



Agenda

Greenville City Council

September 13, 2007
7:00 PM
City Council Chambers
200 West Fifth Street

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

I. Call Meeting To Order

II. Invocation - Council Member Dunn

III. Pledge of Allegiance

IV. Roll Call

V. Approval of Agenda

VI. Special Recognitions

- North State 10-11 Year-Olds Baseball Team
- Hyman Ebron, Public Works Department Retiree
- Tom Tysinger, Public Works Department Retiree

VII. Appointments

1. Appointments to Boards and Commissions

VIII. Old Business

2. Report on Self Help and the Center for Responsible Lending

IX. New Business

Public Hearings

3. Ordinance, requested by Ward Holdings, LLC, to amend the Future Land Use Plan Map for the area described as being located at the southeast corner of the intersection of Greenville Boulevard and 14th Street, 320+ feet along Greenville Boulevard and 200+ feet deep, containing approximately 1.5 acres from an "Office/Institutional/Multi-family" category to a "Commercial" category
4. Ordinance requested by Ward Holdings, LLC to rezone 1.52 acres located at the southeast corner of the intersection of Greenville Boulevard and 14th Street from R9S (Residential-Single-family [Medium Density Residential]) to CH (Heavy Commercial)
5. Ordinance, requested by Allen Thomas, to rezone 7.737 acres located at the northwest corner of Arlington Boulevard and Dickinson Avenue from RA20 (Residential-Agricultural) and O (Office) to MO (Medical-Office)
6. Ordinance requested by Dr. Ledyard Ross to rezone 0.4021 acres located along the northern right-of-way of Arlington Boulevard, 320± feet east of Seaboard Coastline Railroad, and 815± feet west of Evans Street from OR (Office-Residential [High Density Multi-family]) to CG (General Commercial)
7. Ordinance requested by Parker's Chapel Free Will Baptist Church to rezone 19.53± acres located at the southwest corner of the intersection of Pactolus Highway and Greenville Boulevard from RA20 (Residential-Agricultural) and CH (Heavy Commercial) to OR (Office-Residential [High Density Multi-Family])
8. Ordinance requested by Tucker Farms, Inc. to rezone 7.1822 acres for the property located along the western right-of-way of County Home Road, 200± feet south of Piccadilly Drive, and 160± feet east of Royal Drive from R6 (Residential [High Density Multi-family]) to O (Office) and R9S (Residential-Single-family [Medium Density Residential])
9. Ordinance, requested by Sherryl Tipton, to amend the Office district table of uses to include "Dance studio" as a permitted use
10. Ordinance requested by Sherryl Tipton to rezone 0.66 acres located at the northeast corner of the intersection of Plaza Drive and Carlton Street from CG (General Commercial) to O (Office)
11. Ordinance to annex Arbor Hills South, containing 27.762 acres located west of Eastern Pines Road and south of Plateau Drive
12. Ordinance to annex Bedford, Section 11, containing 5.935 acres located west of Summerhaven Subdivision and east of Wickham Drive
13. Ordinance to annex Brook Hollow, Section Two, containing 21.028 acres located north of Dickinson Avenue Extension and west of Brook Hollow, Section One
14. Ordinance to annex Copper Beech Townhomes, containing 46.11 acres located south of NC Highway 33 and west of Brook Valley Subdivision

15. Ordinance to annex Embarq property, containing 3.039 acres located south of Old Fire Tower Road and east of Corey Road
16. Ordinance to annex Greyfox Run, Phase 1, containing 26.8952 acres located west of NC Highway 43 and east of Kittrell Farms Patio Homes
17. Ordinance to annex University Medical Park North, containing 46.24 acres located north of West Fifth Street and west of Moyewood Subdivision
18. Ordinance requested by the Community Development Department to amend the special use standards and criteria for the use entitled "hotel or motel" by deleting sections 9-4-85(j) and 9-4-86(j) in their entirety
19. Ordinance requested by the Community Development Department to amend the zoning regulations to specify the procedure for consideration of a rezoning petition submitted in conjunction with a future land use plan map amendment request
20. Federal HOME Investment Partnership Program and Community Development Block Grant Program budget amendments to Fiscal Years 2005, 2006 and 2007 Annual Action Plans

Public Comment Period

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

Other Items of Business

21. Amendment to the Airport Economic Stimulus Plan
22. Award of bid for 1411 West Fifth Street
23. Award of bid for 1501 West Fifth Street
24. Purchase of Police Substation Facility from Pitt Community College
25. Graffiti ordinance
26. Amendment to Agreement with the Greenville Museum of Art to provide the Art in City Hall Program
27. Ordinance repealing City Code provisions relating to cable television customer service standards

and rate regulation

28. Budget ordinance amendment #2 to the 2007-2008 City of Greenville budget, budget amendment to ordinance 97-1 Convention Center Capital Project Fund, and an ordinance establishing the capital project for the Dickinson Avenue Relocation Project

X. Comments from Mayor and City Council

XI. City Manager's Report

XII. Adjournment



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Appointments to Boards and Commissions

Explanation: City Council appointments need to be to the Affordable Housing Loan Committee, Human Relations Council, and Public Transportation and Parking Commission. A City Council nomination needs to be made to Pitt County for the Pitt-Greenville Convention and Visitors Authority.

Fiscal Note: No fiscal impact.

Recommendation: Make appointments as deemed appropriate.

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[2003 Present Appointments To Boards and Commissions City Council Meetings Agenda Deadline Material 138519](#)

Appointments To Boards and Commissions

September 13, 2007

Affordable Housing Loan Committee

Council Liaison: Council Member Rose Glover

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Vacancy (Alternate)	Filling unexpired term	Eligible	February 2009

Human Relations Council

Council Liaison: Council Member At-Large Pat Dunn

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Manolita Buck	First term	Eligible	September 2007
James Cox	First term	Eligible	September 2007

Pitt-Greenville Convention and Visitors Authority

Council Liaison: Council Member Larry Spell

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Angel Savage (3) (County)	First term	Ineligible for reappointment	July 2007

3. Residents not involved in tourist or convention-related business

Public Transportation and Parking Commission

Council Liaison: Mayor Pro-Tem Mildred A. Council

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Ashley Fenner	Second term	Resigned	January 2010
Margaret Dixon	Second term	Did not meet attendance requirements	January 2009

Applicants for Affordable Housing Loan Committee

Alice Faye Brewington 1224 Farmville Boulevard Greenville, NC 27834	752-4325	Application	7/17/2007
Robert Waddell 109-B Sara Lane Greenville, NC 27834	373-2909	Application	6/19/2007

Applicants for Human Relations Council

Joseph P. Flood 1919 Sherwood Drive Greenville, NC 27834	353-9915	Application	7/18/2007
Tara Honesty 2512-B Bluff View Drive Greenville, NC 27834	752-8114	Application	8/19/2005
Evan Lewis 3402 Dunhaven Drive Greenville, NC 27834	353-6997	Application	7/17/2007
Aaron F. Lucier 1516 Thayer Drive Winterville, NC 28590	321-3910	Application	5/1/2006
John Newby 401 Crestline Boulevard Greenville, NC 27834	756-8318	Application	5/18/2006

Applicant Interest Listing

Convention & Visitors Authority

Brayom Anderson III
 1624 Black Jack Simpson Road
 Greenville NC 27858

Day (252) 439-0555
 Evening Phone: (252) 341-2527
 Fax:
 E-mail: brayom@tie-breakers.com
 Priority:

Gender: M
 Race White
 District: 3
 Date Applied: 01/25/2007

Applicant's Attributes: County Planning Jurisdiction

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	JH Rose High		
Experience	Law enforcement/deputy		
Experience	Tie Breakers Sports Bar & Grill	Owner	
Experience	US Army & Coast Guard		

Joanne Askew
 1944 Cornerstone Drive
 Winterville NC 28590

Day (252) 756-5601
 Evening Phone: (252) 814-6774
 Fax:
 E-mail: gobills10@suddenlink.net
 Priority:

Gender: F
 Race White
 District: 5
 Date Applied: 02/21/2007

Applicant's Attributes: Winterville City Limits

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	University of Pennsylvania	BS - Business	
Education	Internboro High		
Experience	Onslow County	Retired HR Director	
Experience	Alamance County	Retired HR Director	
Volunteer/Prof. Associations	United Way		
Volunteer/Prof. Associations	Church Committees		
Volunteer/Prof. Associations	NC Symphony Board		
Volunteer/Prof. Associations	Meals on Wheels		

Applicant Interest Listing

Ralph Hall Jr
111 Hardee Street
Greenville NC 27858

Day
Evening Phone: (252) 756-0262
Fax:
E-mail: bajhall@aol.com
Priority: 0

Gender: M
Race White
District: 6
Date Applied: 02/26/2003

Applicant's Attributes: District 6
Greenville ETJ

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	University of South Carolina	Civil Engineering	1955-1957
Education	Edenton High		
Experience	Phillippines Construction	Project Manager	1962-1966
Experience	Foreign Service Staff Officer	Civil Engineer	1966-1969
Experience	Odell Associates	Hospital Construction Engineer	1969-1973
Experience	PCMH	Vice-President of Facilities	1973-2001
Volunteer/Prof. Associations	N.C. Bio-Medical Association		
Volunteer/Prof. Associations	N.C. Association of Health Care		
Volunteer/Prof. Associations	American Society of Health Care		
Volunteer/Prof. Associations	American Cancer Society		
Volunteer/Prof. Associations	State Board of Directors		

Boards Assigned To

Industrial Revenue & Pollution Control Authority	3/15/2004 to 3/15/2007
P. C. M. H Board Of Trustees District 2	1/12/2004 to 3/31/2008

Karen Koch
2146 Sir Hugh Court
Greenville NC 27858

Day (252) 744-5209
Evening Phone: (252) 551-3782
Fax: (252) 744-5229
E-mail:
Priority: 0

Gender: F
Race White
District: 3
Date Applied: 09/15/2004

Convention & Visitors Authority
Monday, August 27, 2007

Applicant Interest Listing

Applicant's Attributes: District 3
Greenville ETJ

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	University of Maryland	BS-Psychology Master Socail	
Education	Centennial High		
Experience		Licensed Clinical Socail Worker	
Experience	ECU School of Social Work	Field Instructor	
Experience	Walter B. Jones Alcohol Center	Social Work Supervisor	16 yrs
Volunteer/Prof. Associations	Board of Directors		
Volunteer/Prof. Associations	NASW Local Program Unit		
Volunteer/Prof. Associations	National Ass. Of Social		

Boards Assigned To

Nursing Home Advisory Committee 11/1/2004 to 11/1/2005

Steve Little

3314 NC 33 W
Greenville NC 27834

Day (910) 608-3724 Gender: M
Evening Phone: (252) 758-2040 Race White
Fax: District: 2
E-mail: slittle@nashfinch.com Date Applied: 01/05/2007
Priority:

Applicant's Attributes: District 2
County Planning Jurisdiction
North of the River

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	East Carolina University		
Education	Belvoir Elementary		
Experience		NC Real Estate Broker License	
Experience	Nash Finch	Division Manager	

Applicant Interest Listing

Volunteer/Prof. Associations Pitt County Planning Board 6 years

Boards Assigned To

ABC Board 1/23/2007 to 6/30/2009

Joseph Skinner

3605 Stillwood Drive
Winterville NC 28590

Day (252) 847-6843
Evening Phone: (252) 756-1966
Fax:
E-mail:
Priority: 0

Gender: M
Race White
District: 4
Date Applied: 01/14/2005

Applicant's Attributes: District 4
Greenville City Limits

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	East Carolina University		
Education	Ralph L Fike		
Experience	S.T. Wooten Construction		
Experience	C.A. Lewis	General Contractor	15 years
Experience	Pitt County Memorial Hospital	Project Manager/Employer	2000
Volunteer/Prof. Associations	Advisory Board @ PCC		
Volunteer/Prof. Associations	University Kiwanis Club		
Volunteer/Prof. Associations	Planning & Zoning		

Boards Assigned To

Development Commission 2/7/2005 to 12/31/2007
Greenville Nominated

Kelli Smith

3750 Langston Blvd.
Winterville NC 28590

Day (252) 413-4368
Evening Phone: (252) 353-2737
Fax:
E-mail: kpsmith@pcmh.com
Priority: 0

Gender: F
Race African
District: 4
Date Applied: 09/17/2004

Convention & Visitors Authority
Monday, August 27, 2007

Applicant Interest Listing

Applicant's Attributes: District 4
Greenville City Limits

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
		MBA - Health Care Admin	
Education	East Carolina University	BS-Biology, MPH -Epidemiology	
Education	Clark Atlanta University		
Education	Beaumont School for Girls		
Experience	Alpha Kappa Alpha Inc.		1991-present
Experience	NASA -Johnson Space Center		1997-1999
Experience	Centers for Disease Control &		1995
Experience	Jefferson County Department of		1996-1997
Experience	University Health Systems	Coordinator, HA Corp Affairs	
Volunteer/Prof. Associations	Institutional Review Board for		
Volunteer/Prof. Associations	University Health Care		

Boards Assigned To

Nursing Home Advisory Committee	11/27/2006 to 11/1/2008
Pitt County Emergency Medical Services Advisory At large	12/6/2004 to 9/16/2005

Linda Tripp

4817 NC 33 E
105 Oakmont Drive-work-use this one
Greenville NC 27858

Day (252) 355-4700
Evening Phone: (252) 758-3840
Fax: (252) 355-4707
E-mail: ltripp@greenvillenc.com
Priority: 0

Gender: F
Race White
District: 3
Date Applied: 04/25/2003

Applicant's Attributes: District 3
Simpson ETJ
GUC Customer
Non Greenville Resident

Applicant Interest Listing

Greenville NC 27858

Fax: (252) 328-4368

District: 3

E-mail: whitel@ecu.edu

Date Applied: 05/24/2007

Priority:

Applicant's Attributes: Greenville City Limits
District 3

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	Florida State University	MLS	1993
Education	University of Florida	BA	1988
Education	Wildwood High		
Experience	East Carolina University	Assistant Professor, Library Program	2005-present
Experience	Washington County Public	Library Director	2002-2005
Experience	Levy County Public Library	Director of Library Operations	1999-2000
Experience	Bureau of Library Development	Library Program Specialist	1998-1999
Experience	Leon County Public Library	Library Service Supervisor	1995-1998
Volunteer/Prof. Associations	Association of Library Inf.	Member since 2005	
Volunteer/Prof. Associations	Association of Rural & Small	Member	2005-2006
Volunteer/Prof. Associations	Pitt County Citizens Academy		
Volunteer/Prof. Associations	College of Education	Member	2005-present
Volunteer/Prof. Associations	Library Admin. & Management	Member since 2003	
Volunteer/Prof. Associations	Library Science & Instructional	Member	2005-present
Volunteer/Prof. Associations	Florida Library Association	Member	2000-2002
Volunteer/Prof. Associations	North Carolina Library	Member since 2005	
Volunteer/Prof. Associations	Ohio Library Council	Member	2002-2005
Volunteer/Prof. Associations	Public Library Association	Member since 2003	
Volunteer/Prof. Associations	American Libraries Association	Member since 1993	

Wendy Winstead
140 Farmington Rd.
Grimesland NC 27834
Convention & Visitors Authority
Monday, August 27, 2007

Day (252) 916-8180
Evening Phone: (252) 355-8280
Fax:

Gender: F
Race White
District: 3

Applicant Interest Listing

E-mail: wenwins@earthlink.net Date Applied: 07/12/2006
Priority: 0

Applicant's Attributes: District 5
County Planning Jurisdiction

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	East Carolina University	BS in Social Studies	
Education	Fuquay-Varian Senior H.S.		
Experience	R.H.Donnallay	Sprint Yellow Pages Account	1995-present
Volunteer/Prof. Associations	Salvation Army Volunteer		
Volunteer/Prof. Associations	Michael Jordan Golf Classic		
Volunteer/Prof. Associations	Dream Factory Committee		
Volunteer/Prof. Associations	CCA-NC East Carolina Chapter		
Volunteer/Prof. Associations	Association Executives of NC		
Volunteer/Prof. Associations	March of Dimes of Eastern NC	Board of Directors, Bid for Bachelors	
Volunteer/Prof. Associations	American Cancer Society	Relay for Life Committee	
Volunteer/Prof. Associations	Greater Greenville Kiwanis Club	Board of Directors, President, Vice-	
Volunteer/Prof. Associations	Pitt-Greenville Chamber of	Ambassador, Chamber Bowling	

Boards Assigned To

ABC Board 8/31/2006 to 8/31/2009

Applicants for Public Transportation and Parking Commission

Richard Malloy Barnes
208 South Elm Street
Greenville, NC 27858

Application 6/27/2007

752-5278



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Report on Self Help and the Center for Responsible Lending

Explanation: As a follow-up to the discussion at the August 6, 2007 City Council meeting concerning the National Community Reinvestment Coalition report on lending in metropolitan areas, Councilmember Rose Glover requested that Mr. Adelcio Lugo of Self Help Credit Union present a report to the City Council on Self Help and the Center for Responsible Lending.

Fiscal Note: No cost to the City to hear this report.

Recommendation: The City Council receive a report presented by Mr. Adelcio Lugo of Self Help Credit Union.

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Attachments / [click to download](#)



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Ordinance, requested by Ward Holdings, LLC, to amend the Future Land Use Plan Map for the area described as being located at the southeast corner of the intersection of Greenville Boulevard and 14th Street, 320+ feet along Greenville Boulevard and 200+ feet deep, containing approximately 1.5 acres from an “Office/Institutional/Multi-family” category to a “Commercial” category

Explanation: This request involves amending the Land Use Plan Map for 1.5 (66,000 square feet) acres as referenced above. Please see the attached Land Use Plan Map amendment request.

Fiscal Note: No cost to the City.

Recommendation: Staff would not recommend expansion of commercial development in the area adjacent to the Eastwood Subdivision. The current office/institutional/multi-family designation will afford transitional use of houses while minimizing negative impacts.

This request is in conjunction with the Ward Holdings, LLC rezoning request.

The Planning and Zoning Commission, at their August 21, 2007 meeting, voted to approve the request.

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Attachments / click to download

[Current Zoning and Existing Land Use](#)

- [Future Land Use Plan Map Comparison](#)
 - [Land Use Plan Amendment Ordinance Ward Holdings LLC 694260](#)
 - [Land Use Plan Map Amendment Ward Holdings LLC 709114](#)
 - [Land Use Plan Amendment 7 03 709592](#)
 - [Planning and Zoning Commission Minutes Ward 713739](#)
-

ORDINANCE NO. 07-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
AMENDING HORIZONS: 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 September 13, 2007 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the Future Land Use Plan Map for the following described territory;

WHEREAS, the Horizons: Greenville's Community Plan was adopted on January 9, 1992 by the Greenville City Council per ordinance 2412; and

WHEREAS, the Horizons: Greenville's Community Plan will from time to time be amended and portions of its text clarified by the City Council; and

WHEREAS, Future Land Use Plans are to be prepared to expand and clarify portions of the Horizons: Greenville's Community Plan; and

WHEREAS, the City Council of the City of Greenville has per ordinance no. 97-73 adopted the Greenville Future Land Use Plan Map and associated text dated June 4, 1997 as an amendment to the Horizons: Greenville's Community Plan; and

WHEREAS, the City Council of the City of Greenville has per ordinance no. 04-10 amended the Horizons: Greenville's Community Plan and Future Land Use Plan Map pursuant to the 2004 Update; and

WHEREAS, the Planning and Zoning Commission and the City Council have reviewed the Future Land Use Plan 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 Plan Map is hereby amended by re-designating from an "Office/Institutional/Multi-family" category to a "Commercial" category for the area described as being located at the southeast corner of the intersection of Greenville Boulevard and 14th Street, 320± feet along Greenville Boulevard and 200± feet deep containing approximately 1.5 acres.

Section 2. That the Director of Community Development is directed to amend the Future Land Use Plan 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 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

Doc # 709114

Future Land Use Plan Map Amendment Request Report

Prepared by Greenville's Community Development Department

Staff Contacts: Chantae M. Gooby, 329-4507
Harry V. Hamilton, Jr., 329-4511

1. **Applicant:** Ordinance, requested by Ward Holdings, LLC, to amend the Future Land Use Plan Map for the area described as being located at the southeast corner of the intersection of Greenville Boulevard and 14th Street, 320± feet along Greenville Boulevard and 200± feet deep containing approximately 1.5 acres (66,000 square feet) from an “Office/Institutional/Multi-family” category to a “Commercial” category.

**This request is in conjunction with the Ward Holdings LLC Rezoning Case # 07-19, which requests CH (Heavy Commercial) for the subject area.

2. **Date:** July 30, 2007

3. **Requested Change:**

Existing Land Use Plan Category: Office/Institutional/Multi-family (OIMF)

Proposed Land Use Plan Category: Commercial (C)

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

6. **History/Background:**

The current Future Land Use Plan Map was adopted February 12, 2004.

In 1969, the subject property was zoned R9 (single-family and duplex).

In 1990, the owners of eight (8) lots (6 acres) along Greenville Boulevard, between 14th Street and Adams Boulevard requested their property to be rezoned from R9 (single-family and duplex) to O (Office). The Planning and Zoning Commission, at the request of these property owners, sponsored the rezoning request however, the commission recommended denial at the public meeting. A valid protest petition (91.7% of the adjoining property owners) was filed by the owners of property within 100 feet of the request. The City Council, at their February 1990 public hearing, unanimously voted to deny the request.

In 2006, the subject property was contained within the Eastwood Subdivision area that was rezoned to R9S (Residential-Single-family) as part of the Task Force on Preservation of Neighborhood and Housing recommendations.

7. Comprehensive Plan

The subject area is located in Vision Area C.

The Future Land Use Plan Map recommends office/institutional/multi-family along the southern right-of-way of Greenville Boulevard, east of the Norfolk Southern Railroad and adjacent to the neighborhood focus area at the intersection of Greenville Boulevard and Eastbrook Drive.

There are designated neighborhood focus areas at the intersections of Greenville Boulevard and 14th Street and Greenville Boulevard and Eastbrook Drive. These areas generally contain less than 40,000 square feet of conditioned floor space.

Greenville Boulevard is designated as a connector corridor from its intersection at 14th Street and continuing north. Connector corridors are anticipated to contain a variety of higher intensity activities and uses whereas residential corridors are preferred to accommodate lower intensity residential uses.

The Comprehensive Plan states: “Office/Institutional/Multi-family land uses should be developed along transportation thoroughfares to provide transition between commercial nodes and to preserve vehicle carrying capacity. Office/Institutional/Multi-family development should be used as a buffer between light industrial and commercial development and adjacent lower density residential land uses.”

The Comprehensive Plan states that “location and size of commercial nodes included in the plan are not intended to be static. As the area surrounding commercial nodes develop, larger node definitions ...may be warranted. In addition, as the commercial nodes of outlying areas of the City’s planning jurisdiction develop, they should be buffered from surrounding areas by office, institutional and multi-family and residential and open spaces. Again, the exact size of the required buffer has not been predetermined. The required buffer width should be determined when the ultimate extent of the commercial node is known”.

8. Environmental Conditions/Constraints:

There are no known environmental constraints.

9. Surrounding Land Uses:

North: CG – Trade/Wilco Convenience Store

South: R9S – Eastwood Subdivision (single-family)

East: R6 – Eastwood Subdivision (single-family)

West: CN – Professional office building

11. Thoroughfare/Traffic Volume (PW-Engineering Division) Report Summary

Development under the proposed land use plan amendment could generate 3380 trips to and from the site on Greenville Blvd and 14th St, which is a net increase of 3350 additional trips per day compared to the existing land use.

During the review process, measures to mitigate traffic impacts will be determined and access to the properties will also be reviewed.

Detailed Report Included

Note : This is not a rezoning request.

Any future rezoning request(s) for the property in this area shall be considered by the Planning and Zoning Commission and City Council in accordance with standard procedures.

This request is in conjunction with the Ward Holdings, LLC Rezoning Case #07-19, which requests CH (Heavy Commercial) for the subject area.

RECOMMENDATION:

Staff would not recommend expansion of commercial development in the area adjacent to the Eastwood Subdivision. The current office/institutional/multi-family designation will afford transitional use of houses while minimizing negative impacts.

Attachments:

- Current Zoning Map
- Existing Land Use Inventory Map
- Current Future Land Use Map
- Proposed Future Land Use Map

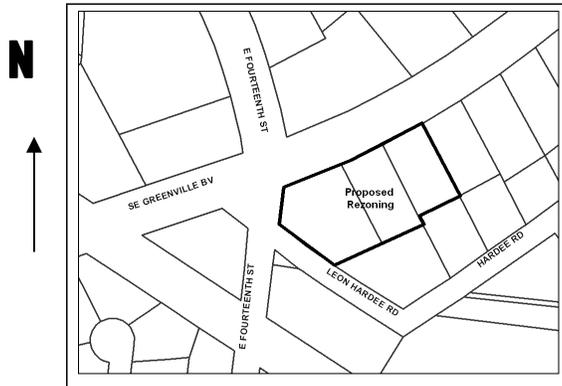
LAND USE PLAN MAP AMENDMENT/TRAFFIC VOLUME REPORT

Case No: 07-03

Applicants: Ward Holdings, LLC

Property Information

Current Land Use: Office/Institutional/Multi-Family
Proposed Use: Commercial
Current Acreage: 1.52 acres
Location: Corner of Greenville Blvd & 14th St
Points of Access: Greenville Blvd



Location Map

Transportation Background Information

1.) Greenville Blvd - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	5-lane with curb and gutter	5-lane with curb and gutter
Right of way width (ft)	100	100
Speed Limit (mph)	45	
Current ADT:	East of Site: 38,200(*) West of Site: 24,400(*)	Design ADT: 45,000 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along Greenville Boulevard that service this property.	

Notes: (*) 2004 NCDOT count adjusted with a 2% growth rate for 2007
(**) Traffic volume based on an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Projects Planned.

2.) 14th St - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lane with curb and gutter	5-lane with curb and gutter
Right of way width (ft)	60	90
Speed Limit (mph)	35	
Current ADT:	North of Site: 9,800(*) South of Site: 17,500(*)	Design ADT: 35,000 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along 14 th Street that service this property.	

Notes: (*) 2004 NCDOT count adjusted with a 2% growth rate for 2007
(**) Traffic volume based on an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Projects Planned.

Trips generated by proposed use/change:

Current Use: 30 -vehicle trips/day (*) **Proposed Use:** 3380 -vehicle trips/day (*)

Estimated Net Change: increase of 3350 -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 use.)

Impact on Existing Roads

The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on Greenville Blvd and 14th St are as follows:

1.) Greenville Blvd, East of Site (“No build” ADT of 38,200)

Estimated ADT with Proposed Use (full build) – 39,552
Estimated ADT with Current Use (full build) – 38,212
Net ADT change – 1340 (4% increase)

2.) Greenville Blvd, West of Site (“No build” ADT of 24,400)

Estimated ADT with Proposed Use (full build) – 25,414
Estimated ADT with Current Use (full build) – 24,409
Net ADT change – 1005 (4% increase)

3.) 14th St, North of Site (“No build” ADT of 9,800)

Estimated ADT with Proposed Use (full build) – 10,138
Estimated ADT with Current Use (full build) – 9,803
Net ADT change – 335 (4% increase)

3.) 14th St, South of Site (“No build” ADT of 17,500)

Estimated ADT with Proposed Use (full build) – 18,176
Estimated ADT with Current Use (full build) – 17,506
Net ADT change – 670 (4% increase)

Staff Findings/Recommendations:

Development under the proposed land use plan amendment could generate 3380 trips to and from the site on Greenville Blvd and 14th St, which is a net increase of 3350 additional trips per day compared to the existing land use.

During the review process, measures to mitigate traffic impacts will be determined. Access to the properties will also be reviewed.

Excerpt from the August 21, 2006 Planning and Zoning Commission Meeting

REQUEST BY WARD HOLDING, LLC FOR A LAND USE AMENDMENT- APPROVED AND A REQUEST FOR REZONING – APPROVED

Chairman Tozer stated that the next items is a request for a Land Use Plan Amendment by Ward Holdings, LLC request to amend the Future Land Use Plan Map for the area described as being located at the southeast corner of the intersection of Greenville Boulevard and 14th Street, 320± feet along Greenville Boulevard and 200± feet deep containing approximately 1.5 acres from an “Office/Institutional/Multi-family” category to a “Commercial” category.

Ms. Chantae Gooby advised that the Land Use Plan Amendment submitted by Ward Holdings, LLC is in conjunction a rezoning request, therefore, the Commission would need to vote on the two requests separately. Ms. Gooby stated that the Land Use Plan Amendment is to change the designation from Office/Institutional/Multi-family to Commercial. Ms. Gooby stated that the rezoning request is for Heavy Commercial. The property is located within the eastern section of the city at the intersection of Greenville Boulevard and 14th Street. The property contains three separate parcels with a single-family dwelling on each parcel. There is a recognized focus area at the intersection of Greenville Boulevard and 14th Street. This request could generate a net increase of 3,300 trips with the majority of the trips being distributed onto Greenville Boulevard. Ms. Gooby stated that in 1990 eight (8) property owners along Greenville Boulevard, between 14th Street and Adams Boulevard, requested to rezone their property from single-family/duplex to office. The owners requested that the Planning and Zoning Commission sponsor the request, which it did, however the Commission recommended denial of the request. Ms. Gooby stated that a valid protest petition was filed by 90% of the adjoining property owners against the request. City Council unanimously denied the request at their February 1990 public hearing. In 2006, the property was rezoned to R9S (single-family) as part of the Task Force on Preservation of Neighborhood and Housing recommendations. Ms. Gooby explained that due to the 1990 rezoning request it was recognized that the houses fronting Greenville Boulevard had long-term livability issues and therefore the Land Use Plan Amendment recommends Office/Institutional/ Multi-family along Greenville Boulevard. The OIMF designation allows serves as a buffer to the interior homes and prevents linear commercial expansion along Greenville Boulevard. If the Land Use Plan is amended there would no longer be any buffer to the interior homes and it would open the door for further commercial expansion. Ms. Gooby stated that staff would recommend denial of the Land Use Plan Amendment and the Rezoning request.

Mr. Jim Ward, petitioner of both requests, stated that staff’s position on the requests is of no surprise because it is incumbent upon staff to make recommendations that are consistent with the existing Land Use Plan regardless whether they feel the request is reasonable. Mr. Ward stated that he has spoken with most of the adjoining property owners and there is no opposition to the request. Mr. Ward stated that by removing the homes at the intersection it would become safer because the number of driveway cuts

would be reduced based on the design of the development. Mr. Ward stated that he hoped the Commission would agree that the request is practical and best serves the area and asked the Commission to forward this request and the subsequent rezoning request to City Council with the Commission's approval.

No one spoke in opposition.

Mr. Holec reminded the Commission they are not to take any representation made as to what the development may be. Mr. Holec stated that the Commission may hear further from staff as to their recommendation of denial.

Ms. Gooby explained that the houses along Greenville Boulevard are designated as Office/Institutional/Multi-family in order to buffer the interior homes from what is at the opposite corner and across the street. Ms. Gooby stated that staff recognizes that the homes along Greenville Boulevard have long-term livability issues.

There was discussion in relation to the tax base if the property was rezoned.

Mr. Ward stated the request is practical for this location. Mr. Ward stated that the adjoining land owners are experiencing significant problems because of the quality of tenants occupying the homes. Mr. Ward stated that the property owners he spoke with are excited about the possibility of something new, fresh and something that will compliment the area.

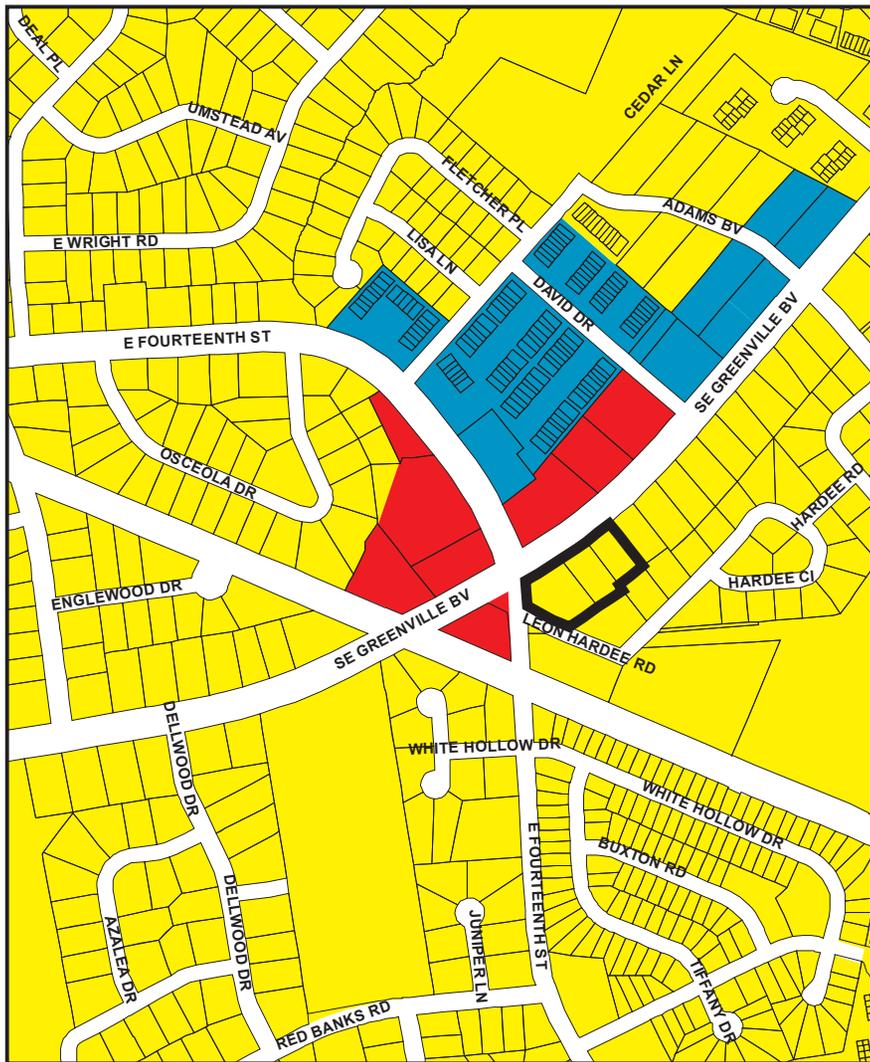
Mr. Holec reminded the Commission that two votes are required. A motion for the Land Use Plan amendment and a motion for the Rezoning request.

Motion was made by Mr. Baker, seconded by Mr. Ramey, to approve the Land Use Plan Amendment. Those voting in favor: Baker, Ramey, Gordon, Randall, Lehman and Stokes. Those voting in opposition: Wilson and Moye. Motion carried.

Motion was made by Mr. Baker, seconded by Mr. Ramey, to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Those voting in favor: Baker, Ramey, Gordon, Randall, Lehman and Stokes. Those voting in opposition: Wilson and Moye. Motion carried.

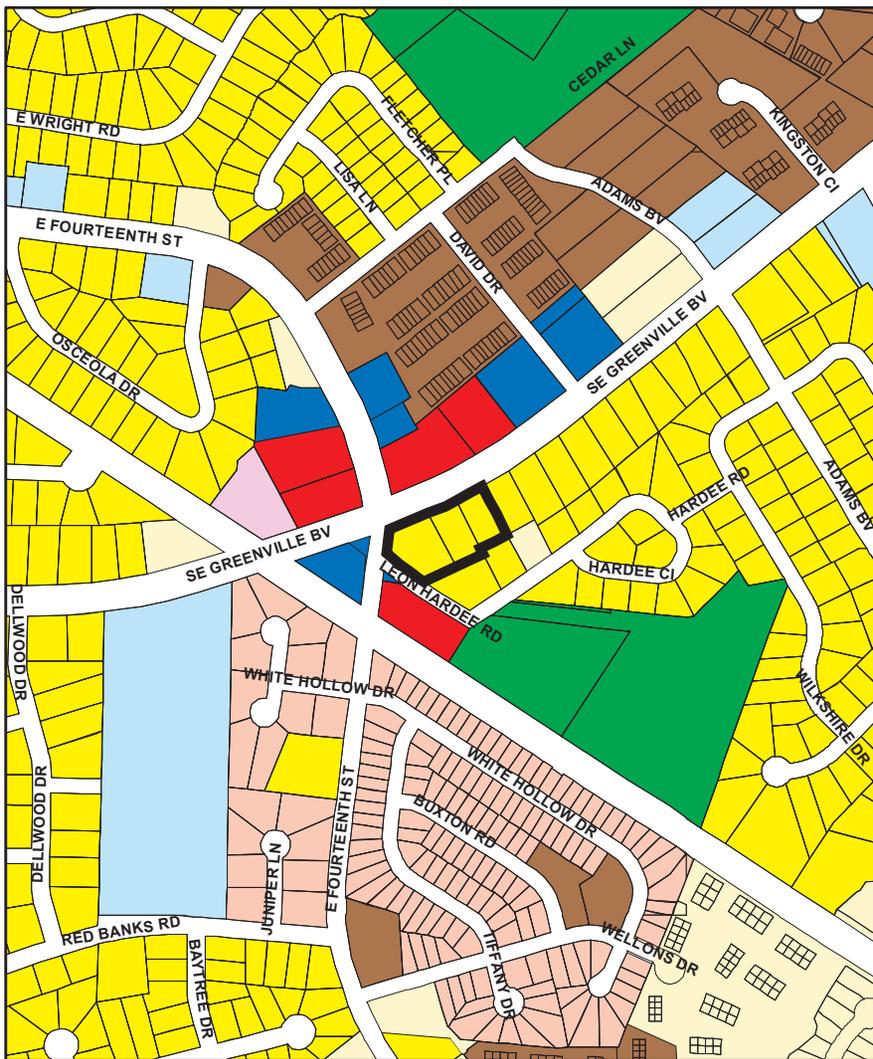
Ward Holdings, LLC Future Land Use Plan Admendment

Zoning Patterns Map



- | | | |
|---------------|------------------------|----------------------------|
| Rezoning Site | Industrial | Residential |
| Commercial | Office & Institutional | Residential / Agricultural |

Existing Land Use Map



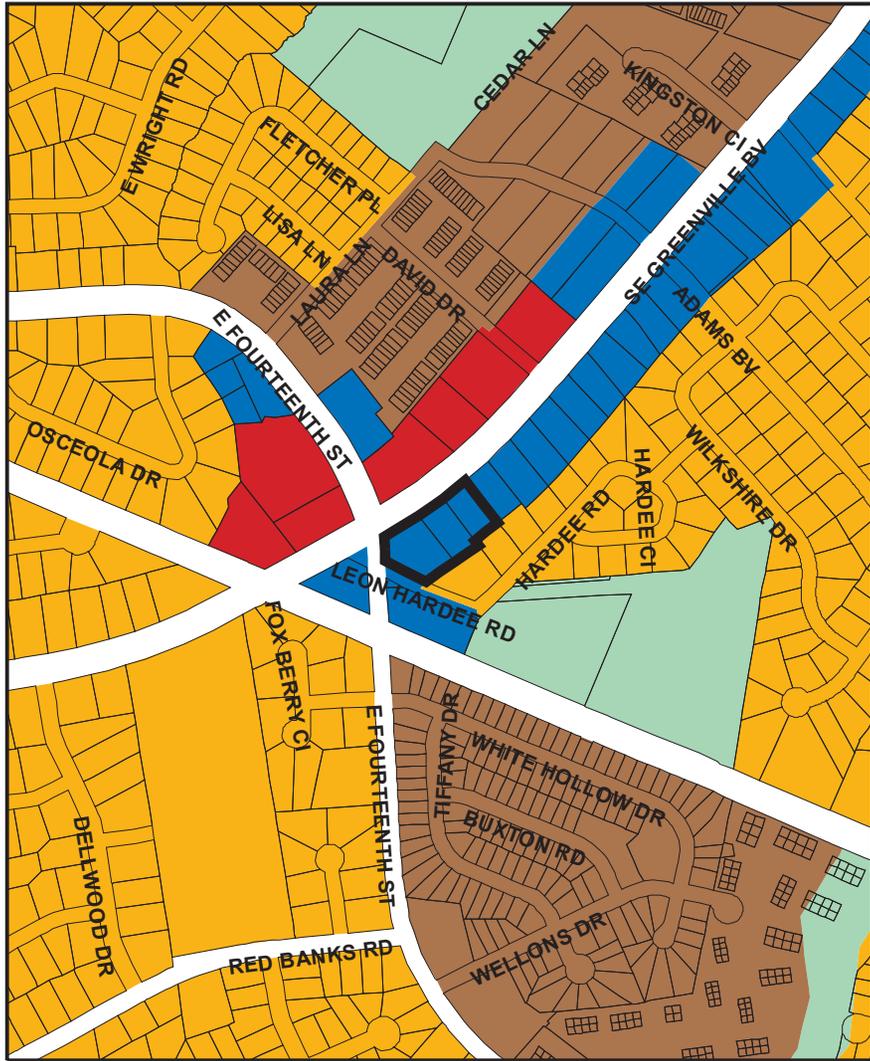
- | | | | |
|---------------|---------------|------------------|---------------|
| Rezoning Site | Industrial | Mobile Home Park | Recreation |
| Cemetery | Institutional | Multi-Family | Single Family |
| Commercial | Landfill | Office | Utility |
| Duplex | Mobile Home | Public Parking | Vacant |

Item # 3

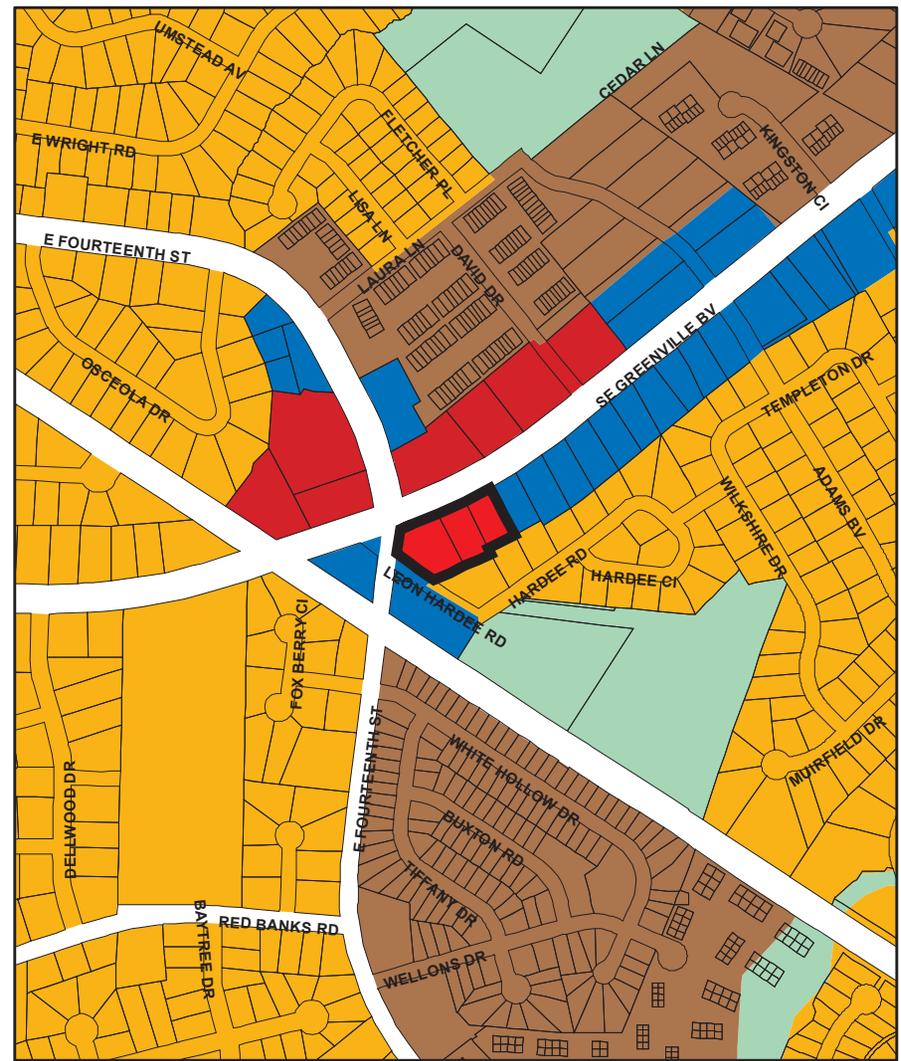
Created:
8/9/07

Ward Holdings, LLC Future Land Use Plan Admendment

Current (Future Land Use Plan Map)



Proposed (Future Land Use Plan Map)



- | | | | | |
|---------------|------------------------------------|---------------------------------------|------------------------------|---------------------------|
| Rezoning Site | Mixed Use / Office / Institutional | Office / Institutional / Medical | Medium Density Residential | Conservation / Open Space |
| Industrial | Medical Core | Office / Institutional / Multi-Family | Low Density Residential | |
| Commercial | Medical Transition | High Density Residential | Very Low Density Residential | |

Item #3

Created:
8/9/07



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Ordinance requested by Ward Holdings, LLC to rezone 1.52 acres located at the southeast corner of the intersection of Greenville Boulevard and 14th Street from R9S (Residential-Single-family [Medium Density Residential]) to CH (Heavy Commercial)

Explanation: This request involves the rezoning of 1.52 acres (66,000+ square feet) as referenced above. Please see the attached rezoning request report.

