



Agenda

Greenville City Council

April 10, 2014
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 Smith

III. Pledge of Allegiance

IV. Roll Call

V. Approval of Agenda

VI. Special Recognitions

- 10U SWAC All-Star Basketball Team - 2014 State Champions

VII. Appointments

1. Appointments to Boards and Commissions

VIII. Old Business

2. Resolutions Establishing 2014 State Legislative Initiatives

IX. New Business

Public Hearings

3. Ordinance requested by Daughtridge Oil Company of Greenville to rezone 4.2289 acres located between Staton House Road and Belvoir Highway and 400+/- feet west of North Memorial Drive

from IU (Unoffensive Industry) to CH (Heavy Commercial)

4. Ordinance requested by Greg Lassiter DBA Champions Health and Fitness to rezone 2.505 acres located 250+/- north of East 10th Street and 430+/- feet east of Homestead Memorial Cemetery from OR (Office-Residential [High Density Multi-family]) and O (Office) to CG (General Commercial)
5. Ordinance requested by Oxford Street, LLC to rezone 3.935 acres located between Old Fire Tower Road and Rosemont Drive and 450+/- feet east of County Home Road from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family])
6. Ordinance initiated by the City Council of the City of Greenville to amend the Zoning Ordinance by removing the zoning text provisions relating to increased occupancy in the University Neighborhood Revitalization Initiative (UNRI) Overlay District
7. Ordinances initiated by the City Council of the City of Greenville to amend the Zoning Ordinance by removing the text provisions related to the University Neighborhood Revitalization Initiative (UNRI) Overlay District and to amend the Zoning Map to delete the University Neighborhood Revitalization Initiative (UNRI) Overlay
8. Resolution authorizing an application to the Federal Transit Administration (FTA) for a Section 5307 grant for federal capital assistance for the Greenville Transportation Activity Center (GTAC) project

Public Comment Period

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

Other Items of Business

9. Update on West Fifth Street Streetscape Phase II Project

X. Comments from Mayor and City Council

XI. City Manager's Report

XII. Adjournment



City of Greenville, North Carolina

Meeting Date: 4/10/2014
Time: 7:00 PM

Title of Item: Appointments to Boards and Commissions

Explanation: **Abstract:** The City Council fills vacancies and makes reappointments to the City's Boards and Commissions. Appointments are scheduled to be made to eight of the Boards and Commissions.

Explanation: City Council appointments need to be made to the Affordable Housing Loan Committee, Community Appearance Commission, Environmental Advisory Commission, Greenville Bicycle and Pedestrian Commission, Historic Preservation Commission, Planning & Zoning Commission, Public Transportation & Parking Commission, and Youth Council.

Fiscal Note: No direct fiscal impact.

Recommendation: Make appointments to the Affordable Housing Loan Committee, Community Appearance Commission, Environmental Advisory Commission, Greenville Bicycle and Pedestrian Commission, Historic Preservation Commission, Planning & Zoning Commission, Public Transportation & Parking Commission, and Youth Council.

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

Attachments / click to download

[Muni_Report_Appointments to Boards and Commissions_914698](#)

Appointments to Boards and Commissions

April 2014

Affordable Housing Loan Committee

Council Liaison: Council Member Marion Blackburn

Name	District #	Current Term	Reappointment Status	Expiration Date
Alice Brewington	2	Second term	Ineligible	February 2014
R.J. Hemby	3	Second term	Ineligible	February 2014
Jackie Parker	2	Filling unexpired term	Resigned	February 2015
Lovella Perkins	5	Second term	Ineligible	February 2014

Community Appearance Commission

Council Liaison: Council Member Rick Smiley

Name	District #	Current Term	Reappointment Status	Expiration Date
Lucy Fox	4	Unexpired term	Eligible	April 2014
Carol Phillips	5	First term	Eligible	April 2014
Tyler Richardson	5	Filling unexpired term	Eligible	April 2014

Environmental Advisory Commission

Council Liaison: Council Member Marion Blackburn

Name	District #	Current Term	Reappointment Status	Expiration Date
Robert Chin <i>(Physical/Natural Science Educator/Physician)</i>	5	First term	Not seeking a 2 nd term	January 2014
Hugh Cox <i>(Lawyer/One with knowledge of environmental regulations & safety practices)</i>	4	Second term	Ineligible	January 2014

Greenville Bicycle and Pedestrian Commission

Council Liaison: Council Member Rick Smiley

Current	Reappointment	Expiration
---------	---------------	------------

Item # 1

Name	District #	Term	Status	Date
Liz Brown-Pickren	3	First term	Resigned	January 2015
Titus Yancey	2	First term	Did not meet attendance requirement	January 2016

Historic Preservation Commission

Council Liaison: Council Member Kandie Smith

Name	District #	Current Term	Reappointment Status	Expiration Date
Allan Kearney	5	First term	Eligible	January 2014
Maury York	3	Unexpired term	Resigned	January 2014

Planning & Zoning Commission

Council Liaison: Council Member Rick Smiley

Name	District #	Current Term	Reappointment Status	Expiration Date
Kevin Burton <i>(Council Member Kandie Smith)</i>	1	First term	Resigned	May 31, 2015

Public Transportation & Parking Commission

Council Liaison: Council Member Richard Croskery

Name	District #	Current Term	Reappointment Status	Expiration Date
Rick Smiley	1	First term	Resigned	January 2016

Youth Council

Council Liaison: Mayor Pro-Tem Calvin Mercer

Name	District #	Current Term	Reappointment Status	Expiration Date
------	------------	--------------	----------------------	-----------------

5 Available Spots

Applicants for Affordable Housing Loan Committee

Melinda Dixon
1301 Westpointe Drive Apt. 5
Greenville, NC 27834

Application Date: 1/26/2014

District #: 1

Home Phone: (252) 375-2372

Business Phone:

Email:

Thomas Hines
211 Patrick Street
Greenville, NC 27834

Application Date: 10/6/2011

District #: 1

Home Phone: (252) 864-4907

Business Phone: (252) 695-9066

Email: thinesg@aol.com

Matt Smith
2038 Hyde Drive
Greenville, NC 27858

Application Date: 3/17/2014

District #: 4

Home Phone: (252) 367-7072

Business Phone: (252) 364-3680

Email: mattsmith@allstate.com

Sarah Smith
2708 Jefferson Drive
Greenville, NC 27858

Application Date: 11/14/2013

District #: 3

Home Phone: (301) 717-8375

Business Phone:

Email: smithsa@ecu.edu

James Woodley
1205 E. Firetower Road
Greenville, NC 27858

Application Date: 1/14/2014

District #: 5

Home Phone: (252) 752-7324

Business Phone: (252) 295-8380

Email: woodley50@yahoo.com

Applicants for Community Appearance Commission

None.

Applicants for Environmental Advisory Commission

Orrin Allen Beasley
925 Spring Forest Road #7
Greenville, NC 27858

District #: 1

Elaine U. Brestel
106 Christenbury Drive
Greenville, NC 27858

District #: 4

Sherryl Gregory
1303 E. 10th Street Apt N
Greenville, NC 27858

District #:

James Holley
1906 Fairview Way
Greenville, NC 27858

District #: 4

Emilie Kane
1706 Cantebury Road
Greenville, NC 27858

District #: 4

Wendy Klein
318 Rutledge Road
Greenville, NC 27858

District #: 4

Ernest W. Larkin
903 E. 5th Street
Greenville, NC 27858

District #: 3

Matthew Mellis
529 Spring Forest Road Apt. H
Greenville, NC

District #: 1

Application Date: 2/3/2014

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

Application Date: 1/21/2014

Home Phone: (252) 752-2255
Business Phone:
Email: ebrestel@suddenlink.net

Application Date: 2/3/2014

Home Phone: (252) 559-9049
Business Phone:
Email:

Application Date: 10/18/2009

Vice-Chair (6)
Home Phone: (252) 215-0065
Business Phone: (252) 758-3310
Email: jay@gma-nc.com

Application Date: 2/11/2014

Home Phone: (252) 355-6789
Business Phone:
Email: ekane@suddenlink.net

Application Date: 2/10/2014

Home Phone: (252) 329-7005
Business Phone: (252) 902-9005
Email: wakspg1@suddenlink.net

Application Date: 3/5/2014

Home Phone: (252) 756-8499
Business Phone: (252) 847-4212
Email: elarkin@vidanthealth.com

Application Date: 3/6/2014

Home Phone: (252) 702-3429
Business Phone: (252) 752-5938
Email: mellism@pitt.k12.nc.us

Environmental Advisory continued

James Woodley
1205 E. Firetower Road
Greenville, NC 27858

Application Date: 1/14/2014

Home Phone: (252) 752-7324

Business Phone: (252) 295-8380

Email: woodley50@yahoo.com

District #: 5

Applicants for Greenville Bicycle and Pedestrian Commission

None.

Applicants for Historic Preservation Commission

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

Application Date: 2/20/2012

District #: 4

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

Dustin Mills
504 Daventry Drive
Greenville, NC 27858

Application Date: 4/9/2012

District #: 5

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

Tyrone O. Walston
2706 Webb Street
Greenville, NC 27834

Application Date: 6/12/2012

District #: 2

Home Phone: (252) 412-7351
Business Phone: (252) 355-8736
Email: walston_tyrone@yahoo.com

Applicants for Planning and Zoning Commission

Cornell Allen
4030 Bells Chapel Road
Greenville, NC 27858

Application Date: 5/8/2011

District #: 5

Home Phone: (252) 215-0486
Business Phone: (252) 258-9718
Email: mrcallen2436@gmail.com

Brian Brown
2237 Penncross Drive
Greenville, NC 27834

Application Date: 2/23/2011

District #: 5

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

Dustin Mills
504 Daventry Drive
Greenville, NC 27858

Application Date: 4/9/2012

District #: 5

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

Bridget Moore
4128A Bridge Court
Winterville, NC 28590

Application Date: 7/13/2011

District #: 5

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

Tyler James Russell
3856 Forsyth Park Ct.
Winterville, NC 28590

Application Date:

District #:

Home Phone: (910) 840-0337
Business Phone: (252) 215-4000
Email: tjr@wardandsmith.com

Renee Safford-White
340 Beasley Drive, A3
Greenville, NC 27834

Application Date: 11/1/2011

District #: 1

Home Phone: (252) 752-1029
Business Phone: (252) 744-3070
Email: saffordwhiter@ecu.edu

Matt Smith
2038 Hyde Drive
Greenville, NC 27858

Application Date: 3/17/2014

District #: 4

Home Phone: (252) 367-7072
Business Phone: (252) 364-3680
Email: mattsmith@allstate.com

Howard Stearn
2818 Jefferson
Greenville, NC 27858

Application Date: 11/9/2011

District #: 3

Home Phone: (252) 862-6683
Business Phone: (252) 321-1101
Email: howardmstearn@gmail.com

Planning and Zoning Commission continued

Uriah Ward
106 Osceola Drive
Greenville, NC 27858

Application Date: 5/7/2013

Home Phone: (252) 565-2038

Business Phone:

Email: uriahward@yahoo.com

District #: 3

Applicants for Public Transportation and Parking Commission

Richard Malloy Barnes
206 South Elm Street, Apt. N
Greenville, NC 27858

Application Date: 9/30/2013

Home Phone: (252) 752-5278

Business Phone:

Email: kiltedmile@aol.com

District #: 3

Applicants for Youth Council

None.



City of Greenville, North Carolina

Meeting Date: 4/10/2014
Time: 7:00 PM

Title of Item: Resolutions Establishing 2014 State Legislative Initiatives

Explanation: **Abstract:** At its Monday, April 7, 2014, meeting, City Council is scheduled to identify legislative initiatives to pursue with the local legislative delegation during the 2014 Session of the North Carolina General Assembly. Based upon this identification, resolutions are to be prepared and scheduled to be acted upon by City Council at the Thursday, April 10, 2014, meeting.

Explanation: Based upon the direction of City Council at its April 7, 2014, meeting, resolutions which establish the City's legislative initiatives for the 2014 Session of the North Carolina General Assembly will be prepared for City Council's consideration.

Fiscal Note: The development of the legislative initiatives will not have a fiscal impact.

Recommendation: Approval of the resolutions which establish the City's legislative initiatives.

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

Attachments / [click to download](#)



City of Greenville, North Carolina

Meeting Date: 4/10/2014
Time: 7:00 PM

Title of Item: Ordinance requested by Daughtridge Oil Company of Greenville to rezone 4.2289 acres located between Staton House Road and Belvoir Highway and 400+/- feet west of North Memorial Drive from IU (Unoffensive Industry) to CH (Heavy Commercial)

Explanation: **Abstract:** The City has received a request from Daughtridge Oil Company of Greenville to rezone 4.2289 acres located between Staton House Road and Belvoir Highway and 400+/- feet west of North Memorial Drive from IU (Unoffensive Industry) to CH (Heavy Commercial).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on March 4, 2014.
On-site sign(s) posted on March 4, 2014.
City Council public hearing notice (property owner and adjoining property owner letter) mailed on March 25, 2014.
Public hearing legal advertisement published on March 31 and April 7, 2014.

Comprehensive Plan:

The subject property is located in Vision Area A.

Memorial Drive is considered a "gateway" corridor from the Tar River and continuing north. Gateway corridors serve as primary entranceways into the City and help define community character. Gateway corridors may accommodate a variety of intensive, large scale uses, in appropriately located focus areas with lower intensity office and/or high density residential development in the adjacent transition areas.

There is a designated intermediate focus area located at the intersection of North Memorial Drive and Belvoir Highway. These nodes typically contain between

50,000 to 150,000 square feet of conditioned floor space.

The Future Land Use Plan Map recommends commercial (C) at the southwest corner of the intersection of Martin Luther King, Jr. Highway and North Memorial Drive.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 3,873 trips to and from the site via North Memorial Drive, which is a net increase of 1,296 additional trips per day.

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

History/Background:

In 1969, the subject property was zoned IU (Unoffensive Industry).

Present Land Use:

Overflow parking lot for Fuel Dock and vacant

Water/Sewer:

Water and sanitary sewer are located in the right-of-way of Staton House Road.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

There are no known effects on the designated area.

Surrounding Land Uses and Zoning:

North: CH - vacant

South: CH - Greenfield Plaza Shopping Center

East: IU - Colony Tire, Burger King, Fuel Dock

West: IU - one (1) single-family residence

Density Estimates:

Under the current zoning (IU), the site could accommodate a building of 40,526+/- square feet of mini-storage/warehouse/conventional and fast food restaurant space.

Under the proposed zoning (CH), the site could accommodate a building

of 40,526+/-square feet of retail/mini-storage/conventional and fast food restaurant space.

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

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.

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

The Planning and Zoning Commission voted to approve the request at its March 18, 2014, meeting.

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


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

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

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

Attachments / click to download

 [Traffic Report](#)

 [Location Map](#)

- [Survey](#)
 - [Bufferyard and Vegetation Standards](#)
 - [Ordinance Daughtridge Oil Co 975681](#)
 - [Minutes for Daughtridge Oil 975693](#)
 - [List of uses IU to CH 962698](#)
-

ORDINANCE NO. 14-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 10th day of April, 2014, 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 IU (Unoffensive Industry) to CH (Heavy Commercial).

TO WIT: Daughtridge Oil Company of Greenville Property

LOCATION: Located between Staton House Road and Belvoir Highway and 400+/- feet west of North Memorial Drive.

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

Beginning at the intersection of the western right-of-way of Daughtridge Drive and the northern right-of-way of NC Hwy 33 thence from said point of beginning with the northern right-of-way of NC Hwy 33 236.62' along the arc of a curve said curve being to the left having a radius of 2,909.79' and a chord bearing N 74-50-05 W – 236.55', thence N 77-09-55 W – 102.04', thence N 62-02-29 W – 114.98', thence S 56-51-50 W – 12.01', thence leaving the northern right-of-way of NC Hwy 33 N 55-30-00 W – 9.08', thence N 87-30-00 W – 74.00', thence N 67-43-48 W – 185.03' to the eastern line of the Lucille B. Forbes property as recorded in deed book C 32, page 618, thence with the eastern line of the Lucille B. Forbes property N 02-35-25 E – 237.60' to the southern right-of-way of

NCSR 1418 – Staton House Road, thence with the southern right-of-way of NCSR 1418 S 83-35-20 E – 324.90’, thence S 85-18-40 E – 92.35’, thence S 87-12-40 E – 24.75’ to the western line of Lot 5 Phase 2 Daughtridge Center as recorded in map book 48 page 38, thence with the western line of Lot 5 Phase 2 Daughtridge Center S 00-17-49 E – 203.66’ to the southern line of Lot 5 Phase 2 Daughtridge Center, thence with the southern line of Lot 5 Phase 2 Daughtridge Center N 89-42-12 E – 350.00’ to the western right-of-way of Daughtridge Drive, thence with the western right-of-way of Daughtridge Drive S 15-30-00 W – 149.02’, thence S 50-31-45 W – 90.07’ to the point of beginning containing 4.2289 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 10th day of April, 2014.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Doc. # 975681

Excerpt from the DRAFT Planning & Zoning Minutes (03/18/2014)

ORDINANCE REQUESTED BY DAUGHTRIDGE OIL COMPANY OF GREENVILLE TO REZONE 4.2289 ACRES LOCATED BETWEEN STATON HOUSE ROAD AND BELVOIR HIGHWAY AND 400+/- FEET WEST OF NORTH MEMORIAL DRIVE FROM IU (UNOFFENSIVE INDUSTRY) TO CH (HEAVY COMMERCIAL) -APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated the property is located in the northern section of the City, between Staton House Road and Belvoir Highway, and west of North Memorial Drive. The subject property is comprised of 2 parcels. Properties to north and east are under common ownership of the applicant. One part of the property is vacant and the other is used for overflow parking for The Fuel Doc. There is commercial to the east and south and residential to the north. This request could generate a net increase of about 1,300 trips a day based on a worst-case scenario. There is a traffic signal at the intersection of Staton House Road and Memorial Drive. Both Memorial Drive and Martin Luther King Jr. Highway are 4-lane highways. Under the current and proposed zoning, the site could accommodate about 40,000 square feet. Under the current IU zoning, staff would expect mini-storage, warehouse, or restaurant space. Under the proposed zoning CH, staff would expect retail, mini-storage, or restaurant. The Land Use Plan recommends commercial at the southwest quadrant of Memorial Drive and Martin Luther King Jr. Highway. There is industrial to the west and more commercial to the south. In staff's opinion, the request is in compliance with Horizon's Greenville Community Plan and the Future Land Use Plan Map.

Chairwoman Basnight opened the public hearing.

Mr. Ken Malpass, representing the applicant, spoke in favor of the request. He stated that the proposed rezoning is in compliance and there is not a lot of demand for industrial in this area. This rezoning will open the area up for retail sales.

No one spoke in opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

No comments were made during board discussion.

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

EXISTING ZONING

IU (Unoffensive Industry)

Permitted Uses

(1) General:

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

(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)
- 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
- p. Circus, carnival or fairs

(7) Office/ Financial/ Medical:

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

(8) Services:

- n. Auditorium

- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- 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
- gg. Vocational rehabilitation center
- mm. Commercial laundries; linen supply
- nn. Industrial laundries
- 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]

(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
- h. Appliance; commercial and industrial equipment repair not otherwise listed

(10) Retail Trade:

- b. Gasoline or automotive fuel sale; accessory or principal use, retail
- h. Restaurant; conventional
- i. Restaurant; fast food
- cc. Farm supply and commercial implement sales

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

- a. Wholesale; durable and nondurable goods, not otherwise listed
- d. Rental of 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

(12) Construction:

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

(13) Transportation:

- a. Railroad freight or distribution and/or passenger station
- d. Truck terminal or distribution center
- e. Parcel delivery service
- f. Ambulance service
- g. Airport and related activities; private
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

- a. Ice plant and freezer lockers
- b. Dairy; production, storage and shipment facilities

- c. Bakery; production, storage and shipment facilities
- d. Stone or monument cutting, engraving
- g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholster
- h. Engraving; metal, glass or wood
- j. Moving and storage; including outside storage
- k. Mini-storage warehouse, household; excluding outside storage
- l. Warehouse or mini-storage warehouse, commercial or industrial; including outside storage
- m. Warehouse; accessory to approved commercial or industrial uses within a district; excluding outside storage
- o. Feed and grain elevator, mixing, redrying, storage or sales facility
- p. Tobacco redrying or processing plant
- s. Manufacture of nonhazardous products; general, including nonhazardous and nontoxic chemicals and/or materials not otherwise listed
- t. Manufacture of nonhazardous medical supplies or medical products, including distribution
- u. Tire recapping or retreading plant
- v. Bottling or packing plant for nonhazardous materials or products
- y. Recycling collection station of facilities
- cc. Manufacture of pharmaceutical, biological, botanical, medical, and cosmetic products, and related materials

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

* None

IU (Unoffensive Industry)

Special Uses

*(1) General:** None

(2) Residential:

- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
- j. Residential quarters for resident manager, supervisor or caretaker; including mobile home
- o. Nursing, convalescent center or maternity home; major care facility

*(3) Home Occupations (see all categories):** None

*(4) Governmental:** None

*(5) Agricultural/ Mining:** None

(6) Recreational/ Entertainment:

- e. Miniature golf or putt-putt course
- i. Commercial recreation; indoor and outdoor, not otherwise listed
- k. Firearm ranges; indoor or outdoor

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- l. Convention center; private
- o. Church or place of worship (see also section 9-4-103)
- s.(1). Hotel, motel, bed and breakfast inn; extended stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)

(9) Repair:

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

(10) Retail Trade:

- j. Restaurant; regulated outdoor activities

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

- g. Mobile home sales including accessory mobile home office

(12) Construction: None*

(13) Transportation:

- c. Taxi and limousine service

(14) Manufacturing/ Warehousing:

- z. Metallurgy, steel fabrication, welding

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

- c. Other activities; commercial services not otherwise listed
- e. Other activities; industrial services not otherwise listed

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

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 14-02

Applicant: Daughtridge Oil Company of Greenville

Property Information

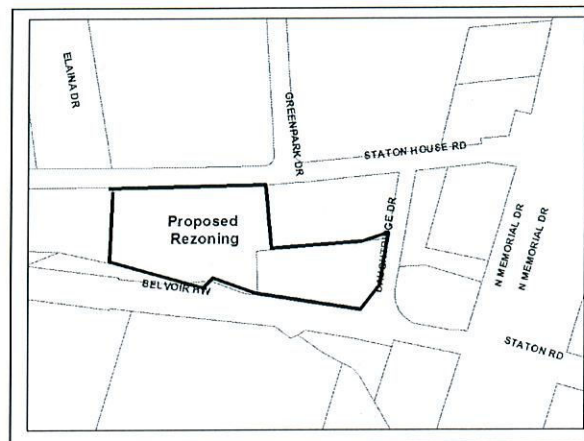
Current Zoning: IU (Unoffensive Industry)

Proposed Zoning: CH (Heavy Commercial)

Current Acreage: 4.2289 acres

Location: Staton House Rd, west of Memorial Dr

Points of Access: Staton House Rd



Location Map

Transportation Background Information

1.) Memorial Drive- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lane divided, grass median	4-lane divided, grass median
Right of way width (ft)	190	190
Speed Limit (mph)	50	
Current ADT:	18,730 (*)	Ultimate Design ADT: 35,000 vehicles/day (**)
Design ADT:	35,000 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	

Other Information: There are no sidewalks along Memorial Drive that service this property.

Notes: (*) 2012 NCDOT count adjusted with a 2% growth rate
(**) Traffic volume based on an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No projects planned.

Trips generated by proposed use/change

Current Zoning: 2,577 -vehicle trips/day (*) **Proposed Zoning:** 3,873 -vehicle trips/day (*)

Estimated Net Change: increase of 1296 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 Memorial Drive are as follows:

1.) Memorial Drive , North of Site (40%): “No build” ADT of 18,730

Estimated ADT with Proposed Zoning (full build) – 20,279

Estimated ADT with Current Zoning (full build) – 19,761

Net ADT change = 518 (3% increase)

2.) Memorial Drive , South of Site (60%):**“No build” ADT of 18,730**

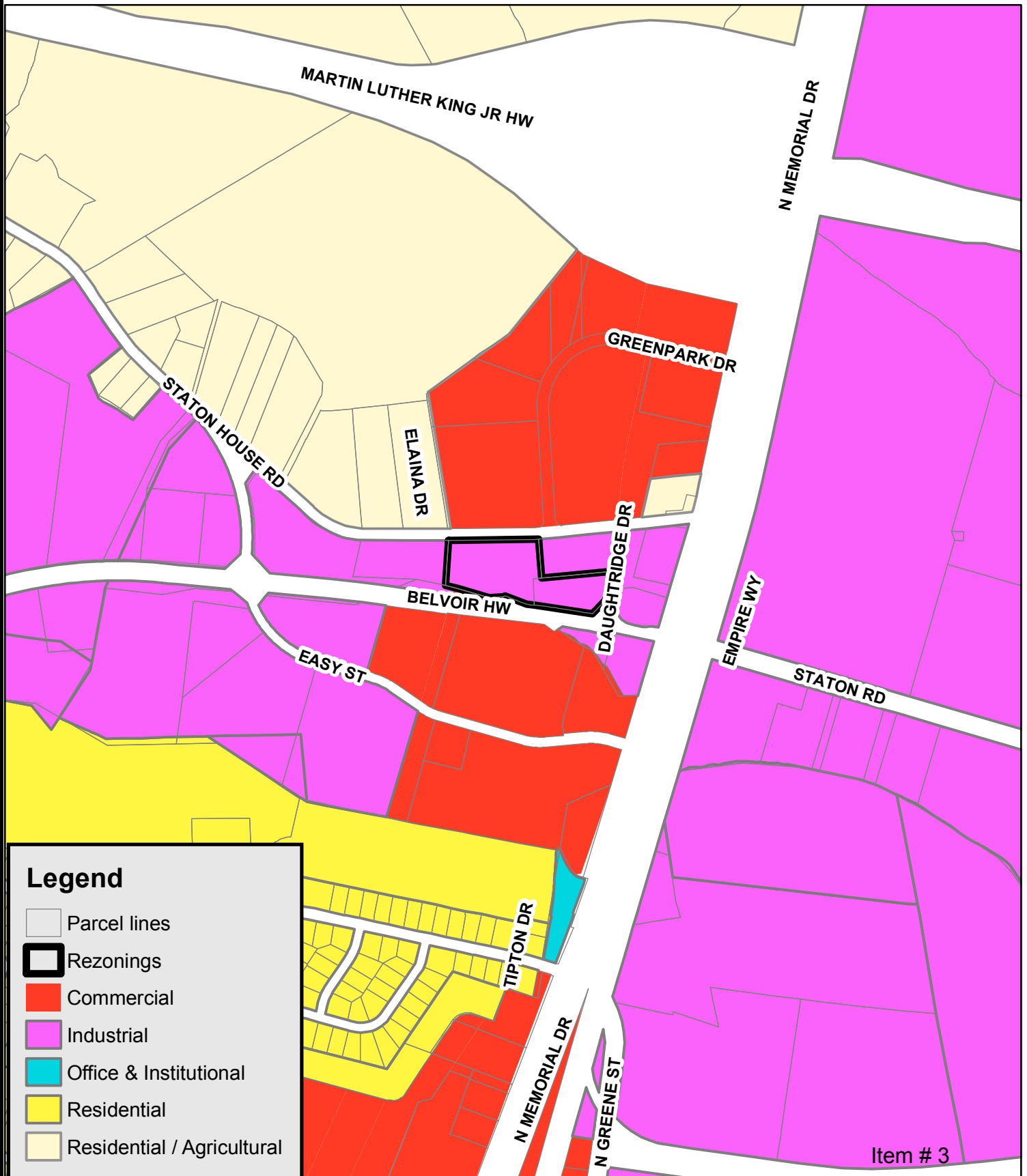
Estimated ADT with Proposed Zoning (full build) – 21,054

Estimated ADT with Current Zoning (full build) – 20,276**Net ADT change = 778 (4% increase)****Staff Findings/Recommendations**








Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 3873 trips to and from the site via Memorial Drive, which is a net increase of 1296 additional trips per day.

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

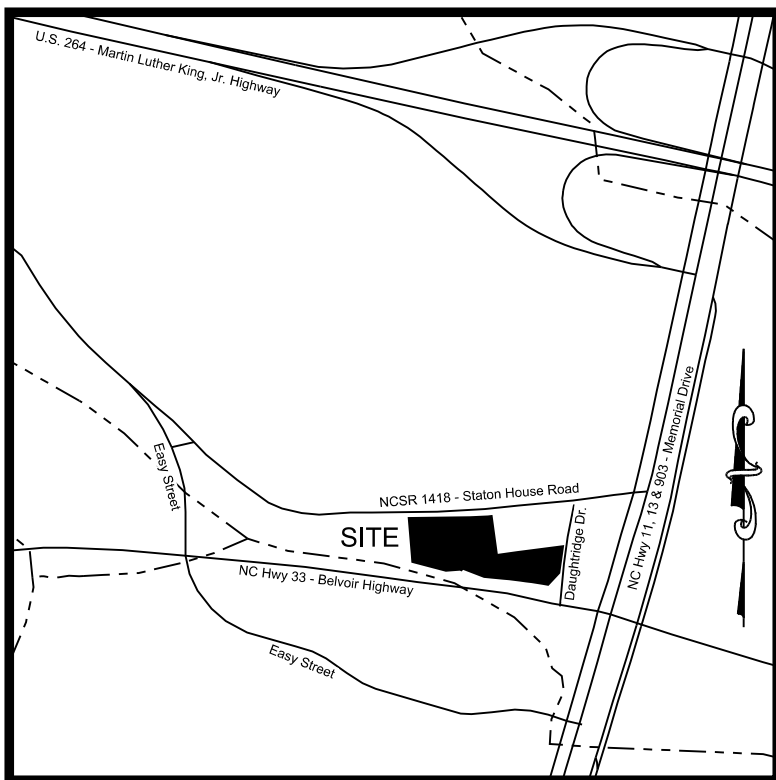
Daughtride Oil Company of Greenville
From: IU To: CH
4.2289 acres
February 21, 2014



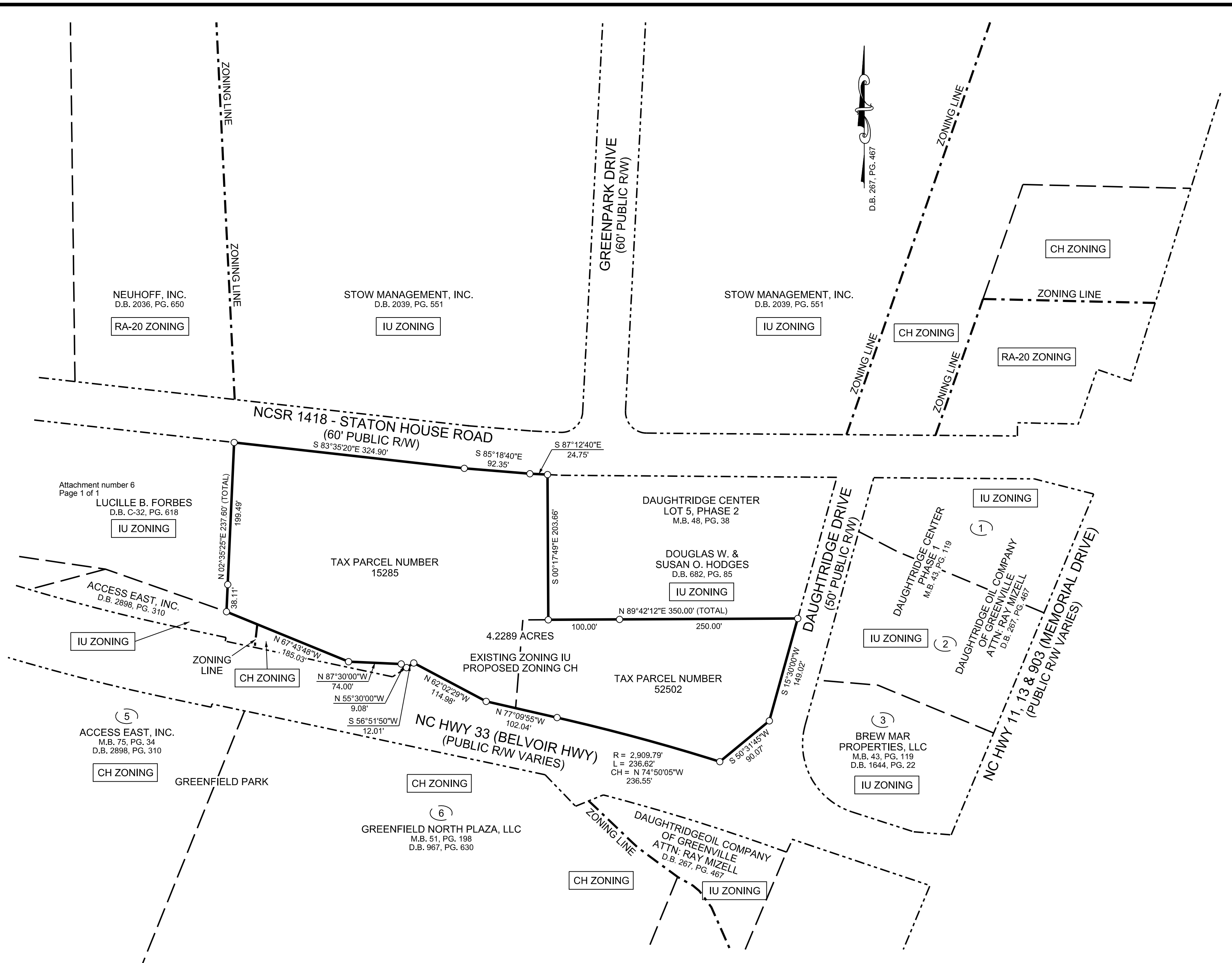
Legend

-  Parcel lines
-  Rezoning
-  Commercial
-  Industrial
-  Office & Institutional
-  Residential
-  Residential / Agricultural

Item # 3



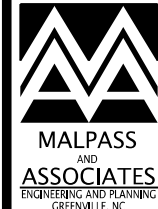
VICINITY MAP
1" = 2000'

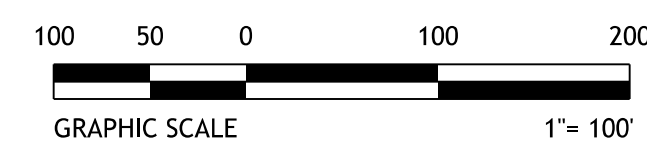


REZONING MAP FOR
DAUGHTRIDGE OIL COMPANY OF GREENVILLE

REFERENCE DEED BOOK 267, PAGE 467,
OF THE PITT COUNTY REGISTRY

BELVOIR TOWNSHIP PITT COUNTY NORTH CAROLINA

OWNER: DAUGHTRIDGE OIL COMPANY OF GREENVILLE	DESIGNED: CEP
ADDRESS: P.O. BOX 593 ROCKY MOUNT, NC 27802	DRAWN: WCO
PHONE: (252) 446-6137	APPROVED: CEP
 MALPASS & ASSOCIATES NC LICENSE NO. C-1289 1645 EAST ARLINGTON BLVD., SUITE D GREENVILLE, N.C. 27858 (252) 756-1780	DATE: 02/10/14
	SCALE: 1" = 100'
	SHEET 1 OF 1



CARLTON E. PARKER, PLS 2980

Item # 3

L:\dgn\p1100_p1199\p-1143_Daughtridge Center Hwy-11_Daughtridge Oil Company\p1143rez.dgn 2/25/2014 3:36:30 PM

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: 4/10/2014
Time: 7:00 PM

Title of Item: Ordinance requested by Greg Lassiter DBA Champions Health and Fitness to rezone 2.505 acres located 250+/- north of East 10th Street and 430+/- feet east of Homestead Memorial Cemetery from OR (Office-Residential [High Density Multi-family]) and O (Office) to CG (General Commercial)

Explanation: **Abstract:** The City has received a request from Greg Lassiter DBA Champions Health and Fitness to rezone 2.505 acres located 250+/- north of East 10th Street and 430+/- feet east of Homestead Memorial Cemetery from OR (Office-Residential [High Density Multi-family]) and O (Office) to CG (General Commercial).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on March 4, 2014.
On-site sign(s) posted on March 4, 2014.
City Council public hearing notice (property owner and adjoining property owner letter) mailed on March 25, 2014.
Public hearing legal advertisement published on March 31 and April 7, 2014.

Comprehensive Plan:

The subject site is located in Vision Area C.

East Tenth Street (NC Highway33) is considered a gateway corridor from its intersection with Greenville Boulevard and continuing east. Gateway corridors serve as primary entranceways into the City and help define community character.

There is a recognized intermediate focus area to the east of the intersection of East 10th Street and Portertown Road. Intermediate focus areas generally contain 50,000 to 150,000 square feet of conditioned floor space.

The Future Land Use Plan Map recommends commercial (C) along the northern right-of-way of East 10th Street between the Bayt Shalom Synagogue and Greenville Mobile Estates transitioning to medium density residential (MDR), low density residential (LDR) and further decreasing to very low density residential (VLDR) toward the Tar River. Conservation/open space (COS) is recommended along the Tar River and the adjacent area to the west, which is the future site of the Eastside Park.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 790 trips to and from the site on NC Highway 33, which is a net increase of 557 trips per day.

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

History/Background:

The subject property was incorporated into the City's Extraterritorial Jurisdiction (ETJ) after 1989 and zoned RA20 (Residential-Agricultural). In 2007, it was rezoned from RA20 to OR.

Present Land Use:

Farmland

Water/Sewer:

Sanitary sewer is located at the River Hills pump station. Water to be provided by Eastern Pines Water Corporation.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

There are no known effects on the subject property.

Surrounding Land Uses and Zoning:

North: OR - Woodlands

South: O and CG - Vacant

East: CG - Farmland and woodlands

West: OR - Congregation Bayt Shalom; RA20 - City-owned (future site of Eastside Park)

Density Estimates:

Under the current zoning (OR), staff would anticipate the site to yield 35 multi-

family units (1, 2 and 3 bedrooms).

Under the proposed zoning (CG), the site could accommodate 24,006+/- square feet of retail/conventional restaurant space.

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

Fiscal Note: No cost to the City.

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

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

The Planning and Zoning Commission voted to approve the request at its March 18, 2014 meeting.

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

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

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

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

Attachments / click to download

- [Traffic Report](#)
 - [Location Map](#)
 - [Survey](#)
 - [Bufferyard and Vegetation Standards and Residential Density](#)
 - [Ordinance Greg Lassiter 975684](#)
 - [Minutes Greg Lassiter 975694](#)
 - [List of Uses O and CG 894321](#)
-

ORDINANCE NO. 14-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 10th day of April, 2014, 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) and O (Office) to CG (General Commercial).

TO WIT: V-SLEW, LLC Property

LOCATION: Located 250+/- north of East 10th Street and 430+/- feet east of Homestead Memorial Cemetery.

DESCRIPTION: Beginning at a point located at the northwestern terminus of Parkside Drive as shown on Map Book 76, Page 14 of the Pitt County Register or Deeds. From the above described beginning, so located, running thence as follows:

Leaving the northwestern terminus of Parkside Drive N 63°07'42" W 443.05', thence N 30°01'38" E 249.89', thence S 63°07'42" E 322.78', thence N 79°18'00" E 55.16', thence S 12°40'06" E 64.18' to the point of curvature, thence with a curve to the right an arc distance of 35.64', said curve having a radius of 394.93' and a chord bearing S 08°08'12" E 35.64', thence S 26°27'10" W 204.46' to the point of beginning containing 2.505 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 10th day of April, 2014.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Doc. # 975684

Excerpt from the DRAFT Planning & Zoning Minutes (03/18/2014)

ORDINANCE REQUESTED BY GREG LASSITER DBA CHAMPIONS HEALTH AND FITNESS TO REZONE 2.505 ACRES LOCATED 250+/- NORTH OF EAST 10TH STREET AND 430+/- FEET EAST OF HOMESTEAD MEMORIAL CEMETERY FROM OR (OFFICE-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) AND O (OFFICE) TO CG(GENERAL COMMERCIAL) - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated the property is located in the eastern section of the City, north of 10th Street near Congregation Bayt Shalom Synagogue. The rezoning is north of 10th Street and will be served by Parkside Drive, which is east of the property. The intersection of 10th Street and Parkside Drive is signalized. The property is vacant. The adjacent parcel to the east is owned by the City and is the future site of the Eastside Park. The new Wal-Mart Shopping Center is to the south. This request could generate a net increase of 557 trips. The property is not impacted by the floodplain or floodway. Under the current zoning OR, the site could accommodate about 35 multi-family units. Under the requested zoning CG, the site could accommodate about 24,000 square feet of retail, commercial, or conventional restaurant. The Future Land Use Plan recommends commercial along the northern right-of-way of East 10th Street east of Congregation Bayt Shalom. The property to the west is shown as COS (Conservation Open Space) and is part of the City's policy to show parks or future parks as conservation open space. In staff's opinion, the request is in compliance with Horizon's Greenville Community Plan and the Future Land Use Plan Map.

Ms. Bellis asked if the vacant strip adjacent to this property is the future entry way to the park and how big is that strip.

Ms. Chantae said the strip is about 50 feet wide. It does serve as access to the city property, but the park may end up be served by Parkside Drive.

Chairwoman Basnight opened the public hearing.

Greg Lassiter, applicant, spoke in favor of the request. He stated he has been in business, Champions Health and Fitness, for 30 years. He is excited about the possibility of going on that side of town to service the citizens. Health is a very big issue in society and he looks forward to the chance to having his business there to serve community.

Attorney Holec reminded the board that all permitted and special uses within the requested zoning district must be taken into consideration and not any particular representation for any particular use.

975694

Jim Hopf, representative of property owner, spoke in favor of the request. He stated that the owner of the property has contacted the synagogue and that the synagogue did not have any opposition to the rezoning. He stated that this change is consistent with the land uses and the desire/intent to bring commercial/retail to this area.

No one spoke in opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

No comments were made during board discussion.

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

EXISTING ZONING

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

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
- e. Barber or beauty shop
- 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
- x. Dance studio

*(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

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
- k. Business or trade school
- o. Church or place of worship (see also section 9-4-103)
- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- y.(1) 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

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 14-04

Applicant: Greg Lassiter DBA Champions Health & Fitness

Property Information

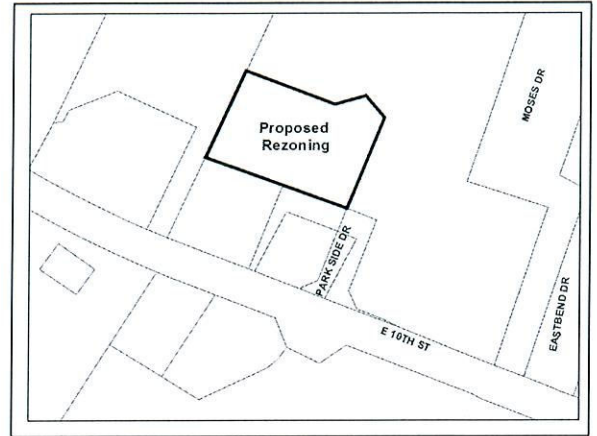
Current Zoning: OR (Office-Residential [High Density Multi-family])

Proposed Zoning: CG (General Commercial)

Current Acreage: 2.505 acres

Location: Parkside Dr, north of NC Hwy 33 (E. 10th St)

Points of Access: NC Hwy 33 (E. 10th St)



Location Map

Transportation Background Information

1.) NC 33- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	5-lane with curb & gutter	5-lane with curb & gutter
Right of way width (ft)	100	100
Speed Limit (mph)	55	55
Current ADT:	18,730 (*)	Ultimate Design ADT: 33,500 vehicles/day (**)
Design ADT:	33,500 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	

Other Information: There are no sidewalks along NC 33 that service this property.

Notes: (*) 2012 NCDOT count adjusted for a 2% annual growth rate
 (**) Traffic volume based on operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No planned improvements.

Trips generated by proposed use/change

Current Zoning: 233 -vehicle trips/day (*) **Proposed Zoning: 790** -vehicle trips/day (*)

Estimated Net Change: increase of 557 vehicle trips/day (assumes full-build out)

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

Impact on Existing Roads

The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on NC 33 are as follows:

1.) NC 33 , East of Site (30%): **“No build” ADT of 18,730**

Estimated ADT with Proposed Zoning (full build) – 18,967
 Estimated ADT with Current Zoning (full build) – 18,800
Net ADT change = 167 (<1% increase)

2.) NC 33 , West of Site (70%):**“No build” ADT of 18,730**

Estimated ADT with Proposed Zoning (full build) – 19,283

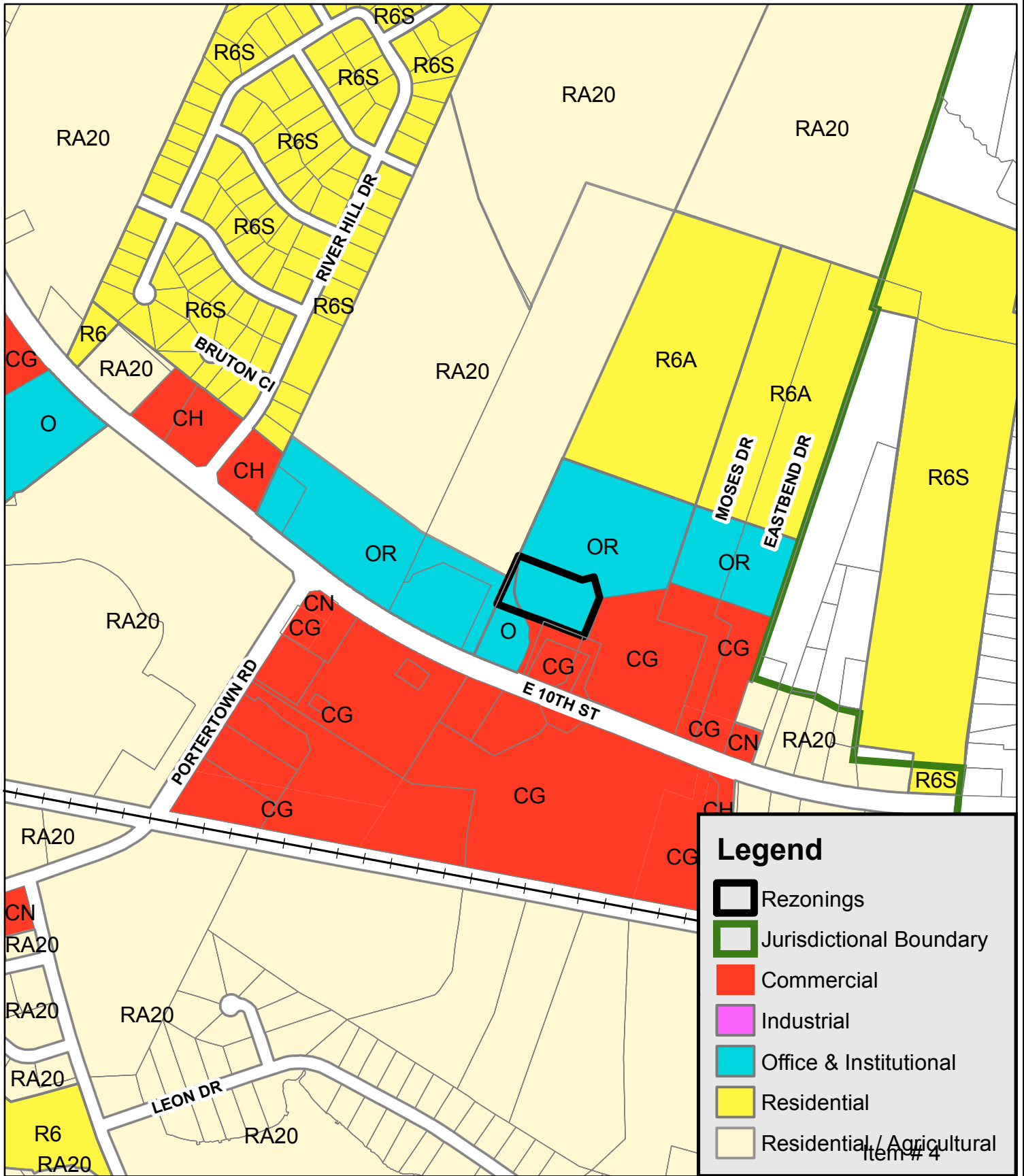
Estimated ADT with Current Zoning (full build) – 18,893**Net ADT change = 390 (2% increase)****Staff Findings/Recommendations**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 790 trips to and from the site on NC 33, which is a net increase of 557 additional trips per day.

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

Greg Lassiter DBA Champions Health and Fitness

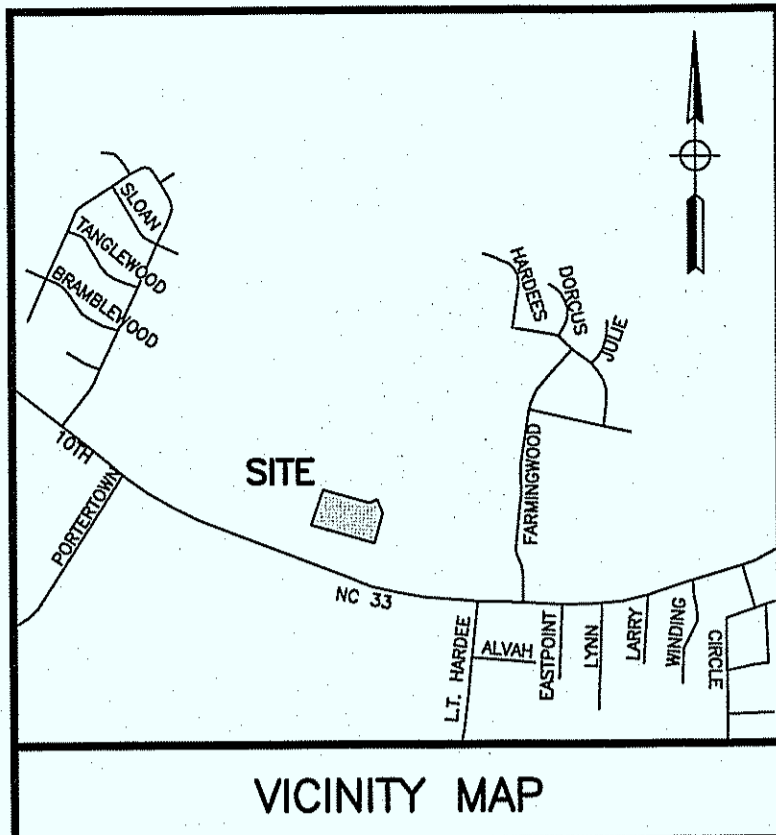
From: OR and O To: CG
2.505 acres
February 21, 2014



Legend

- Rezonings
- Jurisdictional Boundary
- Commercial
- Industrial
- Office & Institutional
- Residential
- Residential / Agricultural

Item # 4



VICINITY MAP

- LEGEND**
- NPS = NO POINT SET
 - EIP = EXISTING IRON PIPE
 - CH = CHORD
 - R/W = RIGHT-OF-WAY
 - R = RADIUS
 - EPKN = EXISTING PARKER KALON NAIL
 - ECM = EXISTING CONCRETE MONUMENT
 - = EXISTING ZONING
 - = PROPOSED ZONING

NOTES

1. THIS SURVEY IS OF ANOTHER CATEGORY.
2. ALL AREA CALCULATED BY COORDINATE GEOMETRY.

Attachment number 6
Page 1 of 1

WOODED
RA-20
CITY OF GREENVILLE
MB 52, PG 117
DB 2043, PG 165

WOODED
OR
V-SLEW, LLC
MB 68, PG 65
DB 2043, PG 165

CHURCH
OR
BAYT SHALOM
MB 84, PG 545
DB 379, PG 135

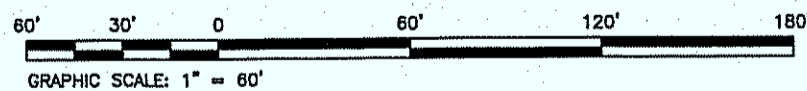
VACANT
O
V-SLEW, LLC
MB 68, PG 65
DB 2043, PG 165

VACANT LOT A
CG
GREENVILLE RETAIL INVESTMENT, LLC
DB 2944, PG 24

PARKSIDE BLUFFS
MB 76, PG 14

VACANT
CG
V-SLEW, LLC
MB 68, PG 65
DB 2043, PG 165

NC HWY 33-EAST TENTH STREET
(98.43' R/W PUBLIC)



A PORTION OF PARCEL# 10412
TAX MAP# 5607-31-5987

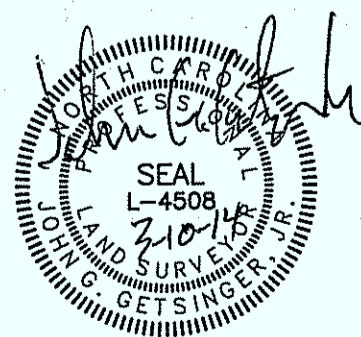
ADJOINING PROPERTY OWNERS ADDRESSES

BAYT SHALOM
PO BOX 2713
ECU STATION
GREENVILLE, NC 27836

GREENVILLE RETAIL INVESTMENT, LLC
550 LONG POINTE ROAD
MOUNT PLEASANT, SC 29464

V-SLEW, LLC
2625 CHARLES BOULEVARD
GREENVILLE, NC 27858

CITY OF GREENVILLE
PO BOX 7207
GREENVILLE, NC 27835



TOTAL AREA TO BE REZONED: 2.505 ACRES

REZONING MAP FOR
GREG LASSITER DBA CHAMPIONS HEALTH & FITNESS

REFERENCE: A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 2043, PAGE 165 OF THE PITT COUNTY REGISTER OF DEEDS.
GREENVILLE, GRIMESLAND TOWNSHIP, PITT COUNTY, N.C.

OWNER: V-SLEW, LLC ADDRESS: 2625 CHARLES BLVD. GREENVILLE, NC 27858 PHONE: (252) 321-9904	APPLICANT: GREG LASSITER DBA CHAMPIONS HEALTH & FITNESS ADDRESS: 2096 CENTRAL PARK DRIVE WINTERVILLE, NC 28590 PHONE: (252) 756-1314
---	--

Baldwin Design Consultants, PA SITE & SUBDIVISION DESIGN - SURVEYING - PLANNING 3740-B EVANS STREET GREENVILLE, NC 27834 252.756.1390	LICENSE# C-3498	SURVEYED: MM	APPROVED: MWB
		DRAWN: PAP	DATE: 2/17/2014
		CHECKED: MWB	SCALE: 1" = 60'

CLOSURE CHECK BOUNDARY	
CHECKED: PAP	DATE: 2/17/2014

ACAD: 05-136 V-SLEW/COMMERCIAL REZONING MAP 2-14-2014.dwg
FILE# 05-136 C&G FILE: 05-136

04/30/07

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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

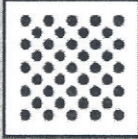
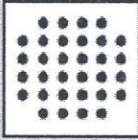
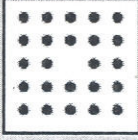
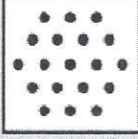

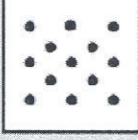
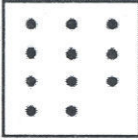
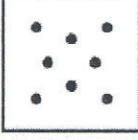
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date: 4/10/2014
Time: 7:00 PM

Title of Item: Ordinance requested by Oxford Street, LLC to rezone 3.935 acres located between Old Fire Tower Road and Rosemont Drive and 450+/- feet east of County Home Road from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family])

Explanation: **Abstract:** The City has received a request from Oxford Street, LLC to rezone 3.935 acres located between Old Fire Tower Road and Rosemont Drive and 450+/- feet east of County Home Road from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family]).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on March 4, 2014.
On-site sign(s) posted on March 4, 2014.
City Council public hearing notice (property owner and adjoining property owner letter) mailed on March 25, 2014.
Public hearing legal advertisement published on March 31 and April 7, 2014.

Comprehensive Plan:

The subject area is located in Vision Area D.

The Future Land Use Plan Map recommends commercial (C) at the intersection of Arlington Boulevard and Fire Tower Road transitioning to office/institutional/multi-family (OIMF) as a buffer to the residential-only areas extending from this intersection.

There is a designated regional focus area at the intersection of Arlington Boulevard and Fire Tower Road. These areas are intended to contain 400,000+ square feet of conditioned floor space.

County Home Road is designated as a connector corridor at its intersection with

Fire Tower Road and transitions to a residential corridor at its intersection with Bells Chapel Road. 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."

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

Based on possible use permitted by the requested rezoning, the proposed rezoning classification could generate 366 trips to and from the site via County Home Road, which is a net increase of 222 additional trips per day.

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

History/Background:

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

Present Land Use:

One (1) single-family residence.

Water/Sewer:

Water and sanitary sewer are available along Old Fire Tower Road.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

There are no known environmental constraints.

Surrounding Land Uses and Zoning:

North: OR- one (1) single-family residence and one (1) vacant lot; RA20 - one (1) mobile home residence

South: OR - Rosemont Apartments

East: RA20 - one (1) single-family residence and two (2) vacant lots

West: RA20 - one (1) single-family residence; IU - cell tower and Atlas Self Storage

Density Estimates:

Under the current zoning (RA20), staff would anticipate the site to yield no more than 15 single-family lots.

Under proposed zoning (OR), staff would anticipate the site to yield 55 multi-family units (1, 2 and 3 bedrooms).

The anticipated build-out is 1-2 years.

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.

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

The Planning and Zoning Commission voted to approve the request at its March 18, 2014, meeting.

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

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

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

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

Attachments / click to download

- [Traffic Report](#)
- [Location Map](#)
- [Survey](#)
- [Bufferyard and Vegetation Standards and Residential Density](#)
- [Ordinance ___Oxford_Street_975685](#)
- [Minutes ___Oxford_Street_975695](#)
- [Llst_of_Uses_RA20_to_OR_966797](#)

ORDINANCE NO. 14-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 10th day of April, 2014, 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) to OR (Office-Residential).

