall become effective immediately upon adoption.

Adopted this 14th day of February, 2019.

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

1100007