Fiscal Note: No cost to the City.

Recommendation: This request is in conjunction with the Ward Holdings, LLC Future Land Use Plan Map Amendment.

In staff's opinion, the request **is not in** compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map. Therefore, denial of the request is recommended.

If the Future Land Use Plan Map is amended as proposed by the Planning and Zoning Commission, staff would recommend CN (Neighborhood Commercial) in lieu of the proposed CH (Heavy Commercial) zoning due to the lack of a buffer between the subject tract and the adjacent single-family dwellings. This recommended zoning pattern is the same pattern between the Osceola Subdivision and the CN zoning at the opposite corner on the intersection from the subject property.

The Planning and Zoning Commission, at their August 21, 2007 meeting, voted to approve the request.

If City Council determines to approve the rezoning 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 request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

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

Attachments / click to download

- [📎 Locational Map](#)
- [📎 Survey](#)
- [📎 Residential Density Chart](#)
- [📎 Bufferyard Setbacks and Vegetation Screening Chart](#)
- [📎 Certificate of Mailed Notices](#)
- [📎 Ordinance Ward Holdings LLC Rezoning 712174](#)
- [📎 Rezoning Ward Holdings LLC 710737](#)
- [📎 Rezoning Case 07 19 Ward Holdings LLC 709346](#)
- [📎 Planning and Zoning Commission Minutes Ward 713739](#)
- [📎 Ward Holdings LLC List of Uses 683195](#)

ORDINANCE NO. 07-
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 September 13, 2007 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

Section 1. That the following described territory is rezoned from R9S (Residential-Single-family) to CH (Heavy Commercial).

TO WIT: Ward Holdings, LLC Property.

LOCATION: Located at the southeast corner of the intersection of Greenville Boulevard and 14th Street.

DESCRIPTION: Being all that property identified at Pitt County Tax Parcels 18819, 10771 and 23209, owned by Ward Holdings, LLC recorded in Deed Book 2350, Page 817 and Page 829, located in City of Greenville, Greenville Township, Pitt County, North Carolina, bounded on the south by Bertha H. Jackson and Beulah L. Harrington and Julius Ervin Daniels, on the east by Rhonda Bailey Adams and Randy Josh Manning, on the north by SE Greenville Boulevard (US Highway 264 Bypass), on the west by East 14th Street Extension (NCSR 1704) and Hardee Road, and being more particularly described as follows:

BEGINNING AT A POINT located at the intersection of Hardee Road and East 14th Street Extension (NCSR 1704) said point being the most westerly corner of the Ward Holdings, LLC Tract recorded in Deed Book 2350, Page 817, thence along the western right-of-way line of East 14th Street Extension (NCSR1704) N 13°51'00" E, 23.00 feet to a point; thence N 39°26'00" E, 102.80 feet to a point in the southern right-of-way line of SE Greenville Boulevard (US Highway 264 Bypass); thence continuing along the southern right-of-way line of SE Greenville Boulevard (US Highway 264 Bypass) the following three (3) calls: (1) N 74°02'50" E, 74.52 feet to a point, (2) N 71°15'00" E, 100.00 feet to a point and (3) N 68°45'00" E, 100.00 feet to a point, the northwestern corner of the property of Randy Josh Manning recorded in Deed Book 1887, Page 229; thence continuing with the Manning property S 21°15'00" E, 185.00 feet to a point, the northeastern corner of Julius E. Daniels, recorded in Deed Book 2291, Page 219; thence S 68°45'00" W, 100.00 feet to a point, the northwestern corner of the aforementioned Daniels property; thence S 21°04'00" E, 15.00 feet to a point, the northeastern corner of Bertha Jackson and Beulah Harrington, recorded in Deed Book A49, Page 76; thence S 71°15'00" W, 99.95 feet to a point; thence S 71°12'00" W, 100.00 feet to a point in the easterly right-of-way line of Hardee Road; thence continuing along the easterly right-of-way line of Hardee Road N 51°17'00" W, 154.15 feet to the POINT OF BEGINNING, containing 1.52 acres more or less and being all of Pitt County Parcels 18819, 10771 and 23209, recorded in Deed Book 2350, Page 817 and 829, property of Ward Holdings, LLC, and shown on a rezoning map, Rivers drawing number Z-2425.

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

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

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

ADOPTED this 13th day of September, 2007.

ATTEST:

Robert D. Parrott, Mayor

Wanda T. Elks, City Clerk

NORTH CAROLINA
PITT COUNTY

CERTIFICATE OF MAILED NOTICES

The undersigned employee or employees of the City of Greenville, Community Development Department do hereby certify that the mailing requirements for notice of rezoning pursuant to GS 160A-384 have been complied with for the following rezoning requests:

1. 07-14 - Ordinance, requested by Parker's Chapel Free Will Baptist Church, to rezone 19.53+ acres located at the southwest corner of the intersection of Pactolus Highway and Greenville Boulevard from RA20 (Residential-Agricultural) and CH (Heavy Commercial) to OR (Office-Residential [High Density Multi-Family]).
2. 07-15 - Ordinance, requested by Tucker Farms, Inc., to rezone 7.1822 acres for the property located along the western right-of-way of County Home Road, 200± feet south of Piccadilly Drive and 160± feet east of Royal Drive from R6 (Residential [High Density Multi-family]) to O (Office) and R9S (Residential-Single-family [Medium Density Residential]).
3. 07-16 - Ordinance, requested by Dr. Ledyard Ross, to rezone 0.4021 acres (17,515 square feet) located along the northern right-of-way of Arlington Boulevard, 320+ feet east of Seaboard Coastline Railroad, 815+ feet west of Evans Street from OR (Office-Residential [High Density Multi-family]) to CG (General Commercial).
4. 07-18 - Ordinance, requested by Allen Thomas, to rezone 7.737 acres located at the northwest corner of Arlington Boulevard and Dickinson Avenue from RA20 (Residential-Agricultural) and O (Office) to MO (Medical-Office).
5. 07-19 - Ordinance, requested by Ward Holdings, LLC, to rezone 1.52 acres (66,000+ square feet) for the property located at the southeast corner of the intersection of Greenville Boulevard and 14th Street from R9S (Residential-Single-family [Medium Density Residential]) to CH (Heavy Commercial).
6. 07-20 - Ordinance, requested by Sherryl Tipton, to rezone 0.66 acres located at the northeast corner of the intersection of Plaza Drive and Carlton Street from CG (General Commercial) to O (Office).

The person or persons mailing such notices and making this certificate are:

Chantae M Gooby
Signature
Chantae M Gooby
Signature

Chantae M Gooby
Printed Name
Chantae M Gooby
Printed Name

8/07/07
(P and Z)
8/28/07
(CC)

Doc # 710737

Rezoning Request Analysis

Prepared by Greenville's Community Development Department

Staff Contacts: Chantae M. Gooby, 329-4507
Harry V. Hamilton, Jr., 329-4511

1. **Applicant:** Ordinance, requested by Ward Holdings, LLC, to rezone 1.52 acres (66,000± square feet) for the property located at the southeast corner of the intersection of Greenville Boulevard and 14th Street from R9S (Residential-Single-family [Medium Density Residential]) to CH (Heavy Commercial).

** This request is in conjunction with the Ward Holdings, LLC Land Use Plan Map Amendment request.

2. **Date:** July 30, 2007

3. **Requested Change:**

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

Proposed: CH (Heavy Commercial)

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

4. **Comprehensive Plan:**

The subject area is located in Vision Area C.

The Land Use Plan Map recommends office/institutional/multi-family along the southern right-of-way of Greenville Boulevard, east of the Norfolk Southern Railroad and adjacent to the neighborhood focus area at the intersection of Greenville Boulevard and Eastbrook Drive.

There are designated neighborhood focus areas at the intersections of Greenville Boulevard and 14th Street and Greenville Boulevard and Eastbrook Drive. These areas generally contain less than 40,000 square feet of conditioned floor space.

Greenville Boulevard is designated as a connector corridor from its intersection at 14th Street and continuing north. Connector corridors are anticipated to contain a variety of higher intensity activities and uses whereas residential corridors are preferred to accommodate lower intensity residential uses.

The Comprehensive Plan states: “Office/Institutional/Multi-family land uses should be developed along transportation thoroughfares to provide transition between commercial nodes and to preserve vehicle carrying capacity. Office/Institutional/Multi-family development should be used as a buffer between light industrial and commercial development and adjacent lower density residential land uses.”

The Comprehensive Plan states that “location and size of commercial nodes included in the plan are not intended to be static. As the area surrounding commercial nodes develop, larger node definitions ...may be warranted. In addition, as the commercial nodes of outlying areas of the City’s planning jurisdiction develop, they should be buffered from surrounding areas by office, institutional and multi-family and residential and open spaces. Again, the exact size of the required buffer has not been predetermined. The required buffer width should be determined when the ultimate extent of the commercial node is known”.

5. Thoroughfare/Traffic Volume (PW-Engineering Division) Report Summary

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 3380 trips to and from the site on Greenville Blvd and 14th St, which is a net increase of 3350 additional trips per day.

During the review process, measures to mitigate traffic impacts will be determined and access to the properties will also be reviewed.

Detail Report Attached

6. History/Background:

In 1969, the subject property was zoned R9 (single-family and duplex).

In 1990, the owners of eight (8) lots (6 acres) along Greenville Boulevard, between 14th Street and Adams Boulevard requested their property to be rezoned from R9 (single-family and duplex) to O (Office). The Planning and Zoning Commission, at the request of these property owners, sponsored the rezoning request however, the commission recommended denial at the public hearing. A valid protest petition (91.7% of the adjoining property owners) was filed by the owners of property within 100 feet of the request. The City Council, at their February 1990 public hearing, unanimously voted to deny the request.

In 2006, the subject property was contained within the Eastwood Subdivision area that was rezoned to R9S (Residential-Single-family) as part of the Task Force on Preservation of Neighborhood and Housing recommendations.

7. Present Land Use:

Currently, there are three (3) single-family residences and associated outbuildings.

8. **Utilities:**

Sewer and sanitary sewer are available to the subject property.

9. **Historic Sites:**

There is no known effect on designated sites.

10. **Environmental Conditions/Constraints:**

There are no known environmental constraints on the property.

11. **Surrounding Land Uses:**

North: CG – Trade/Wilco Convenience Store

South: R9S – Eastwood Subdivision (single-family)

East: R6 – Eastwood Subdivision (single-family)

West: CN – Professional office building

12. **Density Estimates**

Gross Acreage: 1.52 acres

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

Requested Zoning: CH (Heavy Commercial)

Under the current zoning (R9S), the site contains 3 single-family homes.

At the requested zoning (CH), staff would anticipate the site to contain similar size and type development as the Trade/Wilco Convenience Store located at the opposite corner. The CH district does not contain a residential option.

The anticipated build-out is 1-2 years.

RECOMMENDATION

In staff's opinion, the request **is not** in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map. Therefore, denial of the request is recommended.

If the Future Land Use Plan Map is amended, as proposed, staff would **recommend CN (Neighborhood Commercial) in lieu of the proposed CH (Heavy Commercial) zoning** due to the lack of a buffer between the subject tract and the adjacent single-family dwellings. This recommended zoning pattern is the same pattern between the Osceola Subdivision and the CN zoning at the opposite corner on the intersection from the subject property.

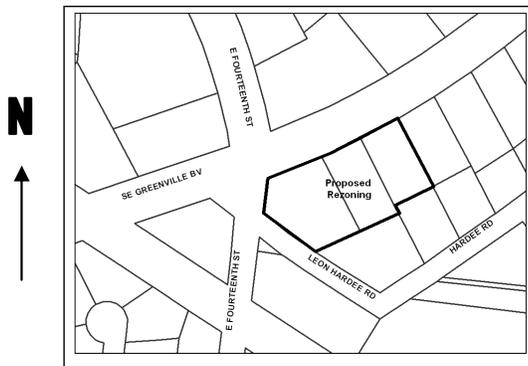
REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 07-19

Applicant: Ward Holdings, LLC

Property Information

Current Zoning: R9S
Proposed Zoning: CH
Current Acreage: 1.52 acres
Location: Corner of Greenville Blvd & 14th St
Points of Access: Greenville Blvd



Location Map

Transportation Background Information

1.) Greenville Blvd - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	5-lane with curb and gutter	5-lane with curb and gutter
Right of way width (ft)	100	100
Speed Limit (mph)	45	
Current ADT:	East of Site: 38,200(*) West of Site: 24,400(*)	Design ADT: 45,000 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along Greenville Boulevard that service this property.	

Notes: (*) 2004 NCDOT count adjusted with a 2% growth rate for 2007
(**) Traffic volume based on an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Projects Planned.

2.) 14th St - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lane with curb and gutter	5-lane with curb and gutter
Right of way width (ft)	60	90
Speed Limit (mph)	35	
Current ADT:	North of Site: 9,800(*) South of Site: 17,500(*)	Design ADT: 35,000 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along 14 th Street that service this property.	

Notes: (*) 2004 NCDOT count adjusted with a 2% growth rate for 2007
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ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Projects Planned.

Case No: 07-19

Applicant: Ward Holdings, LLC

Trips generated by proposed use/change:**Current Zoning:** 30 -vehicle trips/day (*) **Proposed Zoning:** 3380 -vehicle trips/day (*)**Estimated Net Change:** increase of 3350 -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 Greenville Blvd and 14th St are as follows:****1.) Greenville Blvd, East of Site (“No build” ADT of 38,200)**

Estimated ADT with Proposed Zoning (full build) –	39,552
Estimated ADT with Current Zoning (full build) –	<u>38,212</u>
Net ADT change –	1340 (4% increase)

2.) Greenville Blvd, West of Site (“No build” ADT of 24,400)

Estimated ADT with Proposed Zoning (full build) –	25,414
Estimated ADT with Current Zoning (full build) –	<u>24,409</u>
Net ADT change –	1005 (4% increase)

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Estimated ADT with Proposed Zoning (full build) –	10,138
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3.) 14th St, South of Site (“No build” ADT of 17,500)

Estimated ADT with Proposed Zoning (full build) –	18,176
Estimated ADT with Current Zoning (full build) –	<u>17,506</u>
Net ADT change –	670 (4% increase)

Staff Findings/Recommendations:

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 3380 trips to and from the site on Greenville Blvd and 14th St, which is a net increase of 3350 additional trips per day.

During the review process, measures to mitigate traffic impacts will be determined. Access to the properties will also be reviewed.

Excerpt from the August 21, 2006 Planning and Zoning Commission Meeting

**REQUEST BY WARD HOLDING, LLC FOR A LAND USE AMENDMENT-
APPROVED AND A REQUEST FOR REZONING – APPROVED**

Chairman Tozer stated that the next items is a request for a Land Use Plan Amendment by Ward Holdings, LLC request to amend the Future Land Use Plan Map for the area described as being located at the southeast corner of the intersection of Greenville Boulevard and 14th Street, 320± feet along Greenville Boulevard and 200± feet deep containing approximately 1.5 acres from an “Office/Institutional/Multi-family” category to a “Commercial” category.

Ms. Chantae Gooby advised that the Land Use Plan Amendment submitted by Ward Holdings, LLC is in conjunction a rezoning request, therefore, the Commission would need to vote on the two requests separately. Ms. Gooby stated that the Land Use Plan Amendment is to change the designation from Office/Institutional/Multi-family to Commercial. Ms. Gooby stated that the rezoning request is for Heavy Commercial. The property is located within the eastern section of the city at the intersection of Greenville Boulevard and 14th Street. The property contains three separate parcels with a single-family dwelling on each parcel. There is a recognized focus area at the intersection of Greenville Boulevard and 14th Street. This request could generate a net increase of 3,300 trips with the majority of the trips being distributed onto Greenville Boulevard. Ms. Gooby stated that in 1990 eight (8) property owners along Greenville Boulevard, between 14th Street and Adams Boulevard, requested to rezone their property from single-family/duplex to office. The owners requested that the Planning and Zoning Commission sponsor the request, which it did, however the Commission recommended denial of the request. Ms. Gooby stated that a valid protest petition was filed by 90% of the adjoining property owners against the request. City Council unanimously denied the request at their February 1990 public hearing. In 2006, the property was rezoned to R9S (single-family) as part of the Task Force on Preservation of Neighborhood and Housing recommendations. Ms. Gooby explained that due to the 1990 rezoning request it was recognized that the houses fronting Greenville Boulevard had long-term livability issues and therefore the Land Use Plan Amendment recommends Office/Institutional/ Multi-family along Greenville Boulevard. The OIMF designation allows serves as a buffer to the interior homes and prevents linear commercial expansion along Greenville Boulevard. If the Land Use Plan is amended there would no longer be any buffer to the interior homes and it would open the door for further commercial expansion. Ms. Gooby stated that staff would recommend denial of the Land Use Plan Amendment and the Rezoning request.

Mr. Jim Ward, petitioner of both requests, stated that staff’s position on the requests is of no surprise because it is incumbent upon staff to make recommendations that are consistent with the existing Land Use Plan regardless whether they feel the request is reasonable. Mr. Ward stated that he has spoken with most of the adjoining property owners and there is no opposition to the request. Mr. Ward stated that by removing the homes at the intersection it would become safer because the number of driveway cuts

would be reduced based on the design of the development. Mr. Ward stated that he hoped the Commission would agree that the request is practical and best serves the area and asked the Commission to forward this request and the subsequent rezoning request to City Council with the Commission's approval.

No one spoke in opposition.

Mr. Holec reminded the Commission they are not to take any representation made as to what the development may be. Mr. Holec stated that the Commission may hear further from staff as to their recommendation of denial.

Ms. Gooby explained that the houses along Greenville Boulevard are designated as Office/Institutional/Multi-family in order to buffer the interior homes from what is at the opposite corner and across the street. Ms. Gooby stated that staff recognizes that the homes along Greenville Boulevard have long-term livability issues.

There was discussion in relation to the tax base if the property was rezoned.

Mr. Ward stated the request is practical for this location. Mr. Ward stated that the adjoining land owners are experiencing significant problems because of the quality of tenants occupying the homes. Mr. Ward stated that the property owners he spoke with are excited about the possibility of something new, fresh and something that will compliment the area.

Mr. Holec reminded the Commission that two votes are required. A motion for the Land Use Plan amendment and a motion for the Rezoning request.

Motion was made by Mr. Baker, seconded by Mr. Ramey, to approve the Land Use Plan Amendment. Those voting in favor: Baker, Ramey, Gordon, Randall, Lehman and Stokes. Those voting in opposition: Wilson and Moye. Motion carried.

Motion was made by Mr. Baker, seconded by Mr. Ramey, to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Those voting in favor: Baker, Ramey, Gordon, Randall, Lehman and Stokes. Those voting in opposition: Wilson and Moye. Motion carried.

EXISTING ZONING

R9S (Residential-Single-Family)

Permitted Uses

(1) General:

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

(2) Residential:

- a. Single-family dwelling
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

R9S (Residential-Single-Family)
Special Uses

(1) General:

* None

(2) Residential:

* None

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (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 principle use

(2) Residential:

* None

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)
- b. Greenhouse or plant nursery; including accessory sales
- d. Farmers market
- e. Kennel (see also section 9-4-103)
- h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- b. Operation/processing center
- c. Office; customer service not otherwise listed, including accessory service delivery vehicle parking and indoor storage

- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
- f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)
- g. Catalogue processing center

(8) Services:

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

(9) Repair:

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

(10) Retail Trade:

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- b. Gasoline or automotive fuel sale; accessory or principal use
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- g. Fish market; excluding processing or packing
- h. Restaurant; conventional
- i. Restaurant; fast food
- k. Medical supply sales and rental of medically related products
- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair
- m. Appliance; household use, sales and accessory repair, excluding outside storage
- n. Appliance; commercial or industrial use, sales and accessory repair, including outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales

- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facility)
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- aa. Pawnbroker
- bb. Lawn and garden supply and household implement sales and accessory sales
- cc. Farm supply and commercial implement sales
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

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

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

(12) Construction:

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

(13) Transportation:

- c. Taxi or limousine service
- e. Parcel delivery service
- f. Ambulance service
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

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

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

* None

CH (Heavy Commercial)

Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

* None

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

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

(10) Retail Trade:

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

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

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

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

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

D.B. 2350 PG. 817 (7/12/07)

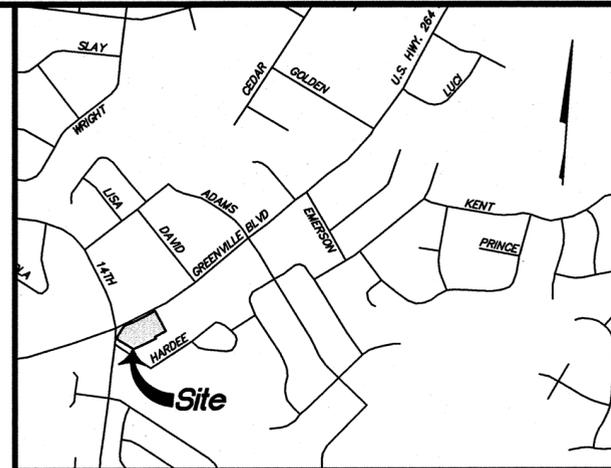
N/F
STALLINGS OIL CO.
D.B. 227 P.G. 227
P.N. 18870
ZONING: CN

E. 14TH STREET EXT.
(N.C.S.R. 1704)
(100' EXISTING R/W : 50' B/B)

N/F
MARIE S. WILLIAMS
D.B. 269 P.G. 249
P.N. 25191
ZONING: CG

N/F
INVESTMENTS EAST, LLC
D.B. 1362 P.G. 48
M.B. 29 PG. 197
P.N. 38484
ZONING: CG

S.E. GREENVILLE BOULEVARD (U.S. HWY. 264 BYPASS)
(100' EXISTING R/W : 64' B/B)



VICINITY MAP
SCALE: 1" = 1000'

REZONED AREA

TOTAL = 66,118.31 S.F. (1.52 AC.)

LEGEND

P.N. PARCEL NUMBER
N/F NOW OR FORMERLY
S.F. SQUARE FEET
B/B BACK TO BACK

REFERENCES

D.B. 2350 P.G. 817
D.B. 2350 P.G. 829
P.N. 18819
P.N. 10771
P.N. 23209
M.B. 26 PG. 154
STATE HIGHWAY BOOK 1 PG. 10-D

CERTIFICATION

NORTH CAROLINA PITT COUNTY
I, PATRICK W. HARTMAN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM (DEED DESCRIPTION RECORDED IN BOOK , PAGE); 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)d. AS TO THE FOLLOWING; THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS 10TH DAY OF JULY, 2007.

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

N/F
CRAIG F. GOESS
AND CRAIG M. GOESS
D.B. 2255 P.G. 631
P.N. 23250
ZONING: CN

Attachment number 8
Page 1 of 1
N 13°51'00" E 23.00'
N 39°28'00" E 102.80'

WARD HOLDINGS, LLC
D.B. 2350 P.G. 817
P.N. 18819
CURRENT ZONING: R9S
PROPOSED ZONING: CH
27,619.7 S.F.

WARD HOLDINGS, LLC
D.B. 2350 P.G. 817
P.N. 10771
CURRENT ZONING: R9S
PROPOSED ZONING: CH
19,980.9 S.F.

WARD HOLDINGS, LLC
D.B. 2350 P.G. 829
P.N. 23209
CURRENT ZONING: R9S
PROPOSED ZONING: CH
18,500.0 S.F.

N/F
RANDY JOSH MANNING
D.B. 1887 P.G. 229
P.N. 17351
ZONING: R9S

N/F
RHONDA BAILEY ADAMS
D.B. 2090 P.G. 101
P.N. 07062
ZONING: R9S

N/F
JULIUS ERVIN DANIELS
D.B. 2291 P.G. 219
P.N. 00919
ZONING: R9S

N/F
BERTHA H. JACKSON, WIDOW
AND BEULAH L. HARRINGTON
D.B. A49 P.G. 76
M.B. 26 P.G. 154
P.N. 21064
ZONING: R9S

N/F
CITY OF GREENVILLE
D.B. A49 P.G. 76
M.B. 26 P.G. 154
P.N. 26122
ZONING: R9S

N/F
CITY OF GREENVILLE
D.B. 117 P.G. 147
P.N. 32775
ZONING: R9S

N/F
CITY OF GREENVILLE
D.B. 205 P.G. 756
P.N. 37695
ZONING: R9S

N/F
CITY OF GREENVILLE
D.B. 205 P.G. 756
P.N. 34112
ZONING: R9S

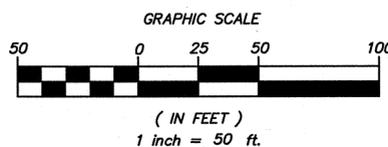
N/F
CHARLES BARRY TYSON
AND CORA ELLAN TYSON
D.B. 625 P.G. 469
M.B. 14 PG. 22 & 22A
P.N. 12903
ZONING: R9S

NORFOLK SOUTHERN RAILROAD
(100' R/W, M.B. 26 PG. 154)
E. 14TH STREET EXT. (N.C.S.R. 1704)
(60' EXISTING R/W : 52' B/B, M.B. 26 PG. 154)

NOTES

1. AREA DETERMINED BY COORDINATES.
2. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS.
3. NO POINT SET AT ANY CORNER UNLESS OTHERWISE NOTED.
4. THIS MAP WAS PREPARED FOR REZONING PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON.
5. EXISTING ZONING WAS TAKEN FROM THE OFFICIAL ZONING MAP, THE CITY OF GREENVILLE, DATED APRIL 22, 2005 AND THE CITY OF GREENVILLE SPATIAL DATA EXPLORER WEB SITE.
6. BOUNDARY INFORMATION DRAWN FROM SUBJECT DEED BOOK AND REFERENCED MAPS. NO FIELD SURVEYING WAS PERFORMED UNDER MY SUPERVISION FOR THE PREPARATION OF THIS MAP.
7. STREET SECTION WIDTHS WERE TAKEN FROM THE GREENVILLE URBAN AREA THOROUGHFARE STREET INVENTORY.

Item # 4



Seal of Patrick W. Hartman, Professional Land Surveyor, North Carolina, License L-4262, dated 7/10/07.

Rivers & Associates, Inc.
Engineers Planners Surveyors
107 East Second Street, Greenville, NC 27858 (252) 752-4135
6131 Falls of Neuse Road, Suite 300, Raleigh, NC 27609 (919) 848-3447

**REZONING MAP FOR
WARD HOLDINGS, LLC**

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

DATE	7/10/07	SCALE	1" = 50'	DRAWING NO.	Z-2425	SHEET	1 OF 1
SURVEY	DRAFT	KP					
DESIGN	CHECK	PWH					

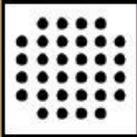
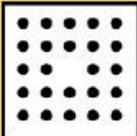
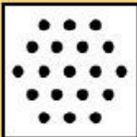
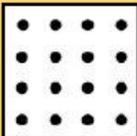
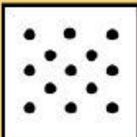
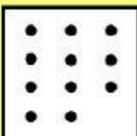
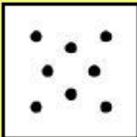
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts

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 CONFORMING 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)		Bufferyard D (screen required)		Bufferyard E (screen required)	
Width	For every 100 linear feet	Width	For every 100 linear feet	Width	For every 100 linear feet
10'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs	20'	4 large evergreen trees 6 small evergreen trees 16 evergreen shrubs	30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs
Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet.		Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.		Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.	

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

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

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



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

-
- Title of Item:** Ordinance, requested by Allen Thomas, to rezone 7.737 acres located at the northwest corner of Arlington Boulevard and Dickinson Avenue from RA20 (Residential-Agricultural) and O (Office) to MO (Medical-Office)
- Explanation:** This request involves the rezoning of 7.737 acres as referenced above. Please see the attached rezoning request report.
- Fiscal Note:** No cost to the City.
- Recommendation:** In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map, and the Arlington Boulevard and Dickinson Avenue Corridor Study. The Planning and Zoning Commission, at their August 21, 2007, meeting voted to approve the request.

If City Council determines to approve the rezoning 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 request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

Attachments / click to download

- [📄 Locational Map](#)
 - [📄 Survey](#)
 - [📄 Residential Density Chart](#)
 - [📄 Bufferyard Setbacks and Vegetation Screening Chart](#)
 - [📄 Certificate of Mailed Notices](#)
 - [📄 Arlington West Office Park Preliminary Plat approved](#)
 - [📄 Ordinance_Allen_Thomas_710957](#)
 - [📄 Rezoning__Allen_Thomas_709111](#)
 - [📄 Rezoning_Case_07_18__Allen_Thomas_709345](#)
 - [📄 Allen_Thomas_List_of_Uses_708601](#)
-

ORDINANCE NO. 07-
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 September 13, 2007 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

Section 1. That the following described territory is rezoned from RA20 (Residential–Agricultural) and O (Office) to MO (Medical-Office).

TO WIT: Amos J. Evans et al and James A. Evans et al Properties.

LOCATION: Located at the northwest corner of the intersection of Arlington Boulevard and Dickinson Avenue.

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

With the western right-of-way of Dickinson Avenue, S 02°25'07" E, 50.88 feet, S 47°22'44" W, 85.09 feet, S 47°21'41" W, 169.70 feet and S 47°20'55" W, 265.09 feet, thence leaving the western right-of-way of Dickinson Avenue, N 39°00'00" W, 276.36 feet, thence S 50°57'01" W, 10.00 feet, thence N 39°00'00" W, 530.15 feet to an existing iron pipe, thence N 56°16'43" E, 265.71 feet, thence S 39°00'00" E, 243.10 feet, thence N 51°00'00" E, 57.01 feet to the point of curvature, thence with a curve to the left having

a radius of 143.00 feet and a chord bearing N 41°08'10" E, 48.99 feet, thence N 38°58'24" W, 5.75 feet, thence N 42°58'27" E, 99.62 feet to an existing iron pipe on the curved western right-of-way of Arlington Boulevard, thence with the curved western right-of-way of Arlington Boulevard a curve to the left having a radius of 5,779.58 feet and a chord bearing S 47°22'47" E, 60.00 feet to the point of tangency, thence S 48°56'57" E, 269.81 feet, S 50°39'13" E, 75.39 feet and S 51°01'14" E, 96.28 feet to the point of beginning containing 7.737 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 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.

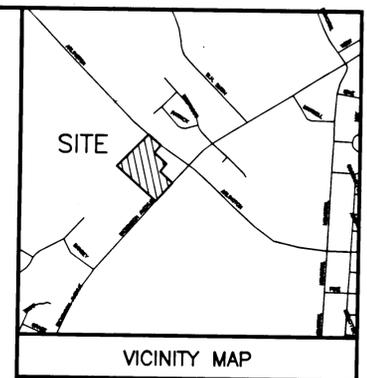
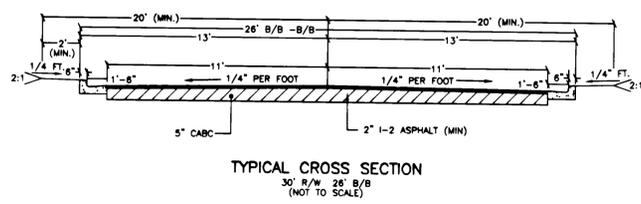
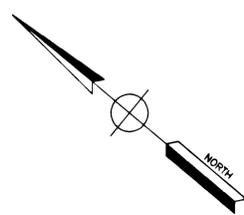
ADOPTED this 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

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

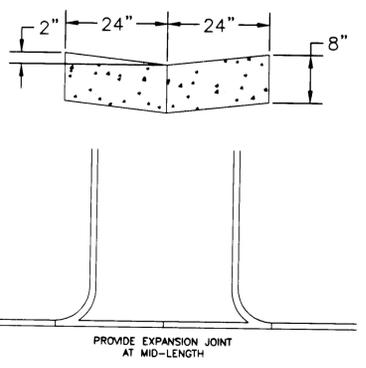


GENERAL NOTES

- ALL REQUIRED IMPROVEMENTS TO BE BUILT IN ACCORDANCE WITH THE CITY OF GREENVILLE MANUAL OF STANDARD DESIGN AND DETAILS.
- NC DOT DRIVEWAY PERMIT REQUIRED.
- EROSION CONTROL PLAN IS REQUIRED.
- 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.
- A STORM WATER DETENTION PLAN IS REQUIRED FOR ALL LOTS.
- THIS SITE IS NOT IN THE GREENVILLE WATER SUPPLY WATERSHED BOUNDARY.
- CONSTRUCTION PLANS AND SPECIFICATIONS SHALL BE APPROVED BY GREENVILLE UTILITIES COMMISSION PRIOR TO CONSTRUCTION OF ANY WATER SEWER MAINS.
- ALL REQUIRED IMPROVEMENTS SHALL CONFORM TO THE GREENVILLE UTILITIES MANUAL FOR THE DESIGN AND CONSTRUCTION OF WATER AND WASTEWATER SYSTEM EXTENSIONS.
- HYDRAULIC ANALYSIS REQUIRED.
- A PIGGING PLAN SHALL BE SUBMITTED TO AND APPROVED BY GUC PRIOR TO BEGINNING CONSTRUCTION OF THE WATERLINE.
- ALL LOT AREAS ARE CALCULATED TO EDGE OF EASEMENTS.
- 30' INGRESS, EGRESS AND REGRESS EASEMENT TO BE MAINTAINED BY OWNERS ASSOCIATION.
- 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.
- MAIN & ACREAGE FEES ARE DUE.
- 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
- FEE = 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



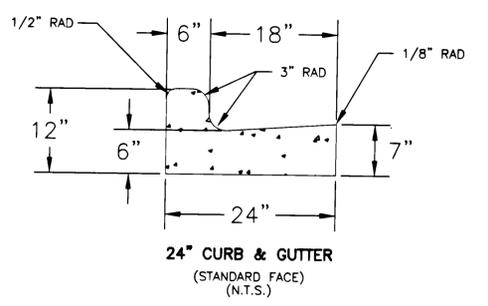
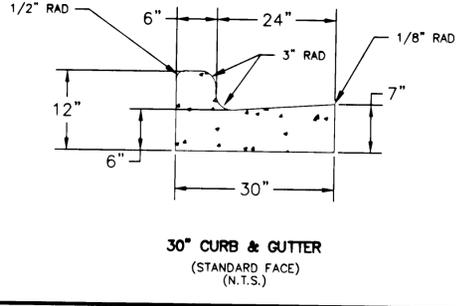
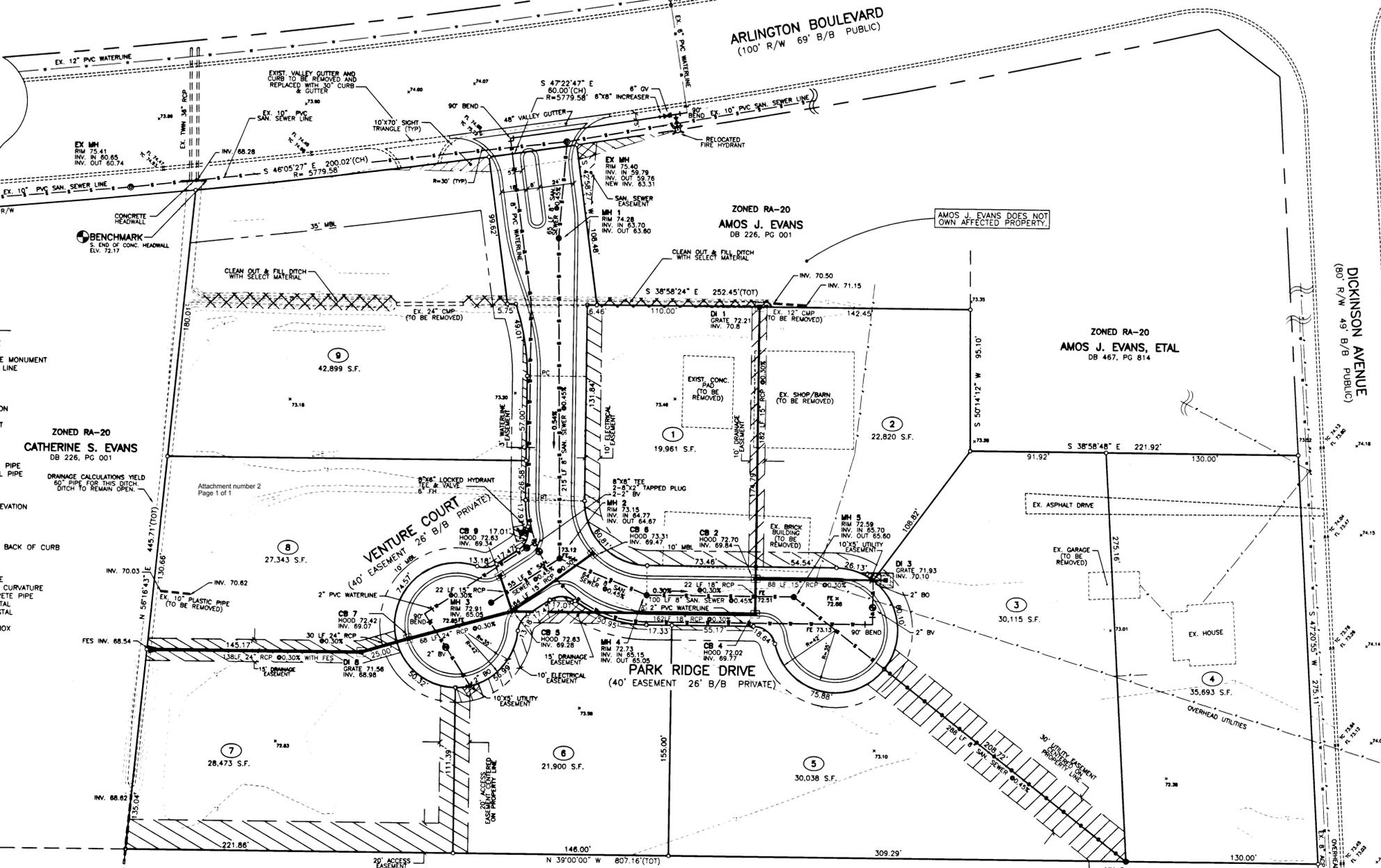
REVISION: 7/05/02(CITY COMMENTS)
 REVISED: 6/27/02(ACCESS EASEMENT)
 SHEET 1 OF 1
 PRELIMINARY PLAT

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/JSJ
	DRAWN: KWH/DWL	DATE: 06/17/02
	CHECKED: MWB	SCALE: 1\"/>

APPROVAL
 THIS PRELIMINARY PLAT, # 02-10, AND THE STREET NAME(S) HERON 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

Rezoning Request Analysis

Prepared by Greenville's Community Development Department

Staff Contacts: Chantae M. Gooby, 329-4507
Harry V. Hamilton, Jr., 329-4511

1. **Applicant:** Ordinance, requested by Allen Thomas, to rezone 7.737 acres located at the northwest corner of Arlington Boulevard and Dickinson Avenue from RA20 (Residential-Agricultural) and O (Office) to MO (Medical-Office).

2. **Date:** July 30, 2007

3. **Requested Change:**

Existing: RA20 (Residential-Agricultural) and O (Office)

Proposed: MO (Medical-Office)

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

4. **Comprehensive Plan:**

The subject site is located in Vision Area F.

Arlington Boulevard is designated as a “connector corridor” and Dickinson Avenue is designated as a “connector corridor” from Reade Circle to Arlington Boulevard and as a “residential corridor” west of Arlington Boulevard to Allen Road.

The Future Land Use Plan Map recommends Office/Institutional/Multi-family at the northwest corner of the intersection of Arlington Boulevard and Dickinson Avenue that is adjacent to the recognized neighborhood focus area along the northern right-of-way Dickinson Avenue and transitioning to high density residential to the interior areas to the north and medium density residential to the interior areas to the west.

The Arlington Boulevard and Dickinson Avenue Corridor Study, which was adopted in 1994, recommends office and high density multi-family for the subject property.

5. **Thoroughfare/Traffic Volume (PW-Engineering Division) Report Summary**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 2,250 trips to and from the site on Arlington Blvd and Dickinson Ave, which is a net increase of 2,230 additional trips per day.

During the review process, measures to mitigate traffic impacts will be determined. These measures may include the construction of turn lanes into the development. Access to the properties will also be reviewed.

Detail Report Attached

6. History/Background:

In 1972, the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) and was zoned RA20 (Residential-Agricultural). The O (Office) zoned portion was zoned as such in 1996 and is part of an approved preliminary plat (Arlington West Office Park) for nine (9) lots. Lot # 9 is developed and is not included in this rezoning request.

7. Present Land Use:

Vacant

9. Utilities:

Water and sanitary sewer are available to the property.

10. Historic Sites:

There is no known effect on historic sites.

11. Environmental Conditions/Constraints:

There are no known environmental constraints on the subject property.

12. Surrounding Land Uses:

North: RA20 – Farmland
O – Arlington West Office Park

South: RA20 – Two (2) single family residences with associated outbuildings and two (2) vacant lots
OR – Carolina House (assisted living center)

East: O – Burton Family Dental Office; Carolina Vision Center

West: RA20 - Two (2) single family residences with associated outbuildings

13. Density Estimates

Gross Acreage: 7.737 acres

Current Zoning: RA20 (Residential-Agricultural) and O (Office)

Requested Zoning: MO (Medical-Office)

For the portion of the property currently zoned RA20, there was a single-family home on each lot. For the portion of the property currently zoned O, there is an approved preliminary plat (Arlington West Office Park) for 9 lots. Lot # 9 is developed and is not included in this rezoning request

At the requested zoning (MO), staff would anticipate the site to yield 40,000 square feet of office/retail space including a pharmacy (16,000 square feet) and a financial institution (4,000 square feet).

The anticipated build-out is 2-3 years.

14. Comments:

The requested zoning (MO) allows a variety of limited retail and service uses, but does not contain a residential option.

Recommendation:

In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map and the Arlington Boulevard and Dickinson Avenue Corridor Study.

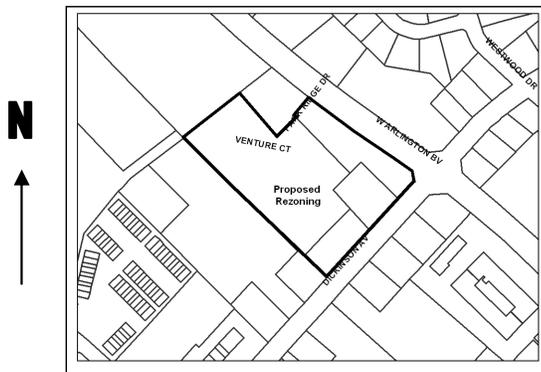
REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 07-18

Applicant: Allen Thomas

Property Information

Current Zoning: RA20
Proposed Zoning: MO
Current Acreage: 7.737 acres
Location: Corner of Arlington Blvd & Dickinson Ave
Points of Access: Arlington Blvd, Dickinson Ave



Location Map

Transportation Background Information

1.) Arlington Blvd - City maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	5-lane with curb and gutter	5-lane with curb and gutter
Right of way width (ft)	100	100
Speed Limit (mph)	45	
Current ADT:	North of Site: 24,300(*) South of Site: 25,300(*)	Design ADT: 45,000 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along Arlington Boulevard that service this property.	

Notes: (*) 2007 City count
(**) Traffic volume based an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Projects Planned.

2.) Dickinson Ave - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lane with curb and gutter	5-lane with curb and gutter
Right of way width (ft)	80	100
Speed Limit (mph)	45	
Current ADT:	East of Site: 13,300(*) West of Site: 15,600(*)	Design ADT: 33,500 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along Dickinson Avenue that service this property.	