TO WIT: Robert Jones Property

LOCATION: Located between Old Fire Tower Road and Rosemont Drive and 450+/- feet east of County Home Road.

DESCRIPTION: Beginning at a point on the southern right-of-way of NCSR 2235 (Old Firetower Road), said point being located S 10°57'27" E 30.02' from a point located in the centerline of NCSR 2235 (Old Firetower Road), said point in centerline being located N 77°40'28" E 508.23' as measured along the centerline of NCSR 2235 (Old Fire tower Road) from a point located at the centerline intersection of NCSR 2235 (Old Firetower Road) and NCSR 1725 (County Home Road). From the above described beginning, so located, running thence as follows:

With the southern right-of-way of NCSR 2235 (Old Firetower Road) N 76°31'39" E 281.06', thence leaving said right-of-way S 10°47'05" E 590.60', thence S 67°39'04" W 284.61', thence N 10°57'27" W 634.48' to the point of beginning containing 3.935 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 10th day of April, 2014.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Doc. # 975685

Excerpt from the DRAFT Planning & Zoning Minutes (03/18/2014)

ORDINANCE REQUESTED BY OXFORD STREET, LLC TO REZONE 3.935 ACRES LOCATED BETWEEN OLD FIRE TOWER ROAD AND ROSEMONT DRIVE AND 450+/- EAST OF COUNTY HOME ROAD FROM RA20(RESIDENTIAL-AGRICULTURAL) TO OR(OFFICE-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated that the property is located in the southeastern section of the City, between Old Fire Tower Road and Rosemont Drive, and east of County Home Road. There is currently a single-family home on the property. There are neighboring single-family residences, commercial along Fire Tower Road, and multi-family to the south. This request could generate a net increase of 222 trips a day. There is a Regional Focus Area, where commercial is anticipated and encouraged, at the intersection of Fire Tower Road and Arlington Boulevard. The property is currently zoned RA20 and could accommodate 15 single-family lots. Under the requested zoning, OR, staff would anticipate the site to yield 55 multi-family units. The requested zoning, OR, is part of the OIMF (Office/Institutional/Multi-Family) category. In staff's opinion, the request is in compliance with Horizon's Greenville Community Plan and the Future Land Use Plan Map.

Chairwoman Basnight opened the public hearing.

Mike Baldwin, representative of the applicant, spoke in favor of the request. He stated that the request is in compliance with the Comprehensive Plan and provide transitional zoning. There is a minimal amount of additional traffic generated by this request. There is adequate water and sewer available to the site and no environmental concerns.

No one spoke in opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

Mr. Weitz stated that he agrees that it is consistent with the Comprehensive Plan and is prepared to support a motion to approve the rezoning. First, County Home Road is at capacity causing a traffic issue and there are no long-term plans to improve the road. Secondly, there is no infrastructure for sidewalks or transit. There is no bus service anywhere south of Fire Tower Road. Although, the request is consistent with the plan, it is not a good way to grow and hopes the City will address these infrastructure needs in the near future.

Mr. Parker asked who maintains County Home Road.

Mr. Flood stated NCDOT.

968228

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

EXISTING ZONING

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)

(9) Repair: None*

(10) Retail Trade: None*

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade: None*

(12) Construction: None*

(13) Transportation: None*

*(14) Manufacturing/ Warehousing: * None*

(15) Other Activities (not otherwise listed - all categories): None*

PROPOSED ZONING

OR (Office-Residential)

Permitted Uses

(1) General:

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

(2) Residential:

- b. Two-family attached dwelling (duplex)
- c. Multi-family development per Article 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

Case No: 14-05

Applicant: Oxford Street, LLC

Property Information

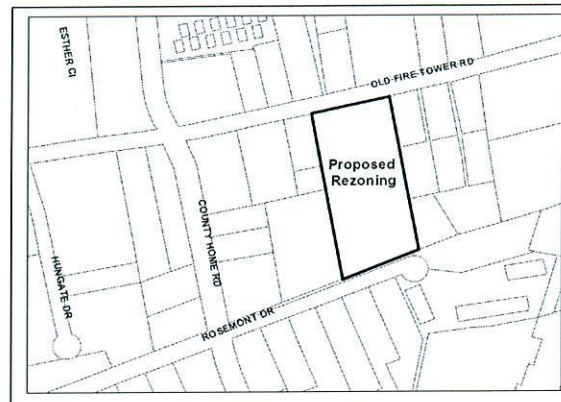
Current Zoning: RA20 (Residential-Agricultural)

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

Current Acreage: 3.9535 acres

Location: Old Fire Tower Rd, east of County Home Road

Points of Access: County Home Rd via Old Fire Tower 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	2-lanes, paved shoulder	5-lane, curb & gutter, wide outside lanes, sidewalk
Right of way width (ft)	80	no change
Speed Limit (mph)	45	
Current ADT:	15,600 (*)	Ultimate Design ADT: 33,500 vehicles/day (**)
Design ADT:	12,000 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: (*) 2012 NCDOT count adjusted with a 2% growth rate
 (**) Traffic volume based an operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No projects planned.

Trips generated by proposed use/change

Current Zoning: 144 -vehicle trips/day (*) **Proposed Zoning: 366** -vehicle trips/day (*)

Estimated Net Change: increase of 222 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 Road are as follows:

1.) County Home Road , North of Site (70%): **“No build” ADT of 15,600**

Estimated ADT with Proposed Zoning (full build) –	15,856
Estimated ADT with Current Zoning (full build) –	15,701
Net ADT change =	155 (<1% increase)

2.) County Home Road , South of Site (30%):**“No build” ADT of 15,600**

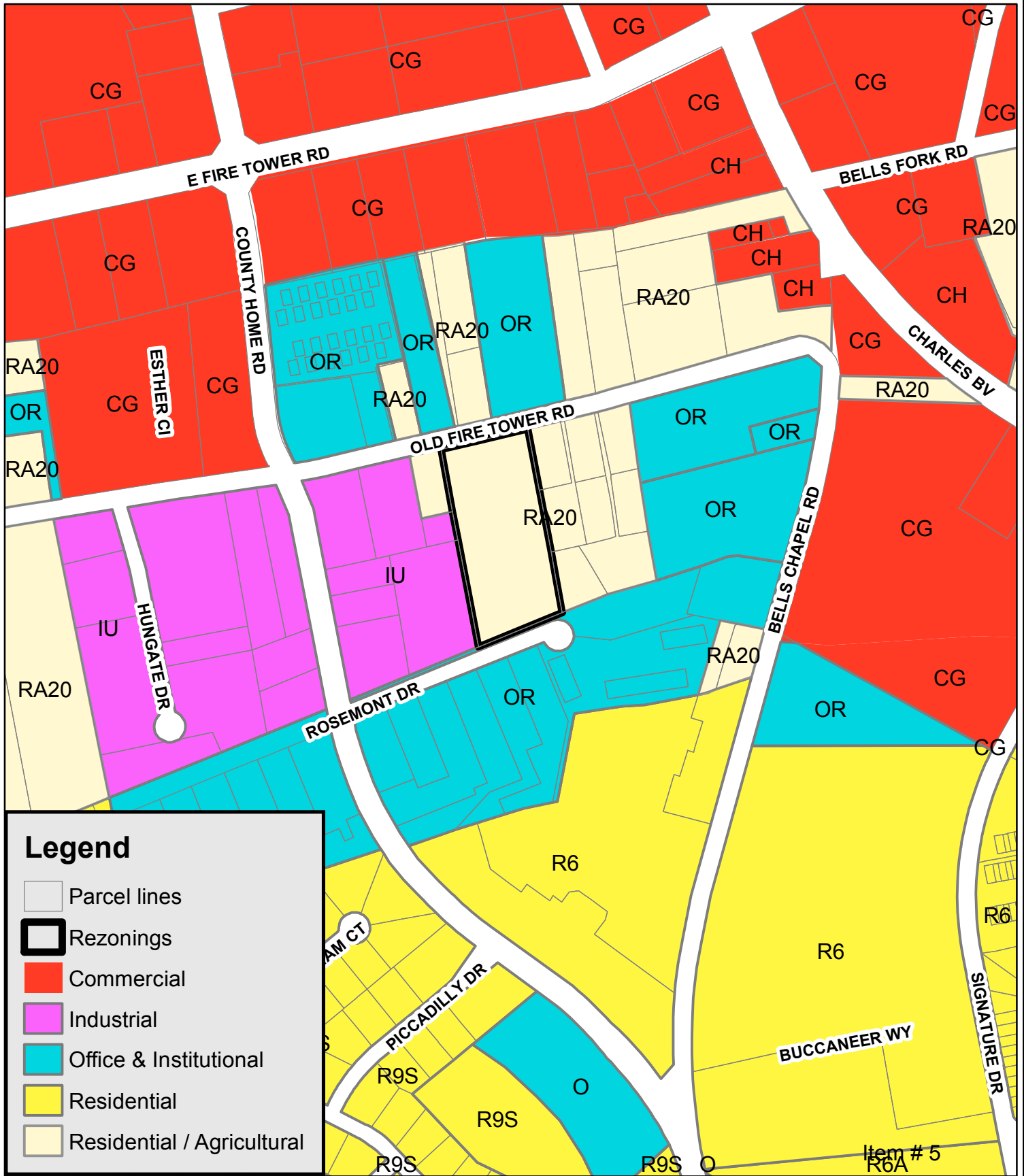
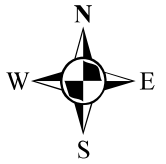
Estimated ADT with Proposed Zoning (full build) – 15,710

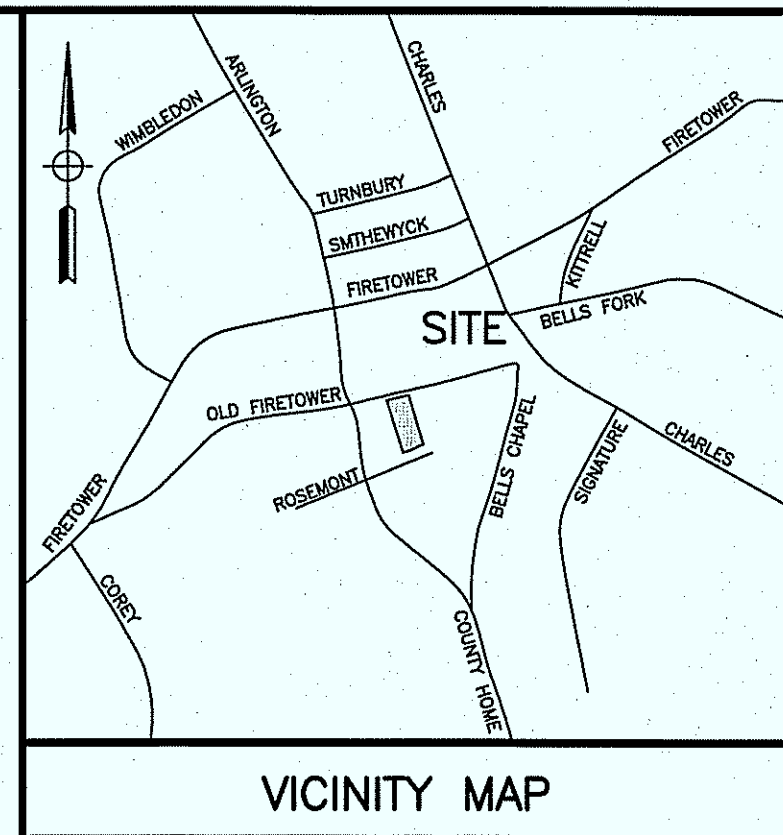
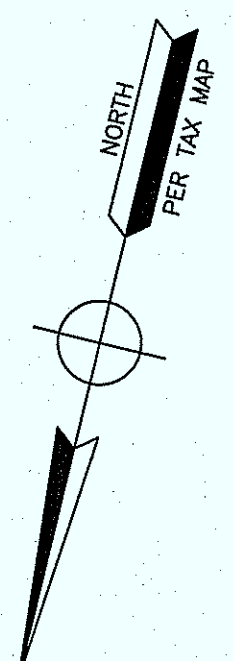
Estimated ADT with Current Zoning (full build) – 15,643**Net ADT change = 67 (<1% increase)****Staff Findings/Recommendations**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 366 trips to and from the site via County Home Road, which is a net increase of 222 additional trips per day.

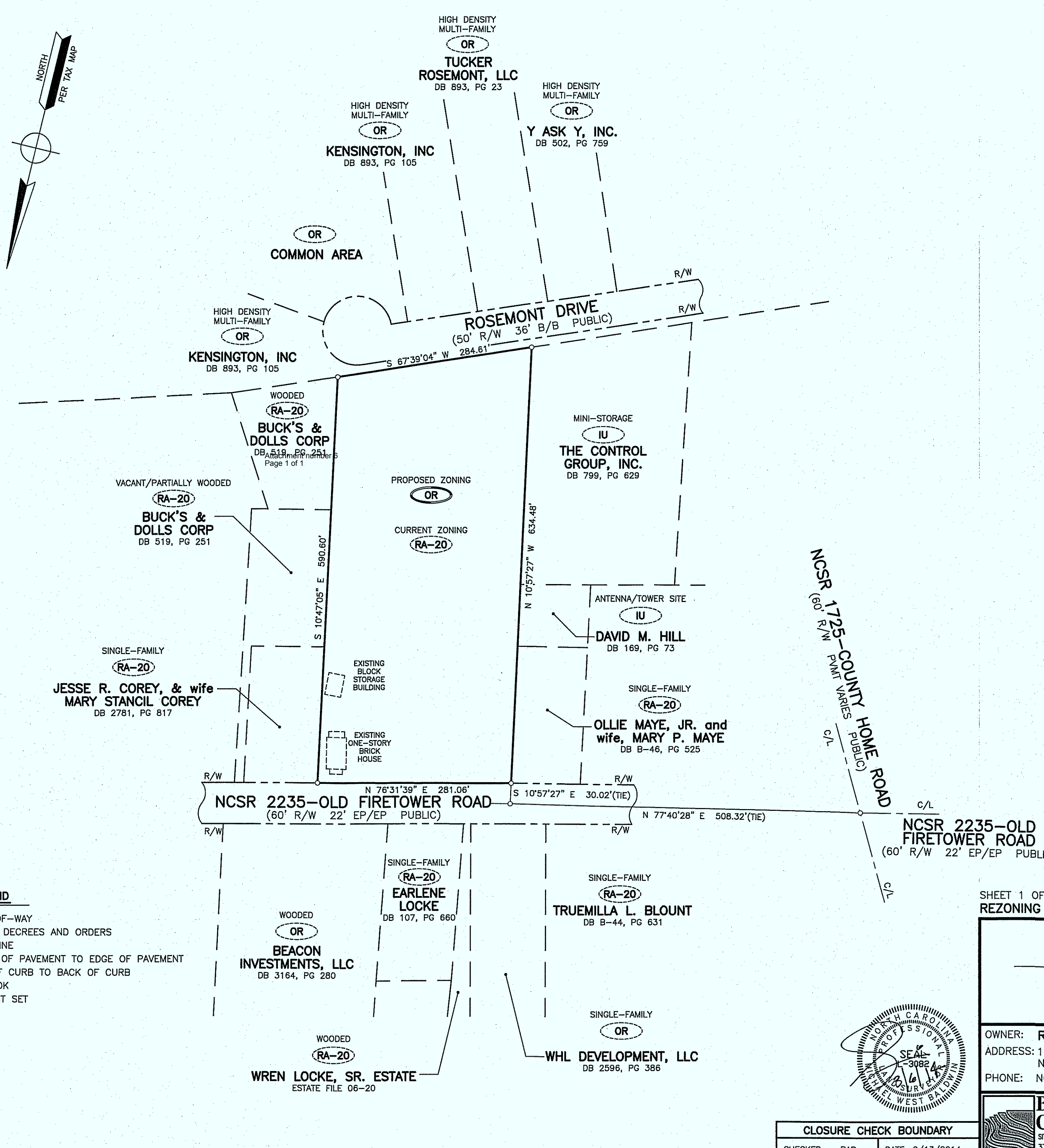
During the review process, measures to mitigate traffic impacts will be determined.

Oxford Street, LLC
From: RA20 To: OR
3.935 acres
February 21, 2014





VICINITY MAP

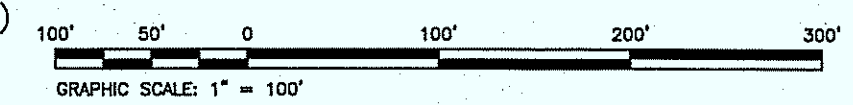


ADJOINING PROPERTY OWNERS ADDRESSES

Y ASK Y, INC 226 COMMERCE STREET GREENVILLE, NC 27858	SADIE BUSH EXECUTRIX, ETAL. 1698 EAST ARLINGTON BOULEVARD GREENVILLE, NC 27858
TUCKER ROSEMONT, LLC 2539 SEVEN PINES ROAD GREENVILLE, NC 27834	WLH DEVELOPMENT, LLC 237 CHURCHILL DRIVE GREENVILLE, NC 27834
KENSINGTON, INC. 2539 SEVEN PINES ROAD GREENVILLE, NC 27834	TRUEMILLA L. BLOUNT 1911 OLD FIRETOWER ROAD GREENVILLE, NC 27858
BUCK'S & DOLLS CORP. 2788 OLD RIVER ROAD GREENVILLE, NC 27834	OLLIE MAYE, JR. and wife, MARY P. MAYE 1910 OLD FIRETOWER ROAD GREENVILLE, NC 27858
JESSE R. COREY, AND WIFE MARY STANCIL COREY 2000 OLD FIRETOWER ROAD GREENVILLE, NC 27858	DAVID M. HILL 3303 STAR HILL FARM ROAD GREENVILLE, NC 27834
BEACON INVESTMENTS, LLC PO BOX 123 GREENVILLE, NC 27835	THE CONTROL GROUP, INC. PO BOX 1111 YOUNGSVILLE, NC 27596
EARLENE LOCKE 1915 OLD FIRETOWER ROAD GREENVILLE, NC 27858	

NOTE: THE BEARINGS AND DISTANCES SHOWN ON THIS MAP WERE TAKEN FROM INFORMATION PROVIDED BY THE PITT COUNTY OPIS SITE AND DOES NOT REPRESENT AN ACTUAL SURVEY BY THIS FIRM.

AREA TO BE REZONED: 3.935 ACRES



SHEET 1 OF 1
REZONING MAP
PARCEL# 12460
TAX MAP# 4686-93-6654

OXFORD STREET, LLC

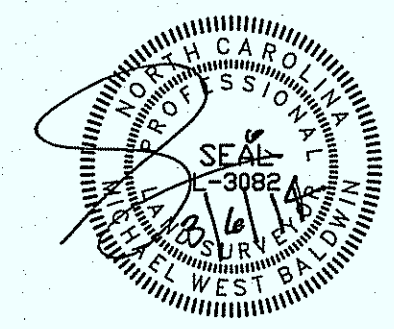
REFERENCE: BOOK OF DECREES AND ORDERS 97-1272 OF THE PITT COUNTY CLERK OF COURTS OFFICE.

WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER: ROBERT JONES	APPLICANT: OXFORD STREET, LLC
ADDRESS: 104 MILFORD AVENUE NEWARK, NJ 07108	ADDRESS: 226 COMMERCE STREET GREENVILLE, NC 27858
PHONE: NON-PUBLISHED	PHONE: (252) 756-3500

Baldwin Design Consultants, PA LICENSE# C-3498 SITE & SUBDIVISION DESIGN - SURVEYING - PLANNING 3740-B EVANS STREET GREENVILLE, NC 27834 252.756.1390	SURVEYED: N/A	APPROVED: MWB
CHECKED: MWB	DATE: 2/12/2014	SCALE: 1" = 100'

CLOSURE CHECK BOUNDARY	
CHECKED: PAP	DATE: 2/13/2014



CAD FILE: DRAWINGS\14-016 OXFORD STREET, LLC\14-016 REZONING MAP.DWG

LEGEND

- R/W = RIGHT-OF-WAY
- DC = BOOK OF DECREES AND ORDERS
- C/L = CENTERLINE
- EP/EP = EDGE OF PAVEMENT TO EDGE OF PAVEMENT
- B/B = BACK OF CURB TO BACK OF CURB
- DB = DEED BOOK
- NPS = NO POINT SET

04/30/07

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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


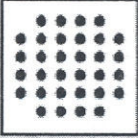
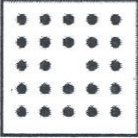
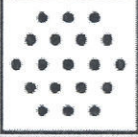

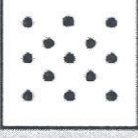
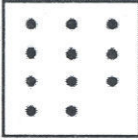
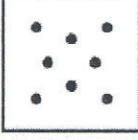
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date: 4/10/2014
Time: 7:00 PM

Title of Item: Ordinance initiated by the City Council of the City of Greenville to amend the Zoning Ordinance by removing the zoning text provisions relating to increased occupancy in the University Neighborhood Revitalization Initiative (UNRI) Overlay District

Explanation: **Abstract:** At their February 13, 2014, meeting, City Council voted to initiate the removal of text provisions related to the increased occupancy in the University Neighborhood Revitalization Initiative (UNRI) Overlay District.

Explanation: The proposed text amendment would remove the provisions which permit up to four unrelated individuals to reside together in one housekeeping unit including provisions which establish standards and requirements which are applicable when four unrelated persons are permitted. If approved, the city-wide standard of no more than three-unrelated would apply to the area. The proposed text amendment does not amend the provisions related to the UNRI Overlay District which do not relate to increased occupancy. Therefore, the UNRI Overlay District would remain as a zoning district and the parking standards specific to the UNRI Overlay District would remain. Additionally, the controlled on-street parking provisions, which are not part of the Zoning Ordinance, would remain since they are not dependent on the existence of a zoning district.

Fiscal Note: There is no anticipated fiscal impact.

Recommendation: In staff's opinion, the proposed Zoning Ordinance Text Amendment is in general compliance with Horizons: Greenville's Community Plan and other applicable adopted plans (see further details included in the attached Combined Staff Report).

The Planning and Zoning Commission voted 5-3 to approve the request at its March 18, 2014, meeting.

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

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

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

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

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

Attachments / click to download

- [Appendix A](#)
- [Appendix B](#)
- [Appendix C](#)
- [Appendix D](#)
- [Appendix E](#)
- [Appendix F](#)
- [Appendix G](#)
- [Location Map](#)
- [Ordinance_UNRI_remove_4unrelated_974379](#)
- [Minutes_for_Option_1_976339](#)
- [Final_Draft_of_UNRI_text_and_map_amendments_975401](#)

ORDINANCE NO. - ____
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 April 10, 2014, at 7:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code;

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Objective H5 to improve and revitalize existing neighborhoods, Objective 16 to encourage home ownership, Objective M4 to preserve and protect existing and future residential neighborhoods, Objective CF5 to ensure safe livable neighborhoods, Objective EQ13 to encourage litter control and community-wide clean up, and Objective UF6 to preserve neighborhood livability and that the adoption of this ordinance is consistent with the provisions of the Tar River/University Area Neighborhood Report and Plan and its goal to create, maintain, and enhance a sustainable neighborhood; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will promote the safety and the general welfare of the community and facilitate the sustainability, preservation, restoration, and revitalization of the university neighborhood by encouraging homeownership, potentially reducing occupancy to limit “wear and tear” of the neighborhood and maintaining aesthetic standards to preserve neighborhood livability.

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

Section 1: That section 9-4-77 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section to read as follows:

9-4-77. UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI) OVERLAY DISTRICT.

The purpose of the University Neighborhood Revitalization Initiative (UNRI) Overlay District is to allow modifications of the standards of the underlying zoning district(s) which are designed to provide for compatibility among university neighborhood properties in order to facilitate the sustainability, preservation, restoration, and revitalization of the university neighborhood.

Section 2: That section 9-4-200.2 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section to read as follows:

Sec. 9-4-200.2 UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI) OVERLAY DISTRICT STANDARDS.

(A) Purpose and intent; definition; designated area.

(1) Purpose and intent. The purpose and intent of the University Neighborhood Revitalization Initiative (UNRI) Overlay District and requirements set forth under this section are:

- (a) to recognize that the university neighborhood is an established city neighborhood with a unique location between East Carolina University, the Tar River, and the Downtown Commercial District;
- (b) to recognize that the university neighborhood has traditionally provided off-campus housing opportunities to students of East Carolina University and that a significant percentage of the dwellings located within the university neighborhood are renter occupied;
- (c) to establish appropriate standards and safeguards that provide for compatibility among university neighborhood properties; and
- (d) to facilitate the sustainability, preservation, restoration, and revitalization of the university neighborhood in order to promote the safety and the general welfare of the community.

(2) Definition. A University Neighborhood Revitalization Initiative (UNRI) Overlay District is defined as an overlay zoning district adopted in conjunction with an underlying general purpose zoning district, as listed in sections 9-4-46 through 9-4-72, wherein the zoning rights, standards, restrictions and requirements as set forth for the underlying general purpose zoning district shall extend to the University Neighborhood Revitalization Initiative (UNRI) Overlay District zoned area in accordance with subsection (B) below.

- (3) Designated area. All University Neighborhood Revitalization Initiative (UNRI) Overlay District(s) shall be restricted to the land area located within the following boundary: bounded on the north by the Tar River, on the east by Elm Street, extended to the Tar River, on the south by E. 5th Street, and on the west by Reade Street, extended to the Tar River. No University Neighborhood Revitalization Initiative (UNRI) Overlay District shall be located outside of the designated area described by this subsection. A University Neighborhood Revitalization Initiative (UNRI) Overlay District shall be established within the designated area upon City Council adoption of a zoning ordinance which defines the boundary of the specific University Neighborhood Revitalization Initiative (UNRI) Overlay District located within the designated area boundary.

(B) Standards.

- (1) A petition for a University Neighborhood Revitalization Initiative (UNRI) Overlay District zoning map amendment may be initiated in accordance with section 9-4-331.
- (2) All University Neighborhood Revitalization Initiative (UNRI) Overlay Districts shall be delineated upon the official zoning map as both the underlying general purpose zoning district and the University Neighborhood Revitalization Initiative (UNRI) Overlay District. The general purpose zoning district title shall be followed by University Neighborhood Revitalization Initiative “-UNRI” in all areas zoned University Neighborhood Revitalization Initiative (UNRI) Overlay District.
- (3) The zoning rights, standards, restrictions and requirements of the underlying general purpose zoning district shall extend to the University Neighborhood Revitalization Initiative (UNRI) Overlay District, except as modified by a provision of this chapter specifically made applicable to the University Neighborhood Revitalization Initiative (UNRI) Overlay District.

Section 3: That section 9-4-103 of the Code of Ordinances, City of Greenville, is hereby amended by repealing subsection (w) of said section 9-4-103 and deleting said subsection in its entirety.

Section 4: That any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

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

This the 10th day of April, 2014.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Excerpt from the DRAFT Planning & Zoning Minutes (03/18/2014)

ORDINANCE INITIATED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE TO AMEND THE ZONING ORDINANCE BY REMOVING TEXT PROVISIONS RELATING TO INCREASED OCCUPANCY IN THE UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI) OVERLAY DISTRICT (Option1) - APPROVED

Ms. Chantae Gooby, Planner II, gave the staff presentation. She stated since Agenda Items 4 and 5 were initiated at the same time and associated with the UNRI Overlay, staff will be making 1 presentation but there will be 2 separate public hearings. At the end of each public hearing, the Commission would vote to recommend approval or denial of each amendment. Each amendment should be considered independent of each other. The amendments were compiled into one staff report and the amendments are referred to as Option 1 and 2. Option 1 is removing the zoning text provisions relating to the increased occupancy in the UNRI Overlay District. Option 2 is removing the all the zoning text provisions relating to the UNRI Overlay District and to amend the zoning map to delete the UNRI Overlay. Staff has considered each of the amendments on its own merit. Staff reviewed the Horizons plan as well as the Tar River University Neighborhood Report and Plan. Due to the nature of these amendments, it is possible that those opposed or in support of the amendments would rely on the same objectives. It depends on the values of each person as to which option is best. In October, 2012, council adopted the UNRI standards and amended the zoning map to add the UNRI designation. This allowed up to 4-unrelated persons to live in one housekeeping unit, which is a single-family home, a duplex unit or multi-family unit within certain standards:

- The dwelling unit shall have four or more bedrooms; and
- The dwelling unit shall contain at least 1,500 square feet of heated floor area; and
- At least three on-site parking spaces shall be provided for the dwelling unit; and
- A zoning compliance letter from the City must be obtained; and
- A Crime free lease addendum included in the lease.

In June, 2013, Council expanded the Controlled Residential Parking area. This is on-street parking for residents only. The area was increased to include streets north of First Street to the river. A parking decal is required and obtained from the Public Works Department. Controlled Residential Parking will not be affected by either of these amendments. In September, 2013, Council adopted rear yard parking standards which limits parking/storing of vehicles, boats, trailers etc... on single-family and duplex lots to a maximum of four. Screening is required if visible from adjoining properties or the street with a 6-foot fence or vegetation. This standard is not impacted under Option 1, but under Option 2, this text would be deleted.

Ms. Gooby delineated the area on a map. The area is generally from the University to the Tar River, west of downtown and east of Elm Street. If the UNRI is removed as part of Option 2, the area would revert back to its base zoning. The base zonings districts will not change. The Future Land Use Plan Map (FLUPM) matches the current zoning which includes some commercial and high/medium/low density residential. The College View Historic District is also in this Overlay area. There has been no change to the existing land uses. There is little change of owner-occupied versus rental properties. There was a 1% change in which 12 units changed

976339

from owner-occupied to rental property. The area is about 16% owner-occupied and 83% rental. There were 1,238 potential code violations for 2013. The majority (over 1,000) of these violations were parking-related and were not mapped due to the high number. A code enforcement action map was presented representing 235 violations. Sixty percent of the violations were for parking on unimproved surface. As of March 11, 2014, 49 zoning compliance letters have been issued. Five applications were awaiting approval that would allow up to 4-unrelated persons to reside in one housekeeping unit. In staff's opinion, the request is in compliance with Horizon's Greenville Community Plan, the Future Land Use Plan Map and the Tar River/University Area Neighborhood Report and Plan. Staff has considered each of the amendments on their own merit. For Option 1, while it is recognized that the goals, policy statements and objectives provided in the staff report may be interpreted in different ways, it is staff's opinion that the proposed text amendment is in general compliance by encouraging homeownership, reducing adverse impacts associated with increased occupancy and maintaining aesthetic standards to preserve neighborhood livability. For Option 2, while it is recognized that the goals, policy statements and objectives provided in the staff report may be interpreted in different ways, it is staff's opinion that the proposed text and map amendments are in general compliance by encouraging homeownership and reducing adverse impacts associated with increased occupancy.

Ms. Bellis asked if a code enforcement officer was assigned to this area.

Ms. Gooby stated there 2 code enforcement officers.

Ms. Bellis asked if someone would lose their job if the UNRI was removed.

Ms. Gooby stated no.

Mr. Parker asked if the 49 approved zoning compliance properties and the 5 waiting approval would be grandfathered.

Attorney Holec stated yes.

Ms. Bellis asked if the grandfathered properties would follow the owner or the property.

Attorney Holec stated it stays with the property as a general rule. He stated that City Council has the authority to impact that rule with a specific change.

Mr. Parker asked if new applications could still be taken.

Attorney Holec stated yes until the time the amendment was approved by City Council.

Chairwoman Basnight asked if the approved grandfathered properties still have to abide by the original rules.

Attorney Holec stated yes.

Chairwoman Basnight opened the public hearing for Option 1.

Mr. Andrew Morehead, President of TRUNA (Tar River University Neighborhood Association), spoke in favor. He stated the Horizons Plan and the City goals for the University area are to encourage homeownership, preserve historical properties and to improve neighborhoods. The objectives are to establish single-family neighborhoods by encouraging reinvestment in established neighborhoods and converting rental properties into owner-occupied dwellings. There is a perverse incentive in this Overlay area to convert single-family homes into rentals and generate more rental income than anywhere else in the City. The increased rental activity and transient population are associated with an increase in crime rates. Increased investment in rental property will result in a decline of homeownership. There has only been about \$40,000 worth of permits for this area. This is not a case of homeowners against students. He stated that other cities have different numbers to limit occupancy but only Chapel Hill has differential occupancy because has conservation districts.

Mr. Weitz asked Mr. Morehead to elaborate on differential occupancy.

Mr. Morehead stated that there is a city-wide limit on the number of occupants. He stated that in Chapel Hill houses started being converted to rental in one neighborhood and they reduced the occupancy rate to 2 from 4. This was a less occupancy overlay to preserve the neighborhood and have incentives for homeownership.

Ms. Erin Wooten, resident of 403 Maple Street, spoke in favor. She stated crime is not down in this area. There is a hot spot in the Overlay area. Her property is family-owned and once was surrounded by all single-family homes and now is surrounded by rentals. The increase in rentals increases crimes and she wants a safer environment.

Ms. Inez Fridley, resident of 2003 E 5th Street, spoke in favor. She stated her property is about 3 blocks away from the Overlay but the Overlay affects her property. Although about 1,000 people signed an online petition in favor of the 4-unrelated, only 22 people signed the protest petition against the UNRI. Most rents went up because of the UNRI causing little to no savings. The City should not ignore good planning practices.

Ms. Beverly Harris, resident of 404 South Harding Street, spoke in favor. She stated that 52 permits had been granted to rental properties to house 4-unrelated tenants but were not inspected. Bedrooms were created out of living and/or dining rooms. The rental properties will likely never be owner-occupied again since they make more money as rentals. The owners of rental properties in this area have an unfair advantage and these properties pull down the value of the owner-occupied homes. Students are not the problem, but the landlords are because they do not maintain the rental properties.

Mr. Ed Harper, resident of 1607 E. 5th Street, spoke in favor. He stated the investment amount mentioned is not correct. There is a huge influx of out-of-town investors. Only \$46,500 in building permits have been issued for the \$5.5 million of recently purchased homes in this area. Only the landlords are benefiting. He likes the students but the 4-unrelated rule does not benefit the community.

Ms. Ann Maxwell, longtime resident of 32 years, spoke in favor. She stated that the objective to improve and encourage homeownership cannot be done under the UNRI. She knows of three families that wanted to buy in the neighborhood but could not afford it. She doesn't understand how the UNRI revitalizes the neighborhood. A potential owner-occupied buyer was interested in a home that had damage but someone else purchased the property to use a rental and moved students in without fixing the issues. Students are getting caught in the middle because landlords are turning any room they can into a bedroom so they can have 4-unrelated.

Ms. Marsha Ironsmith, resident of 34 years at 112 South Harding Street, spoke in favor. She stated there were many in objection when the UNRI was originally approved. The TRUNA Plan was adopted in 2009 and had several suggestions/strategies for this area that have not been implemented by Council. This is a clear case of Council blaming others for their lack of action and a handout politically moved to a select few.

Ms. Pat Pertalion, resident of neighborhood since 1963, spoke in favor. She stated that homeownership is related to higher property rates and lower crime. Rental vacancy is at 17%. It is not necessary to categorize or incentivize more homes into this vacancy category.

Mr. Weitz asked if the 17% vacancy rate was city-wide.

Ms. Pertalion stated it was.

Mr. Weitz asked what the source of that information.

Mr. Morehead stated a staff report.

Ms. Joanne Kollar, resident of 123 North Harding Street, spoke in favor.. She stated she was on the UNRI committee and part of TRUNA. About a year ago she led a tour for the City regarding code violations in the Overlay. Now there is no difference or improvement except more residential parking is available. The UNRI has accelerated the conversion of single-family homes to rentals. Spot zoning created by the UNRI has made it a profitable neighborhood for landlords because of the increased occupancy. Owners have been approached by realtors and landlords to sell their properties so that it can be converted to rentals. The UNRI has not improved the neighborhood, but has added to its decline. She urges the City to remove the Overlay completely.

Mr. Bernard Kane, resident of the Stratford Subdivision, spoke in favor. He believes his neighborhood could be next for 4-unrelated. He stated that these neighborhoods need to be restored back to single-family homes.

Ms. Belinda Perkinson, resident of North Harding Street. She stated that the Overlay is spot zoning and is illegal. A lawsuit regarding this has cost the City \$20,000.00. It does not serve the interest of the City. Incentivizing rental conversion and increasing the percentage of rental property in this area has cost everyone money.

Mr. Michael King, ECU Student Body President, spoke in opposition of the request. He stated that students want to maintain the 4-unrelated occupancy. He lives in a 4- unrelated property at 1003 East 3rd Street that was inspected, met the criteria and was approved. If the rule was

976339

eliminated then students would be kicked out because the price of rent would remain the same but would need to be divided by 3 and not 4. The 27,000 ECU students represent 1/3 of the City's population and the City would be nothing without ECU due to the economy the students bring. Eliminating the UNRI is against the students and everyone should work together.

Mr. Weitz asked if the students had complaints about their homes.

Mr. Michael King stated that his fraternity does not have a house but many members live in the grid in houses that have been maintained.

Ms. Bellis stated that Mr. Michael King lived in an approved house but asked if he visited houses that have 4 occupants that have not been approved.

Mr. Michael King stated he did not know if they had been approved since he had not spoken to those landlords.

Ms. Bellis asked if the application was approved before 4 people moved into where Mr. Michael King resides.

Mr. Michael King stated yes and his landlord has other houses that also have been approved.

Mr. Terry King stated that the property where Mr. Michael King resides, and all other approved homes, would be grandfathered. He stated that Mr. Michael King's objection that his residence would be changed is not existent.

Mr. Michael King stated he is representing everyone and understands that he and those who will live in the same property as him will be fine. It is the right of the students to be able to live in this neighborhood since they add so much to the City economy.

Ms. Elizabeth Semple, representing UNA (University Neighborhood Association representing investors) spoke in opposition. She questioned what would have happened to properties in the Overlay area if investors had not purchased them. She stated that it is very costly to purchase these older homes and repair them for occupancy. There is no reason to start over and to keep the UNRI and fix what is currently is not working. Crime has decreased in this area and rental properties have increased and has nothing to do with the UNRI.

Mr. Tim Ferruzzi, landlord, spoke in opposition. He praised ECU Student Body President, Michael King, for representing the students. He stated that many who have spoken are elitist and don't represent Greenville. The houses sell for more money and that is why the rent is higher. All the properties had to be inspected and meet the standards. The right of association which is a first amendment right that you cannot determine what is a family. He stated it is a violation to tell people how to live by putting a limit on the number of people in a house. He stated that UNRI has only been in effect for one year and that is not enough time to improve the investments.

Mr. Jeremy Spengeman, commercial property owner, spoke in opposition. He stated that back in 2000, he lived near this area and had 4-unrelated occupants in the home without problems. Until recently, 4-unrelated had been around but not enforced. The Overlay area will never be all

976339

owner-occupied single-family homes. TRUNA does not care about the students. The rental owners have not had time to improve the investments. Students should have an option to live close and not have to live in big apartment complexes further away from campus.

Ms. Terry Williams, spoke in opposition. She stated the issues are not with the 4-unrelated but with code enforcement issues. The UNRI program needs more time to be effective. The Chief of Police stated that crime has decreased by 35% in the center city and university area. Eliminating the Overlay would cause a parking problem. She suggested the request be delayed until more information is available to make the best decision.

Ms. Katie Swanner, member of ECU Student Body Executive Board, spoke in opposition. She stated she lives in the Overlay area and her house has been remodeled. Students are more involved in student activities when they live closer to campus. Students should not be kicked out of a neighborhood that is across the street from where they attend school.

Mr. Edgar Wall, previous resident from 1970 to 1999, spoke in opposition. He stated this is an economic viability issue. Neighborhoods go through life cycles. Investments in this area have kept the neighborhood alive. There needs to be more time to make money on the investment in order to fix it up. His sister attended ECU in 1963 and lived in a house with 6 people. The UNRI will work.

Ms. Bellis asked if everyone that lived with his sister in 1963 had a car.

Mr. Wall stated no. He agreed that parking is an issue.

Mr. Katherine Darby, spoke in rebuttal, in favor of the request. She stated that it would be interesting to see the history of the code violations divided up by owner-occupied and rental properties. She spoke with students who have issues with the landlords, code violations where they live and see that properties with 4-unrelated occupants that have not been approved yet nothing is done. Only 2 building permits were issued to fix up properties. Those who spoke about all the improvements that have been done to investment properties did not provide evidence. People have mentioned we should work together but that Council hasn't done anything.

Ms. Terry Williams, spoke in rebuttal, in opposition of the request. She stated that those homeowners who live in this neighborhood and have spoken tonight have had 20 years to get the neighborhood to where it is now. The UNRI needs more time to work. The code violations were not new in the last year but over a course of time before UNRI. If people are having issues with properties, then they should report them to Code Enforcement. As a real estate agent, she is concerned with the property values in this area.

Chairwoman Basnight closed the public hearing on Option 1 and opened for board discussion.

Mr. Weitz asked if there was a housing program that would make it unlawful if a property had damage that the City could cite the owner.

Mr. Flood stated yes. The City adopted a Minimum Housing code in 1978 and is enforced by the Code Enforcement Division under the Police Department.

Mr. Weitz asked if there were statistics available from the Police Department regarding crime.

Mr. Flood stated that he believes the Police Department updated City Council last week about crime but he did not have the information. Staff could arrange for the Police Department to come and provide an update to the Board.

Mr. Schrade stated that the statistics on crime from the police reports would be nice to have in order to have the real story.

Mr. Griffin stated he appreciates the community's perspective on the issues but would like to see more raw data regarding the crime issues.

Mr. Smith stated he believes it's all about code enforcement. He stated that there hasn't been enough time to see what's going to happen. People need to report the violations being seen in order to fix the situation. The University isn't going anywhere and he would be in favor to deny the request.

Mr. Parker asked what is the turnaround time on a code violation complaint, how long does it take an inspector to get out there, and how long does the owner have to make amends.

Mr. Flood stated the time is based on severity, if it creates a threat and other factors. He stated that Code Enforcement is under the Police Department, but he would say within 24 hours for inspection and then the owner is notified regarding a hearing time.

Mr. Smith asked if the request could be postponed or just deny/approve.

Attorney Holec stated it could be postponed up to 65 days. He stated the information is for Board review and recommendation.

Mr. Flood stated that if there are questions regarding crime, that a representative from the Police Department should be present to answer those questions.

Attorney Holec reminded Board that their recommendation is only for Option 1.

Chairwoman Basnight asked if they could postpone.

Attorney Holec stated yes for 65 days if you would like more information presented.

Mr. Parker asked applications for the 4 unrelated would still be accepted if the request was postponed.

Attorney Holec stated yes.

Mr. Weitz stated he is not in favor of a delay since this could be repealed. He stated that if the UNRI is removed, the grandfathered properties would be non-conforming. The more time passes, more properties could be approved for 4-unrelated under the current ordinance.

976339

Mr. Griffin asked if code enforcement information specific to this area is available.

Ms. Gooby stated that the code enforcement information in staff's presentation indicates calls responded to and did not necessarily end in a violation.

Mr. Smith asked if tickets were given on parking on unimproved surfaces.

Ms. Gooby stated that those violations are issued a citation on the spot.

Mr. Griffin asked if the unimproved parking violations are at the 4- unrelated properties.

Ms. Gooby stated that the code violations reported does not always indicate the exact location, but it could be possible to overlay the violations with the 4-unrelated properties.

Mr. Smith asked if staff knew how many more properties could be converted to 4 bedrooms.

Ms. Gooby stated 2 years ago staff identified a possible 288 possible properties, from tax data, fit the 1,500 square foot criteria.

Mr. Parker stated that he agrees with Mr. Weitz to not delay a recommendation. People came out tonight for a decision, so one should be made. His fear is that keeping this 4-unrelated rule in this area, whose neighborhood would be next. He would vote to repeal the rule.

Mr. Weitz stated the speakers tonight made it clear to him that spot zoning has been created in this area. No other neighborhood has the opportunity to have 4 unrelated. Investors are interested in this area because there is the opportunity to make more money. This is not the right way to do things. The neighborhood should not be give special treatment to get higher rents. Support of the repeal of the UNRI because it doesn't comport with the Comprehensive Plan that supports homeownership.

Motion made by Mr. Parker, seconded by Mr. Weitz, to excuse Chris Darden from the meeting. Motion passed unanimously.

Attorney Holec stated that Mr. Terry King is now able to vote and there is now a full board again.

Motion made by Mr. Parker, seconded by Mr. Weitz, 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 in favor: Mr. Parker, Ms. Bellis, Mr. Weitz, Mr. King, Ms. Rich. Those in opposition: Mr. Smith, Mr. Griffin, Mr. Schrade. Motion passed.

Combined Staff Report:

Option One: Remove the zoning text provisions relating to increased occupancy in the UNRI Overlay District

Option Two: Repeal the zoning text relating to UNRI Overlay District and amend the zoning map to delete the UNRI Overlay District

Contents:

- Section I. Background – Page 1
- Section II. Overview of the Text and Map Amendments – Page 3
- Section III. Location of UNRI Overlay District – Page 5
- Section IV. Current Zoning – Page 6
- Section V. Character of the UNRI Overlay District – Page 7
- Section VI. Compliance with the Comprehensive Plan and Other Applicable Adopted Plans – Page 16

- Appendix A: Proposed Text Amendment Ordinance for Option One
- Appendix B: Proposed Text Amendment Ordinance for Option Two
- Appendix C: Proposed Map Amendment Ordinance for Option Two
- Appendix D: Current Standards for Increased Occupancy in the UNRI Overlay District
- Appendix E: Final Report of University Neighborhood Revitalization Initiative (UNRI) Committee
- Appendix F: Report on Alternatives for Modifying the “No More Than Three Unrelated” Occupancy Standard
- Appendix G: Changes for Option One (shown in red) and for Option Two

**Staff Report Developed by the City of Greenville
Community Development Department - Planning Division
March 11, 2014**

Section I: Background

On March 8, 2012, City Council adopted strategic goals for the 2012 and 2013 calendar years. One of the strategic goals adopted by City Council is titled “Neighborhood Preservation” and one of the 13 action items associated with this goal is as follows:

Prepare a report on the “no more than 3-unrelated” residential occupancy standards and present to City Council code amendment alternatives to permit more than three-unrelated persons occupancy in residential structures.

City staff presented a report, Appendix F: Report on Alternatives for Modifying the “No More Three Unrelated” Occupancy Standard, to City Council at their August 9, 2012 meeting. Upon receiving the report and accepting public comments, City Council voted to initiate the University Neighborhood Revitalization Initiative (UNRI).

On October 11, 2012, City Council adopted ordinances which established the UNRI overlay district and amended the zoning map to add the UNRI overlay district.

On June 13, 2013, City Council adopted an ordinance which expanded the controlled on-street parking area to the entire UNRI district.

On September 12, 2013, City Council adopted an ordinance which established rear yard parking standards within the UNRI district.

On February 13, 2014, City Council voted to initiate 2 zoning text amendments and 1 zoning map amendment. The approved motions, as provided by City Clerk Barwick, from that meeting are as follows:

Council Member Blackburn made a motion, seconded by Council Member Smiley, to initiate a zoning text amendment which restores occupancy to three unrelated persons by deleting language that permits four unrelated persons to occupy a dwelling. Motion passed by a vote of 4 to 2 with Council Members Smith and Glover casting the dissenting votes.

Council Member Smith moved to initiate a zoning text and map amendment, seconded by Council Member Glover, which rescinds both the zoning text and the zoning map amendment which created the University Neighborhood Revitalization Initiative Overlay District. Motion passed by a vote of 4 to 2 with Council Members Smiley and Croskery casting the dissenting votes.

At this same meeting, City Council adopted the Final Report of the University Neighborhood Revitalization Initiative (UNRI) Committee.

For the purpose of this report, the amendments will be referred to as:

Option One: Remove the zoning text provisions relating to increased occupancy in the UNRI Overlay District

Option Two: Repeal the zoning text relating to UNRI Overlay District and amend the zoning map to delete the UNRI Overlay District

Section II: Overview of the Text and Map Amendments

Option One: Remove the zoning text provisions relating to increased occupancy in the UNRI Overlay District

The proposed text amendment would remove the provisions which permit up to four unrelated individuals to reside together in one housekeeping unit including provisions which establish standards and requirements which are applicable when four unrelated persons are permitted. If approved, the city-wide standard of no more than three-unrelated would apply to the area. The proposed text amendment does not amend the provisions related to the UNRI Overlay District which do not relate to increased occupancy. Therefore, the UNRI Overlay District would remain as a zoning district and the parking standards specific to the UNRI Overlay District would remain. Additionally, the controlled on-street parking provisions, which are not part of the Zoning Ordinance, would remain since they are not dependent on the existence of a zoning district.

Option Two: Repeal the zoning text relating to UNRI Overlay District and amend the zoning map to delete the UNRI Overlay District.

The proposed text amendment would delete the UNRI Overlay District as being a zoning district and would remove all provisions in the Zoning Ordinance relating to the UNRI Overlay District including the removal of the provisions which permit up to four unrelated individuals to reside together in one housekeeping unit and rear yard parking standards specific to the UNRI Overlay District. Additionally, the controlled on-street parking provisions, which are not part of the Zoning Ordinance, remain effective since they are not dependent upon the existence of the zoning district.

The proposed map amendment would delete the UNRI Overlay District and the area would revert back to its base zoning districts as described in Section IV.

The specific rear yard parking standards proposed to be repealed are as stated in Section 9-4-255 of the Zoning Ordinance as follows:

Sec. 9-4-255. Parking Standards Specific to the University Neighborhood Revitalization Initiative (UNRI) Overlay District.

Within a University Neighborhood Revitalization Initiative Overlay District, in addition to the other requirements of this article, the following provisions shall be applicable:

(A) Single family dwellings and two family attached dwelling units shall be limited to the parking and/or storage of four vehicles, boats, trailers, campers and the like total per dwelling unit on the subject lot. This requirement is not intended to limit the occasional parking of guests.

(B) Screening of the rear yard shall be required when more than one vehicle, boat, trailer, camper and the like total are parked and/or stored in the rear yard and are visible from adjoining properties on the side and rear of the subject lot.

(C) Screening requirements can be satisfied by either a fence at least six (6) feet in height that creates a complete visual barrier from adjoining properties or with evergreen vegetative materials that are three (3) feet in height at the time of planting and will reach a height of six (6) feet and create a complete visual barrier from adjoining properties within two (2) years of planting. Vegetation materials listed in section 9-4-267(C)(3),(5) and (7) shall be utilized to satisfy screening requirements of this section. The property owner shall be responsible for maintaining all vegetation required by this section in a healthy condition. Any dead, unhealthy or missing vegetation shall be replaced. Replacement shall occur at the earliest suitable planting season.

(D) Rear yard parking and/or storage areas shall be constructed of an all-weather material such as asphalt, concrete, brick, CABC or other materials approved by the City engineer and rear yard parking and/or storage areas shall be connected to the front and/or side yard parking and/or storage areas by a driveway constructed of an all-weather material such as asphalt, concrete, brick, CABC or other materials approved by the City engineer.

(E) Rear yard parking and/or storage areas shall be contained and delineated by a barrier at least six (6) inches in height.

(F) Notwithstanding the provisions related to nonconforming situations contained in Article C of this chapter, the requirements contained herein shall be applicable to all existing and future required or proposed parking areas.

(G) The exemption provided in Section 9-4-243 (B) shall not apply to the University Neighborhood Revitalization Initiative Overlay District.

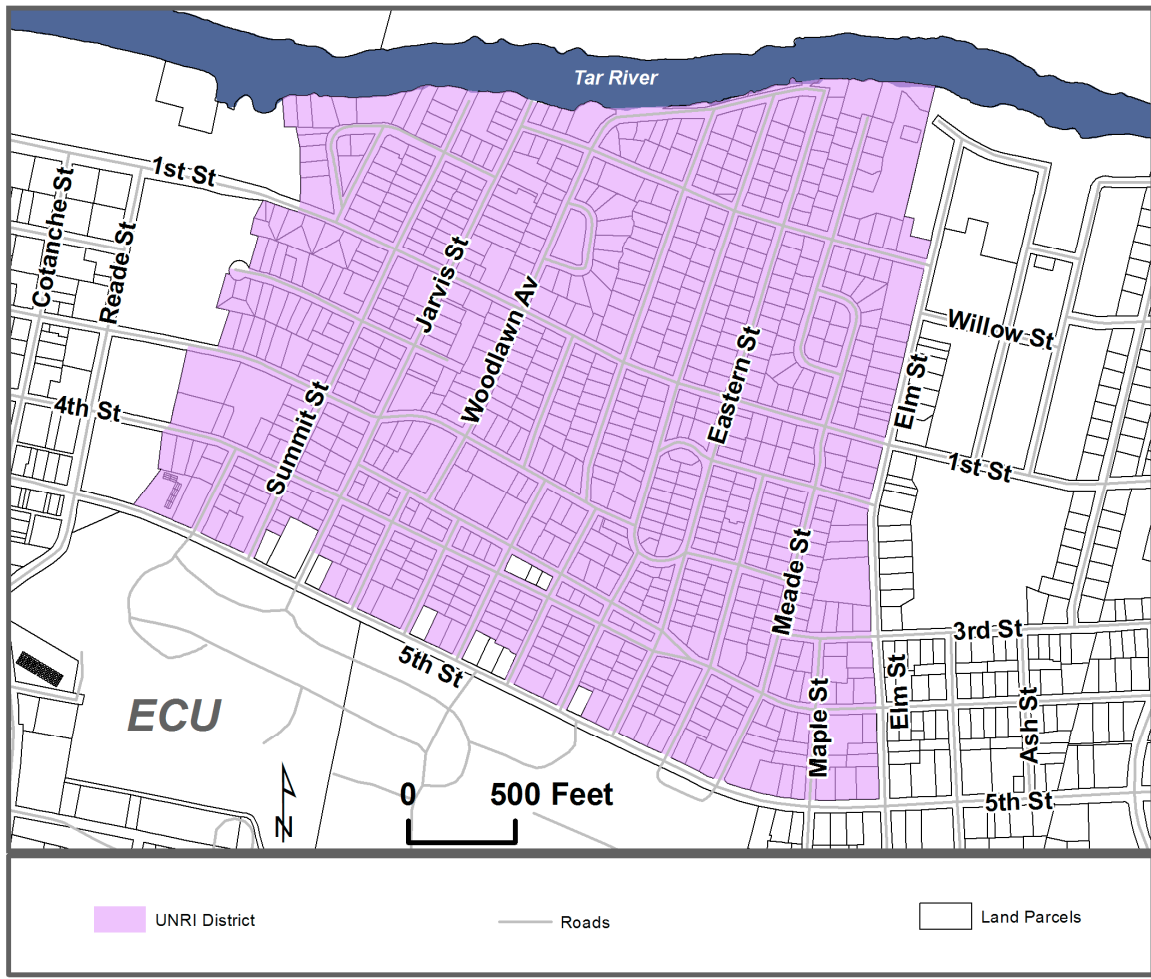
(H) The exemption provided in Section 9-4-248 (B) shall not apply to rear yard parking areas in the University Neighborhood Revitalization Initiative Overlay District.

Note: *The zoning ordinance text and map amendments generally described in Section II are subject to Planning and Zoning Commission consideration.*

Section III: Location of UNRI Overlay District

The location of the UNRI Overlay District is a portion of the area bounded on the north by the Tar River, on the east by Elm Street, extended to the Tar River, on the south by East 5th Street, and on the west by Reade Street, extended to the Tar River. The more specific location is as depicted below on Map 1.

Map 1: University Neighborhood Revitalization Initiative (UNRI) Overlay District

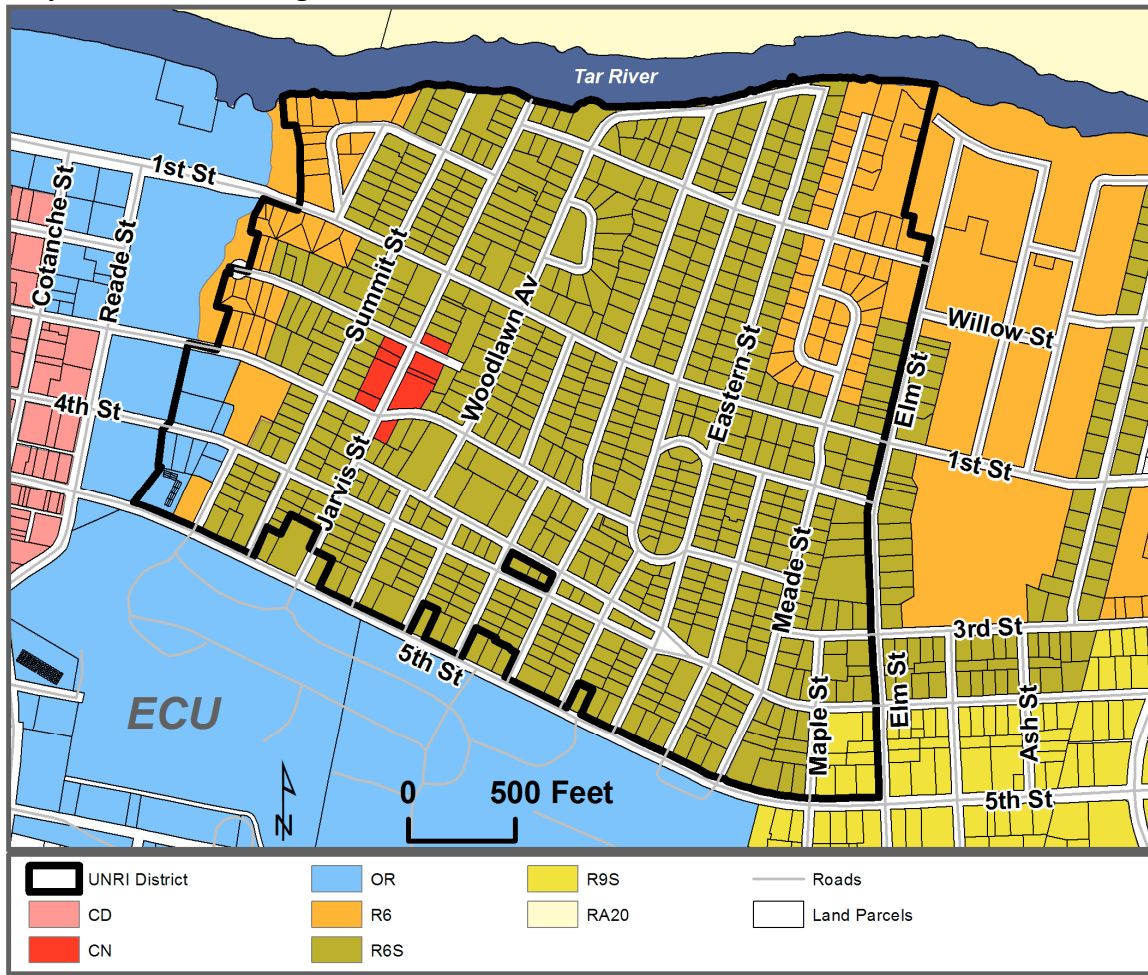


Section IV: Current Zoning

The area of the overlay district currently includes five base zoning districts. Map 2 and the table below provide additional information regarding the current zoning within the UNRI overlay district area.