Notes: (*) 2007 City count
(**) Traffic volume based an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Projects Planned.

Trips generated by proposed use/change:

Current Zoning: 20 -vehicle trips/day (*) **Proposed Zoning:** 2250 -vehicle trips/day (*)

Estimated Net Change: increase of 2230 -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 Arlington Blvd and Dickinson Ave are as follows:

1.) Arlington Blvd, North of Site (“No build” ADT of 24,300)

Estimated ADT with Proposed Zoning (full build) – 24,975
Estimated ADT with Current Zoning (full build) – 24,306
Net ADT change – 669 (3% increase)

2.) Arlington Blvd, South of Site (“No build” ADT of 25,300)

Estimated ADT with Proposed Zoning (full build) – 25,975
Estimated ADT with Current Zoning (full build) – 25,306
Net ADT change – 669 (3% increase)

3.) Dickinson Ave, East of Site (“No build” ADT of 13,300)

Estimated ADT with Proposed Zoning (full build) – 13,750
Estimated ADT with Current Zoning (full build) – 13,304
Net ADT change – 446 (3% increase)

4.) Dickinson Ave, West of Site (“No build” ADT of 15,600)

Estimated ADT with Proposed Zoning (full build) – 16,050
Estimated ADT with Current Zoning (full build) – 15,604
Net ADT change – 446 (3% increase)

Staff Findings/Recommendations:

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 2250 trips to and from the site on Arlington Blvd and Dickinson Ave, which is a net increase of 2230 additional trips per day.

During the review process, measures to mitigate traffic impacts will be determined. These measures may include the construction of turn lanes into the development. Access to the properties will also be reviewed.

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
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(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
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

- b. Greenhouse or plant nursery; including accessory sales

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- ee. Hospital

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

O (Office)

Permitted Uses

(1) General:

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

(2) Residential:

* None

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

- f. Public park or recreational facility

(7) Office/ Financial/ Medical:

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

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

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

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

O (Office)
Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

* None

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

PROPOSED ZONING

MO (Medical-Office)

Permitted Uses

(1) General:

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

(2) Residential:

- l. Group care facility
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

- n. Auditorium
- r. Art gallery
- u. Art studio including art and supply sales
- ii. Wellness center; indoor and outdoor facilities

(9) Repair:

* None

(10) Retail Trade:

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

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

Special Uses MO (Medical-Office)

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- s. Athletic club; indoor only

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- e. Barber or beauty shop
- f. Manicure, pedicure or facial salon

- j. College and other institutions of higher learning
- 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)
- 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)
- hh. Exercise and weight loss studios; indoor only
- ll.(1) Dry cleaning; household users, drop-off/pick-up station only [2,000 sq. ft. gross floor area limit per establishment]
- jj. Health services not otherwise listed

(9) Repair:

* None

(10) Retail Trade:

- f. Office and school supply, equipment sales [5,000 sq. ft. gross floor area limit per establishment]
- h. Restaurant; conventional
- i. Restaurant; fast food [limited to multi-unit structures which contain not less than three separate uses]
- j. Restaurant; regulated outdoor activities
- k. Medical supply sales and rental of medically related products including uniforms and related accessories.
- t. Hobby or craft shop [5,000 sq. ft. gross floor area limit per establishment]

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

* None

(12) Construction:

* None

(13) Transportation:

* None

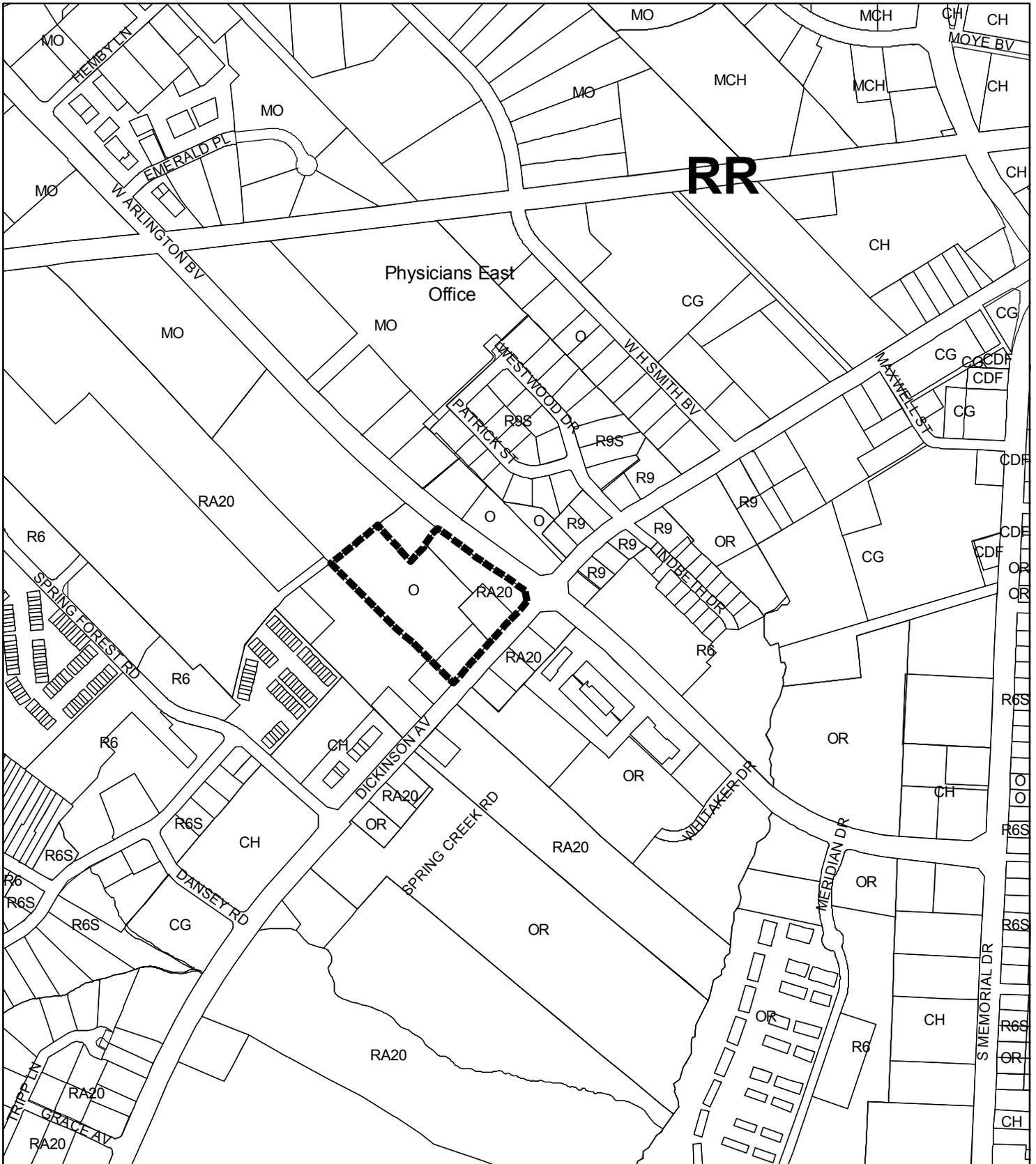
(14) Manufacturing/ Warehousing:

* None

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

* None

Allen Thomas (07-18)



RA20, O to MO (7.737 acres)



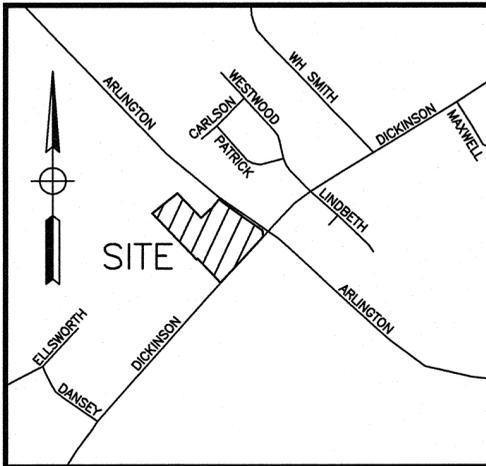
Area Requested to be Rezoned



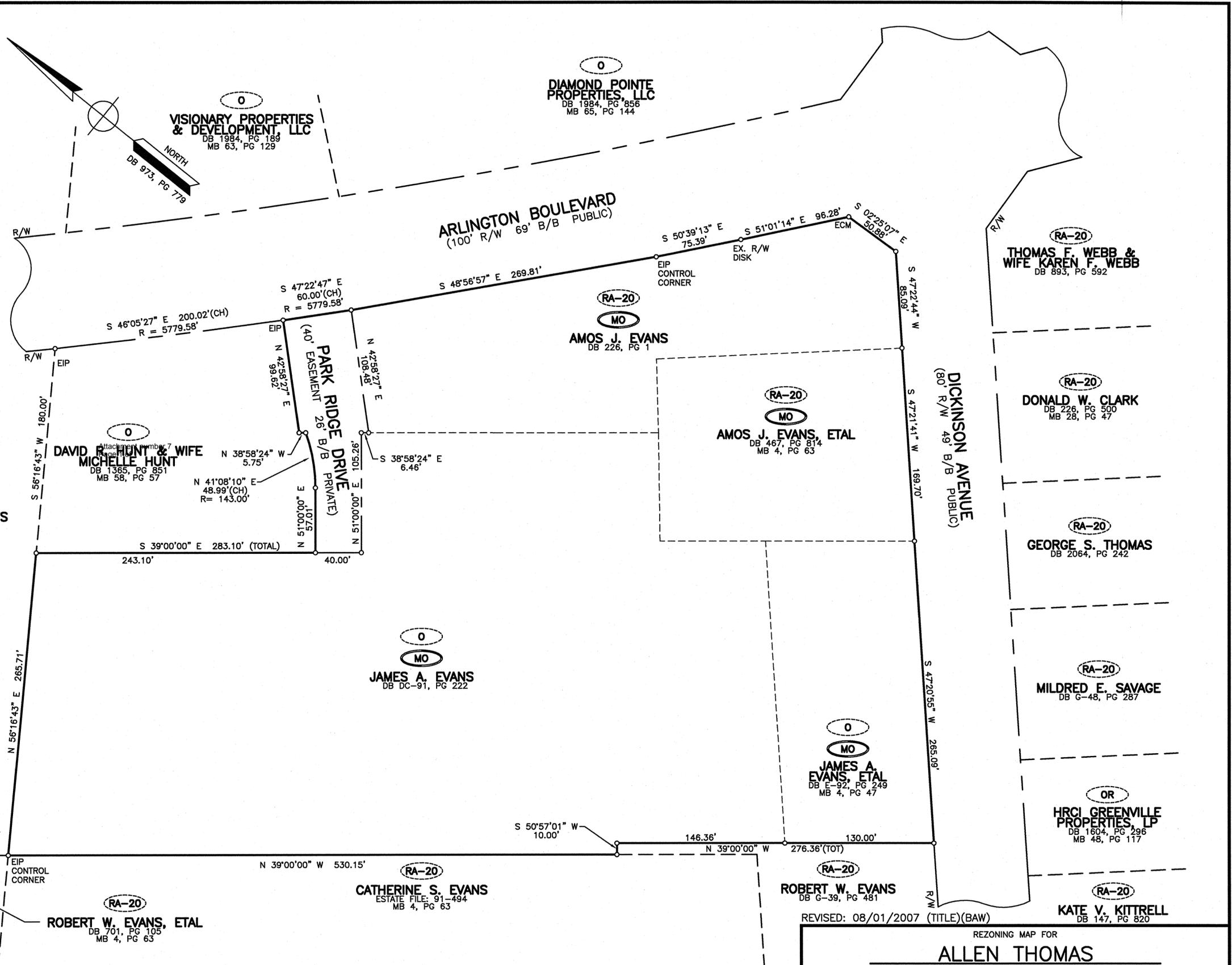
Land Parcels

Created
7/25/07

Item # 5



VICINITY MAP
SCALE: 1"=1000'±



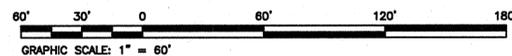
LEGEND

- EIP = EXISTING IRON PIPE
- ECM = EXISTING CONCRETE MONUMENT
- R/W = RIGHT-OF-WAY
- B/B = BACK OF CURB TO BACK OF CURB
- (O) = EXISTING ZONING
- (O) = PROPOSED ZONING

NOTES

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. THIS MAP IS A SURVEY OF ANOTHER CATEGORY.

TOTAL AREA TO BE REZONED= 7.737 ACRES



Item # 5

REVISED: 08/01/2007 (TITLE)(BAW)

REZONING MAP FOR
ALLEN THOMAS

REFERENCE: DEED BOOK E-92, PAGE 249; DEED BOOK DC-91, PAGE 222; DEED BOOK 226, PG 1 AND DEED BOOK 467, PAGE 814 OF THE PITT COUNTY REGISTER OF DEEDS.

GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: JAMES A. EVANS, ETAL ADDRESS: 1816 WEST ARLINGTON BLVD. GREENVILLE, NC 27834 PHONE: (252) 756-8996	OWNER: AMOS J. EVANS, ETAL ADDRESS: 2512 DICKINSON AVE. GREENVILLE, NC 27834 PHONE: (252) 756-8996
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Baldwin and ASSOCIATES ENGINEERING, LAND SURVEYING AND PLANNING 1015 CONFERENCE DRIVE GREENVILLE, NC 27858 (252) 756-1390	SURVEYED: CC	APPROVED: MWB
	DRAWN: BAW	DATE: 07/16/07
	CHECKED: SCB	SCALE: 1" = 60'

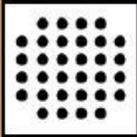
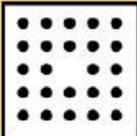
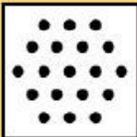
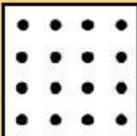
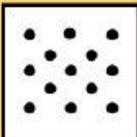
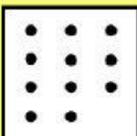
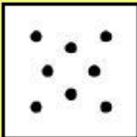
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts

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 CONFORMING 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)		Bufferyard D (screen required)		Bufferyard E (screen required)	
Width	For every 100 linear feet	Width	For every 100 linear feet	Width	For every 100 linear feet
10'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs	20'	4 large evergreen trees 6 small evergreen trees 16 evergreen shrubs	30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs
Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet.		Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.		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.

NORTH CAROLINA
PITT COUNTY

CERTIFICATE OF MAILED NOTICES

The undersigned employee or employees of the City of Greenville, Community Development Department do hereby certify that the mailing requirements for notice of rezoning pursuant to GS 160A-384 have been complied with for the following rezoning requests:

1. 07-14 - Ordinance, requested by Parker's Chapel Free Will Baptist Church, to rezone 19.53+ acres located at the southwest corner of the intersection of Pactolus Highway and Greenville Boulevard from RA20 (Residential-Agricultural) and CH (Heavy Commercial) to OR (Office-Residential [High Density Multi-Family]).
2. 07-15 - Ordinance, requested by Tucker Farms, Inc., to rezone 7.1822 acres for the property located along the western right-of-way of County Home Road, 200± feet south of Piccadilly Drive and 160± feet east of Royal Drive from R6 (Residential [High Density Multi-family]) to O (Office) and R9S (Residential-Single-family [Medium Density Residential]).
3. 07-16 - Ordinance, requested by Dr. Ledyard Ross, to rezone 0.4021 acres (17,515 square feet) located along the northern right-of-way of Arlington Boulevard, 320+ feet east of Seaboard Coastline Railroad, 815+ feet west of Evans Street from OR (Office-Residential [High Density Multi-family]) to CG (General Commercial).
4. 07-18 - Ordinance, requested by Allen Thomas, to rezone 7.737 acres located at the northwest corner of Arlington Boulevard and Dickinson Avenue from RA20 (Residential-Agricultural) and O (Office) to MO (Medical-Office).
5. 07-19 - Ordinance, requested by Ward Holdings, LLC, to rezone 1.52 acres (66,000+ square feet) for the property located at the southeast corner of the intersection of Greenville Boulevard and 14th Street from R9S (Residential-Single-family [Medium Density Residential]) to CH (Heavy Commercial).
6. 07-20 - Ordinance, requested by Sherryl Tipton, to rezone 0.66 acres located at the northeast corner of the intersection of Plaza Drive and Carlton Street from CG (General Commercial) to O (Office).

The person or persons mailing such notices and making this certificate are:

Chantae M Gooby
Signature
Chantae M Gooby
Signature

Chantae M Gooby
Printed Name
Chantae M Gooby
Printed Name

8/07/07
(P and Z)
8/28/07
(CC)



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Ordinance requested by Dr. Ledyard Ross to rezone 0.4021 acres located along the northern right-of-way of Arlington Boulevard, 320± feet east of Seaboard Coastline Railroad, and 815± feet west of Evans Street from OR (Office-Residential [High Density Multi-family]) to CG (General Commercial)

Explanation: This request involves the rezoning of 0.4021 acres (17,515 square feet) as referenced above. Please see the attached rezoning request report.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the request does not represent a significant deviation to the existing zoning pattern and is in general compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

The Planning and Zoning Commission, at their August 21, 2007 meeting, voted to approve the request.

If City Council determines to approve the rezoning 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 request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

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

Attachments / click to download

- [📄 Locational Map](#)
 - [📄 Survey](#)
 - [📄 Residential Density Chart](#)
 - [📄 Bufferyard Setbacks and Vegetation Screening Chart](#)
 - [📄 Certificate of Mailed Notices](#)
 - [📄 Ordinance Dr. Ledyard Ross 711074](#)
 - [📄 Rezoning Dr. Ledyard Ross 708732](#)
 - [📄 Planning and Zoning Commission Minutes Dr. Ross 713749](#)
 - [📄 Dr. Ledyard Ross List of Uses 687929](#)
-

ORDINANCE NO. 07-
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 September 13, 2007 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

Section 1. That the following described territory is rezoned from OR (Office-Residential) to CG (General Commercial).

TO WIT: Ledyard E. and Martiel C. Ross Property.

LOCATION: Located along the northern right-of-way of Arlington Boulevard, 320± feet east of the Seaboard Coastline Railroad and 815± feet west of Evans Street.

DESCRIPTION: Lying and being in the City of Greenville, Greenville Township, Pitt County, North Carolina, lying west of Evans Street and south of Deck Street and beginning at a point where the western right-of-way of Wandsworth Drive meets the northern right-of-way of Arlington Boulevard. Thence along the northern right-of-way of Arlington Boulevard N 66°30'54" W, 216.75 feet to a point common to Lots 3 Lot 2, Wandsworth Commons, Section 1 as recorded in Map Book 37, Page 192, thence continuing along the northern right-of-way of Arlington Boulevard N 66°30'54" W, 8.24 feet to a point in the front line of Lot 2 marking the current zoning line, the true point of beginning.

Thence from the true point of beginning along the northern right-of-way of Arlington Boulevard N 66°30'54" W, 91.75 feet to the southeast corner of Lot 1, Wandsworth Commons, Section 1, thence along the line common to Lots 1 and 2 and leaving the right-of-way of Arlington Boulevard N 23°29'06" E, 200.27 feet to a point in the line of Lot 3, the northeast corner of Lot 1, thence leaving the line of Lot 1 and following a line common to Lots 2 and 3 S 66°30'54" E, 83.16 feet to a point marking the current zoning line, thence leaving the northern line of Lot 2 and following the current zoning line S 21°01'48" W, 200.45 feet to a point on the northern right-of-way of Arlington Boulevard, the true point of beginning, containing 0.4021 acres and being a portion of parcel number 42113.

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

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

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

ADOPTED this 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

Doc # 708732

Rezoning Request Report

Prepared by Greenville's Community Development Department

Staff Contacts: Chantae M. Gooby, 329-4507

Harry V. Hamilton, Jr., 329-4511

1. **Applicant**: Ordinance, requested by Dr. Ledyard Ross, to rezone 0.4021 acres (17,515 square feet) located along the northern right-of-way of Arlington Boulevard, 320± feet east of Seaboard Coastline Railroad, and 815± feet west of Evans Street from OR (Office-Residential [High Density Multi-family]) to CG (General Commercial).

2. **Date**: July 27, 2007

3. **Requested Change**:

Existing: OR (Office-Residential (High Density Multi-family))

Proposed: CG (General Commercial)

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

4. **Comprehensive Plan**:

The subject site is located in Vision Area F.

Arlington Boulevard is designated as a “connector” corridor from West Fifth Street continuing south. Connector corridors are anticipated to contain a variety of higher intensity activities and uses.

There is a recognized intermediate focus area at the intersection of Arlington Boulevard and Evans Street within which commercial activity is encouraged. The anticipated build-out of such focus areas is anticipated to be between 50,000 – 150,000 square feet of conditioned floor space.

The Future Land Use Plan Map recommends office/institutional/multi-family along the northern right-of-way of Arlington Boulevard between the Seaboard Coastline Railroad and Green Mill Run and transitioning to commercial as you approach the focus area’s major street intersection (Evans Street and Arlington Boulevard).

5. Thoroughfare/Traffic Volume (PW-Engineering Division) Report Summary

Under the current zoning, this site would yield an estimated 75 vehicles trips per day to Arlington Boulevard. A traffic report was not generated due to the proposed rezoning only generating an additional 35 vehicle trips per day.

6. History/Background:

In 1969, the property was zoned RA20 (Residential-Agricultural). In 1978, the property was rezoned to OR (Office-Residential).

7. Present Land Use:

Vacant

8. Utilities:

Water and sanitary sewer are available to the subject property.

9. Historic Sites:

There is no known effect on designated sites.

10. Environmental Conditions/Constraints:

There are no known environmental constraints on the subject property.

11. Surrounding Zoning and Land Uses:

North: OR - Arlington Mini-Storage, Arlington Business Park

South: CG – Vacant

OR – University Suites Apartments (approved site plan: 171 units)

East: CG – Vacant

West: OR – Vacant

12. Density Estimates

Gross Acreage: 0.4021 acres

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

Requested Zoning: CG (General Commercial)

At the current zoning (OR), staff would anticipate the site to yield no more than 6 multi-family units (1, 2, and 3 bedrooms).

At the requested zoning (CG), staff would anticipate the site contain 7,000 square feet of office/retail space similar to Wandsworth Commons Office Park. The CG district does not contain a residential option.

The anticipated build-out is 1-2 years.

RECOMMENDATION:

In staff's opinion, the request does not represent a significant deviation to the existing zoning pattern and is in general compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

Excerpt from August 21, 2007 Planning and Zoning Commission Meeting

REQUEST BY DR. LEDYARD ROSS – APPROVED

Chairman Tozer stated that the next item is a request by Dr. Ledyard Ross to rezone 0.4021 acres located along the northern right-of-way of Arlington Boulevard, 320± feet east of the Seaboard Coastline Railroad and 815± west of Evans Street from OR (Office-Residential [High Density Multi-family]) to CG (General Commercial).

Ms. Gooby stated this request is to rezone ½ acre. The existing property is zoned Office and Multi-family. The requested zoning is Commercial. The property is located along Arlington Boulevard between J. H. Rose High School and Evans Street. There is an intermediate focus area located at the intersection of Evans Street and Arlington Boulevard. The Land Use Plan Map recommends Commercial at this intersection transitioning to Office/Institutional/Multi-family to the west. The current zoning is considered High Density Multi-family and allows Offices. The property is adjacent to commercial to the east. Ms. Gooby stated that staff would consider the request a minor deviation and recommend approval of the request.

Dr. Ledyard Ross, petitioner, advised he would answer any questions.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Stokes, to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Motion carried unanimously.

EXISTING 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 1
- k. Family care home (see also section 9-4-103)
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- p. Board or rooming house
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

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

- p. Library
- q. Museum
- r. Art Gallery
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- x. Dance studio
- bb. Civic organizations
- cc. Trade or business organizations

(9) Repair:

* None

(10) Retail Trade:

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

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

* None

(12) Construction:

- 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 multifamily (LUI) development rating 50 per Article K
- e. Land use intensity dormitory (LUI) development rating 67 per Article K
- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
- o.(1). Nursing, convalescent center or maternity home; minor care facility
- r. Fraternity or sorority house

(3) Home Occupations (see all categories):

* 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

(7) Office/ Financial/ Medical:

- f. Veterinary clinic or animal hospital (also see 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 center

(9) Repair:

- * None

(10) Retail Trade:

- h. Restaurant; conventional
- j. Restaurant; regulated outdoor activities

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

- * None

(12) Construction:

- * None

(13) Transportation:

- h. Parking lot or structure; principle 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

PROPOSED ZONING

CG (General Commercial)

Permitted Uses

(1) General:

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

*(2) Residential: * None*

(3) Home Occupations (see all categories):

- *None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- h Commercial recreation; indoor only, not otherwise listed
- j. Bowling alleys
- n. Theater; movie or drama, indoor only
- q. Circus, carnival or fair, temporary only (see also section 9-4-103)
- s. Athletic Club; indoor only

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- b. Operation/processing center
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
- g. Catalogue processing center

(8) Services:

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- o. Church or place of worship (see also section 9-4-103)
- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- y.(1) Television and/or radio broadcast facilities including receiving and transmission equipment and towers not exceeding 200 feet in height or cellular telephone and wireless communication towers not exceeding 200 feet in height (see also section 9-4-103)
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

(9) Repair:

- g. Jewelry, watch, eyewear or other personal item repair

(10) Retail Trade:

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed

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

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

- b. Rental of home furniture, appliances or electronics and medically related products (see also (10)k.)
- c. Rental of cloths and accessories; formal wear, etc.

(12) Construction:

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

(13) Transportation:

- c. Taxi or limousine service
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

* None

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

* None

CG (General Commercial)

Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- d. Game center
- l. Billiard parlor or pool hall
- m. Public or private club
- t. Athletic club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

- c. Office; customer services, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)

(8) Services:

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

(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
- j. Restaurant; regulated outdoor activities
- n. Appliances; commercial use, sales and accessory repair, excluding outside storage

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

- d. Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
- f. Automobile, truck, recreational vehicle, motorcycle and boat sales and service (see also major and minor repair)

(12) Construction:

* None

(13) Transportation:

* None

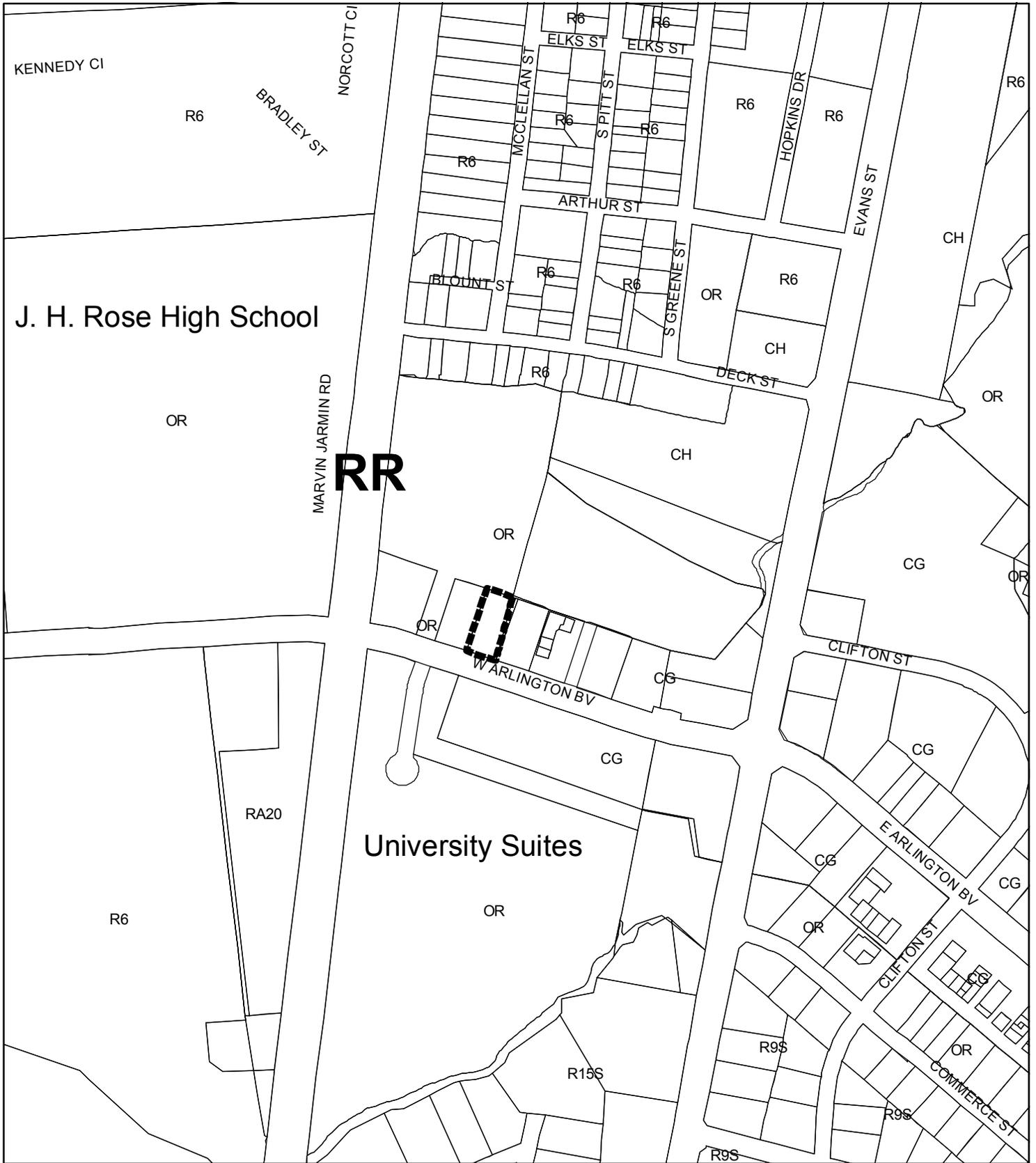
(14) Manufacturing/ Warehousing:

- k. Mini-storage warehouse, household; excluding outside storage

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

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

Dr. Ledyard Ross (07-16)



OR to CG (0.4021 acres)



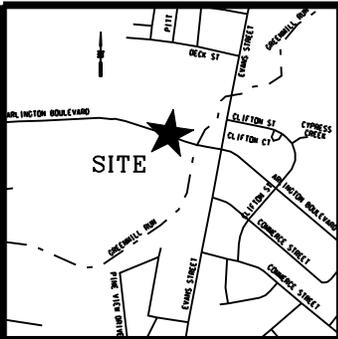
Area Requested to be Rezoned



Land Parcels

Item # 6

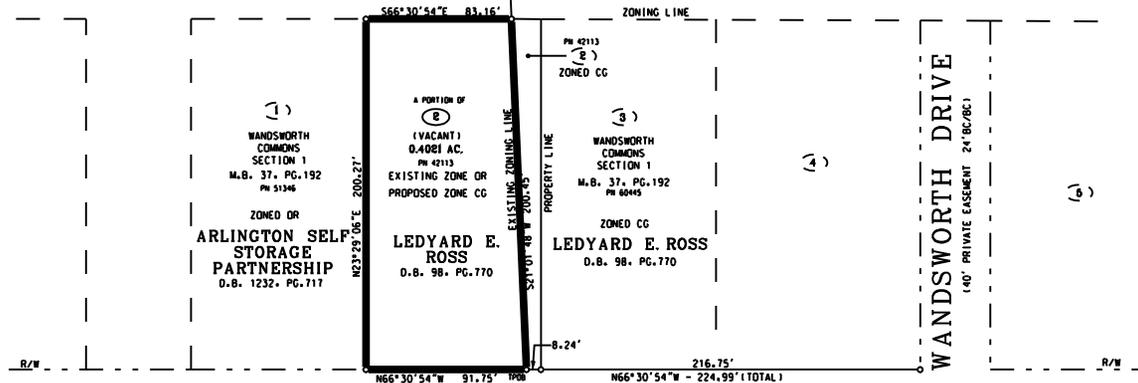
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7/23/07



VICINITY MAP
SCALE: 1" = 1000'

(3)
J.F. ARTHUR DIVISION
SECTION ONE
M.B. 28, PG. 53
PW 36004
ZONED OR
ARLINGTON SELF
STORAGE
PARTNERSHIP
D.B. E-49, PG. 657

EARL CARLTON POWELL, JR., ETALS
D.B. 807, PG. 858
ZONED OR
PW 42112
WANDSWORTH COMMONS
SECTION 2
M.B. 39, PG. 186



ARLINGTON BLVD.
(80' PUBLIC R/W 61' BC/BC)

LEGEND

R/W= RIGHT-OF-WAY
BC= BACK OF CURB
TPOB= TRUE POINT
OF BEGINNING

THIS MAP IS OF A SURVEY OF ANOTHER CATEGORY
AND IS AN EXCEPTION TO THE DEFINITION OF
A SUBDIVISION.

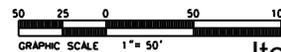
HOWARD O. BARNUM, PLS L-3634

DATE

PROJECT NO. P-606-L2
DRAWING NO. 001

UNIVERSITY SUITES DR.
(40' PRIVATE EASEMENT 24' BC/BC)

JAMES F. ARTHUR, JR., TRUSTEE, ETALS
ARTHUR LIVING TRUST
ZONED DR
ZONED CG



Item # 6

A PORTION OF PARCEL NO. 42113	
REZONING MAP FOR DR. LEDYARD ROSS	
REFERENCE: MAP BOOK 37, PAGE 192 OF THE PITT COUNTY REGISTRY GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA	
OWNER: DR. LEDYARD E. ROSS ADDRESS: 696 LEXINGTON DR. GREENVILLE, NC 27834 PHONE: 252-752-0028	SURVEYED: N/A DRAWN: DM APPROVED: HOB DATE: JULY 13, 2007 SCALE: 1" = 50' SHEET 1 OF 1
STROUD ENGINEERING, P.A. 107B COMMERCE ST. GREENVILLE, NC (252) 756-9352	

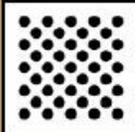
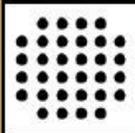
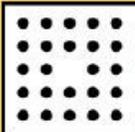
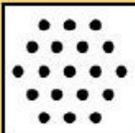
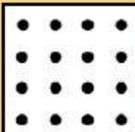
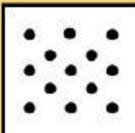
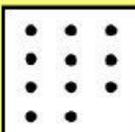
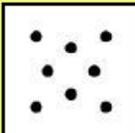
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts

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 CONFORMING 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)		Bufferyard D (screen required)		Bufferyard E (screen required)	
Width	For every 100 linear feet	Width	For every 100 linear feet	Width	For every 100 linear feet
10'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs	20'	4 large evergreen trees 6 small evergreen trees 16 evergreen shrubs	30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs
Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet.		Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.		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.

NORTH CAROLINA
PITT COUNTY

CERTIFICATE OF MAILED NOTICES

The undersigned employee or employees of the City of Greenville, Community Development Department do hereby certify that the mailing requirements for notice of rezoning pursuant to GS 160A-384 have been complied with for the following rezoning requests:

1. 07-14 - Ordinance, requested by Parker's Chapel Free Will Baptist Church, to rezone 19.53+ acres located at the southwest corner of the intersection of Pactolus Highway and Greenville Boulevard from RA20 (Residential-Agricultural) and CH (Heavy Commercial) to OR (Office-Residential [High Density Multi-Family]).
2. 07-15 - Ordinance, requested by Tucker Farms, Inc., to rezone 7.1822 acres for the property located along the western right-of-way of County Home Road, 200± feet south of Piccadilly Drive and 160± feet east of Royal Drive from R6 (Residential [High Density Multi-family]) to O (Office) and R9S (Residential-Single-family [Medium Density Residential]).
3. 07-16 - Ordinance, requested by Dr. Ledyard Ross, to rezone 0.4021 acres (17,515 square feet) located along the northern right-of-way of Arlington Boulevard, 320+ feet east of Seaboard Coastline Railroad, 815+ feet west of Evans Street from OR (Office-Residential [High Density Multi-family]) to CG (General Commercial).
4. 07-18 - Ordinance, requested by Allen Thomas, to rezone 7.737 acres located at the northwest corner of Arlington Boulevard and Dickinson Avenue from RA20 (Residential-Agricultural) and O (Office) to MO (Medical-Office).
5. 07-19 - Ordinance, requested by Ward Holdings, LLC, to rezone 1.52 acres (66,000+ square feet) for the property located at the southeast corner of the intersection of Greenville Boulevard and 14th Street from R9S (Residential-Single-family [Medium Density Residential]) to CH (Heavy Commercial).
6. 07-20 - Ordinance, requested by Sherryl Tipton, to rezone 0.66 acres located at the northeast corner of the intersection of Plaza Drive and Carlton Street from CG (General Commercial) to O (Office).

The person or persons mailing such notices and making this certificate are:

Chantae M Gooby
Signature
Chantae M Gooby
Signature

Chantae M Gooby
Printed Name
Chantae M Gooby
Printed Name

8/07/07
(P and Z)
8/28/07
(CC)



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Ordinance requested by Parker's Chapel Free Will Baptist Church to rezone 19.53± acres located at the southwest corner of the intersection of Pactolus Highway and Greenville Boulevard from RA20 (Residential-Agricultural) and CH (Heavy Commercial) to OR (Office-Residential [High Density Multi-Family])

Explanation: This request involves the rezoning of 19.53± acres as referenced above. Please see the attached rezoning request report.

Fiscal Note: No cost to the City.

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

The Planning and Zoning Commission at their August 21, 2007, meeting voted to approve the request.

If City Council determines to approve the rezoning 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 request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

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

Attachments / click to download

- [Residential Density Chart](#)
 - [Bufferyard Setbacks and Vegetation Chart](#)
 - [Locational Map](#)
 - [Survey](#)
 - [Certificate of Mailed Notices](#)
 - [Ordinance Parkers Chapel FWB Church 710970](#)
 - [Rezoning Parker s Chapel Free Will Baptist Church 708750](#)
 - [Rezoning Case 07 14 Parkers Chapel 709336](#)
 - [Planning and Zoning Commission Minutes Parker s Chapel 713744](#)
 - [Parker s Chapel FWB Church List of Uses 706766](#)
-

ORDINANCE NO. 07-
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 September 13, 2007 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

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

TO WIT: Parker’s Chapel Free Will Baptist Church Property.

LOCATION: Located at the southwest corner of the intersection of Pactolus Highway and Greenville Boulevard.

DESCRIPTION: Being a parcel of land in Pactolus Township, Pitt County, North Carolina and being bounded on the north by the southern right-of-way line of NC Highway 33, on the east by the western right-of-way of US Highway 264A and on the south and west by the northern right-of-way line of Old Pactolus Road (NCSR 1534) and being more particularly described as follows:

Commencing at a concrete monument, North Carolina Geodetic Survey Station “Deere” (N=686914.39 feet E=2,496521.93 feet, North Carolina Coordinate System, North American Datum of 1983); thence S 50°17’31” W, 287.88 feet to an existing concrete monument in the western right-of-way of US Highway 264A; **the**

point of beginning; thence from said beginning point along the western right-of-way of US Highway 264A the following 3 courses: S 04°51'26" E, 334.86 feet to an iron pipe; S 04°50'09" E, 134.84 feet to an existing concrete monument; S 84°31'21" W, 59.89 feet to an existing concrete monument; thence N 70°58'06" W, 202.45 feet to a point; thence S 22°28'30" W, 516.05 feet to an existing iron pipe in the northern right-of-way line of Old Pactolus Road (NCSR 1534); thence along the northern right-of-way line of Old Pactolus Road (NCSR 1534) the following 7 courses: N 62°33'14" W, 333.54 feet to an existing iron pipe; N 62°33'14" W, 339.78 feet to a point; N 46°28'20" W, 140.44 feet to an existing concrete monument; N 30°46'23" W, 322.62 feet to a point; N 04°34'34" W, 228.49 feet to an existing concrete monument; N 21°08'02" E, 23.23 feet to an existing concrete monument; N 58°31'46" E, 66.49 feet to an existing concrete monument in the southern right-of-way of NC Highway 33; thence along the southern right-of-way NC Highway 33 the following 5 courses: S 87°11'42" E, 833.96 feet to an existing iron pipe; S 89°40'31" E, 143.16 feet to an existing concrete monument; N 89°32'57" E, 156.22 feet to a point; N 89°29'29" E, 50.32 feet to an existing concrete monument; thence S 44°44' 04" E, 61.78 feet to the point of beginning containing 19.53± 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 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 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

NORTH CAROLINA
PITT COUNTY

CERTIFICATE OF MAILED NOTICES

The undersigned employee or employees of the City of Greenville, Community Development Department do hereby certify that the mailing requirements for notice of rezoning pursuant to GS 160A-384 have been complied with for the following rezoning requests:

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The person or persons mailing such notices and making this certificate are:

Chantae M Gooby
Signature
Chantae M Gooby
Signature

Chantae M Gooby
Printed Name
Chantae M Gooby
Printed Name

8/07/07
(P and Z)
8/28/07
(CC)

Doc # 708750

Rezoning Request Report

Prepared by Greenville's Community Development Department

Staff Contacts: Chantae M. Gooby, 329-4507

Harry V. Hamilton, Jr., 329-4511

1. **Applicant** : Ordinance, requested by Parker's Chapel Free Will Baptist Church, to rezone 19.53± acres located at the southwest corner of the intersection of Pactolus Highway and Greenville Boulevard from RA20 (Residential-Agricultural) and CH (Heavy Commercial) to OR (Office-Residential [High Density Multi-Family]).

2. **Date**: July 27, 2007

3. **Requested Change**:

Existing: RA20 (Residential-Agricultural) and CH (Heavy Commercial)

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

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

4. **Comprehensive Plan**:

The subject site is located in Vision Area B.

Greenville Boulevard is considered a "connector" corridor at its intersection with Pactolus Highway/US Highway 264 continuing south to 14th Street. Connector corridors are anticipated to contain a variety of higher intensity activities and uses whereas residential corridors are preferred to accommodate lower intensity residential uses.

There is a designated regional focus area at the intersection of Martin Luther King, Jr. Highway/Greenville Boulevard and Pactolus Highway/US Highway 264. Within a regional focus area, commercial activity is encouraged. The anticipated build-out of such focus areas are 400,000 plus square feet of conditioned floor space.

The Future Land Use Plan Map recommends commercial at all four corners of the intersection of Martin Luther King, Jr. Highway/Greenville Boulevard and Pactolus Highway/US Highway 264. The subject tract is located at the southwest corner of said intersection.

5. Thoroughfare/Traffic Volume (PW-Engineering Division) Report Summary

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 2190 trips to and from the site on Greenville Blvd, NC Hwy 33 and US Hwy 264, which is a net increase of 1810 additional trips per day from the property.

During the review process, measures to mitigate traffic impacts will be determined. These measures will include analysis of the traffic signal and may include the construction of turn lanes into the development. Access to the properties will also be reviewed.

Detailed Report Attached

6. History/Background:

In 1972, the subject site was incorporated into the City's extra-territorial jurisdiction and was zoned RA20 (Residential-Agricultural) and CH (Heavy Commercial).

In 2006, a rezoning request was approved to rezone 73 acres, located to the south of the subject site, from CH (Heavy Commercial) to OR (Office-Residential).

7. Present Land Use:

Vacant

8. Utilities:

Water is available to the site. The closest sanitary sewer is located 500 feet to the north.

9. Historic Sites:

There is no known effect on designated sites.

10. Environmental Conditions/Constraints:

The subject tract is impacted by the 100 year and 500 year floodplains associated with the Tar River.

The property contains 100 and 500 year floodplains associated with the Tar River. Residential uses located in the 100 year floodplain shall be elevated to Base Flood Elevation (BFE) plus one (1) foot or to the 500 year floodplain elevation, whichever is greater.

11. Surrounding Land Uses:

North: CH - Vacant
CN - Cash and Karry Convenience Store

South: OR – Vacant
RA20 – Vacant, utility transformer (GUC)

East: CH – Vacant
OR - Parker’s Chapel Free Will Baptist Church (same as applicant)

West: RA20 – One (1) single-residence and associated outbuilding, vacant

12. Density Estimates:

Gross Acreage: 19.53± acres
Current Zoning: RA20 (Residential-Agricultural) and CH (Heavy Commercial)
Requested Zoning: OR (Office-Residential [High Density Multi-Family])

At the current zoning (RA20), staff would anticipate the site to yield between 35-45 single-family lots. Due to the shape of the CH zoned property, staff would not anticipate the property to be developed. The CH district does not contain a residential option.

At the proposed zoning (OR), staff would anticipate the tract to yield 234 multi-family units (2 and 3 bedrooms) based on similar site comparison of Tara Condominiums at 12 units per gross acre. At maximum density, the site would yield 332 multi-family units at 17 units per gross acre.

The anticipated use is a multi-family project by the church for elderly members. The anticipated build-out is 2-3 years.

RECOMMENDATION:

In staff’s opinion, the request **is** in general compliance with the Horizons: Greenville’s Community Plan and the Future Land Use Plan Map.

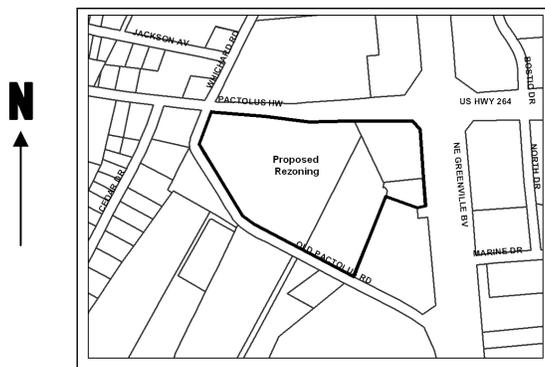
REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 07-14

Applicant: Parker's Chapel Free Will Baptist Church

Property Information

Current Zoning: RA20
Proposed Zoning: OR
Current Acreage: 19.53 acres
Location: Corner of Greenville Blvd, NC Hwy 33, & Old Pactolus Rd
Points of Access: NC Hwy 33, Old Pactolus Rd



Location Map

Transportation Background Information

1.) Greenville Blvd - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lane divided with grass median	4-lane divided with grass median
Right of way width (ft)	260	260
Speed Limit (mph)	55	
Current ADT:	North of Site: 24,400(*) South of Site: 26,550(*)	Design ADT: 40,000 vehicles/day (**)
Controlled Access	Yes	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along Greenville Boulevard that service this property.	

2.) NC Hwy 33 - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	3-lane with paved shoulders	3-lane with wide shoulders
Right of way width (ft)	100	100
Speed Limit (mph)	50	
Current ADT:	6,900(*)	Design ADT: 12,000 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along NC Hwy 33 that service this property.	

3.) US Hwy 264 - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lane divided with grass median	4-lane divided with grass median
Right of way width (ft)	240	240
Speed Limit (mph)	55	
Current ADT:	15,900(*)	Design ADT: 35,000 vehicles/day (**)
Controlled Access	Yes	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:		

Notes: (*) 2004 NCDOT count adjusted with a 2% growth rate for 2007
(**) Traffic volume based on an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Projects are currently planned for the above roadways.

Case No: 07-14

Applicant: Parker's Chapel Free Will Baptist Church

Trips generated by proposed use/change:

Current Zoning: 380 -vehicle trips/day (*) **Proposed Zoning:** 2190 -vehicle trips/day (*)

Estimated Net Change: increase of 1810 -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 Greenville Blvd, NC Hwy 33 and US Hwy 264 are as follows:

1.) Greenville Blvd, North of Site ("No build" ADT of 24,400)

Estimated ADT with Proposed Zoning (full build) – 24,619
Estimated ADT with Current Zoning (full build) – 24,438
Net ADT change – 181 (1% increase)

2.) Greenville Blvd, South of Site ("No build" ADT of 26,550)

Estimated ADT with Proposed Zoning (full build) – 27,864
Estimated ADT with Current Zoning (full build) – 26,778
Net ADT change – 1086 (4% increase)

3.) NC Hwy 33, West of Site ("No build" ADT of 6,900)

Estimated ADT with Proposed Zoning (full build) – 7,338
Estimated ADT with Current Zoning (full build) – 6,976
Net ADT change – 362 (5% increase)

4.) US Hwy 264, East of Site ("No build" ADT of 15,900)

Estimated ADT with Proposed Zoning (full build) – 16,119
Estimated ADT with Current Zoning (full build) – 15,938
Net ADT change – 181 (1% increase)

Staff Findings/Recommendations:

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 2190 trips to and from the site on Greenville Blvd, NC Hwy 33 and US Hwy 264, which is a net increase of 1810 additional trips per day from the property.

During the review process, measures to mitigate traffic impacts will be determined. These measures will include analysis of the traffic signal and may include the construction of turn lanes into the development. Access to the properties will also be reviewed.

Excerpt from August 21, 2007 Planning and Zoning Commission Meeting

REQUEST BY PARKER'S CHAPEL FREE WILL BAPTIST CHURCH – APPROVED

Chairman Tozer stated that the next item is a request by Parker's Chapel Free Will Baptist Church, to rezone 19.53± acres located at the southwest corner of the intersection of Pactolus Highway and Greenville Boulevard from RA20 (Residential-Agricultural) and CH (Heavy Commercial) to OR (Office-Residential [High Density Multi-Family]).

Ms. Gooby stated the request is to rezone approximately 20 acres from Residential-Agricultural and Heavy Commercial to Office-Multi-family. The property is located in the northeast quadrant of the city at the intersection of US Highway 264 and Pactolus Highway. The property is currently vacant and is impacted by the 100 and 500 year floodplains and elevation standards will apply. There is a regional focus area at the intersection of US Highway 264 and the by-pass. The request could generate an increase of 1,800 trips per day with the majority to the south. The Land Use Plan Map recommends Commercial at this intersection. The requested zoning, OR, is considered high density residential. Ms. Gooby stated under the current zoning staff would anticipate 35 to 45 single-family homes. Under the requested zoning, staff would anticipate approximately 230 multi-family units. In 2006, 73 acres to the south of the subject property were rezoned to OR. Ms. Gooby stated that the request is in general compliance.

Rev. Lorenza Stox, Pastor of Parker's Chapel FWB Church, stated the church purchased the land in plots. Rev. Stox stated that the request is compatible with surrounding zoning. Rev. Stox stated that eventually a new church, educational building and a ballfield will be built.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Stokes, to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Motion carried unanimously.

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
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(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
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

- b. Greenhouse or plant nursery; including accessory sales

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- ee. Hospital

(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

CH (Heavy Commercial)

Permitted Uses

(1) General:

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

(2) Residential:

* None

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)
- b. Greenhouse or plant nursery; including accessory sales
- d. Farmers market
- e. Kennel (see also section 9-4-103)
- h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

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

(9) Repair:

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

(10) Retail Trade:

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- b. Gasoline or automotive fuel sale; accessory or principal use
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- g. Fish market; excluding processing or packing
- h. Restaurant; conventional
- i. Restaurant; fast food
- k. Medical supply sales and rental of medically related products

- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair
- m. Appliance; household use, sales and accessory repair, excluding outside storage
- n. Appliance; commercial or industrial use, sales and accessory repair, including outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales
- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facility)
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- aa. Pawnbroker
- bb. Lawn and garden supply and household implement sales and accessory sales
- cc. Farm supply and commercial implement sales
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

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

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

(12) Construction:

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

(13) Transportation:

- c. Taxi or limousine service
- e. Parcel delivery service
- f. Ambulance service
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

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

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

* None

CH (Heavy Commercial)
Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

* None

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

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

(10) Retail Trade:

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

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

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

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

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

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 1
- k. Family care home (see also section 9-4-103)
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- p. Board or rooming house
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon

- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- j. College or other institutions of higher learning
- k. Business or trade school
- n. Auditorium
- o. Church or place of worship (see also section 9-4-103)
- p. Library
- q. Museum
- r. Art Gallery
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- x. Dance studio
- bb. Civic organizations
- cc. Trade or business organizations

(9) Repair:

* None

(10) Retail Trade:

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

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

* None

(12) Construction:

- 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 multifamily (LUI) development rating 50 per Article K
- e. Land use intensity dormitory (LUI) development rating 67 per Article K
- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
- o.(1). Nursing, convalescent center or maternity home; minor care facility
- r. Fraternity or sorority house

(3) Home Occupations (see all categories):

* 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

(7) Office/ Financial/ Medical:

- f. Veterinary clinic or animal hospital (also see 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 center

(9) Repair:

* None

(10) Retail Trade:

- h. Restaurant; conventional
- j. Restaurant; regulated outdoor activities

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

* None

(12) Construction:

* None

(13) Transportation:

- h. Parking lot or structure; principle 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

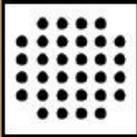
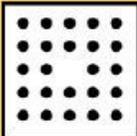
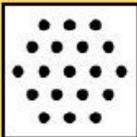
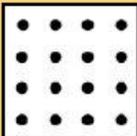
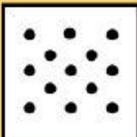
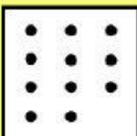
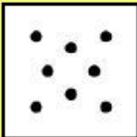
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts

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 CONFORMING 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'

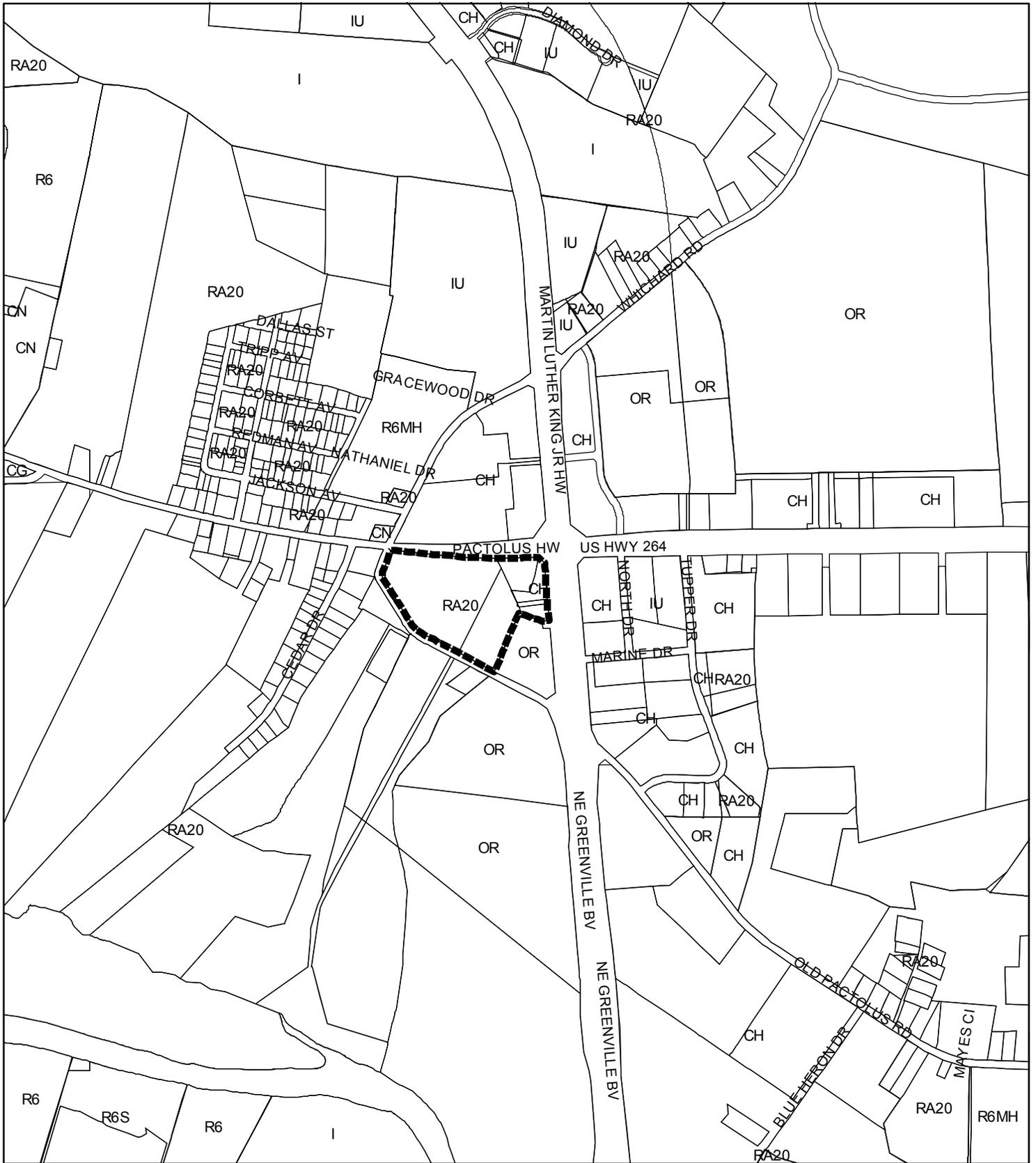
Bufferyard C (screen required)		Bufferyard D (screen required)		Bufferyard E (screen required)	
Width	For every 100 linear feet	Width	For every 100 linear feet	Width	For every 100 linear feet
10'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs	20'	4 large evergreen trees 6 small evergreen trees 16 evergreen shrubs	30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs
Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet.		Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.		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.

Parker's Chapel Free Will Baptist Church (07-14)



RA20, CH to CG (19.53+ acres)



Area Requested to be Rezoned



Land Parcels

Item # 7

Created
7/24/07

REVISIONS

NO.	DATE	DESCRIPTION

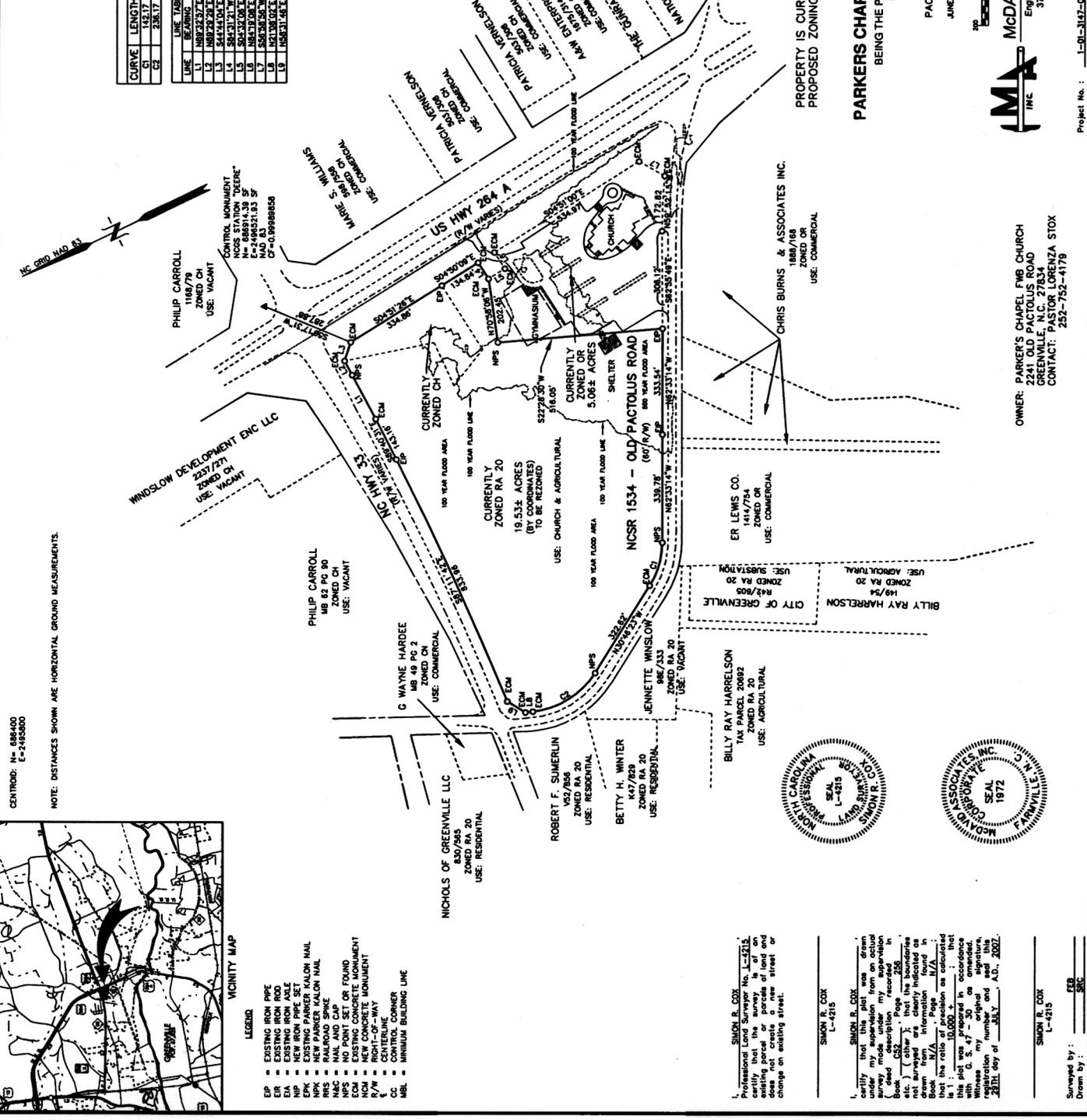
CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	143.17	282.76	31.9000°	146.44	S48°28'20"E
C2	238.17	285.96	50°57'42"	238.49	S65°24'24"E

LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°23'27"E	184.22
L2	N89°22'20"E	50.31
L3	S44°54'04"E	61.78
L4	S84°31'21"W	98.09
L5	N84°31'08"E	60.37
L6	N84°31'08"E	60.37
L7	S84°58'56"W	91.43
L8	N21°30'02"E	23.23
L9	N50°31'45"E	68.49

TAX PARCELS: 23950; 30886; 28820; 5180; 57406



CENTROID: N= 686400
E= 2483000

NOTE: DISTANCES SHOWN ARE HORIZONTAL GROUND MEASUREMENTS.



- LEGEND
- EP = EXISTING IRON PIPE
 - EA = EXISTING IRON PIPE
 - EIA = EXISTING IRON PIPE
 - NIP = NEW IRON PIPE SET
 - EPK = EXISTING PARKER KALON NAIL
 - NPK = NEW PARKER KALON NAIL
 - NAC = NAIL AND CAP
 - NAC = NAIL AND CAP
 - NIP = NO POINT SET OR FOUND
 - EOM = EXISTING CONCRETE MONUMENT
 - R/M = RECONCRETE MONUMENT
 - CL = CENTERLINE
 - CC = CONTROL CORNER
 - MBL = MINIMUM BUILDING LINE

SIMON B. COX
Professional Land Surveyor No. L-4215
I certify that the survey is of an existing parcel or parcels of land and that the information shown on this map is true and correct to the best of my knowledge and belief.

SIMON B. COX
L-4215

I certify that this plot was drawn from the original survey records and that the survey was made under my supervision and that the boundaries are as shown on the plot (other than the boundaries not surveyed or clearly indicated as such) and that the information shown on the plot is true and correct to the best of my knowledge and belief.

Witness my original signature, distribution number and seal this 28th day of _____ A.D., 2007.

Surveyed by: _____
Drawn by: _____



PARKERS CHAPEL FREE WILL BAPTIST CHURCH
BEING THE PARKERS CHAPEL FNB CHURCH TRACT

DEED BOOK C-52 PAGE 256
DEED BOOK 683 PAGE 286
DEED BOOK 703 PAGE 584
PACTOLUS TOWNSHIP, PITT COUNTY
NORTH CAROLINA
JUNE 29, 2007
SCALE: 1" = 200'

PROPERTY IS CURRENTLY ZONED : CH AND RA-20
PROPOSED ZONING TO BE: OR

McDAVID ASSOCIATES, INC.
Engineers • Planners • Land Surveyors
3714 North Main Street, Fayetteville, NC 27828
Telephone: (252) 753-2139

OWNER: PARKERS CHAPEL FNB CHURCH
2241 OLD PACTOLUS ROAD
GREENVILLE, N.C. 27834
CONTACT: PASTOR LORENZA STOK
252-752-4179



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Ordinance requested by Tucker Farms, Inc. to rezone 7.1822 acres for the property located along the western right-of-way of County Home Road, 200± feet south of Piccadilly Drive, and 160± feet east of Royal Drive from R6 (Residential [High Density Multi-family]) to O (Office) and R9S (Residential-Single-family [Medium Density Residential])

Explanation: This request involves the rezoning of 7.1822 acres as referenced above. Please see the attached rezoning request report.

Fiscal Note: No cost to the City.

Recommendation: While the Land Use Plan Map recommends medium density residential along the western right-of-way of County Home Road, it is staff's opinion that the request **is in general compliance** with Horizons: Greenville's Community Plan and the Future Land Use Plan Map given that the O (Office) is the most restrictive non-residential district, and will serve as a desirable transition between the single-family area and the abutting major thoroughfare. The primary concern is the protection of the Windsor Subdivision and elimination of the multi-family option is desirable.

The Planning and Zoning Commission, at their August 21, 2007, meeting voted to approve the request.

If City Council determines to approve the rezoning 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 request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

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

Attachments / click to download

- [Locational Map](#)
 - [Survey](#)
 - [Residential Density Chart](#)
 - [Bufferyard Setbacks and Vegetation Screening Chart](#)
 - [Certificate of Mailed Notices](#)
 - [Ordinance Tucker Farms Inc 710990](#)
 - [Rezoning Tucker Farms Inc 709110](#)
 - [Rezoning Case 07 15 Tucker Farms Inc. 709340](#)
 - [Tucker Farms Inc. List of Uses 708597](#)
-

ORDINANCE NO. 07-
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 September 13, 2007 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

Section 1. That the following described territory is rezoned from R6 (Residential) to O (Office).

TO WIT: Tucker Farms, Incorporated Property.

LOCATION: Located at the western right-of-way of County Home Road, 200± feet south of Piccadilly Drive, and 160± feet east of Royal Drive.

DESCRIPTION: Lying and being situate in Winterville Township, Pitt County, North Carolina and being more particularly described as follows:

Beginning at a point in the western right-of-way of County Home Road (NCSR 1725) said point being the southeast corner of Lot 470 Windsor Section 11, Phase 1 as recorded in Map Book 47, Page 53 of the Pitt County Registry and being located S 49°30'24" E, 155.20 feet from the intersection of the southern right-of-way of Piccadilly Drive and the western right-of-way of County Home Road (NCSR 1725), thence from said point of beginning with the western right-of-way of County Home Road (NCSR 1725) S 49°30'24" E, 65.00 feet, thence 600.32 feet along the arc of a

curve said curve being to the right having a radius of 1,110.00 feet and a chord bearing S 34°00'47" E, 593.03 feet to the northeast corner of Lot 430 Windsor Section 10, Phase 1 as recorded in Map Book 45, Page 29, thence leaving the western right-of-way of County Home Road (NCSR 1725) with the northern line of Lot 430 Windsor Section 10, Phase 1 S 52°48'09" W, 268.45 feet, thence leaving the northern line of Lot 430 Windsor Section 10, Phase 1 551.23 feet along the arc of a curve said curve being to the left having a radius of 860.00 feet and a chord bearing N 31°08'40" W, 541.84 feet, thence N 49°30'24" W, 131.25 feet to the southern line of Windsor Section 11, Phase 1, thence with the southern line of Windsor Section 11, Phase 1 N 55°20'05" E, 258.63 feet to the point of beginning containing 3.8658 acres.

Section 2. That the following described territory is rezoned from R6 (Residential) to R9S (Residential – Single-family).

TO WIT: Tucker Farms, Incorporated Property.

LOCATION: Located at the western right-of-way of County Home Road, 200± feet south of Piccadilly Drive, and 160± feet east of Royal Drive.

DESCRIPTION: Lying and being situate in Winterville Township, Pitt County, North Carolina and being more particularly described as follows:

Beginning at the northwest corner of the above described tract, thence from said point of beginning S 49°30'24" E, 131.25 feet, thence 551.23 feet along the arc of a curve said curve being to the right having a radius of 860.00 feet and a chord bearing S 31°08'40" E, 541.84 feet to the northern line of Lot 430 Windsor Section 10, Phase 1 as recorded in Map Book 45, Page 29, thence with the northern line of Lot 430 Windsor Section 10, Phase 1 S 52°48'09" W, 60.55 feet to the eastern line of Windsor Section 11, Phase 1, thence with the eastern line of Windsor Section 11, Phase 1 N 41°34'16" W, 171.32 feet, thence S 87°46'13" W, 90.14 feet, thence N 58°32'22" W, 170.00 feet, thence N 38°32'22" W, 297.16 feet, thence N 55°20'05" E, 245.71 feet to the point of beginning containing 3.3164 acres.

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 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 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

Doc # 709110

Rezoning Request Analysis

Prepared by Greenville's Community Development Department

Staff Contacts: Chantae M. Gooby, 329-4507
Harry V. Hamilton, Jr., 329-4511

1. **Applicant:** Ordinance, requested by Tucker Farms, Inc., to rezone 7.1822 acres for the property located along the western right-of-way of County Home Road, 200± feet south of Piccadilly Drive and 160± feet east of Royal Drive from R6 (Residential [High Density Multi-family]) to O (Office) and R9S (Residential-Single-family [Medium Density Residential]).

2. **Date:** July 30, 2007

3. **Requested Change:**

Existing: Tracts 1 & 2: R6 (Residential [High Density Multi-family])

Proposed: Tract 1: O (Office)
Tract 2: R9S (Residential-Single-family [Medium Density Residential])

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

4. **Size:** Tract 1: 3.8658 acres
Tract 2: 3.3164 acres
TOTAL: 7.1822 acres

5. **Comprehensive Plan:**

The subject site is located in Vision Area D.

The Land Use Plan Map recommends medium density residential between the western right-of-way of County Home Road and the eastern right-of-way of Corey Road, north of Fork Swamp Creek Lateral.

The subject property is located south of a regional focus area (Fire Tower Road and Arlington Boulevard).

The plan recommended spacing criteria is ¼ of a mile (1,320 feet) between intermediate and neighborhood focus areas. The subject property is in general compliance with the recommended spacing requirements.

County Home Road is designated as a connector corridor beginning at Fire Tower Road then transitions to a residential corridor at its intersection with Bells Chapel Road and continuing south.

6. **Thoroughfare/Traffic Volume (PW-Engineering Division) Report Summary**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 470 trips to and from the site on Corey Road, which is a net decrease of 320 trips per day.

During the review process, measures to mitigate traffic impacts will be determined. These measures may include the construction of turn lanes into the development. Access to the properties will also be reviewed.

Detail Report Attached

7. **History/Background:**

In 1993, the subject property was incorporated into the City's extra-territorial jurisdiction and was zoned RA20 (Residential-Agricultural). In 1994, the property was rezoned to R6.

8. **Present Land Use:**

Woodlands

9. **Utilities:**

Water and sanitary sewer are available to the subject site.

10. **Historic Sites:**

There is no known effect on designated sites.

11. **Environmental Conditions/Constraints:**

There are wetlands located on the subject property, however are not regulated.

12. **Surrounding Land Uses:**

North: R9 – Windsor Subdivision (single-family)

South: RA20 – Windsor Subdivision Swimming Pool

East: R6 - Trafalgar Square Apartments (approved site plan for 192 units 128 -1 bedrooms and 64 – 2 bedrooms); The Bellamy (approved site plan for 308 units 88 – 2 bedrooms and 220 – 4 bedrooms)

West: R9 – Windsor Subdivision (single-family)

13. **Density Estimates**

Tract 1

Gross Acreage: 3.8658 acres

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

Requested Zoning: O (Office)

At the current zoning (R6), staff would anticipate the site to yield 46 multi-family units (2 and 3 bedrooms) based on similar site comparison of Cross Creek Townhomes at 12 units per gross acre. At maximum density, the site would yield 64 multi-family units (1, 2 and 3 bedrooms) at 17 units per net acre.

At the proposed zoning, (O), staff would anticipate 39,000 square floor of office use.

Tract 2

Gross Acreage: 3.3164 acres

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

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

At the current zoning (R6), staff would anticipate the site to yield 40 multi-family units (2 and 3 bedrooms) based on similar site comparison of Cross Creek Townhomes at 12 units per gross acre. At maximum density, the site would yield 56 multi-family units (1, 2 and 3 bedrooms) at 17 units per net acre.

At the proposed zoning, (R9S), staff would anticipate the site to yield no more than 4 single-family lots.

RECOMMENDATION

While the Land Use Plan Map recommends medium density residential along the western right-of-way of County Home Road, it is staff's opinion that the request **is in general compliance** with Horizons: Greenville's Community Plan and the Future Land Use Plan Map given that the O (office) is the most restrictive non-residential district, and will serve as a desirable transition between the single-family area and the abutting major thoroughfare. The primary concern is the protection of the Windsor Subdivision and elimination of the multi-family option is desirable.

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 07-15

Applicant: Tucker Farms, Inc.

Property Information

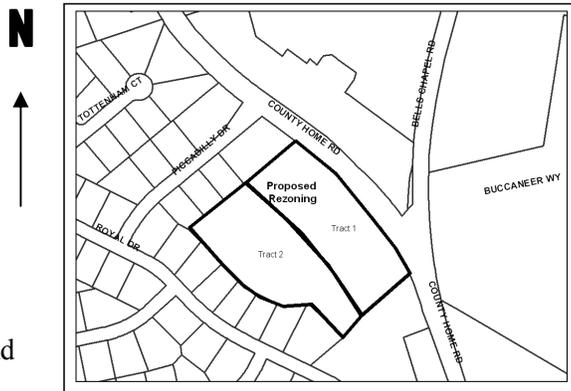
Current Zoning: Tract 1: R6
Tract 2: R6

Proposed Zoning: Tract 1: O
Tract 2: R9S

Current Acreage: Tract 1: 3.8658 acres
Tract 2: 3.3164 acres
Total: 7.1822 acres

Location: Corner of County Home Rd & Bell's Chapel Rd

Points of Access: County Home Rd



Location Map

Transportation Background Information

1.) County Home Road - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	3-lane with ditches	5-lane with curb and gutter
Right of way width (ft)	80	90
Speed Limit (mph)	55	
Current ADT:	8,850(*)	Design ADT: 35,000 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along County Home Road that service this property.	

Notes: (*) 2004 NCDOT count adjusted with a 3% growth rate for 2007
(**) Traffic volume based on an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Projects Planned.

Trips generated by proposed use/change:

Current Zoning: 790 -vehicle trips/day (*) **Proposed Zoning:** 470 -vehicle trips/day (*)

Estimated Net Change: decrease of 320 -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 County Home Rd are as follows:

1.) County Home Rd, North of Site (“No build” ADT of 8,850)

Estimated ADT with Proposed Zoning (full build) – 9,296
Estimated ADT with Current Zoning (full build) – 9,600
Net ADT change – -304 (3% decrease)

Case No: 07-15

Applicant: Tucker Farms, Inc.

2.) County Home Rd, South of Site (“No build” ADT of 8,850)

Estimated ADT with Proposed Zoning (full build) – 8,874

Estimated ADT with Current Zoning (full build) – 8,890

Net ADT change – -16 (<1% decrease)

Staff Findings/Recommendations:

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 470 trips to and from the site on Corey Road, which is a net decrease of 320 trips per day.

During the review process, measures to mitigate traffic impacts will be determined. These measures may include the construction of turn lanes into the development. Access to the properties will also be reviewed.

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)
- c. Multi-family development per Article 1
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(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:

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

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

PROPOSED ZONING

O (Office)

Permitted Uses

(1) General:

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

(2) Residential:

* None

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

- f. Public park or recreational facility

(7) Office/ Financial/ Medical:

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

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

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

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

O (Office)

Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

* None

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

R9S (Residential-Single-Family)

Permitted Uses

(1) General:

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

(2) Residential:

- a. Single-family dwelling
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

R9S (Residential-Single-Family)

Special Uses

(1) General:

* None

(2) Residential:

* None

(3) Home Occupations (see all categories):

b. Home occupation; excluding barber and beauty shops

c. Home occupation; excluding manicure, pedicure or facial salon

(4) Governmental:

a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

a. Golf course; regulation

c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

d. Cemetery

g. School; junior and senior high (see also section 9-4-103)

h. School; elementary (see also section 9-4-103)

i. School; kindergarten or nursery (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

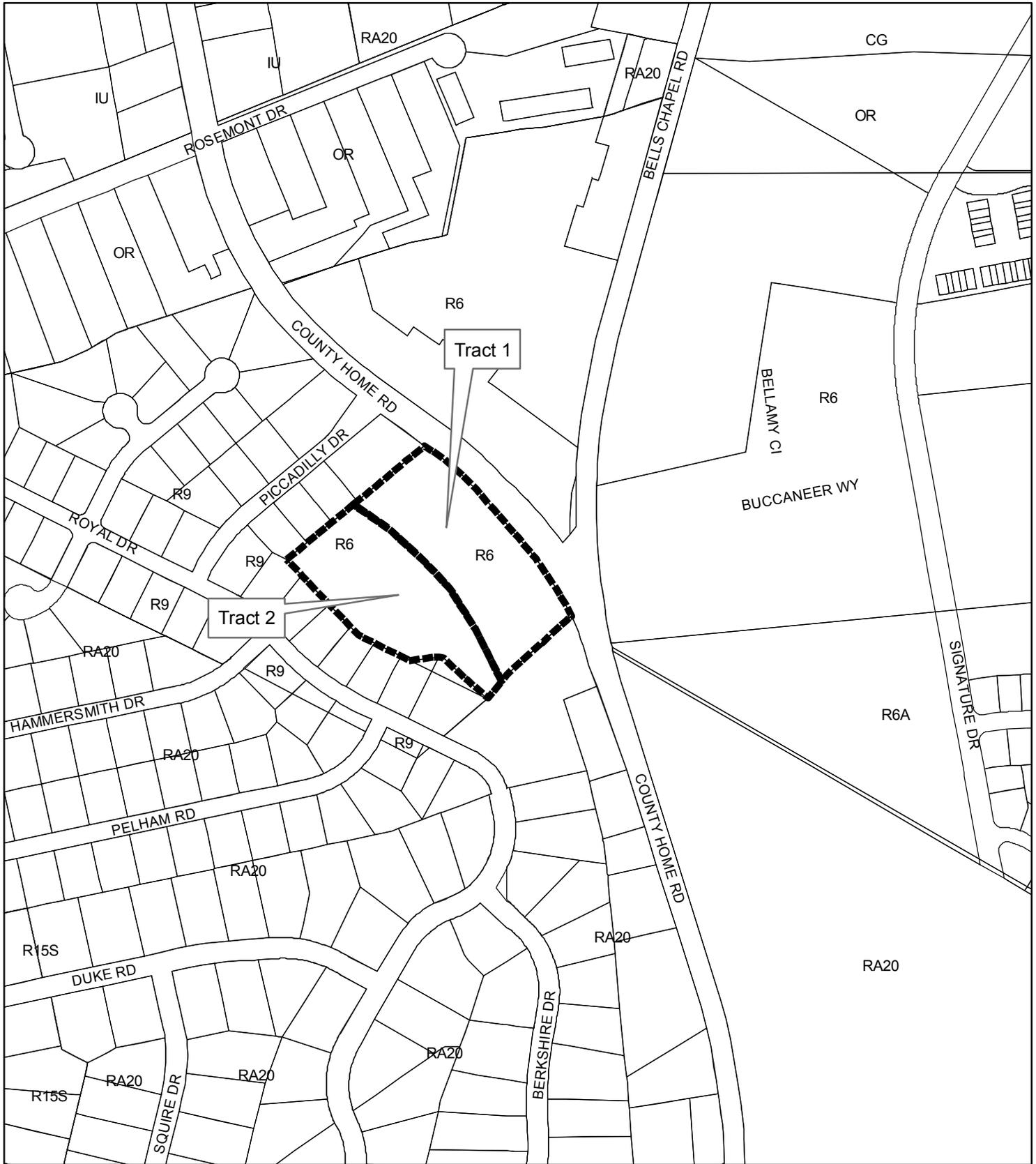
(14) Manufacturing/ Warehousing:

* None

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

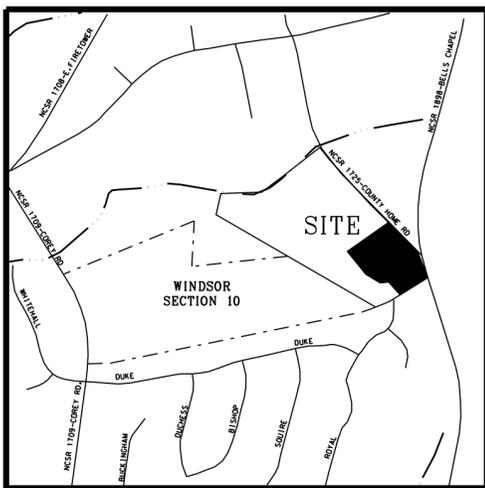
* None

Tucker Farms, Inc. (07-15)

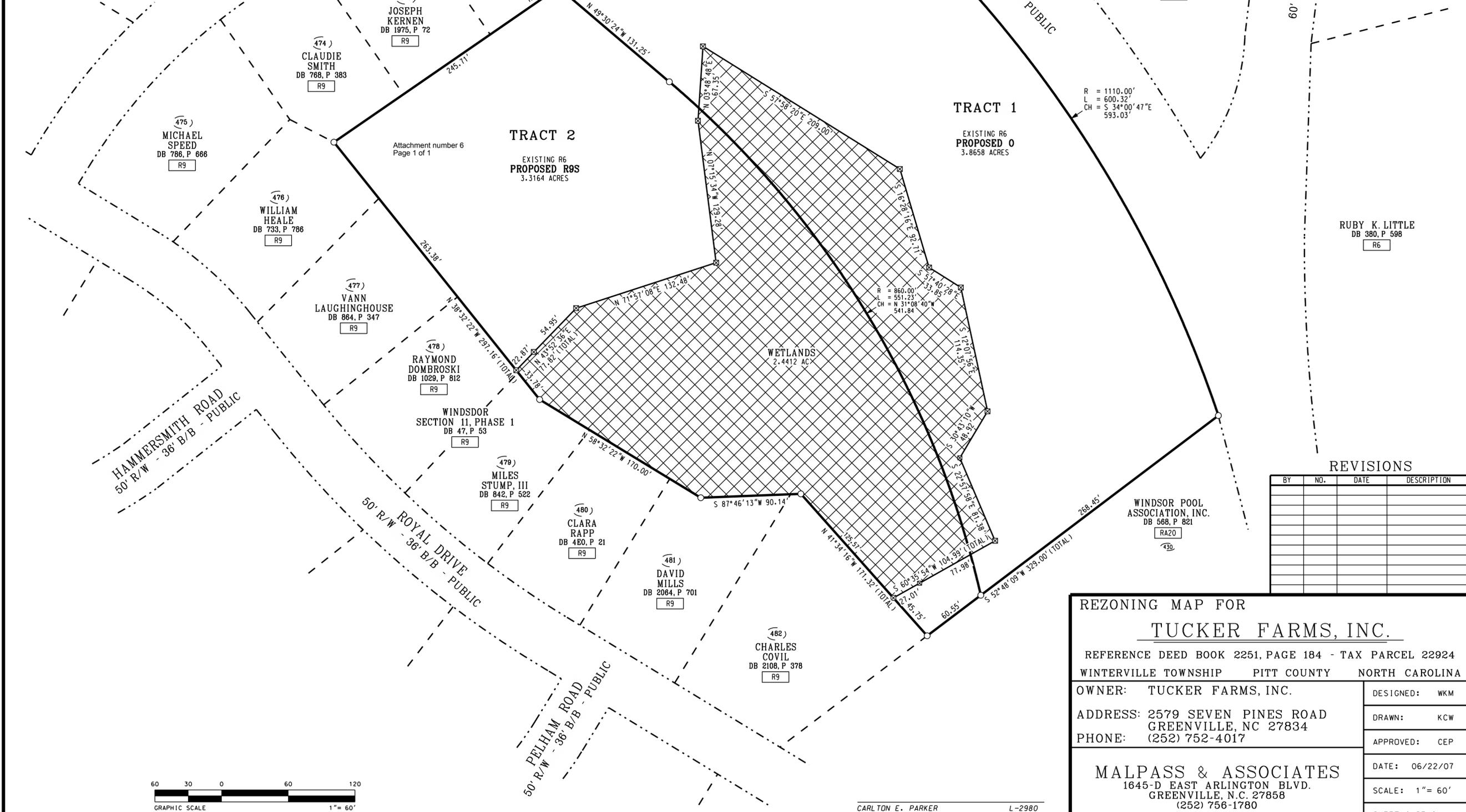


Tract 1: R6 to O (3.8658 acres)
Tract 2: R6 to R9S (3.3164 acres)

 Area Requested to be Rezoned
 Land Parcels



VICINITY MAP
1" = 2000'



REVISIONS

BY	NO.	DATE	DESCRIPTION

REZONING MAP FOR
TUCKER FARMS, INC.
 REFERENCE DEED BOOK 2251, PAGE 184 - TAX PARCEL 22924
 WINTERTVILLE TOWNSHIP PITT COUNTY NORTH CAROLINA
 OWNER: TUCKER FARMS, INC.
 ADDRESS: 2579 SEVEN PINES ROAD
 GREENVILLE, NC 27834
 PHONE: (252) 752-4017

DESIGNED: WKM
 DRAWN: KCW
 APPROVED: CEP

DATE: 06/22/07
 SCALE: 1" = 60'
 SHEET 1 OF 1

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

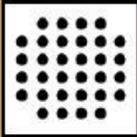
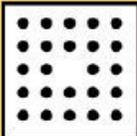
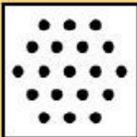
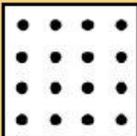
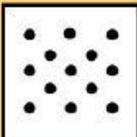
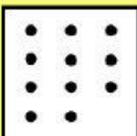
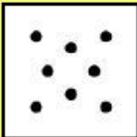
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts

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 CONFORMING 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)		Bufferyard D (screen required)		Bufferyard E (screen required)	
Width	For every 100 linear feet	Width	For every 100 linear feet	Width	For every 100 linear feet
10'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs	20'	4 large evergreen trees 6 small evergreen trees 16 evergreen shrubs	30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs
Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet.		Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.		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.

NORTH CAROLINA
PITT COUNTY

CERTIFICATE OF MAILED NOTICES

The undersigned employee or employees of the City of Greenville, Community Development Department do hereby certify that the mailing requirements for notice of rezoning pursuant to GS 160A-384 have been complied with for the following rezoning requests:

1. 07-14 - Ordinance, requested by Parker's Chapel Free Will Baptist Church, to rezone 19.53+ acres located at the southwest corner of the intersection of Pactolus Highway and Greenville Boulevard from RA20 (Residential-Agricultural) and CH (Heavy Commercial) to OR (Office-Residential [High Density Multi-Family]).
2. 07-15 - Ordinance, requested by Tucker Farms, Inc., to rezone 7.1822 acres for the property located along the western right-of-way of County Home Road, 200± feet south of Piccadilly Drive and 160± feet east of Royal Drive from R6 (Residential [High Density Multi-family]) to O (Office) and R9S (Residential-Single-family [Medium Density Residential]).
3. 07-16 - Ordinance, requested by Dr. Ledyard Ross, to rezone 0.4021 acres (17,515 square feet) located along the northern right-of-way of Arlington Boulevard, 320+ feet east of Seaboard Coastline Railroad, 815+ feet west of Evans Street from OR (Office-Residential [High Density Multi-family]) to CG (General Commercial).
4. 07-18 - Ordinance, requested by Allen Thomas, to rezone 7.737 acres located at the northwest corner of Arlington Boulevard and Dickinson Avenue from RA20 (Residential-Agricultural) and O (Office) to MO (Medical-Office).
5. 07-19 - Ordinance, requested by Ward Holdings, LLC, to rezone 1.52 acres (66,000+ square feet) for the property located at the southeast corner of the intersection of Greenville Boulevard and 14th Street from R9S (Residential-Single-family [Medium Density Residential]) to CH (Heavy Commercial).
6. 07-20 - Ordinance, requested by Sherryl Tipton, to rezone 0.66 acres located at the northeast corner of the intersection of Plaza Drive and Carlton Street from CG (General Commercial) to O (Office).

The person or persons mailing such notices and making this certificate are:

Chantae M Gooby
Signature
Chantae M Gooby
Signature

Chantae M Gooby
Printed Name
Chantae M Gooby
Printed Name

8/07/07
(P and Z)
8/28/07
(CC)



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Ordinance, requested by Sherryl Tipton, to amend the Office district table of uses to include "Dance studio" as a permitted use

Explanation: The proposed ordinance will include the use entitled "Dance studio" as a permitted use within the O (office) district. See the attached ordinance and amendment report.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion the request is in compliance with Horizons: Greenville's Community Plan.

The Planning and Zoning Commission at the August 21, 2007 meeting voted to approve the request.