Current Zoning Classification	% of Total Area	Acres
CN (Neighborhood Commercial)	1.36%	2.05
OR (Office- Residential)	2.62%	3.95
R-6 (Residential)	15.49%	23.38
R-9S (Residential – Single Family)	1.71%	2.58
R-6S (Residential – Single Family)	78.83%	119.00
TOTALS	100%	150.96

Map 2: Current Zoning

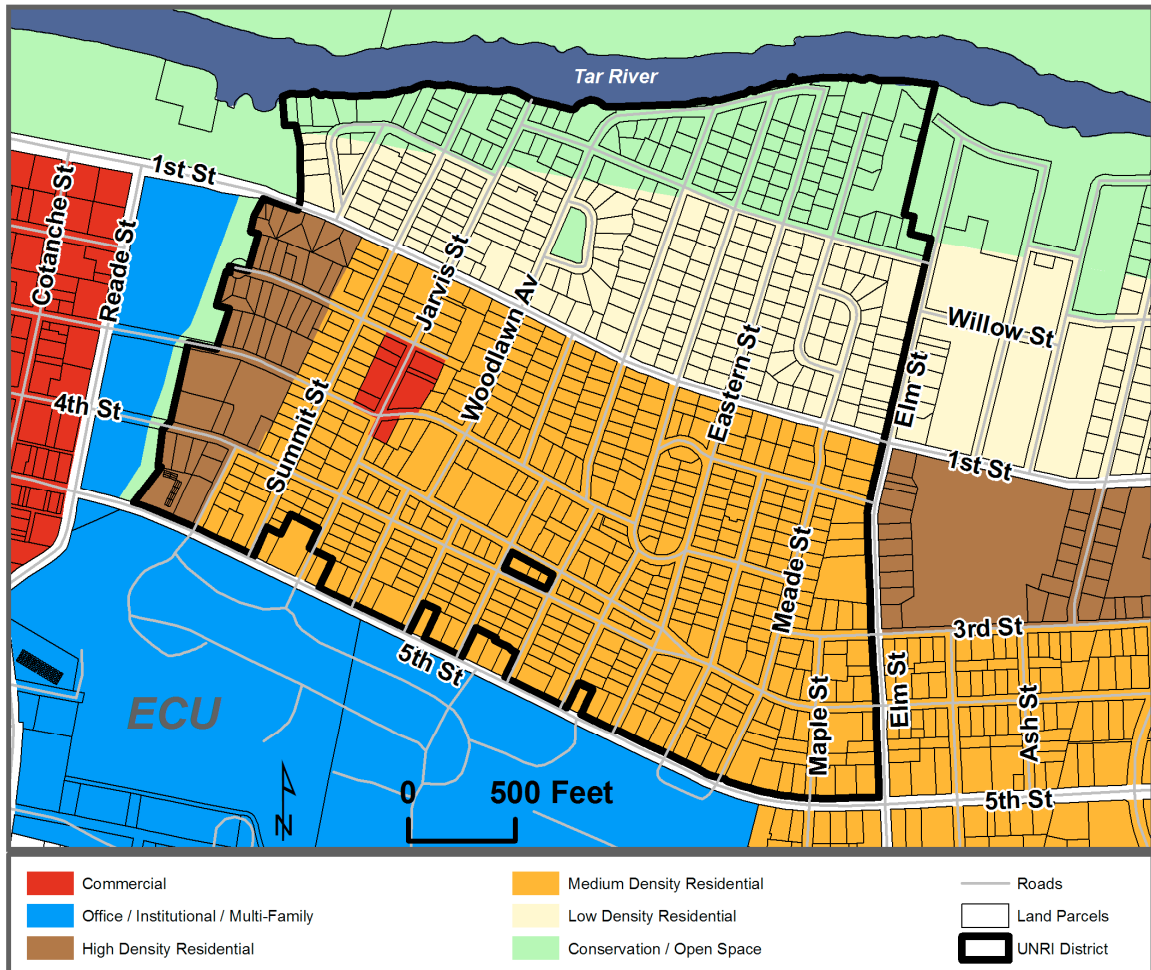


Section V. Character of the UNRI Overlay District

Future Land Use Plan Map

The Future Land Use Plan includes five land use designations for the proposed overlay district area. These designations include Commercial (1.25%), High Density Residential (8.51%), Medium Density Residential (44.37%), Low Density Residential (27.77%) and Conservation / Open Space (18.10%) as is depicted below by Map 3.

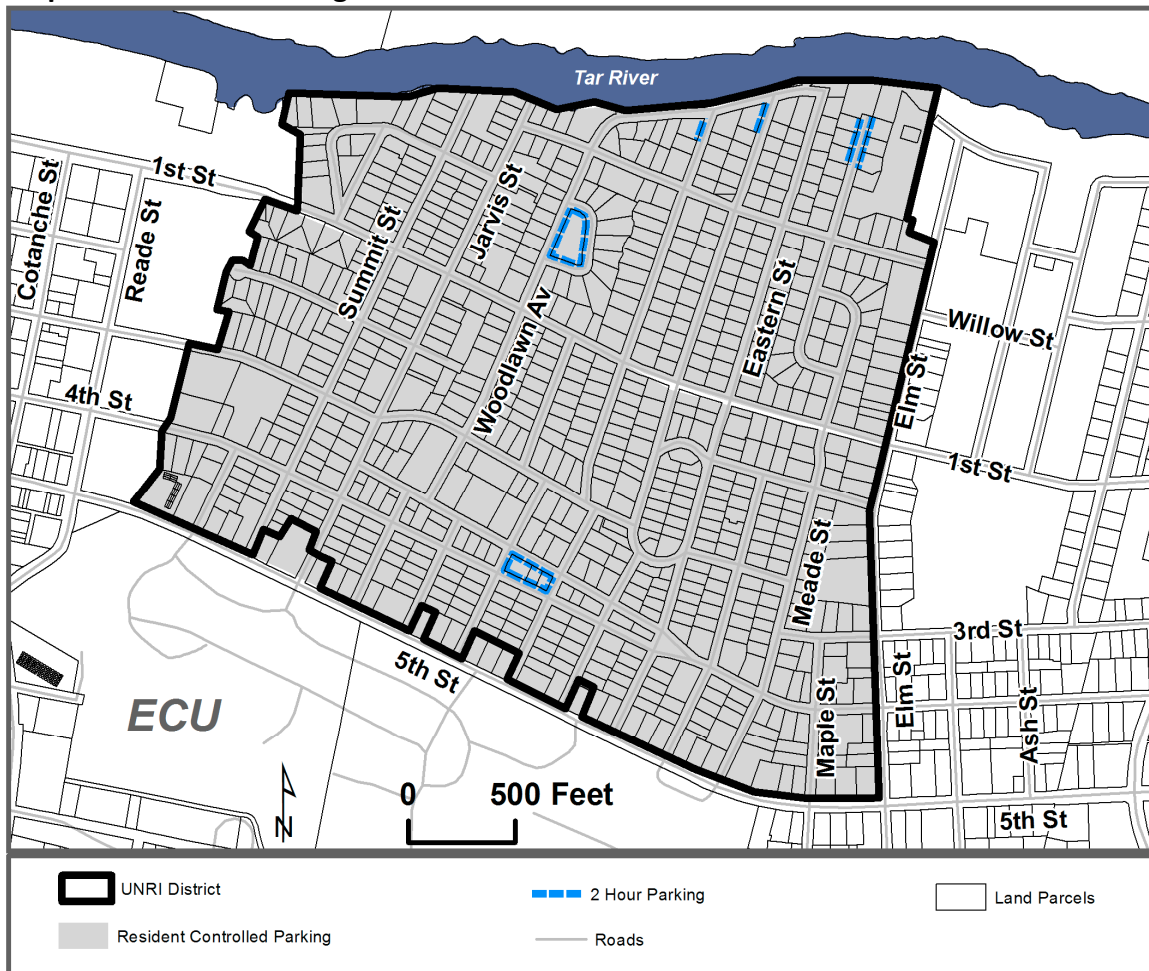
Map 3: Future Land Use Plan



Parking

On June 13, 2013, City Council amended the Controlled Residential Parking Program to provide additional on-street parking opportunities for residents in the entire UNRI Overlay District. Prior to the modification, only certain streets were designated for resident-only (owners living in their homes and renters) parking between 7am and 5pm Monday-Friday without time constraints. The modification expanded the area to cover the entire UNRI overlay district except streets abutting Woodlawn Park, the South Tar River Greenway and property owned by the State of North Carolina. The new area requires a parking decal which is issued through the Public Works Department. The parking decal does not guarantee a parking space but provides more on-street parking opportunities on a first-come, first-serve basis (see Map 4 below).

Map 4: On-Street Parking

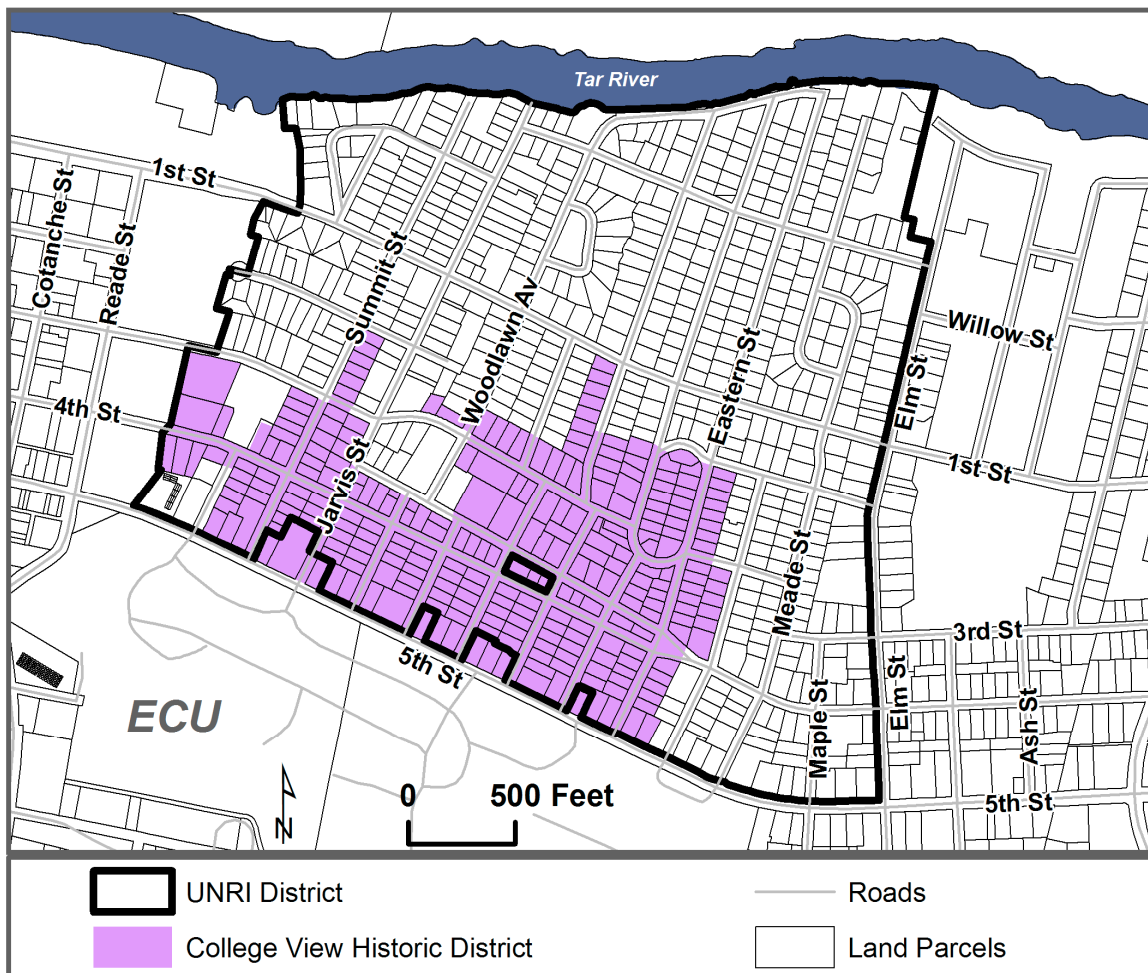


Historic District

A majority of the properties that make up the College View Historic District, the City's only locally designated historic district, are located within the overlay district (see Map 5 below).

The City of Greenville Historic Preservation Commission adopted a resolution at their July 24, 2012 meeting urging City Council not to enact a change in the current ordinance prohibiting more than three unrelated persons from living in the same dwelling. The resolution noted that "to allow a higher number of occupants, likely would have a negative impact on many of the historic homes and landscapes within the city's historic neighborhoods, particularly the College View Historic District." It should be noted that adoption of the Historic Preservation Commission's resolution occurred prior to the initiation of the UNRI.

Map 5: College View Historic District



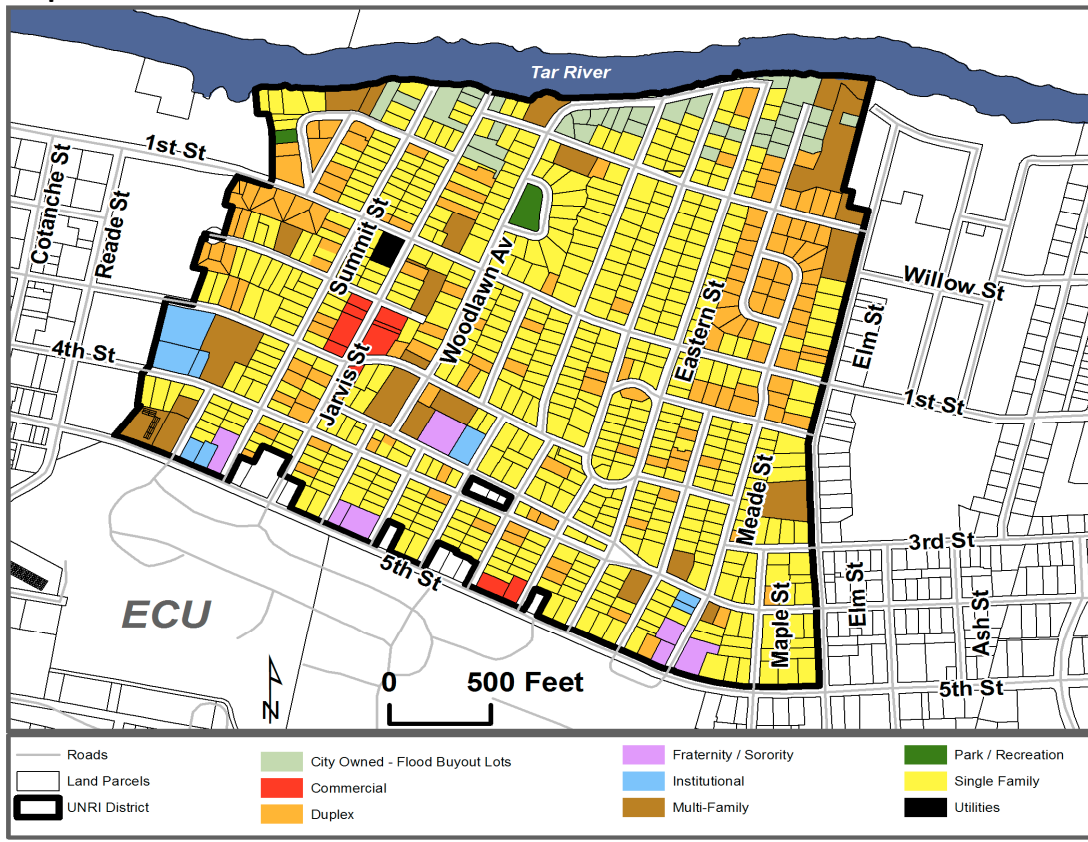
Current Land Use

The current land use within the proposed overlay district is over 90% residential, with the largest percentage of land being in single-family residential use (over 61%). The current land use make-up and location are provided on Map 6 and in the table below.

Land Use	Number of Parcels	% of Total Area	Acres
RESIDENTIAL LAND USES			
Single Family	559	61.49%	92.83
Duplex	146	16.88%	25.49
Multi-Family	41	9.97%	15.05
Fraternity / Sorority	7	2.12%	3.20
OTHER LAND USES			
City-Owned Flood Buy-Out Properties	35	4.92%	7.42
Commercial	10	1.63%	2.47
Institutional	8	2.14%	3.22
Park	2	0.56%	0.84
Utilities	1	0.29%	0.44
TOTALS	809	100%	150.96

Note: The table above does not include public rights-of-way.

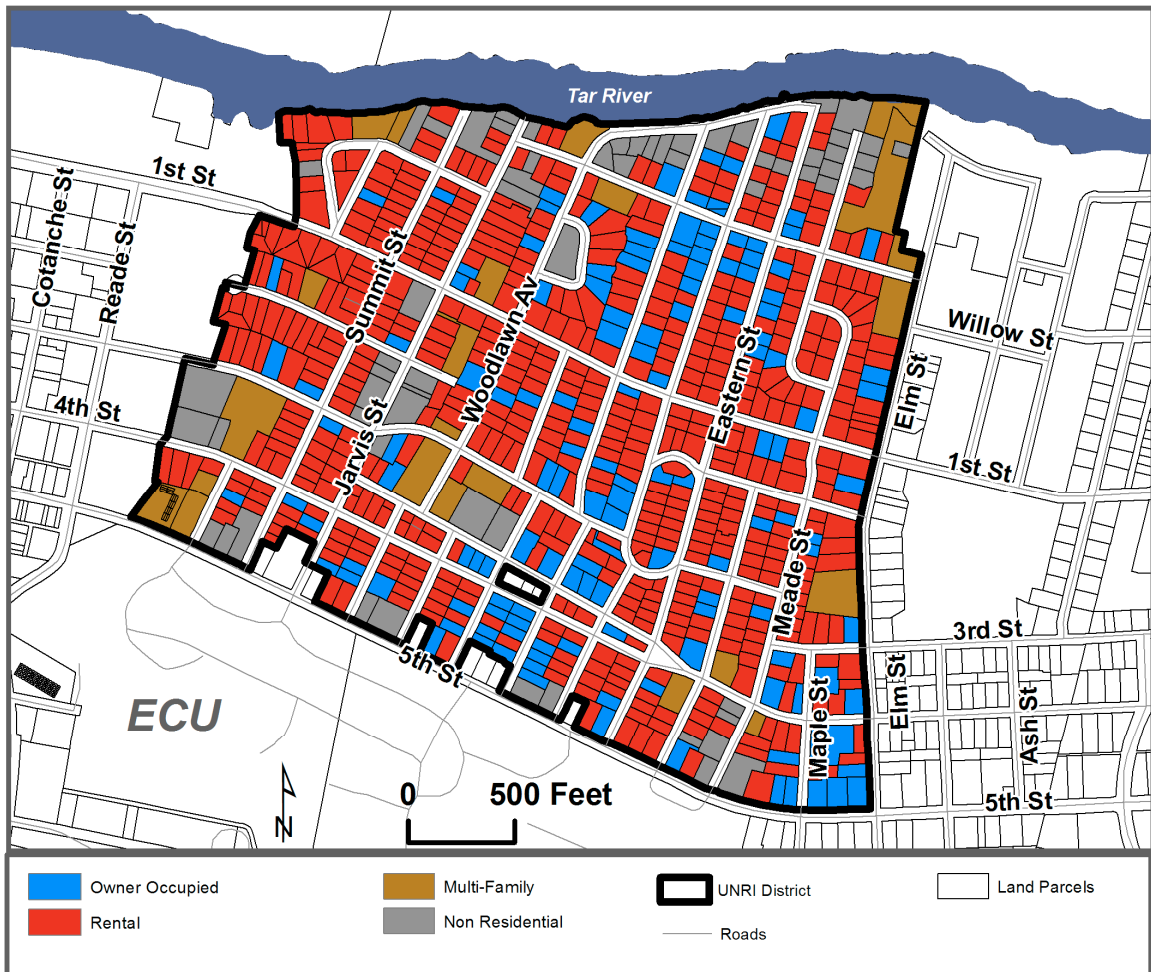
Map 6: Current Land Use



Owner vs. Renter Occupancy (as of March 11, 2014)

The overlay district contains 559 single-family residences, 146 duplex buildings (292 units). An estimated 16.2% of the dwelling units are owner occupied and 83.8% are renter occupied. The city-wide owner occupancy rate as provided in the 2010 U.S. Census is 38% (see Map 5 below).

Map 7: Owner vs. Renter Occupancy



Code Enforcement Activity

The current code enforcement process includes any reported or observed code violation being investigated by the City’s Code Enforcement Division of the Police Department. The Code Enforcement Division assigns one Code Enforcement Officer to cover each of the City’s six code enforcement zones. Much of the UNRI overlay district area is also assigned a second Code Enforcement Officer as part of a joint funding partnership between the City and East Carolina University.

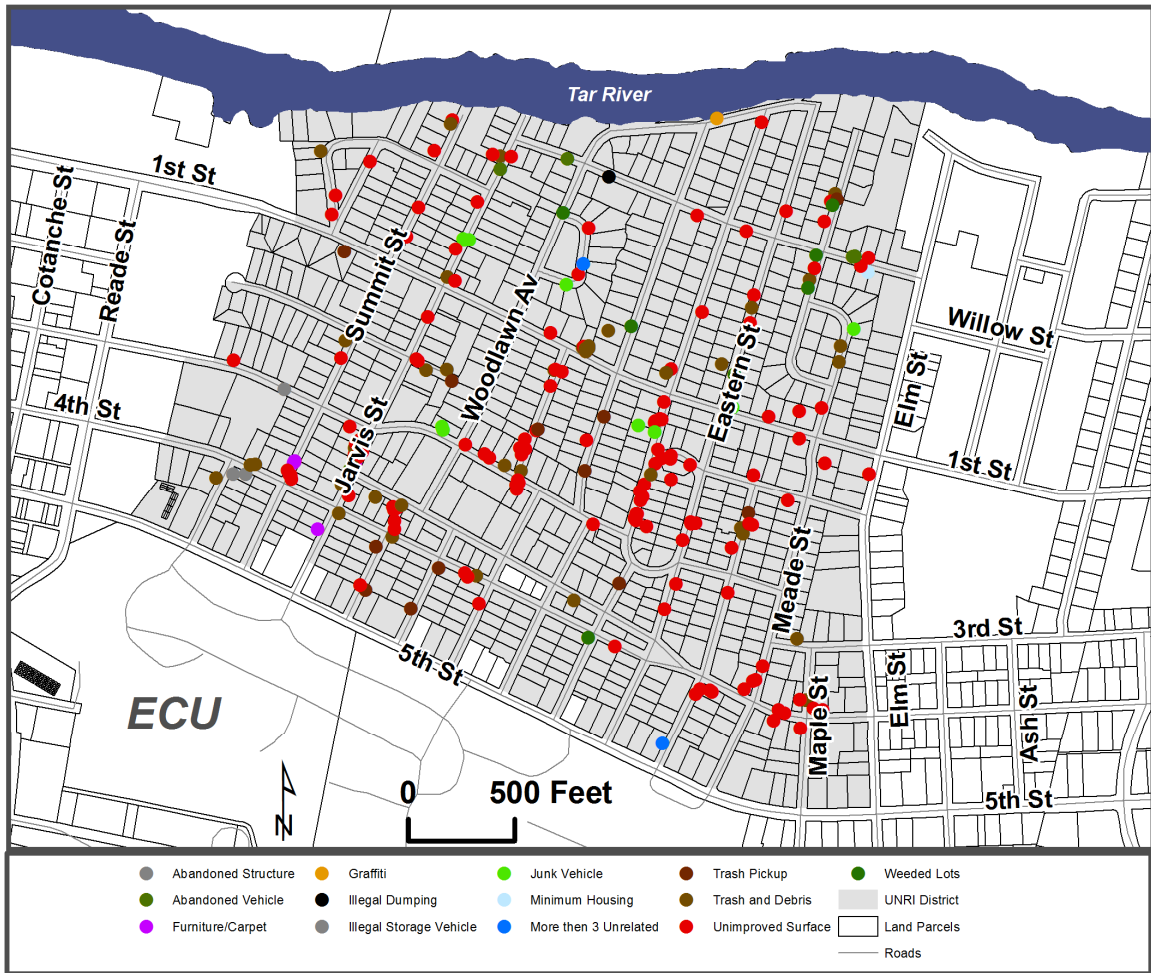
Based upon Code Enforcement records, between January 1, 2013 and December 31, 2013, Code Enforcement Officers investigated 1,238 potential violations within the UNRI Overlay area. The nature of these cases is outlined in the tables and Map 8, below.

Violation Type (Non-Parking Related)	Number of Instances
Abandoned Structure	2
Abandoned Vehicle	4
Furniture / Carpet	7
Graffiti	1
Illegal Dumping	1
Illegal Storage Vehicle	1
Junk Vehicle	12
Minimum Housing	1
“3 Unrelated”	2
Parking on Unimproved Surface	141
Trash and Debris	55
Weeded Lot / Tall Grass	8
TOTAL	235

Due to the high volume of parking violations, it is not possible to graphically depict this data for the purposes of this report. The table below shows the types of parking-related violations and numbers.

Violation Type	Number of Instances
No “A” Permit	586
Parking Violations (various issues)	417
TOTAL	1003

Map 8: Code Enforcement Case Activity (January 1, 2013 – December 31, 2013)



Zoning Compliance Letters

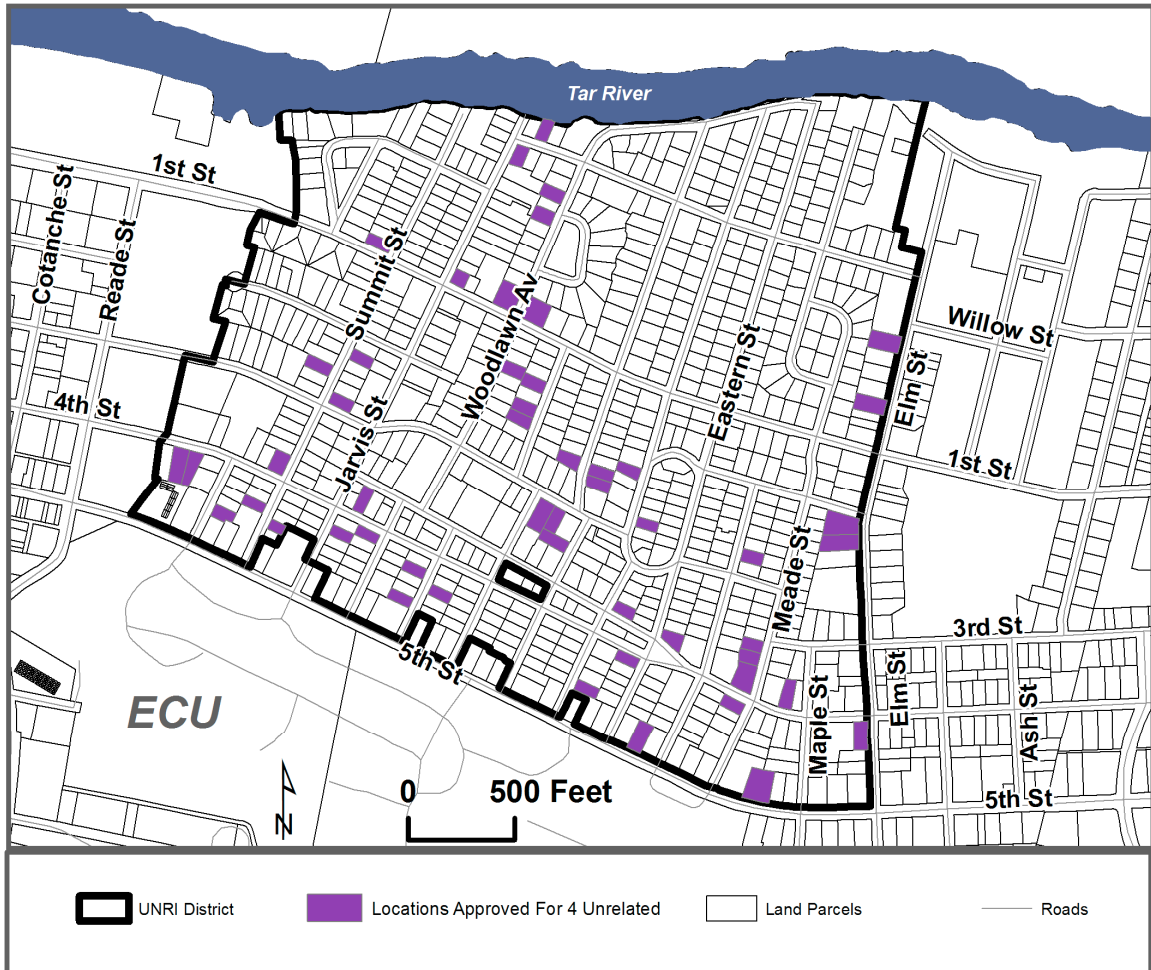
Under the UNRI overlay district standards, up to four unrelated individuals are permitted to reside together within a single-family dwelling, a two-family attached dwelling (duplex), or a multi-family development, subject to the following standards:

- The dwelling unit shall have four or more bedrooms;
- The dwelling unit shall contain at least 1,500 square feet of heated floor area; and
- At least three off-street parking spaces shall be provided on-site for the dwelling unit.

A Zoning Compliance Letter shall be obtained from the City to ensure that the dwelling unit meets all applicable standards for increased occupancy. A crime free rental addendum shall be included in all rental agreements for properties within the overlay district which have obtained the Zoning Compliance Letter for each lease term during which four unrelated individuals are residing in the dwelling unit.

As of February 13, 2014, 44 Zoning Compliance Letters had been issued that allow up to 4-unrelated individuals to reside together within a single-family dwelling, a two-family attached dwelling (duplex), or a multi-family development. Also at that time, there were nine applications submitted and awaiting approval. As of March 11, 2014, a total of 49 Zoning Compliance Letters have been issued. There are five applications submitted and awaiting approval. Only one application has been denied. The denial was based upon the property not being located in the UNRI Overlay District. Map 9 depicts the locations of the approved properties.

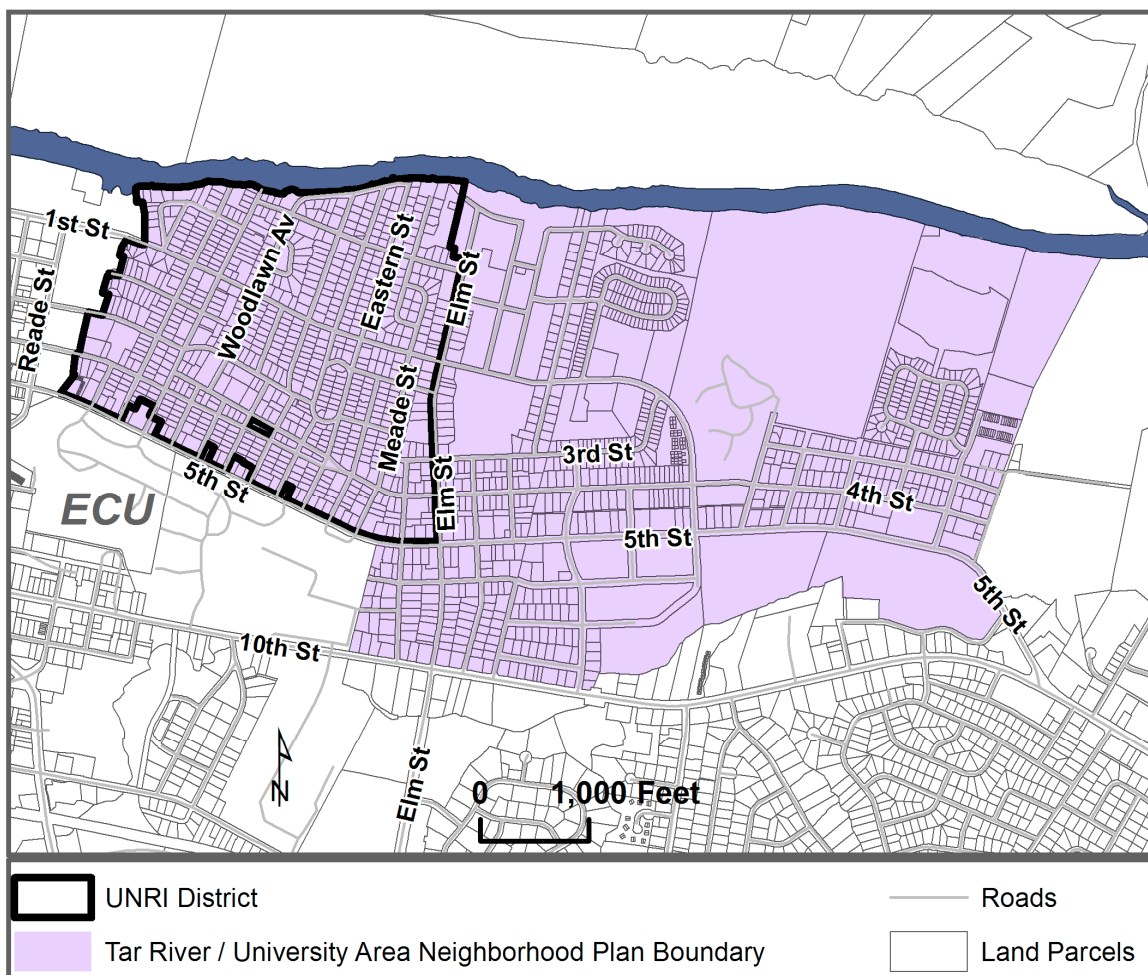
Map 9: Four-unrelated



Section VI. Compliance with the Comprehensive Plan and Other Applicable Adopted Plans

Consideration of any modification to the City zoning ordinance should include a review of the community's comprehensive plan and other officially adopted plans that are applicable. Greenville's comprehensive plan, **Horizons: Greenville's Community Plan**, contains policy statements and objectives related to numerous Plan Elements. The Plan also includes a Future Land Use Plan Map that depicts the general preferred use of land within the City's planning and zoning jurisdiction (see Section V herein). The area included in the UNRI overlay district is a portion of the area included in the **Tar River / University Area Neighborhood Report and Plan (2009)**. Map 10, below, depicts the geographic coverage of both the UNRI overlay district and the **Tar River / University Area Neighborhood Report and Plan (2009)**.

Map 10: Geographic Coverage of the Tar River / University Area Neighborhood Report and Plan (2009)



These plans provide broad goals, policy statements and objectives that should be reviewed and considered to ensure that the proposed text and map amendments are in compliance with the plans, and effectively with the community's values.

Staff has reviewed both plans and provides the following goals, policy statements and objectives to be considered when evaluating the proposed text and map amendments proposed herein:

Ordinances Initially Establishing UNRI Overlay Text and Zoning Map Amendments

1. **Horizons: Greenville's Community Plan Provisions:**

The Housing Plan Element - Housing Policy Statement:

"The City recognizes that its residential neighborhoods are the lifeblood of the community, and that good quality, affordable housing is integral to a healthy neighborhood environment. To that end, the City will continue to make housing opportunities available throughout the City to low and moderate income families. The City will support the efforts of nonprofit organizations to address housing needs in Greenville. The City recognizes that local governments will be required to take increasing responsibility for addressing housing needs in the future.

The City will encourage the rehabilitation of substandard units and the development of vacant lots, and will encourage the preservation, renovation, code enforcement, and rehabilitation of its older housing stock. The City should require that quality design and appearance be important factors in the review of low and moderate income housing projects. ..."

Objective H1: *To encourage a variety of housing choices through preservation, rehabilitation, code enforcement, and new development.*

Objective H4: *To encourage the restoration and preservation of historic residential properties.*

Objective H5: *To improve and revitalize existing neighborhoods.*

Objective H16: *To encourage home ownership.*

Objective M4: *To preserve and protect existing and future residential neighborhoods.*

Objective E14: *To encourage healthy economic development.*

Objective CF3: *To increase interaction between the Police Department and citizens, in order to increase mutual respect, understanding and support.*

Objective CF5: *To ensure safe livable neighborhoods.*

Objective EQ13: *To encourage litter control and community-wide clean-up.*

Objective CC9: *To increase neighborhood livability and property values by preserving and enhancing historic areas.*

Objective UF1: *To encourage affordable housing options.*

Objective UF2: *To encourage a mixing of land uses.*

Objective UF3: *To encourage a diversity of housing options.*

Objective UF6: *To preserve neighborhood livability.*

2. **Tar River / University Area Neighborhood Report and Plan Provisions:**

Goal: To create, maintain and enhance a sustainable neighborhood.

In staff's opinion, the creation of the UNRI Overlay District via the text amendment and the application of the same to a specified geographic area via the map amendment provide for the preservation, restoration, and revitalization of the university neighborhood by encouraging investments to be made to improve the condition and appearance of dwellings and properties as a result of allowing appropriate and limited increased occupancy by unrelated persons with appropriate standards and safeguards that provide for compatibility with other university neighborhood properties. While it is recognized that the goals, policy statements and objectives provided herein may be interpreted in different ways, it is further staff's opinion that the text amendment and map amendment are in general compliance with **Horizons: Greenville's Community Plan** and with the **Tar River / University Area Neighborhood Report and Plan (2009)**.

Option One: Remove the Zoning Text Provisions Relating to Increased Occupancy in the UNRI Overlay District

1. **Horizons: Greenville's Community Plan Provisions:**

Objective H4: *To encourage the restoration and preservation of historic residential properties.*

Objective H5: *To improve and revitalize existing neighborhoods.*

Objective H16: *To encourage home ownership.*

Objective M4: *To preserve and protect existing and future residential neighborhoods.*

Objective E14: *To encourage healthy economic development.*

Objective CF5: *To ensure safe livable neighborhoods.*

Objective EQ13: *To encourage litter control and community-wide clean-up.*

Objective CC9: *To increase neighborhood livability and property values by preserving and enhancing historic areas.*

Objective UF6: *To preserve neighborhood livability.*

2. **Tar River / University Area Neighborhood Report and Plan Provisions:**

Goal: To create, maintain and enhance a sustainable neighborhood.

In staff's opinion, the proposed text and map amendments provide for the preservation, restoration, and revitalization of the UNRI Overlay District by encouraging homeownership, reducing adverse impacts associated with increased occupancy, and maintaining aesthetic standards to preserve neighborhood livability.

While it is recognized that the goals, policy statements and objectives provided herein may be interpreted in different ways, it is further staff's opinion that the proposed text amendment is in general compliance with **Horizons: Greenville's Community Plan** and with the **Tar River / University Area Neighborhood Report and Plan (2009)**.

Option Two: Repeal the zoning text relating to UNRI Overlay District and amend the zoning map to delete the UNRI Overlay District

1. **Horizons: Greenville's Community Plan Provisions:**

The Housing Plan Element - Housing Policy Statement:

Objective H4: *To encourage the restoration and preservation of historic residential properties.*

Objective H5: *To improve and revitalize existing neighborhoods.*

Objective H16: *To encourage home ownership.*

Objective M4: *To preserve and protect existing and future residential neighborhoods.*

Objective E14: *To encourage healthy economic development.*

Objective CF5: *To ensure safe livable neighborhoods.*

Objective EQ13: *To encourage litter control and community-wide clean-up.*

Objective CC9: *To increase neighborhood livability and property values by preserving and enhancing historic areas.*

Objective UF6: *To preserve neighborhood livability.*

2. Tar River / University Area Neighborhood Report and Plan Provisions:

Goal: To create, maintain and enhance a sustainable neighborhood.

In staff's opinion, the proposed text and map amendments provide for the preservation, restoration, and revitalization of the UNRI Overlay District by encouraging homeownership and reducing adverse impacts associated with increased occupancy.

While it is recognized that the goals, policy statements and objectives provided herein may be interpreted in different ways, it is further staff's opinion that the proposed text and map amendments are in general compliance with **Horizons: Greenville's Community Plan** and with the **Tar River / University Area Neighborhood Report and Plan (2009)**.

ORDINANCE NO. - ____
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 April 10, 2014, at 7:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code;

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Objective H5 to improve and revitalize existing neighborhoods, Objective 16 to encourage home ownership, Objective M4 to preserve and protect existing and future residential neighborhoods, Objective CF5 to ensure safe livable neighborhoods, Objective EQ13 to encourage litter control and community-wide clean up, and Objective UF6 to preserve neighborhood livability and that the adoption of this ordinance is consistent with the provisions of the Tar River/University Area Neighborhood Report and Plan and its goal to create, maintain, and enhance a sustainable neighborhood; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will promote the safety and the general welfare of the community and facilitate the sustainability, preservation, restoration, and revitalization of the university neighborhood by encouraging homeownership, potentially reducing occupancy to limit "wear and tear" of the neighborhood and maintaining aesthetic standards to preserve neighborhood livability.

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

Section 1: That section 9-4-77 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section to read as follows:

9-4-77. UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI) OVERLAY DISTRICT.

The purpose of the University Neighborhood Revitalization Initiative (UNRI) Overlay District is to allow modifications of the standards of the underlying zoning district(s) which are designed to provide for compatibility among university neighborhood properties in order to facilitate the sustainability, preservation, restoration, and revitalization of the university neighborhood.

Section 2: That section 9-4-200.2 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section to read as follows:

Sec. 9-4-200.2 UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI) OVERLAY DISTRICT STANDARDS.

(A) Purpose and intent; definition; designated area.

- (1) Purpose and intent. The purpose and intent of the University Neighborhood Revitalization Initiative (UNRI) Overlay District and requirements set forth under this section are:
 - (a) to recognize that the university neighborhood is an established city neighborhood with a unique location between East Carolina University, the Tar River, and the Downtown Commercial District;
 - (b) to recognize that the university neighborhood has traditionally provided off-campus housing opportunities to students of East Carolina University and that a significant percentage of the dwellings located within the university neighborhood are renter occupied;
 - (c) to establish appropriate standards and safeguards that provide for compatibility among university neighborhood properties; and
 - (d) to facilitate the sustainability, preservation, restoration, and revitalization of the university neighborhood in order to promote the safety and the general welfare of the community.
- (2) Definition. A University Neighborhood Revitalization Initiative (UNRI) Overlay District is defined as an overlay zoning district adopted in conjunction with an underlying general purpose zoning district, as listed in sections 9-4-46 through 9-4-72, wherein the zoning rights, standards, restrictions and requirements as set forth for the underlying general purpose zoning district shall extend to the University Neighborhood Revitalization Initiative (UNRI) Overlay District zoned area in accordance with subsection (B) below.

- (3) Designated area. All University Neighborhood Revitalization Initiative (UNRI) Overlay District(s) shall be restricted to the land area located within the following boundary: bounded on the north by the Tar River, on the east by Elm Street, extended to the Tar River, on the south by E. 5th Street, and on the west by Reade Street, extended to the Tar River. No University Neighborhood Revitalization Initiative (UNRI) Overlay District shall be located outside of the designated area described by this subsection. A University Neighborhood Revitalization Initiative (UNRI) Overlay District shall be established within the designated area upon City Council adoption of a zoning ordinance which defines the boundary of the specific University Neighborhood Revitalization Initiative (UNRI) Overlay District located within the designated area boundary.

(B) Standards.

- (1) A petition for a University Neighborhood Revitalization Initiative (UNRI) Overlay District zoning map amendment may be initiated in accordance with section 9-4-331.
- (2) All University Neighborhood Revitalization Initiative (UNRI) Overlay Districts shall be delineated upon the official zoning map as both the underlying general purpose zoning district and the University Neighborhood Revitalization Initiative (UNRI) Overlay District. The general purpose zoning district title shall be followed by University Neighborhood Revitalization Initiative “-UNRI” in all areas zoned University Neighborhood Revitalization Initiative (UNRI) Overlay District.
- (3) The zoning rights, standards, restrictions and requirements of the underlying general purpose zoning district shall extend to the University Neighborhood Revitalization Initiative (UNRI) Overlay District, except as modified by a provision of this chapter specifically made applicable to the University Neighborhood Revitalization Initiative (UNRI) Overlay District.

Section 3: That section 9-4-103 of the Code of Ordinances, City of Greenville, is hereby amended by repealing subsection (w) of said section 9-4-103 and deleting said subsection in its entirety.

Section 4: That any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

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

This the 10th day of April, 2014.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

ORDINANCE NO. - ____
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 April 10, 2014, at 7:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code;

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Objective H5 to improve and revitalize existing neighborhoods, Objective H16: to encourage home ownership, Objective M4 to preserve and protect existing and future residential neighborhoods, Objective CF5 to ensure safe livable neighborhoods, Objective EQ13 to encourage litter control and community-wide clean-up and Objective UF6 to preserve neighborhood livability and that the adoption of this ordinance is consistent with the provisions of the Tar River/University Area Neighborhood Report and Plan and its goal to create, maintain, and enhance a sustainable neighborhood; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will promote the safety and the general welfare of the community and facilitate the sustainability, preservation, restoration, and revitalization of the university neighborhood.

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

Section 1: That the Code of Ordinances, City of Greenville, is hereby amended by repealing section 9-4-77 and deleting said section in the entirety.

Section 2: That the Code of Ordinances, City of Greenville is hereby amended by repealing section 9-4-200.2 and deleting said section in its entirety.

Section 3: That section 9-4-103 of the Code of Ordinances, City of Greenville, is hereby amended by repealing subsection (w) of said section 9-4-103 and deleting said subsection in its entirety.

Section 4: That the Code of Ordinances, City of Greenville, is hereby amended by repealing section 9-4-255 and deleting said section in its entirety.

Section 5: That any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

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

This the 10th day of April,

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

ORDINANCE NO. 14-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
ZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION OF
THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 10th day of April, 2014, at 7:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Objective H5 to improve and revitalize existing neighborhoods, Objective H16: to encourage home ownership, Objective M4 to preserve and protect existing and future residential neighborhoods, Objective CF5 to ensure safe livable neighborhoods, Objective EQ13 to encourage litter control and community-wide clean-up and Objective UF6 to preserve neighborhood livability and that the adoption of this ordinance is consistent with the provisions of the Tar River/University Area Neighborhood Report and Plan and its goal to create, maintain, and enhance a sustainable neighborhood; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will promote the safety and the general welfare of the community and facilitate the sustainability, preservation, restoration, and revitalization of the university neighborhood.

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

Section 1. That the following described territory is zoned to the existing underlying general purpose zoning districts and the University Neighborhood Revitalization Initiative (UNRI) Overlay District is deleted so that, within the following described territory, the territory is zoned CN (Neighborhood Commercial), OR (Office-Residential), R-6 (Residential), R-6S (Residential-Single-Family), and R-9S (Residential-Single-Family).

TO WIT: Former University Neighborhood Revitalization Initiative Overlay District

LOCATION: Being a portion of the area bounded on the north by the Tar River, on the east by Elm Street, extended to the Tar River, on the south by E. 5th Street, and on the west by Reade Street, extended to the Tar River.

DESCRIPTION:

Beginning at a known point, said point being the intersection of the eastern right-of-way of Summit Street and the northern right-of-way of East 5th Street, thence running along the northern right-of-way of East 5th Street in a westerly direction for 610± feet; thence cornering and running along a portion of the eastern property line of the property identified as Pitt County parcel number 29291 in a northeasterly direction for 213+/- feet; thence cornering and running along a portion of the southern property line of the property identified as Pitt County parcel number 25976 in a westerly direction for 25± feet; thence cornering and running along a portion of the eastern property line of the property identified as Pitt County parcel number 29291 in a northerly direction for 170± feet; thence cornering and running across the right-of-way of East 4th Street in a northeasterly direction for 50+/- feet; thence cornering and running along the eastern property line of the property identified as Pitt County parcel number 29290 in a northerly direction for 340+/- feet; thence running to the centerline of East 4th Street in a northerly direction for 25+/- feet; thence cornering and running along the center line of East 3rd Street in an easterly direction for 130+/- feet; thence cornering and running across the right-of-way of East 3rd Street in a northerly direction for 25+/- feet; thence running along the western property line of the property identified as Pitt County parcel number 16488 in a northerly direction for 172+/- feet; thence cornering and running along a portion of the southern property line of the property identified as Pitt County parcel number 26144 in a westerly direction for 65+/- feet; thence cornering and running along the western property line of the property identified as Pitt County parcel number 26145 in a northerly direction for 165+/- feet; thence cornering and running along a portion of

the northern property line of the property identified as Pitt County parcel number 26145 in an easterly direction for 20+/- feet; thence cornering and running along the right-of-way of East 2nd Street in a northwesterly direction for 42+/- feet; thence cornering and running along the centerline of East 2nd Street in an easterly direction for 92+/- feet; thence cornering and running along the western property line of the property identified as Pitt County parcel number 04585 in a northerly direction for 185+/-; thence cornering and running along a portion of the southern property line of the property identified as Pitt County parcel number 21948 in a westerly direction for 40± feet; thence cornering and running along a portion of the eastern property line of the property identified as Pitt County parcel number 29282 in a northeasterly direction for 180+/- feet; thence cornering and running along the southern right-of-way of East 1st Street in an easterly direction for 175+/- feet; thence cornering and running across the right-of-way of East 1st Street in a northerly direction for 50+/- feet; thence running along the western property lines of the properties identified as Pitt County parcel numbers 21931, 23554, 34840, 20029, 17904 in a northerly direction for 345+/- feet; thence cornering and running along the southern property line of the property identified as Pitt County parcel number 35222 in a westerly direction for 55+/- feet; thence cornering and running along the western property line of the property identified as Pitt County parcel number 35222 in a northerly direction for 135+/- feet; thence cornering and running along the Tar River as it meanders along the high water mark of the following properties identified as Pitt County parcel numbers 35222, 35223, 18897, 18898, 21870, 18547, 07118, 07845, 18550, 15885, 15884, 24521, 22690, 18548, 29001, 32772, 63165 in an easterly direction for 3,164+/- feet; thence cornering and running along the eastern property lines of the properties identified as Pitt County parcel numbers 63165 and 21000 in a southerly direction for 620+/- feet; thence cornering and running along a portion of the northern property line of the property identified as Pitt County parcel number 22131 in an easterly direction for 45+/- feet; thence cornering and running along the a portion of the eastern property line of the property identified as Pitt County parcel number 22131 in a southerly direction for 85+/- feet; thence cornering and running along a portion of the northern property line of the property identified as Pitt County parcel number 22131 in an easterly direction for 100+/- feet; thence cornering and running along the western rights-of-way of North and South Elm Streets in a southerly direction for 2,625+/- feet; thence cornering and running along the northern right-of-way of East 5th Street in a westerly direction for 1,462+/- feet; thence cornering and running along the eastern property line of the property identified as Pitt County parcel number 50812 in a northerly direction for 128+/- feet; thence cornering and running along the northern property line of the property identified as Pitt County parcel number 50812 in a westerly direction for 72+/- feet; thence cornering and running along the eastern right-of-way of South Library Street in a southerly direction for 128+/- feet; thence cornering and running along the northern right-of-way of East 5th Street in a westerly direction for 318+/- feet; thence cornering and running along the western right-of-way of South Harding Street in a northerly direction for 130+/- feet; thence cornering and running along the southern property line of the property identified as Pitt County parcel number 04563 in a westerly direction for 114+/- feet; thence cornering and running along a portion of the western property line of the property identified as Pitt County parcel number 04563 in a northerly direction for 15+/- feet; thence cornering and running along the southern property line of the property identified as Pitt County parcel number 21596 in a westerly direction for 105+/- feet; thence cornering and running along the eastern right-of-way of South Rotary Street in a southerly direction for 150+/- feet; thence cornering and running along the northern right-of-way of East 5th Street in a westerly direction for 195+/- feet; thence cornering

and running along the western property line of the property identified as Pitt County parcel number 14352 in a northerly direction for 145+/- feet; thence cornering and running along the northern property line of the property identified as Pitt County parcel number 04274 in a westerly direction for 75+/- feet; thence cornering and running along the eastern right-of-way of Biltmore Street in a southerly direction for 145+/- feet; thence cornering and running along the northern right-of-way of East 5th Street in a westerly direction for 468+/- feet; thence cornering and running along the eastern property line of the property identified as Pitt County parcel number 10242 in a northerly direction for 145+/- feet; thence cornering and running along a portion of the southern property line of the property identified at Pitt County parcel number 00557 in a westerly direction for 70+/- feet; thence crossing South Jarvis Street in a westerly direction for 50+/- feet; thence cornering and running along the western right-of-way of South Jarvis Street in a northerly direction for 100+/- feet; thence cornering and running along the northern property line of the property identified as Pitt County parcel number 28887 in a westerly direction for 145+/- feet; thence cornering and running along a portion of the western property line of the property identified as Pitt County parcel number 28887 in a southerly direction for 100+/- feet; thence cornering and running along the northern property line of the property identified as Pitt County parcel number 26037 in a westerly direction for 72+/- feet; thence cornering and running along the eastern right-of-way of South Summit Street in a southerly direction for 145+/- feet and returning to the point of beginning and containing 198.1 +/- acres.

Excepting the properties identified as Pitt County parcel numbers 00040, 00039, and 17812 being bounded by South Harding Street, Johnston Street, South Rotary Street and East 4th Street.

Section 2. That this ordinance does not amend or repeal the Historic District (HD) Overlay District.

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

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

ADOPTED this 10th day of April, 2014.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

SEC. 9-4-200.2 UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI) OVERLAY DISTRICT STANDARDS.

(A) Purpose and intent; definition; designated area.

- (1) *Purpose and intent.* The purpose and intent of the University Neighborhood Revitalization Initiative (UNRI) Overlay District and requirements set forth under this section are:
 - (a) To recognize that the university neighborhood is an established city neighborhood with a unique location between East Carolina University, the Tar River, and the Downtown Commercial District;
 - (b) To recognize that the university neighborhood has traditionally provided off-campus housing opportunities to students of East Carolina University and that a significant percentage of the dwellings located within the university neighborhood are renter occupied;
 - (c) To recognize that some dwellings within the university neighborhood are of such size and character that they can reasonably accommodate an occupancy of greater than three unrelated persons;
 - (d) To establish appropriate standards and safeguards that provide for compatibility with other university neighborhood properties;
 - (e) To promote the long-term revitalization of the housing stock within the university neighborhood by encouraging investments to be made to improve the condition and appearance of dwellings and properties;
 - (f) To allow appropriate and limited increased occupancy by unrelated persons in order to encourage investment in the university neighborhood and to further contribute to the mix of housing options available within the university neighborhood; and
 - (g) To facilitate the sustainability, preservation, restoration, and revitalization of the university neighborhood in order to promote the safety and the general welfare of the community.
- (2) *Definition.* A University Neighborhood Revitalization Initiative (UNRI) Overlay District is defined as an overlay zoning district adopted in conjunction with an underlying general purpose zoning district, as listed in sections 9-4-46 through 9-4-72, wherein the zoning rights, standards, restrictions and requirements as set forth for the underlying general purpose zoning district shall extend to the University Neighborhood Revitalization Initiative (UNRI) Overlay District zoned area in accordance with subsection (B) below.
- (3) *Designated area.* All University Neighborhood Revitalization Initiative (UNRI) Overlay District(s) shall be restricted to the land area located within the following boundary: bounded on the north by the Tar River, on

the east by Elm Street, extended to the Tar River, on the south by E. 5th Street, and on the west by Reade Street, extended to the Tar River. No University Neighborhood Revitalization Initiative (UNRI) Overlay District shall be located outside of the designated area described by this subsection. A University Neighborhood Revitalization Initiative (UNRI) Overlay District shall be established within the designated area upon City Council adoption of a zoning ordinance which defines the boundary of the specific University Neighborhood Revitalization Initiative (UNRI) Overlay District located within the designated area boundary.

(B) *Standards.*

- (1) A petition for a University Neighborhood Revitalization Initiative (UNRI) Overlay District zoning map amendment may be initiated in accordance with section 9-4-331.
- (2) All University Neighborhood Revitalization Initiative (UNRI) Overlay Districts shall be delineated upon the official zoning map as both the underlying general purpose zoning district and the University Neighborhood Revitalization Initiative (UNRI) Overlay District. The general purpose zoning district title shall be followed by University Neighborhood Revitalization Initiative "-UNRI" in all areas zoned University Neighborhood Revitalization Initiative (UNRI) Overlay District.
- (3) The zoning rights, standards, restrictions and requirements of the underlying general purpose zoning district shall extend to the University Neighborhood Revitalization Initiative (UNRI) Overlay District, except as modified by subsections (4) and (5) below.
- (4) Within any University Neighborhood Revitalization Initiative (UNRI) Overlay District, a group of four unrelated persons living together as a single housekeeping unit in a shared dwelling unit shall be permitted upon receipt of a zoning compliance letter issued by the Director of Community Development or designee for the uses of a single-family dwelling, a two-family attached dwelling (duplex), and a multi-family development per Article I, when the use is allowed in the underlying general purpose zoning district as listed under Appendix A table of uses, and shall be subject to the additional standards as listed under subsection (5) below. All other standards, requirements and conditions of the underlying general purpose zoning district not modified by this subsection and subsection (5) below shall continue to apply.
- (5) The following standards specified in this subsection are hereby adopted as additional minimum requirements within the University Neighborhood Revitalization Initiative (UNRI) Overlay District for the uses listed under

subsection (4) above when a group of four unrelated persons live together as a single housekeeping unit in a shared dwelling unit.

- (a) The dwelling unit shall have four or more bedrooms.
 - (b) The dwelling unit shall contain at least 1,500 square feet of heated floor area.
 - (c) At least three off street parking spaces shall be provided on site for the dwelling unit. The three off street parking spaces shall be the standard required for the dwelling unit. The number required for any other dwelling unit on the same property shall be calculated based upon the requirements set forth for the underlying general purpose zoning district.
- (6) A zoning compliance letter shall be issued by the Director of Community Development or designee to permit a group of four unrelated persons living together as a single housekeeping unit in a shared dwelling unit for a use of a single-family dwelling, a two-family attached dwelling (duplex) and a multi-family development per Article I, as listed under Appendix A table of uses, upon a determination that the standards specified in subsection (5) above and in the underlying general purpose zoning district, as modified by subsections (4) and (5) above, are met. A zoning compliance letter shall be obtained for a dwelling unit by the dwelling unit owner or designee prior to the occupancy of the dwelling unit by a group of four unrelated persons living together as a single housekeeping unit. (Ord. No. 12-045, § 2, passed 10-11-2012)



FINAL REPORT

UNRI

UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE

UNRI Citizen Task Force

January 21, 2014

THIS PAGE INTENTIONALLY LEFT BLANK

UNRI BOARD MEMBERS

David Carpenter

Paul Clifford

Joanne Kollar

Phillip Rogers

Michael Saad

James C Sullivan

Chris Woelkers

CONTRIBUTING CITY OF GREENVILLE STAFF

Community Development Department

Merrill Flood, Director
Facilitator of the Board

Gwen Turnage, Admin Assistant
Board Secretary

Mike Dail, Planner II

Seth Laughlin, Planner II

City Manager's Office

Barbara Lipscomb
City Manager

Chris Padgett
Assistant City Manager

Steve Hawley
Public Information Officer

City Attorney's Office

Dave Holec
City Attorney

Greenville Police Department

Hassan Aden
Chief of Police

Richard Allsbrook
Code Enforcement Lieutenant

Corey Barrett
Code Enforcement Officer

A. J. Basile
Code Enforcement Officer

S. A. Bass
Professional Standards Lieutenant

Johnny Butler
Code Enforcement Officer

Ed Carson
Lieutenant

Laura Hensley
Code Enforcement Officer

Rawls Howard
Code Enforcement Coordinator

David Ivey
Fields Operations Commander

Greenville Police Department Cont.

Gervis Leathers
Parking /Code Enforcement

Cpl. Chris Viverette
Field Operations Supervisor

Ted Sauls
Deputy Chief of Police

Rob Williams
Captain Investigations

Public Works Department

Kevin Mulligan
Director

Delbert Bryant
Sanitation Superintendant

Rick DiCesare
Traffic Engineer

Scott Godefroy
City Engineer

Kenneth Jackson
Operations Manager

Stacey Pigford
Assistant Traffic Engineer

Colleen Sicley
Billing Coordinator

THIS PAGE INTENTIONALLY LEFT BLANK

Executive Summary

The University Neighborhood Revitalization Initiative Committee.

The University Neighborhood Revitalization Initiative (UNRI) Committee was created by City Council on October 11, 2012, following the establishment of the University Neighborhood Revitalization Overlay district. The purpose of the 6 member committee was to evaluate livability and quality of life issues faced by the residents and property owners of the district. City Council established 5 objectives for the committee in connection with the implementation of the overlay district. The Committee was to serve for a 12 month period and report back to City Council.

The Committee started evaluating and identifying issues that were common to the area on December 19, 2012. Committee work was supported by various departments of the city and their work ultimately led to amendments to existing parking regulations, establishment of marketing priorities and identification of several improvement strategies for the overlay area.

The committee has recommended the following initiatives for future city consideration:

- A. Develop and fund a rental dwelling conversion incentive program for those who convert an existing rental dwelling to an owner occupied dwelling.
- B. Continue to enforce current ordinances and insure that code enforcement actions are pursued aggressively with proper resources. Reconsider the development of a property inspection program as allowed by the North Carolina General statutes with appropriate support and resources. The program should specifically be developed as a residential property inspection program for landlords or owners having more than 2 verified violations of the housing standards within a 12 month period.
- C. Continue refuse collection programs recently initiated by the Public Works program with emphasis on those programs implemented during the beginning and ending of the semesters and following Halloween.
- D. Develop a streetscape master plan program for the University Area and its major corridors.
- E. Work with East Carolina University to maintain a presence and active participation in the neighborhood area. Encourage East Carolina University appoint a staff person to work with landlords and renters
- F. With City Council approval, allow the UNRI Committee to meet at least on a quarterly basis to evaluate the programs and policies established by the current committee.

The full report summarizes the findings, work history and recommendations of the University Neighborhood Revitalization Initiative Committee in greater detail.

The University Neighborhood Revitalization Initiative Committee.

The University Neighborhood Revitalization Initiative (UNRI) Committee was created by City Council on October 11, 2012, following the establishment of the University Neighborhood Revitalization Overlay district. The purpose of the 6 member committee was to evaluate livability and quality of life issues faced by the residents and property owners of the district. City Council established 5 objectives for the committee in connection with the implementation of the overlay district. The Committee was to serve for a 12 month period and report back to City Council.

Objectives established for the UNRI Committee by the City Council included the following:

- a. Establish a temporary citizen working group for a period of up to 12 months, composed of 2 appointees each by City officials elected by the district (district council person, at-large council person, and mayor) to assist in implementation of items described below and further define and execute additional revitalization efforts in the overlay district.
- b. Pursue funding sources to establish favorable terms and low interest loans and grants for revitalization of properties for citizens in the overlay district with the goal of encouraging transition/up-fit over a period to owner occupied homes.
- c. Pursue a parking permit plan for the overlay district which includes permits by right to all legal residents and/or employees in the overlay district with valid driver's licenses as well as a set number of available permits for purchase to East Carolina University students, staff and faculty. Funds generated will be dedicated to increased code enforcement, trash collection, lighting, security and marketing of best practices for the overlay district.
- d. Launch an active community watch program joining together residents, law enforcement, neighborhood and university groups in the overlay district.
- e. Attach unpaid code violation fees to property tax bills of property owners

Based upon the motion that authorized the creation of the committee, appointments to the committee were made by Mayor Allen Thomas, At-Large member of City Council, Dennis Mitchell and City Council Member representing the UNRI District, Marion Blackburn. The direction given to the newly created committee of City Council was to identify programs, resources and ways address issues that impact the area and that are routinely expressed by area residents. The appointments represented a cross section of the UNRI area including owner-occupants, absentee property owners and East Carolina University.

Appointments to the committee were made by City Council on November 8, 2012.

Members of the UNRI Committee:

1. David Carpenter
Area Property Owner
Appointed by Councilmember Dennis Mitchell

2. Paul Clifford
Associate Vice Chancellor Office of Alumni Relations
East Carolina University
Appointed by Mayor Allen Thomas to replace Mr. Philip Rogers following his relocation out of the state

3. Joanne Kollar
Resident and Property Owner
Appointed by Councilmember Marion Blackburn

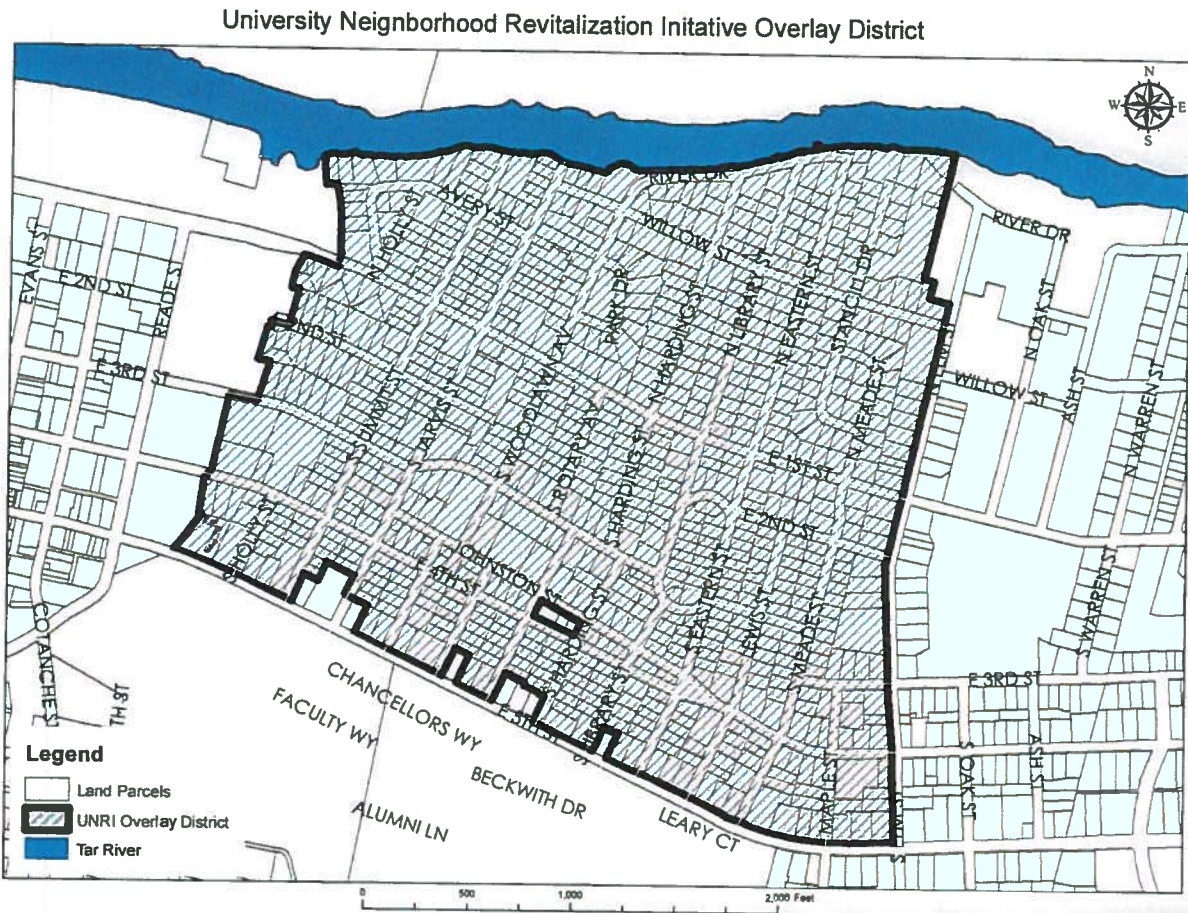
4. Philip Rogers
Executive Assistant to the Chancellor
East Carolina University
Appointed by Mayor Allen Thomas

5. Michael Saad
Area Property Owner
Appointed by Mayor Allen Thomas

6. James Sullivan
Resident and Property Owner
Appointed by Councilmember Marion Blackburn

7. Chris Woelkers
Resident and Area Property Owner
Appointed by Councilmember Dennis Mitchell

The UNRI Overlay Area as established by City Council is depicted below:



Summary of Activities

The first meeting of the committee was on December 19, 2012 at 2:00 pm. The first meeting was organizational in nature and the committee agreed to meet on the third Tuesday of each month at 2:00 pm in City Hall. Committee members unanimously agreed that the first meeting should consist of a “Walk-Through” of the UNRI Overlay district to identify issues faced by the community.

On January 15, 2013, the second meeting of the committee was held starting with a “walking tour” of several streets in the neighborhood beginning at the City Market. Committee members Jim Sullivan and Joanne Kollar identified several streets and locations of specific concern for the tour in advance. The walk through covered of a few selected streets within the district and identified 20 addresses with code violations. The violations identified covered 4 general areas of concern for further analysis and are summarized below:

1. A major concern was the amount of code enforcement violations in the area.
2. An in depth discussion on parking conditions in the area needed to take place. These discussions were immediately scheduled to begin during the February 19, 2013 meeting.
3. Some locations were identified with front yard parking possibly exceeding 30% of the front yard area, (a violation of the current standards).
4. Are standards needed for rear-yard parking? A review of the standards for properties outside of the Historic Preservation district area was recommended.
5. A general concern was expressed about refuse disposal by residents

Code Enforcement updates for identified concerns were regular agenda reporting items throughout the year.

During the February 19, 2013 and March 21, 2013 meetings, parking presentations were made to the committee by the Public Works Department, Police Department and Community Development Department. The Committee heard and recognized that parking is a system where one action taken affects parking needs in another area of the community. This is especially true within established neighborhoods. Committee members expressed community concerns regarding the lack of parking for residents of the area. This was a major concern for the area as a whole because on street parking areas were heavily used by students while attending class due to proximity to the university. Committee member Philip Rogers informed the group that the University had sufficient parking on campus for faculty, staff and students.

Committee members Chris Woelkers and David Carpenter suggested that there be some attempt to provide further protections for resident parking within the overlay area. As a result the committee recommended that a permit program for "on- street resident only parking" be developed for residents only within the overlay district. In addition, rear yard parking standards should be developed for those who utilize the rear yard for onsite parking (within the overlay district only) as a way to insure that the residential area continued to appear as residential properties and not parking lots.

Following the March 19, 2013 meeting, the following recommendations were forwarded to City Council on April 11, 2013:

A. Develop standards that will establish rear yard surface and screening parking standards for dwellings in the overlay district. Suggested standards would limit the number of vehicles on site to four (4), require parking to be on an improved surface and with proper screening. There were no standards and the committee felt this would improve the visual appearance of structures within the overlay district.

B. Establish the on-street parking areas within the overlay district as an area for controlled residential parking for residents of the overlay district only. After evaluation, the committee felt that limiting the parking to residents within the overlay district only would improve parking for the residents of the area. It was the desire of the committee that efforts to make the change be timed such that needed changes take place in order to implement the new parking restrictions near the beginning of the fall 2013 semester. City Council approved the concepts recommended by the UNRI Committee and instructed staff to develop the required ordinances for adoption by City Council.

At this meeting, Lt. Edward Carson provided a discussion on the benefit of Community Watch programs and assistance provided by the Police Department. The current Community Watch neighborhood coordinator, Ms. Belinda Perkinson attended the meeting and informed the UNRI Committee of current neighborhood efforts with neighborhood watch activities. Chief of Police, Hassan Aden discussed additional enforcement efforts and programs being instituted by the Police Department in neighborhoods across the city.

Beginning in April of 2013, the committee began to focus their attention to other issues faced in the community. Areas of refuse disposal and pick up were topics discussed by the committee with various staff members of the Public Works department. Several new initiatives for refuse removal and enforcement were shared with the committee by Kevin Mulligan Director of Public Works. With the discussions, the UNRI Committee expressed acceptance and appreciation for the new initiatives instituted by the department. Specific programs such as the pick-up of item during the end and beginning of semesters , after Halloween and increased pick-up of refuse including actions by Code Enforcement requiring the immediate weekend clean-up of yards following parties.

On April 29, 2013, several UNRI Committee members attended a City sponsored public information forum for parking changes recommended by the UNRI Committee. A meeting was held for residents of the overlay district to explain the proposed parking amendments and gather input. Over 700 meeting notices were mailed to area residents. Twenty-nine residents attended the meeting and identified concerns regarding the proposed amendments. A summary concerns identified at the meeting are listed below:

1. On-street parking regulations should insure that parking near public facilities and buildings such as parks, the greenway access points and ECU properties should not be by permit only
2. An implementation and public information campaign with a grace period will be needed when the on-street parking permit program is implemented.
3. General concerns regarding enforcement and ticketing were raised.
4. Consider a maximum lot coverage percentage for rear yard parking standards

At the May meeting the UNRI Committee received a report on the current process for billing of liens. This was one of the work items assigned to the committee by city council identified as item number 5. ***Attach unpaid code violation fees to property tax bills of property owners.*** Information was provided and a presentation was led by Assistant City Manager Christopher Padgett of the current methods used for collection of citations and liens. Mr. Padgett shared information from

Jacksonville, NC that previously implemented a similar program to collect property liens from tax collections. During the presentation, the UNRI Committee was informed that under the current NC General Statutes, citations cannot be attached to property tax bills. Mr. Padgett also informed the committee that future discussions were scheduled with the Pitt County Tax Collector's Office to determine ways to collect liens, which can be collected under NC General Statutes, with property tax bills. This would be an ongoing item that will last longer than the committee's work assignment.

The Committee also investigated ways to increase public information for the residents and students about city requirements. Information on the former "Take Heed" program was provided and the committee requested that the City "re-institute" the program. As a result the City partnered with East Carolina University and the distribution of the "Take Heed" booklets within the overlay district and neighborhoods near the university resumed in August of 2013.

During the June 18, 2013 meeting, City Attorney David Holec provided the UNRI Committee with an update on the City of Greenville's Minimum Housing Standards and authorities granted to municipalities by the NC General Statutes for minimum housing standards and residential registry programs.

The first parking amendment for controlled resident on street parking (resident only) by permit for residents within the overlay district was considered and approved by the City Council at the June 13, 2013 meeting. The program was fully implemented following a City staff initiated education campaign and grace period at the end of September of 2013.

The idea for rear yard parking standards was first introduced at the June 18, 2013, meeting. In consideration of several concerns resulting from citizen and committee input, the rear yard parking standards were developed and later amended. Following careful consideration the recommended standards were forwarded to the Planning and Zoning Commission for approval by the Commission on August 20, 2013. The standards were approved by City Council on September 12, 2013.

Starting with the July 16, 2013, meeting of the UNRI Committee and also during the August 20, 2013 meeting, the UNRI Committee explored ways and methods to better market the unique qualities of the neighborhoods within the UNRI area. The committee wanted to be better informed about programs offered by the City and other private lenders for property owners in the area. City staff invited a number of lenders over the course of two months. Ms. Ludie Smith of B B&T attended the July 16, 2013, meeting informing the members of available loan programs. Additional lenders were invited but due to scheduling conflicts could not attend but did provide written material of programs and services offered.

Steve Hawley, Public Information Officer also attended the July meeting and discussed upcoming "City Scene" programming on G-TV9 that would spotlight various neighborhoods including the TRNA area. A "City Scene" segment with various city staff members was developed and was broadcast in August. Steve answered questions about marketing the

community and provided some marketing information that the community might consider implementing through the neighborhood association.

At the August 20, 2013 meeting, Mr. Paul Clifford representing East Carolina University joined the committee replacing the seat held by Mr. Philip Rogers who resigned due to relocation. Mr. Clifford assisted by identifying University avenues to market the area for housing opportunities through the Human Resources Department of the University. The committee received an update on crime statistics for the neighborhood in addition to the regular Code Enforcement report from Lt. Richard Allsbrook.

At the September 17, 2013 meeting additional information was shared with the committee on the University Homebuyer Program that was funded in 2007.

At the October 15, 2013 meeting, a presentation was made about various financing options for funding capital improvements to neighborhoods. Information was also shared on the number of loans made under in the University Homebuyer and the Historic Preservation Grant programs. Ms. Jane Rolfe, a local realtor and immediate past President of the Pitt County Board of Realtors gave some ideas to the committee members for ways to market the neighborhoods.

The committee expressed a desire to see the development of public infrastructure improvements to help improve the UNRI area. Improvement needs identified by the committee were lighting, sidewalk maintenance, street signs. During this discussion the committee was presented with a copy of the adopted Street-Scape Master plan for the City of Greenville. This helped to shape and guide conversations of the committee. Committee members felt that a similar effort was needed for the overlay area and East Fifth Street corridor. Following this presentation, the committee recommended that the completion of a street-scape improvement and master plan be completed for the overlay area and East Fifth Street. Their recommendation also included that the City consider property assessments in addition to bonds for funding the improvements.

Marketing needs continued to be a topic of interest and carried over into the November 19, 2013 meeting. Committee Michael Saad committed to covering the initial expenses for an initial printing of marketing materials that would be developed for the neighborhood.

During the December 17, 2013, meeting the committee spent it's time finalizing recommendations to City Council. The Committee realized that recommendations must be considered by City Council with all of the identified needs of the city then programmed and approved by City Council. As such, the recommendations made represent the collective thoughts of the committee as a result their 12 month assignment.

Meetings were well attended by all of the committee members who provided valuable input throughout the project. In addition, several citizens attended the meeting regularly and also added input during the committee's meetings during the designated public comment period.

Those that attended included, Jake Postma, Carol Collins, Teresa Salt, Brenda Ernest, Andrew Morehead, Vance Harper Jones, Belinda Perkinson, Catherine Darby, Inez Fridley, Myron Casper, Greg Rubec, Edward Owens, Jane Rolfe. Additional several members of the media attended and City Councilmember Marion Blackburn was in attendance at the monthly meetings.

Final Recommendations

- A. Develop and fund a rental dwelling conversion incentive program for those who convert an existing rental dwelling to an owner occupied dwelling. The program should be funded by the city and administered in the same manner as the University Area Homebuyer Program. Prospective owners should be eligible to utilize both programs. The current funding of the University Area Homebuyer Program is up to \$10,000 for a purchase of a home in the neighborhoods that are adjacent to East Carolina University.
- B. Continue to enforce current ordinances and insure that code enforcement actions are pursued aggressively with proper resources. Reconsider the development of a property inspection program as allowed by the North Carolina General statutes with appropriate support and resources. The program should specifically be developed as a residential property inspection program for landlords or owners having more than 2 verified violations of the housing standards within a 12 month period. The city may also implement the residential property inspection program in a targeted area designated by City Council.
- C. Continue refuse collection programs recently initiated by the Public Works program with emphasis on those programs implemented during the beginning and ending of the semesters and following Halloween.
- D. Develop a streetscape master plan program for the University Area and its major corridors.
- E. Work with East Carolina University to maintain a presence and active participation in the neighborhood area. Encourage East Carolina University appoint a staff person to work with landlords and renters. Much success occurred in the past when the university had a person who worked with landlords and tenants.
- F. With City Council approval, allow the UNRI Committee to meet at least on a quarterly basis to evaluate the programs and policies established by the current committee. The committee realizes that new committee members may be established by City Council.



Find yourself in good company

APPENDIX

UNRI
UNRI Overlay District

APPENDIX

Attachments A

UNRI Meetings Minutes, Wednesday, December 19, 2012
UNRI Meetings Minutes, Tuesday, January 15, 2013
UNRI Meetings Minutes, Tuesday, February 19, 2013
UNRI Meetings Minutes, Tuesday, March 19, 2013
UNRI Meetings Minutes, Tuesday, April 16, 2013
UNRI Meetings Minutes, Tuesday, May 21, 2013
UNRI Meetings Minutes, Tuesday, June 18, 2013
UNRI Meetings Minutes, Tuesday, July 16, 2013
UNRI Meetings Minutes, Tuesday, August 20, 2013
UNRI Meetings Minutes, Tuesday, September 17, 2013
UNRI Meetings Minutes, Tuesday, October 15, 2013
UNRI Meetings Minutes, Tuesday, November 19, 2013
UNRI Meetings Minutes, Tuesday, December 17, 2013

Attachments B

Article in the Daily Reflector *Parking near ECU gets trickier*
Article in the Daily Reflector *Greenville talks trash*
Article in the Daily Reflector *Officials: Students key to neighborhood watches*
Article in the Daily Reflector *Push for permits, Change in parking policy recommended*
Article in the Daily Reflector *Walk exposes parking plight*
Article in the Daily Reflector *Study group will focus on parking*



Find yourself in good company

Meeting Minutes

UNRI
UNRI Overlay District

UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI)
MEETING MINUTES

Wednesday, December 19, 2012 @ 2:00PM
Conference Room 337 – City Hall

BOARD MEMBERS ATTENDANCE - PRESENT (P) ABSENT (A)

- Phillip Rogers (P)
- Michael Saad (P)
- James C Sullivan (P)
- Joanne Kollar (P)
- Chris Woelkers (P)
- David Carpenter (P)

CITY COUNCIL MEMBERS PRESENT

- Council Member Marion Blackburn

CITY STAFF PRESENT

Community Development Department: Merrill Flood, Director, Mike Dail, Planner II, Seth Laughlin, Planner II, and Gwen Turnage, Administrative Assistant: Public Works Department: Delbert Bryant, Sanitation Manager, Scott Godfrey, City Engineer, and Stacey Pigford, Assistant Traffic Engineer: City Manager's Office: Steve Hawley, Public Information Officer: Police Department: Chief Hassan Aden, and Lt. Richard Allsbrook, Code Enforcement: and Dave Holec, City Attorney

I. INTRODUCTIONS

Merrill Flood, Director of Community Development asked the board members and staff to introduce themselves, and noted that this board is an appointed board by City Council.

II. THE UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI) AS DEVELOPED BY CITY COUNCIL

Merrill provided information to the UNRI board the directives as adopted by the Greenville City Council. The focus and objectives of the board are listed below:

- (1) Establish a temporary citizen working group for a period of up to 12 months, composed of 2 appointees each by city officials elected by the district (district council person, at-large council person, and mayor) to assist in implementation of items described below and further define and execute additional revitalization efforts in the overlay district.
- (2) Pursue funding sources to establish favorable terms and low interest loans and grants for revitalization of properties for citizens in the overlay district with the goal of encouraging transition/up fit over a period to owner occupied homes.

- (3) Pursue a parking permit plan for the overlay district which includes permits by right to all legal residents and/or employees in the overlay district with valid driver's licenses as well as a set number of available permits for purchase to East Carolina University students, staff and faculty. Funds generated will be dedicated to increased code enforcement, trash collection, lighting, security and marketing of best practices for the overlay district.
- (4) Launch and active community watch program joining together residents, law enforcement, neighborhoods, and university groups in the overlay district.
- (5) Attach unpaid code violation fees to property tax bills of property owners.

WORK FOCUS AREAS AND CONCERNS:

Merrill asked the board to discuss their concerns and areas they would like to focus on. The following list is a summary of the board's responses.

- (1) Ways to increase home ownership/owner occupancy in the UNRI Overlay District.
- (2) What is a bedroom? Can the city create a definition or standards for a bedroom?
- (3) How do occupancy violations get reported?
- (4) Create rear yard parking area, maximum coverage standards.
- (5) Address Trash can placement after garbage pickup
- (6) Refuse collection after occupant/tenants move out.
- (7) Parking issues audit, permit no permits parking delineated in the rearyard.
- (8) Address ECU commuter parking along street within the UNRI Overlay District.
- (9) Increase Code Enforcement activities.
- (10) Provide information on Community Watch and Crime Prevention Through Environmental Design (CPTED) Standards and Involve Greek Organizations in community service projects that will help the neighborhood.
- (11) Develop better lines of communication between the Code Enforcement Division and area rental residents about code enforcement issues.
- (12) Increase landlord and resident education programs and efforts by tenants to comply.
- (13) Crime free addendum information.
- (14) Issues with party trash information and fines for such activities and attaching fines to utility bills.
- (15) Branding and marketing of the neighborhood and area.
- (16) Change real estate agents attitude toward the area and how it is marketed (rental property). Invite the President of Pitt County Board of Realtors to a future meeting.
- (17) Have information about the existing Historic Preservation program presented to the committee.

- (18) Consider getting information from Chapel Hill's staff on how they handle similar issues
- (19) Consider working on one item at a time and handle the time sensitive issues first.
- (20) Neighborhood plan and the task force on the preservation of neighborhoods report all the ordinances dealing with parking.

III. PRESENTATION OF EXISTING PROGRAMS AND POLICIES RELATED TO THE OUTLINED OBJECTIVES

- (1) Mike Dail identified the standards that a home must meet in order to be considered for occupancy of 4 unrelated persons. Mike also explained that the Inspections Division within Public Works Department handles the room size requirements.
- (2) Delbert Bryant described refuse collection procedures and how citations are issued.
- (3) Stacey Pigford displayed a map and described the City's current Controlled Residential Parking program. This rule allows residents to receive 3 parking permits per household. Controlled Residential Parking is established on a block-by-block basis. Currently, for residents to get controlled residential parking on their street they have to submit a petition with signatures from at least 51% of the residents on the block.
- (4) Lt. Richard Allsbrook Described the methods used for inspections by Code Enforcement and factors affecting the identification of violations.
- (5) Chief Hassan Aden discussed Code Enforcement issues related to heir properties.

IV. DATA NEEDS:

- (1) The number of parking permits issued, and revenues generated from ticketing.
- (2) How many houses are in the UNRI Overlay District?
- (3) Expected revenue potential with newly issued parking permits.
- (4) How many parking tickets have been issued and the amount of revenue has been generated over the last five years.
- (5) A copy of the parking plan that was developed by TRUNA community work group.
- (6) A copy of the Neighborhood plan that has been developed for TRUNA.
- (7) A copy of the current parking ordinances.
- (8) Investigate parking problems in the rear yard that currently exist on South Woodlawn, Biltmore, and Rotary Streets.

V. ESTABLISHMENT OF MEETING TIMES

- (1) Regular meetings will be held on the third Tuesday of each month at 2:00PM.
- (2) At the next meeting a walkthrough of sections of the UNRI district will take place Tuesday, January 15th, 2013, at 2:00PM and will start at the City Market Parking Lot. The meeting will be followed up in the Municipal Building located in the COMSTAT conference room #328.

VI. CLOSING REMARKS

TOPIC AREAS FOR FUTURE DISCUSSION:

- (1) Parking standards and programs
- (2) Standards for the neighborhood
- (3) Code Enforcement Issues
- (4) Home Ownership
- (5) Community Watch
- (6) Sanitation
- (7) Education / Information efforts
- (8) Past Plans
- (9) Rental Registry
- (10) Invite the chair of Historic Preservation Commission to a future meeting

Having no further business, the meeting adjourned at 3:40PM.

Respectfully submitted,



Merrill Flood, Director
Community Development Department
UNRI Working Group Facilitator

UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI)
UNRI Citizen Task Force

MEETING MINUTES

Tuesday, January 15, 2013 at 2:00PM
City Market Parking Lot - 211 S Jarvis Street, Greenville, NC 27858

BOARD MEMBERS ATTENDANCE - PRESENT (P) ABSENT (A)

- Phillip Rogers (P)
- Michael Saad (P)
- James C Sullivan (P)
- Joanne Kollar (P)
- Chris Woelkers (P)
- David Carpenter (P)

CITY COUNCIL MEMBERS PRESENT

- Council Member Marion Blackburn

CITY STAFF PRESENT

Community Development Department: Merrill Flood, Director, Chris Padgett, Chief Planner & Interim Assistant City Manager, Mike Dail, Planner II, Seth Laughlin, Planner II, and Gwen Turnage, Administrative Assistant; *Public Works Department:* Delbert Bryant, Sanitation Manager, Scott Godefroy, City Engineer, and Stacey Pigford, Assistant Traffic Engineer; *Police Department:* Ted Sauls, Deputy Police Chief, Lt. Ed Carson, A. J. Basile & Laura Hensley-Code Enforcement Officers, Gervis Leather, Parking Enforcement, Lieutenant Richard Allsbrook-Code Enforcement Division Commander

On Tuesday, January 15, 2013 at 2:00pm members of the UNRI board met at the City Market parking lot to tour the UNRI district. They were joined by neighbors in the UNRI district, several city employees, Councilmember Blackburn and staff from the Daily Reflector.

I. WALK - THROUGH OF UNRI NEIGHBORHOODS

The walk-through identified areas that had possible code violations. UNRI Board member Jim Sullivan led the walk-through and UNRI Board member JoAnne Kollar led the bus tour of the neighborhood. Several violations were identified by Code Enforcement and a notice was sent to property owners. Such violations included, but not limited to; junk vehicles & several vehicles parked on unimproved surfaces; a fire pit in front yard; curbing chipped away to access backyard parking; trash and debris in the front and the backyard.

After the tour, the UNRI board members and citizens that reside in the UNRI district met in front of City Market to discuss possible solutions to the concerns identified.

1. The major concern was the amount of code enforcement issues.
2. An in depth discussion on parking will take place at the next meeting.
3. Several areas with front yard parking currently greater than 30%
4. What are the standards for rear-yard parking? Review the standard with the exception of the Historic Preservation area.

Having no further business, the meeting adjourned at 4:02PM.

Respectfully submitted,



Merrill Flord, Director
Community Development Department
UNRI Working Group Facilitator

UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI)
UNRI Citizen Task Force

MEETING MINUTES

Tuesday, February 19, 2013 at 2:00PM
City Hall Conf Room 337 @ 2:00PM, Greenville, NC 27858

BOARD MEMBERS ATTENDANCE - PRESENT (P) ABSENT (A)

- Phillip Rogers (P)
- Michael Saad (P)
- James C Sullivan (P)
- Joanne Kollar (P)
- Chris Woelkers (P)
- David Carpenter (P)

CITY COUNCIL MEMBERS PRESENT

- Council Member Marion Blackburn

CITY STAFF PRESENT

Community Development Department: Merrill Flood, Director, Mike Dail, Planner II, Seth Laughlin, Planner II, and Gwen Turnage, Administrative Assistant; Police Department: Hassan Aden, Police Chief, Lieutenant Richard Allsbrook-Code Enforcement Division Commander, A. J. Basile & Corey Barrett-Code Enforcement Officers, and Jonathan Rexroad, Code Enforcement intern; Public Works Department: Delbert Bryant, Sanitation Manager, Rick DiCesare, Traffic Engineer, and Stacey Pigford, Assistant Traffic Engineer.

1. **APPROVAL OF MINUTES – December 19, 2012 & January 15, 2013**
The UNRI members unanimously approved the minutes by a consensus
2. **Reporting on the status of walk-through enforcement items from the January 15, 2013 meeting**
Chief Aden addressed the violations reported during the walk-through and discussed an increased Code Enforcement presence in the UNRI district, as well as other areas of the city to lower the number of violations. Additionally, the Chief informed the board that the entire city will have more police presence in the areas where the volumes of calls are reported. A new Parking Enforcement Officer has been hired to assist with parking efforts.
3. **Report on Parking – Seth Laughlin, Planner II** reported on the rearyard parking in the Historic District and distributed a memo of "Potential Parking Issues within Historic District Portion of UNRI". The Historic Preservation Commission (HPC) is currently in the process of re-writing the Design Guidelines. The current standard for rear-yard parking states that "It is not appropriate to create large off-street parking areas encompassing much of the rear yard that the residential character of the site

is lost". This subjective statement leaves the design and extent of a proposed rear yard parking area up to the HPC for approval on an individual basis.

Stacey Pigford, *Assistant Traffic Engineer* presented the 2008 parking plan for the TRUNA neighborhood, and provided the following information to the board:

1. Not every street in the TRUNA area has controlled parking. The area that had a two hour limit was taken away and replaced with parking by permit only.
2. Parking that was 32' wide or less has been removed on one side of the street to comply with safety regulations.
3. The Public Works department created a temporary parking permit policy in 2011 which was approved at that time. Since this policy have been enforced there have been 14 temporary permits issued.
4. The goal is to have parking repainted on the streets.

4. Parking Recommendations

1. Do away with all permits and allow a permit for residents only within the entire overlay district.
2. Report from staff on implementation of parking standards for the overlay area.

5. Discussion Topics for the March meeting

1. Pursue parking permit plan for the overlay district.
2. Launch an active Community Watch Program.
3. Rear Yard Parking Standards.

6. ADJOURN

Having no further business, the meeting adjourned at 3:55PM.

Respectfully submitted,



Merrill Flood, Director
Community Development Department
UNRI Working Group Facilitator

UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI)
UNRI Citizen Task Force

MEETING MINUTES

Tuesday, March 19, 2013 at 2:00PM
City Hall Conf Room 337, Greenville, NC 27858

BOARD MEMBERS ATTENDANCE - PRESENT (P) ABSENT (A)

- Phillip Rogers (P)
- Michael Saad (P)
- James C Sullivan (P)
- Joanne Kollar (P)
- Chris Woelkers (P)
- David Carpenter (P)

CITY STAFF PRESENT

Community Development Department: Merrill Flood, Director, Mike Dail, Planner II, Seth Laughlin, Planner II, and Gwen Turnage, Administrative Assistant; City Manager's Office, Chris Padgett, Interim Assistant City Manager; Police Department: Chief Hasan Aden, Lieutenant Richard Allsbrook-Code Enforcement Division Commander, Corey Barrett, A. J. Basile, & Johnny Butler, Code Enforcement Officers, and Jonathan Rexroad, Code Enforcement intern, Lt. Ed Carson, Cpt. Robert Williams; Public Works Department: Kevin Mulligan, Director Delbert Bryant, Sanitation Manager, Ken Jackson, Scott Godfrey, and Stacey Pigford, Assistant Traffic Engineer.

- I. **ROLL CALL** – ALL MEMBERS WERE PRESENT
- II. **APPROVAL OF MINUTES** – February 19, 2013

MOTIONED BY: James C Sullivan SECOND BY: Chris Woelkers

A MOTION TO ADD "APPROVAL OF THE AGENDA" AFTER APPROVAL OF THE MINUTES; AND TO ADD "PUBLIC INPUT" AT THE END OF THE AGENDA ALLOWING EACH SPEAKER ONE MINUTE NOT TO EXCEED TEN SPEAKERS AND TEN MINUTES TOTAL TIME:

MOTIONED BY: James C Sullivan SECOND BY: Michael Saad

DISCUSSION:

Mr. Sullivan asked for a discussion on an enforcement item to follow item #4.

Motions passed unanimously.

- III. **Presentation of Community Watch Programs**

Lt. Carson explained the importance of having a Neighborhood Watch in communities. Brochures on "Establishing a Neighborhood Watch Program in Your Community", and "Speak Up Stop Crime" brochures were distributed. Lt. Carson encouraged those with concerns or questions to contact him at the Greenville Police Department.

Ms. Belinda Perkinson has been the coordinator for the TRUNA area since February 2011. TRUNA has a webpage for community watch and an email account. While they do not currently focus primarily on block captains, they rely upon electronic communication within the neighborhood. TRUNA is registered with USA a Watch organization, and is interested in obtaining a City grant for the neighborhood which would get students involved. During ECU orientation training is provided for the safety procedures of students which explain

the importance of commuting from the downtown area to the university. Landlords are encouraged to provide the importance of neighborhood watch and be more involved with their renters.

Chief Aden noted that he will be meeting with the newly created University Community Advisory Board today, and information about community watch will be discussed, along with the role students have to accomplish a successful community watch program.

Additionally, the topic of cameras placed strategically throughout the city seems to be working well, and the question was asked if cameras could be placed in neighborhoods. Chief Aden explained that having cameras in neighborhoods has the potential of violating the privacy of citizens, instead providing additional lighting is a better source of security.

IV. Presentations on Recommended Parking Standards/Modifications

Stacey Pigford, of the Public Works Department, Traffic Division explained that the preferred approach of the Public Works Department for parking in the UNRI district would be to extend the Controlled Residential Parking area northward to 1st Street to include the entire UNRI Overlay District. The four colors on the map represent four different controlled residential parking zones with four different permit letters to keep permit holders from migrating into areas not near their residence. The Public Works Department does not want to force residents to obtain a parking permit in the overlay district. If the intent is to change the entire UNRI Overlay District to Controlled Residential Parking it would be implemented a few streets at a time, due to the cost of signs and manpower. If the board decides to move forward with the implementation recommendation, a plan needs to be developed after City Council hears the recommendation to include the Public Transportation and Parking Commission.

Discussion:

Staff recommended keeping the implementation of Controlled Residential Parking as street-by-street by a petition process, as it is currently. A board member pointed out that this could be problematic because some blocks do not have owner occupied dwellings and some landlords may not sign the petition.

The UNRI board recommended the following go to council with the recommendation that staff refine the implementation steps:

1. Implementation for the controlled parking enforcement area to include the entire overlay district effective fall 2013.
2. Provide resources for additional enforcement excluding signage.
3. Request adoption by City Council.
4. Assure a general consensus from residents in the UNRI district which will include property owners to attend a community wide meeting with the Parking & Transportation Commission.

Rear Yard Parking Standards:

Mike Dail, Planner II from the Community Development Department presented a survey he conducted with several cities regarding "Rear Yard Parking Survey". Mike contacted several cities inquiring of their parking regulations. Discussions of backyard setbacks for each city were discussed to include the right-of-way, and how they matched up to the City of Greenville's guidelines. Results for each city were distributed and discussed.

Discussion:

In an effort to curtail eye sores within the community, it was suggested that parking areas be screened and graveled lots be outlined with a railroad tie or other suitable materials. A question was asked "if properties that are located in the university area along Fifth Street and the business dwellings included in the parking regulations standard?" Chris Padgett explained that the goal was to apply the standard to the overlay district and the university owned properties were excluded from the overlay district. Focusing on regulating parking in the backyard may force homeowners to redesign the front yard. Merrill explained that as part of the Design Guideline Review this is being discussed by Historic Preservation Commission with the consultants

RECOMMENDATION TO CITY COUNCIL FOR THE APRIL 2013 MEETING

1. Develop standards that will establish rear yard parking standards for dwellings in the overlay district. Suggested standards would limit the number of vehicles on site to 4, require parking to be on an improved surface and with property screening. Currently there are no standards and the committee felt this would improve the visual appearance of structures within the overlay district.
2. Establish the on street parking areas within the overlay district as an area for controlled residential parking for residents only. After evaluation the committee felt that limiting the parking to residents within the overlay only would improve parking for the residents of the area. It is the desire of the committee that efforts to make the change be timed such that needed changes take place in order to implement the new parking restrictions in time for the beginning of the fall 2013 semester.

Each of the items has been evaluated by the various departments of the City responsible for implementation and administration of the recommended action. The Public Works and Police Departments are the two departments that will be primarily impacted with the recommendations. There will be additional action steps and budgetary considerations that will have to be developed in advance of implementation if City Council approves the actions. In addition, there may be some phasing of the controlled parking access plans in order to give the Public Works Department time to make the needed striping and signage changes.

A MOTION TO RECOMMEND THE ESTABLISHMENT OF CONTROLLED ACCESS PARKING IN THE UNRI OVERLAY AREA AND ESTABLISH REARYARD PARKING STANDARDS BE SENT TO COUNCIL IN APRIL WITH STAFF RECOMMENDATION.

MOTIONED BY: Chris Woelkers SECOND BY: David Carpenter

Motion passed by a 5-1 vote with James C Sullivan opposing.

V. Enforcement

Mr. Sullivan spoke on several code issues, too many people living in houses, parking, trash, rental registry, etc. When this goes to City Council, specifics need to be defined in the request from the board. Mr. Sullivan awaits a ruling on front yard parking from staff. Violations of the area which the board toured in January currently show the same violations.

VI. Discussion Topics for the April meeting

- Continue Code Enforcement Update
- Sanitation Rules and Guidelines from Public Works

VII. Public Comment Period

- Myron Casper noted that City Code currently lists the City Engineer as the person that determines where gravel may be laid. Mr. Casper was informed by the Assistant City Attorney that permits can be obtained from Code Enforcement for gravel to be laid in backyard. Currently this permit does not exist or they are not being kept. The house on Johnston and Student Streets has dumped big loads of gravel on 70% of the front yard. Enforcement is the present problem in this neighborhood. The backyards in this area are not big enough for four cars to park.
- A student preventative for East Carolina University noted that students without the appropriate university parking sticker face a parking dilemma after 6:00PM. The current parking stickers allow students to park after 7:00PM. Most student classes start around 6:30PM. If the larger, nearly empty, parking lot had the time frame changed on the parking permit, this would allow students to park on the available space on campus without the hassle of searching for a parking space off campus. Changing the parking permit would be a big help to the ECU students.

VIII. ADJOURN

A MOTION TO ADJOURN:

MOTIONED BY: Phillip Rogers SECOND BY: Chris Woelkers

Having no further business, the meeting adjourned at 4:06PM.

Respectfully submitted,



Merrill Flood, Director
Community Development Department
UNRI Working Group Facilitator

UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI)
UNRI Citizen Task Force

MEETING MINUTES

Tuesday, April 16, 2013 at 2:00PM
City Hall Conf Room 337, Greenville, NC 27858

BOARD MEMBERS ATTENDANCE - PRESENT (P) ABSENT (A)

- Phillip Rogers (P)
- Michael Saad (P)
- James C Sullivan (P)
- Joanne Kollar (P)
- Chris Woelkers (P)
- David Carpenter (P)

CITY STAFF PRESENT

Community Development Department: Merrill Flood, Director, Mike Dail, Planner II, Seth Laughlin, Planner II, and Gwen Turnage, Administrative Assistant: City Manager's Office, Chris Padgett, Interim Assistant City Manager: Police Department: Lieutenant Richard Allsbrook-Code Enforcement Division Commander, A. J. Basile, & Johnny Butler, Code Enforcement Officers, Lt. Ed Carson, Public Works Department: Kevin Mulligan, Director and Stacey Pigford, Assistant Traffic Engineer.

- I. **ROLL CALL – ALL MEMBERS WERE PRESENT**
- II. **APPROVAL OF MINUTES – February 19, 2013**

MOTIONED BY: James C Sullivan SECOND BY: Chris Woelkers

A MOTION TO ADD "APPROVAL OF THE AGENDA" AFTER APPROVAL OF THE MINUTES; AND TO ADD "PUBLIC INPUT" AT THE END OF THE AGENDA ALLOWING EACH SPEAKER ONE MINUTE NOT TO EXCEED TEN SPEAKERS AND TEN MINUTES TOTAL TIME:

MOTIONED BY: James C Sullivan SECOND BY: Michael Saad

DISCUSSION:

Mr. Sullivan asked for a discussion on an enforcement item to follow item #4.

Motions passed unanimously.

- III. **Presentation of Community Watch Programs**

Lt. Carson explained the importance of having a Neighborhood Watch in communities. Brochures on "Establishing a Neighborhood Watch Program in Your Community", and "Speak Up Stop Crime" brochures were distributed. Lt. Carson encouraged those with concerns or questions to contact him at the Greenville Police Department.

Ms. Belinda Perkinson has been the coordinator for the TRUNA area since February 2011. TRUNA has a webpage for community watch and an email account. While they do not currently focus primarily on block captains, they rely upon electronic communication within the neighborhood. TRUNA is registered with USA a Watch organization, and is interested in obtaining a City grant for the neighborhood which would get students involved. During ECU orientation training is provided for the safety procedures of students which explain the importance of commuting from the downtown area to the university. Landlords are

encouraged to provide the importance of neighborhood watch and be more involved with their renters.

Chief Aden noted that he will be meeting with the newly created University Community Advisory Board today, and information about community watch will be discussed, along with the role students have to accomplish a successful community watch program.

Additionally, the topic of cameras placed strategically throughout the city seems to be working well, and the question was asked if cameras could be placed in neighborhoods. Chief Aden explained that having cameras in neighborhoods has the potential of violating the privacy of citizens, instead providing additional lighting is a better source of security.

IV. Presentations on Recommended Parking Standards/Modifications

Stacey Pigford, of the Public Works Department, Traffic Division explained that the preferred approach of the Public Works Department for parking in the UNRI district would be to extend the Controlled Residential Parking area northward to 1st Street to include the entire UNRI Overlay District. The four colors on the map represent four different controlled residential parking zones with four different permit letters to keep permit holders from migrating into areas not near their residence. The Public Works Department does not want to force residents to obtain a parking permit in the overlay district. If the intent is to change the entire UNRI Overlay District to Controlled Residential Parking it would be implemented a few streets at a time, due to the cost of signs and manpower. If the board decides to move forward with the implementation recommendation, a plan needs to be developed after City Council hears the recommendation to include the Public Transportation and Parking Commission.

Discussion:

Staff recommended keeping the implementation of Controlled Residential Parking as street-by-street by a petition process, as it is currently. A board member pointed out that this could be problematic because some blocks do not have owner occupied dwellings and some landlords may not sign the petition.

The UNRI board recommended the following go to council with the recommendation that staff refine the implementation steps:

1. Implementation for the controlled parking enforcement area to include the entire overlay district effective fall 2013.
2. Provide resources for additional enforcement excluding signage.
3. Request adoption by City Council.
4. Assure a general consensus from residents in the UNRI district which will include property owners to attend a community wide meeting with the Parking & Transportation Commission.

Rear Yard Parking Standards:

Mike Dail, Planner II from the Community Development Department presented a survey he conducted with several cities regarding "Rear Yard Parking Survey". Mike contacted several cities inquiring of their parking regulations. Discussions of backyard setbacks for each city were discussed to include the right-of-way, and how they matched up to the City of Greenville's guidelines. Results for each city were distributed and discussed.

Discussion:

In an effort to curtail eye sores within the community, it was suggested that parking areas be screened and graveled lots be outlined with a railroad tie or other suitable materials. A question was asked "if properties that are located in the university area along Fifth Street and the business dwellings included in the parking regulations standard?" Chris Padgett explained that the goal was to apply the standard to the overlay district and the university owned properties were excluded from the overlay district. Focusing on regulating parking in the backyard may force homeowners to redesign the front yard. Merrill explained that as part of the Design Guideline Review this is being discussed by Historic Preservation Commission with the consultants

RECOMMENDATION TO CITY COUNCIL FOR THE APRIL 2013 MEETING

1. Develop standards that will establish rear yard parking standards for dwellings in the overlay district. Suggested standards would limit the number of vehicles on site to 4, require parking to be on an improved surface and with property screening. Currently there are no standards and the committee felt this would improve the visual appearance of structures within the overlay district.
2. Establish the on street parking areas within the overlay district as an area for controlled residential parking for residents only. After evaluation the committee felt that limiting the parking to residents within the overlay only would improve parking for the residents of the area. It is the desire of the committee that efforts to make the change be timed such that needed changes take place in order to implement the new parking restrictions in time for the beginning of the fall 2013 semester.

Each of the items has been evaluated by the various departments of the City responsible for implementation and administration of the recommended action. The Public Works and Police Departments are the two departments that will be primarily impacted with the recommendations. There will be additional action steps and budgetary considerations that will have to be developed in advance of implementation if City Council approves the actions. In addition, there may be some phasing of the controlled parking access plans in order to give the Public Works Department time to make the needed striping and signage changes.

A MOTION TO RECOMMEND THE ESTABLISHMENT OF CONTROLLED ACCESS PARKING IN THE UNRI OVERLAY AREA AND ESTABLISH REARYARD PARKING STANDARDS BE SENT TO COUNCIL IN APRIL WITH STAFF RECOMMENDATION.

MOTIONED BY: Chris Woelkers SECOND BY: David Carpenter

Motion passed by a 5-1 vote with James C Sullivan opposing.

V. Enforcement

Mr. Sullivan spoke on several code issues, too many people living in houses, parking, trash, rental registry, etc. When this goes to City Council, specifics need to be defined in the request from the board. Mr. Sullivan awaits a ruling on front yard parking from staff. Violations of the area which the board toured in January currently show the same violations.

VI. Discussion Topics for the April meeting

- Continue Code Enforcement Update
- Sanitation Rules and Guidelines from Public Works

VII. Public Comment Period

- Myron Casper noted that City Code currently lists the City Engineer as the person that determines where gravel may be laid. Mr. Casper was informed by the Assistant City Attorney that permits can be obtained from Code Enforcement for gravel to be laid in backyard. Currently this permit does not exist or they are not being kept. The house on Johnston and Student Streets has dumped big loads of gravel on 70% of the front yard. Enforcement is the present problem in this neighborhood. The backyards in this area are not big enough for four cars to park.
- A student preventative for East Carolina University noted that students without the appropriate university parking sticker face a parking dilemma after 6:00PM. The current parking stickers allow students to park after 7:00PM. Most student classes start around 6:30PM. If the larger, nearly empty, parking lot had the time frame changed on the parking permit, this would allow students to park on the available space on campus without the hassle of searching for a parking space off campus. Changing the parking permit would be a big help to the ECU students.

VIII. ADJOURN

A MOTION TO ADJOURN:

MOTIONED BY: Phillip Rogers SECOND BY: Chris Woelkers

Having no further business, the meeting adjourned at 4:06PM.

Respectfully submitted,



Merrill Flood, Director
Community Development Department
UNRI Working Group Facilitator

UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI)
UNRI Citizen Task Force

MEETING MINUTES

Tuesday, May 21, 2013 at 2:00PM
City Hall Conf Room 337, Greenville, NC 27858

BOARD MEMBERS ATTENDANCE - PRESENT (P) ABSENT (A)

- Phillip Rogers (P)
- Michael Saad (P)
- James C Sullivan (A)
- Joanne Kollar (P)
- Chris Woelkers (P)
- David Carpenter (P)

CITY STAFF PRESENT

Community Development Department: Merrill Flood, Director, Mike Dail, Planner II, and Gwen Turnage, Administrative Assistant; City Manager's Office: Assistant City Manager Chris Padgett; Police Department: Chief Hassan Aden, Lieutenant Richard Allsbrook-Code Enforcement Division Commander, Corey Barrett, A. J. Basile, & Johnny Butler, Code Enforcement Officers; Public Works Department: Stacey Pigford, Assistant Traffic Engineer, and Colleen Sicley, Billing Coordinator.

City Council Member Present: Council-member Marion Blackburn

- I. **ROLL CALL -- ALL MEMBERS WERE PRESENT**
- II. **APPROVAL OF THE AGENDA**
Motioned by: David Carpenter Second by: Phillip Rogers
- III. **APPROVAL OF MINUTES -- April 16, 2013**
Motioned by: Phillip Rogers Second by: David Carpenter

DISCUSSION:

Merrill Flood provided an update on the recommended Parking Ordinance Amendments and a tentative adoption schedule.

- The proposed ordinance was adopted by the Public Transportation and Parking Commission on May 8, 2013.
- Over 700 letters were mailed and 29 persons spoke. Concerns expressed by citizens that attended the April 29, 2013 input meeting consisted of parking near Parks, the Greenway and Rotary building. The ordinance will be sent electronically to the UNRI members for review prior to the City Council meeting.
- If the board thought that a special call meeting before the next meeting is in order, they should decide that today.
- Councilmember Marion Blackburn noted that City Council was trying to adopt the proposed ordinance before the next school year.
- The Public Transportation and Parking Commission endorsed the recommended resident only on street parking requirements recommended by the UNRI Committee during the May 8, 2013 meeting.

IV. ENFORCEMENT UPDATE

- Members of the Code Enforcement Division provided an update of ongoing Code Enforcement actions.
- Code Enforcement has made contact with the homeowner on Rotary & 3rd Streets concerning the housing issues. The property has been brought into compliance, and should be available for someone to move in shortly.
- All concerns from the walk through have been addressed and closed out.

V. PARKING PROGRAMS UPDATE

- Chief Aden noted that the parking enforcement program is moving forward.
- There will be a two week grace period for students returning to school in the fall.
- Parking changed from 8:00AM-5:00PM to 7:00AM-5:00PM
- A presentation to the Planning and Zoning board is planned for June 18, 2013.
- City Council will vote on the parking ordinance Thursday, June 13, 2013.
- City Council will implement the ordinance on Thursday, August 8, 2013.

VI. UPDATE ON TAX BILL DISCUSSIONS

The UNRI Committee was provided with an update on the current efforts by the city to recover funds from citations, nuisance abatement expenses from abatement actions of the city. The following points were summarized for the committee.

- According to the state law, citations cannot be attached to tax bills
- The County currently charges the City of Greenville 1.5% of funds collected
- The City is working with the County to determine if there is an opportunity to expand what the county might collect in the future.

VII. TAKE HEED PROGRAM MATERIAL

- "Take Heed Pamphlet" - The UNRI Committee was presented with a copy of the Take Heed Pamphlet as an information idea to convey vital information to residents and property owners in the Overlay district. They were asked to review the information and make suggestions for additional information to be included in the current pamphlet.

VIII. PUBLIC COMMENT PERIOD

One speaker made the following comments and asked questions which are noted below. He was provided with answers by various staff members present during the meeting.

- Property owners wanting to upgrade their property need to know where to go to get permission
 - Is it legal to convert a garage to real property, and once a garage is built without permission, it was noted that usually nothing happens to the homeowner.
 - Once a violation has been made, where should they go to correct it?
 - What is the definition of "appearance" and can it be placed in the code?
 - If anything about the "code" is changed, it should be citywide.
- ONE (1) MINUTE ALLOTTED PER SPEAKER
 - TEN (10) MINUTES ALLOTTED FOR THE PUBLIC COMMENT PERIOD

IX. OTHER

Invite The City Attorney David Holec to the next meeting to discuss:

- (1) Can additional Minimum Housing standards be adopted in the UNRI Overlay area?
- (2) Hold a general discussion on what are the current Minimum Housing standards

(3) Phillip Rogers announced that this will be his last meeting. He has accepted a new position in Washington, DC as the Vice President of the American Council on Education.

X. ADJOURN

A MOTION TO ADJOURN:

Motioned by: David Carpenter Second by: Phillip Rogers

Having no further business, the meeting adjourned at 3:31PM.

Respectfully submitted,



Merrill Flood, Director
Community Development Department
UNRI Working Group Facilitator

UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI)
UNRI Citizen Task Force

MEETING MINUTES

Tuesday, June 18, 2013 at 2:00PM
City Hall Conf Room 337, Greenville, NC 27858

BOARD MEMBERS ATTENDANCE - PRESENT (P) ABSENT (A)

- Joanne Kollar (P)
- Michael Saad (A)
- Chris Woelkers (P)
- James C Sullivan (P)
- David Carpenter (P)

CITY STAFF PRESENT

Community Development Department: Merrill Flood, Director, Mike Dail, Planner II, and Gwen Turnage, Administrative Assistant; City Attorney's Office: Attorney Dave Holec; City Manager's Office: Assistant City Manager Chris Padgett; Police Department: Lieutenant Richard Allsbrook-Code Enforcement Division Commander, Corey Barrett, A. J. Basile, & Johnny Butler, Code Enforcement Officers; Public Works Department: Stacey Pigford, Assistant Traffic Engineer, and Colleen Sicley, Billing Coordinator.