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

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

Motion to deny the request to amend the City Code and to make a finding and determination that the denial of the amendment is consistent with the adopted comprehensive plan and that the denial of the amendment is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

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

Attachments / click to download

 [Ordinance O district Dance studio 708400](#)

 [Report Dance studio O district 711259](#)

 [Tipton amendment dance studios 713789](#)

 [Vegetation Table 692424](#)

ORDINANCE NO. 07-__
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 September 13, 2007 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

WHEREAS, the City Council does hereby find and determine that the adoption of said ordinance amending the City Code is consistent with the adopted comprehensive plan and that the adoption of the ordinance is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

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

Section 1: That Title 9, Chapter 4, Article D, Section 9-4-78(f)(8)x, of the City Code is hereby amended to include the use entitled "Dance studio" as a permitted use in the O (office) district.

Section 2: That all ordinances and sections of ordinances in conflict with this ordinance are hereby repealed.

Section 3: That this ordinance shall become effective upon its adoption.

ADOPTED this 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

Doc# 708400

ORDINANCE AMENDMENT REPORT

Staff Contact: Harry V. Hamilton, Jr., Chief Planner

Date: 7/25/07

Item: Request by Sherryl Tipton to amend the O (office) district table of uses to include "Dance studio" as a permitted use.

Currently, the use entitled "Dance studio" is a permitted use in the OR (office-residential), CD (downtown commercial), and CN (neighborhood commercial) districts, and a special use in the CDF (downtown commercial fringe) district. A dance studio is a classification 3 use for purposes of bufferyard setbacks and general screening requirements. Other class 3 "studio" uses including art studios and recording studios are currently permitted uses in the O (office) district.

The proposed amendment would allow "Dance studio" as a permitted use in the O (office) district.

Attached is a bufferyard setback and screening chart (Doc# 692424) for illustrative purposes.

Staff has no objection to the request as proposed.

Excerpt from August 21, 2007 Planning and Zoning Commission Meeting

REQUEST BY SHERRYL TIPTON – APPROVED

Chairman Tozer stated that the next item is a request by Sherryl Tipton to amend the O (Office) district table of uses to include “Dance Studio” as a permitted use.

Mr. Harry Hamilton stated this is a request to amend the Office district table of uses to include dance studio as a permitted use. Mr. Hamilton presented a map indicating the current zones that allow dance studios. The applicant is requesting that the Office zone include dance studios as a permitted use. Mr. Hamilton stated that staff is of the opinion the proposed use is compatible with the purpose of the Office district. Mr. Hamilton stated that staff has no objection to the amendment.

Ms. Sherryl Tipton stated she would answer any questions.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Lehman, to approve the amendment. Motion carried unanimously.

Doc. # 713789

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

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

Bufferyard C (screen required)	
Width	For every 100 linear feet
10'	3 large evergreen trees 4 small evergreens 16 evergreen shrubs
Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet.	

Bufferyard D (screen required)	
Width	For every 100 linear feet
20'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs
Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.	

Bufferyard E (screen required)	
Width	For every 100 linear feet
30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs
Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.	

Bufferyard F (screen required)	
Width	For every 100 linear feet
50'	8 large evergreen trees 10 small evergreens 36 evergreen shrubs
Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.	

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



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Ordinance requested by Sherryl Tipton to rezone 0.66 acres located at the northeast corner of the intersection of Plaza Drive and Carlton Street from CG (General Commercial) to O (Office)

Explanation: This request involves the rezoning of 0.66 acres as referenced above. Please see the attached rezoning request report.

Fiscal Note: No cost to the City.

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

The Planning and Zoning Commission, at their August 21, 2007, meeting voted to approve the request.

If City Council determines to approve the rezoning 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 request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

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Attachments / click to download

- [📎 Locational Map](#)
 - [📎 Vegetation Setbacks and Vegetation Screening Chart](#)
 - [📎 Certificate of Mailed Notices](#)
 - [📎 Ordinance_Sherryl_Tipton_712144](#)
 - [📎 Rezoning__Sheryl_Tipton_NC_Academy_of_Dance_Arts_709112](#)
 - [📎 Planning_and_Zoning_Commission_Minutes_Sherryl_Tipton_713755](#)
 - [📎 Tipton_List_of_Uses_708731](#)
-

ORDINANCE NO. 07-
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 September 13, 2007 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

Section 1. That the following described territory is rezoned from CG (General Commercial) to O (Office).

TO WIT: Sherryl E. Mercer Property.

LOCATION: Located at the northeast corner of the intersection of Plaza Drive and Carlton Street.

DESCRIPTION: Beginning at a known point being the intersection of the eastern right-of-way of Plaza Drive and northern right-of-way of Carlton Street, thence running along the eastern right-of-way of Plaza Drive in a northwesterly direction for 130± feet; thence running along the western property line of the property identified as tax parcel number 39055 at the Pitt County Register of Deeds in a northeasterly direction for 220± feet; thence running along the northern property line of the property identified as tax parcel number 39055 at the Pitt County Register of Deeds in an southeasterly direction for 130± feet; thence running along the northern right-of-way of Carlton Street in a southwesterly direction

for 220± feet returning to the point of beginning containing 0.66 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 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 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

Doc # 709112

Rezoning Request Analysis

Prepared by Greenville's Community Development Department

Staff Contacts: Chantae M. Gooby, 329-4507
Harry V. Hamilton, Jr., 329-4511

1. **Applicant:** Ordinance, requested by Sherryl Tipton, to rezone 0.66 acres (28,749 square feet) located at the northeast corner of the intersection of Plaza Drive and Carlton Street from CG (General Commercial) to O (Office).

2. **Date:** July 31, 2007

3. **Requested Change:**

Existing: CG (General Commercial)

Proposed: O (Office)

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

4. **Comprehensive Plan:**

The subject site is located in Vision Area I.

The Land Use Plan Map recommends office/institutional/multi-family along the northern right-of-way of Plaza Drive between Carlton Street and Brinkley Road.

Carlton Street is a neighborhood entrance street and office zoning is preferred in lieu of commercial zoning.

There is a recognized community focus area located along Red Banks Road between Evans Street and Greenville Boulevard. The anticipated build-out of such focus areas is anticipated to be between 175,000 – 350,000 square feet of conditioned floor space.

5. **Thoroughfare/Traffic Volume (PW-Engineering Division) Report Summary**

A traffic report was not generated since the proposed rezoning will not generate any additional vehicle trips on Plaza Drive.

6. **History/Background:**

In 1969, the subject property was zoned to CG (General Commercial).

7. **Present Land Use:**

North Carolina Academy of Dance Arts

8. **Utilities:**

Water and sanitary sewer are available to the subject site.

9. **Historic Sites:**

There is no known effect on historic sites.

10. **Environmental Conditions/Constraints:**

There are no known environmental constraints on the subject property.

11. **Surrounding Land Uses:**

North: R9S – Brentwood Subdivision (single-family)

South: CG – Shopping Center (Stein Mart, Rugged Wearhouse, etc...)

East: CG - Female Fitness Center

West: CG – Professional office building

12. **Density Estimates**

Tract 1

Gross Acreage: 0.66 acres

Current Zoning: CG (General Commercial)

Requested Zoning: O (Office)

The anticipated use is an expansion of the existing dance studio. The proposed rezoning would lessen the setbacks to facilitate the proposed expansion. Current street setback in the existing CG district is 50 feet and the street setback in the proposed O district is 35 feet. The anticipated completion of the facility expansion would be 1 year.

Recommendation:

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

Excerpt from August 21, 2007 Planning and Zoning Commission Meeting

REQUEST BY SHERYL TIPTON – APPROVED

Chairman Tozer stated that the next item is a request by Sherryl Tipton, to rezone 0.66 acres located at the northeast corner of the intersection of Plaza Drive and Carlton Street from CG (General Commercial) to O (Office).

Ms. Gooby stated this request is to rezone a little more than ½ acre from Commercial to Office. The property is located in the central part of the city between Brentwood Subdivision and Stein Mart Shopping Center. Currently, the property is occupied by the NC Academy of Dance. Carlton Street serves as an entrance to the Brentwood Subdivision. The Land Use Plan Map recommends Office/Institutional/Multi-family which serves as a transition between the Brentwood Subdivision and the commercial at the intersection of Evans Street and Red Banks Road. Ms. Gooby stated that the request is in compliance.

Ms. Sherryl Tipton stated she would answer any questions.

Motion was made by Mr. Ramey, seconded by Mr. Lehman, to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Motion carried unanimously.

EXISTING ZONING

CG (General Commercial)

Permitted Uses

(1) General:

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

*(2) Residential: * None*

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- h Commercial recreation; indoor only, not otherwise listed
- j. Bowling alleys
- n. Theater; movie or drama, indoor only
- q. Circus, carnival or fair, temporary only (see also section 9-4-103)
- s. Athletic Club; indoor only

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- b. Operation/processing center
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
- g. Catalogue processing center

(8) Services:

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- o. Church or place of worship (see also section 9-4-103)
- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales

- y.(1) Television and/or radio broadcast facilities including receiving and transmission equipment and towers not exceeding 200 feet in height or cellular telephone and wireless communication towers not exceeding 200 feet in height
(see also section 9-4-103)
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

(9) Repair:

- g. Jewelry, watch, eyewear or other personal item repair

(10) Retail Trade:

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

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

- b. Rental of home furniture, appliances or electronics and medically related products (see also (10)k.)
- c. Rental of cloths and accessories; formal wear, etc.

(12) Construction:

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

(13) Transportation:

- c. Taxi or limousine service
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

* None

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

* None

CG (General Commercial)

Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

d. Game center

l. Billiard parlor or pool hall

m. Public or private club

t. Athletic club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

c. Office; customer services, not otherwise listed, including accessory service delivery vehicle parking and indoor storage

f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)

(8) Services:

a. Child day care facilities

b. Adult day care facilities

l. Convention center; private

(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

j. Restaurant; regulated outdoor activities

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

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

d. Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats

f. Automobile, truck, recreational vehicle, motorcycle and boat sales and service (see also major and minor repair)

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

k. Mini-storage warehouse, household; excluding outside storage

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

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

PROPOSED ZONING

O (Office)

Permitted Uses

(1) General:

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

(2) Residential:

* None

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

- f. Public park or recreational facility

(7) Office/ Financial/ Medical:

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

(8) Services:

- c. Funeral home
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- o. Church or place of worship (see also section 9-4-103)
- p. Library

- q. Museum
- r. Art Gallery
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- e. Barber or beauty shop

(9) Repair:

* None

(10) Retail Trade:

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

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

O (Office)
Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

* None

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

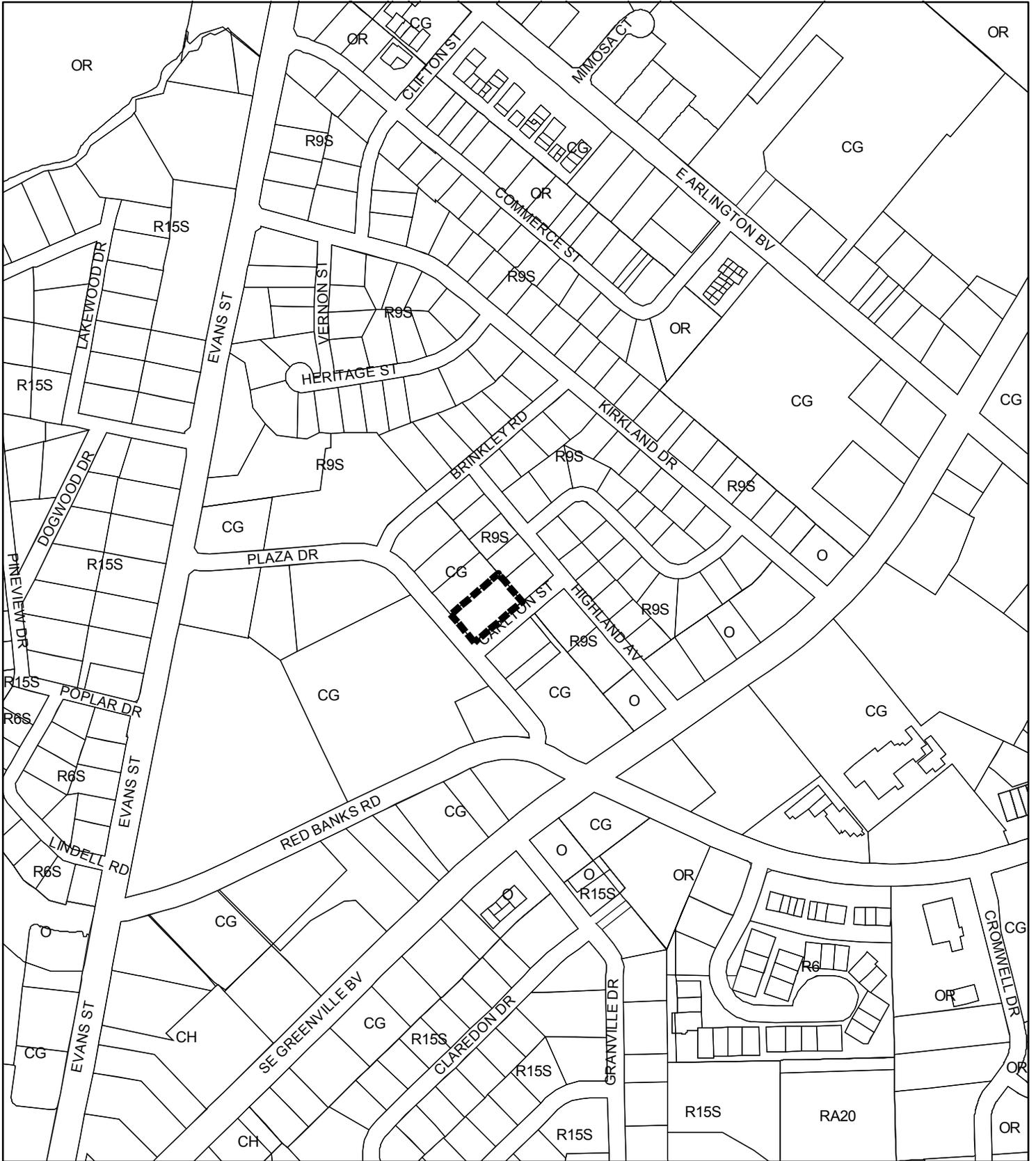
(14) Manufacturing/ Warehousing:

* None

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

* None

Sheryl Tipton (07-20)



CG to O (0.66 acres)

 Area Requested to be Rezoned

Created
7/25/07

 Land Parcels

Item # 10

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 CONFORMING 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)		Bufferyard D (screen required)		Bufferyard E (screen required)	
Width	For every 100 linear feet	Width	For every 100 linear feet	Width	For every 100 linear feet
10'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs	20'	4 large evergreen trees 6 small evergreen trees 16 evergreen shrubs	30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs
Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet.		Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.		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.

NORTH CAROLINA
PITT COUNTY

CERTIFICATE OF MAILED NOTICES

The undersigned employee or employees of the City of Greenville, Community Development Department do hereby certify that the mailing requirements for notice of rezoning pursuant to GS 160A-384 have been complied with for the following rezoning requests:

1. 07-14 - Ordinance, requested by Parker's Chapel Free Will Baptist Church, to rezone 19.53+ acres located at the southwest corner of the intersection of Pactolus Highway and Greenville Boulevard from RA20 (Residential-Agricultural) and CH (Heavy Commercial) to OR (Office-Residential [High Density Multi-Family]).
2. 07-15 - Ordinance, requested by Tucker Farms, Inc., to rezone 7.1822 acres for the property located along the western right-of-way of County Home Road, 200± feet south of Piccadilly Drive and 160± feet east of Royal Drive from R6 (Residential [High Density Multi-family]) to O (Office) and R9S (Residential-Single-family [Medium Density Residential]).
3. 07-16 - Ordinance, requested by Dr. Ledyard Ross, to rezone 0.4021 acres (17,515 square feet) located along the northern right-of-way of Arlington Boulevard, 320+ feet east of Seaboard Coastline Railroad, 815+ feet west of Evans Street from OR (Office-Residential [High Density Multi-family]) to CG (General Commercial).
4. 07-18 - Ordinance, requested by Allen Thomas, to rezone 7.737 acres located at the northwest corner of Arlington Boulevard and Dickinson Avenue from RA20 (Residential-Agricultural) and O (Office) to MO (Medical-Office).
5. 07-19 - Ordinance, requested by Ward Holdings, LLC, to rezone 1.52 acres (66,000+ square feet) for the property located at the southeast corner of the intersection of Greenville Boulevard and 14th Street from R9S (Residential-Single-family [Medium Density Residential]) to CH (Heavy Commercial).
6. 07-20 - Ordinance, requested by Sherryl Tipton, to rezone 0.66 acres located at the northeast corner of the intersection of Plaza Drive and Carlton Street from CG (General Commercial) to O (Office).

The person or persons mailing such notices and making this certificate are:

Chantae M Gooby
Signature
Chantae M Gooby
Signature

Chantae M Gooby
Printed Name
Chantae M Gooby
Printed Name

8/07/07
(P and Z)
8/28/07
(CC)



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Ordinance to annex Arbor Hills South, containing 27.762 acres located west of Eastern Pines Road and south of Plateau Drive

Explanation: This is a contiguous annexation. Staff anticipates the development of 59 single-family homes on this property. The estimated population at full development is 156.

Fiscal Note: Total estimated tax value at full development is \$9,036,461.

Recommendation: Approval of the ordinance to annex Arbor Hills South.

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

Attachments / click to download

- [Annexation Map](#)
- [Arbor Hills South annex 712918](#)
- [Arbor Hills South Annexation Profile 711917](#)

ORDINANCE NO.
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 7:00 p.m. on the 13th day of September, 2007 after due notice by publication in The Daily Reflector on the 3rd day of September 2007; 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 that certain property as shown on the annexation map entitled "Arbor Hills South" as prepared by Baldwin and Associates.

LOCATION: Lying and being situated in Grimesland Township, Pitt County, North Carolina, located west of Eastern Pines Road and south of Plateau Drive. This annexation involves 27.762 acres.

GENERAL DESCRIPTION: Beginning at a point on the northern line of the Nora Lee Edwards and Raymond Cox, Jr. Property as described in Estate File 07-221 of the Pitt County Clerk of Courts Office, said point also being located N 61°21'08" W, 90.10 feet and N 87°38'14" W, 1,625.72 feet from an existing P.K. Nail located at the centerline intersection of NCSR 1728 (L.T. Hardee Road) and NCSR 1727 (Eastern Pines Road). From the above described beginning, so located, running thence as follows:
Item # 11

With the northern line of referenced Nora Lee Edwards and Raymond Cox, Jr. Property, N 87°38'14" W, 2,349.46 feet, thence leaving the northern line of said Nora Lee Edwards and Raymond Cox, Jr. Property, N 13°20'05" E, 75.82 feet, thence N 21°42'35" E, 161.06 feet, thence N 21°08'59" E, 416.68 feet, thence S 78°34'27" E, 938.71 feet, thence N 86°31'21" E, 561.74 feet, thence N 86°30'21" E, 614.10 feet, thence S 03°29'39" E, 125.00 feet, thence S 07°48'57" W, 50.99 feet, thence S 03°29'39" E, 419.92 feet to the point of beginning containing 27.762 acres and being a portion of the property described in Deed Book 2130, Page 341 of the Pitt County Register of Deeds Office.

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

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

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

Section 5. This annexation shall take effect from and after the 31st day of December, 2007.

ADOPTED this 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

NORTH CAROLINA
PITT COUNTY

I, Patricia A. Sugg, Notary Public for said County and State, certify that Wanda T. Elks personally came before me this day and acknowledged that she is 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 the 13th day of September, 2007.

Patricia A. Sugg, Notary Public

My Commission Expires: September 4, 2011

ANNEXATION PROFILE

NAME: Arbor Hills South

CASE NO. 07-38

A. SCHEDULE

1. Advertising date: September 3, 2007
2. City Council public hearing date: September 13, 2007
3. Effective date: December 31, 2007

B. CHARACTERISTICS

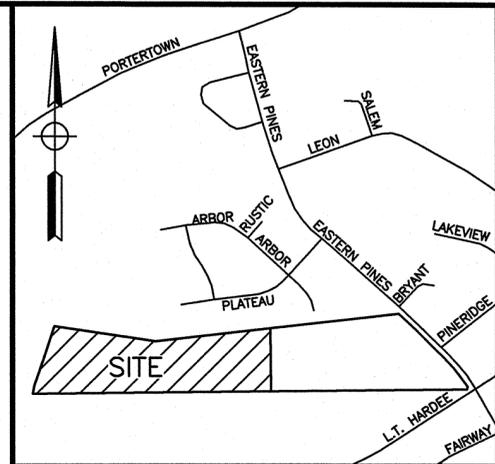
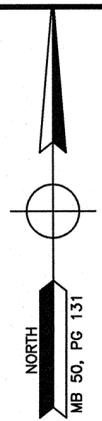
1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 27.762 acres
4. Voting District: 4
5. Township: Grimesland
6. Vision Area: C
7. Zoning District: RA20 (Residential-Agricultural)
8. Land Use: Existing: Vacant
Anticipated: 59 single family homes
9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	59 x 2.66*	156
Current Minority	-----	0
Estimated Minority at full development	156 x 24.7%**	38
Current White	-----	0
Estimated White at full development	156 - 38	118

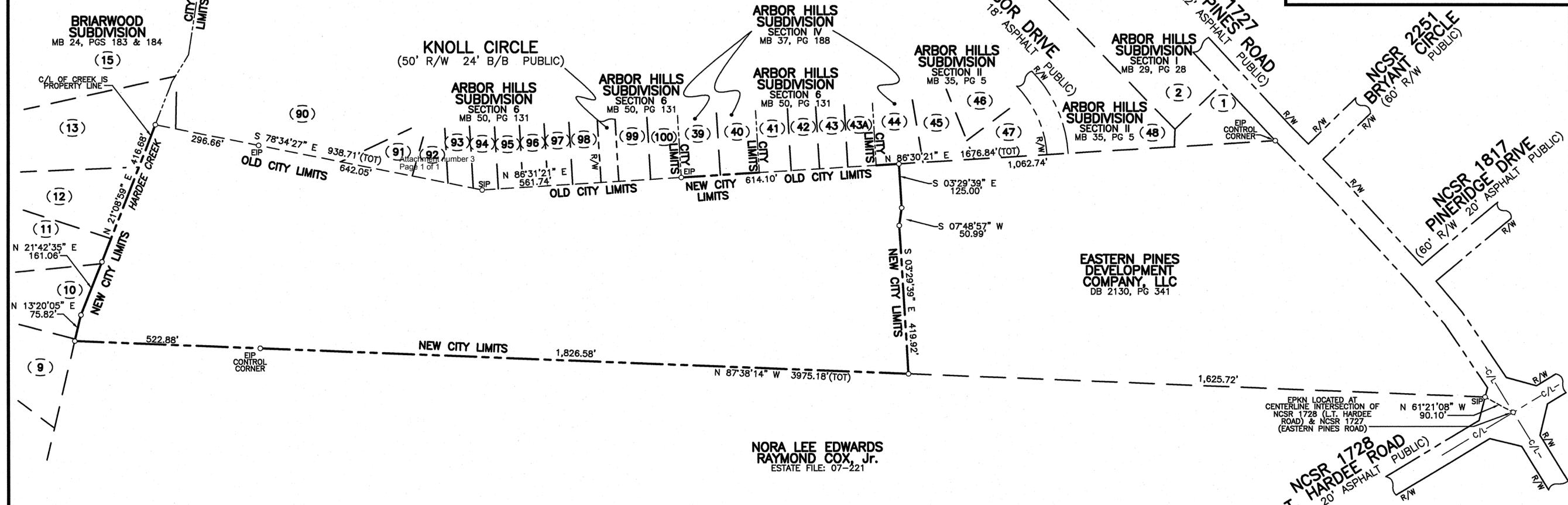
* 2.66 Average household size in Grimesland Township, based on 2000 census data

** 24.7% minority population, based on 2000 census data taken from tract 10

10. Rural Fire Tax District: Eastern Pines
11. Greenville Fire District: Station #6 (2.2 miles)
12. Present Tax Value: \$186,461 Estimated Future Tax Value: \$9,036,461

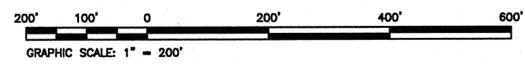


VICINITY MAP
SCALE: 1"=1000'±



NORA LEE EDWARDS
RAYMOND COX, Jr.
ESTATE FILE: 07-221

PRELIMINARY
NOT FOR RECORDATION,
CONVEYANCES, OR SALES



LEGEND
NEW CITY LIMIT LINE = - - - - -
OLD CITY LIMIT LINE =
CITY LIMIT LINE = - . - . - .

LEGEND
R/W = RIGHT-OF-WAY
EPKN = EXISTING PARKER KALON NAIL
EIP = EXISTING IRON PIPE
SIP = SET IRON PIPE
C/L = CENTERLINE

NOTES

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. THIS MAP IS OF A SURVEY THAT IS OF ANOTHER CATEGORY.
3. REFERENCE BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 2130, PAGE 341 OF THE PITT COUNTY REGISTRY.

CERTIFICATION

I, STUART C. BARWICK CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION, THIS MAP WAS DRAWN FROM AN ACTUAL FIELD SURVEY MADE BY JAY GETSINGER THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1: 10,000± THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM DEED INFORMATION THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 18th DAY OF JULY 2007

SIGNED _____ REGISTRATION NO. L-4461

NORTH CAROLINA, PITT COUNTY I, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT STUART C. BARWICK, A REGISTERED LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT.

WITNESS MY HAND AND SEAL THIS 18th DAY OF JULY 2007

NOTARY PUBLIC _____ MY COMMISSION EXPIRES: 03/28/09

NORTH CAROLINA, PITT COUNTY THE FOREGOING CERTIFICATE OF _____ IS CERTIFIED TO BE CORRECT. FILED FOR REGISTRATION THIS DAY OF _____ AT _____ O'CLOCK _____ M. _____ REGISTER OF DEEDS. BY _____ DEPUTY REGISTER OF DEEDS

SHEET 1 OF 1

TAX PARCEL #09104
TAX MAP #5606.05-17-3606

ARBOR HILLS SOUTH
OWNER: EASTERN PINES DEVELOPMENT COMPANY, LLC
1025-E DIRECTOR COURT
GREENVILLE, NC 27858
(252) 321-7290

Baldwin and ASSOCIATES
ENGINEERING, LAND SURVEYING AND PLANNING
1015 CONFERENCE DRIVE
GREENVILLE NC 27858
(252) 756-1390

SURVEYED: JG	APPROVED: SCB
DRAWN: BAW	DATE: 07/18/07
CHECKED: SCB	SCALE: 1" = 200'

Item # 11

MAP NO.	PLATS RECORDED	MAP BOOK	PAGE
	BOUNDARY SURVEY FOR EASTERN PINES DEVELOPMENT, LLC	65	147

MAP SHOWING AREA ANNEXED BY
THE CITY OF GREENVILLE, N.C
(EFFECTIVE DATE _____ ORDINANCE # _____ AREA 27.762 AC.)
GRIMESLAND TOWNSHIP, PITT COUNTY, N.C.



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

-
- Title of Item:** Ordinance to annex Bedford, Section 11, containing 5.935 acres located west of Summerhaven Subdivision and east of Wickham Drive
- Explanation:** This is a contiguous annexation. Staff anticipates the development of 9 single-family homes on this property. The estimated population at full development is 21.
- Fiscal Note:** Total estimated tax value at full development is \$4,648,375.
- Recommendation:** Approval of the ordinance to annex Bedford, Section 11.
-

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Attachments / click to download

- [Annexation Map](#)
 - [Bedford_Section_11_annex_712920](#)
 - [Bedford_Sec_11_Annexation_Profile_711923](#)
-

ORDINANCE NO.
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 7:00 p.m. on the 13th day of September, 2007 after due notice by publication in The Daily Reflector on the 3rd day of September 2007; 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 that certain property as shown on the annexation map entitled "Bedford, Section 11" as prepared by Baldwin and Associates.

LOCATION: Lying and being situated in Winterville Township, Pitt County, North Carolina, located west of Summerhaven Subdivision and east of Wickham Drive. This annexation involves 5.935 acres.

GENERAL DESCRIPTION: Beginning at a point at the northeastern terminus of Amhurst Lane, said point being the southeastern corner of Lot 24, Bedford, Section 10, Phase 2 as recorded in Map Book 67, Page 181 of the Pitt County Register of Deeds Office. From the above described beginning, so located, running thence as follows: N 13°40'10" W, 166.54 feet, thence N 89°29'14" E, 50.60 feet, thence N 80°35'10" E, 187.05 feet, thence N 45°19'44" E, 287.77 feet, thence S 65°41'21" E, 71.64 feet, thence S 08°32'20" E, item # 12

197.85 feet, thence S 08°27'20" E, 360.27 feet, thence S 80°35'10" W, 551.04 feet, thence N 04°36'23" W, 113.47 feet to a point at the southeastern terminus of Amhurst Lane, thence with the eastern terminus of Amhurst Lane, N 10°56'58" W, 50.04 feet to the point of beginning containing 5.935 acres.

Section 2. Territory annexed to the City of Greenville by this ordinance shall, pursuant to the terms of G. S. 160A-23, be annexed into Greenville municipal election district 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 5. This annexation shall take effect from and after the 31st day of December, 2007.

ADOPTED this 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

NORTH CAROLINA
PITT COUNTY

I, Patricia A. Sugg, Notary Public for said County and State, certify that Wanda T. Elks personally came before me this day and acknowledged that she is 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 the 13th day of September, 2007.

Patricia A. Sugg, Notary Public

My Commission Expires: September 4, 2011

ANNEXATION PROFILE

NAME: Bedford, Section 11

CASE NO. 07-39

A. SCHEDULE

1. Advertising date: September 3, 2007
2. City Council public hearing date: September 13, 2007
3. Effective date: December 31, 2007

B. CHARACTERISTICS

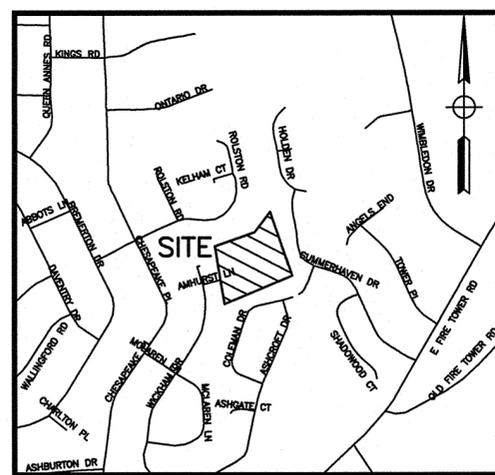
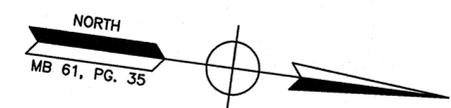
1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 5.935 acres
4. Voting District: 5
5. Township: Winterville
6. Vision Area: D
7. Zoning District: R9S (Residential-Single Family)
8. Land Use: Existing: Vacant
Anticipated: 9 single family homes
9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	9 x 2.35*	21
Current Minority	-----	0
Estimated Minority at full development	21 x 17.3%**	3
Current White	-----	0
Estimated White at full development	21 - 3	18

* 2.35 Average household size in Winterville Township, based on 2000 census data

** 17.3% minority population, based on 2000 census data taken from tract 3, blocks 2053, 2054 & 2056

10. Rural Fire Tax District: Winterville
11. Greenville Fire District: Station #3 (3.1 miles)
12. Present Tax Value: \$148,375 Estimated Future Tax Value: \$4,648,375



VICINITY MAP

SCALE: 1" = 1000'±

NOTES

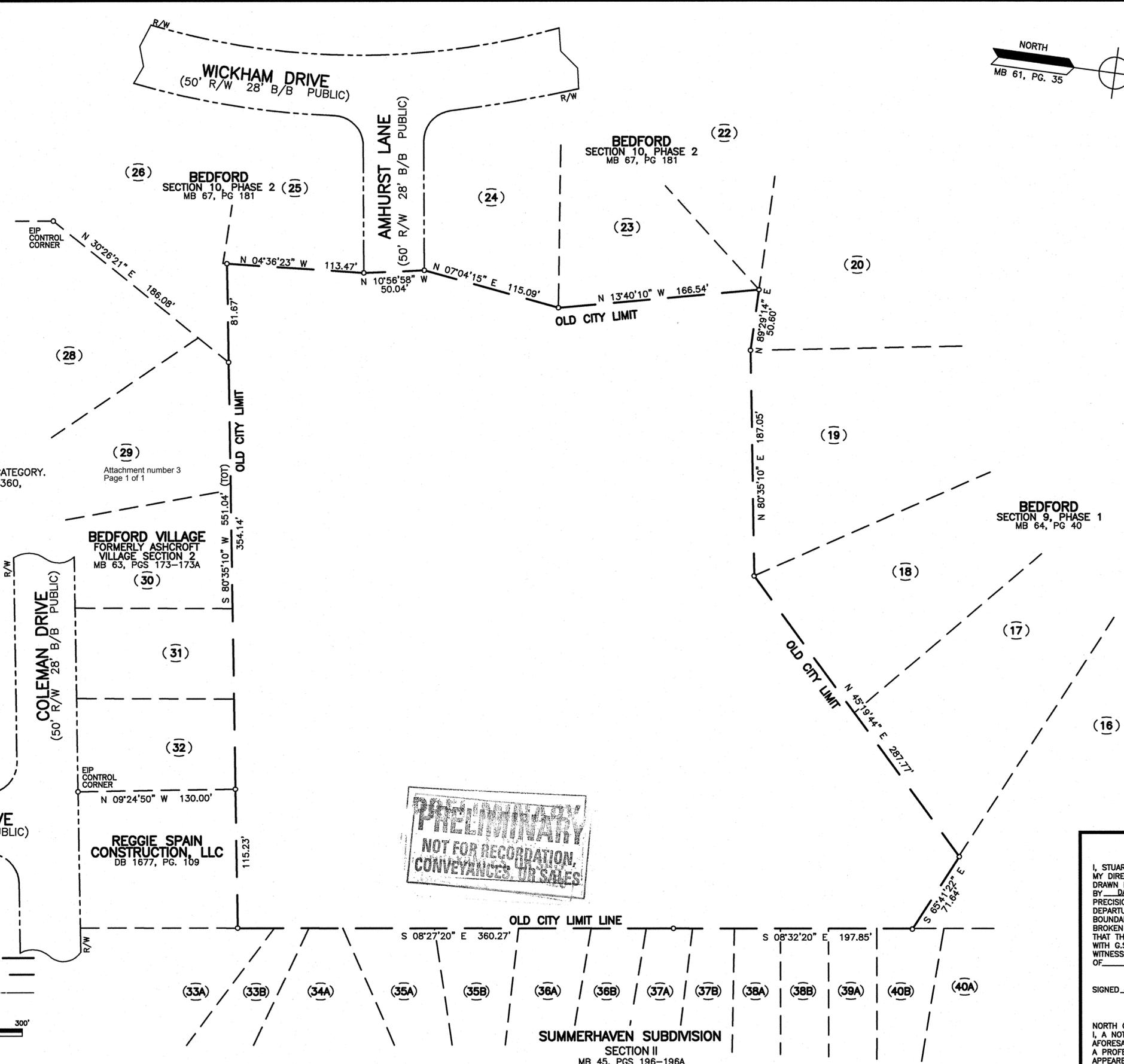
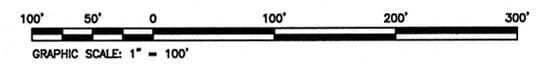
1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. THIS MAP IS OF A SURVEY THAT IS OF ANOTHER CATEGORY.
3. BEING THE PROPERTY DESCRIBED IN DEED BOOK 2360, PAGE 547 OF THE PITT COUNTY REGISTRY.

LEGEND

R/W= RIGHT-OF-WAY
EIP= EXISTING IRON PIPE

LEGEND

NEW CITY LIMIT LINE
 OLD CITY LIMIT LINE
 CITY LIMIT LINE



PRELIMINARY
 NOT FOR RECORDATION,
 CONVEYANCES OR SALES

CERTIFICATION
 I, STUART C. BARWICK CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION, THIS MAP WAS DRAWN FROM AN ACTUAL FIELD SURVEY MADE BY DALE FOCHI THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1: 10,000 THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM DEED INFORMATION THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 30th DAY OF JULY, 2007

SIGNED _____ REGISTRATION NO. L-4461

NORTH CAROLINA, PITT COUNTY
 I, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT STUART C. BARWICK, A PROFESSIONAL LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FORGOING INSTRUMENT.

WITNESS MY HAND AND SEAL THIS 30th DAY OF JULY, 2007

NOTARY PUBLIC _____
 MY COMMISSION EXPIRES: 03/28/09

NORTH CAROLINA, PITT COUNTY
 THE FOREGOING CERTIFICATE OF _____ IS CERTIFIED TO BE CORRECT. FILED FOR REGISTRATION THIS DAY OF _____ AT _____ O'CLOCK _____ M. REGISTER OF DEEDS.
 BY _____ DEPUTY REGISTER OF DEEDS

PARCEL #25931 NC PIN #4686436855

BEDFORD, SECTION 11
 OWNER: CHERRY CONSTRUCTION CO., INC.
 2285 COUNTY HOME ROAD
 GREENVILLE, NC 27858
 (252) 355-4793

Baldwin and ASSOCIATES ENGINEERING, LAND SURVEYING AND PLANNING 1015 CONFERENCE DRIVE GREENVILLE, NC 27858 (252) 756-1390	SURVEYED: DF	APPROVED: SCB
	DRAWN: SCB	DATE: 07/30/2007
	CHECKED: SCB	SCALE: 1" = 100'
	Item # 12	

MAP NO.	PLATS RECORDED	MAP BOOK	PAGE
	BOUNDARY SURVEY FOR JUDY W.		
	McLAWHORN and GOLD E.W. WALKER	61	35

MAP SHOWING AREA ANNEXED BY
THE CITY OF GREENVILLE, N.C
 (EFFECTIVE DATE _____ ORDINANCE # _____ AREA 5.935 AC.)
 _____ TOWNSHIP, PITT COUNTY, N.C.



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

-
- Title of Item:** Ordinance to annex Brook Hollow, Section Two, containing 21.028 acres located north of Dickinson Avenue Extension and west of Brook Hollow, Section One
- Explanation:** This is a contiguous annexation. Staff anticipates the development of 66 duplexes with 132 units on this property. The estimated population at full development is 289.
- Fiscal Note:** Total estimated tax value at full development is \$15,719,127.
- Recommendation:** Approval of the ordinance to annex Brook Hollow, Section Two.
-

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

Attachments / click to download

- [Annexation Map](#)
 - [Brook Hollow Section 2 annex. 712911](#)
 - [Brook Hollow Sec Two Annexation Profile 711787](#)
-

ORDINANCE NO.
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 7:00 p.m. on the 13th day of September, 2007 after due notice by publication in The Daily Reflector on the 3rd day of September 2007; 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 that certain property as shown on the annexation map entitled "Brook Hollow, Section Two" as prepared by Baldwin and Associates.

LOCATION: Lying and being situated in Greenville Township, Pitt County, North Carolina, located north of Dickinson Avenue Extension and west of Brook Hollow, Section One. This annexation involves 21.028 acres.

GENERAL DESCRIPTION: Beginning at a point at the northwestern terminus of Brook Hollow Drive, said point being the northwestern corner of Lot 71B, Brook Hollow, Section One as recorded in Map Book 65, Pages 36-38 of the Pitt County Register of Deeds Office. From the above described beginning, so located, running thence as follows:

Leaving the northwestern terminus of Brook Hollow Drive, S 66°26'57" W, 355.00 feet, thence N 11°17'56" E, 47.75 feet, thence N 17°53'42" W, 270.00 feet, thence N 61°29'07" E, 90.92 feet, thence N 66°18'30" E, 106.85 feet, thence N 02°19'28" W, 64.09 feet, thence N 03°01'24" E, 120.56 feet, thence N 16°47'15" E, 633.03 feet, thence N 25°39'05" E, 55.97 feet, thence N 44°37'40" E, 114.53 feet, thence N 70°28'44" E, 114.53 feet, thence S 85°06'16" E, 17.21 feet, thence N 04°04'33" E, 107.96 feet, thence with a curve to the right having a radius of 325.00 feet and a chord bearing S 84°43'40" E, 13.57 feet to the point of tangency, thence S 83°31'44" E, 36.21 feet, thence N 06°28'06" E, 412.04 feet, thence N 88°07'24" E, 107.13 feet, thence N 81°37'21" E, 51.73 feet, thence S 83°31'54" E, 106.00 feet to a point on the western line of Lot 210A, Brook Hollow, Section One as referenced, thence with the western and northern lines of said Brook Hollow, Section One, S 06°28'06" W, 956.28 feet, S 06°28'06" E, 99.33 feet, S 22°40'04" E, 410.00 feet and S 65°05'54" W, 638.31 feet to a point at the northeastern terminus of Brook Hollow Drive, thence with the northern terminus of Brook Hollow Drive, S 63°24'22" W, 50.02 feet to the point of beginning containing 21.028 acres and being a portion of the property described in Deed Book 1754, Page 640 of the Pitt County Register of Deeds Office.

Section 2. Territory annexed to the City of Greenville by this ordinance shall, pursuant to the terms of G. S. 160A-23, be annexed into Greenville municipal election district one. 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 one.

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

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

Section 5. This annexation shall take effect from and after the 31st day of December, 2007.

ADOPTED this 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

NORTH CAROLINA
PITT COUNTY

I, Patricia A. Sugg, Notary Public for said County and State, certify that Wanda T. Elks personally came before me this day and acknowledged that she is 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 the 13th day of September, 2007.