CITY COUNCIL MEMBER PRESENT: COUNCIL-MEMBER MARION BLACKBURN

I. Roll Call

II. Approval of the Agenda

MOTIONED BY: David Carpenter SECOND BY: Joanne Kollar

Discussion:

A change was made to the agenda by David Carpenter to add "Follow-up on Sanitation". These changes were included as item 6A which is before the Public Comment period. All in favor

III. Approval of an Amendment to the April 16, 2013 Minutes

MOTIONED BY: Joanne Kollar SECOND BY: David Carpenter

DISCUSSION:

The April 16, 2013 minutes were amended, as recommended by Chief Aden, in section VI **Public Comment Period**, bullet #3 to include "parking" before the word "enforcement" to clarify enforcement. May's Minutes were not available for approval by the board. All in favor

IV. Parking Programs Update

RESTRICTED PARKING

- City Council adopted the ordinance to create the restricted parking, on street in the overlay district June 13, 2013. The areas not affected by the restrictions are the areas new to the Greenways, the Dog Park, the Rotary Building, and parking owned by ECU.

- Historic Preservation Commission (HPC) received a presentation on the rear yard parking standards at their May 28, 2013 meeting. HPC will review the presentation again during their June meeting after their Design Review Committee has reviewed what is being recommended.
- The Planning & Zoning Commission will take action during their July 16, 2013 meeting.
- City Council will vote on the ordinance during their August 8, 2013 meeting.
- UNRI will have a chance to review the ordinance which will include details during their July meeting.

REAR YARD PARKING

- The Rear Yard Parking Standards are currently being reviewed by HPC, and scheduled for action during the June 25, 2013 meeting, the Planning & Zoning Commission July 16, 2013, and adoption by City Council August 8, 2013. The final drafting of the ordinance will be on the table at UNRI's July meeting.
- Assistant City Manager Chris Padgett noted that it was never the intent of staff to obtain approval from the Public Parking and Transportation Commission concerning the "on street recommendation" because it is not in their purview of design and review for private parking.
- UNRI will have the opportunity to review the final version at its July meeting.

A MOTION THAT THE ORDINANCE NOT BE REQUIRED TO GO TO THE PUBLIC TRANSPORTATION COMMITTEE BEFORE IT GOES TO CITY COUNCIL

MOTIONED BY: David Carpenter SECOND BY: Chris Woelkers

Discussion:

A majority of the board members were in favor of the motion. Mr. Sullivan was not in favor of the motion.

V. Code Enforcement Update

- City Attorney Dave Holec distributed "Minimum Housing Standards" which included several statutes and noted that a question was raised... "can you have different minimum housing standards apply to the UNRI district that don't apply to other areas of the city". Attorney Holec explained that this particular rule could not be enforced because of the authority by which the city implements various zoning district regulations. Minimum Housing Regulation is a Police power regulation which is basically regulated by Code Enforcement to assure that residential structures are habitable for human habitation.
- Code Enforcement staff reported that they have been able to patrol one-on-one approximately three times a week in the UNRI neighborhoods. Patrolling the neighborhoods on the segways establishes a rapport with the neighbors and a sense of allegiance. Public Works was able to make a second run in the Tar River neighborhood and pickup items that were left behind by students leaving for the summer. Code Enforcement will be working with property owners to distribute door hanging materials pertaining to Take Heed. Grass violations are in high volume this summer.
- Monitoring the four unrelated rules can be complex. Before an administrative warrant can be issued a pattern of violations must be reported. The city relies on neighbors' observation and reports to Code Enforcement such as phone calls. Unfortunately an administrative warrant cannot be obtained by counting cars, evidence must be gathered.

- Mike Dail distributed "Residences Approved for Four unrelated Occupancy in the UNRI Overly District". It was noted that this list did not include some properties.

VI. Update on Efforts to discuss favorable Finance Options

The City is currently seeking assistance from financial institutions to provide favorable options for potential homeowners in the UNRI district. The four financial institutions which the city has made contact with are BB&T, Wells Fargo, State Employees Credit Union and a private lending institution. More information will be available in the near future on this topic.

(A) FOLLOW-UP ON SANITATION

A request was made by David Carpenter for Merrill Flood to draft a letter to City Council itemizing specific bulleted projects that Public Works is currently working on and state UNRI's full support of their efforts. An additional request was made by Joanne Kollar that the list is made available during the July meeting allowing review by UNRI before a motion has been made to endorse the project.

Merrill will ask Kevin Mulligan for the list and will provide to UNRI at the July meeting.

VII. Public Comment Period - Nothing

- ONE (1) MINUTE ALLOTTED PER SPEAKER
- TEN (10) MINUTES ALLOTTED FOR THE PUBLIC COMMENT PERIOD

VIII. Other

- Take Heed brochure will be printed and distributed to students when they return for fall 2013.
- Tax Bill Discussion – Assistant City Manager Chris Padgett provided an update on the Tax Bill. Chris explained that the City of Greenville is currently discussing with the County the possibility of applying unpaid coded violations to the tax bills of the county on an annual basis. The City has reviewed a five year period of property violations to find out which property has resulted in liens. Within this time frame there were approximately 1,400 code enforcement related liens. Chris noted that this entire total of liens will not be applied to the tax bills. The annual equation is approximately 287 liens, total value is about \$461,000. At this time the City has collected \$113,000 of these liens. In an effort to reach an agreement with the county, the city will have to offer them an incentive monetarily wise. The City of Greenville is currently communicating with the county the most cost effective process to obtain funds for providing information on accounts which can be added to tax bills. Currently there are many property owners delinquent on county taxes, and at this point there is no resolution to the issue. Placing the bill in their utility bill will require the city to work with GUC, and this may require additional funding.
- A question was asked how complicated would it be to tabulate fines within twelve months, and how many of those fines have been collected.
- Assistant City Manager Chris Padgett noted that he cannot officially commit to providing detailed information of fines of a geographical area due to the manpower it

may require by the July UNRI's meeting. However, he will explore various options to obtain the statistical data of fines and violations.

- Is it possible to invite Steve Hawley to the next meeting to discuss marketing?
- James Sullivan requested that someone review the citizen action line with the UNRI committee to explain how well the system is working, and how many people have been reporting on it.
- Collaborating marketing efforts with the University, Uptown, and UNRI is a possibility.

IX. Adjourn

A MOTION TO ADJOURN:

MOTIONED BY: David Carpenter SECOND BY: Jim Sullivan

Having no further business, the meeting adjourned at 3:37PM.

Respectfully submitted,



Merrill Flood, Director
Community Development Department
UNRI Working Group Facilitator

UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI)
UNRI Citizen Task Force

MEETING MINUTES

Tuesday, July 16, 2013 at 2:00PM
City Hall Conf Room 337, Greenville, NC 27858

BOARD MEMBERS ATTENDANCE - PRESENT (P) ABSENT (A)

- Joanne Kollar (P)
- Michael Saad (P)
- Chris Woelkers (P)
- James C Sullivan (P)
- David Carpenter (A)

CITY STAFF PRESENT

Community Development Department: Merrill Flood, Director, Mike Dail, Planner II, and Gwen Turnage, Administrative Assistant; City Manager's Office: Assistant City Manager Chris Padgett and Steve Hawley, Public Information Manager; Police Department: Chief Hassan Aden, Lieutenant Richard Allsbrook-Code Enforcement Division Commander, Corey Barrett, Code Enforcement Officer; Public Works Department: Kevin Mulligan, Director of Public Works, Stacey Pigford, Assistant Traffic Engineer, and Colleen Sicley, Billing Coordinator.

CITY COUNCIL MEMBER PRESENT: COUNCIL-MEMBER MARION BLACKBURN

I. Roll Call

II. Approval of the Agenda

MOTIONED BY: Chris Woelkers SECOND BY: Joanne Kollar

Discussion:
All in favor

III. Approval of the May 21st and June 18th 000, 2013 Minutes

MOTIONED BY: Joanne Kollar SECOND BY: Chris Woelkers

DISCUSSION:
All in favor

IV. Possible Lender Presentation

Ms. Linda Smith provided an update on permanent residential mortgages. BB & T offers a variety of assistance to the public Ms. Smith broke explained how much the lender will provide to those interested in the program and encouraged those interested to give her a call.

V. Coordination of Rear Yard Parking

Mike Dail, Planner II in the Community Development provided a presentation with handouts of the agenda item for the Planning & Zoning Commission meeting that will be held tonight and the ordinance. Mike explained the provision in the existing rear yard parking code defining the screening provisions.

Merrill explained that the last two provisions will permit grandfathered situation that have historically parked in a certain location. There is a provision in the existing city code that explains unimproved parking areas where this will apply. Currently in the overlay district you can park as many vehicles as you would like in the backyard on and improved surface.

A MOTION TO EXPAND ONE CAR TO ANYTHING MORE THAN TWO CARS IN THE BACK YARD WITHOUT A FENCE IN THE BACKYARD:

MOTIONED BY: David Carpenter SECOND BY: Jim Sullivan

Discussion:

Joanne Kollar noted that this was the first time the board had the opportunity to view the amendment and would like additional time to review it before they make an official vote on it. Several questions about screening were observed by board members. Merrill explained that City Council has final approval and that the intent is to screen the cars in the backyard.

Jim Sullivan had an amendment to this motion. Chris Walters did not accept the amendment. The motion has unanimously with the exception of Jim Sullivan.

VI. Sanitation Endorsement

Kevin Mulligan, Director of Public Works provided information concerning the following:

- on street on street parking was approved by city Council
- Public Works (P/W) will be providing and educational program
- Public Works is looking to make back yard pick up more compressed
- the automated plan should be in place in approximately 4 or 5 years
- UNRI in the West Greenville areas of the most compact areas and may present the most difficult
- PW is currently evaluating the routes to evaluate backyard pickups
- Currently looking at yard waste and is working with the Police Department and Code Enforcement to discuss ways to better educate the general public on leaves and grass to stay on the property not the street. This process of starting and educational process on this.
- PW inspect garbage if you pass you may be eligible for a \$50 gift card to Harris Teeter
- Looking at Saturday yard pickup
- Street sweeping is done every two weeks. Looking at putting a GPS on the street sweepers for property owners to locate their street sweeper

Kevin said that he would draft a letter for the UNRI group to review, before it goes to City Council.

VII. Draft of Take Heed Program

Richard Allsbrook made a presentation about the Take Heed Program, and stated that the program "Good Pirates Put it in the Can" has been a successful program in the UNRI area. Richard also stated that additional Take Heed pamphlets will be printed for distribution in the near future.

VIII. Citizen Action Update

Steve Hawley, public information officer provided information on the citizen action line. Last year there were proximately 3,600 service requests on the citizen action line which was routed to the appropriate staff person. Staff is currently working on improving the process by which the system will be more user-friendly for citizens using the Internet. It

is hopeful that "Public Stuff" we up and running in about 2 to 3 months. Steve brought up a couple of notable topics which are listed below.

- Marketing the community - will take place when students start coming back in August. Students will be educated on code enforcement issues
- Spotighting neighborhoods, showing good things that are going on the neighborhoods
- Down payment assistance program - let more people know about it and remind those that already know that.
- Question: is there any chance of partnering with the Chancellor's office to sell the positives and stay away from the negatives... Location of events in the overlay district.(A representative from the University was not available to respond)

A question was asked if it was possible to provide free Wi-Fi in the UNRI district and the West Greenville areas. Steve Hawley explained that cable providers may not like the idea of the City infringing on their business.

IX. Public Comment Period – Nothing

Mr. Casper expressed as he walked around in his neighborhood, he has seen an increase in satellite disc. Satellite does not provide coverage of Greenville TV. The efforts to reach students, via cable, will be a waste due to the increase in satellite coverage.

- o ONE (1) MINUTE ALLOTTED PER SPEAKER
- o TEN (10) MINUTES ALLOTTED FOR THE PUBLIC COMMENT PERIOD

X. Other

- Chief Aden provided an update on reserve officers. There were 91 applicants, PD will proceed with the top 16, and will move forward with eight. From that eight, four will be reserve parking officers. Officers will work in the designated areas, and will not exceed 20 hours per week per officer. This does not require additional funding because PD will be using reserve officers.

XI. Adjourn


A MOTION TO ADJOURN:

Motioned by: Michael Saad

Second by: Jim Sullivan

Having no further business, the meeting adjourned at 3:52PM.

Respectfully submitted,



Merrill Flood, Director
Community Development Department
UNRI Working Group Facilitator

UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI)
UNRI Citizen Task Force

MEETING MINUTES

Tuesday, August 20, 2013 at 2:00PM

City Hall Conf Room 337, Greenville, NC 27858

BOARD MEMBERS ATTENDANCE - PRESENT (P) ABSENT (A)

- Joanne Kollar (P)
- Michael Saad (P)
- Chris Woelkers (A)
- James C Sullivan (P)
- David Carpenter (P)
- Paul Clifford (P)

CITY STAFF PRESENT

Community Development Department: Merrill Flood, Director, Mike Dail, Planner II, and Gwen Turnage, Administrative Assistant; Police Department: Lieutenant Richard Allsbrook-Code Enforcement Division Commander, Corey Barrett and A.J. Basile, Code Enforcement Officers; Public Works Department: Stacey Pigford, Assistant Traffic Engineer, and Colleen Sicley, Billing Coordinator.

CITY COUNCIL MEMBER PRESENT: COUNCIL-MEMBER MARION BLACKBURN

I. ROLL CALL

II. APPROVAL OF THE AGENDA & WELCOME OF NEW MEMBER PAUL
MOTIONED BY: David Carpenter SECOND BY: Joanne Kollar

Discussion:

Scheduled lender presentation was not available. All in favor

III. APPROVAL OF THE JULY 16, 2013 MINUTES

MOTIONED BY: David Carpenter SECOND BY: Joanne Kollar

DISCUSSION:

A brief discussion on rear yard parking encompassing the entire backyard.

All in favor

IV. LENDER PRESENTATION

Not available

V. REAR YARD PARKING ORDINANCE UPDATE CONTINUED

Mike Dail provided the board a copy of the ordinance which City Council approved. Mike noted that the 4 Brick Application is not the intent of the ordinance. Backyards that currently have concrete will not be penalized nor required to pull it up. The purpose of the ordinance is to move forward with standards for cars parking on a new improved impervious surface.

Merrill Flood, Director of Community Development noted that a more stringent parking rule would apply in the Historic District. In cases where two districts overlap, if HPC is reviewing a certificate of appropriateness (COA) for rear yard parking their standards would take precedent.

Board member James Sullivan voiced concerns about the screening decision. Board member Mike Saad suggested an amendment to the ordinance allowing the neighbors to sign a petition allowing no cover. It is noted that a majority of board members agreed that it's time to move forward without future changes.

Paul Clifford requested a brief report on the history of UNRI and why this rule only applies to the overlay district opposed to the entire city. Merrill Flood explained that City Council created the workgroup and a list of work items or the group at the October 11, 2012 City Council meeting.

VI. DRAFT OF TAKE HEED PROGRAM

A.J. Basile made a presentation about the Take Heed Program, and stated that a little over a page was added to "Off Campus Living", and some phone numbers changed. The 3 unrelated did not change because it's directed towards students. If someone would like to report violations in the UNRI district, it would be advisable to start a report of community observation before an administrative warrant is obtained. The initial step would be to call the office of Code Enforcement Division which is a part of Greenville Police Department. It is extremely helpful if a resident can write a statement indicating what they observed such as the types of cars in questions. Thus far six plus one pending has made formal application.

Lt. Richard Allsbrook pointed out the ongoing efforts his staff has been doing to get the door hangers out which address many of the parking issues to inform the public in advance of the changes. Lt. Richard Allsbrook provided a crime update indicative of crime reports spanning a three year from 2010, 2011, and 2012. During that period there has been a decrease in crime by 9.74%. In 2011/2012 there was a decrease in robbery by 75% and motor vehicle thefts dropped 66%. In 2010 it was document that 154 part one crimes; 2011 there were 155 part one crimes; and 2012 there were 139. The increase has been the theft for larceny motor vehicle up approximately 33%.

Stacey Pigford, Assistant Traffic Engineer explained that Public Works is currently working on the signage installation in area "A", and area "C" which will begin in September. Permits for area "A" will be available September 3rd and cost \$5. The north side stickers have not arrived. Lt. Richard Allsbrook noted that Code Enforcement will adjust their schedule to accommodate Public Works with this task. Colleen Sicley, Billing Coordinator informed the board that Public Works is sending out post cards to everyone within the "A" section immediately indicating when the permits will be available.

Corey Barrett noted that once the stickers are available there will be a grace period. Official enforcement will take place October 1st. Code Enforcement" Office will be posting signs depicting "A Good Pirate". These posters will be distributed throughout campus. It is the goal of the Code Enforcement when students see the posters; it will prompt them to call the Code Enforcement.

Michael Saad wanted to know how many houses are in the UNRI district. Merrill Flood did not have this number readily available but said he would email information this week.

VII. PUBLIC COMMENT PERIOD – NOTHING

A discussion item was suggested about property owners/landlords providing tenants with trash receptacles.

- o ONE (1) MINUTE ALLOTTED PER SPEAKER
- o TEN (10) MINUTES ALLOTTED FOR THE PUBLIC COMMENT PERIOD

VIII. OTHER

IX. ADJOURN

A MOTION TO ADJOURN:

Motioned by: Michael Saad

Second by: Jim Sullivan

Having no further business, the meeting adjourned at 3:23PM.

Respectfully submitted,



Merrill Flood, Director
Community Development Department
UNRI Working Group Facilitator

UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI)
UNRI Citizen Task Force

MEETING MINUTES

Tuesday, September 17, 2013 at 2:00PM

City Hall Conf Room 337, Greenville, NC 27858

BOARD MEMBERS ATTENDANCE - PRESENT (P) ABSENT (A)

- | | | |
|---------------------|------------------------|-----------------------|
| • Joanne Kollar (P) | • Chris Woelkers (P) | • David Carpenter (P) |
| • Michael Saad (P) | • James C Sullivan (A) | • Paul Clifford (P) |

CITY STAFF PRESENT

Community Development Department: Merrill Flood, Director, and Gwen Turnage, Administrative Assistant; City Manager's Office: Assistant City Manager Chris Padgett; Police Department: A.J. Basile and Johnnie Butler, Code Enforcement Officers; Public Works Department: Stacey Pigford, Assistant Traffic Engineer, and Colleen Sicley, Billing Coordinator.

CITY COUNCIL MEMBER PRESENT: COUNCIL-MEMBER MARION BLACKBURN

I. ROLL CALL

II. APPROVAL OF THE AGENDA

MOTIONED BY: David Carpenter SECOND BY: Chris Woelkers

Discussion:

The scheduled lender from Southern Bank was not available. The following changes were made to the agenda;

1. Item #IV "Lender Presentation" changed to "Marketing and Promotion".
2. IV-A - University Home buyer Program
3. IV-B - Medical Parking Permit(s) for medical professionals for medical professionals

All in favor

III. APPROVAL OF THE AUGUST 20, 2013 MINUTES (with changes)

MOTIONED BY: Paul Clifford SECOND BY: David Carpenter

DISCUSSION:

The following changes to the minutes are noted:

1. Page 2, section VI, first paragraph, first sentence - replace "the" with "a" and;
2. Page 2, section VI, first paragraph, third sentence – replace "rapport" with "report"

All in favor

IV. MARKETING AND PROMOTION

- Chris Woelkers suggested that the city look for additional ways to assist the UNRI board with implementing marketing and promotion of neighborhoods.

- Chris Woelkers stated that the Public Information Officer and Seth Laughlin, City Planner has a GTV commercial taped in the UNRI district. Board members would like to know how this commercial can be aired more for the public to view.
- A question was asked if city staff started promoting collaboration with the University staff. Paul Clifford explained that the university does not have a designated person or office for marketing and promotion in the TRUNA area. However, the best person to ask for assistance is ECU Human Resources department personnel. Additional sources involves coming up with programs for financing in the TRUNA neighborhoods;
- Some marketing suggestions were made to consider joint collaborations with real-estate agents, Uptown Greenville, City Scene, the Daily Reflector feature story interviewing board members, street lights, Municipal Service District, and a bond referendum proposal.
- Merrill suggested that the board obtain a financial presentation from the Financial Services department and others to explain financing options such as bonds and the municipal service district. This and other questions were raised regarding past city funded initiatives to improve neighborhoods and the history of the programs. A report will be made at the next meeting.

(A) University Home Buyer Program

- Discussions were held on the Task force and Preservation of Neighborhoods committee's recommendation is that money be put towards the university neighborhood areas. To date loans were made to fourteen home buyers in the amount of up to \$10,000 per home. The program is not income based, but location based for purchases near the university area. Funds are placed in the two year budget capital improvement to cover these expenses. As long as the homeowner stays in the home, the amount is reduced by 10% each year until nothing is due. Currently \$20,000 is available in the budget.
- In addition to this program, in the College View/Historic District area, there is a similar program for homeowners to complete *renovations* to their home up to \$10,000 for home improvements. To date five homes have taken advantage of this program. Both programs may be used collectively.
- Councilmember Blackburn noted that she heard during a Council meeting, the Facade Improvement Grant program was not included in the budget this year. However, this conversation was regarding a large facade improvement grant that was submitted relating to structures on Fifth Street which took up a large sum of those funds.

(B) Medical Parking Permit(s) for medical professionals for medical professionals

- A question arose regarding the availability of parking permits for medical service provided for residents in the UNRI district. Currently there is a temporary hanging permit for medical personnel to use. They must go to Public Works located 1500 Beatty Street to obtain the permit. They are required to provide proof from the medical professional to Public Works for the person they are providing care. This allows public works know how long they will need the permit. The cost is five dollars per permit. Contractors may also obtain a temporary permit.
- There was a question on how parking for fraternities and sororities are monitored. Fraternities and sororities obtain permits depending on the residence in the house.

The director of the house submits the amount of people in the house. Community Development Department will assure those occupancy requests are not abused.

V. TRASH RECEPTACLES DISCUSSION

Colleen Sicley in the Public Works department covered questions about refuse collections.

- Currently there is not a requirement of recyclables in the UNRI district.
- The dilemma with trash on recycling day is that the recyclables are not placed into a container. Items are being placed on the ground.
- Issues with people going through the trash and pulling out the aluminum cans.
- The City of Greenville's effort is to increase recycling. Public works offers a blue recyclable trash bin free of charge. Over the next four years the city of Greenville will be delivering over 17,000, 64 gallon recycling bins.
- The City of Greenville will order automated transportation trucks, however all trucks will not be delivered at one time. Recycling will be implemented one step at a time.
- The trucks will be manned with a single operator. These trucks will be easier to operate in suburban neighborhoods.
- The areas of TRUNA and West Greenville and possibly across the river will require the two-man trucks.
- Over the course of five years sanitation division will go from a 72 man crew to approximately 48 personnel without letting anyone go.
- Trash bins cost is charged to the Greenville Utilities bill. The person's name on the utility bill is the person billed for the container. New connections do not have the option of back yard service. Everyone within the city limits is required to obtain a city approved container within 10 business days. If they cannot pay at that time, they are billed \$25 for three months. Public Works informs tenants of their pickup dates. When tenants move their residence, they may take the bin with them.

A MOTION FOR NO RECOMMENDED ACTION REGARDING TRASH RECEPTACLES:

Motioned by: Chris Woelkers

Second by: David Carpenter

Unanimously approved

VI. THE PUBLIC COMMENT PERIOD

- Jake Postma a resident of the neighborhood who pays attention to the trash situation, believes the main problem is the tenants can dump anything they want on the curbside. It doesn't matter what day it is. Public Works may come and pick up the trash or they may not. If someone complains, Public Works will pick it up in a timely manner. Since school has started it is noted that Public Works, comes through the neighborhood at least three times a week. The law of placing the trash in the containers is not being enforced. Containers also sit on the Street constantly throughout the week. Securing the bins to the back of the house is not being enforced. As you drive through the neighborhood there are at least 24 visible containers.
- Another issue is the eviction. When people are evicted, the landlord dumps everything on the curb side. This has happened three or four times within the past month. There is no law stopping the landlords from this behavior.
 - ONE (1) MINUTE ALLOTTED PER SPEAKER
 - TEN (10) MINUTES ALLOTTED FOR THE PUBLIC COMMENT PERIOD

VII. OTHER

Items for Code Enforcement to investigate

- 206 & 208 S. Summit appears to be a parking lot.
- At the end of North Library Street at the emergency turnaround that residents are using this as a parking lot. It was suggested that a "no parking" sign be placed there.
A.J. Basile will check on these violations and report back to Joanne Kollar.

VIII. ADJOURN

A MOTION TO ADJOURN:

Motioned by: David Carpenter Second by: Michael Saad

Having no further business, the meeting adjourned at 3:50PM.

Respectfully submitted,



Merrill Flood, Director
Community Development Department
UNRI Working Group Facilitator

UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI)
UNRI Citizen Task Force

MEETING MINUTES

Tuesday, October 15, 2013 at 2:00PM

City Hall Conf Room 337, Greenville, NC 27858

BOARD MEMBERS ATTENDANCE - PRESENT (P) ABSENT (A)

- Joanne Kollar (P)
- Michael Saad (P)
- Chris Woelkers (P)
- James C Sullivan (A)
- David Carpenter (P)
- Paul Clifford (P)

CITY STAFF PRESENT

Community Development Department: Merrill Flood, Director, and Gwen Turnage, Administrative Assistant; Police Department: Lieutenant Carson; Public Works Department: and Colleen Sicley, Billing Coordinator.

CITY COUNCIL MEMBER PRESENT: COUNCIL-MEMBER MARION BLACKBURN

I. ROLL CALL

II. APPROVAL OF THE AGENDA (WITH ADDITIONS TO THE AGENDA NOTED BELOW)

MOTIONED BY: David Carpenter SECOND BY: Michael Saad

Discussion:

The agenda was changed to include the following:

1. **Item #6** – Marketing presentation by David Carpenter

III. APPROVAL OF THE SEPTEMBER 17, 2013 MINUTES (WITH CHANGES)

MOTIONED BY: David Carpenter SECOND BY: Michael Saad

Approved Unanimously

IV. DISCUSSION OF OPTIONS TO FUND NEIGHBORHOOD IMPROVEMENTS

Bernita Demery, Director of Financial Services was not available to attend the meeting. Ms. Demery provided a PowerPoint handout describing various types of debt for the URNI Committee's information. The four main types of debt mentioned in the handout were: (1) General Obligation Bonds (2) Special Obligation Revenue Bonds (SORBS), (3) Certificates of Participation (COPS), and (4) Limited Obligation Bonds (LOBs). Merrill explained how each bond is used and the last time City of Greenville used.

Several questions from board members were generated from the information shared and are noted below:

- The entire city would have to vote for the General Obligation Bond which is similar to the Pitt Community College bond being considered now. The decision to move forward with a bond referendum would lie with City Council and as advised by city management team. The last time there was a general obligation bond was 2004. There were two bond referendums, one for Uptown Greenville and the other for 45-Block/West Greenville area. Both were for \$5 million dollars and were part of a \$20 million dollar bond package. These

types of bonds can be used with streetscape improvements and gateway entrances. There has to be revenue to pay the bond back. Bonds are generally paid back over a twenty-year period time.

- A question was raised on how long it would take to pay back an assessment? Merrill will get back with the board concerning this answer.
- A discussion regarding side walks improvements throughout the city and how these types of projects are funded? Currently the city develops a Capital Improvement Plan. The general fund budget has a series of sidewalk improvements which are approved annually with approximate funding of \$250,000. The American Recovery Act has also funded some of these expenses as well as State Highway Transportation projects. There is a schedule for new sidewalks as well as maintenance for current sidewalks.
- Councilmember Marion Blackburn noted that the city recently pulled \$4 million from the fund balance which will be used for roads. There is currently no additional funding for sidewalks, only streets/roads.
- A series of questions were raised regarding the possibility of improving lighting, streetscapes, sidewalks, landscaping, signs and ornamental neighborhood elements within the overall UNRI area. Merrill explained that from past project experiences there were various aspects involved such as moving utilities, construction details, moving fixtures, etc. Greenville Utilities has not participated financially in the past towards reconstructive underground utilities lines.
- Merrill recommended to the committee that their best option would be to factor their requests into the work program with the goals of City Council. The committee could recommend to City Council that they authorize the development of a Streetscape Master Plan in the overlay area and move forward from there.
- The board was advised that it is the decision of City Council and the City Manager's Office to choose if this is the appropriate time to move forward with this request. In addition, any proposal has to be factored with Public Works work schedule.
- David Carpenter questioned "could residents in the area provide matching funds with an assessment". Merrill explained that an assessment of this kind has never taken place in the City of Greenville.
- Merrill provided a copy of the Streetscape Master Plan for the board's observation to give them an idea of what was described for a basis to make public improvements.

MOTION - PROPOSE THAT CITY COUNCIL APPROVE A STREETScape MASTER PLAN IMPROVEMENT PROGRAM FOR THE UNRI AREA TO BE DEVELOPED WITH AREA RESIDENTS AND FUNDING NOT LIMITED TO A CITY BOND, ASSESSMENT OR OTHER CREATIVE FUNDING.

MOTIONED BY: Michael Saad SECOND BY: Chris Woelkers
Approved Unanimously

Discussion:

This item should be placed in December's report.

V. INPUT BY A REPRESENTATIVE FROM THE PITT COUNTY BOARD OF REALTORS REPRESENTATIVE

Ms. Jane Rolfe from the Pitt County Board of Realtors provided a presentation discussing ways to help market and show the neighborhood and to increase the interest for homebuyers. Additionally Ms. Rolfe spoke from the perspective of renting to students in the UNRI district.

The board wanted to know if there are marketing materials which realtors can send to residents in the UNRI district.

VI. DISCUSSION ON CITY NEIGHBORHOOD IMPROVEMENT PROGRAMS

- Handouts of summary loan information on the University Area Down Payment Assistance program and the pilot Historic Preservation Loan Program was provided. These two programs are presently active in the UNRI area.

VI-A Marketing Presentation by David Carpenter (addition to agenda)

- Uptown Greenville would like other organizations such as the Chamber of Commerce, and the Public Information Office to partner with them to get marketing information to the university neighborhoods. Uptown has a newsletter and a website for organizations, such as these, to place useful information. Uptown is requesting a cut-sheet to display pictures of the university area and requested the Public Information Officer to assist with this task. Merrill explained to the board that the Public Information Officer would have to be present to respond to those questions.
- Each UNRI member was asked to provide a bullet point of "why they would like to live in the UNRI district to include defining their specific neighborhood."
- Mike Saad offered to print 10,000 brochures to get the project started. His firm will coordinate this effort and design the brochure.

VII. THE PUBLIC COMMENT PERIOD – NO ONE SPOKE

- ONE (1) MINUTE ALLOTTED PER SPEAKER
- TEN (10) MINUTES ALLOTTED FOR THE PUBLIC COMMENT PERIOD

VIII. OTHER (COMMENTS BY COMMITTEE MEMBERS)

- No "C" permits and nine cars parked on S Jarvis and S Summit
- Improvements in parking
- Traffic has decreased
- Backyard parking N. Jarvis
- Noticeable Improvements with trash
- Owner occupied house at 119 N. Woodlawn Avenue has been observed as one of the worst in the neighborhood with the appearance of to be dilapidation.
- The board will provide a report to City Council in January 2014 with their last meeting being January 21, 2014.

IX. ADJOURN

A MOTION TO ADJOURN:

Motioned by: David Carpenter Second by: Michael Saad

Having no further business, the meeting adjourned at 3:52PM.

Respectfully submitted,



Merrill Flood, Director
Community Development Department
UNRI Working Group Facilitator

UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI)
UNRI Citizen Task Force

MEETING MINUTES

Tuesday, November 19, 2013 at 2:00PM

City Hall Conf Room 337, Greenville, NC 27858

BOARD MEMBERS ATTENDANCE - PRESENT (P) ABSENT (A)

- Joanne Kollar (P)
- Michael Saad (A)
- Chris Woelkers (P)
- James C Sullivan (P)
- David Carpenter (P)
- Paul Clifford (A)

CITY STAFF PRESENT

Community Development Department: Merrill Flood, Director, and Gwen Turnage, Administrative Assistant; City Manager's Office: Christ Padgett, Assistant City Manager, and Steve Hawley, Public Information Officer; and the Police Department: Lieutenant Carson, S.A. Bass, A.J. Basile and Johnnie Butler Code Enforcement Officers.

CITY COUNCIL MEMBER PRESENT: COUNCIL-MEMBER MARION BLACKBURN

I. ROLL CALL

II. APPROVAL OF THE AGENDA (WITH ADDITIONS TO THE AGENDA NOTED BELOW)

MOTIONED BY: Joanne Kollar SECOND BY: David Carpenter

Discussion:

Delete item #3. Minutes will be available for approval during the December 17th meeting.

III. APPROVAL OF THE OCTOBER 15, 2013 MINUTES – ITEM DELETED FROM THE AGENDA

IV. Discussion of Marketing Ideas - Committee

Steve Hawley noted that he has produced spot lights on parking issues, the top five code enforcement issues and the historic district. He has plans to continue those efforts. The committee discussed other ideas which included the following ideas:

1. Infusing more positive marketing to include "what's special and unique about the area".
2. Include positive selling points in the community such as churches, parking, etc.
3. Marketing should be targeted towards selling the area in a positive manner.
4. Interviewing Bianca Gentile, Executive Director of Uptown Greenville to discuss the Uptown area promoting positives and the proximity to residential areas.
5. Promote the programs that the city has initiated in the neighborhood.
6. Police/Code Enforcement - enforcing the codes
7. Extend the message to the real-estate community.
8. University Down Payment Assistance Programs and the pilot program for the Historic Preservation.
9. Linking the medical community and the Greenways to attract potential homeowners to move into this area.

10. Art in the community - focusing art into the neighborhood program. A huge piece of sculpture to draw people to the community.
11. Gateway entrance signs funds availability from the city. Various signs to identify areas of improvements in the overall improvement program.

V. CRIME STATISTICS IN THE OVERLAY DISTRICT – LT. ED CARSON

Lt. Carson made a presentation on Crime Date for the area for the past month. The first item was a map of the area, and the second item was a list of the top ten service calls for the entire city and the third hand out explained crime data for the UNRI area for the previous 30 day period.

Lt. Carson also explained two new initiatives of the Greenville Police Department to the Committee:

Crime Prevention through Environmental Design is known as CPTED. Officers assigned to this program are specially trained to view, assess and critique any area, including buildings, roadways, landscaping, etc. and to determine needed improvements that may diminish the opportunity for criminal activity. Such improvements could range from using better locks on doors, changing vehicular traffic patterns, trimming shrubs/trees, etc. (the list is endless). This initiative is free to all Greenville residents and businesses and the services are obtained by calling and making an appointment with the Crime Prevention Officer (Lt. Bass 329-4339).

The Community Liaison initiative organized by neighborhood associations and neighborhoods are eligible to have a Greenville Police Officer specifically assigned to it. The Community Liaison will assist with resolving community concerns. Neighborhood Associations are encouraged to participate in the Neighborhood Advisory Board forums and, may be assigned an officer. The Crime Prevention Officer will coordinate merging the neighborhoods with the Neighborhood Advisory forums. Captain Robert Williams is the Community Liaison for the T.R.U.N.A. community, and Ann Maxwell is the neighborhood contact person for the T.R.U.N.A. community.

Following his presentation, Lt. Carson answered several questions from the committee.

Joanne Kollar asked if identified areas on the map were considered hot spots for crime and David Carpenter asked if crime depicted was for the whole of the university area for a specific time frame.

VI. CODE ENFORCEMENT UPDATE – CODE ENFORCEMENT

1. A.J. Basile reported on ways the division will approach enforcing the new parking regulations which will allow officers to communicate with each other even when one officer is out.
2. A house on Library Street was converted into a five bedroom home. What fine will be landlord get? The enforcement of violations has a graduated fine schedule if the property owner fails to comply. The first violation results in a \$50.00 fine, the second violation is a \$100.00 fine and the third violation is \$250.00.
3. Marion Blackburn had a concern of a renter living with her young son and obtaining a parking permit because the renter does not have a lease. Staff present at the meeting advised that the owner can receive a parking pass (they are allowed three passes).

4. How can the commercial industry obtain a parking permit without being penalized?
A.J. explained that Code Enforcement will work with citizens and service personnel need to communicate with the Code Enforcement office in an effort to avoid being ticketed.

VII. FINAL REPORT RECOMMENDATIONS

Merrill passed out a draft UNRI report, and requested the board to provide their input at the December meeting. Members will vote on the final report before it is forwarded to City Council. This report will include all minutes of the UNRI committee.

VIII. OTHER

1. A question was asked on how the down payment assistance program was administered?
 - a) Merrill explained that the Housing Division handles this process which is a deferred loan that amortizes over a 10 year period. Ten percent amortizes per year and is secured by a deed of trust and promissory note held by the city.

IX. THE PUBLIC COMMENT PERIOD – NO ONE SPOKE

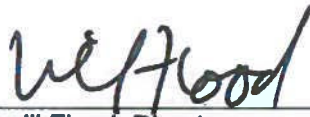
X. ADJOURN

A MOTION TO ADJOURN:

Motioned by: James C Sullivan Second by: David Carpenter

Having no further business, the meeting adjourned at 3:15PM.

Respectfully submitted,



Merrill Flood, Director
Community Development Department
UNRI Working Group Facilitator

THE UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI)
UNRI Citizen Task Force

MEETING MINUTES

Tuesday, December 17, 2013 at 2:00PM

City Hall Conf Room 337, Greenville, NC 27858

BOARD MEMBERS ATTENDANCE - PRESENT (P) ABSENT (A)

- Joanne Kollar (P)
- Michael Saad (P)
- Chris Woelkers (P)
- James C Sullivan (A)
- David Carpenter (A)
- Paul Clifford (P)

CITY STAFF PRESENT

Community Development Department: Merrill Flood, Director, and Gwen Turnage, Administrative Assistant; City Manager's Office: Chris Padgett, Assistant City Manager; Police Department: Lieutenant Richard Allsbrook, Rawls Howard Code Enforcement Coordinator, A.J. Basile and Johnnie Butler Code Enforcement Officers; Public Works Department: Stacey Pigford, Assistant Traffic Engineer, and Colleen Sicley, Billing Coordinator.

CITY COUNCIL MEMBER PRESENT: COUNCIL-MEMBER MARION BLACKBURN

I. ROLL CALL

II. APPROVAL OF THE AGENDA (WITH ADDITIONS TO THE AGENDA NOTED BELOW)

MOTIONED BY: Paul Clifford SECOND BY: Joanne Kollar

Approved Unanimously

III. APPROVAL OF THE NOVEMBER 19 & OCTOBER 15, 2013 MINUTES

MOTIONED BY: Chris Woelkers SECOND BY: Paul Clifford

Discussion:

Approve as amended

- (1) Remove item V.2 (incorrectly noted as Joann Kollar stating - her neighbors toured portions of the purple area on the map and noted this area is a hot spot for crime.); correction should be restated as a question to read, "Are portions of the purple area on the map considered a hot spot for crime?"
- (2) Discussion from Councilmember Marion Blackburn noted that she did not see the downtown payment assistance increase from \$10,000 to 15,000 in the November minutes or the final report as a recommendation. Merrill explained that a rental conversion program was discussed at the November's UNRI meeting as a recommendation to be funded at a higher amount for the University Down Payment Assistance Program. Councilmember Marion Blackburn expressed that if the UNRI board presented this request to City Council in January it may be considered in the current two year budget.

All changes approved unanimously.

IV. COMMENTS REGARDING FINAL DRAFT REPORT

Recommendations to City Council from the UNRI Board:

- (a) Create a new program called the "Rental Conversion Program" and funding will be at \$10,000 and the applicant will be allowed to use both programs. This would be applicable if renters are taking an existing home and converting it to an owner occupied structure. The renter will be able to use this program programs with the University Down Payment Assistance Program.
- (b) Code Enforcement Recommendations - Code Enforcement needs to be given the power to enforce the regulation and supported by the legal department. An example would be enforcement of the three unrelated requirements. Merrill explained that code enforcement interprets the violation. The City Attorney's office determines if the existing codes are followed and the appropriate action is taken to each case. The City Attorney's office is not guiding the Code Enforcement office, but they advise Code Enforcement of the N.C. General Statutes and answers questions. Code Enforcement staff explained that each case is different and is handled accordingly. Outside of an administrative warrant, Code Enforcement has legal statutes they are required to abide by..
- (c) Councilmember Blackburn noted that she sat down with attorney Dave Holec when they were developing the concept for the rental registry program. The City still has the legislate ability to require an inspection after two violations in the 45 block district and the Historic Preservation district. Also after three violations an inspection can be conducted. Within a special designated area such as the historic district, overlay district and the 45 block area you can have inspection after two or three violations.

By a unanimous consensus the board agreed to include these items in the final report and including a recommendation to develop a property inspections program after two violations as allowed by the statutes."

Marion Blackburn noted that it appears that legislatively you do not need a housing violation if you are in the top 10% of crime within the city.

Merrill agreed to work with the City Attorney's office to word the recommendation within the guidelines as allowed by N.C. General Statutes.

V. Recommendations:

1. Develop a property inspections program two violations in the top 10% of crime activity citywide (as allowed by N.C. General Statutes)
2. Development of a streetscape master plan program
3. Continue the efforts of the sanitation refuge program with ECU students when they move in/out at the end of a semester as well as holidays.
4. Encourage ECU to be more active in the UNRI district.
5. UNRI group to continue to meet on a scheduled time. Suggested that council recommends a group to meet quarterly.
6. Encourage ECU to appoint someone to work with the renters, and landlords. Michelle Lieberman worked well in the past spearheading this effort.

VI. OTHER

VII. THE PUBLIC COMMENT PERIOD – NO ONE SPOKE

- o ONE (1) MINUTE ALLOTTED PER SPEAKER
- o TEN (10) MINUTES ALLOTTED FOR THE PUBLIC COMMENT PERIOD

VIII. ADJOURN

A MOTION TO ADJOURN:

Motioned by: Paul Clifford Second by: Mike Saad

Having no further business, the meeting adjourned at 3:24PM.

Respectfully submitted,



Merrill Flood, Director
Community Development Department
UNRI Working Group Facilitator



Daily Reflector News Paper Articles

UNRI
UNRI Overlay District

The Daily Reflector

MONDAY, August 26, 2013

reflector.com 50¢

Parking near ECU gets trickier



PHOTOS BY RHETT BUTLER/THE DAILY REFLECTOR

Parking Control Officer Gervis Leathers talks with ECU student Lane Middleton on Friday morning about the new parking rules in the university area.

Rules restrict spots north of campus to residents

BY JANE DAIL
The Daily Reflector

Officers are hitting the streets near East Carolina University to inform motorists about new rules that restrict parking north of main campus.

The City Council in June approved an ordinance that requires drivers to obtain a permit to park in the residential area between Reade and Elm streets between 7 a.m. and 5 p.m. The area is bordered on the south by Fifth Street and extends north to the Tar River.

Only people who live in the neighborhood will be granted permits, so students, visitors and workers who have parked on neighborhood streets in the past will have to park elsewhere or risk getting a ticket.

The ordinance



A No Parking sign in the university area.

goes into effect Oct. 1, so city parking and code enforcement officers are in the neighborhood now to talk with residents and commuters and distribute flyers in an effort to head off problems down the road.

"I don't believe in the

gotcha game," Lt. Richard Allsbrook of the city's Code Enforcement Division said. "I'd rather educate you, and then you know what the ordinance says at that point in time. Once we've done everything we can to educate, it's up to you."

Allsbrook said officers will continue to pass out educational materials and talk to residents through September.

The new regulations are in response to complaints about inefficient parking for hundreds of home owners and renters in the neighborhood. Parking enforcement officer Gervis Leathers said ECU students and employees often park on the streets and crowd out residents.

See PARKING, A5

Parking changes

To purchase a parking permit, contact Amanda Braddy at City of Greenville Public Works at 328-4467.

Applicants must provide proof of residence such as a copy of a lease agreement and their vehicle registration.

A permit will be required for on-street parking at the following locations between 7 a.m. and 5 p.m.:

- First Street
- Blitmore Street
- Lewis Street
- Student Street
- Second Street
- Eastern Street
- Library Street
- Summit Street
- Third Street
- Harding Street
- Maple Street
- Willow Street
- East Fourth Street
- Holly Street
- Meade Street
- Woodlawn Avenue
- Avery Street
- Jarvis Street
- Rotary Avenue
- Baker Street
- Johnston Street
- Staniel Drive

Visit greenvillenc.gov for more information.

Item # 6

PARKING

Continued from A1

He has heard positive feedback from residents.

"It frees up a lot of parking for the ones that actually live here," Leathers said. "You've got students that don't live here that come over here and take up the whole area."

Residents can obtain permits for \$5 from the city's Public Works Department starting Sept. 3; ticketing will begin on Oct. 1. Permit holders can park in the street and allow more parking for themselves or guests in driveways.

"It kind of works out to everyone's advantage if you live over here," Leathers said.

Officer Corey Barrett spent 18 years in parking enforcement before joining code enforcement in 2009. He said the neighborhood has become more congested through time. It creates problems because many of the homes have limited space in their driveways.

"The areas have become very congested with the growth of the university," he said. "Traffic has really picked up. We started receiving a lot more complaints than we have in the past."

He expects the new ordinance to push commuters into other areas. That is what happened when the



RHETT BUTLER
THE DAILY REFLECTOR

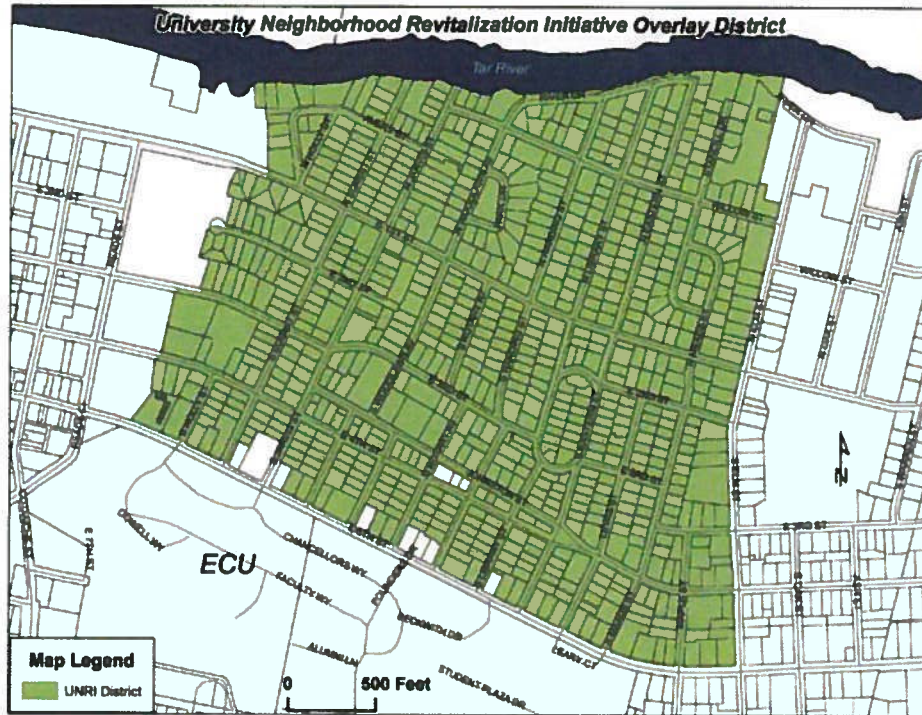
Code Enforcement Officer Corey Barrett discusses the new parking rules.

city required permits for a smaller area between Fifth and Third streets, he said.

"Each time they would go into an area and make it a residential parking zone, it would push the traffic farther north, south, east or west," he said.

To help with the potential parking issues and enforce ordinances, Barrett said the department should have four reserve parking officers ready by October.

"We have two officers that cover the entire city, so that would help take some off of them," he said. "You could put those officers over in this area, and it wouldn't have to be all at the same time. You could



stagger where they're needed the most."

Allsbrook and officers are in the neighborhood now to promote the parking regulations and to touch on other major code enforcement issues, including noise and trash.

"It's a comprehensive,

educational approach," he said. "We're taking the opportunity with the change of the parking ordinance to not only educate what's happening with the parking but at the same time we're trying to be proactive with the top code complaints we get."

Lane Middleton, a senior at ECU who recently moved to Meade Street, said he is looking forward to the new regulations.

"I have two roommates. They both have trucks and we have one driveway, so right now we're all parking in the driveway is kind of

hectic," he said.

"If it will free up space for (residents) to park in the street by our house, that's really awesome," Middleton said.

Contact Jane Dail at jdail@reflector.com or 252-329-9585.

The Daily Reflector

THURSDAY, April 11, 2013

reflector.com 50¢

Parking in university area on council agenda tonight

BY MICHAEL ABRAMOWITZ
The Daily Reflector

The Greenville City Council will hear recommendations concerning parking in the East Carolina University area during its 7 p.m. meeting today at City Hall.

The University Neighborhood Revitalization Initiative (UNRI) Committee at its March 19 meeting approved recommendations to the council to develop backyard parking standards for the overlay district and to make on-street parking within the overlay district

controlled access for residents only.

The UNRI Committee was appointed by council following the establishment of the neighborhood revitalization initiative and overlay district. Objectives were to establish a temporary citi-

zen working group for up to 12 months, pursue funding sources to establish favorable terms and low-interest loans and grants for revitalization of properties in the overlay district, pursue a parking permit plan for the overlay district, launch an active community

watch program, and attach unpaid code violation fees to property tax bills of property owners.

Also scheduled for consideration and possible action will be a resolution to close a portion of

See COUNCIL, A5

COUNCIL

Continued from A4

Seventh Street between Evans and Cotanche streets. The city no longer will receive Powell Bill Funds for these street sections upon adoption of the resolution.

The property owners are in the design phase of a redevelopment project for the area from Reade Circle south to Eighth Street and from Evans Street east to

Cotanche Street. City staff anticipates the property will be developed as a mixed use of commercial, residential apartments and a parking deck.

Several requests for zoning change ordinances also will be considered by the council. People who wish to speak before the council should arrive before the meeting begins and register at the door.

Speaking time will be limited to three minutes.

The Daily Reflector



SATURDAY, August 10, 2013

reflector.com 50¢

Greenville talks trash



PHOTOS BY AILEEN DEVLIN/THE DAILY REFLECTOR

A large pile of cardboard boxes overflows onto Third Street in the University Area on Friday.

A large pile of cardboard boxes overflows onto Third Street in the University Area on Friday.

City praised for sanitation efforts

BY ABBIE BENNETT
The Daily Reflector

The Greenville City Council talked trash during both of this week's council meetings.

Despite it being election season, the trash talk was not about candidate races, but focused on trash management in west Greenville and the university neighborhood.

Robert Montaquila, a 43-year Greenville resident and a 23-year property owner in the university neighborhood came before council on Monday to praise the city and the sanitation department for their efforts.

"This is the first year the city has actually put an effort into keeping the streets clean," Montaquila said on Friday. "The trash usually just gets piled up and just sits there but this is the first time the city is taking a proactive approach."

Montaquila said he has seen sanitation trucks "riding up and down the streets every other day picking up garbage and furniture. They've never done that before and it needed to be done."

The university district is an area with special circumstances due to the high student popula-



See TRASH, A7

TRASH

Continued from A1

tion, Montaquila said, and the city "is finally recognizing that."

"Most of these students just don't know any better," he said. "They don't know what they're supposed to do with all the garbage when they move out, so they have to set it out on the street. But the city actually realized that and did something about it and now this is the cleanest and nicest the neighborhood has been."

Councilwoman Marion Blackburn said until the city focuses on the "root cause" of the trash problem — rental density with little landlord accountability — the problem will continue to worsen.

Blackburn specifically cited the four-unrelated policy as creating "more trash, more litter, more housing code violations."

"Instead of more code enforcement officers, we need more (landlord) accountability," Blackburn said.

Montaquila, who owns more than 15 rental properties in the neighborhood, said he disagrees with Blackburn.

"(She said) how dirty and terrible it is and how the four-unrelated has hurt the neighborhood, but that's

bull," Montaquila said. "All she can do is complain about it. The city is really doing wonderful things and improving living conditions in the university area."

Montaquila said he owns one four-bedroom rental property on Woodlawn Avenue and he's applying for the four-unrelated permit for that home.

Blackburn praised the sanitation department's efforts, but said she would like to see more engagement between landlords and tenants about following city trash rules and more responsibility from landlords to keep their properties in line with city ordinances.

Director of Public Works Kevin Mulligan briefed the council on some of the measures the sanitation department and code enforcement are working together on to combat trash piling up in the neighborhood in yards and on the curb.

Mulligan said the sanitation department has a team of about 12 working on two front-loader trucks, two rear-loaders and two knuckle-boom trucks on Saturdays from about 6 a.m. to noon doing sweeps throughout the troubled areas for bulky items and other trash.

These special sweeps, along with regular pickup on Monday and the occasional extra sweep on Wednes-

days, will continue through August and into September, Mulligan said.

"Until we start to see the problem dissipate as students get moved in, we'll keep going out there," he said. "We just want to stay caught up with move-in and move-out days."

Mulligan said the department and code enforcement are also working together to educate a largely transient population.

"We're trying to educate people and give them warnings if anything is being done inappropriately," he said. "Our goal in a perfect world is that we would educate people and it wouldn't happen anymore. But it's a continuous process with students and others cycling in and out of this area all the time."

Comments from residents during the spring move out were largely positive, Mulligan said.

"We got some great comments, some pairs on the back from the neighborhood," he said. "We just want people to follow our ordinances and respect the neighborhood and respect their neighbors."

"Every semester we're out there reeducating because of the high turnover rate of residents."

Mulligan said the area will always see some level

of trash, but the goal is for the city to get out and address the issue quickly and to educate residents on proper disposal of bulky items and trash.

Mayor Allen Thomas, Councilmen Dennis Mitchell and Max Joyner Jr. and Councilwoman Kandie Smith all supported public works and code enforcement for working together to combat the trash problem, and all said it is a "continuing process."

"The goal is to not have anything out there more than 48 hours. We'll get there," Joyner said. "Right now the sanitation department is going by the university neighborhood and west Greenville every other day to pick up trash and bulky items. This is at tremendous cost to us, but we want those neighborhoods to look good and be safe for everyone, students and permanent residents, renters and homeowners. We're trying to be proactive and do everything we can to address that need."

Councilman Calvin Mercer and Mayor Pro Tem Rose Glover could not be reached for comment on Friday.

Contact Abbie Bennett at abennett@reflector.com or 252-329-9579. Follow her on Twitter @AbbieBennett.

2 minutes as he told jurors the evidence would show he was the shooter.

The result has been a swift procession of witnesses, fueling speculation that the trial — which the judge originally said could take several months — would wrap up far sooner at Fort Hood's heavily guarded courthouse.

Hasan — who is acting as his own attorney — is accused of killing 13 people and wounding more than 30 others during the attack on Nov. 5, 2009, that remains the worst mass shooting on a U.S. military installation. The military attorneys assigned to help him believe he wants a death sentence, and two of them spent Friday drafting an appeal after

two prosecution witnesses — his former supervisor and a member of his former mosque.

How Hasan would defend himself was the biggest mystery heading into the trial. The American-born Muslim wanted to argue that the killings were in "defense of others," namely members of the Taliban fighting Americans in Afghanistan. But the judge denied that strategy.

His mostly silent defense so far may prompt prosecutors to scale back their case, Victor Hansen, a former military prosecutor, said.

"You may see fewer witnesses called," Hansen said Friday. "Instead of hearing from maybe two or three forensic experts, you may only hear from one or two."

The Daily Reflector

B

FRIDAY, March 22, 2013

LOCAL & STATE

Officials: Students key to neighborhood watches

BY WESLEY BROWN
The Daily Reflector

City leaders and neighborhood watchers in the College View and Tar River historic housing districts began working on a plan this week to better combat off-campus crime by getting East Carolina University students more engaged in community affairs.

Many ideas were shared during a meeting before the University Neighborhood Revitalization Workgroup, a committee appointed by the Greenville City Council to study how to improve the safety and appeal of 200 acres of homes bordering ECU's northern boundaries.

But it was enhanced street lighting

and increased communication among homeowners, renters and landlords that won over a proposal to install more pan-and-zoom surveillance cameras in residential areas, which in some cases could be a violation of U.S. privacy laws.

"These cameras are powerfully strong," Greenville Police Chief Hassan Aden said of the idea of extending the reach of surveillance cameras used in commercial and residential zones along Fifth Street a block north to Fourth Street. "Literally, if it is on a utility pole, you have the potential to see into someone's bedroom."

Neighborhood watch groups have felt closely watched since February 2012, when George Zimmerman shot

Trayvon Martin in Florida. The incident appeared to dampen enthusiasm for block-watcher programs in Greenville university neighborhoods, which are not worlds away from the complexity of Stand Your Ground laws, similar to the Castle Doctrine in North Carolina, officials said.

Belinda Perkinson, community watch chairwoman for the Tar River University Neighborhood Association, has tried since February 2011 to get the ball rolling on a program in the neighborhood that is popular among ECU students.

Perkinson finally gained enough interest last month to host the inau-

See WATCH, B3



AILEEN DEVLIN/THE DAILY REFLECTOR

JIM SULLIVAN listens to Police Chief Hassan Aden during the University Neighborhood Revitalization Workgroup held at City Hall to discuss recommendations for combating off-campus crime.

WATCH

Continued from B1

gural meeting for a TRUNA watch, but continues to have difficulty mobilizing ECU students to join the effort and getting people to volunteer to be block captains. At the moment, only three people have taken on the leadership role.

But there is help on the way.

Philip Rogers, chief of staff to ECU Chancellor Steve Ballard, said the school's Student Affairs Division is attempting to partner with campus police and the university's Greek community to help build interest. Chris Woelkers, a member of the newly formed University Neighborhood Association, offered the group's assistance with TRUNA on a community watch program. And Aden said he has formed a student advisory board to study how to get out the message of a crime watch. The chief held his first meeting with the panel this week.

"It is critical to make stu-

dents aware and encourage them to take action," Aden said. "We need their help to provide a service that is meaningful and of great impact to the community."

All groups have talked about requiring landlords to include informational packets in their leases to educate tenants on how to protect themselves, their belongings and to become involved in community watches.

Among the tips that may be required in leases are the paths of well-lit walking routes from downtown that were discussed this week

to keep students safe while walking home in the early morning, when most crime occurs in the city.

Perkinson said the group plans to apply for a city grant to buy signs, which costs about \$54, all hardware included — post and screws.

Lt. Ed Carson, Greenville police's crime prevention officer, said signs only will do so much and that a community watch is not a "100 percent guarantee crime will not occur in your neighborhood."

Carson said the keys to a successful program are

neighbors communicating with one another, being inclusive and paying attention to details, like the clothing, car and direction of travel of a suspicious character.

He stressed that watchers never should take risks to prevent a crime.

"Leave that up to us," Carson said. "We're equipped with the bullet-proof vests and trained to operate firearms."

"It is better to be a great witness," he said.

Contact Wesley Brown at 252-329-9579 or wbrown@reflector.com.

The Daily Reflector
LOCAL & STATE

WEDNESDAY, March 20, 2013

PUSH FOR PERMITS



AILEEN DEVLIN/THE DAILY REFLECTOR

COMMUNITY DEVELOPMENT DIRECTOR Merrill Flood discusses recommendations for the new parking standard in the Tar River and College View districts at City Hall on Tuesday.

Change in parking policy recommended

BY WESLEY BROWN
The Daily Reflector

A study group appointed to revive the Tar River University Neighborhood recommended its first change in city policy Tuesday, suggesting that all on-street parking spaces in the historic college district be permitted to residents only.

While the proposal still has to pass the Greenville City Council and the Parking and Transportation Commission before it becomes law, officials believe that they can have the ordinance approved by the two boards as early as April and on the books before the beginning of East Carolina University's fall semester.

The new standard was painted Tuesday as an act of compromise that touches on almost all areas of parking misconduct in the univer-



CONTRIBUTED IMAGE

THE UNIVERSITY NEIGHBORHOOD REVITALIZATION WORKGROUP proposed that all on-street parking spaces in the historic college district be permitted to residents only. The yellow and pink areas on the map would be affected by the change.

See **PARKING, B3**

WEDNESDAY, March 20, 2013

PUSH FOR PERMITS



AILEEN DEVLIN/THE DAILY REFLECTOR

COMMUNITY DEVELOPMENT DIRECTOR Merrill Flood discusses recommendations for the new parking standard in the Tar River and College View districts at City Hall on Tuesday.

Change in parking policy recommended

BY WESLEY BROWN
The Daily Reflector

A study group appointed to revive the Tar River University Neighborhood recommended its first change in city policy Tuesday, suggesting that all on-street parking spaces in the historic college district be permitted to residents only.

While the proposal still has to pass the Greenville City Council and the Parking and Transportation Commission before it becomes law, officials believe that they can have the ordinance approved by the two boards as early as April and on the books before the beginning of East Carolina University's fall semester.

The new standard was painted Tuesday as an act of compromise that touches on almost all areas of parking misconduct in the univer-



CONTRIBUTED IMAGE

THE UNIVERSITY NEIGHBORHOOD REVITALIZATION WORKGROUP proposed that all on-street parking spaces in the historic college district be permitted to residents only. The yellow and pink areas on the map would be affected by the change.

See **PARKING, B3**

PARKING

Continued from B1

sity area, clamping down on the student renters and commuters who abuse existing city regulations by parking on front and rear lawns and in zones where permits are required.

One component missing, though, was the question of enforcement, which the University Neighborhood Revitalization Workgroup purposely avoided, instead opting to clearly and simply state its objectives to council, who they said can figure out how to fund and execute the plan.

"I think we found a fair compromise, placing additional restrictions on areas where complaints are high and violations are many," Philip Rogers, chief of staff to ECU Chancellor Steve Ballard and workgroup

member, said. "We made a lot of progress and are moving in the right direction."

The workgroup moved forward with permitting all on-street parking spaces between Elm, Fifth and Reade streets to the Tar River — an area that includes 200 acres of residential property — against the advice of Assistant City Traffic Engineer Stacey Pigford.

Only committee member James C. Sullivan opposed the plan.

Pigford wanted to keep controlled parking as it is in the university neighborhood, where the city issues three \$5 permits to each household on a particular block only after 51 percent of its residents have signed a petition in favor of the move.

The engineer had no legal precedent for her request, except that she felt it would be smart to gain majority support for a plan in which

only about half of the area has voluntarily enrolled.

"We should not force people to get permits," Pigford said.

The bulk of the costs for the new program would be in paying for signs and painting curbs that mark restricted on-street parking areas, Pigford said.

Permits would be granted yearly by Public Works after a renter produces a copy of the lease.

They would provide on-street parking privileges in the Tar River area Monday through Friday 8 a.m. to 5 p.m.

Also under the plan, each house or duplex in the neighborhood would be limited to four cars and be required to have all rear-yard parking areas improved with an all-weather material, shielded by fencing or evergreen trees, and maintained in a "safe, sanitary and neat condition."

Special exemptions could be granted to properties with extenuating circumstances.

Greenville Police Chief Hassan Aden said he felt good about the plan but advised the workgroup that enforcement of the new plan would require "a lot of attention," not all of which would be alleviated by new technology that scans license plates to determine the identity of violators.

The chief said that while his department is searching for ways to offset costs, he foresees some additional costs in hiring a third officer devoted exclusively to monitoring the permitting plan. City parking enforcement only has two officers and two patrol vehicles.

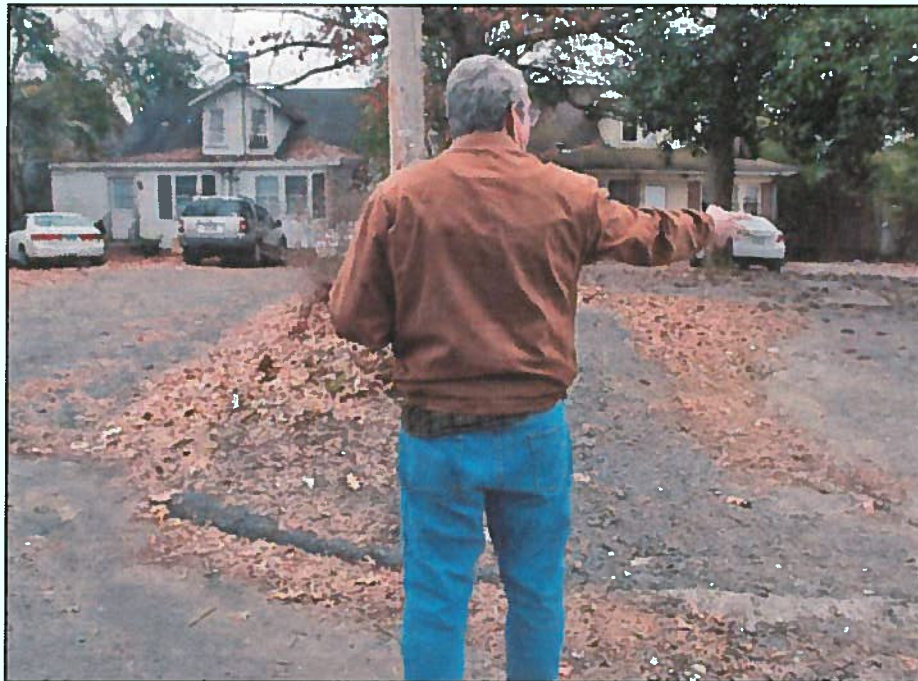
"This would take care of a lot of issues," Aden said of the plan on the behalf of Greenville police. "It looks solid, and we are behind it 100 percent."

The Daily Reflector
Wednesday, January 16, 2013

Walk exposes parking plight

With regulations unenforced, property is being lost to erosion

BY WESLEY BROWN
The Daily Reflector



PHOTOS BY AILEEN DEVLIN/THE DAILY REFLECTOR

JIM SULLIVAN, a member of the University Neighborhood Revitalization Work Group, points out parking behind city residences during a walk-through of the Tar River-university neighborhood on Tuesday afternoon.

On the traffic-clogged streets of the Tar River-university neighborhood, where parking is coveted like the rarest of treasures, any piece of grass, gravel or concrete is fair game for a college student in need of a spot.

Controlled-parking zones, specially marked curbs and city permitting laws are ignored in the residential district just north of East Carolina University.

In some areas, yards in both the front and back of residences are entirely used for parking, according to the findings of a walk-through of the neighborhood on Tuesday by a work group formed to revive the historic waterfront community.

"What's fascinating about this home is there is no driveway; not even an improved entrance way," James C. Sullivan said of a house on East Fourth

R Something to say? Post your comment about this story online at reflector.com.

See **PARKING**, A7



CARS ARE PARKED in a yard in the university area. Code Enforcement Officer A.J. Basil, left, takes notes on his phone of an antique car code violation off Third Street.

ON THE SPOT

■ Only about half of the neighborhood is taking advantage of a controlled residential parking program in which three \$5 permits are issued to each residence on a block, once the majority agrees to join the plan.

■ Greenville's lone parking officer on Tuesday wrote 48 citations in four hours in the university area for overtime, unimproved parking and parking without a permit.

The Daily Reflector Wednesday, January 16, 2013

Continued from Cover Page

The Daily Reflector, Wednesday, January 16, 2013

A7

FROM PAGE ONE

PARKING

Continued from A1

Street. "The curb has been knocked down beyond total recognition.

"It's in bits and pieces." Sullivan is one of six Greenville residents appointed to the University Neighborhood Revitalization Work Group. Tuesday's walk-through was part of a comprehensive review on parking the committee is conducting in a newly formed overlay district along East Fifth Street. The City Council in October said the area is in need of repair.

More than 40 residents, city leaders and elected officials attended the 90-minute neighborhood tour, with their observations and suggestions being jotted down by city clerks for the group to consider at its next meeting on Feb. 19, when it is scheduled to recommend new policy for the city.

Greenville Community Development Director Merrill Flood said his staff will compile a report on the city's standards for the committee to review, but the board said Tuesday it already knows where it will start: tighten-



AILEEN DEVLIN/THE DAILY REFLECTOR

MEMBERS OF the University Neighborhood Revitalization Work Group, landlords and code enforcement officers walk through areas of the Tar River-university neighborhood to evaluate the needs and problems in the area.

ing the regulations on rear and front-yard parking.

City code now says that all parking must be on an improved surface — asphalt, concrete, gravel — and no more than 30 percent of a front yard can be covered. Unlimited, stacked parking is allowed in backyards on covered surfaces, except in the College View Historic District.

But in a city that is lim-

ited to one parking control officer until late January, the laws are not being enforced to their fullest extent, and city, state and residential property is being lost to erosion.

"If they ever want to take this neighborhood and convert it from rental to single-family, I am not sure they could," Sullivan said. "Almost 100 percent of the area's yards are used for park-

ing. It's not very pretty."

The committee started its walk-through at the old City Market, using Jarvis, Johnston, East Fourth, Student, Rotary and East Third streets to make an eight-block tour.

During the visit, city officials pulled aside traffic engineers to document recurring violations, code enforcement officers cited chronic offenders, and even

one ECU student stopped the crowd to express gratitude.

Among the charges of the study group is to draft a parking permit plan for all licensed residents and employees in the initiative's defined district, which spans Elm, Fifth and Reade streets to the Tar River.

But mass emails have been sent across the Tar River neighborhood in opposition of the objective, with the sentiment that residents do not want their neighborhood to become an ECU parking lot, even though the initiative states that only a select number of permits will be available for students, staff and faculty.

Proponents of the change remind the public that funds generated from the program are expected to be dedicated to increased code enforcement, trash collection, lighting and security in the neighborhood.

Only about half of the neighborhood is taking advantage of a controlled residential parking program in the city in which three \$5 permits are issued to each residence on a block, once the majority agrees to join

the plan.

Earlier in the day, Greenville's lone parking officer wrote 48 citations in four hours in the university area for overtime, unimproved parking and parking without a permit. Five of the cars were towed because the motorists had five strikes, the city threshold for impounding.

Phillip Rogers, a member of the committee and the chief of staff for ECU Chancellor Steve Ballard, said he might send out a mass email to students in the near future, warning of possible enforcement in the area.

While many of the committee members said gravel backyards would not prevent them from buying property in the neighborhood, their No. 1 priority is increasing curb appeal.

"A lot could be done with this neighborhood," committee member Mike Saad, owner of two apartment complexes in the area, said. "It just needs some TLC from its property owners."

Contact Wesley Brown at 252-329-9579 or wbrown@reflector.com. Follow him on Twitter @CityWatchdog.

THURSDAY, December 20, 2012

Study group will focus on parking

■ A walking tour to assess needs in the Tar River university area is planned for next month.

BY WESLEY BROWN
The Daily Reflector

A civilian study group appointed to revive the Tar River university area spent much of its first meeting on Wednesday discussing parking, a time-sensitive issue the committee said it had a “thousand questions” about, but few answers on how to fix.

The board said it plans to launch an expansive review on parking in the newly formed University Overlay District, a 200-acre community of homes along East Fifth Street that the Greenville City Council decried in October as a “troubled” neighborhood in need of rebuilding.

The six-member group, organized to guide the implementation of the University Neighborhood Revitalization Initiative, will begin its assessment on parking with a

See PARKING, A9

PARKING

Continued from A1

walkthrough of the Tar River area — weather permitting — on Jan. 15 at 2 p.m.

The committee plans to meet at the old City Market to take a 45-minute tour of the neighborhood to get a better visual of the community's needs and its parking and code-enforcement problems.

"I have a thousand questions when it comes to parking," said James C. Sullivan, who agreed to serve on the committee as a member of the Tar River University Neighborhood Association.

Seeking spaces

The way the council wrote the University Neighborhood Revitalization Initiative, parking looks to be central to its success, Sullivan said.

The initiative requires all landlords between Elm and Reade streets who wish to lease a four-bedroom, 1,500-square-foot rental home to a fourth unrelated person must provide at least three off-street parking spaces for their tenants.

Greenville Zoning Administrator Mike Dail said on Thursday that in the two months since the initiative passed, only one landlord — Allison Faulkner — has complied with the initiative's other requirements, which includes a crime-free rental addendum. Faulkner was approved for a permit at a home at 117 N. Harding St., records show.

"Many places do not have space for parking," fellow committee member Joanne Kollar, the secretary and

communications chairwoman of TRUNA, said. "We need to address parking first, before allowing a fourth person into a home."

Chris Woelkers, the vice chairman of the Pitt-Greenville Convention and Visitors Authority, agreed that it was important to settle on a policy early and not "change the game" late in the process for potential applicants.

Among the charges of the study group by the council is to draft a parking permit plan for all licensed residents and employees in the initiative's defined district, with a select number of permits available for purchase for East Carolina University students, staff and faculty.

Funds generated from the program are expected to be dedicated to increased code enforcement, trash collection, lighting and security in the neighborhood.

Lt. Richard Allsbrook, commander of Greenville Code Enforcement Division, said his staff is short one parking officer until late January.

Program in place

Stacey Pigford, assistant traffic engineer for the city of Greenville, said the city already has a controlled residential parking program in place.

Pigford said the program is a petition process. On a block-by-block basis, if 51 percent of residents agree, the city can issue three \$5 permits per household to assure a resident has a spot to park.

Only about half of the neighborhood is taking advantage of the plan, a zoning map showed.

Greenville Community Development Director Merrill Flood said that after the board's walkthrough, staff will provide information on Greenville's existing parking ordinances and the revenue the city generates from parking tickets and permits.

Improved surface

Flood gave a brief overview of additional parking standards. One notable change: parking must be on an improved surface — asphalt, concrete, gravel — and no more than 30 percent of a front yard can be covered. Unlimited, stacked parking is allowed in backyards.

Sullivan, a 45-year resident of the university neighborhood, said he wants to know how the city enforces and permits all parking in the neighborhood, including both marked and unmarked spaces on the street, in driveways, yards and apartment lots.

The group agreed to meet the second Tuesday of each month at 2 p.m. at City Hall.

At its next meeting, the board plans to decide whether to name a chairperson to lead the group or have Flood act as facilitator. Early discussions showed the group preferred a facilitator, a request city attorney Dave Holec said was "unusual," but not illegal.

"I think of this as a working group and I do not want to break down the leadership," Woelkers said. "I would like to keep us as equals."

Contact Wesley Brown at 252-329-9579 or wbrown@reflector.com. Follow him on Twitter @CityWatchdog.

APPENDIX C

Report on Alternatives for Modifying the “No More Than Three Unrelated” Occupancy Standard

Contents:

- Section I. City Council Directive – Page 1
- Section II. Background and Summary of Existing Standard – Page 2
- Section III. Survey of Other Communities – Page 4
- Section IV. Overview of Public Input Process and Results – Page 10
- Section V. Compliance with Comprehensive Plan – Page 17
- Section VI. Alternatives for Modifying Current Standard – Page 19

- Appendix A: Meeting Minutes Associated with Current Standard
- Appendix B: Documentation Related to Fort Collins, CO Standard
- Appendix C: Neighborhood Advisory Board’s Position Memo



Report Developed by the City of Greenville
Community Development Department - Planning Division
July 24, 2012

Section I. City Council Directive

On March 8, 2012, City Council adopted strategic goals for the 2012 and 2013 calendar years. The adoption of these goals and associated action items provide Staff with a work plan to ensure that staff efforts are coordinated with, and supportive of, the strategic direction and vision that City Council has for the community.

One of the strategic goals adopted by City Council is titled “Neighborhood Preservation,” and one of the 13 action items associated with this goal is as follows:

Prepare a report on the “no more than 3 unrelated” residential occupancy standards and present to City Council code amendment alternatives to permit more than three unrelated persons occupancy in residential structures.

The purpose of this report is to meet City Council’s directive as provided by the specified action item adopted as part of City Council’s Strategic Goals for 2012 and 2013.

Section II. Background and Summary of Existing Standard

Occupancy by unrelated persons is a standard that is normally addressed by communities through land use controls such as a zoning ordinance. That is the case in Greenville as the zoning ordinance prescribes the community standard on this issue. The existing city-wide standard for the number of unrelated individuals that may occupy a dwelling in the City of Greenville was established by City Council on August 13, 1981 (Ordinance No. 1124), with the adoption of the definition of a family. This definition was as follows:

One or more persons related by blood, adoption, or marriage, or not more than three unrelated persons.

This standard is commonly referred to as the “Three Unrelated Rule” and applies to all dwelling units except those that are part of separately identified land uses such as dormitories, fraternity and sorority houses, bed and breakfasts, group care facilities, boarding houses, and dormitory style multi-family dwellings permitted under the land use intensity system of the zoning ordinance.

The definition was later amended by City Council on March 12, 1992 (Ordinance No. 2435), to define family relations and various combinations of related family members and other unrelated persons that may occupy a dwelling under the provisions in the following manner:

Specifically, the individual or combination of persons listed herein may occupy a dwelling unit under this definition.

- 1. One (1) individual living alone; or**
- 2. Up to three (3) unrelated individuals; or**
- 3. Two (2) or more individuals related by blood, adoption or marriage (i.e. family); or**
- 4. One (1) family (3. above) and up to two (2) unrelated individuals (i.e. room renting); or**
- 5. One (1) family (3. above) and up to two (2) related individuals (i.e. room renting).**

The amendment by City Council in 1992 did not change the number of unrelated individuals permitted to occupy a dwelling unit. There have been no other amendments to the definition since 1992.

The no more than three unrelated occupancy standard has been enforced by the Code Enforcement Division of the Police Department since 2009. It is often difficult to verify the number of unrelated individuals residing in a dwelling unit, so the Code Enforcement Division typically relies on citizen complaints and the identification of other code enforcement violations (excessive trash, parking on unimproved surfaces, noise, etc.) as a means of identifying possible violations to this City standard.

The Code Enforcement Division of the Greenville Police Department has investigated 22 cases since 2009 city-wide. Historically, the period with the greatest number of recorded unrelated occupancy violations occurred from June 2006 through December 2007, which included the investigation of 83 separate cases. A major reason for such a sharp increase was a result of a handful of property owners who owned a significant number of properties primarily in the area north of East 5th Street. Enforcement by the City resulted in litigation and a mediated settlement and agreement by the owners involved to comply with the terms of the City's ordinance.

It should be noted that the North Carolina State Building Code requires that every dwelling should have at least one habitable room of not less than 120 square feet of gross floor area and other habitable rooms shall have a floor area of not less than 70 square feet. An occupancy standard for the number of persons who may occupy the dwelling is not addressed by the State Building Code and is dependent upon local zoning requirements.

Section III. Survey of Other Communities

Staff surveyed numerous other communities to ascertain how they limit occupancy by unrelated individuals. The communities surveyed included 12 North Carolina cities that have colleges and/or universities and three out-of-state communities that have significant college populations.

The findings of these surveys are provided below in Table 1. Data collected depicts that the communities surveyed have a range of standards for the number of unrelated individuals that are permitted to reside in a dwelling unit ranging from two to an unlimited number. The most common numbers used as a maximum are three and four. Also noteworthy is that the vast majority of the communities surveyed use the definition of “family” as the mechanism for regulation and the occupancy limit is by-right and not subject to additional standards (limitations based upon the size of a dwelling unit or number of bedrooms). Upon reviewing this data, staff has concluded that there is not a single uniformly recognized standard for regulating the number of unrelated persons that may occupy a dwelling unit. Each community must develop its own “community standard” based upon its specific character, issues and objectives.

Table 1. Survey of Standards from Other Communities

Municipality	Number of Unrelated Individuals Permitted to Reside in a Dwelling Unit	How the Limit is Set	Occupancy Limited by Number of Bedrooms	Occupancy Limited by House Size
Asheville	5	Interpretation based on regulations in the NC Building Code	No	No
Boone	2 (4 in Multifamily Districts)	Specific Regulation	Yes (At least one bedroom for two nonrelated residents)	No
Chapel Hill	4 (No limit in Multifamily Units)	Definition of Family	No	Yes, in Overlay District
Charlotte	6	Definition of Family	No	No
Durham	3	Definition of Family	No	No

Municipality	Number of Unrelated Individuals Permitted to Reside in a Dwelling Unit	How the Limit is Set	Occupancy Limited by Number of Bedrooms	Occupancy Limited by House Size
Elizabeth City	No Limit	No Regulation	No	No
Fayetteville	5	Definition of Family	No	No
Greenville	3	Definition of Family	No	No
Greensboro	4	Definition of Family	No	No
Raleigh	4	Definition of Family and Dwelling Unit	No	No
Rocky Mount	5	Definition of Family	No	No
Wilmington	3	Definition of Family	No	No
Winston Salem	4	Definition of Family	No	No
Fort Collins, Colorado	3 (2 + you) by right Additional occupancy subject to meeting additional standards.	Specific Regulation & Definition of Family	No	Not for 3, but yes for additional occupancy.
Gainesville, Florida	3	Definition of Family	No	No
New Haven, Connecticut	4	Definition of Family	No	Yes

Each community is unique, and it is recognized that the information provided above in Table 1 is difficult to evaluate without some perspective regarding the character of the communities. Volumes of socio-economic data are available for these communities, but the nature of this report does not provide the platform for the conveyance of so much raw data. As such, Table 2 is provided below to provide some context related to character of the survey communities.

Table 2. Other Data from Survey Communities

Municipality	City Population	University Student Population	% Owner Occupied / Renter Occupied	% Housing Stock that is Multi-Family
Asheville	83,393	UNC Asheville: 3,644 Mars Hill: 1,237 Warren Wilson: 970 South College: 223 Total: 6,074	53% / 47%	34%
Boone	17,122	Appalachian State: 17,344 Total: 17,344	24% / 76%	67%
Chapel Hill	57,233	UNC Chapel Hill: 29,390 Total: 29,390	48% / 52%	45%
Charlotte	731,424	UNC Charlotte: 25,277 Gardner Webb: 4,300 Queens University: 2,600 Johnson & Wales: 2,500 Pfeiffer University: 2,020 Johnson C. Smith: 1,610 Belmont Abbey: 1,496 The Art Institute of Charlotte: 1,025 Carolina College of Health Sciences: 506 New Life Theological Seminary: 160 Total: 41,494	59% / 41%	34%
Durham	228,330	Duke: 14,746 NC Central: 8,612 Total: 23,358	51% / 49%	40%
Elizabeth City	18,683	Elizabeth City State: 3,100 Mid Atlantic Christian: 178 Total: 3,278	47% / 53%	29%
Fayetteville	200,654	Fayetteville State: 6,000 Methodist College: 2,400 Total: 8,400	54% / 46%	27%
Greenville	84,554	East Carolina: 27,816 Total: 27,816	38% / 62%	59%
Greensboro	269,666	UNC Greensboro: 18,771 NC A&T: 10,383 Guilford College: 2,706 Greensboro College: 1,250 Bennett College: 780 Total: 33,890	55% / 45%	37%

Municipality	City Population	University Student Population	% Owner Occupied / Renter Occupied	% Housing Stock that is Multi-Family
Raleigh	403,892	NC State: 34,000 Shaw: 2,800 Meredith: 2,132 Saint Augustine's: 1,500 Peace: 700 Total: 41,132	54% / 46%	39%
Rocky Mount	57,477	Wesleyan College: 1,467 Total: 1,467	55% / 45%	24%
Wilmington	106,476	UNC Wilmington: 14,071 Total: 14,071	49% / 51%	35%
Winston-Salem	229,617	Wake Forest: 6,830 Winston-Salem State: 6,000 UNC School of Arts: 1,144 Salem College: 1,100 Piedmont Baptist College: 519 Total: 15,593	58% / 42%	32%
Fort Collins, Colorado	143,986	Colorado State: 28,417 Institute of Business & Medical Careers: 800 Total: 29,217	56% / 44%	33%
Gainesville, Florida	124,354	University of Florida: 49,589 Santa Fe College: 17,391 Total: 66,980	40% / 60%	55%
New Haven, Connecticut	129,779	Yale: 11,593 Southern Connecticut State: 7,002 Albertus Magnus: 1,600 Total: 20,195	32% / 68%	74%

Fort Collins, Colorado Model

Fort Collins, Colorado, provides a unique model for regulating unrelated occupancy that includes close collaboration between the city and university (Colorado State University). Some basic provisions of this model include the following:

- On May 14, 2010, the “**Two Plus You**” occupancy ordinance was passed to encourage and provide an adequate supply of quality student housing while maintaining neighborhood quality and compatibility. Occupancy restrictions were implemented to address the following factors:
 - ✓ Increase in city population
 - ✓ Increase in Colorado State University student enrollment
 - ✓ Low vacancy rates
 - ✓ Student and long-term neighborhood issues
 - ✓ New proposed student housing projects in residential areas
- An **occupancy disclosure form** is required before any sale or lease of a property within the City’s jurisdiction. The form includes an explanation of the City ordinance, all occupants’ names with signatures, and the name and signature of the owner. The purpose of this procedure is to ensure that all parties associated with the property are fully aware of the ordinance.
- A property owner may request occupancy by more than three unrelated individuals by submitting an **Extra Occupancy Application**. This provides a mechanism in which property owners can state why they believe their property is appropriate for the additional occupancy. City staff review applications on a case-by-case basis. Properties may be permitted to house additional occupants if:
 - ✓ Reside in special zoned areas that allow for Extra Occupancy
 - ✓ Adhere to City’s Land Use Code
 - ✓ Adhere to City’s Building Code (350 square feet of habitable floor area per resident)
 - ✓ Have adequate parking as defined by the City (.75 spaces per occupant)
- The City takes a proactive approach to inform possible tenants of the City’s occupancy requirements by collaborating with Colorado State University (CSU). More specifically, the City’s Neighborhood Services Department collaborates with CSU’s Student Legal Services and Off-Campus Housing Department to create and distribute informational flyers and pamphlets intended to inform off-campus students of the City’s ordinance. These materials are available at CSU’s Off-Campus Housing main office and website.

- The enforcement process is complaint driven and generally includes the following:
 - ✓ Upon receipt of a complaint, staff (*a City Code Enforcement Officer*) begins an investigation.
 - ✓ If the investigation produces reasonable cause to suspect over-occupancy, a City inspector gives notice to all tenants, the landlord, and the property manager stating they may receive citations. The City will ask the owner or the landlord to provide a copy of a signed, occupancy disclosure form.
 - ✓ A reasonable amount of time will be given to correct the over-occupancy and come into compliance. A citation may be issued immediately.
 - ✓ If a citation is issued, correcting the situation does not relieve any of the parties of the potential fine. The penalty can be up to \$1,000 per person, per day the home is over-occupied. Prompt compliance is encouraged.
 - ✓ Fines can be assessed to the manager, owner, and/or tenants.
 - ✓ After being cited, the parties will have 10 days to pay the fine or request a hearing with a hearing officer.
 - ✓ If an investigation results in reasonable cause a rental housing violation exists, City inspectors may also conduct a rental housing inspection throughout the entire property.
 - ✓ If participants request a hearing, they will appear before the court-appointed hearing officer. During this hearing, the hearing officer will look at the evidence, hear from all sides, and then make a decision.

- City Officials have stated that the ordinance, while not perfect, has been a success. This is because the ordinance was designed in a way that would not disadvantage one public entity more than another. The ordinance attempts to preserve the City's neighborhoods while addressing the ever-growing demand for off-campus student housing. It also allows property owners to achieve the maximum amount of profit as long as their property is in compliance with city codes and ordinances. The nature in which the ordinance is enforced has also helped create a more positive public opinion. By allowing the ordinance to be complaint driven, it allows for the citizens to take ownership of the problem. Therefore, the ordinance is enforced to the degree that citizens desire.

Section IV. Overview of Public Input Process and Results

In early April 2012, staff developed a project schedule that outlined how public input would be collected and provided a timeline for completing this report and presenting it to City Council. This project schedule was shared with City Council via Notes to Council distribution on April 9, 2012. Three public input meetings were held in June 2012 (June 18 at the Eppes Center, June 20 at Jaycee Park, and the June 27 at City Hall). A total of approximately 236 persons attended these meetings.

The purpose of these meetings was to provide information on the existing city occupancy standard, allow the public to ask questions about the standard, and obtain public comment in written form. Attendees were asked to complete a questionnaire consisting of six questions developed by staff to determine the ranges of opinions on possible changes to the occupancy standard. Staff also provided a web-based comment form and informational packet for citizens to provide input regarding the proposed change. In total, 275 completed or partially completed questionnaires were submitted. The purpose of this section is to summarize the responses collected from these questionnaires and highlight other common themes in residents' answers.

Main Points

- Overall, a majority of residents who submitted questionnaires in June and July 2012 oppose changing the City of Greenville's 3-unrelated standard.
- Most residents' attitudes toward a change reflect broader concerns about quality-of-life in neighborhoods rather than occupancy alone.
- While a small percentage of residents support allowing more than 3 unrelated persons to live together, most supporters stress the importance of clear restrictions and diligent enforcement.

Minimum house and lot sizes¹

In response to "If the City of Greenville allowed more than 3 unrelated persons to live together, what is the smallest house (in square feet) that should be allowed to accommodate this change," residents suggest 800–15,000 square feet, with the most, albeit narrow, support for 2,000 square feet (about 6 percent).

In terms of smallest lot size that could accommodate more than 3 unrelated persons, responses range from more than 217,800 square feet (5 acres) to 1,000 square feet with 43,560 square feet (1 acre) and 21,780 (1/2 acre) getting the most support (about 3 percent each). However, a majority of residents (more than 79 percent) did not respond directly, disagreeing overall with changing the standard or emphasizing bedrooms or parking requirements as more relevant considerations than lot size.

¹ See Tables 3 and 5 for a summary of all the proposed minimum house and lot sizes.

Support for additional standards and review processes²

More than half of respondents (approximately 66 percent) support creating a bedroom requirement that matches the number of occupants. In addition to bedrooms, many respondents also recommended including a 1:1 bathroom provision, where 1 full bathroom is provided for every occupant.

More than one-third of all residents at the public meetings support parking screening and/or location standards; more than half of residents did not directly respond to this question; and approximately 10 percent do not feel additional parking standards are necessary. Even residents who do not directly support parking standards expressed concerns about loss of green space (especially front yards); stormwater runoff (from increased impervious surface); location of parking (preferably in side- or rear-yards); enforcement related to parking (such as parking on grass); off-street parking only; on-street parking only; and a 1:1 parking space provision. Some respondents support fences to keep parking out of view, while others think fences would create more code enforcement problems or may not be attractive.

While a majority of residents (more than 70 percent) do not support a special use permit as a means to allow more than 3 unrelated persons to live together, some responses reflect disagreement over needing special approval to use structures originally developed for more than 3 people. As one resident says, “If a house has four bedrooms, it is not a special use to house 4 persons; it is the intended use.”

Other residents feel a special use permit will open the door for a permanent change over time, calling it a “Trojan horse”. Even in cases where residents support a special use permit, residents stress the need for clear restrictions to ensure compliance with the permit’s standards.

Attitudes toward increased occupancy³

In general, almost all residents—whether they support or oppose a change to the current 3-unrelated rule—maintain additional safeguards are necessary to ensure responsible rentership and avoid quality-of-life problems.

Approximately 79 percent of respondents oppose the City of Greenville allowing more than 3 unrelated persons to live together. Citing a variety of concerns about trash, noise, parking, overcrowding, unsupervised or abandoned pets, crime, decreased property values, lax property maintenance, and overall neighborhood deterioration, residents expressed strong disagreement in their comments. Other respondents feel the 3-unrelated rule has mitigated these concerns since 1981, when Greenville City Council originally passed this standard. According to one respondent, “My experiences of living within walking distance of campus at 4

² See Tables 4, 6, and 7 for a summary of the total number of responses related to bedroom and parking requirements and support for a special use permit.

³ See Table 8 for a summary of the total number of responses that support or oppose a change to the City of Greenville’s 3-unrelated rule.

other universities have convinced me that the 1981 rule...is a good one and will help to preserve attractive neighborhoods around ECU.”

About 20 percent of respondents support allowing more than 3 unrelated persons to live together, yet cite a variety of reasons, as well as caveats, for allowing increased occupancy. Some respondents believe that recent financial hardship (in the form of higher utility bills or mortgages), increases in non-nuclear families, and growth of East Carolina University and Vidant Health Systems warrant revisiting this standard. As one respondent puts it, “[It’s] now time to allow this community to evolve and have ordinances that make sense.” Another resident sees the need for a more nuanced approach, saying “in most cases, I don’t think more than 3-unrelated should be allowed to live together, but with this qualification: It should be possible to apply for exceptions. Greenville should uphold a flexible definition of family.” Other supporters believe, in some instances, rehabbed rental property has attracted “higher quality” tenants and improved neighborhood stability. On the other hand, some residents do not think this ordinance has improved housing conditions, or in some cases, even negatively affected properties. Other residents support increasing occupancy, but with caveats like a special use permit, a rental registry, annual inspections, or additional performance standards to mitigate crowded conditions.

Other themes

In addition to specific responses, residents highlighted unanswered questions about revisiting this standard (and staff’s method to develop alternatives); broader assumptions about the people who own and live in rental property; and its relationship to increasing owner-occupancy. Residents raised questions about City Council’s motives for pursuing a change that respondents did not see as in line with the City’s comprehensive plan or City Council’s 2012–13 goal of neighborhood preservation. They also criticize the overall questionnaire, calling the questions “leading” and presupposing a change.

Among respondents, (somewhat stereotypical) assumptions about renters and landlords also emerged, where several residents broadly classified “unrelated persons” as students or criminals and investors or landlords as property owners who do not maintain their properties to minimum standards (and not to neighborhood norms). Respondents support these classifications with experiential evidence. Similarly, many residents communicate the importance of creating mechanisms (beyond a special use permit, such as a rental registry, annual inspection, etc.) to guarantee landlords, especially out-of-town landlords, can be held accountable for problems associated with their property in a timely manner.

Lastly, many respondents feel that increasing Greenville’s occupancy standard would ultimately make rental properties more prevalent and/or lower quality, and in turn, decrease owner-occupancy and deter families from locating or relocating in neighborhoods across the city—a desire among many respondents. One resident, whose comments summarize this common attitude, “[does] not feel that more than 3-unrelated individuals living in the same house will promote an environment conducive to families moving into the university [or other]

neighborhoods.” Families, according to several respondents, represent a long-term financial and community investment in these areas, fostering stewardship and community involvement. They note this long-term commitment is difficult to achieve among transient populations. Additionally, most of these responses differentiated between multifamily rentals, which respondents recognize the city needs to house more transient populations like students, and rentals in single-family areas, which to them, denote a higher standard for quiet neighborhoods.

Table 3. Responses to “If the City of Greenville allowed more than 3 unrelated persons to live together, what is the smallest house (in square feet) that should be allowed to accommodate this change?”

House size (ft ²)	Public meetings		Online/mail forms		All responses	
	No.	Percent	No.	Percent	No.	Percent
15,000	0	0.0	1	0.6	1	0.4
10,000	1	0.9	1	0.6	2	0.7
6,000	1	0.9	0	0.0	1	0.4
5,000	3	2.6	3	1.9	6	2.2
4,000	0	0.0	3	1.9	3	1.1
3,500	0	0.0	1	0.6	1	0.4
3,000	1	0.9	6	3.8	7	2.5
2,800	0	0.0	1	0.6	1	0.4
2,600	1	0.9	0	0.0	1	0.4
2,500	1	0.9	6	3.8	7	2.5
2,400	0	0.0	1	0.6	1	0.4
2,200	1	0.9	0	0.0	1	0.4
2,100	1	0.9	0	0.0	1	0.4
2,000	8	6.9	9	5.7	17	6.2
1,800	1	0.9	3	1.9	4	1.5
1,600	0	0.0	3	1.9	3	1.1
1,500	3	2.6	3	1.9	6	2.2
1,400	3	2.6	0	0.0	3	1.1
1,300	0	0.0	3	1.9	3	1.1
1,200	6	5.2	1	0.6	7	2.5
1,100	0	0.0	1	0.6	1	0.4
1,000	0	0.0	3	1.9	3	1.1
900	1	0.9	1	0.6	2	0.7
800	0	0.0	1	0.6	1	0.4
1,000/person	1	0.9	1	0.6	2	0.7
750/person	1	0.9	0	0.0	1	0.4
500/person	2	1.7	1	0.6	3	1.1
300/person	0	0.0	2	1.3	2	0.7
None	0	0.0	2	1.3	2	0.7
No response	80	69.0	102	64.2	182	66.2
Total	116	100.0	159	100.0	275	100.0

Table 4. Responses to “Should there be a bedroom requirement that matches the number of occupants allowed?”

Bedroom requirement?	Public meetings		Online/mail forms		All responses	
	No.	Percent	No.	Percent	No.	Percent
Yes	54	46.6	127	79.9	181	65.8
No	9	7.8	26	16.4	35	12.7
No response	53	45.7	6	3.8	59	21.5
Total	116	100.0	159	100.0	275	100.0

Table 5. Responses to “If the City of Greenville allowed more than 3 unrelated persons to live together, what is the smallest lot size that should be allowed for this change?”

Lot size (ft ²)	Public meetings		Online/mail forms		All responses	
	No.	Percent	No.	Percent	No.	Percent
217,800	0	0.0	1	0.6	1	0.4
87,120	1	0.9	1	0.6	2	0.7
65,340	1	0.9	0	0.0	1	0.4
43,560	5	4.3	4	2.5	9	3.3
40,000	3	2.6	0	0.0	3	1.1
32,670	1	0.9	1	0.6	2	0.7
25,000	0	0.0	1	0.6	1	0.4
21,780	3	2.6	6	3.8	9	3.3
21,000	0	0.0	1	0.6	1	0.4
20,000	0	0.0	1	0.6	1	0.4
14,520	0	0.0	1	0.6	1	0.4
12,000	2	1.7	1	0.6	3	1.1
10,890	1	0.9	1	0.6	2	0.7
10,000	1	0.9	5	3.1	6	2.2
9,000	2	1.7	1	0.6	3	1.1
7,500	1	0.9	0	0.0	1	0.4
6,000	1	0.9	0	0.0	1	0.4
4,000	1	0.9	0	0.0	1	0.4
3,500	0	0.0	1	0.6	1	0.4
2,500	1	0.9	0	0.0	1	0.4
2,000	1	0.9	0	0.0	1	0.4
1,500	0	0.0	1	0.6	1	0.4
1,000	1	0.9	0	0.0	1	0.4
None	2	1.7	2	1.3	4	1.5
No response	88	75.9	130	81.8	218	79.3
Total	116	100.0	159	100.0	275	100.0

Table 6. Should the City of Greenville require parking area screening and location standards (i.e., should parking be located in the front/rear of home and/or screened from the street by vegetation or a fence)?

Parking standards?	Public meetings		Online/mail forms		All responses	
	<i>No.</i>	<i>Percent</i>	<i>No.</i>	<i>Percent</i>	<i>No.</i>	<i>Percent</i>
Yes	42	36.2	52	32.7	94	34.2
No	7	6.0	20	12.6	27	9.8
No response	67	57.8	87	54.7	154	56.0
Total	116	100.0	159	100.0	275	100.0

Table 7. Responses to “The Zoning Ordinance should be amended to allow more than 3 unrelated persons to live together by the issuance of a special use permit through the city’s Board of Adjustment. Agree/Disagree”

Special use permit?	Public meetings		Online/mail forms		All responses	
	<i>No.</i>	<i>Percent</i>	<i>No.</i>	<i>Percent</i>	<i>No.</i>	<i>Percent</i>
Agree	18	15.5	27	17.0	45	16.4
Disagree	73	62.9	121	76.1	194	70.5
No response	25	21.6	11	6.9	36	13.1
Total	116	100.0	159	100.0	275	100.0

Table 8. Responses to “The City of Greenville should allow more than 3 unrelated persons to live together. Agree/Disagree”

Overall change?	Public meetings		Online/mail forms		All responses	
	<i>No.</i>	<i>Percent</i>	<i>No.</i>	<i>Percent</i>	<i>No.</i>	<i>Percent</i>
Agree	20	17.2	36	22.6	56	20.4
Disagree	95	81.9	123	77.4	218	79.3
No response	1	0.9	0	0.0	1	0.4
Total	116	100.0	159	100.0	275	100.0

Section V. Compliance with Comprehensive Plan

Consideration of any modification to the City zoning ordinance should include a review of the community's comprehensive plan. Greenville's comprehensive plan, **Horizons: Greenville's Community Plan**, contains policy statements and objectives related to numerous Plan Elements. While the content of the plan does not explicitly provide a community standard for the number of unrelated individuals that should be permitted to reside within a dwelling unit, it does offer broad policy statements and objectives that should be reviewed and considered to ensure that proposed amendment is in compliance with the plan, and effectively with the community's values.

The purpose of this report is to provide City Council with code amendment alternatives to permit more than three unrelated persons occupancy in residential structures. The alternatives provided will vary greatly in approach and will generally lack sufficient detail to fully evaluate compliance with the comprehensive plan; that level of evaluation typically takes place when a specific zoning amendment is proposed. Nonetheless, staff is providing the following policy statements and objectives to be considered when reviewing the alternatives provided herein:

The Housing Plan Element - Housing Policy Statement:

"The City recognizes that its residential neighborhoods are the lifeblood of the community, and that good quality, affordable housing is integral to a healthy neighborhood environment. To that end, the City will continue to make housing opportunities available throughout the City to low and moderate income families. The City will support the efforts of nonprofit organizations to address housing needs in Greenville. The City recognizes that local governments will be required to take increasing responsibility for addressing housing needs in the future.

The City will encourage the rehabilitation of substandard units and the development of vacant lots, and will encourage the preservation, renovation, code enforcement, and rehabilitation of its older housing stock. The City should require that quality design and appearance be important factors in the review of low and moderate income housing projects. ..."

Objective H1: *To encourage a variety of housing choices through preservation, rehabilitation, code enforcement, and new development.*

Objective H4: *To encourage the restoration and preservation of historic residential properties.*

Objective H5: *To improve and revitalize existing neighborhoods.*

Objective H16: *To encourage home ownership.*

Objective M4: *To preserve and protect existing and future residential neighborhoods.*

Objective E14: *To encourage healthy economic development.*

Objective CF3: *To increase interaction between the Police Department and citizens, in order to increase mutual respect, understanding and support.*

Objective CF5: *To ensure safe livable neighborhoods.*

Objective EQ13: *To encourage litter control and community-wide clean-up.*

Objective CC9: *To increase neighborhood livability and property values by preserving and enhancing historic areas.*

Objective UF1: *To encourage affordable housing options.*

Objective UF2: *To encourage a mixing of land uses.*

Objective UF3: *To encourage a diversity of housing options.*

Objective UF6: *To preserve neighborhood livability.*

Other adopted City plans that should be considered when evaluating a specific zoning amendment include:

- Task Force on Preservation of Neighborhoods and Housing – Report to City Council (2004);
- Neighborhood Report and Plan - College Court and Coghill Subdivisions (2007);
- Neighborhood Report and Plan - Lake Ellsworth, Clarks Lake and Tripp Subdivisions (2007);
- Neighborhood Report and Plan - Tar River / University Area (2009);
- Neighborhood Report and Plan - Carolina Heights, Greenbrier, Hillsdale and Tucker Circle Subdivisions (2010).

Section VI. Alternatives for Modifying Current Standard

There are several basic decisions City Council will have to make should they choose to permit more than three unrelated occupancy in residential dwellings. These substantive decision points are outlined below:

1. Geographic Application

Will the new occupancy standard be applicable city-wide or only in specified geographic areas?

A. If city-wide application is desired, then two options should be considered:

- Provide one standard for all dwelling units in the city. This can be accomplished by simply changing the definition of family to allow a specific unrelated occupancy greater than three.
- Provide one standard applicable in specified zoning districts, which are applicable city-wide. This can be accomplished by creating a new land use, such as Extra Occupancy Residences, that are permitted only in specified zoning districts.

B. If application to a specific geographic area or areas is desired, then an Overlay District may be created. The Overlay District should have a clearly defined purpose and the area or areas included should have some unique character that support inclusion within the district.

2. Permitting Mechanism

Will the increased occupancy be by right or should it be subject to a Special Use Permit?

3. Occupancy Standard

What number of unrelated individuals should be permitted to reside within a dwelling unit? Should this standard apply to all dwellings or should there be thresholds for qualification for the increased occupancy such as

- Size of Dwelling
- Number of Bedrooms
- Number of Bathrooms
- Lot Size
- On-site Parking

4. Toolbox of Additional Measures to Support Neighborhood Quality of Life

City Council may wish to consider adopting some additional requirements, programs or policies as a means of mitigating perceived impacts that increased unrelated occupancy could have on neighborhoods. Some measures that City Council may want to consider include:

- Increase minimum on-site parking requirements for increased occupancy;
- Limit the percentage of backyard area that can be improved for parking;
- Require screening of rear yard parking areas;
- Increase resources for Code Enforcement efforts;
- Automatic review of Special Use Permit by Board of Adjustment upon third Code Enforcement violation within any 12-month period (only available if Special Use Permit is required)
- Increased collaboration with East Carolina University related to promoting information related to the City's occupancy standard.



North Carolina law limits the ability of cities to address these issues. If City Council desires to pursue one or more of the items, then local legislation may need to be pursued through the North Carolina General Assembly.

- Minimum Housing Inspections for Rental Properties
- Crime Free Rental Housing Program
- Rental Registry Program
- Increase Code Enforcement Fines

Based on the decision points outlined above, there are numerous alternatives available to City Council should you choose to permit more than three unrelated occupancy in residential dwellings. The below list of alternatives does not include every possible combination of approaches available, but is intended to provide a sample of the alternatives City Council may want to consider. For the purpose of presenting these alternatives, the increased occupancy is provided as 4 unrelated individuals and no specific standards are provided. It is understood that the specific occupancy and standards will be determined as provided above.

Alternative 1

Change the definition of family to allow 4 unrelated individuals to occupy a dwelling unit.

Note: This approach would be applied city-wide to all dwelling units.

Alternative 2

Create a new land use (Extra Occupancy Residence) that allows up to 4 unrelated occupancy within specified zoning districts by right.

Note: This approach limits application to specified zoning districts with no additional standards.

Alternative 3

Create a new land use (Extra Occupancy Residence) that allows up to 4 unrelated occupancy within specified zoning districts by right subject to certain standards being met.

Note: This approach limits application to specified zoning districts with additional standards.

Alternative 4

Create a new land use (Extra Occupancy Residence) that allows up to 4 unrelated occupancy within specified zoning districts with a Special Use Permit subject to certain standards being met.

Note: This approach limits application to specified zoning districts with additional standards.

Alternative 5

Create an overlay district encompassing an area or areas of unique characteristics that allows up to 4 unrelated occupancy by right.

Note: Application limited to specified geographic area.

Alternative 6

Create an overlay district encompassing an area or areas of unique characteristics that allows up to 4 unrelated occupancy by right subject to certain standards being met.

Note: Application limited to specified geographic area.

Alternative 7

Create an overlay district encompassing an area or areas of unique characteristics that allows up to 4 unrelated occupancy with a Special Use Permit subject to certain standards being met.

Note: Application limited to specified geographic area.

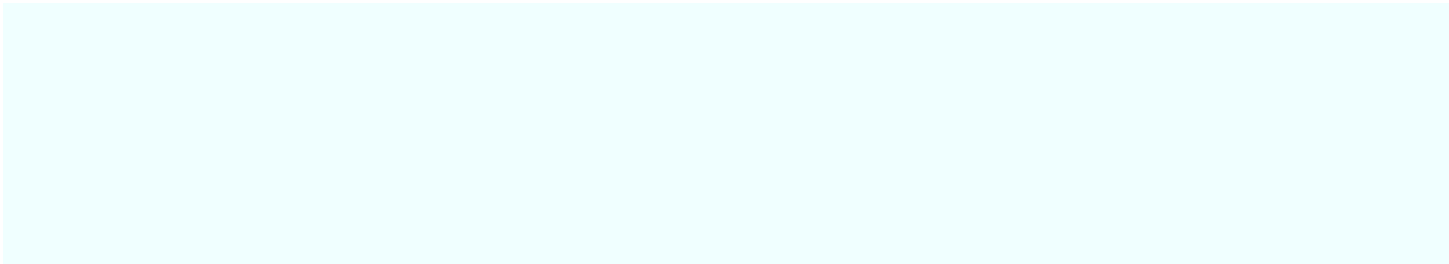
Alternative 8

Leave existing standard unchanged (do nothing alternative).

Note: City-wide application.

Alternative 9

Establish a Work Group or Committee to further discuss increased unrelated occupancy and provide recommendations to City Council.



APPENDIX A

Greenville, N. C.

August 13, 1981

The City Council met in a regular meeting on the above date 8:00 P.M. in the City Council Chambers of the Municipal Building with Mayor Donald C. McGlohon presiding. The meeting was called to order by Mayor McGlohon and prayer was offered by Councilman W. J. Hadden, Jr. The following were-present:

Mayor Donald C. McGlohon

Councilmen:

Louis E. Clark

Clarence Gray

W. J. Hadden, Jr.

Richard J. McKee

Councilwoman:

Judy W. Greene

City Manager, Edward A. Wyatt

City Attorney, Laurence S. Graham

Absent: Mayor Pro-Tem Joseph M. Taft, Jr.

Mayor McGlohon expressed appreciation to Officer Edward C. Moore for serving as sergeant-at-arms during this meeting.

MINUTES. Motion was made by Councilman Gray, seconded by Councilman Clark, to dispense with reading the minutes of July 9, 1981, and approve same as received by each member. Motion unanimously carried.

CITY MANAGER'S REPORT

Recognition of City Employees. City Manager Wyatt recognized Assistant City Attorney, DeWitt McCarley and Chief Building Inspector, Jim Kaufman. Both of these men assumed their positions on July 15, 1981. He also recognized Mr. Jim Walters who is an MPA Intern from Shippensburg State College in Pennsylvania. He is providing volunteer assistance to the City this summer on several major projects. He is in the process of developing a promotional assessment center for police employees, providing assistance in the development of the pre-employment physical performance test for fire/rescue personnel, and studying and reviewing the job performance evaluation format for city employees. We are most appreciative to Mr. Walters for his contribution to the City.

He extended appreciation to ECU and particularly Col. Jim Thomas for his volunteer assistance in regard to a physical fitness program. He is in charge of ECU's ROTC program and is developing a program which tests the physical agility of our current fire/ rescue employees.

REPORT FROM ECU REPRESENTATIVE

MOTION. Motion was made by Councilman Hadden, seconded by Councilman Clark, to adopt the ordinance as presented with the deletion of the "Section 32-149". Motion unanimously carried. (ORDINANCE NO. 1123, PAGE 226, ORDINANCE BOOK 6)

Councilman Hadden commended the Tar River Neighborhood Association for the pride they have taken in their neighborhood.

ORDINANCE AMENDING ZONING ORDINANCE RE: DEFINITIONS IN SECTION 32-3

City Manager advised that notice of public hearing has been advertised in the Daily Reflector on July 31 and August 6, 1981, to consider amending Section 32-3 of the Zoning Ordinance by adding in the definition section the following new and amended terms: boarding or rooming house; family; hotel, motel, motor lodge, motor inn; and room renting. This amendment has been recommended by the Planning and Zoning Commission.

Mr. Bobby Roberson, Director of Planning, was recognized by the City Manager, who explained in detail the purpose and need for the amendment as studied by the Task Force. He noted that this request was made by the Tar River Neighborhood Association and has been worked on for approximately one year.

Mayor McGlohon declared the meeting a public hearing and solicited comments from the audience.

Mr. Marvin Braxton, ECU Representative, raised questions as to how the number four was decided on as a limit in boarding or rooming houses.

Mr. Roberson stated that this figure was based on the study made in which lot size and other factors were taken into consideration.

Mr. Donald C. McGlohon, Jr. stated that he felt a limit should not be placed on the number and each home should be looked at individually.

Mr. David Schorr expressed approval of the number four limit.

Ms. Etsil Mason stated the number of parking spaces available, number of bathrooms in a house, and square footage may be considered to determine the number residing in a house due to many large homes in the University area.

Mr. Roberson referred to the Code in answering questions raised by Ms. Mason.

Assistant City Attorney, DeWitt McCarley, answered questions raised concerning a rewrite of the special use provisions, special use permit, and the alternatives which he terms as "complicated".

Councilwoman Greene asked if these amendments are adopted, would it be easier to be enforced. Mr. Roberson stated yes.

Ms. Olivia Kay raised questions concerning the number as stated in the ordinance and entered into the discussion in general.

Others making comments and raising questions during the discussion were: Mr. Bruce Greene, Mr. Donald C. McGlohon, Jr., City Engineer Ron Sewell, Mr. John Schofield, Mr. Marvin Braxton, Ms. Etsil Mason, and members of the Council.

Councilwoman Greene reiterated that there is a need for some protection to the area and inasmuch as this kind of action has been established through the goals and objectives established by City Council, she felt it was a positive step.

Councilman Clark again emphasized that this would not affect those presently existing and his comments were substantiated by Planning Director Roberson.

After a full discussion, Mayor McGlohon closed the public hearing.

MOTION. Motion was made by Councilman Clark, seconded by Councilman Hadden, to adopt the ordinance as presented amending Section 32-3 of the Zoning Ordinance. Motion unanimously carried. (ORDINANCE NO. 1124, PAGE 227, ORDINANCE BOOK 6)

ORDINANCE AMENDING THE SUBDIVISION ORDINANCE RE: EXPIRATION DATE OF PRELIMINARY PLATS

City Manager advised that notice of public hearing was advertised in the Daily Reflector on July 29 and August 5, 1981, for this time, date, and place to consider an amendment to Article B, Section 9-5-43 of the Subdivision Ordinance regarding the expiration date of preliminary plats. Amendment was recommended by the Planning and Zoning Commission.

City Manager advised that Planning Director Roberson conferred with the Greenville Utilities Commission in regards to this ordinance and they advised that an approval for a period of five years may be excessive and felt that a two to three-year approval period would be more desirable. The reason is due to rapid changes which the utility systems have experienced within the past few years.

Planning Director, Bobby Roberson, was recognized by the City Manager and presented an explanation of the Subdivision Amendment relative to preliminary plats approval.

Ordinance was presented for consideration by City Council. Mayor McGlohon declared the meeting a public hearing and solicited comments from the audience.

Councilwoman Greene raised questions concerning the placement of septic tanks when city sewer was available. Planning Director Roberson referred to the Code in answer to these questions.

Mr. Dillon Watson, a representative from Home Builders Association, expressed favor to the

***This document was scanned into the system and the numbers have not been proofread for accuracy. Please see original document for accurate numbers.

ORDINANCE NO. 1124
AN ORDINANCE AMENDING SECTION 32-3 OF THE ZONING
ORDINANCE OF THE CITY OF GREENVILLE

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DO
ORDAIN:

Section 1. That Section 32-3 of the Zoning Ordinance of the City of Greenville, is hereby amended by adding in the definition section the following new and amended terms:

Boarding or Rooming House - Any dwelling, or that part of any dwelling, in which space is let by the owner to not more than four persons who are not related by blood, adoption, or marriage to the owner.

Family - One or more persons related by blood, adoption, or marriage, or not more than three unrelated persons.

Hotel, Motel, Motor Lodge, Motor Inn - A building or group of buildings providing lodging for the public, where such lodging is primarily for transient patrons.

Room Renting - The renting of rooms in an owner-occupied dwelling to not more than two persons. Room renting shall be a permitted use in all residential districts."

Section 2. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall become effective upon its adoption.

ADOPTED this 13th day of August, 1981.

Donald C. McGlohon, Mayor

ATTEST:
Lois D. Worthington, City Clerk

Dwelling Unit. A building or portion thereof, providing complete living facilities for one family.

Extraterritorial Area. That land beyond the corporate limits extending for a distance of one mile in all directions as delineated on the official zoning map for the City of Greenville.

Deleted by Ord. 1667--11-13-86 ----- ~~Page of Ord. 1667--11-13-86 for deletion amended by Ord. 1124, 8-13-81~~

Amended by---Family. One or more persons related by blood, adoption, or marriage, Ord. 1124 or not more than three unrelated persons. 8-13-81

Amended by---Family Care Home. A home with support and supervisory personnel that Ord. 1213 provides room and board, personal care, and habilitation services in 9-9-82 a family environment for not more than six resident handicapped persons. (Refer G.S. 168-20 thru 23)

Flood Plain. That area which experience has shown to be, or which expert opinion holds likely to be, subject to high water conditions connected with tide, storm or seasonal changes.