Patricia A. Sugg, Notary Public

My Commission Expires: September 4, 2011

ANNEXATION PROFILE

NAME: Brook Hollow, Section Two

CASE NO. 07-33

A. SCHEDULE

1. Advertising date: September 3, 2007
2. City Council public hearing date: September 13, 2007
3. Effective date: December 31, 2007

B. CHARACTERISTICS

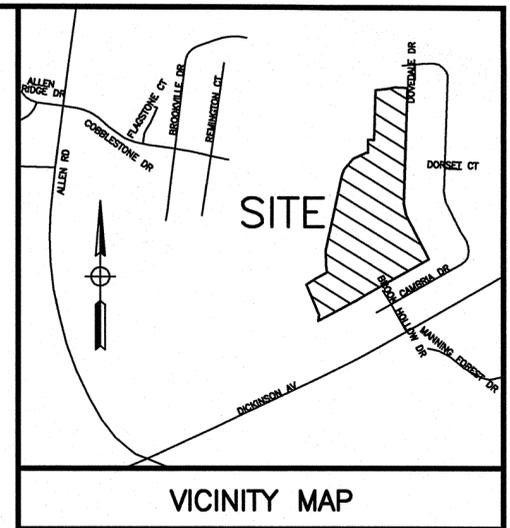
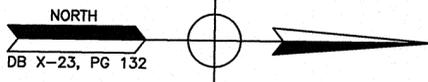
1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 21.028 acres
4. Voting District: 1
5. Township: Greenville
6. Vision Area: F
7. Zoning District: R6A-RU (Residential)
8. Land Use: Existing: Vacant
Anticipated: 66 duplexes with 132 units
9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	132 x 2.19*	289
Current Minority	-----	0
Estimated Minority at full development	289 x 63%**	182
Current White	-----	0
Estimated White at full development	289 - 182	107

* 2.19 Average household size in Greenville Township, based on 2000 census data

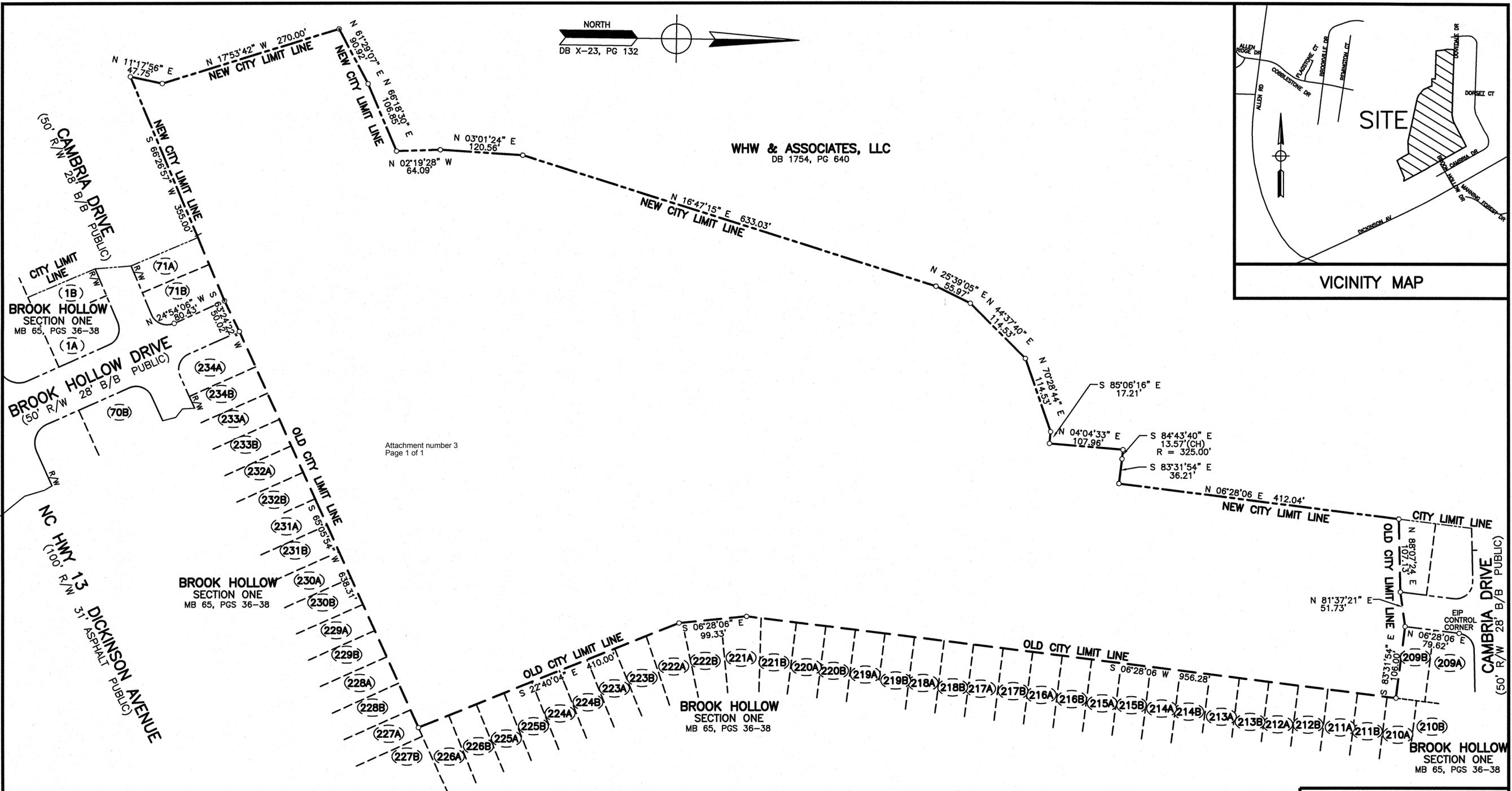
** 63% minority population, based on 2000 census data taken from tract 3, blocks 3020, 3023, 3012, 3044, 3030, 3022, 3016, 3029, 3013, 3036, 3035, 3018, 3021

10. Rural Fire Tax District: Red Oak
11. Greenville Fire District: Station #5 (1.8 miles)
12. Present Tax Value: \$275,127 Estimated Future Tax Value: \$15,719,127



VICINITY MAP

WHW & ASSOCIATES, LLC
DB 1754, PG 640

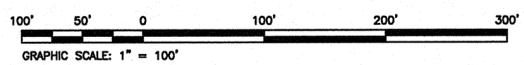


Attachment number 3
Page 1 of 1

LEGEND
 NEW CITY LIMIT LINE = - - - - -
 OLD CITY LIMIT LINE = - - - - -
 CITY LIMIT LINE = - - - - -

NOTES
 1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
 2. THIS MAP IS OF A SURVEY THAT IS OF ANOTHER CATEGORY.
 3. REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1754, PAGE 640 OF THE PITT COUNTY REGISTRY.

LEGEND
 EIP = EXISTING IRON PIPE
 R/W = RIGHT-OF-WAY



PRELIMINARY
 NOT FOR RECORDATION,
 CONVEYANCES, OR SALES

CERTIFICATION
 I, STUART C. BARWICK, PLS CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION, THIS MAP WAS DRAWN FROM AN ACTUAL FIELD SURVEY MADE BY MIKE HOUSE. THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1: 10,000. THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM DEED INFORMATION THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.
 WITNESS MY HAND AND SEAL THIS 2nd DAY OF AUGUST, 2007.
 SIGNED _____
 REGISTRATION NO. L-4461
 NORTH CAROLINA, PITT COUNTY
 I, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT STUART C. BARWICK, A PROFESSIONAL LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT.
 FILE #: 04-037
 C&G FILE: DIKSNEK
 CAD FILE: BROOK HOLLOW ANNEX 2.DWG

SHEET 1 OF 1

A PORTION OF PARCEL #2822
 A PORTION OF TAX MAP # 4667.20-81-3134

BROOK HOLLOW, SECTION TWO
 OWNER: **WHW & ASSOCIATES, LLC.**
 2217-D LOCKSLEY WOODS DRIVE
 GREENVILLE, NC 27858
 (252) 756-9346

	SURVEYED: MH	APPROVED: SCB
	DRAWN: SCB	DATE: 08/02/2007
	CHECKED: SCB	SCALE: 1 = 100'

Item # 13

MAP NO.	PLATS RECORDED	MAP BOOK	PAGE
	N/A		

MAP SHOWING AREA ANNEXED BY
THE CITY OF GREENVILLE, N.C.
 EFFECTIVE DATE _____ ORDINANCE # _____ AREA 21.028 ACRES
 _____ GREENVILLE TOWNSHIP, PITT COUNTY, N.C.

WITNESS MY HAND AND SEAL THIS 2nd DAY OF AUGUST, 2007.
 NOTARY PUBLIC _____
 MY COMMISSION EXPIRES: 03/28/2009
 NORTH CAROLINA, PITT COUNTY
 THE FOREGOING CERTIFICATE OF IS CERTIFIED TO BE CORRECT. FILED FOR REGISTRATION THIS DAY OF _____ AT O'CLOCK _____ M. REGISTER OF DEEDS.
 BY _____
 DEPUTY REGISTER OF DEEDS



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Ordinance to annex Copper Beech Townhomes, containing 46.11 acres located south of NC Highway 33 and west of Brook Valley Subdivision

Explanation: This is a contiguous annexation. Staff anticipates the development of 440 multi-family suites containing 1,234 bedrooms on this property. The estimated population at full development is 1,234.

Fiscal Note: Total estimated tax value at full development is \$44,745,748.

Recommendation: Approval of the ordinance to annex Copper Beech Townhomes.

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

Attachments / click to download

- [Annexation Map](#)
- [Copper Beech Townhomes annex 712952](#)
- [Copper Beech Townhomes Annexation Profile 711904](#)

ORDINANCE NO.
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 7:00 p.m. on the 13th day of September, 2007 after due notice by publication in The Daily Reflector on the 3rd day of September 2007; 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 that certain property as shown on the annexation map entitled "Copper Beech Townhomes" as prepared by Rivers & Associates, Inc.

LOCATION: Lying and being situated in Greenville Township, Pitt County, North Carolina, located south of N.C. Highway 33 and west of Brook Valley Subdivision. This annexation involves 46.11 acres.

GENERAL DESCRIPTION: All that certain tract or parcel of land lying and being situated in part in the City of Greenville and in Greenville Township, Pitt County, North Carolina, bounded on the north by N.C. Highway 33, a cemetery and Edna A. Brooks, on the east by the property of the City of Greenville, Marjorie Rhodus Harris and Brook Valley Subdivision, on the south by Cooper Beech Townhome Communities Thirty, LLC and on the west by

Eastwood Subdivision, Eastgate Subdivision and being described by metes and bounds as follows:

Beginning at a point in the southern right-of-way line of N.C. Highway 33, said point being the northeast corner of the Edna A. Brooks property recorded in Deed Book 1092, Page 862 as created by the widening of N.C. Highway 33, said point further being located S 56°39'37" E, 2,437.24 feet from N.C. Geodetic Survey Monument "Hastings" having grid coordinates N 678,061.885 U.S. feet, E, 2,495,114.409 U.S. feet (NAD 83/86), thence from said point of beginning and with the southern right-of-way line of N.C. Highway 33 S 68°42'28" E, 416.28 feet to an existing right-of-way monument, thence continuing with the southern right-of-way line of N.C. Highway 33 along a curve in a clockwise direction, said curve having a radius of 1,394.36 feet, a chord bearing of S 59°10'55" E, and a chord distance of 461.52 feet to an existing iron pipe in said right-of-way, said point being the northwest corner of the City of Greenville property as recorded in Deed Book 2015, Page 864, thence leaving N.C. Highway 33 and with the western line of the City of Greenville property S 36°01'01" W, 319.99 feet to an existing bent iron pipe, the southwest corner of said lot, thence with the southern line of the City of Greenville S 38°38'57" E, 72.91 feet to an existing iron rod in the western line of the Marjorie Rhodus Harris property, thence with the western line of the Marjorie Rhodus Harris property S 23°48'54" W, 162.02 feet, thence S 26°21'48" W, 176.69 feet, thence N 62°33'15" E, 28.13 feet, thence S 32°44'01" W, 178.88 feet to a point on the western bank of Bell Branch also known as Meeting House Branch; thence with the meanders of Bell Branch the following: S 41°53'10" W, 89.58 feet, S 54°11'40" W, 81.25 feet, S 37°07'41" W, 182.92 feet, S 19°16'17" E, 51.21 feet, S 26°59'41" W, 15.56 feet, S 68°06'01" W, 158.98 feet, N 88°33'20" W, 146.95 feet, S 70°41'16" W, 122.60 feet, S 30°16'08" W, 133.11 feet, S 22°20'15" E, 81.45 feet, S 73°17'04" E, 69.55 feet, S 06°19'32" E, 95.87 feet to a point, thence cornering with the old City Limits N 81°59'06" W, 901.59 feet to a point in the southerly property line of Lot 25 Eastwood Subdivision, recorded in Map Book 38. Page 153, thence cornering with said and running with southerly line of Lot 25 and Eastgate Subdivision recorded in Map Book 47, Page 184 and Map Book 48, Page 4 N 14°58'52" E, 2,006.79 feet to an existing iron pipe located in the southerly right-of-way of N.C. Highway 33; thence cornering and continuing with the southerly right-of-way of N.C. Highway 33 S 72°54'12" E, 110.52 feet to an existing right-of-way monument; thence continuing with the southern right-of-way line of N.C. Highway 33 along a curve in a clockwise direction, said curve having a radius of 3,559.71 feet, a chord bearing of S 71°30'03" E and a chord distance of 174.27 feet to an existing iron pipe, the northwesterly corner of the Edna A. Brooks property recorded in Deed Book 1092, Page 862; thence with the western line of the Edna A. Brooks property S 16°22'58" W, 732.95 feet to an existing angle iron, the northwesterly corner of an existing cemetery plot, said point also being the southwesterly corner of the Edna A. Brooks property; thence continuing with the existing

cemetery line S 16°22'58" W, 153.91 feet to an existing iron pipe, southwest corner of an existing cemetery plot, thence with the southern line of said cemetery plot S 70°53'44" E, 147.02 feet to the southeast corner of said plot, an existing iron pipe; thence with the eastern line of said cemetery plot N 16°48'15" E, 135.91 feet to an existing iron pipe. a point in the southern line of the Edna A. Brooks property recorded in Deed Book 1092, Page 862, thence with the southern line of the Edna A. Brooks property S 63°56'45" E, 112.27 feet to an existing bent iron pipe, the southeast corner of said Edna A. Brooks property, thence with the eastern line of the Brooks property N 18°51'36" E, 753.55 feet to the point of beginning containing 46.11 acres more or less and shown on a map by Rivers and Associates, Inc. drawing Z-2430, dated August 1, 2007, entitled "Annexation Map for Copper Beech Townhomes", which by reference is made a part hereof.

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 three. 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 three.

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

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

Section 5. This annexation shall take effect from and after the 31st day of December, 2007.

ADOPTED this 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

NORTH CAROLINA
PITT COUNTY

I, Patricia A. Sugg, Notary Public for said County and State, certify that Wanda T. Elks personally came before me this day and acknowledged that she is 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 the 13th day of September, 2007.

Patricia A. Sugg, Notary Public

My Commission Expires: September 4, 2011

ANNEXATION PROFILE

NAME: Copper Beech Townhomes

CASE NO. 07-35

A. SCHEDULE

1. Advertising date: September 3, 2007
2. City Council public hearing date: September 13, 2007
3. Effective date: December 31, 2007

B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 46.11 acres
4. Voting District: 3
5. Township: Greenville
6. Vision Area: C
7. Zoning District: R6A (Residential), R6A-CA (Residential), RA20 (Residential-Agricultural)
8. Land Use: Existing: Vacant
Anticipated: 440 multi-family suites containing 1,234 bedrooms
9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	1,234 Bedrooms	1,234
Current Minority	-----	0
Estimated Minority at full development	1,234 x 15.6%*	192
Current White	-----	0
Estimated White at full development	1,234 - 192	1,042

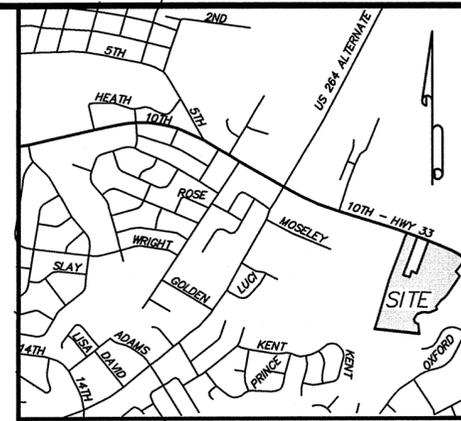
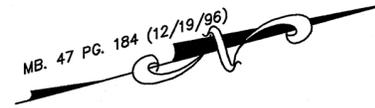
* 15.6% minority population, based on 2000 census data taken from tract 3

10. Rural Fire Tax District: Eastern Pines
11. Greenville Fire District: Station #6 (0.2 miles)
12. Present Tax Value: \$2,505,748 Estimated Future Tax Value: \$44,745,748

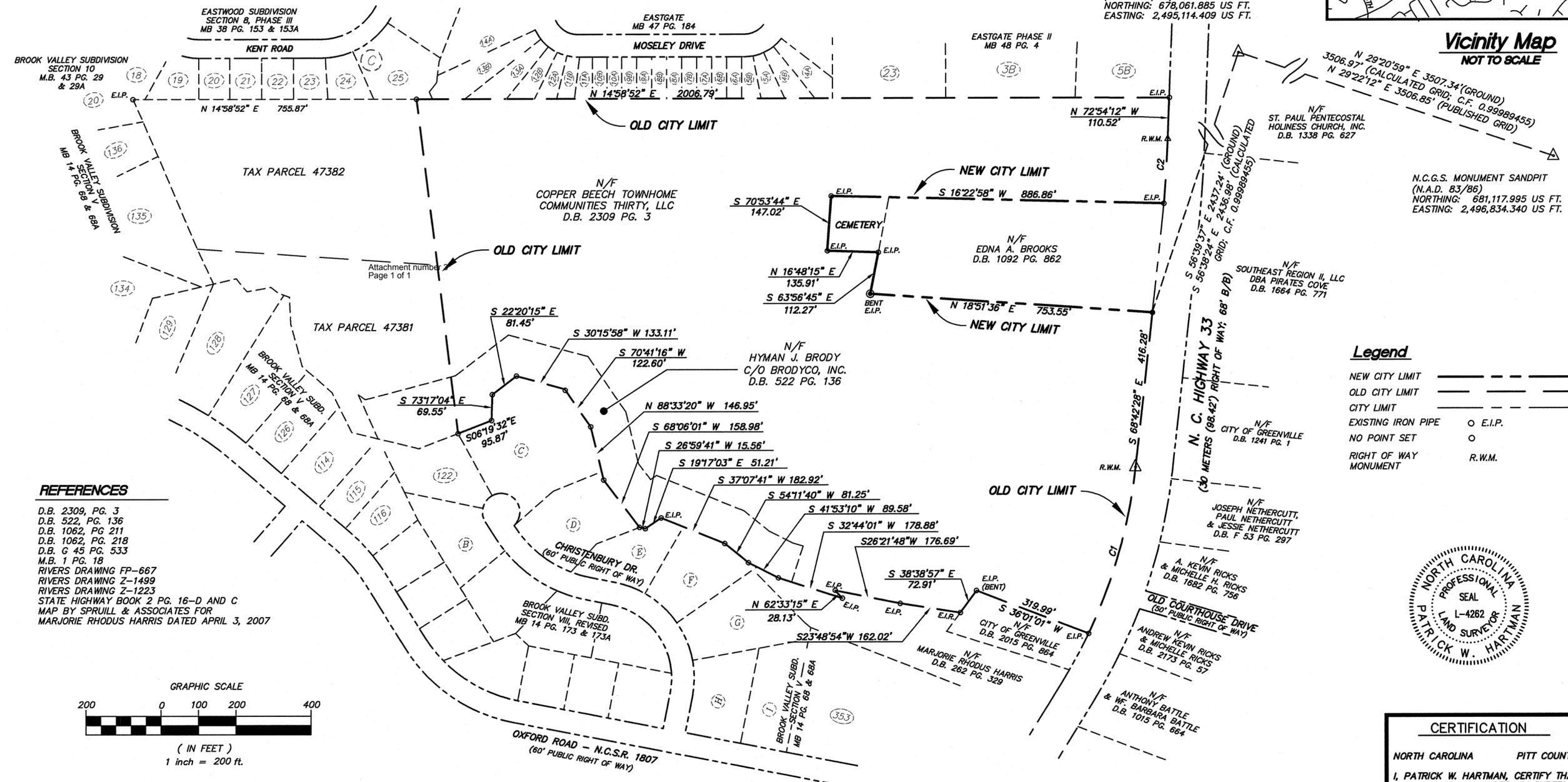
Notes :

1. AREA DETERMINED BY COORDINATES.
2. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS.
3. NO POINT SET AT ANY CORNER UNLESS OTHERWISE NOTED.
4. THIS MAP WAS PREPARED FOR ANNEXATION PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON OR TO BE USED FOR SALES OR CONVEYANCE.
5. BOUNDARY INFORMATION WAS TAKEN FROM A BOUNDARY SURVEY PERFORMED FOR COPPER BEECH TOWNHOMES BY RIVERS AND ASSOCIATES, INC. DATED 2/9/07, LAST REVISED 4/26/07.
6. CITY LIMITS WAS TAKEN FROM PITT COUNTY GEOGRAPHIC INFORMATION SYSTEM AND REFERENCED MAPS.
7. PITT COUNTY PARCELS 3449 & 2466

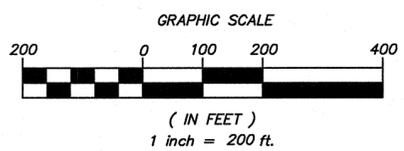
CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CH BEARING	CH. LENGTH	DELTA
C1	1394.36	463.65	S 59°10'55" E	461.52	19°03'07"
C2	3559.71	174.27	S 71°30'03" E	174.27	2°48'19"



Vicinity Map
NOT TO SCALE



- REFERENCES**
- D.B. 2309, PG. 3
 - D.B. 522, PG. 136
 - D.B. 1062, PG. 211
 - D.B. 1062, PG. 218
 - D.B. G 45 PG. 533
 - M.B. 1 PG. 18
 - RIVERS DRAWING FP-667
 - RIVERS DRAWING Z-1499
 - RIVERS DRAWING Z-1223
 - STATE HIGHWAY BOOK 2 PG. 16-D AND C
 - MAP BY SPRULL & ASSOCIATES FOR MARJORIE RHODUS HARRIS DATED APRIL 3, 2007



- Legend**
- NEW CITY LIMIT ————
 - OLD CITY LIMIT - - - - -
 - CITY LIMIT ————
 - EXISTING IRON PIPE ○ E.I.P.
 - NO POINT SET ○
 - RIGHT OF WAY MONUMENT R.W.M.



CERTIFICATION

NORTH CAROLINA PITT COUNTY

I, PATRICK W. HARTMAN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM DEED DESCRIPTIONS RECORDED IN DEED BOOK SEE PAGE REF OR AS NOTED; THAT THE RATIO OF PRECISION IS 1:10,000; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND AND 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)(d) AS TO THE FOLLOWING THAT THIS SURVEY IS OF ANOTHER CATEGORY; BEING A SURVEY FOR ANNEXATION INTO CITY LIMITS OF THE CITY OF GREENVILLE; WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS 1ST DAY OF AUGUST, 2007.

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

ANNEXATION MAP

COPPER BEECH TOWNHOMES

GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER **COPPER BEECH TOWNHOME COMMUNITIES THIRTY, LLC**

ADDRESS **141 BLACKBERRY LANE, BOALSBURG, PA 16827**

PHONE **(203) 341-8984**

MAP NO.	PLATS RECORDED	BOOK	PAGE
	BROOK VALLEY ANNEX.	35	152

MAP SHOWING AREA ANNEXED BY

THE CITY OF GREENVILLE, N.C.

EFFECTIVE DATE _____ ORDINANCE NO. _____

46.11 AC. AREA

GREENVILLE TOWNSHIP, PITT COUNTY, N.C.

Rivers & Associates, Inc. Since 1918

Engineers
Planners
Surveyors

107 East Second Street
Greenville, NC 27858
(252) 752-4135

SURVEYED
CEL / JEW
DRAWN
STA
CHECKED
PWH

APPROVED
PWH
DATE
8/1/07
SCALE
1"=200'



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Ordinance to annex Embarq property, containing 3.039 acres located south of Old Fire Tower Road and east of Corey Road

Explanation: This is a contiguous annexation. Staff anticipates the addition of a restroom facility to the existing Embarq utility hut located on the property. The estimated population at full development is 0.

Fiscal Note: Total estimated tax value at full development is \$123,630.

Recommendation: Approval of the ordinance to annex Embarq property.

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

Attachments / click to download

- [Annexation Map](#)
- [Embarq_annex_712932](#)
- [Embarq_Annexation_Profile_711789](#)

ORDINANCE NO.
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 7:00 p.m. on the 13th day of September, 2007 after due notice by publication in The Daily Reflector on the 3rd day of September 2007; 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 that certain property as shown on the annexation map entitled "Embarq" as prepared by Gary S. Miller & Associates, P. A.

LOCATION: Lying and being situated in Winterville Township, Pitt County, North Carolina, located south of Old Fire Tower Road and east of Corey Road. This annexation involves 3.039 acres.

GENERAL DESCRIPTION: Lying and being located in Winterville Township, Pitt County, North Carolina and being more particularly described as follows:

Beginning at a point located at the intersection of the southern right-of-way of SR 1708 East Firetower Road and the northern right-of-way of SR 2235 Old Firetower Road; thence running along the northern right-of-way of SR 2235 Old Firetower Road the following courses and distances

N 71°08'50" E, 315.93 feet to a point; thence N 71°08'50" E, 34.62 feet to a point; thence N 70°29'56" E, 98.75 feet to a point; thence N 66°25'39" E, 75.09 feet to a point; thence leaving the northern right-of-way of SR 2235 Old Firetower Road S 18°42'51" E, +57.37 feet to a point located on the southern right-of-way of SR 2235 Old Firetower Road; thence leaving the southern right-of-way of SR 2235 Old Firetower Road S 18°42'51" E, 93.54 feet to a point; thence N 66°18'02" E, 31.40 feet to a point; thence S 21°27'15" E, 243.36 feet to a point; thence S 21°31'50" E, 229.77 feet to a point; thence S 75°27'09" W, 161.83 feet to a point; thence N 77°23'28" W, 26.27 feet to a point; thence N 18°54'59" W, 528.35 feet to a point located on the southern right-of-way of SR 2235 Old Firetower Road; thence running along the southern right-of-way of SR 2235 Old Firetower Road the following courses and distances S 70°17'47" W, 41.57 feet to a point; thence S 71°08'50" W, 34.96 feet to a point; thence continuing S 71°08'50" W, +476 feet to a point; thence leaving the southern right-of-way of SR 2235 Old Firetower Road N 18°51'10" W, 60.00 feet to a point located on the northern right-of-way of SR 2235 Old Firetower Road; thence running along the northern right-of-way of SR 2235 Old Firetower Road N 71°08'50" E, +158.89 feet to the point of beginning containing +-3.039 acres.

Section 2. Territory annexed to the City of Greenville by this ordinance shall, pursuant to the terms of G. S. 160A-23, be annexed into Greenville municipal election district 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 5. This annexation shall take effect from and after the 31st day of December, 2007.

ADOPTED this 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

NORTH CAROLINA
PITT COUNTY

I, Patricia A. Sugg, Notary Public for said County and State, certify that Wanda T. Elks personally came before me this day and acknowledged that she is 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 the 13th day of September, 2007.

Patricia A. Sugg, Notary Public

My Commission Expires: September 4, 2011

ANNEXATION PROFILE

NAME: Embarq

CASE NO. 07-34

A. SCHEDULE

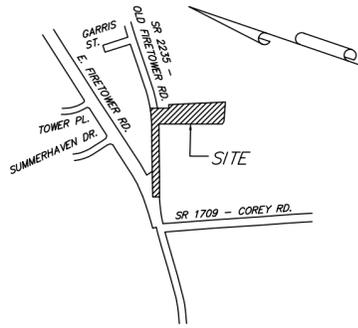
1. Advertising date: September 3, 2007
2. City Council public hearing date: September 13, 2007
3. Effective date: December 31, 2007

B. CHARACTERISTICS

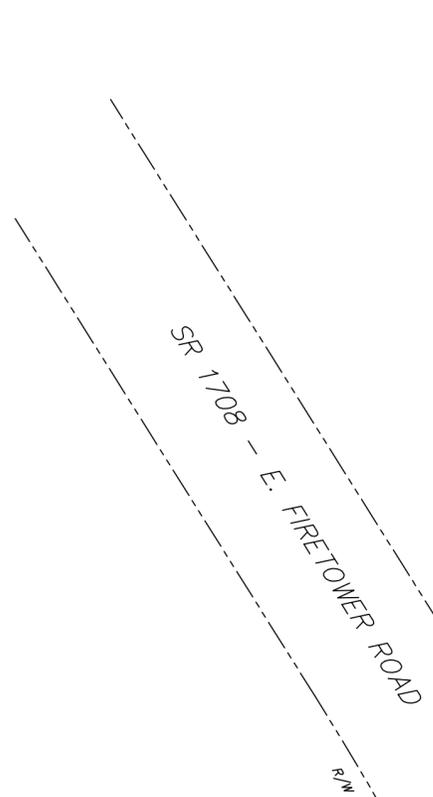
1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 3.039 acres
4. Voting District: 5
5. Township: Winterville
6. Vision Area: D
7. Zoning District: IU (Unoffensive Industry)
8. Land Use: Existing: Embarq Utility Hut
Anticipated: Addition of a restroom facility to the existing hut
9. 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

10. Rural Fire Tax District: Winterville
11. Greenville Fire District: Station #3 (2.2 miles)
12. Present Tax Value: \$98,630 Estimated Future Tax Value: \$123,630



VICINITY MAP 1" = 1,000'



REFERENCE:
DEED BOOK 375, PAGE 355

LEGEND

NEW CITY LIMIT
 OLD CITY LIMIT
 CITY LIMIT



NOTE:
THIS MAP IS EXEMPT FROM GS 47-30 AS PER GS 47-30 (J).

CERTIFICATION
 I, GARY S. MILLER, CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION THIS MAP WAS DRAWN FROM AN ACTUAL FIELD SURVEY MADE BY KEN HARDIN, THAT THIS CLOSURE AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000.
 WITNESS MY HAND AND SEAL THIS 21st DAY OF AUGUST, 2007 A.D.

SIGNED _____
 GARY S. MILLER, P.L.S. REG. NO. L-2562

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

ANNEXATION PLAT FOR
EMBARQ
 WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

 GARY S. MILLER & ASSOCIATES, P.A. LAND SURVEYORS <small>GARY S. MILLER, PLS 1903 South Charles Blvd. Phone (252)756-7878 Greenville, N.C. 27858 Fax (252)756-0785</small>	SURVEYED: KWH	APPROVED: GSM
	DRAWN: BLW	DATE: 8-21-07
	CHECKED: TEM	SCALE: 1" = 50'

MAP NO.	PLATS RECORDED	BOOK	PAGE

MAP SHOWING AREA ANNEXED BY
 THE CITY OF GREENVILLE, N.C.

EFFECTIVE DATE: _____ ORDINANCE NO. _____ AREA ±3.043 AC.

_____ WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

-
- Title of Item:** Ordinance to annex Greyfox Run, Phase 1, containing 26.8952 acres located west of NC Highway 43 and east of Kittrell Farms Patio Homes
- Explanation:** This is a contiguous annexation. Staff anticipates the development of 119 multi-family units on this property. The estimated population at full development is 279.
- Fiscal Note:** Total estimated tax value at full development is \$11,476,800.
- Recommendation:** Approval of the ordinance to annex Greyfox Run, Phase 1.
-

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

Attachments / click to download

- [Annexation Map](#)
 - [Greyfox Run Ph 1 annex 712936](#)
 - [Greyfox Run Ph 1 Annexation Profile 711928](#)
-

ORDINANCE NO.
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 7:00 p.m. on the 13th day of September, 2007 after due notice by publication in The Daily Reflector on the 3rd day of September 2007; 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 that certain property as shown on the annexation map entitled "Greyfox Run, Phase 1" as prepared by Stroud Engineering, P. A..

LOCATION: Lying and being situated in Winterville Township, Pitt County, North Carolina, located west of N.C. Highway 43 and east of Kittrell Farms Patio Homes. This annexation involves 26.8952 acres.

GENERAL DESCRIPTION: Lying and being in the "Extra Territorial Jurisdiction" of The City Of Greenville, Winterville Township, Pitt County, North Carolina, and being bounded on the northeast by the southwest right-of-way of N.C. Highway 43, and on the southeast by the land of H.E. Whichard, Jr. as recorded in Deed Book 1293, Page 104 and being Tax Parcel 02069, on the south by Clark Land Company, LLC (Deed Book 2205, Page 687, Tax Parcel 74326), on the west by Rosewood Farms, LLC (Deed Book 1998, Page 16)

193, Tax Parcel 70965) also on the west Kittrell Farms Patio Homes as recorded in Map Book 66, Pages 79-81, Page 158, and Pages 169-170, on the north by Mary Worthington (Deed Book 2027, Page 111, Tax Parcel 35554), Ernest Worthington (Deed Book 2073, Page 794, Tax Parcel 43577), Clark Land Company, LLC (Deed Book 2090, Page 687, Tax Parcel 74325) and Philip and Randy Joyner (Estate File 06-449, Tax Parcel 31521) all of the Pitt County Registry, and being more particularly described as follows:

Beginning at an existing iron stake found in the northeastern corner of the Philip and Randy Joyner lot, thence along the southern right-of-way of N.C. Highway 43 S 60°28'43" E, 187.03 feet to the intersection of the northwestern right-of-way of a proposed new road "Bluebill Drive" and N.C. Highway 43 and being the true point of beginning of Phase One of Greyfox Run Development, thence continuing along the right-of-way of N.C. Highway 43 S 60°28'43" E, 80.00 feet to the intersection of the southeastern right-of-way of Bluebill Drive, thence along the right-of-way of Bluebill Drive S 29°31'17" W, 193.59 feet to a point in the center of a ditch, thence along the center of the ditch S 81°34'36" E, 106.79 feet and S 85°04'24" E, 36.87 feet to an existing iron pipe found in the line of H.E. Whichard, Jr., thence along the Whichard line the following calls: S 49°06'16" W, 73.14 feet S 46°38'55" W, 41.81 feet S 39°35'01" W, 73.03 feet S 34°28'18" W, 90.41 feet S 27°05'29" W, 125.54 feet S 13°11'10" W, 47.11 feet S 20°59'46" W, 23.12 feet S 19°12'28" W, 189.18 feet S 28°23'50" W, 218.99 feet S 28°24'09" W, 265.44 feet thence leaving the Whichard line N 61°35'52" W, 186.21 feet S 28°41'00" W, 177.80 feet N 72°49'13" W, 85.56 feet S 29°08'06" W, 180.75 feet S 00°57'45" W, 22.54 feet S 38°52'03" W, 66.35 feet S 55°20'08" W, 57.15 feet S 70°31'40" W, 65.14 feet S 79°11'45" W, 117.37 feet N 61°34'06" W, 47.51 feet N 10°31'27" W, 120.78 feet S 79°05'52" W, 292.17 feet to a point in the eastern line of Kittrell Farms Patio Homes, thence along the Kittrell Farms Patio Homes line and the eastern line of Rosewood Farms, LLC N 10°56'39" W, 579.14 feet thence leaving the Rosewood Farms, LLC line and proceeding the following calls: S 89°25'18" E, 211.55 feet N 05°10'02" W, 273.02 feet N 86°43'00" E, 366.05 feet N 02°08'59" E, 120.21 feet N 26°42'30" W, 25.06 feet N 02°20'46" W, 212.95 feet to a point in the line of Mary Worthington, thence along the Worthington line the following calls: N 86°52'02" E, 101.16 feet N 50°45'07" E, 260.50 feet N 75°09'39" E, 195.37 feet to an existing iron pipe found at the corner of the Earnest Worthington lot, thence along the Earnest Worthington lot N 75°12'14" E, 56.72 feet S 54°14'03" E, 37.50 feet to an existing iron pipe found in the line of Phillip and Randy Joyner, thence along the Joyner line S 28°30'51" W, 9.90 feet S 57°58'45" E, 187.29 feet to the southeastern corner of the Joyner lot, thence along a ditch the following calls: S 65°03'24" E, 26.69 feet S 80°34'09" E, 15.34 feet S 83°19'36" E, 61.37 feet S 81°40'28" E, 62.81 feet S 83°28'49" E, 39.19 feet to a point in the northeastern right-of-way of the proposed Bluebill Drive, thence N 29°31'17" E, 226.70 feet to the point of beginning

containing 31.6141 acres. Excepted from this description are two tracts, which will be portions of Phase 2 and 3 and are described as follows:

“Exception One”

Beginning at the true point of beginning as described above for Phase One and continuing along the right-of-way of N.C. Highway 43 S 60°28'43" E, 40.00 feet to the intersection of the centerline of Bluebill Drive, thence along the centerline of Bluebill Drive the following calls: S 29°31'17" W, 336.43 feet to a point on a curve having a radius of 175.00 feet and a central angle of 40°00'52", thence along the arc of said curve 122.22 feet said arc subtended by a chord bearing S 49°31'43" W, 119.75 feet thence S 69°32'09" W, 103.53 feet to a point on a curve having a radius of 250.00 feet and a central angle of 16°24'21", thence along the arc of said curve 71.58 feet said arc subtended by a chord bearing S 61°19'59" W, 71.34 feet thence N 04°09'08" E, 32.07 feet to the right-of-way of Bluebill Drive, the true point of beginning for a portion of Phase 3 to be excepted from this description, thence along the right-of-way the following calls: with a curve having a radius of 275.00 feet and a central angle of 04°23'22", thence along the arc of said curve 21.07 feet said arc subtended by a chord bearing S 55°19'29" W, 21.06 feet thence S 53°07'48" W, 102.94 feet to a point on a curve having a radius of 355.00 feet and a central angle of 23°57'40", thence along the arc of said curve 148.46 feet said arc subtended by a chord bearing S 65°06'38" W, 147.38 feet thence S 77°05'28" W, 119.82 feet to a point on a curve having a radius of 225.00 feet and a central angle of 46°04'26", thence along the arc of said curve 180.93 feet said arc subtended by a chord bearing S 54°03'16" W, 176.10 feet thence leaving the right-of-way of Bluebill Drive N 58°58'57" W, 43.87 feet N 63°24'14" W, 110.56 feet N 02°08'59" E, 118.85 feet N 20°35'44" E, 24.95 feet N 02°20'46" W, 109.73 feet N 86°58'05" E, 77.71 feet N 80°17'13" E, 56.15 feet N 48°36'54" E, 235.57 feet N 72°18'47" E, 175.22 feet S 44°30'40" E, 51.55 feet S 23°50'04" E, 266.46 feet to the true point of beginning of that portion of Phase 3 to be excepted containing 4.4531 acres.

“Exception Two”

Beginning at the true point of beginning as described above for Phase One, and continuing along the right-of-way of N.C. Highway 43 S 60°28'43" E, 40.00 feet to the intersection of the centerline of Bluebill Drive, thence along the centerline of Bluebill Drive the following calls; S 29°31'17" W, 336.43 feet, to a point on a curve having a radius of 175.00 feet and a central angle of 40°00'52", thence along the arc of said curve 122.22 feet said arc subtended by a chord bearing S 49°31'43" W, 119.75 feet thence leaving the centerline of Bluebill Drive S 22°28'23", 34.15 feet to the right-of-way of Bluebill Drive, The true point of beginning of the portion of Phase Two to be excepted; S 40°25'14" E, 143.89 feet S 26°01'09" W, 30.87 feet S 21°56'21" W, 218.38 feet N 73°38'19" W, 143.40 feet N 44°00'10" W, 98.47 feet N 19°02'49" W, 95.78 feet to the

right-of-way of Bluebill Drive, a point on a curve having a radius of 405.00 feet and a central angle of 04°20'17", thence along the arc of said curve 30.66 feet said arc subtended by a chord bearing N 55°17'57" E, 30.66 feet thence N 53°07'48" E, 102.94 feet to a point on a curve having a radius of 225.00 feet and a central angle of 16°24'21", thence along the arc of said curve of 64.43 feet said arc subtended by a chord bearing N 61°19'59" E, 64.20 feet thence N 69°32'09" E, 80.265 feet to the true point of beginning of the portion of Phase Two being excepted from this description, containing 1.6010 acres.

ADDITION OF N.C.HIGHWAY 43

Beginning at an existing iron stake found in the northeastern corner of the Philip and Randy Joyner lot, thence along the southern right-of-way of N.C. Highway 43 S 60°28'43" E, 187.03 feet to the intersection of the northwestern right-of-way of a proposed new road "Bluebill Drive" and N.C. Highway 43 and being the true point of beginning of Phase One of Greyfox Run Development, thence continuing along the right-of-way of N.C. Highway 43 S 60°28'43" E, 80.00 feet to the intersection of the southeastern right-of-way of Bluebill Drive, thence along the right-of-way of N.C. Highway 43 S 60°28'43" E, 314.68 feet thence crossing N.C. Highway 43 N 29°31'17" E, 100.00 feet to the opposite right-of-way of N.C. Highway 43, thence along the right-of-way, N 60°28'43 W, 581.61 feet to a point thence crossing back across N.C. Highway 43 S 29°31'17" W 100.00 feet to the point of beginning containing 1.3352 acres.

Phase One	31.6141 acres
+Right-of-way of N.C.43	1.3352 acres
-Exception One	4.4531 acres
-Exception Two	1.6010 acres

Total 26.8952 acres = Phase One Greyfox Run and Right-of-way of N.C. Highway 43

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 5. This annexation shall take effect from and after the 31st day of December, 2007.

ADOPTED this 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

NORTH CAROLINA
PITT COUNTY

I, Patricia A. Sugg, Notary Public for said County and State, certify that Wanda T. Elks personally came before me this day and acknowledged that she is 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 the 13th day of September, 2007.

Patricia A. Sugg, Notary Public

My Commission Expires: September 4, 2011

ANNEXATION PROFILE

NAME: Greyfox Run, Phase 1

CASE NO. 07-40

A. SCHEDULE

1. Advertising date: September 3, 2007
2. City Council public hearing date: September 13, 2007
3. Effective date: December 31, 2007

B. CHARACTERISTICS

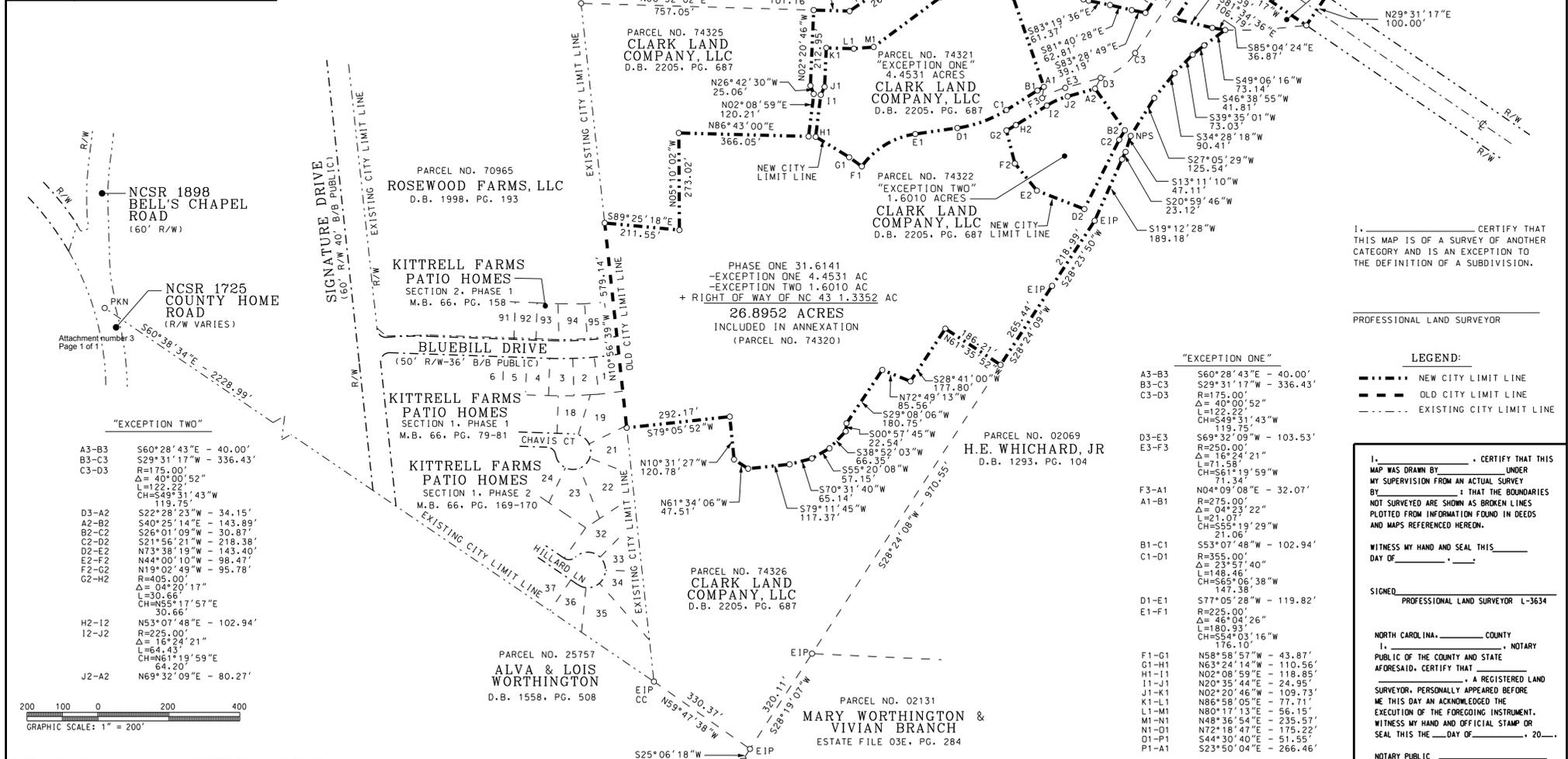
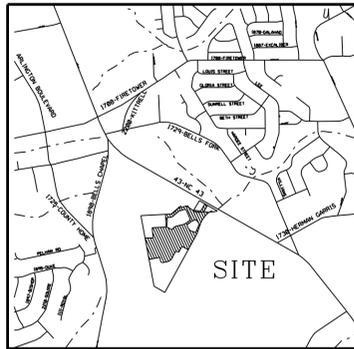
1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 26.8952 acres
4. Voting District: 5
5. Township: Winterville
6. Vision Area: D
7. Zoning District: R6 (Residential) & R6A (Residential)
8. Land Use: Existing: Vacant
Anticipated: 119 multi-family units
9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	119 x 2.35*	279
Current Minority	-----	0
Estimated Minority at full development	279 x 17.3%**	48
Current White	-----	0
Estimated White at full development	279 - 48	231

* 2.35 Average household size in Winterville Township, based on 2000 census data

** 17.3% minority population, based on 2000 census data taken from tract 3, blocks 2053, 2054 & 2056

10. Rural Fire Tax District: Eastern Pines
11. Greenville Fire District: Station #3 (2.0 miles)
12. Present Tax Value: \$766,800 Estimated Future Tax Value: \$11,476,800



"EXCEPTION TWO"

A3-B3	S60°28'43"E - 40.00'
B3-C3	S29°31'17"W - 336.43'
C3-D3	R=175.00'
	Δ= 40°00'52"
	L=122.22'
	CH=549°31'43"W
	119.75'
D3-A2	S22°28'23"W - 34.15'
A2-B2	S40°25'14"E - 143.89'
B2-C2	S26°01'09"W - 30.87'
C2-D2	S21°56'21"W - 218.38'
D2-E2	N73°38'19"W - 143.40'
E2-F2	N44°00'10"W - 98.47'
F2-G2	N19°02'49"W - 95.78'
G2-H2	R=405.00'
	Δ= 04°20'17"
	L=30.66'
	CH=55°17'57"E
	30.66'
H2-I2	N53°07'48"E - 102.94'
I2-J2	R=225.00'
	Δ= 18°24'21"
	L=64.43'
	CH=N61°19'59"E
	64.20'
J2-A2	N69°32'09"E - 80.27'

"EXCEPTION ONE"

A3-B3	S60°28'43"E - 40.00'
B3-C3	S29°31'17"W - 336.43'
C3-D3	R=175.00'
	Δ= 40°00'52"
	L=122.22'
	CH=549°31'43"W
	119.75'
D3-E3	S69°32'09"W - 103.53'
E3-F3	R=250.00'
	Δ= 16°24'21"
	L=71.58'
	CH=561°19'59"W
	71.34'
F3-A1	N04°09'08"E - 32.07'
A1-B1	R=275.00'
	Δ= 04°23'22"
	L=21.07'
	CH=555°19'29"W
	21.06'
B1-C1	S53°07'48"W - 102.94'
C1-D1	R=355.00'
	Δ= 23°57'40"
	L=148.46'
	CH=565°06'38"W
	147.38'
D1-E1	S77°05'28"W - 119.82'
E1-F1	R=225.00'
	Δ= 46°04'26"
	L=180.93'
	CH=554°03'16"W
	176.10'
F1-G1	N58°58'57"W - 43.87'
G1-H1	N63°24'14"W - 110.56'
H1-I1	N02°08'59"E - 118.85'
I1-J1	N20°35'44"E - 24.95'
J1-K1	N02°20'46"W - 109.73'
K1-L1	N86°58'05"E - 77.71'
L1-M1	N80°17'13"E - 56.15'
M1-N1	N48°36'54"E - 235.57'
N1-O1	N72°18'47"E - 175.22'
O1-P1	S44°30'40"E - 51.55'
P1-A1	S23°50'04"E - 266.46'

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

PROFESSIONAL LAND SURVEYOR

LEGEND:

---	NEW CITY LIMIT LINE
---	OLD CITY LIMIT LINE
---	EXISTING CITY LIMIT LINE

I, _____, CERTIFY THAT THIS MAP WAS DRAWN BY _____ UNDER MY SUPERVISION FROM AN ACTUAL SURVEY BY _____; 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 _____, _____.