Fraternity, Sorority House. A building occupied by and maintained exclusively for college or university students who are affiliated with a social, honorary, or professional organization which is chartered by a national, fraternal or sororal order and which is so recognized by the college, university or other institution of higher education.

Frontage. The distance between the two side lot lines as measured along the right of way line.

Deleted by Ord. 667--11-13-86 ----- ~~Page of Ord. 667--11-13-86 for deletion amended by Ord. 1124, 8-13-81~~

Home Occupation. (Cottage industry.) An occupation for gain or support customarily conducted on the premises by a person or family residing thereon.

Amended by---Hotel, Motel, Motor Lodge, Motor Inn. A building or group of buildings Ord. 1124 providing lodging for the public, where such lodging is primarily for 8-13-81 transient patrons.

Junk Yard. Use of property for indoor or outdoor storage, sale, or resale of junk including scrap metal, rags, paper, or other scrap materials, used lumber, salvaged house wrecking, and structural steel, materials and equipment, or for the dismantling, demolition, or abandonment of automobiles and boats or other vehicles or machinery or parts thereof.

Kennel. A structure or an enclosed area used for the keeping of four or more dogs.

Lot. A parcel or plot of land, site or premises of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot may consist of:

- (a) A single lot of record.

JUNE 24, 1981
PLANNING AND ZONING
COMMISSION

451

recommends that rooming houses and boarding houses be omitted from the permitted use section of the R-6 zoning classification, and be placed as a special use in the R-6 zoning classification.

It was noted by John Schofield, a resident of the Tar River Neighborhood, that during the discussion held with the Planning and Zoning Task Force Committee, it was agreed upon to add a sentence to the end of the definition for rooming houses.

Mr. Roberson agreed that the sentence being added is to read as follows: "A non-nuclear family shall not be considered as a family when questions arise concerning the definition of room renting."

A motion was made by Mr. Warner, seconded by Mr. Tugwell, to recommend to City Council to delete rooming house and boarding house as permitted uses in the R-6 zoning classification and place them as a special use in the R-6 zoning classification. The motion carried unanimously.

AMEND SECTION 32-3 ENTITLED "DEFINITIONS" REGARDING ROOMING HOUSE, BOARDING HOUSE, ROOM RENTING, FAMILY, AND OTHER INSTITUTIONAL USES: APPROVE

Mr. Roberson explained the purpose of the institutional definitions is to bring the Zoning Ordinance up-to-date with the current standards. He asked the Commission to consider adopting the definitions and include them in the Zoning Ordinance definition section. He also noted a sentence had been added at the end of the room renting definition in accordance with the previous discussion.

A motion was made by Mr. Tugwell, seconded by Mr. Joyner to amend the definition section as recommended. The motion carried unanimously.

AMEND SECTION 32-148 AND SECTION 32-150 TO PROVIDE FOR A ZONING ADMINISTRATOR AND REMOVE THE BUILDING INSPECTOR AS THE ADMINISTRATOR OF THE ZONING ORDINANCE: APPROVED

Mr. Roberson explained that the Engineering and Planning Departments are in the process of changing administrative procedures in regard to Zoning Ordinance interpretations. He stated Mr. Wade Pitt will begin zoning interpretations. Mr. Roberson noted that the Building Inspector will be responsible for the enforcement in the field, but the interpretations will be the responsibility of the Zoning Administrator in the Planning Department.

Mr. Sewell noted another administrative change. Permits will no longer be issued under the Building Inspector title, but anyone so designated from the Inspection Division will be responsible for issuing building permits.

It was pointed out these changes will not create another salaried position.

A motion was made by Mr. Mitchum, seconded by Mr. Hankins to amend Section 32-148 and 32-150 as recommended. The motion carried unanimously.

FINAL PLAT APPROVAL OF HARRY A. HARDEE PROPERTY: CONTINUED

REVIEW OF PARKING LOT DESIGN FOR CASABLANCA: WITHDRAWN

DISCUSSION PERTAINING TO CHANGING THE MEETING OF THE PLANNING AND ZONING COMMISSION FROM THE 4TH TO THE 3RD WEDNESDAY OF EACH MONTH: CONTINUED

Mr. Roberson noted when this item was placed on the agenda, it was overlooked that the County Planning Commission meets on the third Wednesday of each month. The reason for initiating a change is that the Board of Adjustments meets on the fourth Thursday of each month, which means there are two commission meetings back-to-back in the same week. Mr. Roberson also pointed out there is always a conflict around Thanksgiving and Christmas, and the meetings have to be rescheduled each year.

After further discussion, no decision was reached and the item was continued.



EXTRA OCCUPANCY RENTAL HOUSE REGULATIONS

Extra Occupancy Rental House conversions require compliance with Land Use Code and Building Code regulations adopted by the City of Fort Collins. An Extra Occupancy Rental House is a building or portion of which is used to accommodate, for compensation, four (4) or more tenants, boarders or roomers. It is not necessary for a family or owner to also occupy the house. The word compensation shall include compensation in money, services or other things of value.

The following information is offered as a guide and resource to explain the process required to convert a single-family dwelling or other building to an Extra Occupancy Rental House.

What zones allow Extra Occupancy Rental houses?

Extra Occupancy Rental Houses are allowed in the LMN, MMN, HMN, NCB, D, RDR, CC, CCN, CCR, C, CN, NC, CL, E, and I zoning districts.

How do I determine what zone my property is in?

Contact the Zoning office at 970-416-2745 or use the City's online zoning map. Instructions for using the online map are attached.

What type of review process is required?

Once you've determined that the property is in a zone that allows an Extra Occupancy Rental House, it is necessary to submit a development application for the conversion.

Extra Occupancy Rental Houses in the LMN zone for more than 4 tenants are subject to a Type 1, administrative public hearing. Extra Occupancy Rental Houses in the LMN zone for 4 or fewer tenants are subject to Basic Development Review (a non-public hearing process).

Extra Occupancy Rental Houses for more than 5 tenants in all of the other listed zones are subject to a Type 1, administrative public hearing. Extra Occupancy Rental Houses for 5 or fewer tenants in these zones are subject to Basic Development Review.

How do I apply for a Type 1 review?

The Type 1 review begins with a Conceptual Review meeting. Staff members from various City departments meet with the applicant and provide comments with regards to applicable development regulations. There is no fee for this meeting. A planner from the Current Planning Department is assigned as the project planner and assists the applicant with the submittal requirements necessary for the Type 1 public hearing. The applicant submits all of the required plans and documents to the Current Planning Department at 281 N. College Avenue, along with the completed development application form and fee. These plans are then routed to the departments and agencies that need to review the plans for compliance with the regulations. Once it has been determined that the plans and documents are in compliance, a public hearing will be scheduled. After the development plan has been approved, the applicant must then apply for a building permit and certificate of occupancy for the actual conversion. Contact the Current Planning Department at 970-221-6750 if you have additional questions about the Type 1 process or if you want to schedule a conceptual review meeting.

Extra Occupancy Rental House regulations
Page 2

How do I apply for a Basic Development Review (BDR)?

A conceptual review meeting is not required for a BDR. The process is initiated by submitting a completed development application form (see attached) for BDR to the Building Permit Office at 281 N. College Avenue. The fee for a BDR is \$200. The application must be accompanied by a plan that contains the site plan of the property showing the lot dimensions and parking area dimensions, and a floor plan of all floor levels of the building. The floor plan must indicate the use of each room and whether or not the room is finished. Additionally, the floor plan must show the room dimensions and window locations. (Note that additional plan details may be required at the time of building permit and certificate of occupancy application in order to ensure compliance with applicable building codes. See the attached Conversion Requirements handout). **Two copies of the site and floor plan on 24" x 36" paper are required to be submitted.** The BDR application must also be accompanied by a written statement that explains the current use of the building, the proposed use, the proposed number of occupants, the proposed number of parking spaces, and the amount of finished habitable floor space in the building. Once it has been determined that the plans are in compliance, the development application will be approved, and the applicant must then apply for a building permit and certificate of occupancy for the actual conversion. Contact the Zoning Office at 970-416-2745 if you have additional questions about the BDR process.

How do I apply for a building permit and certificate of occupancy?

After the development application has received Type 1 or BDR approval, it is necessary to apply for a building permit in order to ensure that the building complies with applicable building and rental housing codes (see attached Conversion Requirements handout). Contact the Neighborhood and Building Services Department at 970-221-6760 for submittal requirements. Once the permit has been issued and the subsequent remodel work (when required) has been completed, City staff will conduct an inspection of the premises and building for compliance with all approved plans and documents. Upon approval, the City will issue a certificate of occupancy for an Extra Occupancy Rental House.

What Land Use Code regulations apply to Extra Occupancy Rental Houses?

The Land Use Code establishes Extra Occupancy Rental House regulations for parking, square footage per occupant, and density.

Parking = .75 parking spaces per boarder, rounded up to the nearest whole parking space, plus 1 additional space if the house is owner occupied. Each parking space must have unobstructed access to a street or alley unless the lot has less than 65 feet of street frontage length and does not abut an alley, in which case one of the required parking spaces may be provided in a manner that does not provide direct access to the street. In all instances, no more than 40% of the area of the front yard can be used for parking.

Minimum building square footage = 350 square feet of habitable floor space per boarder plus an additional 400 square feet if owner occupied.

Density/number of Extra Occupancy Rental Houses = no more than 25% of parcels on a block face may be approved for Extra Occupancy Rental Houses in the LMN zone. No limit in the other zones.

Only detached single-family dwellings, zero lot line attached single-family dwellings (townhomes), and duplexes are eligible to be converted to Extra Occupancy Rental Houses. Apartments or condominiums that are in buildings containing three or more dwelling units are not eligible to be converted. Eligible dwellings must be located on a lot that is in a platted subdivision. If the lot is currently not a platted lot, then a subdivision plat must be processed and approved before an Extra Occupancy Rental House conversion application can be accepted.

In addition, the conversion may also be subject to other regulations, especially if the proposed Extra Occupancy Rental House is subject to a Type 1 Review.

Attachments:

Development application
Conversion requirements (building and rental housing codes)
Online zoning map instructions

Know the Occupancy Limit

Know the occupancy limit where you live. In Fort Collins, did you know that **no more than three unrelated individuals** may reside in a dwelling unit?



On January 1, 2007 the City's new housing occupancy-limit ordinance went into effect, and it is important to learn how students may be impacted by the enforcement of this code.

Regardless of whether you own or rent a property, both landlords and their tenants could be held responsible if found in violation of the ordinance.

How does the new ordinance differ from the one that's been on the books since the 1960's?

The major change is that the law is now a "civil infraction" rather than a criminal misdemeanor. This means that the "burden of proof" for establishing a violation is much less than in the case of a criminal offense.

The definition of occupant and family have been changed and the actual occupancy limit was added (it used to be within the definition of family). There is also a new requirement that all properties have an Occupancy Disclosure Statement signed at the time of lease or sale. A copy of the disclosure form can be found at <http://fcgov/building/pdf/disclosure-disclaimer.pdf>

Who can I contact if I have questions that are specific to my living arrangement?

Students who may be housed in an over-occupancy situation should seriously consider talking with Student Legal Services (if they are a full-time student) or see if Neighborhood Services' free mediation program might be a service to help you, your roommates, and your landlord come into compliance.

For inquiries about mediation, please call Neighborhood Services 224-6046 or go to www.fcgov.com/neighborhoodservices

For more information about Student Legal Services go to: www.sls.colostate.edu or call 491-1482.

Continued



Why does the occupancy code exist and how long has it been in the books?

Since the 1960s, the City of Fort Collins has had definitions and ordinances to limit occupancy of a family or no more than 3-unrelated individuals. The City created an occupancy limit to help ensure health and safety of residents and to help protect the quality and character of neighborhoods.

How will the occupancy ordinance be enforced and what will the process look like?

When someone calls the city to report a property they believe is over-occupied, staff will be interested in the following information: complainant's contact information, address of property in question, reasons for suspecting over-occupancy and any supporting evidence (tenants names, license plate numbers, etc.).

Once city staff completes an intake form based on the information provided by the complainant, they will begin an investigation and will contact owner/property manager and request a copy of the Disclosure form. Disclosure Forms have been required since December 2005 and there is a potential for up to \$1000 fine to the landlord for not having one upon request. The form acknowledges that all involved parties (sellers, leasers, tenants, buyers) have been informed about the occupancy limit in Fort Collins.

If the investigation produces "reasonable cause" to suspect over-occupancy the inspector will give notice to all tenants, the landlord, and the property manager that they may receive citations. They will have seven days to correct the over-occupancy and schedule an inspection to confirm compliance.

Correcting the situation within that time period on a first complaint will result in no citation or penalty being issued. However, if the situation is not corrected, the City can issue a citation to the owner, property manager/landlord and/or each tenant of the property and fines could be as high as \$1000 per day. After being cited, the parties will have 10 days to pay the fine or request a hearing.

If participants request a hearing they will be scheduled to appear before the court-appointed hearing officer. The inspector will also be at the hearing and any neighbor willing to participate as a witness can also attend. Hearings are binding and all statements made under oath with the consequence of criminal charges such as perjury or false information to authorities if false statements are made.

If an investigation results in reasonable cause to suspect a violation of the Rental Housing Standards, inspectors may also conduct a rental housing inspection throughout the entire property.

What if my landlord hasn't asked me to sign the disclosure form?

Ask them to provide the form for your signature. The disclosure form will protect both you and your landlord in the event of an over-occupancy investigation.

My landlord never had me sign a disclosure form and now the city is investigating an occupancy violation at my residence. Although I have four roommates, my landlord is asking that only three of us sign the agreement. What do we do, knowing that we are in violation?

If you are a CSU student, seek the services of Student Legal Services so that they can advise you what to do in this situation. Go to www.sls.colostate.edu or call 970-491-1482.

What if a house can easily accommodate more than three residents?

The property owner can get an "Extra Occupancy Rental House" (formerly known as Boarding House) designation if the house meets certain criteria. Not all neighborhoods are zoned to allow for Extra Occupancy Rental Homes.

For more information go to:
<http://www.fcgov.com/building>

Are there apartments that allow for four unrelated individuals to live together?

Yes! There are apartment complexes that were built and approved for four tenants. These complexes have a disclosure statement that reflects this occupancy limit. The following apartment complexes are approved for having a maximum of four roommates: The Lofts at Campus West, Ram's Crossing, Ram's Point, and Ram's Village.

What if I have guests on most weekends? Will I be in violation even though these guests don't technically live with me?

It depends on if those guests spend enough time at your place to be considered occupants. The occupancy limit applies to occupants - not guests. However, the code that goes into effect in 2007 classifies anyone who spends more than 30 nights in a dwelling unit in a calendar year as an occupant. Therefore, a frequent guest could actually be considered an occupant.

Still have questions?

Contact Melissa Emerson, Community Liaison (970) 491-6707 Email: memerson@fcgov.com

**Off-Campus Student Services
Main Level, Lory Student Center**



Neighborhood Services
281 N College Av
PO Box 580
Fort Collins, CO 80522-0580
970-224-6046

OCCUPANCY LIMITS DISCLOSURE STATEMENT FOR PROPERTY LEASE

The City of Fort Collins Code requires that any person selling or leasing a home, apartment or other dwelling unit must inform the buyer or renter about the maximum number of people who, by law, are allowed to occupy that home. All parties must sign where indicated below.

The maximum permissible occupancy of this dwelling unit is:

1. One (1) family (related by blood, marriage, adoption) and not more than one (1) additional person; or
2. Two (2) adults and their dependents, if any, and not more than one (1) additional person.
3. Up to four (4) unrelated persons in a dwelling unit located in an apartment complex containing units which were approved by the City to house four unrelated persons.

Actual signatures are required on this form. *It is required that this form be verified by electronic means OR notarized, attached to your lease, and a copy kept at the leased property or on-site management office. The shaded areas are for notary use. If the form is not notarized, the shaded areas should be left blank.

Property Address: _____

Tenant 1 Name: _____ Signature: _____ Date: _____

Subscribed to and affirmed before me on _____ (date) by _____
Notary Public: _____ State of: _____
County of| _____ My commission expires: _____

Tenant 2 Name: _____ Signature: _____ Date: _____

Subscribed to and affirmed before me on _____ (date) by _____
Notary Public: _____ State of: _____
County of| _____ My commission expires: _____

Tenant 3 Name: _____ Signature: _____ Date: _____

Subscribed to and affirmed before me on _____ (date) by _____
Notary Public: _____ State of: _____
County of| _____ My commission expires: _____

Property Owner Name: _____ Phone: _____

Address: _____

Property Manager Name: _____ Phone: _____

Address: _____

Owner/Manager Name: _____ Signature: _____ Date: _____ Phone: _____

Subscribed to and affirmed before me on _____ (date) by _____
Notary Public: _____ State of: _____
County of| _____ My commission expires: _____

If requested by the City, you are required to provide this fully executed disclosure statement to the City pursuant to City Code Section 5-265(b). Failure to properly execute and retain this statement is a civil infraction punishable by a fine of not more than \$1000, in addition to any costs, fees or surcharges assessed by a court or referee. Fines may be assessed to the owner, manager, and/or tenant(s).

APPENDIX C

Memo

To: Greenville City Council

From: Ann Maxwell, Chair, City of Greenville Neighborhood Advisory Board

CC: NAB membership; Thom Moton, Interim City Manager; Chris Padgett, Interim Assistant City Manager; Merrill Flood, Director, City of Greenville (CDD); Laura Searfoss, Neighborhood Liaison/Ombudsman (CDD)

Date: 7/24/2012

Re: Neighborhood Advisory Board's (NAB) response to the City of Greenville's three-unrelated standard

Since Fall 2011, representatives from individual neighborhoods expressed concerns about potential changes to the city's definition of family, which does not allow more than three unrelated persons to live together in any dwelling unit. The NAB—which aims to preserve and strengthen neighborhoods in the City of Greenville—and its membership began following this issue closely to keep residents throughout the city aware of possible changes and what those changes could entail.

At its March 2012 meeting, Chris Padgett, Interim Assistant City Manager, shared the City Council's 2012–13 strategic goals with the NAB, specifically its request for CDD staff to develop alternatives to permit more than three unrelated persons to live together in residential structures. At that time, Mr. Padgett said he planned to solicit input from a variety of stakeholder groups, including the NAB, as he developed his report to City Council. At the NAB's April 2012 meeting, Laura Searfoss, Neighborhood Liaison/Community Ombudsman, provided an overview of CDD's timeline and process, including three public meetings, to develop these alternatives and provided a brief presentation that summarized common planning terms and the three-unrelated standard to ensure well-informed participants prior to these public meetings.

NAB members attended the three public input meetings organized by CDD staff in June 2012—and encouraged their neighbors to attend or fill out an online questionnaire. Several members expressed concern over the public input meetings' format and questionnaire—namely that residents could only ask questions at the meetings (limiting constructive dialogue); that no concrete alternatives were shared for consideration; that staff did not communicate how the input from the questionnaires would be used and communicated back to attendees; and that the form's questions assume a change will occur.

Without concrete alternatives to consider, the NAB voted unanimously to support the three-unrelated rule as written at its June 2012 meeting. Additionally, as part of its 2012–

13 vision to create safer, more attractive neighborhoods with more cooperative relationships between neighbors and among neighborhoods, the NAB recognizes the need to broadly consider the quality-of-life considerations raised by residents throughout the input-gathering process. An occupancy standard alone cannot address these considerations—increased likelihood of trash, noise, crime that detract from neighborhood appearance and pride; maintenance of housing and yard conditions that suggest neighborhood decline; and ill will toward renters, landlords, and homeowners that threaten cooperative relationships and community involvement.

In addition to keeping the three-unrelated standard unchanged, the NAB recommends that the City of Greenville undertake a broader discussion on how the city approaches preserving and enhancing the integrity of its established neighborhoods—of which occupancy is only a small, yet significant, part. For this purpose, the NAB asks City Council to reconvene a Neighborhood Preservation and Housing Taskforce to analyze occupancy, along with innovative approaches to systematically address the potential negative effects of increased occupancy; endorse strategies to improve the long-term health of all neighborhoods; and identify financing mechanisms to achieve them. The NAB, with its diverse geographic and demographic representation and charge to preserve and strengthen neighborhoods in the City of Greenville, would like to assist city staff and Councilmembers by acting as the core group of this taskforce.

OPTION ONE
**REMOVE THE ZONING TEXT PROVISIONS RELATING TO
INCREASED OCCUPANCY IN THE UNRI AREA**

**“9-4-77. UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI)
OVERLAY DISTRICT.**

The purpose of the University Neighborhood Revitalization Initiative (UNRI) Overlay District is to allow ~~appropriate and limited increased occupancy by unrelated persons, with appropriate modifications of the standards of the underlying zoning district(s) which are designed to and safeguards that~~ provide for compatibility ~~with other~~ among university neighborhood properties; in order ~~to encourage investment in the university neighborhood and~~ to facilitate the sustainability, preservation, restoration, and revitalization of the university neighborhood.

* * * *

**Sec. 9-4-200.2 UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI)
OVERLAY DISTRICT STANDARDS.**

(A) Purpose and intent; definition; designated area.

(1) Purpose and intent. The purpose and intent of the University Neighborhood Revitalization Initiative (UNRI) Overlay District and requirements set forth under this section are:

- (a) to recognize that the university neighborhood is an established city neighborhood with a unique location between East Carolina University, the Tar River, and the Downtown Commercial District;
- (b) to recognize that the university neighborhood has traditionally provided off-campus housing opportunities to students of East Carolina University and that a significant percentage of the dwellings located within the university neighborhood are renter occupied;
- ~~(e) to recognize that some dwellings within the university neighborhood are of such size and character that they can reasonably accommodate an occupancy of greater than three unrelated persons;~~
- (c) to establish appropriate standards and safeguards that provide for compatibility ~~with other~~ among university neighborhood properties; and
- ~~(d) to promote the long-term revitalization of the housing stock within the university neighborhood by encouraging investments to be made to improve the condition and appearance of dwellings and properties;~~
- ~~(e) to allow appropriate and limited increased occupancy by unrelated persons in order to encourage investment in the university neighborhood and to further contribute to the mix of housing options available within the university neighborhood; and~~
- (d) to facilitate the sustainability, preservation, restoration, and revitalization of the university neighborhood in order to promote the safety and the general welfare of the community.

(2) Definition. A University Neighborhood Revitalization Initiative (UNRI) Overlay District is defined as an overlay zoning district adopted in conjunction with an underlying general purpose zoning district, as listed in sections 9-4-46 through 9-4-72, wherein the zoning rights, standards, restrictions and requirements as set forth for the underlying general purpose zoning district shall extend to the University Neighborhood Revitalization Initiative (UNRI) Overlay District zoned area in accordance with subsection (B) below.

- (3) Designated area. All University Neighborhood Revitalization Initiative (UNRI) Overlay District(s) shall be restricted to the land area located within the following boundary: bounded on the north by the Tar River, on the east by Elm Street, extended to the Tar River, on the south by E. 5th Street, and on the west by Reade Street, extended to the Tar River. No University Neighborhood Revitalization Initiative (UNRI) Overlay District shall be located outside of the designated area described by this subsection. A University Neighborhood Revitalization Initiative (UNRI) Overlay District shall be established within the designated area upon City Council adoption of a zoning ordinance which defines the boundary of the specific University Neighborhood Revitalization Initiative (UNRI) Overlay District located within the designated area boundary.

(B) Standards.

- (1) A petition for a University Neighborhood Revitalization Initiative (UNRI) Overlay District zoning map amendment may be initiated in accordance with section 9-4-331.
- (2) All University Neighborhood Revitalization Initiative (UNRI) Overlay Districts shall be delineated upon the official zoning map as both the underlying general purpose zoning district and the University Neighborhood Revitalization Initiative (UNRI) Overlay District. The general purpose zoning district title shall be followed by University Neighborhood Revitalization Initiative “-UNRI” in all areas zoned University Neighborhood Revitalization Initiative (UNRI) Overlay District.
- (3) The zoning rights, standards, restrictions and requirements of the underlying general purpose zoning district shall extend to the University Neighborhood Revitalization Initiative (UNRI) Overlay District, except as modified by ~~subsections (4) and (5) below~~. a provision of this chapter specifically made applicable to the University Neighborhood Revitalization Initiative (UNRI) Overlay District.
- (4) ~~Within any University Neighborhood Revitalization Initiative (UNRI) Overlay District, a group of four unrelated persons living together as a single housekeeping unit in a shared dwelling unit shall be permitted upon receipt of a Zoning Compliance Letter issued by the Director of Community Development or designee for the uses of a single-family dwelling, a two-family attached dwelling (duplex), and a multi-family development per Article I, when the use is allowed in the underlying general purpose zoning district as listed under Appendix A table of uses, and shall be subject to the additional standards as listed under subsection (5) below. All other standards, requirements and conditions of the underlying general purpose zoning district not modified by this subsection and subsection (5) below shall continue to apply.~~
- (5) ~~The following standards specified in this subsection are hereby adopted as additional minimum requirements within the University Neighborhood Revitalization Initiative (UNRI) Overlay District for the uses listed under subsection (4) above when a group of four unrelated persons live together as a single housekeeping unit in a shared dwelling unit.~~
 - ~~(a) The dwelling unit shall have four or more bedrooms.~~
 - ~~(b) The dwelling unit shall contain at least 1,500 square feet of heated floor area.~~
 - ~~(c) At least three off street parking spaces shall be provided on site for the dwelling unit. The three off street parking spaces shall be the standard required for the dwelling unit. The number required for any other dwelling unit on the same property~~

~~shall be calculated based upon the requirements set forth for the underlying general purpose zoning district.~~

~~(6) A Zoning Compliance Letter shall be issued by the Director of Community Development or designee to permit a group of four unrelated persons living together as a single housekeeping unit in a shared dwelling unit for a use of a single family dwelling, a two-family attached dwelling (duplex) and a multi-family development per Article I, as listed under Appendix A table of uses, upon a determination that the standards specified in subsection (5) above and in the underlying general purpose zoning district, as modified by subsections (4) and (5) above, are met. A Zoning Compliance Letter shall be obtained for a dwelling unit by the dwelling unit owner or designee prior to the occupancy of the dwelling unit by a group of four unrelated persons living together as a single housekeeping unit.~~

~~* * * *~~

~~Section 9-4-103(w) *Four unrelated persons in a shared dwelling unit in the UNRI Overlay District*~~

~~Whenever a Zoning Compliance Letter has been issued to permit four unrelated persons to live together as a single housekeeping unit in a shared dwelling unit in the University Neighborhood Revitalization Initiative (UNRI) Overlay District, all lease agreements, if any, for the dwelling unit shall include a crime free lease addendum, in a form approved by the city attorney, for each lease term during which four unrelated persons are residing in the dwelling unit. For each lease term specified in a lease agreement, if any, during which four unrelated persons are residing in the dwelling unit, the owner of the dwelling unit shall provide a copy of all crime free lease addendums for the dwelling unit to the Director of Community Development or designee no later than ten (10) days after the beginning of each lease term. For the purpose of this subsection, a crime free lease addendum means a document signed by the residents who are leasing the dwelling unit and the dwelling unit owner or designee which provides that the residents and the residents' occupants, guests and invitees are prohibited from engaging in any criminal or illegal activity and that violation of said prohibition shall be considered as cause for termination of the lease under North Carolina General Statute Chapter 42, Article 7.~~

~~* * * *~~

SEC. 9-4-255. PARKING STANDARDS SPECIFIC TO THE UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI) OVERLAY DISTRICT.

Within a University Neighborhood Revitalization Initiative Overlay District, in addition to the other requirements of this article, the following provisions shall be applicable:

(A) Single family dwellings and two family attached dwelling units shall be limited to the parking and/or storage of four vehicles, boats, trailers, campers and the like total per dwelling unit on the subject lot. This requirement is not intended to limit the occasional parking of guests.

(B) Screening of the rear yard shall be required when more than one vehicle, boat, trailer, camper and the like total are parked and/or stored in the rear yard and are visible from adjoining properties on the side and rear of the subject lot.

(C) Screening requirements can be satisfied by either a fence at least six (6) feet in height that creates a complete visual barrier from adjoining properties or with evergreen vegetative materials that are three (3) feet in height at the time of planting and will reach a height of six (6) feet and create a complete visual barrier from adjoining properties within two (2) years of planting. Vegetation materials listed in section 9-4-267(C)(3),(5) and (7) shall be utilized to satisfy screening requirements of this section. The property owner shall be responsible for maintaining all vegetation required by this section in a healthy condition. Any dead, unhealthy or missing vegetation shall be replaced. Replacement shall occur at the earliest suitable planting season.

(D) Rear yard parking and/or storage areas shall be constructed of an all-weather material such as asphalt, concrete, brick, CABC or other materials approved by the City engineer and rear yard parking and/or storage areas shall be connected to the front and/or side yard parking and/or storage areas by a driveway constructed of an all-weather material such as asphalt, concrete, brick, CABC or other materials approved by the City engineer.

(E) Rear yard parking and/or storage areas shall be contained and delineated by a barrier at least six (6) inches in height.

(F) Notwithstanding the provisions related to nonconforming situations contained in Article C of this chapter, the requirements contained herein shall be applicable to all existing and future required or proposed parking areas.

(G) The exemption provided in Section 9-4-243 (B) shall not apply to the University Neighborhood Revitalization Initiative Overlay District.

(H) The exemption provided in Section 9-4-248 (B) shall not apply to rear yard parking areas in the University Neighborhood Revitalization Initiative Overlay District.

* * * *

OPTION TWO

**REPEAL THE ZONING TEXT RELATING TO UNRI ND AMEND THE ZONING
MAP TO DELETE THE UNRI OVERLAY DISTRICT**

That the Code of Ordinances, City of Greenville, is hereby amended by repealing section 9-4-77 and deleting said section in the entirety.

That the Code of Ordinances, City of Greenville is hereby amended by repealing section 9-4-200.2 and deleting said section in its entirety.

That section 9-4-103 of the Code of Ordinances, City of Greenville, is hereby amended by repealing subsection (w) of said section 9-4-103 and deleting said subsection in its entirety.

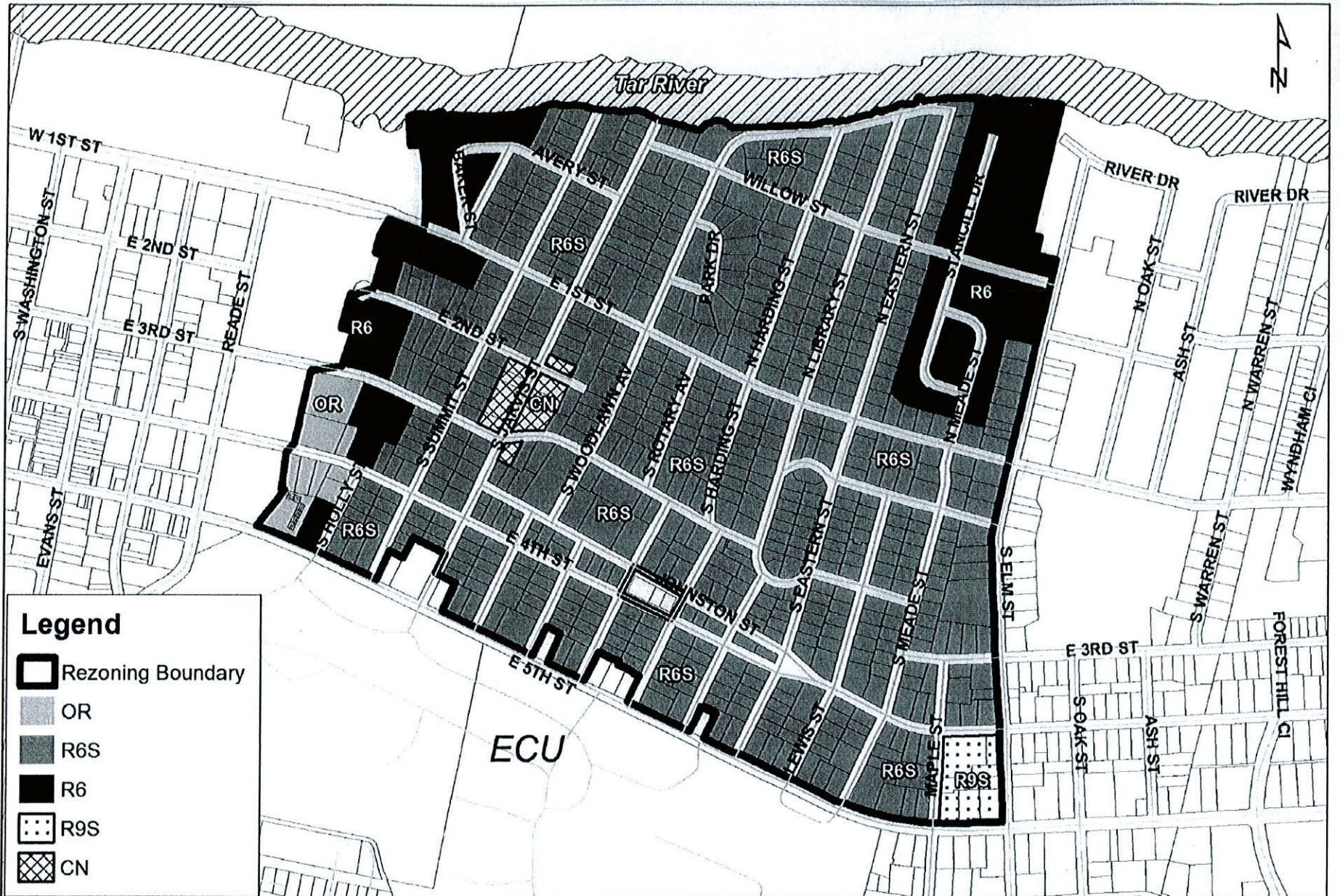
That the Code of Ordinances, City of Greenville, is hereby amended by repealing section 9-4-255 and deleting said section in its entirety.

That the following described territory is zoned to the existing underlying general purpose zoning districts and the University Neighborhood Revitalization Initiative (UNRI) Overlay District is deleted so that, within the following described territory, the territory is zoned CN (Neighborhood Commercial), OR (Office-Residential), R-6 (Residential), R-6S (Residential-Single-Family), and R-9S (Residential-Single-Family).

Deletion of University Neighborhood Revitalization Initiative (UNRI) Overlay District

March 4, 2014

From: OR-UNRI, R6S-UNRI, R6-UNRI, R9S-UNRI & CN-UNRI To: OR, R6S, R6, R9S & CN





City of Greenville, North Carolina

Meeting Date: 4/10/2014
Time: 7:00 PM

Title of Item: Ordinances initiated by the City Council of the City of Greenville to amend the Zoning Ordinance by removing the text provisions related to the University Neighborhood Revitalization Initiative (UNRI) Overlay District and to amend the Zoning Map to delete the University Neighborhood Revitalization Initiative (UNRI) Overlay

Explanation: **Abstract:** At their February 13, 2014, meeting, City Council voted to initiate the removal of text provisions related to the University Neighborhood Revitalization Initiative (UNRI) Overlay District and to amend the Zoning Map to delete the University Neighborhood Revitalization Initiative (UNRI) Overlay.

Explanation: The proposed text amendment would delete the UNRI Overlay District as being a zoning district and would remove all provisions in the Zoning Ordinance relating to the UNRI Overlay District including the removal of the provisions which permit up to four unrelated individuals to reside together in one housekeeping unit and rear yard parking standards specific to the UNRI Overlay District. Additionally, the controlled on-street parking provisions, which are not part of the Zoning Ordinance, remain effective since they are not dependent upon the existence of the zoning district.

The proposed map amendment would delete the UNRI Overlay District, and the area would revert back to its base zoning districts as described in Section IV of the combined staff report.

Staff has received a protest petition associated with the proposed map amendment. The deadline for submitting protest petitions for this item is Monday, April 7, 2014, at 5:00 p.m. After that time, staff will verify whether the petitions received are valid and whether they meet the statutory threshold which requires a super majority vote of City Council.

Fiscal Note: There is no anticipated fiscal cost.

Recommendation:

In staff's opinion, the proposed Zoning Ordinance Text and Zoning Map Amendments are in general compliance with Horizons: Greenville's Community Plan and other applicable adopted plans (see further details included in the attached Combined Staff Report).

The Planning and Zoning Commission voted 5-4 to approve the request at its March 18, 2014, meeting.

If the City Council determines to recommend approval of the text amendment, in order to comply with statutory requirements, it is recommended that the motion be as follows:

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

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

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

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

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

"Motion to deny the request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and 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

 [Ordinance to repeal UNRI entirely 974381](#)

[Ordinance from UNRI to underlying zoning_974378](#)

[Minutes for Option 2_976337](#)

[Final Draft of UNRI text and map amendments_975401](#)

ORDINANCE NO. - ____
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 April 10, 2014, at 7:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code;

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Objective H5 to improve and revitalize existing neighborhoods, Objective H16: to encourage home ownership, Objective M4 to preserve and protect existing and future residential neighborhoods, Objective CF5 to ensure safe livable neighborhoods, Objective EQ13 to encourage litter control and community-wide clean-up and Objective UF6 to preserve neighborhood livability and that the adoption of this ordinance is consistent with the provisions of the Tar River/University Area Neighborhood Report and Plan and its goal to create, maintain, and enhance a sustainable neighborhood; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will promote the safety and the general welfare of the community and facilitate the sustainability, preservation, restoration, and revitalization of the university neighborhood.

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

Section 1: That the Code of Ordinances, City of Greenville, is hereby amended by repealing section 9-4-77 and deleting said section in the entirety.

Section 2: That the Code of Ordinances, City of Greenville is hereby amended by repealing section 9-4-200.2 and deleting said section in its entirety.

Section 3: That section 9-4-103 of the Code of Ordinances, City of Greenville, is hereby amended by repealing subsection (w) of said section 9-4-103 and deleting said subsection in its entirety.

Section 4: That the Code of Ordinances, City of Greenville, is hereby amended by repealing section 9-4-255 and deleting said section in its entirety.

Section 5: That any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

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

This the 10th day of April,

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

ORDINANCE NO. 14-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
ZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION OF
THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 10th day of April, 2014, at 7:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Objective H5 to improve and revitalize existing neighborhoods, Objective H16: to encourage home ownership, Objective M4 to preserve and protect existing and future residential neighborhoods, Objective CF5 to ensure safe livable neighborhoods, Objective EQ13 to encourage litter control and community-wide clean-up and Objective UF6 to preserve neighborhood livability and that the adoption of this ordinance is consistent with the provisions of the Tar River/University Area Neighborhood Report and Plan and its goal to create, maintain, and enhance a sustainable neighborhood; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will promote the safety and the general welfare of the community and facilitate the sustainability, preservation, restoration, and revitalization of the university neighborhood.

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

Section 1. That the following described territory is zoned to the existing underlying general purpose zoning districts and the University Neighborhood Revitalization Initiative (UNRI) Overlay District is deleted so that, within the following described territory, the territory is zoned CN (Neighborhood Commercial), OR (Office-Residential), R-6 (Residential), R-6S (Residential-Single-Family), and R-9S (Residential-Single-Family).

TO WIT: Former University Neighborhood Revitalization Initiative Overlay District

LOCATION: Being a portion of the area bounded on the north by the Tar River, on the east by Elm Street, extended to the Tar River, on the south by E. 5th Street, and on the west by Reade Street, extended to the Tar River.

DESCRIPTION:

Beginning at a known point, said point being the intersection of the eastern right-of-way of Summit Street and the northern right-of-way of East 5th Street, thence running along the northern right-of-way of East 5th Street in a westerly direction for 610± feet; thence cornering and running along a portion of the eastern property line of the property identified as Pitt County parcel number 29291 in a northeasterly direction for 213+/- feet; thence cornering and running along a portion of the southern property line of the property identified as Pitt County parcel number 25976 in a westerly direction for 25± feet; thence cornering and running along a portion of the eastern property line of the property identified as Pitt County parcel number 29291 in a northerly direction for 170± feet; thence cornering and running across the right-of-way of East 4th Street in a northeasterly direction for 50+/- feet; thence cornering and running along the eastern property line of the property identified as Pitt County parcel number 29290 in a northerly direction for 340+/- feet; thence running to the centerline of East 4th Street in a northerly direction for 25+/- feet; thence cornering and running along the center line of East 3rd Street in an easterly direction for 130+/- feet; thence cornering and running across the right-of-way of East 3rd Street in a northerly direction for 25+/- feet; thence running along the western property line of the property identified as Pitt County parcel number 16488 in a northerly direction for 172+/- feet; thence cornering and running along a portion of the southern property line of the property identified as Pitt County parcel number 26144 in a westerly direction for 65+/- feet; thence cornering and running along the western property line of the property identified as Pitt County parcel number 26145 in a northerly direction for 165+/- feet; thence cornering and running along a portion of

the northern property line of the property identified as Pitt County parcel number 26145 in an easterly direction for 20+/- feet; thence cornering and running along the right-of-way of East 2nd Street in a northwesterly direction for 42+/- feet; thence cornering and running along the centerline of East 2nd Street in an easterly direction for 92+/- feet; thence cornering and running along the western property line of the property identified as Pitt County parcel number 04585 in a northerly direction for 185+/-; thence cornering and running along a portion of the southern property line of the property identified as Pitt County parcel number 21948 in a westerly direction for 40± feet; thence cornering and running along a portion of the eastern property line of the property identified as Pitt County parcel number 29282 in a northeasterly direction for 180+/- feet; thence cornering and running along the southern right-of-way of East 1st Street in an easterly direction for 175+/- feet; thence cornering and running across the right-of-way of East 1st Street in a northerly direction for 50+/- feet; thence running along the western property lines of the properties identified as Pitt County parcel numbers 21931, 23554, 34840, 20029, 17904 in a northerly direction for 345+/- feet; thence cornering and running along the southern property line of the property identified as Pitt County parcel number 35222 in a westerly direction for 55+/- feet; thence cornering and running along the western property line of the property identified as Pitt County parcel number 35222 in a northerly direction for 135+/- feet; thence cornering and running along the Tar River as it meanders along the high water mark of the following properties identified as Pitt County parcel numbers 35222, 35223, 18897, 18898, 21870, 18547, 07118, 07845, 18550, 15885, 15884, 24521, 22690, 18548, 29001, 32772, 63165 in an easterly direction for 3,164+/- feet; thence cornering and running along the eastern property lines of the properties identified as Pitt County parcel numbers 63165 and 21000 in a southerly direction for 620+/- feet; thence cornering and running along a portion of the northern property line of the property identified as Pitt County parcel number 22131 in an easterly direction for 45+/- feet; thence cornering and running along the a portion of the eastern property line of the property identified as Pitt County parcel number 22131 in a southerly direction for 85+/- feet; thence cornering and running along a portion of the northern property line of the property identified as Pitt County parcel number 22131 in an easterly direction for 100+/- feet; thence cornering and running along the western rights-of-way of North and South Elm Streets in a southerly direction for 2,625+/- feet; thence cornering and running along the northern right-of-way of East 5th Street in a westerly direction for 1,462+/- feet; thence cornering and running along the eastern property line of the property identified as Pitt County parcel number 50812 in a northerly direction for 128+/- feet; thence cornering and running along the northern property line of the property identified as Pitt County parcel number 50812 in a westerly direction for 72+/- feet; thence cornering and running along the eastern right-of-way of South Library Street in a southerly direction for 128+/- feet; thence cornering and running along the northern right-of-way of East 5th Street in a westerly direction for 318+/- feet; thence cornering and running along the western right-of-way of South Harding Street in a northerly direction for 130+/- feet; thence cornering and running along the southern property line of the property identified as Pitt County parcel number 04563 in a westerly direction for 114+/- feet; thence cornering and running along a portion of the western property line of the property identified as Pitt County parcel number 04563 in a northerly direction for 15+/- feet; thence cornering and running along the southern property line of the property identified as Pitt County parcel number 21596 in a westerly direction for 105+/- feet; thence cornering and running along the eastern right-of-way of South Rotary Street in a southerly direction for 150+/- feet; thence cornering and running along the northern right-of-way of East 5th Street in a westerly direction for 195+/- feet; thence cornering

and running along the western property line of the property identified as Pitt County parcel number 14352 in a northerly direction for 145+/- feet; thence cornering and running along the northern property line of the property identified as Pitt County parcel number 04274 in a westerly direction for 75+/- feet; thence cornering and running along the eastern right-of-way of Biltmore Street in a southerly direction for 145+/- feet; thence cornering and running along the northern right-of-way of East 5th Street in a westerly direction for 468+/- feet; thence cornering and running along the eastern property line of the property identified as Pitt County parcel number 10242 in a northerly direction for 145+/- feet; thence cornering and running along a portion of the southern property line of the property identified at Pitt County parcel number 00557 in a westerly direction for 70+/- feet; thence crossing South Jarvis Street in a westerly direction for 50+/- feet; thence cornering and running along the western right-of-way of South Jarvis Street in a northerly direction for 100+/- feet; thence cornering and running along the northern property line of the property identified as Pitt County parcel number 28887 in a westerly direction for 145+/- feet; thence cornering and running along a portion of the western property line of the property identified as Pitt County parcel number 28887 in a southerly direction for 100+/- feet; thence cornering and running along the northern property line of the property identified as Pitt County parcel number 26037 in a westerly direction for 72+/- feet; thence cornering and running along the eastern right-of-way of South Summit Street in a southerly direction for 145+/- feet and returning to the point of beginning and containing 198.1 +/- acres.

Excepting the properties identified as Pitt County parcel numbers 00040, 00039, and 17812 being bounded by South Harding Street, Johnston Street, South Rotary Street and East 4th Street.

Section 2. That this ordinance does not amend or repeal the Historic District (HD) Overlay District.

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

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

ADOPTED this 10th day of April, 2014.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Excerpt from the DRAFT Planning & Zoning Minutes (03/18/2014)

ORDINANCES INITIATED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE TO AMEND THE ZONING ORDINANCE BY REMOVING THE TEXT PROVISION RELATED TO THE UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI) OVERLAY DISTRICT AND TO AMEND THE ZONING MAP TO DELETE THE UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI) OVERLAY (Option 2) - APPROVED

Chairwoman Basnight opened the public hearing for Option 2.

Mr. Chris Mansfield, resident of 408 South Harding Street, spoke in favor. He stated the Overlay is not in compliance nor achieves the goals of existing plans. The current standards only benefits a small number of rental owners. The Overlay is not fair and was done in the wrong way. Overlay districts may be used to achieve goals that cannot be achieved by existing zoning. Overlays are special, but should not be imposed. Legacy is important, what will we leave our children. What would be best long term and what legacy will this area leave for the future? The “golden rule” do unto our neighborhood as you would have done unto yours.

Mr. Andrew Morehead, resident of 409 South Harding Street, spoke in favor. He stated that overlays are used to incentivize behaviors in specific areas. When the percentage of rental property becomes too high, you start to see neighborhood decline. Crime peaked around 2007/2008. The Police are doing everything they can and crime is currently at a steady pace. This is a fairness issue and would be different if the whole City was under the 4-unrelated rule.

Ms. Artemis Kares, resident, spoke in favor. She questioned the boundaries of the UNRI and if it was to include properties near the University then why didn't it include the other side. She stated that creating the special district with special rules increases the chances of doing something that discriminates. She believes having 4-unrelated in this area does that. She stated that she does not want to be in a special district or have special rules. Since the 4-unrelated is not city-wide, it discriminates and should be eliminated.

Mr. Edgar Wall spoke in opposition. He stated that overlays can have an effective utilization in areas that are already impacted. The area adjacent to the University is impacted by the University. There are geographic reasons for why this area was set up the way it was. The City has created the environment to have the desire for 4-unrelated people living in this area. The City gave a 4-bedroom exclusion to big box apartment complexes. Now it's an environment that the students are comfortable with and want to live 4 to a unit. Apartment complexes are becoming slums and students want out of there. This issue will come back.

Mr. Chris Mansfield, spoke in rebuttal, in favor of the request. He stated that this could be thrown out and start all over and do it right. They should address together the items in the Comprehensive and TRUNA 2009 plans. Affordable housing and a diversity of housing are missing.

Mr. Edgar Wall, spoke in rebuttal, in opposition of the request. He stated that he is not a member of any association but just a previous resident of the area and an investor. The reason why there are rental properties is because of the 27,000 students who want to be close to ECU. There is no change in utilization of the area. Not everyone reinvests in the properties that is what Code Enforcement is for. He stated this was about economic viability, which is to use the property in a matter that it is viable. If not, then there would be less utilization and less ability to maintain. The more people can be in that area without doing any infrastructure or creating any more issues.

Chairwoman Basnight closed the public hearing on Option 2 and opened for board discussion.

Ms. Bellis stated she was confused about the vote and asked if voting yes would eliminate everything in the Overlay.

Attorney Holec stated that what is before the Commission is a zoning ordinance text and map amendments. It would amend the map to eliminate the Overlay district and remove the provisions for increased occupancy and the rear yard parking requirements. Code Enforcement and on-street parking regulations are not impacted.

Ms. Bellis asked if the 2 votes for Options 1 & 2 could be in conflict.

Attorney Holec stated that Council has initiated 2 amendments and have asked for your recommendation and opinion on both. If the Commission, after the vote, wanted to make a statement or comment to the Council that they prefer one over the other, they could. Each item must be looked at independently.

Chairman Basnight asked if both recommendations go to Council.

Attorney Holec stated yes and then after their hearing on these items, Council will choose what they feel is appropriate.

Mr. Parker stated that the Option 2 vote is either to keep or remove the Overlay.

Attorney Holec stated yes.

Chairman Basnight asked if there was a problem with rear yard parking before the Overlay.

Mr. Flood stated the rear yard parking standards were initiated by the UNRI committee and were later adopted by Council.

Mr. Parker asked if the rear yard parking standards could become a city-wide ordinance.

Mr. Flood stated yes.

Mr. Parker stated that rear yard parking should be addressed city-wide.

Mr. Weitz stated that approval of the request would also eliminate the rear yard parking requirements. The Commission could make a motion to Council to initiate a zoning amendment that would re-adopt rear yard parking standards to be city-wide.

976337

Chairman Basnight asked if the ordinance regarding parking on unimproved surfaces was city-wide.

Ms. Gooby stated yes. The decal parking is not impacted by either option. The rear yard parking standards are only for the UNRI, and by removing the Overlay (Option2) there would be no limit to parking on improved surfaces in the rear yard.

Motion made by Mr. Weitz, seconded by Ms. Rich, to recommend approval of the proposed amendment to advise that it is consistent with the Comprehensive Plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. Those in favor: Mr. Parker, Mr. Weitz, Mr. King, Ms. Rich, Ms. Basnight. Those in opposition: Mr. Smith, Mr. Griffin, Mr. Schrade, Ms. Bellis. Chairman Basnight broke the tie. Motion passed.

Mr. Weitz stated that if Council accepts Option 2 it would completely eliminate the Overlay. He stated that he would like the Commission to recommend to Council city-wide rear yard parking regulations.

Mr. Smith stated that they need just to start over.

Mr. Griffin stated we can't have it all. He stated that it was approved as a Commission to eliminate the Overlay and that now anything should come from Council versus them.

Mr. Weitz stated he wanted to go on record that he feels the rear yard parking regulations were appropriate and would like to see Council re-vamp the rear yard parking regulations city-wide.

Mr. Parker agreed with Mr. Weitz and stated that he wanted to go on record as well that the city-wide rear yard parking regulation should be addressed immediately.

Combined Staff Report:

Option One: Remove the zoning text provisions relating to increased occupancy in the UNRI Overlay District

Option Two: Repeal the zoning text relating to UNRI Overlay District and amend the zoning map to delete the UNRI Overlay District

Contents:

- Section I. Background – Page 1
- Section II. Overview of the Text and Map Amendments – Page 3
- Section III. Location of UNRI Overlay District – Page 5
- Section IV. Current Zoning – Page 6
- Section V. Character of the UNRI Overlay District – Page 7
- Section VI. Compliance with the Comprehensive Plan and Other Applicable Adopted Plans – Page 16

- Appendix A: Proposed Text Amendment Ordinance for Option One
- Appendix B: Proposed Text Amendment Ordinance for Option Two
- Appendix C: Proposed Map Amendment Ordinance for Option Two
- Appendix D: Current Standards for Increased Occupancy in the UNRI Overlay District
- Appendix E: Final Report of University Neighborhood Revitalization Initiative (UNRI) Committee
- Appendix F: Report on Alternatives for Modifying the “No More Than Three Unrelated” Occupancy Standard
- Appendix G: Changes for Option One (shown in red) and for Option Two

**Staff Report Developed by the City of Greenville
Community Development Department - Planning Division
March 11, 2014**

Section I: Background

On March 8, 2012, City Council adopted strategic goals for the 2012 and 2013 calendar years. One of the strategic goals adopted by City Council is titled “Neighborhood Preservation” and one of the 13 action items associated with this goal is as follows:

Prepare a report on the “no more than 3-unrelated” residential occupancy standards and present to City Council code amendment alternatives to permit more than three-unrelated persons occupancy in residential structures.

City staff presented a report, Appendix F: Report on Alternatives for Modifying the “No More Three Unrelated” Occupancy Standard, to City Council at their August 9, 2012 meeting. Upon receiving the report and accepting public comments, City Council voted to initiate the University Neighborhood Revitalization Initiative (UNRI).

On October 11, 2012, City Council adopted ordinances which established the UNRI overlay district and amended the zoning map to add the UNRI overlay district.

On June 13, 2013, City Council adopted an ordinance which expanded the controlled on-street parking area to the entire UNRI district.

On September 12, 2013, City Council adopted an ordinance which established rear yard parking standards within the UNRI district.

On February 13, 2014, City Council voted to initiate 2 zoning text amendments and 1 zoning map amendment. The approved motions, as provided by City Clerk Barwick, from that meeting are as follows:

Council Member Blackburn made a motion, seconded by Council Member Smiley, to initiate a zoning text amendment which restores occupancy to three unrelated persons by deleting language that permits four unrelated persons to occupy a dwelling. Motion passed by a vote of 4 to 2 with Council Members Smith and Glover casting the dissenting votes.

Council Member Smith moved to initiate a zoning text and map amendment, seconded by Council Member Glover, which rescinds both the zoning text and the zoning map amendment which created the University Neighborhood Revitalization Initiative Overlay District. Motion passed by a vote of 4 to 2 with Council Members Smiley and Croskery casting the dissenting votes.

At this same meeting, City Council adopted the Final Report of the University Neighborhood Revitalization Initiative (UNRI) Committee.

For the purpose of this report, the amendments will be referred to as:

Option One: Remove the zoning text provisions relating to increased occupancy in the UNRI Overlay District

Option Two: Repeal the zoning text relating to UNRI Overlay District and amend the zoning map to delete the UNRI Overlay District

Section II: Overview of the Text and Map Amendments

Option One: Remove the zoning text provisions relating to increased occupancy in the UNRI Overlay District

The proposed text amendment would remove the provisions which permit up to four unrelated individuals to reside together in one housekeeping unit including provisions which establish standards and requirements which are applicable when four unrelated persons are permitted. If approved, the city-wide standard of no more than three-unrelated would apply to the area. The proposed text amendment does not amend the provisions related to the UNRI Overlay District which do not relate to increased occupancy. Therefore, the UNRI Overlay District would remain as a zoning district and the parking standards specific to the UNRI Overlay District would remain. Additionally, the controlled on-street parking provisions, which are not part of the Zoning Ordinance, would remain since they are not dependent on the existence of a zoning district.

Option Two: Repeal the zoning text relating to UNRI Overlay District and amend the zoning map to delete the UNRI Overlay District.

The proposed text amendment would delete the UNRI Overlay District as being a zoning district and would remove all provisions in the Zoning Ordinance relating to the UNRI Overlay District including the removal of the provisions which permit up to four unrelated individuals to reside together in one housekeeping unit and rear yard parking standards specific to the UNRI Overlay District. Additionally, the controlled on-street parking provisions, which are not part of the Zoning Ordinance, remain effective since they are not dependent upon the existence of the zoning district.

The proposed map amendment would delete the UNRI Overlay District and the area would revert back to its base zoning districts as described in Section IV.

The specific rear yard parking standards proposed to be repealed are as stated in Section 9-4-255 of the Zoning Ordinance as follows:

Sec. 9-4-255. Parking Standards Specific to the University Neighborhood Revitalization Initiative (UNRI) Overlay District.

Within a University Neighborhood Revitalization Initiative Overlay District, in addition to the other requirements of this article, the following provisions shall be applicable:

(A) Single family dwellings and two family attached dwelling units shall be limited to the parking and/or storage of four vehicles, boats, trailers, campers and the like total per dwelling unit on the subject lot. This requirement is not intended to limit the occasional parking of guests.

(B) Screening of the rear yard shall be required when more than one vehicle, boat, trailer, camper and the like total are parked and/or stored in the rear yard and are visible from adjoining properties on the side and rear of the subject lot.

(C) Screening requirements can be satisfied by either a fence at least six (6) feet in height that creates a complete visual barrier from adjoining properties or with evergreen vegetative materials that are three (3) feet in height at the time of planting and will reach a height of six (6) feet and create a complete visual barrier from adjoining properties within two (2) years of planting. Vegetation materials listed in section 9-4-267(C)(3),(5) and (7) shall be utilized to satisfy screening requirements of this section. The property owner shall be responsible for maintaining all vegetation required by this section in a healthy condition. Any dead, unhealthy or missing vegetation shall be replaced. Replacement shall occur at the earliest suitable planting season.

(D) Rear yard parking and/or storage areas shall be constructed of an all-weather material such as asphalt, concrete, brick, CABC or other materials approved by the City engineer and rear yard parking and/or storage areas shall be connected to the front and/or side yard parking and/or storage areas by a driveway constructed of an all-weather material such as asphalt, concrete, brick, CABC or other materials approved by the City engineer.

(E) Rear yard parking and/or storage areas shall be contained and delineated by a barrier at least six (6) inches in height.

(F) Notwithstanding the provisions related to nonconforming situations contained in Article C of this chapter, the requirements contained herein shall be applicable to all existing and future required or proposed parking areas.

(G) The exemption provided in Section 9-4-243 (B) shall not apply to the University Neighborhood Revitalization Initiative Overlay District.