SIGNED _____
PROFESSIONAL LAND SURVEYOR L-3634

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

JUDY J. TART, REGISTER OF DEEDS
BY _____
DEPUTY REGISTER OF DEEDS

PARCEL NO. 74320 REFERENCE: D.B. 2278, PG. 228	
GREYFOX RUN, PHASE 1	
GREENVILLE WINTERVILLE TWP. PITT COUNTY NORTH CAROLINA	
OWNER: BILL CLARK HOMES OF GREENVILLE, LLC 200 E. ARLINGTON BLVD. GREENVILLE, NC 27858 (252) 355-9352	
	SURVEYED: N/A
	APPROVED: HOB
	DRAWN: LHJ
	DATE: 7-30-07
	CHECKED: HOB
	SCALE: 1" = 200'

MAP NO.	MAPS RECORDED	BOOK	PAGE

MAP SHOWING AREA ANNEXED BY		
THE CITY OF GREENVILLE		
DATE	ORDINANCE NO.	AREA
		<u>26.8952 AC.</u>



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

-
- Title of Item:** Ordinance to annex University Medical Park North, containing 46.24 acres located north of West Fifth Street and west of Moyewood Subdivision
- Explanation:** This is a contiguous annexation. Staff anticipates commercial and office development on 12 lots. The estimated population at full development is 0.
- Fiscal Note:** Total estimated tax value at full development is \$23,424,651.
- Recommendation:** Approval of the ordinance to annex University Medical Park North.
-

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Attachments / click to download

- [Annexation Map](#)
 - [University Medical Park North annex 712927](#)
 - [University Medical Park North Annexation Profile 711794](#)
-

ORDINANCE NO.
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 7:00 p.m. on the 13th day of September, 2007 after due notice by publication in The Daily Reflector on the 3rd day of September 2007; 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 that certain property as shown on the annexation map entitled "University Medical Park North" as prepared by Rivers and Associates, Inc.

LOCATION: Lying and being situated in Greenville Township, Pitt County, North Carolina, located north of West Fifth Street and west of Moyewood Subdivision. This annexation involves 46.24 acres.

GENERAL DESCRIPTION: All that certain tract or parcel of land lying and being situated in the City of Greenville, Greenville Township, Pitt County, North Carolina, bounded on the north by the Tar River, on the east by the Housing Authority of Greenville and the Novella Higgs Moye Heirs property, on the south by N.C. Highway 43 and on the west by Carolina Long Term Care, LLC property, the Medical Foundation of East Carolina University,
Item # 17

Inc. property and the John J. Ferebee property and being described by metes and bounds as follows:

BEGINNING at an existing iron pipe in the northern right-of-way line of N.C. Highway 43 having a right-of-way width of 100.00 feet, said point being the southeast corner of the Carolina Long Term Care, LLC property recorded in Deed Book 956, Page 97 and further shown on a plat recorded in Map Book 28, Page 7, thence leaving said right-of-way and with the eastern line of the Carolina Long Term Care, LLC property, N 22°34'31" E, 399.80 feet to a point in said line, said point being marked by an existing iron pipe, thence leaving the Carolina Long Term Care, LLC property N 23°22'51" E, 12.09 feet to corner with the Medical Foundation of East Carolina University, Inc. property recorded in Deed Book 64, Page 168 and further shown on a plat recorded in Map Book 33, Page 21, thence with the eastern line of the Medical Foundation of East Carolina University, Inc. property N 23°22'51" E, 388.00 feet, to an existing concrete monument, thence N 23°06'21" E, 745.14 feet to an existing concrete monument, thence N 46°30'26" E, 374.87 feet, to the northeast corner of the Medical Foundation of East Carolina University, Inc. property, said point being a common corner with the John J. Ferebee property recorded in Deed Book 825, Page 346, thence with the eastern line of the John J. Ferebee property N 40°36'26" E, 27.69 feet to an existing concrete monument thence continuing with the eastern line of the John J. Ferebee property N 49°51'00" E, 235.98 feet to an existing concrete monument, thence N 38°21'30" E, 1,323.41 feet more or less to a point on the southern bank of the Tar River at the Mean high water line, the northeast corner of the John J. Ferebee property, thence leaving the John J. Ferebee property and with the Mean high water line along the southern bank of the Tar River S 37°39'00" E, 192.50 feet, thence S 28°48'10" E, 104.24 feet, thence S 51°43'00" E, 99.80 feet, thence S 48°10'00" E, 146.32 feet more or less to a point in said Mean high water line, said point being a common corner with the Housing Authority of Greenville property, thence leaving the Tar River and with the western line of the Housing Authority of Greenville property, S 29°32'00" W, 1,239.43 feet to an existing iron pipe, thence N 72°55'00" W, 15.6 feet to an existing iron pipe, thence S 70°07'16" W, 262.00 feet to an existing iron pipe, thence S 81°27'16" W, 138.00 feet to an existing iron pipe, thence S 61°12'16" W, 97.00 feet to an existing iron pipe, thence S 47°27'16" W, 90.00 feet to an existing iron pipe, thence S 33°57'16" W, 100.00 feet to an existing iron pipe, thence S 11°17'16" W, 46.00 feet to an existing iron pipe, thence S 57°57'16" W, 100.00 feet to an existing iron pipe, thence S 19°42'16" W, 157.00 feet to an existing iron pipe, thence S 31°32'16" W, 58.00 feet to an existing iron pipe, thence S 09°47'44" E, 180.00 feet to an existing iron pipe, thence S 11°12'18" W, 225.00 feet to an existing iron pipe, thence S 13°32'15" W, 410.97 feet to an existing iron pipe, the northwest corner of the Novella Higgs Moye Heirs property recorded in Deed Book 37, Page 49, thence leaving the Housing Authority of Greenville property and with the western line of the Novella Higgs Moye line S 13°32'15" W, 215.99 feet to a point in the

northern right-of-way line of N.C. Highway 43 marked by an existing iron pipe, said point being the southwest corner of the Novell Higgs Moye Heirs property as heretofore mentioned, thence leaving the Novella Higgs Moye Heirs property and with the northern right-of-way line of N.C. Highway 43 N 84°05'41" W, 152.92 feet to a point of curve, marked by an existing iron pipe, thence continuing with the northern right-of-way line of N.C. Highway 43 along a curve in a clockwise direction, said curve having a radius of 1,156.23 feet, a chord bearing of N 75°44'11" W and a chord distance of 336.15 feet to a point of tangent, thence N 67°22'41" W, 241.42 feet to the point of beginning containing 46.24 acres more or less and being all that property described in Deed Book 2352, Page 189 and further shown on a plat prepared by Rivers and Associates, Inc. dated July 16, 2007, entitled "Annexation Map for University Medical Park North, Rivers and Associates, Inc. Drawing No. Z-2426" which by reference is made a part hereof.

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 one. 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 one.

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

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

Section 5. This annexation shall take effect from and after the 31st day of December, 2007.

ADOPTED this 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

NORTH CAROLINA
PITT COUNTY

I, Patricia A. Sugg, Notary Public for said County and State, certify that Wanda T. Elks personally came before me this day and acknowledged that she is 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 the 13th day of September, 2007.

Patricia A. Sugg, Notary Public

My Commission Expires: September 4, 2011

ANNEXATION PROFILE

NAME: University Medical Park North CASE NO. 07-36

A. SCHEDULE

1. Advertising date: September 3, 2007
2. City Council public hearing date: September 13, 2007
3. Effective date: December 31, 2007

B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 46.24 acres
4. Voting District: 1
5. Township: Greenville
6. Vision Area: F
7. Zoning District: MO (Medical Office) & MR (Medical Residential)
8. Land Use: Existing: Vacant
 Anticipated: Commercial and Office Development
9. 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

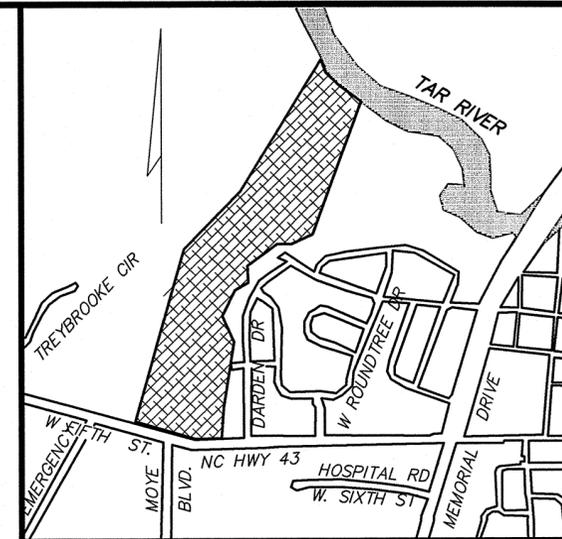
10. Rural Fire Tax District: Red Oak
11. Greenville Fire District: Station #2 (1.2 miles)
12. Present Tax Value: \$924,651 Estimated Future Tax Value: \$23,424,651

References:

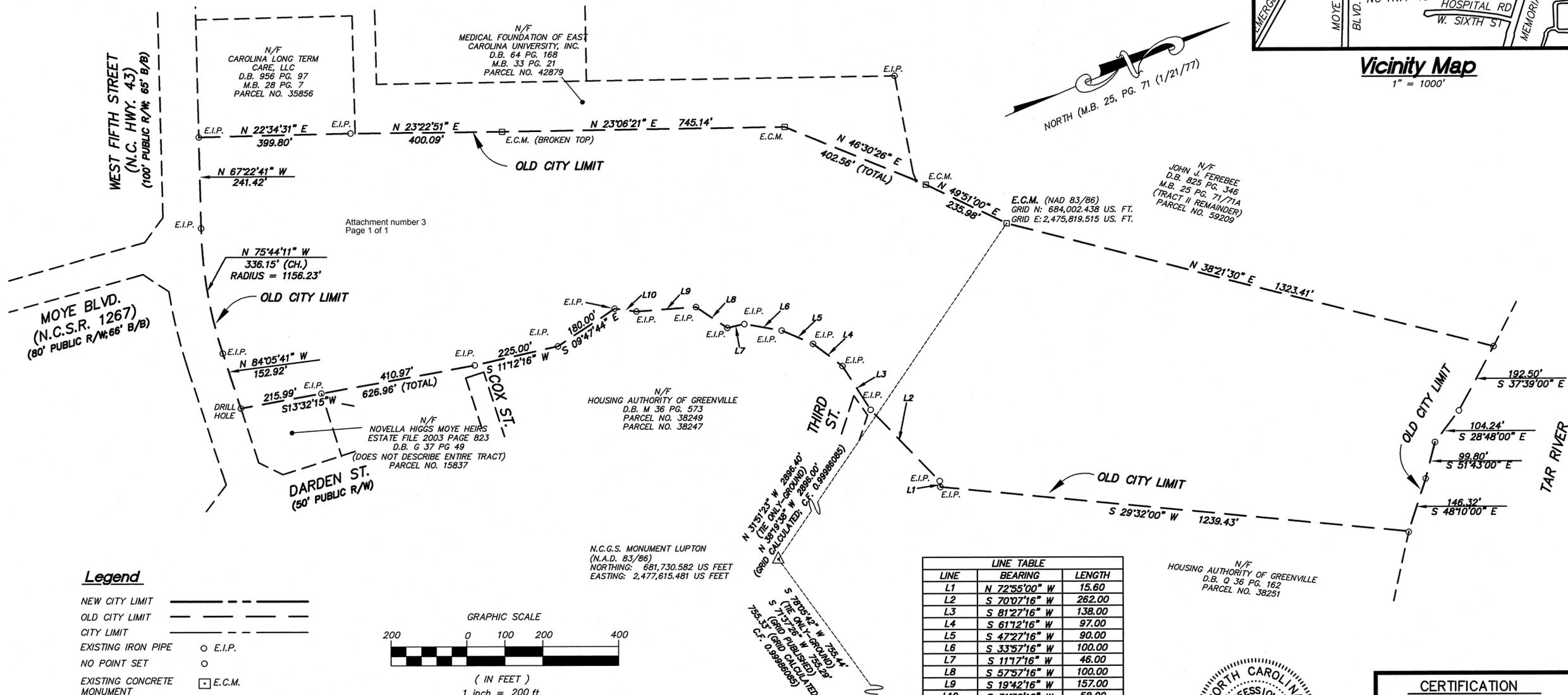
PARCEL NO. 33077
 D.B. 2352 PG. 189
 D.B. 2064 PG. 123
 D.B. 2293 PG. 275
 D.B. 764 PG. 32
 D.B. J 43 PG. 40
 M.B. 48 PG. 194
 D.B. N 50, PG. 623
 D.B. K 45 PG. 272
 D.B. H 46 PG. 626
 STATE HIGHWAY BOOK 1, PG. 25
 M.B. 25 PG. 71/71A
 RIVERS DRAWING Z-2418
 RIVERS DRAWING Z-2178
 RIVERS DRAWING Z-793

Notes :

1. AREA DETERMINED BY COORDINATES.
2. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS.
3. NO POINT SET AT ANY CORNER UNLESS OTHERWISE NOTED.
4. THIS MAP WAS PREPARED FOR ANNEXATION PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON OR TO BE USED FOR SALES OR CONVEYANCE.
5. BOUNDARY INFORMATION WAS TAKEN FROM A BOUNDARY AND TOPOGRAPHIC SURVEY PERFORMED FOR UMP NORTH BY RIVERS AND ASSOCIATES, INC. DATED 5/16/07, LAST REVISED 7/12/07.
6. CITY LIMITS WAS TAKEN FROM PITT COUNTY GEOGRAPHIC INFORMATION SYSTEM.
7. PARCEL NUMBER 33077

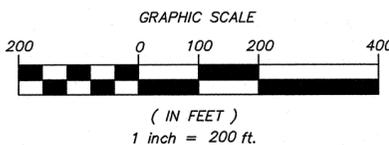


Vicinity Map
 1" = 1000'



Legend

- NEW CITY LIMIT ————
- OLD CITY LIMIT (dotted)
- CITY LIMIT ————
- EXISTING IRON PIPE ○ E.I.P.
- NO POINT SET ○
- EXISTING CONCRETE MONUMENT □ E.C.M.



LINE	BEARING	LENGTH
L1	N 72°55'00" W	15.60
L2	S 70°07'16" W	262.00
L3	S 81°27'16" W	138.00
L4	S 61°12'16" W	97.00
L5	S 42°27'16" W	90.00
L6	S 33°57'16" W	100.00
L7	S 11°17'16" W	46.00
L8	S 57°57'16" W	100.00
L9	S 19°42'16" W	157.00
L10	S 31°32'16" W	58.00



CERTIFICATION
 NORTH CAROLINA PITT COUNTY
 I, PATRICK W. HARTMAN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM DEED DESCRIPTIONS RECORDED IN DEED BOOK SEE PAGE REF OR AS NOTED; THAT THE RATIO OF PRECISION IS 1:10,000; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND AND 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)(1)(d) AS TO THE FOLLOWING THAT THIS SURVEY IS OF ANOTHER CATEGORY; BEING A SURVEY FOR ANNEXATION INTO CITY LIMITS OF THE CITY OF GREENVILLE; WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS 16TH DAY OF JULY, 2007.

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

ANNEXATION MAP
UNIVERSITY MEDICAL PARK NORTH
 GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: UNIVERSITY MEDICAL PARK NORTH, LLC
 ADDRESS: P.O. BOX 566, GREENVILLE, N.C. 27835
 PHONE: (252) 752-2000

	SURVEYED W.G.	APPROVED PWH
	DRAWN PH/SG	DATE 7/16/07
	CHECKED PWH	SCALE 1"=200'

MAP NO.	PLATS RECORDED	BOOK	PAGE

MAP SHOWING AREA ANNEXED BY
THE CITY OF GREENVILLE, N.C.
 EFFECTIVE DATE _____ ORDINANCE NO. _____ AREA **46.24 AC.**
 GREENVILLE TOWNSHIP, PITT COUNTY, N.C.



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Ordinance requested by the Community Development Department to amend the special use standards and criteria for the use entitled "hotel or motel" by deleting sections 9-4-85(j) and 9-4-86(j) in their entirety

Explanation: The amendment will delete the static setback requirements for the subject use. In replacement, the current zoning district street and bufferyard setbacks applicable in the particular case will apply.

Fiscal Note: No cost to the city.

Recommendation: In staff's opinion the request is in compliance with Horizons: Greenville's Community Plan.

The Planning and Zoning Commission at the August 21, 2007 meeting voted to approve the request.

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

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

Motion to deny the request to amend the City Code and to make a finding and determination that the denial of the amendment is consistent with the adopted comprehensive plan and that the denial of the amendment is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive

plan.

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Attachments / click to download

 [Ordinance_OR_district_hotel_motel_711048](#)

 [Report_Hotel_Motel_standards_708402](#)

 [CD_amendment_Hotel_Motels_713792](#)

 [Vegetation_Table_692424](#)

ORDINANCE NO. 07-____
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 September 13, 2007 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

WHEREAS, the City Council does hereby find and determine that the adoption of said ordinance amending the City Code is consistent with the adopted comprehensive plan and that the adoption of the ordinance is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

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

Section 1: That Title 9, Chapter 4, Article E, Section 9-4-85(j), of the City Code is hereby amended by deleting said section in its entirety and substituting the following:

“(j) Reserved.”

Section 2: That Title 9, Chapter 4, Article E, Section 9-4-86(j), of the City Code is hereby amended by deleting said section in its entirety and substituting the following:

“(j) Reserved.”

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

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

ADOPTED this 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

Doc# 711048

ORDINANCE AMENDMENT REPORT

Staff Contact: Harry V. Hamilton, Jr., Chief Planner

Date: 8/9/07

Item: Request by the Community Development Department to amend the special use standards and criteria for the use entitled “hotel or motel” by deleting sections 9-4-85(j) and 9-4-86(j) in their entirety.

Currently, the use entitled “Hotel, motel, bed and breakfast inn; limited stay lodging [daily or weekly occupancy - not to exceed 30 days]” is a special use in the MS and MO (medical) and OR (office-residential) districts, and extended stay lodging [daily, weekly and monthly occupancy - not to exceed 90 days] is a special use in the MS, MO, MCH (medical) and all industrial districts. Limited stay lodging is a permitted use in the MCH, CD, CDF, CG, and CH (commercial) and all industrial districts. The subject uses (limited and extended stay lodging) are classification 3 land uses for purposes of bufferyard setbacks and general screening requirements - the common classification of office, institutional, and light commercial establishments.

The current setback requirement (9-4-86(j) - 50 feet from all property lines applicable only to special use dependent hotel-motel uses - was part of a multi-standard hotel-motel regulation adopted in 1989. The original (1989) requirements have been amended on 3 occasions to eliminate signage, driveway access and other requirements that have been replaced with city-wide comprehensive development standards, such as the updated driveway regulations. In staff’s opinion the remaining setback standard is also unnecessary in consideration of the various district standards currently in effect. For example, the MO district currently requires a 40 foot street setback, and peripheral setbacks (side and rear yards) are based on performance standards (bufferyards) which vary depending on adjacent use compatibility. This dynamic performance based bufferyard setback method is the foundation of the city’s zoning regulations, applicable city-wide, and appropriate in lieu of a static standard – such as the current hotel-motel requirement. In addition, the mandatory variation of street setback (i.e. 40 for one use and 50 for another in close association) detracts from desirable streetscape uniformity, and is otherwise of no beneficial affect.

In Staff’s opinion, the current district based street setbacks and bufferyard requirements applicable to all district uses are the appropriate standard, therefore staff recommends deletion of the special use dependent setback requirement currently required pursuant to section 9-4-86(j).

Attached is a bufferyard setback and screening chart (Doc-# 692424) for illustrative purposes.

Excerpt from the August 21, 2007 Planning and Zoning Commission Meeting

REQUEST BY THE COMMUNITY DEVELOPMENT DEPARTMENT – APPROVED

Chairman Tozer stated that the last item is a request by the Community Development Department to amend the special use standards and criteria for the use entitled “hotel or motel” by deleting sections 9-4-85(j) and 9-4-86(j) in their entirety.

Mr. Hamilton stated that this is a request to amend the special use standards and criteria for the use entitled “hotel or motel”. There are two motel types in Greenville, limited stay and extended stay and the amendment would apply to both. Currently, motel/hotels are permitted in a variety of commercial, office/institutional and industrial districts. Examples of locations where special use permits are required are some of the medical zoning areas, and office-residential areas. Mr. Hamilton stated that the MS, MO, OR and MCH are the only districts that have special criteria related to the increase standards that are being eliminated by the adoption of this ordinance. The amendment will eliminate the 50 foot building setback which is applicable to hotels that are subject to a special use permit. All other motels in other districts can be built in accordance with the comprehensive performance standards that apply to each zoning district and adjacent use condition. If adopted as proposed motels will be subject to the bufferyard and street setback requirements applicable to all other uses in the district. The Board of Adjustment can consider reasonable conditions including additional buffering and screening in a particular case. Mr. Hamilton stated that staff recommends adoption of the amendment.

No one spoke in opposition.

Motion was made by Mr. Gordon, seconded by Mr. Stokes, to approve the amendment. Motion carried unanimously.

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

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

Bufferyard C (screen required)	
Width	For every 100 linear feet
10'	3 large evergreen trees 4 small evergreens 16 evergreen shrubs
Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet.	

Bufferyard D (screen required)	
Width	For every 100 linear feet
20'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs
Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.	

Bufferyard E (screen required)	
Width	For every 100 linear feet
30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs
Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.	

Bufferyard F (screen required)	
Width	For every 100 linear feet
50'	8 large evergreen trees 10 small evergreens 36 evergreen shrubs
Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.	

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



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

-
- Title of Item:** Ordinance requested by the Community Development Department to amend the zoning regulations to specify the procedure for consideration of a rezoning petition submitted in conjunction with a future land use plan map amendment request
- Explanation:** The amendment will specify the procedure for consideration of a rezoning petition submitted in conjunction with a future land use plan map amendment request. See the attached ordinance and amendment report.
- Fiscal Note:** No cost to the city.
- Recommendation:** In staff's opinion the request is in compliance with Horizons: Greenville's Community Plan.
- The Planning and Zoning Commission at the August 21, 2007 meeting voted to approve the request.
- If City Council determines to approve the amendment request, a motion to adopt the attached ordinance will accomplish this. The ordinance includes the statutorily required statement describing whether the action taken is consistent with the comprehensive plan and explaining why Council considers the action taken to be reasonable and in the public interest.
- If City Council determines to deny the amendment request, in order to comply with this statutory requirement, it is recommended that the motion be as follows:
- Motion to deny the request to amend the City Code and to make a finding and determination that the denial of the amendment is consistent with the adopted comprehensive plan and that the denial of the amendment is reasonable and in the public interest due to the denial being consistent with the comprehensive plan

and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

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Attachments / click to download

 [Ordinance rezoning and LUP amendment process 708569](#)

 [Report rezoning and LUP amendment procedure 709085](#)

 [CD Amendment Procedures 713791](#)

ORDINANCE NO. 07-__
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 September 13, 2007 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

WHEREAS, the City Council does hereby find and determine that the adoption of said ordinance amending the City Code is consistent with the adopted comprehensive plan and that the adoption of the ordinance is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

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

Section 1: That Title 9, Chapter 4, Article T, of the City Code is hereby amended to include a new section 9-4-334.1 to read as follows:

“Sec. 9-4-334.1. Zoning Map Amendments and the Future Land Use Plan Map.

When a petition has been initiated for an amendment to the Future Land Use Plan Map, a petition for an amendment to the official zoning map of the City of Greenville affecting the same property, or any portion thereof, shall not be initiated in accordance with section 9-4-331 and shall not be considered by the planning and zoning commission until city council approves or denies the amendment to the Future Land Use Plan Map.”

Section 2: That Title 9, Chapter 4, Article T, Section 9-4-335 of the City Code is hereby amended by deleting said section in its entirety and substituting the following:

“Sec. 9-4-335. When city council to consider amendments.

Except as provided under section 9-4-334 and section 9-4-334.1 the city council shall consider changes and amendments to this chapter at any meeting during the year in accordance with applicable law.”

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

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

ADOPTED this 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

Doc# 708569

ORDINANCE AMENDMENT REPORT

Staff Contact: Harry V. Hamilton, Jr., Chief Planner

Date: 8/06/07

Item: Request by the Community Development Department to amend the zoning regulations to specify the procedure for consideration of a rezoning petition submitted in conjunction with a future land use plan map amendment request.

The Future Land Use Plan Map physically depicts the policy intent of Horizons: Greenville's Community Plan and provides a visual illustration of the Urban Form Policies set out in Horizons. The Zoning Regulations and Zoning Map on the other hand are the primary legal tools (laws) for carrying out the Plan. Both the Horizons Plan and the Zoning Regulations/Map are official documents adopted by ordinance of City Council.

Currently, there is no specific procedure for consideration of a rezoning petition submitted in conjunction with a future land use plan map amendment request - other than the statutory (state law) mandated requirements. The future land use plan map amendment (ordinance adoption) process is similar to the rezoning process including mail notice to adjoining and affected property owners, Planning and Zoning Commission recommendation, legal advertisement in the local newspaper, and City Council public hearing. The posting of an onsite notice sign is not required for a future land use plan map amendment, as is the case for rezoning.

Since adoption of the current Future Land Use Plan Map in 2004, there have been five (5) applications for amendment of the plan map. Four (4) of the applications have been submitted in conjunction with rezoning petitions in the last 3 months. This dual application (rezoning and land use plan map combination) trend has become typical operating procedure in the absence of a more specific process, where proposed rezoning is in conflict with the adopted Future Land Use Plan Map.

In staff's opinion, zoning and land use plan issues, although in many cases related, should be separated to afford a qualified review. The comprehensive plan and its supporting future land use plan map recommendations were developed through an extensive public involvement process absent the often heated controversy and investment-backed expectations of site-specific zoning consideration. A primary purpose of a land use plan is to define and decide community objectives and policy in advance of individual investment decisions, and to eliminate ad hoc zoning. Land use plan amendments should therefore be considered in a similar atmosphere as existed at the time of original adoption – absent the pressure and immediacy of an actual zoning decision. Additionally, the current allowed concomitant process dictates that the Planning and Zoning Commission must assume it's recommendation on the land use plan map amendment application will be shared by Council in order for the Commission to recommend approval or denial based on "compliance with the plan" criteria. Commission recommendations based on presupposition of Council action concerning a pending land use plan amendment is inappropriate and should be avoided. The Commission should evaluate zoning issues

based on the most current adopted plan and not on pending plan amendments. The proposed ordinance will establish a procedure to address this issue.

The proposed ordinance will amend the zoning regulations to include a new section 9-4-334.1, entitled “Zoning Map Amendments and the Future Land Use Plan Map”, to read as follows:

“When a petition has been initiated for an amendment to the Future Land Use Plan Map, a petition for an amendment to the official zoning map of the City of Greenville affecting the same property, or any portion thereof, shall not be initiated in accordance with section 9-4-331 and shall not be considered by the planning and zoning commission until city council approves or denies the amendment to the Future Land Use Plan Map.”

Under this proposed ordinance, consideration of a future land use plan map amendment request and a rezoning petition affecting the same property would be a two (2) step process as follows:

Step 1

- **Land use plan map amendment requests** may be submitted to the Planning and Zoning Commission (P&Z) for review and recommendation (submitted 20 working days prior to the scheduled P&Z meeting – 3rd Tuesday of the month).
- Planning and Zoning Commission will make a recommendation following a public meeting and the item will be subsequently scheduled for Council public hearing (2nd Thursday of the following month).
- City Council will hold a public hearing (2nd Thursday) – and may approve or deny the plan amendment request.

Step 2

- **Rezoning petition** may be submitted to the Planning and Zoning Commission for review and recommendation following Council action to approve or deny the associated land use plan amendment per Step 1 (submitted 20 working days prior to the scheduled P&Z meeting – 3rd Tuesday of the month).
- Planning and Zoning Commission will make a recommendation following a public meeting and the item will be subsequently scheduled for Council public hearing (2nd Thursday of the following month).
- City Council will hold a public hearing (2nd Thursday) – and may approve or deny the rezoning petition.

Notes:

1. A plan amendment request and/or rezoning petition may be continued by the Planning and Zoning Commission and/or City Council for further input or study thereby increasing the review, recommendation and action timeframes listed above.
2. Future land use plan map amendment requests are not subject to the statutory protest petition supermajority voting requirements applicable to rezoning petitions.

Additional information

Below are excerpts (emphasis added) from Horizons: Greenville's Community Plan concerning the definition/purpose and process for amendment of the comprehensive plan text and future land use plan map.

“A comprehensive plan is a statement by the community of what it is today, and what it would like to be in the future. A comprehensive plan is an official public document, adopted by the chief legislative body (i.e., City Council). Although Greenville uses the term comprehensive plan, phrases such as master plan, general plan, and long-range plan have the same meaning.

A comprehensive plan is a statement of policies. The policies of the plan in effect speak to the private sector and to elected officials and say, “when we encounter this situation, we will probably act this way for these reasons.” This approach has the advantage of stating a position in advance of heated controversy. To deviate from a policy in the plan should require an argument as convincing as the one in the plan. Departing from the precepts of a plan should always be possible – although not necessarily easy.”...

“The Future Land Use Plan establishes the guiding principles for how and where land should be developed over time.... While the Future Land Use Plan is *not* a zoning plan, it provides the rational basis for zoning and assigning the various Land Use Categories to their respective zoning districts.”

“In its essence, the Future Land Use Plan is distilled into a map that compiles all of the city's land use goals, objectives, policies and actions into a comprehensive vision of how and where development should occur throughout the city and its planning jurisdiction. The map is intended to serve as a guide for decision makers when reviewing private development proposals. Future changes in zoning or subdivision policies should be based on the land use patterns shown on the Future Land Use Plan Map.

The Future Land Use Plan should also be used to guide public improvements through the Capital Improvement Program (CIP). Public decisions about how and where to build roads, schools, parks, and other public facilities should be based on the Urban Form, Smart Growth, and Location principles set forth in the plan.”

“The Future Land Use Plan is intended to accomplish three primary objectives:

1 To promote economic efficiency by coordinating the size and location of publicly provided future community facilities with the location and intensity of future private residential, commercial, and industrial activity.

2 To optimize resources by allocating land for its most suitable use. For example, a city may want to encourage industrial development on sites accessible to existing water and sewer lines and in areas with suitable soil conditions. Or, a city may choose to arrange land uses in such a way as to protect environmentally sensitive areas.

3 To provide a land use form that reflects the vision of the City's residents, is unified, avoids conflicting land uses, optimizes resources, preserves the city's character and is pleasing: providing open space, vistas, and distinguishable districts."

"Greenville's land use patterns have a major influence on transportation, energy consumption, property taxes, compatible or conflicting adjacent land uses, and possibilities for future growth. Greenville's land use pattern and vision of the future should be major components of what is commonly referred to as the image of place. These images can range from the undesirable to the essential. The basic purpose, therefore, of land use planning is to maintain the essential and change the undesirable. This is fostered through Greenville's goals, objectives, and implementation strategies that support implementation of the future land use map."

"From time to time, it may be necessary to amend the Horizons Plan to refine the community's vision, reflect changes in physical development patterns, respond to new information, or react to emerging trends. It is anticipated that the Plan will be updated at minimum every five years. It is possible to amend the plan at other times by act of City Council. Plan amendments may be requested by the City Council, the Planning & Zoning Commission, City departments, or private citizens. The Horizons Plan may also be amended upon the adoption of more specific Master Plans, Area Plans, or Program Plans.

The process for amending the Horizons Plan requires that the Planning & Zoning Commission (P&Z) hold a public meeting before making a recommendation to City Council. City Council must also hold a public hearing and approve an ordinance to amend the Plan."

Doc# 709085

Excerpt from the August 21, 2007 Planning and Zoning Commission Meeting

REQUEST BY THE COMMUNITY DEVELOPMENT DEPARTMENT – APPROVED

Chairman Tozer stated that the next item is a request by the Community Development Department to amend the zoning regulations to specify the procedure for consideration of a rezoning petition submitted in conjunction with a future land use map amendment request.

Mr. Hamilton stated the future land use map physically depicts the policy intent of the Horizons Plan and provides a visual illustration of the Urban Form Policies set out in the Plan. The zoning regulations and zoning map are the primary tools for carrying out the Plan. Both the Comprehensive Plan and the zoning regulations are official documents adopted by ordinance of City Council. Since adoption of the current Future Land Use Plan Map in 2004, there have been five (5) applications for amendment of the plan map. Four (4) of the applications have been submitted in conjunction with rezoning petitions in the last 3 months. The dual application trend has become typical operating procedure especially when there is a conflict between the Future Land Use Plan Map and the proposed zoning. The Comprehensive Plan and the Future Land Use Plan Map recommendations were developed through a public involvement process. The Land Use Plan update took two years and more importantly it was done in the absence of any heated controversy and the absence of any investment-backed expectations of a site specific zoning. The primary purpose of a land use plan is to define and decide community objectives and policy in advance of individual investment decisions, and to eliminate ad hoc zoning. Land use plan amendments should therefore be considered in a similar atmosphere as existed at the time of original adoption, absent the pressure and immediacy of an actual zoning decision. Separation of a land use plan amendment and rezoning effecting the same land will afford a more qualified review of both issues. The Planning & Zoning Commission should always evaluate zoning based on the most current adopted plan and not on a pending plan amendment. The proposed ordinance will establish a procedure to address this issue. The amendment will create a two step process which will separate the land use plan and the rezoning consideration. Mr. Hamilton explained that step 1 would be when the land use plan amendment is submitted to the Commission and then to City Council for final action the next month. Step 2 would be the rezoning petition process where the Planning & Zoning Commission would make a recommendation following City Council action to approve or deny the associated land use plan amendment per step 1. Mr. Hamilton stated that staff recommends adoption of the amendment.

Mr. Moye stated he agrees with the procedure.

No one spoke in opposition.

Motion was made by Mr. Stokes, seconded by Mr. Ramey, to approve the amendment. Motion carried unanimously.

Doc. # 713791



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Federal HOME Investment Partnership Program and Community Development Block Grant Program budget amendments to Fiscal Years 2005, 2006 and 2007 Annual Action Plans

Explanation: As a condition of receiving federal funding under the Community Development Block Grant (CDBG) and HOME Investment Partnership program, the City and the Pitt County HOME Consortium are required to submit an Annual Action Plan that outlines sources of funds and projects to be accomplished. Changes are recommended to the Annual Action Plans as requested by City Council at the August 6, 2007, City Council meeting to set up a substandard owner-occupied housing rehabilitation assistance program for residents living outside of the West Greenville 45-Block Revitalization Area. Changes are also recommended to make adjustments for new projects and programs.

Amendments to funding categories of the 2005, 2006 and 2007 fiscal year Annual Action Plans are recommended. These recommended changes will (1) assist in making housing rehabilitation assistance available to citizens outside the West Greenville 45-Block Area, (2) address the need for increased police presence in West Greenville, (3) re-allocate unspent HOME Consortium funds, and (4) support the development of a ten-year plan to end chronic homelessness in Pitt County.

In reviewing the City's housing program and HOME Consortium members' progress, staff determined that additional production of new affordable units, housing rehabilitation assistance, and reduction of crime was needed.

Therefore, the following adjustments and description of new activities are proposed to increase CDBG and HOME program performance and increase the community impact of funds.

Scattered Site Housing Rehabilitation Program– Funding of the program to provide housing rehabilitation assistance in the form of a deferred loan to low to moderate income owner-occupied residents within the city limits of Greenville,

but outside the West Greenville 45 Block Revitalization Area. Funds to be reallocated from the 2006 HOME program budget in the amount of \$80,000 and \$100,000 to be redirected from the 2007 CDBG program budget.

Police Substation/Public Facility– CDBG funds of \$125,000 to purchase a facility to house the City of Greenville Police Department “IMPACT” team and Police Athletic League administrative personnel. The IMPACT team consists of 24 officers who will be assigned to patrol the West Greenville area.

Farmville Housing Development Corp.– Funds to supplement the construction of three affordable single-family units in the Town of Farmville by a qualified Community Housing Development Organization (CHDO.) Unspent funds by Pitt County HOME Consortium of \$35,000 and \$45,000 from 2007 HOME budget.

602 Contentnea Street– Additional funds to a qualified CHDO to construct a single-family affordable unit on City-owned property. Unspent funds from HOME Consortium members in the 2005 funding year totaling \$90,000 and the redirection of \$20,000 in unspent HOME Consortium Funds totaling \$110,000 is proposed for this amendment.

Town of Ayden– Funds are needed to supplement a required HOME project to construct a single-family affordable unit in the Town of Ayden. \$40,000 is requested amount to be allocated for this activity from 2005 unspent HOME funds.

Ten-Year Plan to End Chronic Homelessness– A resolution of support for a Ten-Year Plan to End Chronic Homelessness was approved by the Greenville City Council on April 9, 2007. \$15,000 is proposed from CDBG Public Service category to assist with the needed budget to hire a consultant to coordinate the ten-year planning process. Pitt County government has also committed \$15,000 to this project.

Fiscal Note:

The budget amendments include \$166,192 unspent of fiscal year 2005 HOME funds; fiscal year 2006 approved funds of \$844,098 HOME and \$824,276 CDBG; and fiscal year 2007 approved funds of \$837,860 HOME and \$822,811 CDBG. Please see detail attached.

Recommendation:

Recommend City Council hold a public hearing to receive comments on the budget amendments and then consider adoption.

Attachments / click to download

 [Budget_amendment9_07_711624](#)

<u>Revised Fiscal Year 2006 Budget</u>	<u>HOME</u>	<u>CDBG</u>
Administration	\$ 34,700.00	\$ 118,000.00
Owner Occupied Rehab	\$ 147,000.00	\$ 347,575.00
Acquisition		\$ 100,000.00
Downpayment Assistance	\$ 100,000.00	
HOME Consortium members	\$ 299,710.00	
Community Housing Development Org	\$ 162,688.00	
Public Service		\$ 118,701.00
Scattered Site Hsg Rehab*	\$ 80,000.00	
Public Facility-Police Substation*		\$ 125,000.00
Ten Year Plan to End Homelessness*		\$ 15,000.00
602 Contentnea St-new construction*	\$ 20,000.00	
Total	\$ 844,098.00	\$ 824,276.00

* Denotes proposed changes

<u>Revised Fiscal Year 2007 Budget</u>	<u>HOME</u>	<u>CDBG</u>
Administration	\$ 62,500.00	\$ 164,000.00
Housing Rehab	\$ 100,360.00	\$ 210,000.00
Relocation		\$ 21,920.00
Acquisition	\$ 95,000.00	\$ 101,891.00
Downpayment Assistance	\$ 100,000.00	
Clearance/demolition		\$ 101,500.00
Community Housing Development Org	\$ 150,000.00	
HOME Consortium members	\$ 285,000.00	
Public Service		\$ 123,500.00
Scattered Site Housing Rehab program*		\$ 100,000.00
New Construction*	\$ 45,000.00	
Total	\$ 837,860.00	\$ 822,811.00

* Denotes proposed changes

<u>Unspent HOME Fiscal year 2005</u>	<u>HOME</u>
602 Contentnea St - new construction**	\$ 90,000.00
Farmville HDC - new construction**	\$ 35,000.00
Ayden - new construction**	\$ 40,000.00
Contingency**	\$ 1,192.00
	\$ 166,192.00

** Denotes Activities funded by unspent HOME funds



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Amendment to the Airport Economic Stimulus Plan

Explanation: On November 22, 2004 the City Council approved an economic stimulus plan designed to assist the Pitt-Greenville Airport in retaining and attracting private aircraft. The initial plan was approved for the 2005 calendar year and has subsequently been renewed through the 2008 calendar year.

The City has received the attached request from the Airport Authority to expand the economic stimulus plan to include a commercial air service enhancement component. If approved by the City Council, the modified economic stimulus plan would become effective for the 2008 calendar year.

Fiscal Note: The 2007-2008 fiscal year budget contains an appropriation of \$80,800 for the airport economic stimulus plan. One payment to the Airport Authority in the amount of \$20,462.68 was made in July 2007 and a second payment in a similar amount will be made in October 2007. Under the terms of the proposed modification to the economic stimulus plan, the 2008 calendar year payments will be made as needed based on either the "retain and attract private aircraft" or the "commercial air service enhancement" option. The remaining fiscal year funds will be used to meet the City's obligations.

Additional funding would be needed to meet the expanded program commitments in an amount not to exceed \$84,932 (\$98,732 requested for 2008 economic stimulus plan less \$80,800 budgeted for 2008 economic stimulus plan plus \$67,000 requested for new commercial air service enhancement component.) The additional funds for the commercial air service enhancement option will not be needed until the 2008-2009 or 2009-2010 fiscal year. The funds can be included in these future budgets.

Recommendation: City Council hear a request from the Airport Authority to amend the economic stimulus plan and approve the attached agreement amending the plan.

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

Attachments / click to download

 [Letter from Jim Turcotte](#)

 [2007 Economic Stimulus Plan Agreement with Airport 714695](#)

NORTH CAROLINA
PITT COUNTY

AGREEMENT

THIS AGREEMENT, made and entered into this the _____ day of September, 2007, by and between the City of Greenville, a municipal corporation organized and existing pursuant to the laws of the State of North Carolina, Party of the First Part and hereinafter referred to as the CITY, and the Pitt County-City of Greenville Airport Authority, a body corporate and politic organized and existing pursuant to the laws of the State of North Carolina, Party of the Second Part and hereinafter referred to as the AIRPORT.

WITNESSETH

WHEREAS, the Pitt-Greenville Airport is an asset which enhances the quality of life of the citizens of the City of Greenville and promotes economic development;

WHEREAS, the Pitt-Greenville Airport generates its operating revenue from the presence of commercial airline service and private aircraft and, therefore, it is critical to the airport operations to retain and attract private aircraft and to enhance commercial air service;

WHEREAS, the CITY and the AIRPORT entered into an agreement to establish an economic stimulus plan on December 10, 2004, and an agreement to continue the economic stimulus plan on January 9, 2006;

WHEREAS, the continuation of an economic stimulus plan for the purpose of enhancing commercial air service in addition to retaining existing aircraft and attracting new aircraft will result in the enhanced viability of the Pitt-Greenville Airport and an increase in taxable property within the corporate limits of the City of Greenville; and

WHEREAS, North Carolina General Statute 63-8 authorizes the CITY to make appropriations for the purpose of establishing, maintaining, and operating airports and North Carolina General Statute 158-7.1(a) authorizes the CITY to make appropriations for the purpose of increasing the taxable property within the corporate limits of the City of Greenville;

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the CITY and the AIRPORT agree as follows:

1) Purpose. The purpose of this Agreement is to fund an economic stimulus plan to be administered by the AIRPORT which will attract and retain aircraft and enhance commercial air service at the Pitt-Greenville Airport thereby enhancing the viability of the Pitt-Greenville Airport to serve as a component of the economic development efforts of the CITY and to serve the citizens of the CITY and thereby increasing the taxable property within the corporate limits of the City of Greenville.

2) Economic Stimulus Plan.

(a) The AIRPORT will develop and administer an economic stimulus plan for the Pitt-Greenville Airport which will provide an economic incentive to the owners of private aircraft to

retain and locate aircraft at the Pitt-Greenville Airport so that the aircraft is sited at the Pitt-Greenville Airport for the purpose of being subject to ad valorem property taxes levied for fiscal year 2008-2009 and which will enhance commercial air service currently available at the Pitt-Greenville Airport.

(b) For the component of the economic stimulus plan which is designed to retain and locate private aircraft at the Pitt-Greenville Airport, the AIRPORT will determine the criteria for persons and entities to be eligible for the economic incentives. The economic incentives will be in the form of a credit during calendar year 2008 for fuel, goods, facilities, and services which the AIRPORT makes available to persons and entities upon payment. The AIRPORT will determine the methodology for making the economic incentives available to persons and entities. In addition to the aforescribed economic incentives, the AIRPORT will reduce its gross profit margin on fuel during calendar year 2008 to persons and entities eligible for the economic incentives in an amount determined by the AIRPORT.

(c) For the component of the economic stimulus plan which is designed to enhance commercial air service at the Pitt-Greenville Airport, the AIRPORT will determine the criteria for persons and entities to be eligible for the economic incentives. The economic incentives will be in the form of a revenue guarantee for an established period of time to inaugurate the new service. The AIRPORT will determine the methodology for making the economic incentives available to persons and entities.

3) Funding.

(a) For the component of the economic stimulus plan which is designed to retain and locate private aircraft at the Pitt-Greenville Airport, the CITY will provide fifty percent (50%) of the funding. The maximum amount of the funding for the component of the economic stimulus plan which is designed to retain and locate private aircraft at the Pitt-Greenville Airport will be agreed upon by the City Manager of the CITY and the Airport Manager of the AIRPORT and will be based upon their joint determination of the estimated tax value of aircraft based at the Pitt-Greenville Airport for the 2008 tax year and the amount of credits to be issued by the Airport based on these values. This maximum amount shall be no more than the estimated increase in property taxes to be paid to the CITY and Pitt County for fiscal year 2008-2009 due to the value of private aircraft which has been attracted to or retained at the Pitt-Greenville Airport for the purpose of being subject to ad valorem property taxes levied for fiscal year 2008-2009 as a result of the availability of the economic stimulus plan. The determination of the maximum amount of funding shall be made as soon as possible after January 31, 2008. It is understood that Pitt County will provide the remaining fifty percent (50%) of the funding for the component of the economic stimulus plan which is designed to retain and locate private aircraft at the Pitt-Greenville Airport. The maximum amount of the funding provided by the CITY pursuant to the provisions of this subsection 3(a) for the component of the economic stimulus plan which is designed to retain and locate private aircraft at the Pitt-Greenville Airport for calendar year 2008 is \$98,732 and the amount of funding for subsequent calendar years will be determined in accordance with the provisions of this subsection 3(a).

(b) For the component of the economic stimulus plan which is designed to enhance commercial air service at the Pitt-Greenville Airport, the CITY will provide a one time payment of SIXTY SEVEN THOUSAND DOLLARS (\$67,000) payable in either calendar year 2008 or 2009. It is understood that Pitt County will provide an equal amount for the funding for the component of the economic stimulus plan which is designed to enhance commercial air service at the Pitt-Greenville Airport.

4) Payment.

(a) For the funding provided by the CITY pursuant to subsection 3(a) of this Agreement, the CITY will pay its fifty percent (50%) share of the funding in equal quarter-annual installments of twenty five percent (25%) of its fifty percent (50%) share. The first payment will be made after January 1, 2008, and as soon as possible after the amount of the funding is determined in accordance with the provisions of subsection 3(a) and subsequent payments will be made on or before April 1, 2008, July 1, 2008, and October 1, 2008. It is understood that payment by the CITY of its fifty percent (50%) share of the funding is conditioned upon Pitt County paying the remaining fifty percent (50%) of the funding.

(b) For the funding provided by the CITY pursuant to subsection 3(b) of this Agreement, the CITY will pay its amount of the funding upon receipt of a written request by the AIRPORT for payment. It is understood that payment by the CITY of its amount of the funding is conditioned upon Pitt County paying an equal amount. The AIRPORT shall not make a written request to the CITY for payment of the funding provided by the CITY pursuant to subsection 3(b) of this Agreement unless all of the funding provided by the CITY pursuant to subsection 3(a) of this Agreement has also been used by the AIRPORT to enhance commercial air service and the AIRPORT has used funds other than those provided by the CITY or Pitt County to fully fund the component of the economic stimulus plan to retain and locate private aircraft.

5) Use of Funding.

(a) The AIRPORT shall only use the funding provided by the CITY pursuant to subsection 3(a) of this Agreement for the purpose of implementing the economic stimulus plan for the Pitt-Greenville Airport by providing economic incentives in the form of a credit during calendar year 2008 for fuel, goods, facilities, and services which the AIRPORT makes available to persons or entities upon payment or, if determined by the AIRPORT to be needed to fund the component of the economic stimulus plan to enhance commercial air service, for the purpose of implementing the economic stimulus plan for the Pitt-Greenville Airport to enhance commercial air service by providing economic incentives in the form of a revenue guarantee for an established period of time to inaugurate service. In the event any amount of the funding provided by the CITY pursuant to this Agreement is used for a purpose other than said purposes, the AIRPORT shall reimburse the CITY for said amount. Additionally, in the event any amount of credit is not used on or before December 31, 2008, the AIRPORT shall reimburse the CITY for said amount. Notwithstanding any other provision of this subsection 5(a), the AIRPORT may use the funding provided by the CITY pursuant to subsection 3(a) of this Agreement for the component of the economic stimulus plan to enhance commercial air service only if the AIRPORT has used funds other than those provided by the CITY or Pitt County to fully fund the component of the economic stimulus plan to retain and locate private aircraft.

(b) The AIRPORT shall only use the funding provided by the CITY pursuant to subsection 3(b) of this Agreement for the purpose of implementing the economic stimulus plan for the Pitt-Greenville Airport by providing economic incentives in the form of a revenue guarantee for an established period of time to inaugurate service. In the event any amount of the funding provided by the CITY pursuant to subsection 3(b) of this Agreement is used for a purpose other than said purpose, the AIRPORT shall reimburse the CITY for said amount.

(c) The funding provided by the CITY pursuant to subsection 3(b) of this Agreement shall not be used by the AIRPORT unless all of the funding provided by the CITY pursuant to subsection 3(a) of this Agreement has also been used by the AIRPORT to enhance commercial air service and

the AIRPORT has used funds other than those provided by the CITY or Pitt County to fully fund the component of the economic stimulus plan to retain and locate private aircraft as determined pursuant to the provisions of subsection 3(a) of this Agreement.

6) Report. The AIRPORT will provide the CITY with a report on a quarter-annual basis concerning the economic stimulus plan for the Pitt-Greenville Airport. The quarterly reports shall include, but not be limited to, information about recipients, credit granted, and credit taken. The quarterly reports shall be provided to the CITY on or before April 10, 2008, July 10, 2008, October 10, 2008, and January 10, 2009.

7) Renewal. It is understood that the provisions of this Agreement provide for the implementation of the economic stimulus plan for the Pitt-Greenville Airport for calendar year 2008 for the component of the economic stimulus plan which is designed to retain and locate private aircraft at the Pitt-Greenville Airport and for calendar year 2008 and 2009 for the component of the economic stimulus plan which is designed to enhance commercial air service at the Pitt-Greenville Airport. The CITY and the AIRPORT may agree to continue the component of the economic stimulus plan which is designed to retain and locate private aircraft at the Pitt-Greenville Airport for subsequent calendar years by the submittal by the AIRPORT of a request to the CITY for an allocation in the budget of the CITY for the economic stimulus plan for the Pitt-Greenville Airport and the approval by the City Council of the CITY of an allocation for the economic stimulus plan of the Pitt-Greenville Airport in the budget of the CITY. Unless otherwise agreed by a written amendment, if the plan is continued for implementation for a subsequent calendar year, then it will be implemented under the same terms and conditions of this Agreement except that the dates shall be altered as appropriate. For example, for implementation of the plan for calendar year 2009, all of the places where 2008 appears in this Agreement (other than in section 3(b) and section 8) shall become 2009 and all the places where 2009 appears in this Agreement shall become 2010 and for implementation of the plan for calendar year 2010, all of the places where 2008 appears in this Agreement (other than in section 3(b) and section 8) shall become 2010 and all of the places where 2009 appears in this Agreement shall become 2011.

8) Relation to Previous Agreement. The provisions of this Agreement shall amend, replace and supercede the provisions of the Agreement between the CITY and the AIRPORT dated January 9, 2006, commencing with the Economic Stimulus Plan for calendar year 2008.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in duplicate originals as of the day and year first above written.

CITY OF GREENVILLE

BY: _____
Wayne Bowers, City Manager

**PITT COUNTY-CITY OF
GREENVILLE AIRPORT
AUTHORITY**

BY: _____
James G. Turcotte, Airport Manager

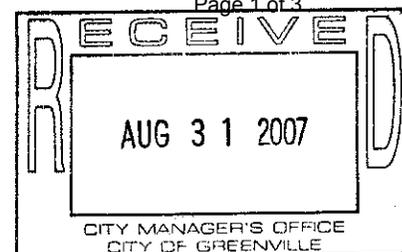
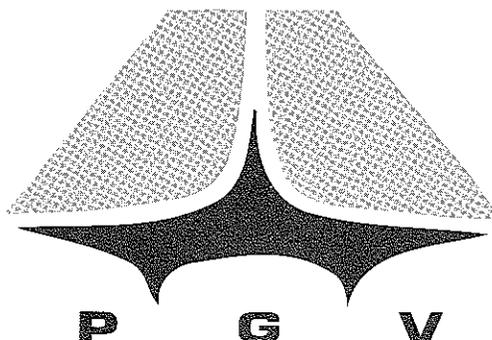
APPROVED AS TO FORM:

David A. Holec, City Attorney

PRE-AUDIT CERTIFICATION

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

Bernita Demery, Director of Financial Services
City of Greenville



PITT COUNTY - CITY OF GREENVILLE AIRPORT AUTHORITY

August 31, 2007

Mr. Wayne Bowers, Manager
City of Greenville
Post Office Box 7207
Greenville, North Carolina 27835

Re: Air Service Enhancement Plan Proposal

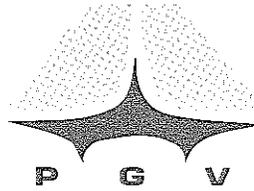
Dear Wayne:

On behalf of the Pitt County – City of Greenville Airport Authority I would like to take this occasion to solicit the City of Greenville’s support in a program to enhance commercial air service to our community. Several events have recently unfolded which lead the Airport Authority to believe that Greenville and Pitt County are on the verge of attaining additional airline service, provided an airline industry standard risk mitigation plan can be crafted.

With the introduction of United States Department of Transportation (USDOT)-Small Community Air Service Development Grant to communities seeking to increase air service to their regions, the airline industry fully realizes that in today’s environment, they no longer have to accept the total financial risk of inaugurating new or expanded service to any non-metropolitan market. An airline risk abatement program is normally established for an initial twelve (12) month period to allow the airline operator to become known and established during this startup period. The standard format to accomplish this, and the method which the Pitt-Greenville Airport Authority endorses, is in the form of a Revenue Guarantee whereby a set amount of funding is held in escrow until the conclusion of the twelve (12) month inauguration period of service and said funding may be used to offset any losses incurred up to the agreed upon amount.

Of course, no airline intends to enter a new market without their belief that the market will be successful and profitable. The airline has a significant financial interest in making the market entry successful since it can reasonably be anticipated that the annual cost to the airline for providing service would be in the range of \$4,000,000 to \$6,000,000. The industry standard has been to establish a Revenue Guarantee package representing some 10% - 20% of the first year’s expense. It should further be recognized should the new air service prove successful, then no payments would be required nor due.

Page 2 of 3
August 31, 2007



With this knowledge and cognizant of actions by similar communities across the nation and in North Carolina, the Pitt-Greenville Airport endorses a plan whereby a Revenue Guarantee is established at a value of \$500,000. It is further equally important to understand that the Pitt-Greenville Airport Authority, as the recipient of nearly \$40 Million of Federal Aviation Administration (FAA) Infrastructure Improvement Grants through the years, is obligated to comply with a multitude of Federal Assurances, including the Airport Authority's inability to utilize its own funds to offer direct payment to an airline.

In our efforts to secure the Revenue Guarantee funding level of \$500,000, the Airport Authority initiated this process by petitioning and just recently receiving \$100,000 from the North Carolina Department of Transportation (NCDOT) – Division of Aviation for this purpose.

To further this initiative, the Pitt-Greenville Airport Authority is respectfully requesting consideration from the City of Greenville, with an identical request to Pitt County/Pitt County Development Commission to enjoin in this program by approving and adopting the following actions:

Amend Airport Economic Stimulus Plan Agreement to Include Air Service Enhancement

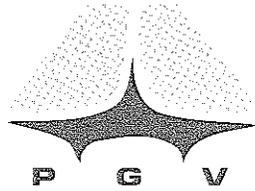
As has been stated many times before and evidenced by the dramatic increase of taxable personal property based at the Pitt-Greenville Airport, this plan has proven to be hugely successful to the City of Greenville, Pitt County, the Airport Authority, and the owners of the retained, reattracted and augmented aircraft.

Under no condition will the administration of this plan not continue as has been previously proposed for the 2008 calendar year. The only change, and it will not even be noticed by the recipient aircraft owners, will be the flow of funds. As hereinbefore stated, the Airport Authority is not allowed by FAA policy to use airport-generated revenue to be utilized for an Airline Revenue Guarantee program but is allowed to use these funds for the purpose of attracting and retaining private aircraft. As such and if needed, the Airport Authority would propose to utilize City of Greenville monies earmarked for the Economic Stimulus Plan for the Revenue Guarantee Program while the Airport Authority would fully fund from its reserves the Economic Stimulus Plan as has been approved. The alteration of the flow of funds would last for a twelve month period following commencement of new airline service.

Award \$67,000 Appropriation for Air Service Enhancement

In concert with the above and in our effort to enhance the Economic Development of our Community, the Pitt-Greenville Airport Authority respectfully requests of the City of Greenville to give consideration of offering a commitment to the Airport Authority an amount up to \$67,000 which could also be applied towards

Page 3 of 3
August 31, 2007



the Revenue Guarantee. This added funding would only be utilized should the realigned Economic Stimulus Plan monies be exhausted.

Should the method and funding for this Air Service Enhancement Program be favorably received by the City of Greenville, Pitt County/Pitt County Development Commission, along with the already approved NCDOT-Division of Aviation monies, the funding matrix would be as depicted:

Air Service Enhancement Funding

Committed Funds			
NCDOT-Division of Aviation		\$100,000	
Requested Funds			
Pitt County Development Commission		67,000	
City of Greenville		<u>67,000</u>	
			\$234,000
Requested Funding Realignment			
2008 Economic Stimulus Plan			
City of Greenville		98,732	
Pitt County		<u>98,732</u>	
			<u>197,464</u>
			\$431,464
Marketing/Use Fees Credit			
Pitt-Greenville Airport Authority			<u>68,536</u>
Total Revenue Guarantee Package			\$500,000

In conclusion, and as I have stated many times and firmly believe, the partnership between the City of Greenville, Pitt County and the Pitt-Greenville Airport Authority is one that has produced positive economic and social influences for our community and it is our hope that it will endure and prosper for the benefit of all of our citizenry.

Thank you for your consideration of this proposal and should you have any questions, please do not hesitate to contact me.

Very truly yours,

James G. Turcotte
Airport Manager

JGT/cpp



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Award of bid for 1411 West Fifth Street

Explanation: On August 22, 2007 bids were received for City-owned single-family homes for sale. Ms. Mary V. Newsome submitted bids for 1501 West Fifth Street and 1411 West Fifth Street. In the package for 1501 West Fifth Street, Ms. Newsome omitted the signature page of the "Offer to Purchase" document, which deemed her package incomplete. As a second choice, she submitted a package for 1411 West Fifth Street, which included all required documents.

Ms. Newsome submitted the only bid for 1411 West Fifth Street.

Fair market value for this property has previously been established at \$93,000.

Fiscal Note: Proceeds from the sale will be used to reimburse the City's Bond fund for expense incurred for construction of the home.

Recommendation: Award bid and authorize the Community Development Director to sign Offer to Purchase to Mary V. Newsome at a sales price of \$93,000.

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Attachments / [click to download](#)



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Award of bid for 1501 West Fifth Street

Explanation: The following sealed bids were received on August 22, 2007 for the purchase of City-owned property located at 1501 West Fifth Street. The new single-family structure is a three-bedroom, two-bath unit with fair market value previously established at \$94,000.

Name	Signed form	Application	Lender Approval	Offer to Purchase	Bid amount
Carolyn Warren	yes	yes	yes	yes	\$94,000
Mary Newsome	yes	yes	yes	no	\$94,000

After review of the bid packages, staff determined that Carolyn Warren's package was complete and Mary Newsome's package was incomplete.

Fiscal Note: Proceeds from the sale will be used to reimburse the City's Bond fund for expenses incurred for construction of home.

Recommendation: Award bid and authorize the Community Development Director to sign Offer to Purchase to Carolyn Warren at a sales price of \$94,000.

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City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Purchase of Police Substation Facility from Pitt Community College

Explanation: In an expanded effort to provide a suitable living environment for residents of the West Greenville 45-Block Revitalization Area, the Community Development Department has formed a partnership with the Greenville Police Department to install a "Police Substation" on City-owned property. This proposed facility will be located in the area of 1010-1022 West Fifth Street to house the Greenville Police Department "IMPACT" Team and the Police Athletic League (PAL) administrative personnel. The IMPACT team consists of 24 Police Officers who will be stationed at this facility.

Through a negotiated offer to purchase, this is a request to acquire from Pitt Community College a structure for \$68,500 to be used as the "Police Substation". In addition to the structure purchase, it will be necessary to make infrastructure improvements, install plumbing, electrical connections and a porch, for a total combined budget of \$125,000.

Fiscal Note: Federal Community Development Block Grants funds are available in the amount of \$125,000.

Recommendation: Recommend approval of purchase from Pitt Community College of a structure for \$68,500 and infrastructure improvements as needed.

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City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Graffiti ordinance

Explanation: The purpose of this ordinance is to establish a procedure for removal and eradication of graffiti from buildings, walls, and other structures within the City of Greenville in order to reduce social deterioration within the City, to remove and abate public nuisances, and to promote public safety and health.

Graffiti is a crime of vandalism that sends a message that the neighborhood is decaying and infested with crime and gangs. Graffiti is a nuisance that under this proposed ordinance will facilitate its removal by the property owner. This proposed ordinance will provide that;

A. The existence of graffiti on public or private property in violation of this ordinance is expressly declared to be a public nuisance and, therefore, is subject to the removal and abatement provisions specified in this ordinance.

B. It is the duty of both the owner of the property to which the graffiti has been applied and any person who may be in possession or who has the right to possess such property to at all times keep the property clear of graffiti.

Ideally, local police would apprehend the perpetrator of graffiti vandalism and then require that person to remove the graffiti at little or no cost to the local government or the property owner. However, given that many graffiti vandals are never apprehended, the removal burden most often falls on the property owner or the local government. It is the intent of this proposed ordinance through its adoption to provide additional enforcement tools to protect public and private property from acts of graffiti vandalism and defacement.

Fiscal Note: Implementation cost will be covered in the current budget.

Recommendation: Adopt the graffiti ordinance as presented.

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 [Graffiti ordinance 709324](#)

ORDINANCE NO. 07-

AN ORDINANCE AMENDING CHAPTER 3 OF TITLE 12 OF THE GREENVILLE CITY
CODE ESTABLISHING PROVISIONS RELATING TO GRAFFITI

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

Section 1. That Chapter 3 of Title 12 of the Code of Ordinances, City of Greenville, is hereby amended by adding an Article C, to read as follows:

Article C. Graffiti

Sec. 12-3-21. Graffiti as Nuisance.

The purpose of this article is to provide for a procedure for removal and eradication of graffiti from buildings, walls, and other structures within the City of Greenville in order to reduce social deterioration within the City, to remove and abate public nuisances, and to promote public safety and health. Graffiti is hereby found, deemed, and declared to constitute a public nuisance.

Sec. 12-3-22. Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

- (1) *City* means the City of Greenville or its agent.
- (2) *Commercial property* means any structure or area which is not defined in this section as a governmental or residential property.
- (3) *Deface* means to cover, mark, write on, paint, color, etch, scratch, engrave, or otherwise mar, disfigure, or draw whatsoever on any governmental, commercial, or private property, being real or personal property of any nature, without the express consent of authorization of the owner.
- (4) *Director* means the Director of the City of Greenville Public Works Department.
- (5) *Governmental property* means a structure or area operated by a government entity not including property leased to non-governmental entities.
- (6) *Graffiti* means any inscription, word, figure, marking, or design that is affixed, marked, etched, scratched, drawn, or otherwise created on any building, structure, fixture, or

other improvement or any other real property or any personal property, whether permanent or temporary, without the consent of the owner of the property or the owner's authorized agent. For the purposes of this article, graffiti shall not include temporary and easily removable chalk or other water soluble markings on public or private sidewalks, streets, or other paved surfaces which are used in connection with traditional children's activities, nor shall it include temporary and easily removable chalk or other water soluble markings used in connection with any lawful business or public purpose or activity.

(7) *Owner* means the owner of record of the property as identified in the most current records of the Pitt County Tax Assessor, or the owner's authorized agent.

(8) *Residential property* means any structure serving as a home, residence, or sleeping place.

Sec. 12-3-23. Graffiti Prohibited.

(1) It shall be unlawful for any person, without express permission or authority of the owner of the property, to deface with graffiti any governmental, commercial, or residential property or any other real property or any personal property. Any violation of the provisions of this subsection shall be a misdemeanor punishable by a maximum fine of five hundred dollars (\$500). Any individual defacing such property also shall be subject to prosecution for such offenses as found within the statutes of the State of North Carolina, including but not limited to restitution costs for abatement of the nuisance and damage to the property.

(2) *Exemption.* Subsection (a) of this section shall not be construed to prohibit temporary, easily removable chalk or other water soluble markings on public or private sidewalks, streets, or other paved surfaces which are used in connection with traditional children's activities, such as drawings or bases for stickball, kickball, handball, hopscotch or similar activities, nor shall it be construed to prohibit temporary, easily removable chalk or other easily removable water soluble markings used in connection with any lawful business, public purpose or activity.

(3) It shall be unlawful for the owner of any real or personal property or any person acting as manager or agent for the owner of property to fail to remove or effectively obscure any graffiti upon such property. Failure to abate any nuisances shall be deemed unlawful.

Sec. 12-3-24. Abatement Procedures.

(1) The owner of record of any governmental, commercial, or residential property, being real or personal in nature, or their agents or managers, which has any form of graffiti on any building, structure, or apparatus owned, managed, or operated by the owner or owner's managers, agents, tenants, and employees, shall be required to restore the defaced surface(s) by removing or concealing the graffiti within ten (10) calendar days after receipt of written notice, by any code enforcement coordinator or officer, requiring such removal. Notifications shall be made by personal service or certified mail and regular mail.

(2) When any graffiti as defined in this article is found on any property, including rights-of-way and easements, within the city or within one mile of the city limits, a code enforcement coordinator or officer shall have the following authority:

- (1) To enter upon property;
- (2) To obtain an administrative search and inspection warrant, if necessary, as provided in G.S. 15-27.2;
- (3) To issue a notice of violation and impose civil penalties;
- (4) To enter upon or authorize an agent to enter upon and clean up property in violation of this chapter;
- (5) To utilize the services of an outside contractor to remove the graffiti from the property in violation of this article.

(3) Notices or orders issued by the code enforcement coordinator or officer under this article shall be served on the owner or property manager of the identified property by either hand delivery or by certified mail and regular mail. Service by mail shall be deemed complete by depositing the notice or order in the mail at the address listed in the Pitt County tax records. When the manner of service is by certified mail and regular mail and the certified mail is unclaimed or refused but the regular mail is not returned by the post office within ten (10) days of mailing, service is deemed sufficient. The person mailing the notice or order by regular mail shall certify that fact and the date of the mailing, and such certification shall be conclusive evidence of service in the absence of fraud.

(4) Notification to the property owner will advise that the conditions that exist on the identified property constitute graffiti and such shall be abated within ten (10) calendar days of the date of the notification and that failure to abate or remove the graffiti shall result in the assessment of the costs of abatement or removal, imposition of administrative fees, and the assessment of a civil penalty as identified in this chapter. The code enforcement coordinator or officer may afford the owner additional time to remove or abate the graffiti if such failure was caused by weather conditions or other factors as determined by the code enforcement coordinator or officer not to have been within the control of the owner.

(5) When the owner of the property, property manager, or agent fails or refuses to abate the declared nuisance, then the code enforcement coordinator or officer shall issue to the owner a civil penalty in the amounts stated herein and shall forward to the revenue division of the finance department a report and invoice for the costs of the abatement of the nuisance, administrative fees and a copy of the civil citation for collection. Such charges shall be assessed against the property owner and shall become a lien upon the property, subject only to the city and county ad valorem taxes thereon. Such charges shall be collected and enforced in the same manner as unpaid taxes.

(6) A property owner, agent, or manager shall have five (5) business days from receipt of a notice of violation to file an appeal. The appeal must be made in writing to the Board of Adjustment and the appeal fee paid. Appeals of decision by the Board of Adjustment shall be as provided by state law.

(7) Where any public nuisance as set forth in this article requires immediate abatement to avoid and prevent an immediate and dangerous threat to the health, safety, and welfare of the inhabitants of the City of Greenville and would degrade adjoining properties as determined by the code enforcement coordinator or officer, the nuisance may be summarily removed and abated by the city without prior notice to the property owner, but the owner shall be responsible for all abatement costs, administrative fees, and civil penalties.

Sec. 12-3-25. Civil penalty.

In addition to or in lieu of the other remedies provided by this article, any owner of a property whose property shall be declared a public nuisance and who fails to abate the nuisance after notice as provided in this article shall be subject to a civil penalty in the amount of fifty dollars (\$50.00) for the first offense, one hundred dollars (\$100.00) for the second offense in the calendar year, and two hundred fifty dollars (\$250.00) for the third and subsequent offenses in the calendar year. An administrative fee in the amount of fifty dollars (\$50.00) per offense shall be assessed for each violation of this chapter. If a person fails to pay the civil penalty plus an administrative fees and abatement costs within thirty (30) days after being notified of the amount due, the city may recover the penalty together with all costs by filing a civil action in the general court of justice in the nature of a suit to collect a debt in addition to any other remedy available under this article.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 4. This ordinance will become effective on November 1, 2007.

This the 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Amendment to Agreement with the Greenville Museum of Art to provide the Art in City Hall Program

Explanation: On June 21, 2006, the City entered into an agreement with the Greenville Museum of Art to provide an ongoing display of locally produced art in the public areas of the new City Hall. This program has now been in place for over a year and has provided positive benefits for the City, the Museum of Art, the artists, and visitors to City Hall. At the time of the first renewal of the agreement, the Museum of Art requested that the City provide funding to partially offset the cost of providing this program. During the first year, all expenses were paid by the Museum of Art.

According to the Museum of Art, some of the costs of this program are as follows:

- 1) Mailing costs involved in the call for works to the artist association members;
- 2) Mailing costs involved in the call to pick up works from artist association members;
- 3) Fine arts insurance;
- 4) Staff time for collection of works;
- 5) Staff time for data entry and making labels;
- 6) Storage of works both incoming and outgoing because of immediate turnaround of exhibits; and
- 7) Truck rental and other costs for transporting works for incoming and outgoing exhibits.

These tasks are repeated for each of the three new exhibits that are displayed during the year.

Fiscal Note: The payment by the City to the Museum of Art would be \$5,000 per year. Funds are available for the first payment in the general fund contingency account.

Recommendation: City Council approve the attached Amendment to Agreement.

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 [Amendment to Agreement re Greenville Museum of Art 713619](#)

**NORTH CAROLINA
COUNTY OF PITT**

**AMENDMENT
TO
AGREEMENT**

THIS AMENDMENT TO AGREEMENT , made and entered into this the _____ day of September, 2007, by and between the City of Greenville, a municipal corporation organized and existing pursuant to the laws of the State of North Carolina, Party of the First Part and hereinafter sometimes referred to as the CITY, and the Greenville Museum of Art, Incorporated, Party of the Second Part and hereinafter referred to as the MUSEUM

WITNESSETH:

WHEREAS, the parties hereto entered into an Agreement dated June 21, 2006, relating to the display of art at City Hall, said agreement being hereinafter referred to as the AGREEMENT; and

WHEREAS, the parties desire to amend the AGREEMENT by providing for an annual payment by the CITY to the MUSEUM for services rendered;

NOW, THEREFORE, the parties hereto agree to amend the AGREEMENT as follows:

1) The AGREEMENT is amended by the addition of a paragraph 11 which shall read as follows:

11. Consideration. For services rendered by the MUSEUM as required in this Agreement, the CITY shall pay the MUSEUM annually the amount of \$5,000 commencing with the July 1, 2007, to June 30, 2008, Agreement year. The initial payment shall be made no later than October 1, 2007. Subsequent payments shall be made during the term of the Agreement no later than August 1 each year. If the Agreement is terminated as provided in paragraph 7 prior to June 30 in any year, the MUSEUM shall return a prorated amount of the annual payment to the CITY based on the number of full calendar months remaining during the then current Agreement year (July 1 through June 30) after the effective date of termination.

2) All remaining terms and conditions of the AGREEMENT not amended by this Amendment to Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to Agreement in duplicate originals, one of which is retained by each of the parties, as of the day and year first written above.

CITY OF GREENVILLE

BY: _____(SEAL)
Wayne Bowers, City Manager

GREENVILLE MUSEUM OF ART, INCORPORATED

BY: _____(SEAL)
Laura Saul, Acting Executive Director

APPROVED AS TO FORM:

David A. Holec, City Attorney

PRE-AUDIT CERTIFICATION

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

Bernita W. Demery, Director of Financial Services



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Ordinance repealing City Code provisions relating to cable television customer service standards and rate regulation

Explanation: Chapter 12 of Title 11 of the Greenville City Code contains provisions relating to the regulation of customer service standards and rates charged for cable television service. These provisions no longer apply since the State, by the enactment of Session Law 2006-151, is now the exclusive franchising authority for cable service provided over a cable system. Because of this, the repeal of this chapter of the City Code would be appropriate. This is simply a clean-up measure to remove no longer applicable provisions from the City Code and does not impact the service standards and rate regulation which lawfully may be exercised by the franchise authority.

The State has adopted the customer service standards established by the Federal Communications Commission, and these are the same customer service standards which the City adopted in Chapter 12 of Title 11. These standards address (1) requirements relating to customer interaction, (2) standards for installations, appointments, and service calls, (3) requirements relating to customer communications, and (4) requirements for billing and refunds.

Pursuant to federal law, rate regulation by a franchise authority only affects the rate for the basic tier related services with the franchise authority regulations mandated to be in accordance with FCC procedures and guidelines. Since the FCC has determined that there is effective competition to the cable system in the Greenville franchise area, the franchise authority has no authority to regulate basic tier related rates.

Fiscal Note: Repeal of Chapter 12 of Title 11 of the Greenville City Code will have no financial impact.

Recommendation: It is recommended that City Council approve the attached ordinance which

repeals the provisions of the City Code relating to cable television customer service standards and rate regulation.

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 [Ordinance Repealing of City Code Provisions Relating to Cable Television Customer Service Standards and Rate Regulations 712516](#)

ORDINANCE NO. 07-
AN ORDINANCE REPEALING CHAPTER 12 OF TITLE 11 OF THE GREENVILLE
CITY CODE, RELATING TO CABLE TELEVISION CUSTOMER SERVICE STANDARDS
AND RATE REGULATION

THE CITY COUNCIL OF THE CITY OF GREENVILLE DOES HEREBY ORDAIN:

Section 1. That Chapter 12 of Title 11 of the Code of Ordinances, City of Greenville is hereby amended by repealing said Chapter and deleting said Chapter in its entirety.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 4. This ordinance shall become effective immediately upon its adoption.

This the 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk



City of Greenville, North Carolina

Meeting Date: 9/13/2007
Time: 7:00 PM

Title of Item: Budget ordinance amendment #2 to the 2007-2008 City of Greenville budget, budget amendment to ordinance 97-1 Convention Center Capital Project Fund, and an ordinance establishing the capital project for the Dickinson Avenue Relocation Project

Explanation: 1) Attached is an amendment to the 2007-2008 budget ordinance for consideration at the September 13, 2007, City Council meeting. For ease of reference, a footnote has been added to each line item of the budget ordinance amendment, which corresponds to the explanation below:

A To appropriate grant funds received from the United Way for the Summer Significance Academy. This was a 10-week summer program for youth who are entering the sixth grade (\$41,347). A portion (\$13,347) of these funds was received in fiscal year 2006-2007 and will be allocated from Appropriated Fund Balance.

B To allocate a portion of the proceeds received from the sale of the Keel and Pepsi Warehouses to pay for the purchase of new land (\$150,000) and the annual lease payment for storage space (\$30,000). The proceeds from the sales amounted to \$475,000, of which the remaining \$295,000 is being transferred to the Capital Reserve Fund for future capital project use. The City received \$10,000 as deposit on the Keel Warehouse Property during fiscal year 2006-2007 and therefore will be allocated from Appropriated Fund Balance.

C To transfer rental payments received on the Pizza Hut building from the General Fund to the Capital Reserve Fund for future Convention Center capital needs (\$122,889).

D To allocate funds received from the Homeowners Association at Treetops for the improvements needed at Birch Place (\$11,211).

E To transfer proceeds received from the sale of the Pizza Hut property from the Convention Center Capital Project Fund to the Capital Reserve Fund for

future Convention Center capital needs (\$921,835).

F To transfer funds needed from the Capital Reserve Fund into a new Dickinson Avenue Relocation Capital Project Fund. These funds will be used for the acquisition of three land parcels and infrastructure (\$1,829,055).

G To allocate grant funds received from the Department of Juvenile Justice and Delinquency for Blue Print for Peace (BPP) and Project Unity (Unity). Both grants serve to intervene/prevent violence and gang activities (\$41,959).

H To allocate unused funds from fiscal year 2006-2007 and contingency funds to install an emergency operating light for Fire Station #2 at the intersection of Arlington Boulevard and Hemby Lane (\$55,200).

I To appropriate funds to distribute to the Convention and Visitors Authority as a refund of excess funds from the fourth one cent occupancy tax collected from 1999 to 2006 and not needed for debt service (\$380,954).

J To allocate contingency funds to pay the Greenville Museum of Art for the art in City Hall Program (\$5,000).

2) Attached is a 2007-2008 Capital Project budget ordinance to establish a project fund for the Dickinson Avenue Relocation Project. Funds for spending were approved by City Council during the August 6, 2007 meeting. This project will include the closing of portions of Washington Street, Dickinson Avenue, and Sixth Street in accordance with the agreement between the City and Jarvis United Methodist Church. Additionally, this project will include the demolition of the street segments to be closed, and construction of the relocated segment of Dickinson Avenue. The Church has agreed to pay the City \$400,000 to offset 50% of infrastructure costs.

Fiscal Note:

The budget ordinance amendment affects the following funds: increase General Fund by \$702,306; increase Powell Bill Fund by \$11,211; increase Debt Service Fund by \$380,954; increase the Capital Reserve Fund by \$3,168,779; increase the Convention Center Fund by \$921,835; increase the Convention and Visitors Authority Budget by \$380,954, and establish the Dickinson Avenue Relocation Capital Project Fund for \$2,229,055.

<u>Fund Name</u>	<u>Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
General Fund	\$65,752,464	\$ 702,306	\$66,454,770
Powell Bill	\$ 2,877,779	\$ 11,211	\$ 2,888,990
Capital Reserve	\$ -	\$ 3,168,779	\$ 3,168,779
Convention Center	\$ 271,199	\$ 921,835	\$ 1,193,034

Debt Service	\$ 5,576,362	\$ 380,954	\$ 5,957,316
Convention and Visitors Authority	\$ 765,326	\$ 380,954	\$ 1,146,280

As a result of the proposed inflows to the Capital Reserve Fund from the Pizza Hut property sale and rental payments, and the Keel and Pepsi Warehouse sales, and outflows as a result of establishing the Dickinson Avenue Relocation Project, the Capital Reserve Fund will have a remaining cash balance of \$7,595,292 on reserve for future cash projects. Staff plans to present the annual review of the Capital Reserve Fund (cumulative) during the November City Council meeting.

Recommendation: Approve budget ordinance amendment #2 to the 2007-2008 City of Greenville budget and budget amendment to ordinance 97-1 Convention Center Capital Project Fund, and ordinance establishing the capital project for the Dickinson Avenue Relocation Project

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[📎 Budget Amendments 2007 2008 FY 707984](#)

[📎 Dickinson Avenue Relocation Project Jarvis 714291](#)

ORDINANCE NO. 07-_____
CITY OF GREENVILLE, NORTH CAROLINA
ORDINANCE (#2) AMENDING ORDINANCE NO. 07-93 AND AMENDMENTS TO
ORDINANCE 97-1

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

Section I. Estimated Revenues. General Fund, of Ordinance 07-93, is hereby amended by increasing estimated revenues in the amount indicated:

<u>Account</u>	<u>Original/ Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
Police Department Grants ^{A,G}	\$ 20,696	\$ 69,959	\$ 90,655
Sale of Property ^B	\$ 110,250	\$ 465,000	\$ 575,250
Appropriated Fund Balance ^{A,B,C,H}	\$ 1,112,056	\$ 167,347	\$1,258,292
Total Estimated Revenue		\$ 702,306	

Section II. Appropriations. General Fund, of Ordinance 07-93, is hereby amended by increasing appropriations in the amount indicated:

<u>Department</u>	<u>Original/ Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
City Manager ^J	\$ 993,064	\$ 5,000	\$ 998,064
Police ^{A,G}	\$17,859,047	\$ 83,306	\$17,942,353
Public Works ^B	\$11,339,516	\$ 30,000	\$11,369,516
Capital Improvements ^{B,H}	\$ 2,145,786	\$ 205,200	\$ 2,350,986
Transfer to Other Funds ^{B,C}	\$ 6,692,935	\$ 417,889	\$ 7,110,824
Total Appropriations		\$ 741,395	

Section III. Appropriations. General Fund, of Ordinance 07-93, is hereby amended by decreasing appropriations in the amount indicated:

<u>Department</u>	<u>Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
Contingency ^{H,J}	\$ 102,370	\$ 39,089	\$ 63,281

Section IV. Estimated Revenues. Powell Bill Fund, of Ordinance 07-93, is hereby amended by increasing estimated revenues in the amount indicated:

<u>Account</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Miscellaneous Revenue – Street Improvements ^D	\$ -	\$ 11,211	\$ 11,211

Section V. Appropriations. Powell Bill Fund, of Ordinance 07-93, is hereby amended by increasing appropriations in the amount indicated:

<u>Department</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Powell Bill ^D	\$ 2,877,779	\$ 11,211	\$ 2,888,990

Section VI. Estimated Revenues. Debt Service Fund, of Ordinance 07-93, is hereby amended by increasing estimated revenues in the amount indicated:

<u>Account</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Appropriated Fund Balance ^I	\$ -	\$ 380,954	\$ 380,954

Section VII. Appropriations. Debt Service Fund, of Ordinance 07-93, is hereby amended by increasing appropriations in the amount indicated:

<u>Department</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Transfer to CVA ^I	\$ -	\$ 380,954	\$ 380,954

Section VIII. Estimated Revenues. Capital Reserve Fund, of Ordinance 07-93, is hereby amended by increasing estimated revenues in the amount indicated:

<u>Account</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Transfer from General Fund ^{B,C}	\$ -	\$ 417,889	\$ 417,889
Transfer from Convention Center Fund ^E	\$ -	\$ 921,835	\$ 921,825
Appropriated Fund Balance ^F	\$ -	\$ 1,829,055	\$ 1,829,055
Total Estimated Revenues		\$ 3,168,779	

Section IX. Appropriations. Capital Reserve Fund, of Ordinance 07-93, is hereby amended by increasing appropriations in the amount indicated:

<u>Department</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Increase in Reserve ^{B,C,E}	\$ -	\$ 1,339,724	\$ 1,339,724
Transfer to Other Funds ^F	\$ -	\$ 1,829,055	\$ 1,829,055
Total Appropriations		\$ 3,168,779	

Section X. Estimated Revenues. Convention Center Capital Project Fund, of Ordinance 97-1, is hereby amended by increasing estimated revenues in the amount indicated:

<u>Account</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Sale of Property ^E	\$ -	\$ 921,835	\$ 921,835

Section XI. Appropriations. Convention Center Capital Project Fund, of Ordinance 97-1, is hereby amended by increasing appropriations in the amount indicated:

<u>Department</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Transfer to Capital Reserve ^E	\$ -	\$ 921,835	\$ 921,835

Section XII. Estimated Revenues. Convention and Visitors Authority, of Ordinance 07-93, is hereby amended by increasing estimated revenues in the amount indicated:

<u>Account</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Transfer from Debt Service Fund (COG) ¹	\$ -	\$ 380,954	\$ 380,954

Section XIII. Appropriations. Convention and Visitors Authority, of Ordinance 07-93, is hereby amended by increasing appropriations in the amount indicated:

<u>Department</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Increase in Reserve ¹	\$ -	\$ 380,954	\$ 380,954

Section XIV. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section XV. This ordinance will become effective upon its adoption.

Adopted this 13th day of September, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk

ORDINANCE NO. 07-____
CITY OF GREENVILLE, NORTH CAROLINA
DICKINSON AVENUE RELOCATION PROJECT
BUDGET ORDINANCE

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

Section I. Estimated Revenues. It is estimated that the following revenues will be available for the Dickinson Avenue Relocation Capital Project Fund:

124-0000-340.12-00	Miscellaneous Revenue – Utility Relocation	\$ 400,000
124-0000-370.04-00	Transfer from Capital Reserve	<u>1,829,055</u>
	Total Estimated Revenue	\$2,229,055

Section II. Appropriations. The following amount is hereby appropriated for the Dickinson Avenue Relocation Capital Project Fund:

124-7078-433.50-00	Acquisition	\$1,353,555
124-7078-433.02-01	Engineering - Design	35,500
124-7078-433.03-00	Construction	800,000
124-7078-433.03-01	Non-Contractual	<u>40,000</u>
	Total Appropriations	\$2,229,055

Section III. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section IV. This ordinance will become effective upon its adoption.

Adopted this 13th day of September 13, 2007.

Robert D. Parrott, Mayor

ATTEST:

Wanda T. Elks, City Clerk