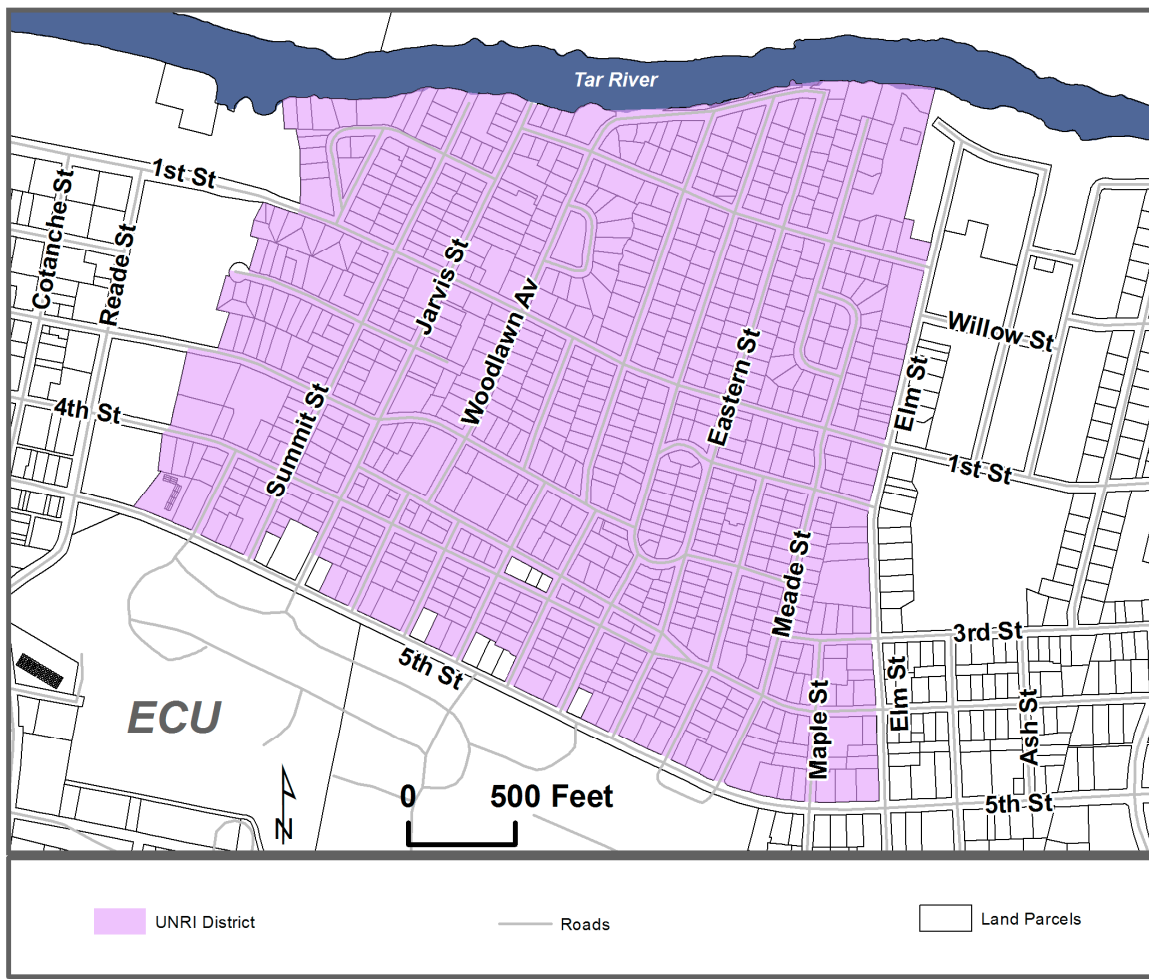
(H) The exemption provided in Section 9-4-248 (B) shall not apply to rear yard parking areas in the University Neighborhood Revitalization Initiative Overlay District.

Note: *The zoning ordinance text and map amendments generally described in Section II are subject to Planning and Zoning Commission consideration.*

Section III: Location of UNRI Overlay District

The location of the UNRI Overlay District is a portion of the area bounded on the north by the Tar River, on the east by Elm Street, extended to the Tar River, on the south by East 5th Street, and on the west by Reade Street, extended to the Tar River. The more specific location is as depicted below on Map 1.

Map 1: University Neighborhood Revitalization Initiative (UNRI) Overlay District

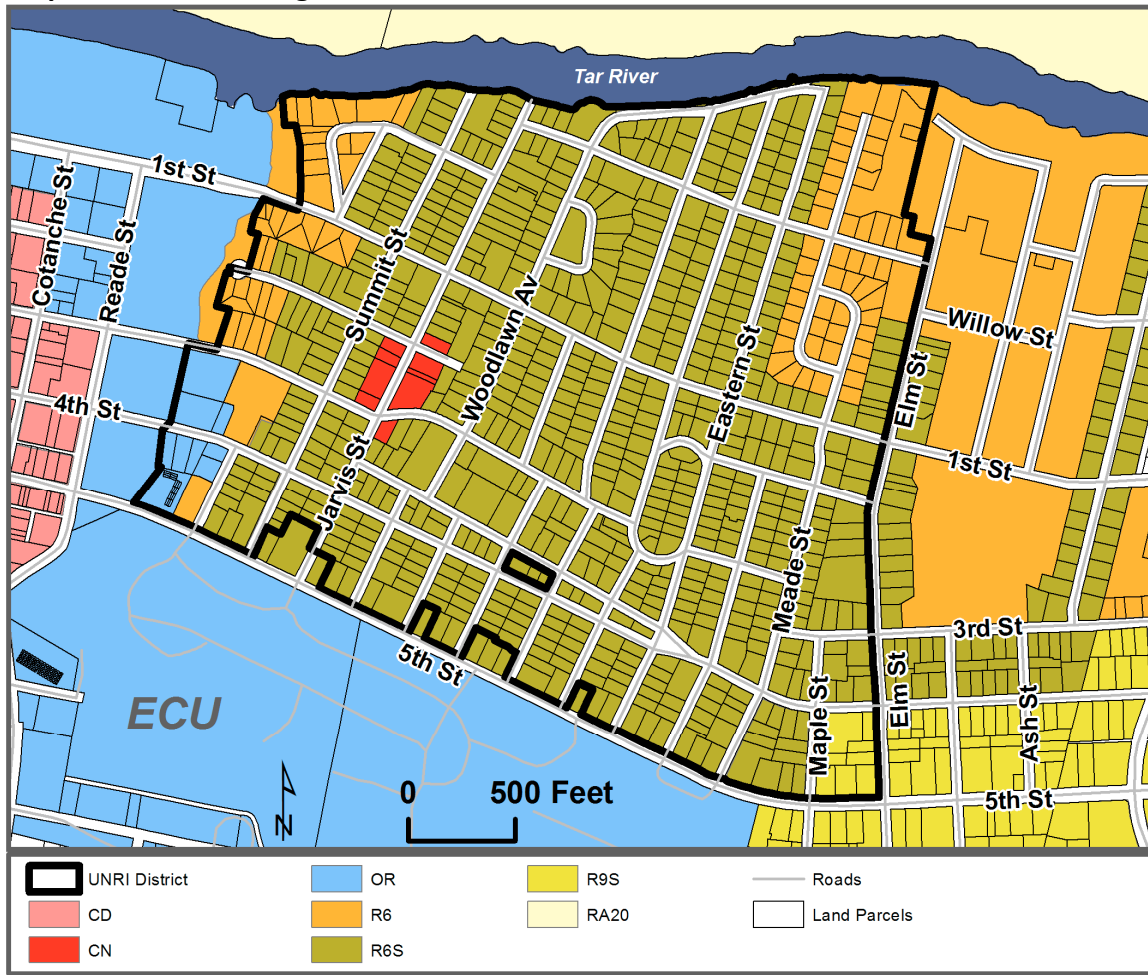


Section IV: Current Zoning

The area of the overlay district currently includes five base zoning districts. Map 2 and the table below provide additional information regarding the current zoning within the UNRI overlay district area.

Current Zoning Classification	% of Total Area	Acres
CN (Neighborhood Commercial)	1.36%	2.05
OR (Office- Residential)	2.62%	3.95
R-6 (Residential)	15.49%	23.38
R-9S (Residential – Single Family)	1.71%	2.58
R-6S (Residential – Single Family)	78.83%	119.00
TOTALS	100%	150.96

Map 2: Current Zoning

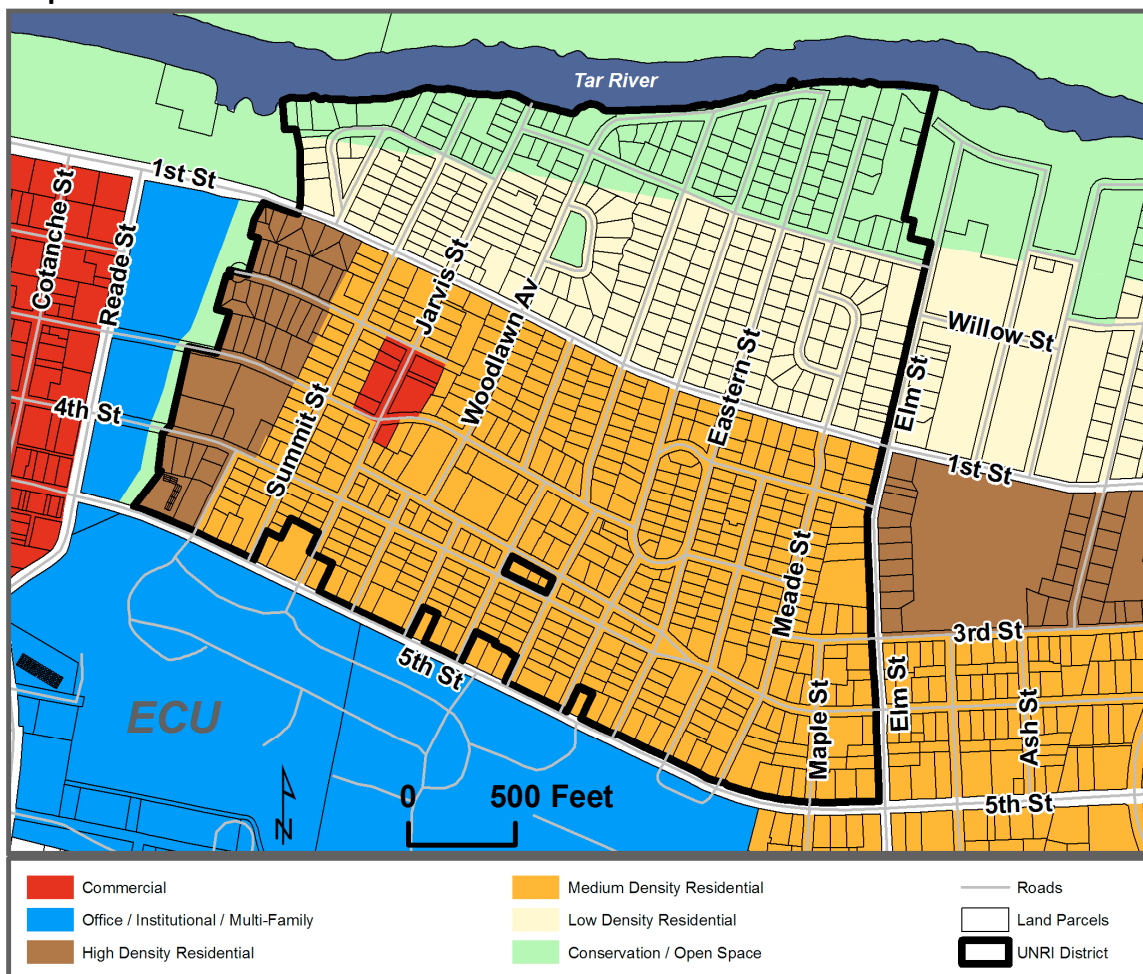


Section V. Character of the UNRI Overlay District

Future Land Use Plan Map

The Future Land Use Plan includes five land use designations for the proposed overlay district area. These designations include Commercial (1.25%), High Density Residential (8.51%), Medium Density Residential (44.37%), Low Density Residential (27.77%) and Conservation / Open Space (18.10%) as is depicted below by Map 3.

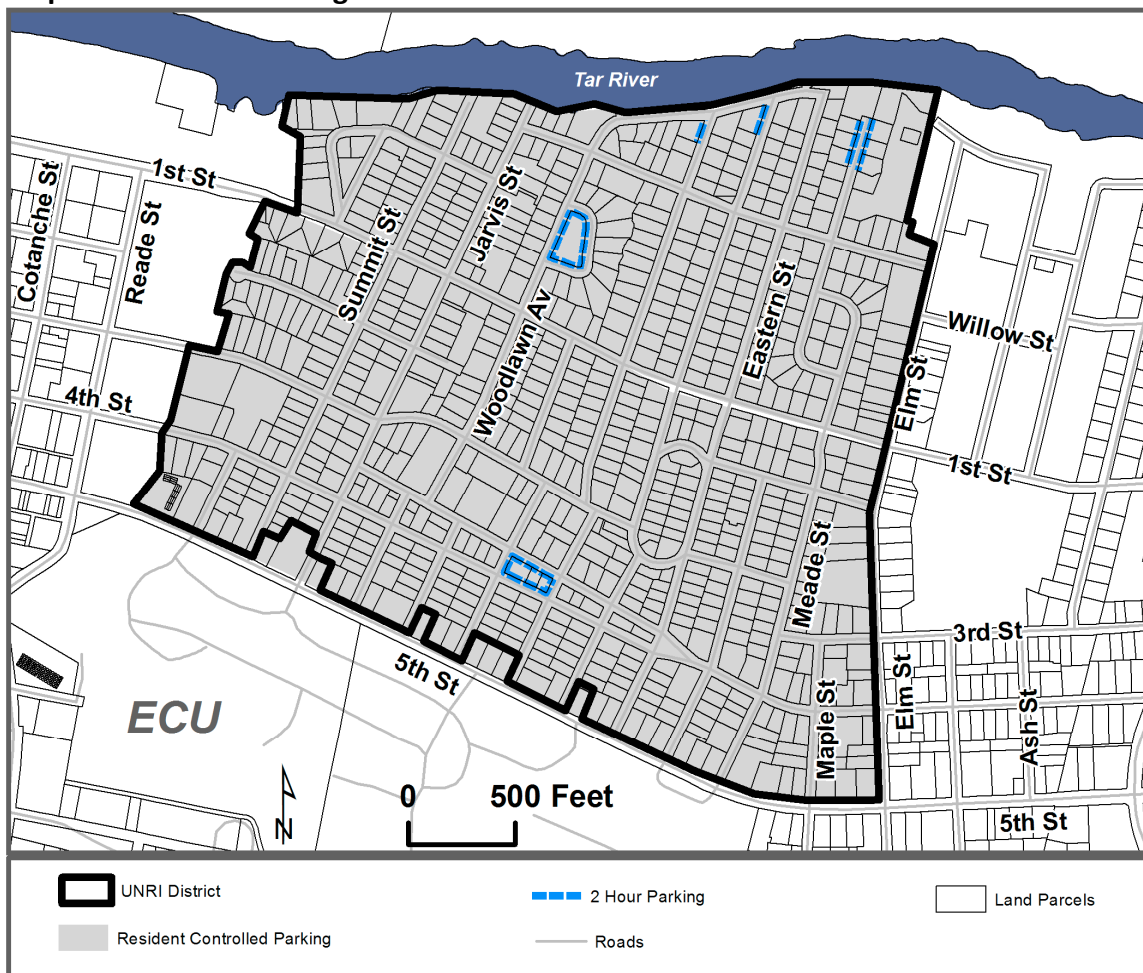
Map 3: Future Land Use Plan



Parking

On June 13, 2013, City Council amended the Controlled Residential Parking Program to provide additional on-street parking opportunities for residents in the entire UNRI Overlay District. Prior to the modification, only certain streets were designated for resident-only (owners living in their homes and renters) parking between 7am and 5pm Monday-Friday without time constraints. The modification expanded the area to cover the entire UNRI overlay district except streets abutting Woodlawn Park, the South Tar River Greenway and property owned by the State of North Carolina. The new area requires a parking decal which is issued through the Public Works Department. The parking decal does not guarantee a parking space but provides more on-street parking opportunities on a first-come, first-serve basis (see Map 4 below).

Map 4: On-Street Parking

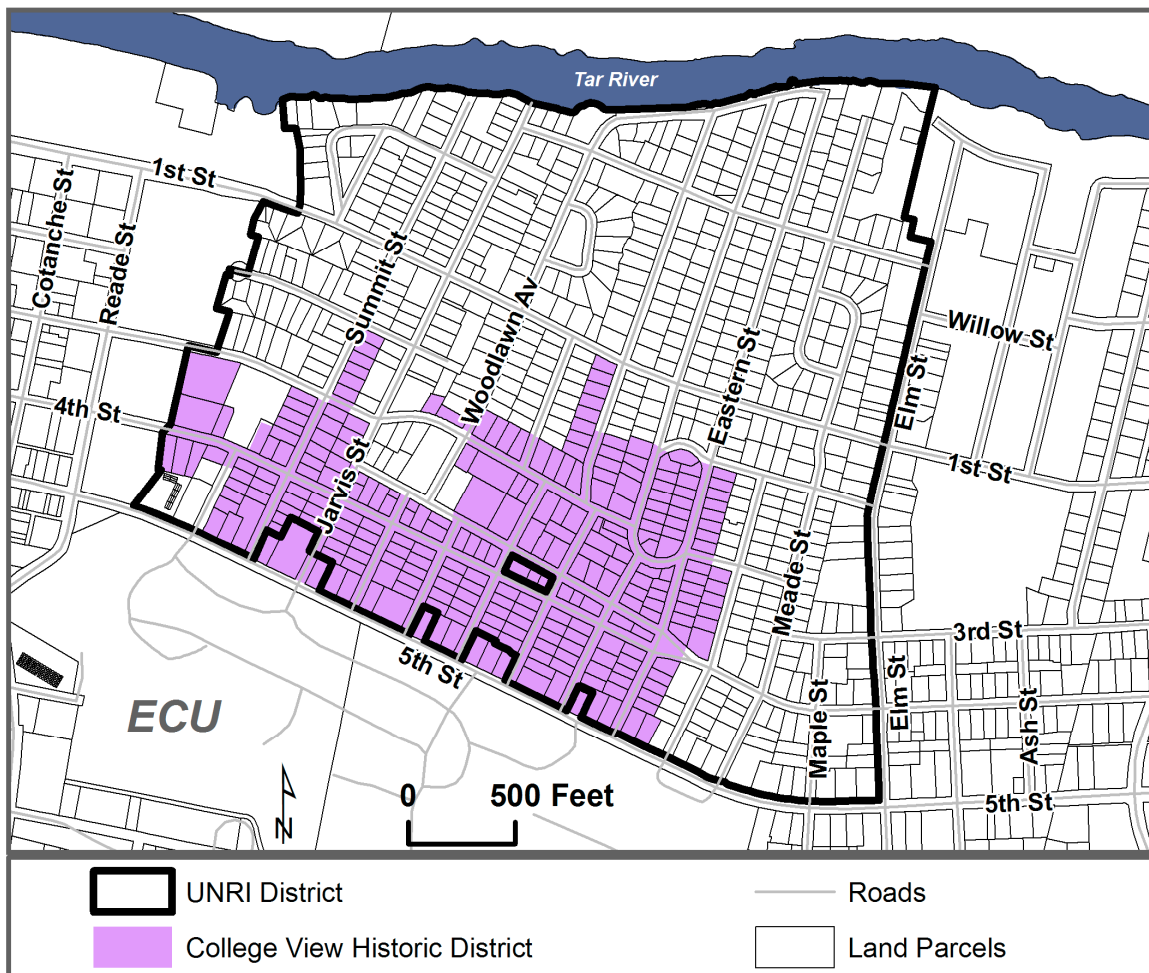


Historic District

A majority of the properties that make up the College View Historic District, the City's only locally designated historic district, are located within the overlay district (see Map 5 below).

The City of Greenville Historic Preservation Commission adopted a resolution at their July 24, 2012 meeting urging City Council not to enact a change in the current ordinance prohibiting more than three unrelated persons from living in the same dwelling. The resolution noted that "to allow a higher number of occupants, likely would have a negative impact on many of the historic homes and landscapes within the city's historic neighborhoods, particularly the College View Historic District." It should be noted that adoption of the Historic Preservation Commission's resolution occurred prior to the initiation of the UNRI.

Map 5: College View Historic District



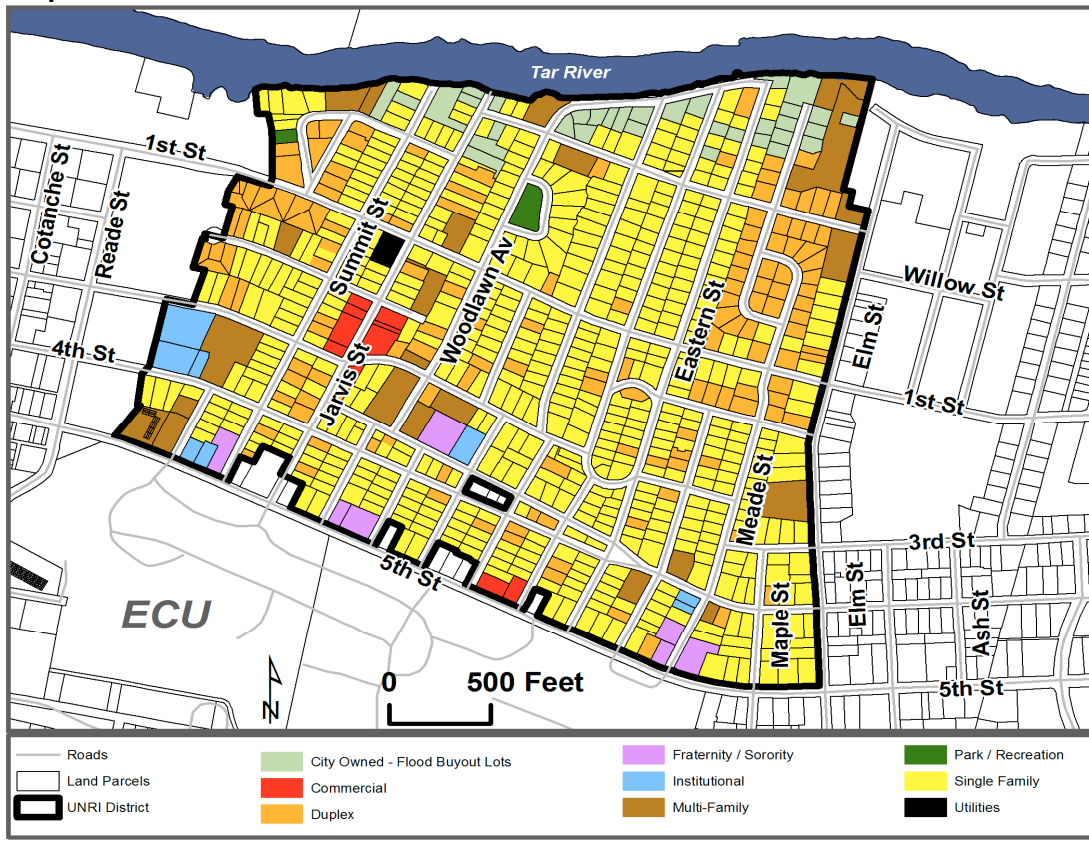
Current Land Use

The current land use within the proposed overlay district is over 90% residential, with the largest percentage of land being in single-family residential use (over 61%). The current land use make-up and location are provided on Map 6 and in the table below.

Land Use	Number of Parcels	% of Total Area	Acres
RESIDENTIAL LAND USES			
Single Family	559	61.49%	92.83
Duplex	146	16.88%	25.49
Multi-Family	41	9.97%	15.05
Fraternity / Sorority	7	2.12%	3.20
OTHER LAND USES			
City-Owned Flood Buy-Out Properties	35	4.92%	7.42
Commercial	10	1.63%	2.47
Institutional	8	2.14%	3.22
Park	2	0.56%	0.84
Utilities	1	0.29%	0.44
TOTALS	809	100%	150.96

Note: The table above does not include public rights-of-way.

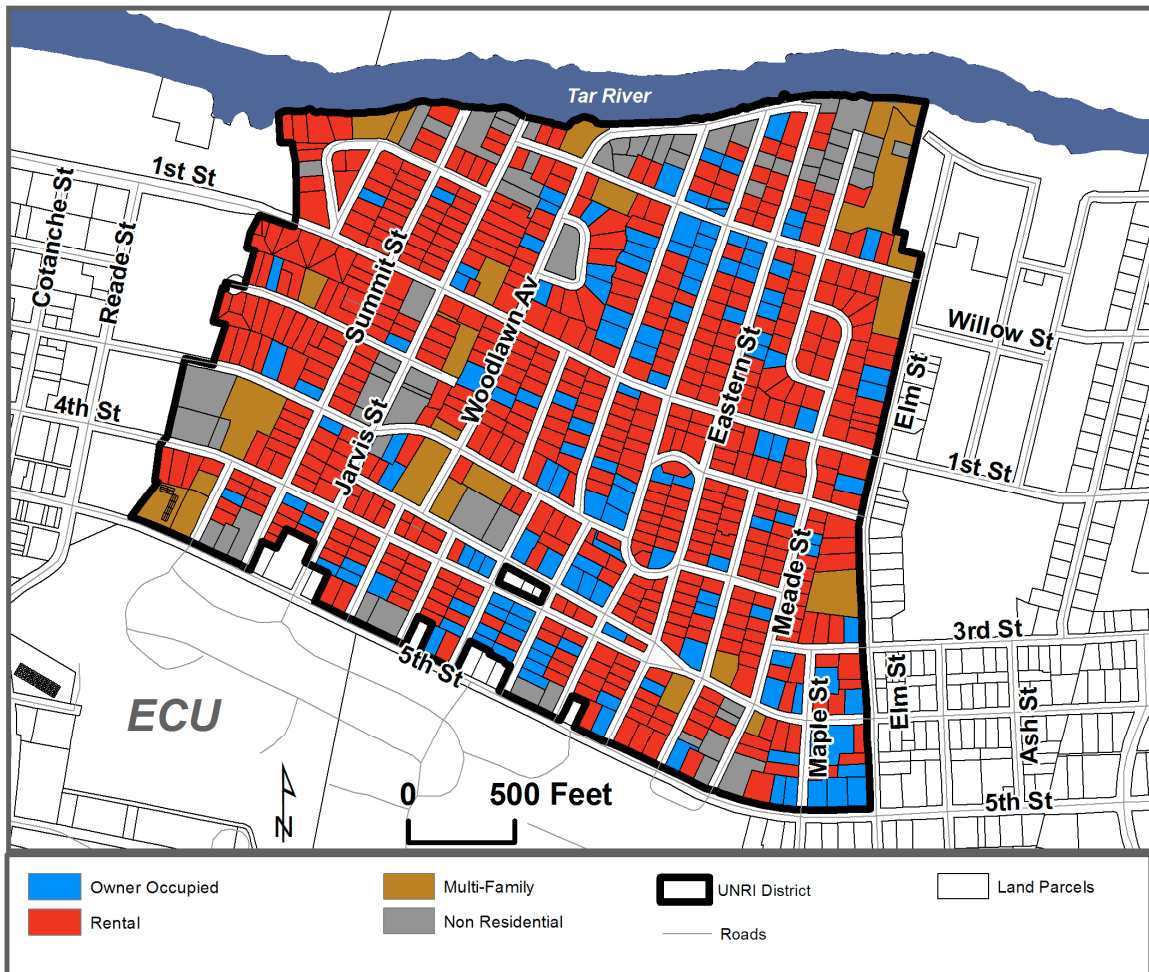
Map 6: Current Land Use



Owner vs. Renter Occupancy (as of March 11, 2014)

The overlay district contains 559 single-family residences, 146 duplex buildings (292 units). An estimated 16.2% of the dwelling units are owner occupied and 83.8% are renter occupied. The city-wide owner occupancy rate as provided in the 2010 U.S. Census is 38% (see Map 5 below).

Map 7: Owner vs. Renter Occupancy



Code Enforcement Activity

The current code enforcement process includes any reported or observed code violation being investigated by the City's Code Enforcement Division of the Police Department. The Code Enforcement Division assigns one Code Enforcement Officer to cover each of the City's six code enforcement zones. Much of the UNRI overlay district area is also assigned a second Code Enforcement Officer as part of a joint funding partnership between the City and East Carolina University.

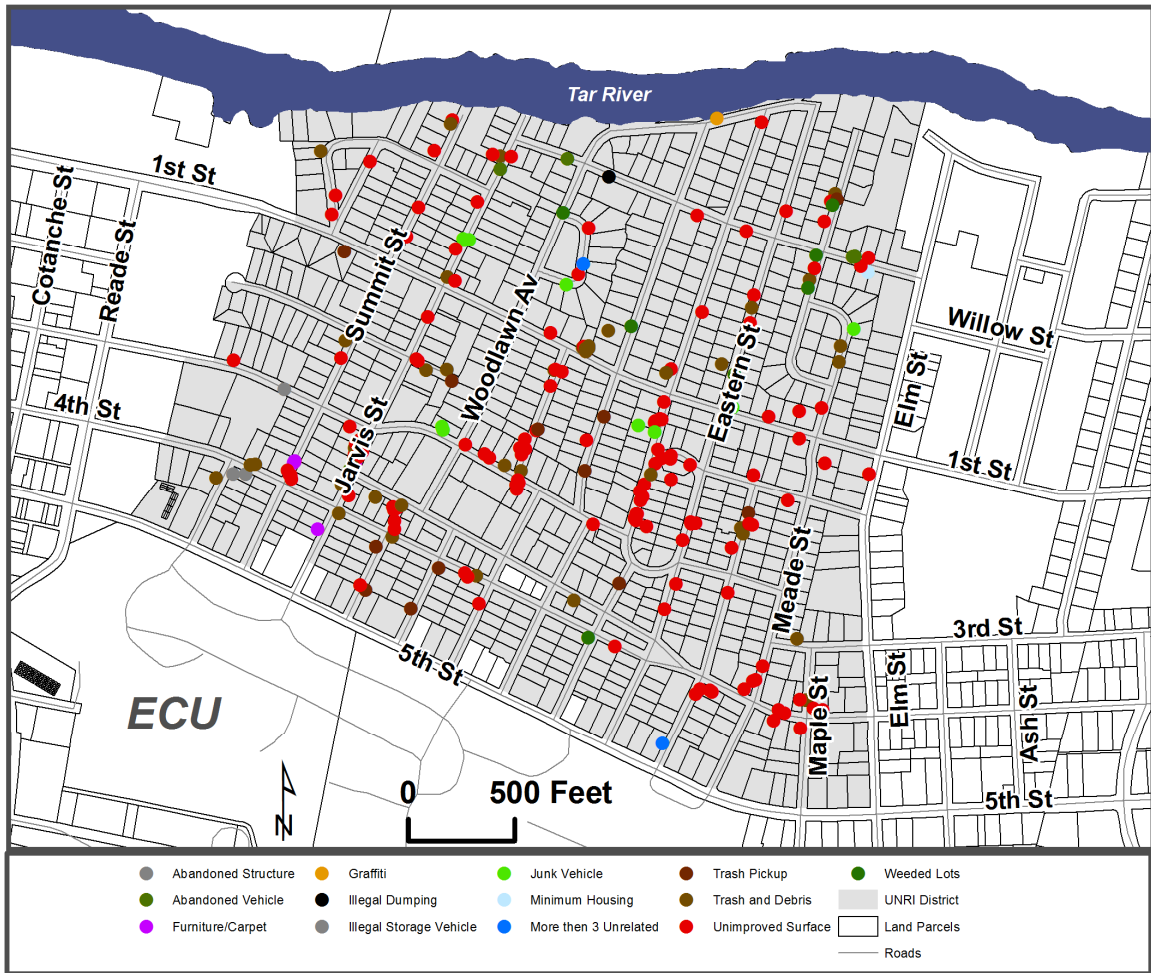
Based upon Code Enforcement records, between January 1, 2013 and December 31, 2013, Code Enforcement Officers investigated 1,238 potential violations within the UNRI Overlay area. The nature of these cases is outlined in the tables and Map 8, below.

Violation Type (Non-Parking Related)	Number of Instances
Abandoned Structure	2
Abandoned Vehicle	4
Furniture / Carpet	7
Graffiti	1
Illegal Dumping	1
Illegal Storage Vehicle	1
Junk Vehicle	12
Minimum Housing	1
"3 Unrelated"	2
Parking on Unimproved Surface	141
Trash and Debris	55
Weeded Lot / Tall Grass	8
TOTAL	235

Due to the high volume of parking violations, it is not possible to graphically depict this data for the purposes of this report. The table below shows the types of parking-related violations and numbers.

Violation Type	Number of Instances
No "A" Permit	586
Parking Violations (various issues)	417
TOTAL	1003

Map 8: Code Enforcement Case Activity (January 1, 2013 – December 31, 2013)



Zoning Compliance Letters

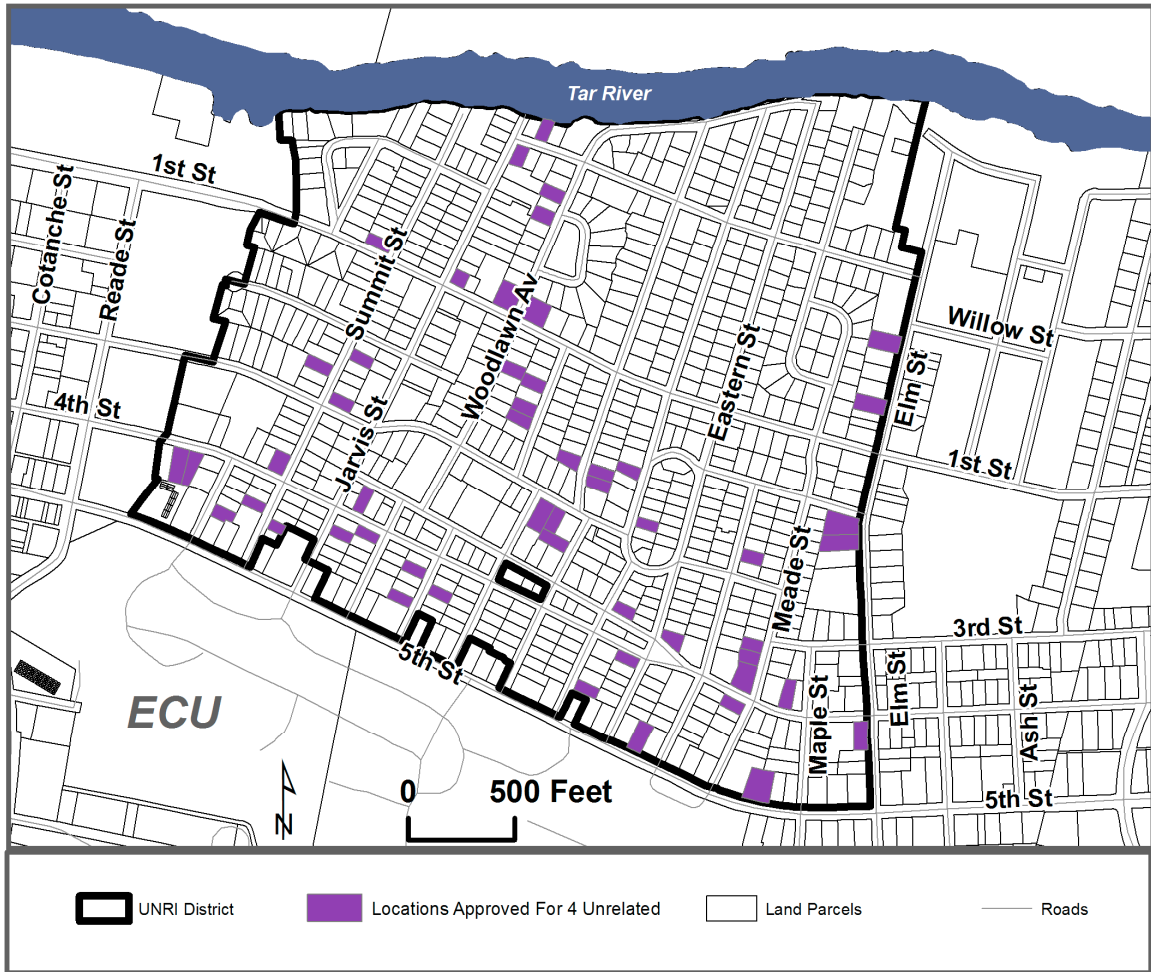
Under the UNRI overlay district standards, up to four unrelated individuals are permitted to reside together within a single-family dwelling, a two-family attached dwelling (duplex), or a multi-family development, subject to the following standards:

- The dwelling unit shall have four or more bedrooms;
- The dwelling unit shall contain at least 1,500 square feet of heated floor area; and
- At least three off-street parking spaces shall be provided on-site for the dwelling unit.

A Zoning Compliance Letter shall be obtained from the City to ensure that the dwelling unit meets all applicable standards for increased occupancy. A crime free rental addendum shall be included in all rental agreements for properties within the overlay district which have obtained the Zoning Compliance Letter for each lease term during which four unrelated individuals are residing in the dwelling unit.

As of February 13, 2014, 44 Zoning Compliance Letters had been issued that allow up to 4-unrelated individuals to reside together within a single-family dwelling, a two-family attached dwelling (duplex), or a multi-family development. Also at that time, there were nine applications submitted and awaiting approval. As of March 11, 2014, a total of 49 Zoning Compliance Letters have been issued. There are five applications submitted and awaiting approval. Only one application has been denied. The denial was based upon the property not being located in the UNRI Overlay District. Map 9 depicts the locations of the approved properties.

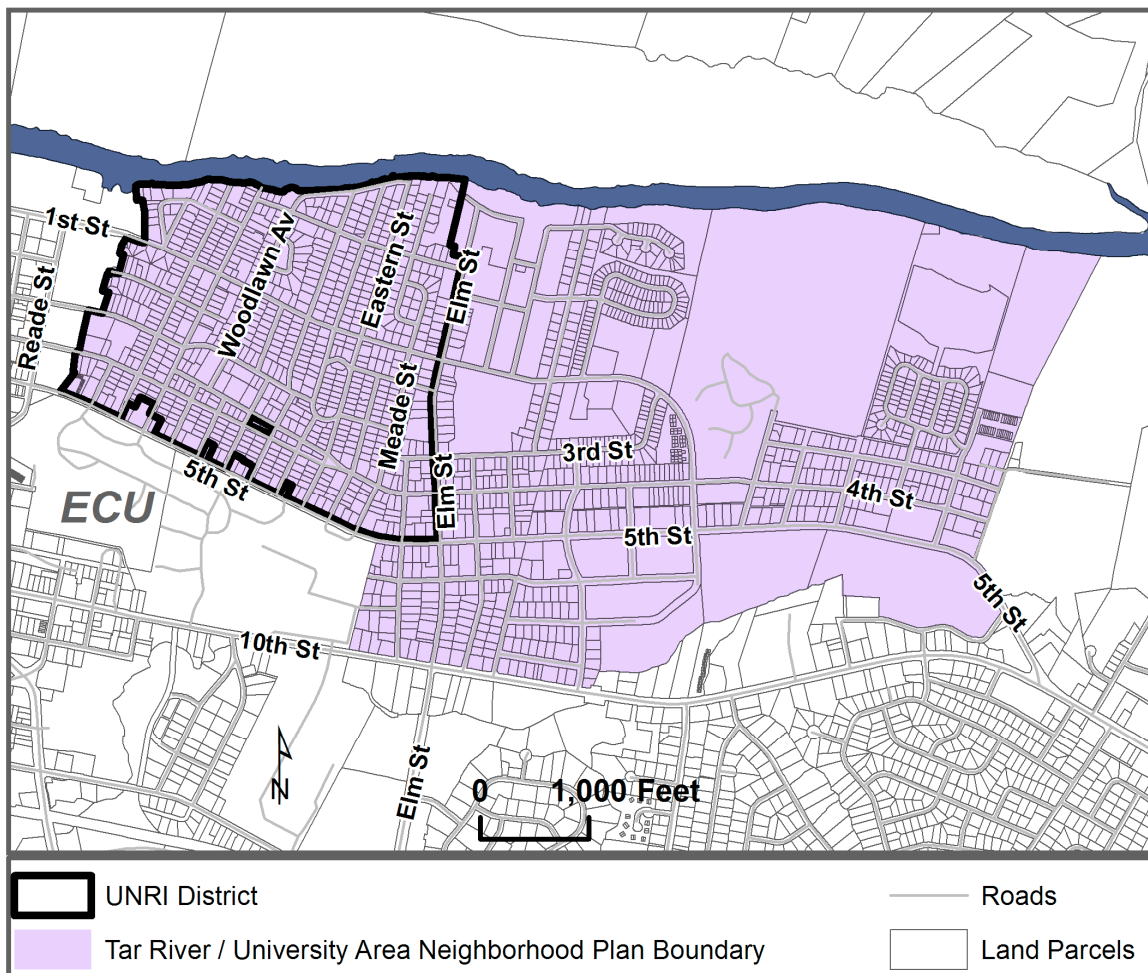
Map 9: Four-unrelated



Section VI. Compliance with the Comprehensive Plan and Other Applicable Adopted Plans

Consideration of any modification to the City zoning ordinance should include a review of the community's comprehensive plan and other officially adopted plans that are applicable. Greenville's comprehensive plan, **Horizons: Greenville's Community Plan**, contains policy statements and objectives related to numerous Plan Elements. The Plan also includes a Future Land Use Plan Map that depicts the general preferred use of land within the City's planning and zoning jurisdiction (see Section V herein). The area included in the UNRI overlay district is a portion of the area included in the **Tar River / University Area Neighborhood Report and Plan (2009)**. Map 10, below, depicts the geographic coverage of both the UNRI overlay district and the **Tar River / University Area Neighborhood Report and Plan (2009)**.

Map 10: Geographic Coverage of the Tar River / University Area Neighborhood Report and Plan (2009)



These plans provide broad goals, policy statements and objectives that should be reviewed and considered to ensure that the proposed text and map amendments are in compliance with the plans, and effectively with the community's values.

Staff has reviewed both plans and provides the following goals, policy statements and objectives to be considered when evaluating the proposed text and map amendments proposed herein:

Ordinances Initially Establishing UNRI Overlay Text and Zoning Map Amendments

1. **Horizons: Greenville's Community Plan Provisions:**

The Housing Plan Element - Housing Policy Statement:

"The City recognizes that its residential neighborhoods are the lifeblood of the community, and that good quality, affordable housing is integral to a healthy neighborhood environment. To that end, the City will continue to make housing opportunities available throughout the City to low and moderate income families. The City will support the efforts of nonprofit organizations to address housing needs in Greenville. The City recognizes that local governments will be required to take increasing responsibility for addressing housing needs in the future.

The City will encourage the rehabilitation of substandard units and the development of vacant lots, and will encourage the preservation, renovation, code enforcement, and rehabilitation of its older housing stock. The City should require that quality design and appearance be important factors in the review of low and moderate income housing projects. ..."

Objective H1: *To encourage a variety of housing choices through preservation, rehabilitation, code enforcement, and new development.*

Objective H4: *To encourage the restoration and preservation of historic residential properties.*

Objective H5: *To improve and revitalize existing neighborhoods.*

Objective H16: *To encourage home ownership.*

Objective M4: *To preserve and protect existing and future residential neighborhoods.*

Objective E14: *To encourage healthy economic development.*

Objective CF3: *To increase interaction between the Police Department and citizens, in order to increase mutual respect, understanding and support.*

Objective CF5: *To ensure safe livable neighborhoods.*

Objective EQ13: *To encourage litter control and community-wide clean-up.*

Objective CC9: *To increase neighborhood livability and property values by preserving and enhancing historic areas.*

Objective UF1: *To encourage affordable housing options.*

Objective UF2: *To encourage a mixing of land uses.*

Objective UF3: *To encourage a diversity of housing options.*

Objective UF6: *To preserve neighborhood livability.*

2. **Tar River / University Area Neighborhood Report and Plan Provisions:**

Goal: To create, maintain and enhance a sustainable neighborhood.

In staff's opinion, the creation of the UNRI Overlay District via the text amendment and the application of the same to a specified geographic area via the map amendment provide for the preservation, restoration, and revitalization of the university neighborhood by encouraging investments to be made to improve the condition and appearance of dwellings and properties as a result of allowing appropriate and limited increased occupancy by unrelated persons with appropriate standards and safeguards that provide for compatibility with other university neighborhood properties. While it is recognized that the goals, policy statements and objectives provided herein may be interpreted in different ways, it is further staff's opinion that the text amendment and map amendment are in general compliance with **Horizons: Greenville's Community Plan** and with the **Tar River / University Area Neighborhood Report and Plan (2009)**.

Option One: Remove the Zoning Text Provisions Relating to Increased Occupancy in the UNRI Overlay District

1. **Horizons: Greenville's Community Plan Provisions:**

Objective H4: *To encourage the restoration and preservation of historic residential properties.*

Objective H5: *To improve and revitalize existing neighborhoods.*

Objective H16: *To encourage home ownership.*

Objective M4: *To preserve and protect existing and future residential neighborhoods.*

Objective E14: *To encourage healthy economic development.*

Objective CF5: *To ensure safe livable neighborhoods.*

Objective EQ13: *To encourage litter control and community-wide clean-up.*

Objective CC9: *To increase neighborhood livability and property values by preserving and enhancing historic areas.*

Objective UF6: *To preserve neighborhood livability.*

2. **Tar River / University Area Neighborhood Report and Plan Provisions:**

Goal: To create, maintain and enhance a sustainable neighborhood.

In staff's opinion, the proposed text and map amendments provide for the preservation, restoration, and revitalization of the UNRI Overlay District by encouraging homeownership, reducing adverse impacts associated with increased occupancy, and maintaining aesthetic standards to preserve neighborhood livability.

While it is recognized that the goals, policy statements and objectives provided herein may be interpreted in different ways, it is further staff's opinion that the proposed text amendment is in general compliance with **Horizons: Greenville's Community Plan** and with the **Tar River / University Area Neighborhood Report and Plan (2009)**.

Option Two: Repeal the zoning text relating to UNRI Overlay District and amend the zoning map to delete the UNRI Overlay District

1. **Horizons: Greenville's Community Plan Provisions:**

The Housing Plan Element - Housing Policy Statement:

Objective H4: *To encourage the restoration and preservation of historic residential properties.*

Objective H5: *To improve and revitalize existing neighborhoods.*

Objective H16: *To encourage home ownership.*

Objective M4: *To preserve and protect existing and future residential neighborhoods.*

Objective E14: *To encourage healthy economic development.*

Objective CF5: *To ensure safe livable neighborhoods.*

Objective EQ13: *To encourage litter control and community-wide clean-up.*

Objective CC9: *To increase neighborhood livability and property values by preserving and enhancing historic areas.*

Objective UF6: *To preserve neighborhood livability.*

2. Tar River / University Area Neighborhood Report and Plan Provisions:

Goal: To create, maintain and enhance a sustainable neighborhood.

In staff's opinion, the proposed text and map amendments provide for the preservation, restoration, and revitalization of the UNRI Overlay District by encouraging homeownership and reducing adverse impacts associated with increased occupancy.

While it is recognized that the goals, policy statements and objectives provided herein may be interpreted in different ways, it is further staff's opinion that the proposed text and map amendments are in general compliance with **Horizons: Greenville's Community Plan** and with the **Tar River / University Area Neighborhood Report and Plan (2009)**.



City of Greenville, North Carolina

Meeting Date: 4/10/2014
Time: 7:00 PM

Title of Item: Resolution authorizing an application to the Federal Transit Administration (FTA) for a Section 5307 grant for federal capital assistance for the Greenville Transportation Activity Center (GTAC) project

Explanation: **Abstract:** The City has received one FTA grant for the GTAC project and has been actively working with the FTA and the North Carolina Department of Transportation Public Transportation Division (NCDOT PTD) to identify additional grant funds to fully fund the Greenville Transportation Activity Center (GTAC) project. Formal notice of the availability of additional grant funding was received by the City on March 21, 2014.

Explanation: Attached for City Council consideration is a resolution authorizing the filing and execution of a federal grant application for capital funds designated for the City of Greenville to assist with the GTAC project. The federal funds are available to reimburse the City for 80% of the cost of the GTAC project. The City Council has previously authorized the City Manager to file and execute all Section 5307 grant applications. Once City Council adopts the attached resolution, the City Manager will file and execute the GTAC grant application.

The GTAC is a planned facility that will encourage and facilitate the use of multiple modes of transportation within the City, provide a central access point where people can transfer from one mode to another, and create a hub of activity not just for transportation, but also for revitalization and economic development. Using existing grant funding, the City has examined alternative sites, selected a preferred site, developed and approved of the programming and conceptual design, and completed the environmental work necessary for a categorical exclusion finding, which has since been submitted to the FTA for concurrence.

City Council approved a \$7,917,144 total cost for GTAC on September 9, 2013. Since then, the City has been actively working with the FTA and NCDOT PTD to identify the additional \$5,231,510 needed to complete the project as planned. Formal notice of these additional grant funds was received by the City on March

21, 2014.

Next Steps: The City can proceed with securing the professional services needed to conduct appraisals of the land to be acquired and the architectural and engineering services needed to proceed with final design of the GTAC facility and the surrounding road improvements that will be required. By the time this is accomplished, it is expected that FTA's concurrence with the requested categorical exclusion finding will have been received, and that all of the contractors selected can proceed with their work, which is likely to require at least six months. The City can then proceed with construction bidding and actual construction, which is expected to require 18 months. GTAC's anticipated completion date is September 2016.

Fiscal Note:

The total amount of the additional grant is \$5,231,510, and the City is required to pay 10% or \$523,151 of this amount. Combined with the existing grant for this project, the total amount required of the City is \$791,714 or 10 % of the total project allocation of \$7,917,144.

To date, the City has budgeted a total of \$614,000 for the GTAC project. With the approval of these additional grant funds, the City will be required to budget an additional \$177,714. This is consistent with the program allocation presented to Council on September 9, 2013. Approval of this item will require the City to include \$177,714 in the FY15 budget for this purpose.

It should be noted that the total project costs provided herein are an estimate based on conceptual design. More detailed costs estimates will be developed with the final engineering and design of the project, and final costs will not be determined until the project is bid and construction contracts are finalized.

Recommendation:

Conduct a public hearing to receive comments on the proposed grant application and adopt the attached resolution approving the grant request and authorizing the filing and execution of the application for these federal funds.

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

Attachments / click to download

 [GTAC 5307 Grant Resolution 976496](#)

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION TO THE
FEDERAL TRANSIT ADMINISTRATION FOR A SECTION 5307 FEDERAL GRANT
FOR CAPITAL ASSISTANCE FOR THE GREENVILLE TRANSPORTATION ACTIVITY
CENTER PROJECT

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project;

WHEREAS, the contract for financial assistance will impose certain obligations upon the Applicant, including the provision by the Applicant of the local share of the project cost;

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

WHEREAS, it is required by the U. S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964 as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U. S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA:

1. That the City Manager is authorized to execute and file applications on behalf of the City of Greenville with the Federal Transit Administration and the North Carolina Department of Transportation to aid in the financing of planning, capital and/or operating assistance projects authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, and other Federal and State Statutes authorizing a project administered by the Federal Transit Administration and/or the North Carolina Department of Transportation.
2. That the City Manager is authorized to execute and file the Annual Certifications and Assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement.
3. That the City Manager is authorized to submit additional information as the Federal Transit Administration or the North Carolina Department of Transportation may require in connection with the application or project.
4. That the City Manager is authorized to set forth and execute affirmative minority business policies in connection with the project.

5. That the City Manager is authorized to execute grant and cooperative agreements with the Federal Transit Administration and the North Carolina Department of Transportation on behalf of the City of Greenville.

ADOPTED this the 10th day of April, 2014.

Allen M. Thomas, Mayor

CERTIFICATION

The undersigned duly qualified City Clerk, acting on behalf of the City of Greenville, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Greenville City Council on April 10, 2014.

Carol L. Barwick, City Clerk

Date

SEAL



City of Greenville, North Carolina

Meeting Date: 4/10/2014
Time: 7:00 PM

Title of Item: Update on West Fifth Street Streetscape Phase II Project

Explanation: **Abstract:** The West 5th Street Streetscape Phase II Project is currently in the preliminary design phase. The study and report phase recently came to a close after the Redevelopment Commission voted to approve the conceptual design of the roundabout and the streetscape improvements along West Fifth Street.

Explanation: The Streetscape Master Plan was adopted in 2006. The Master Plan defined multiple areas that were selected for streetscape improvements. Furthermore, there are detailed improvements that are proposed for each area. To date, the City has completed two phases of streetscape work. These two phases are a very small percentage of the work that needs to be completed according to the Streetscape Master Plan.

The West 5th Streetscape Phase II Project is a continuation of the West 5th Gateway Project, which was completed in 2011. The “Gateway Project” extended from Memorial Drive along West 5th Street to Cadillac Street. The project boundaries for Phase 2 extend from Cadillac Street along West 5th Street to the intersection of Tyson Street/14th Avenue.

The Streetscape Master Plan describes improvements along the West 5th Street corridor extending from Memorial Drive to Reade Circle. The preliminary design of Phase 2 will provide the same improvements that were made during the construction of the Gateway Project. These improvements included street lighting, transit improvements, street trees, public art, and sidewalks. However, the one significant difference in Phase 2 is the roundabout at the intersection of Tyson Street/14th Avenue and West 5th Street.

Prior to staff receiving the construction documents, the City Council will review/approve the final design of the project. Staff anticipates that we will have the construction documents in hand by the end of 2014.

Fiscal Note: Rivers and Associates has entered into a contract with the Redevelopment

Commission for \$142,940 to provide planning, design, and construction documents for the Phase 2 Project, with the source of funding being 2004 Bond Funds. The construction of Phase 2 of the project is estimated to cost between \$1.5 and \$1.7 million. At this point, the funding for the construction of Phase 2 has not been identified.

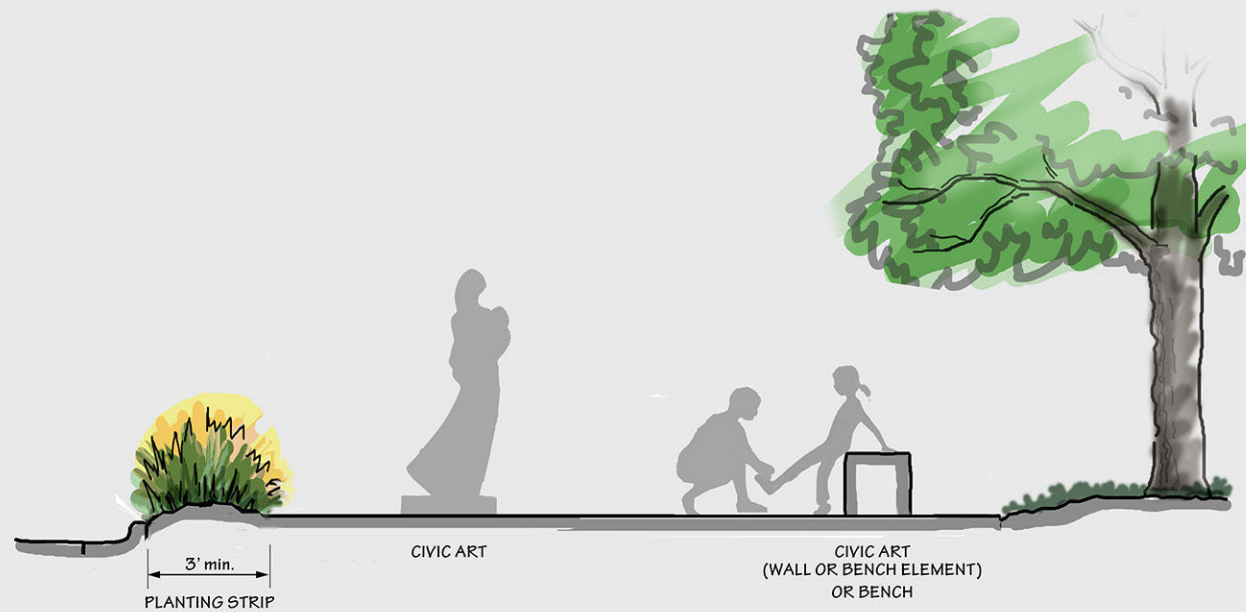
Recommendation: None at this time.

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

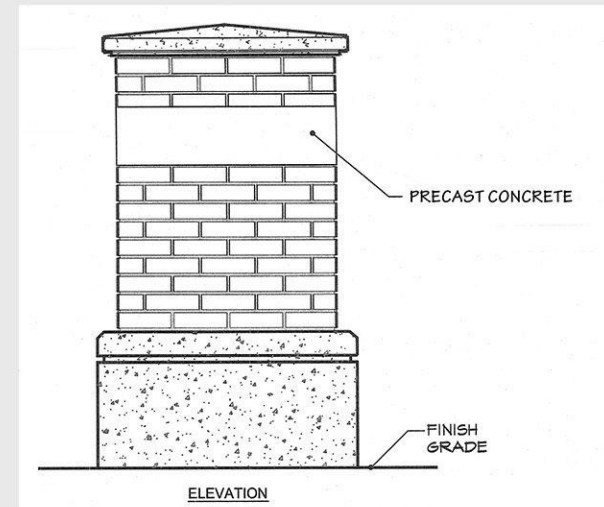
Attachments / click to download

 [Roundabout Concept](#)

 [Streetscape Master Plan - Executive Summary](#)



PLAZA IN FRONT OF INTERGENERATIONAL CENTER



NEIGHBORHOOD MARKER



West Fifth Streetscape (Phase II)

City of Greenville, North Carolina

CONCEPT DEVELOPMENT SKETCH - FEBRUARY 3, 2014

Item # 9





Executive Summary

Introduction

Background

The adopted Center City – West Greenville Redevelopment Plan for the City of Greenville identifies specific goals and objectives geared to transform the Center City – West Greenville area into a livable and vibrant place – a regional destination and a place to live, work, and play. Central to these goals are the creation of city streets which are supportive of existing and future development.

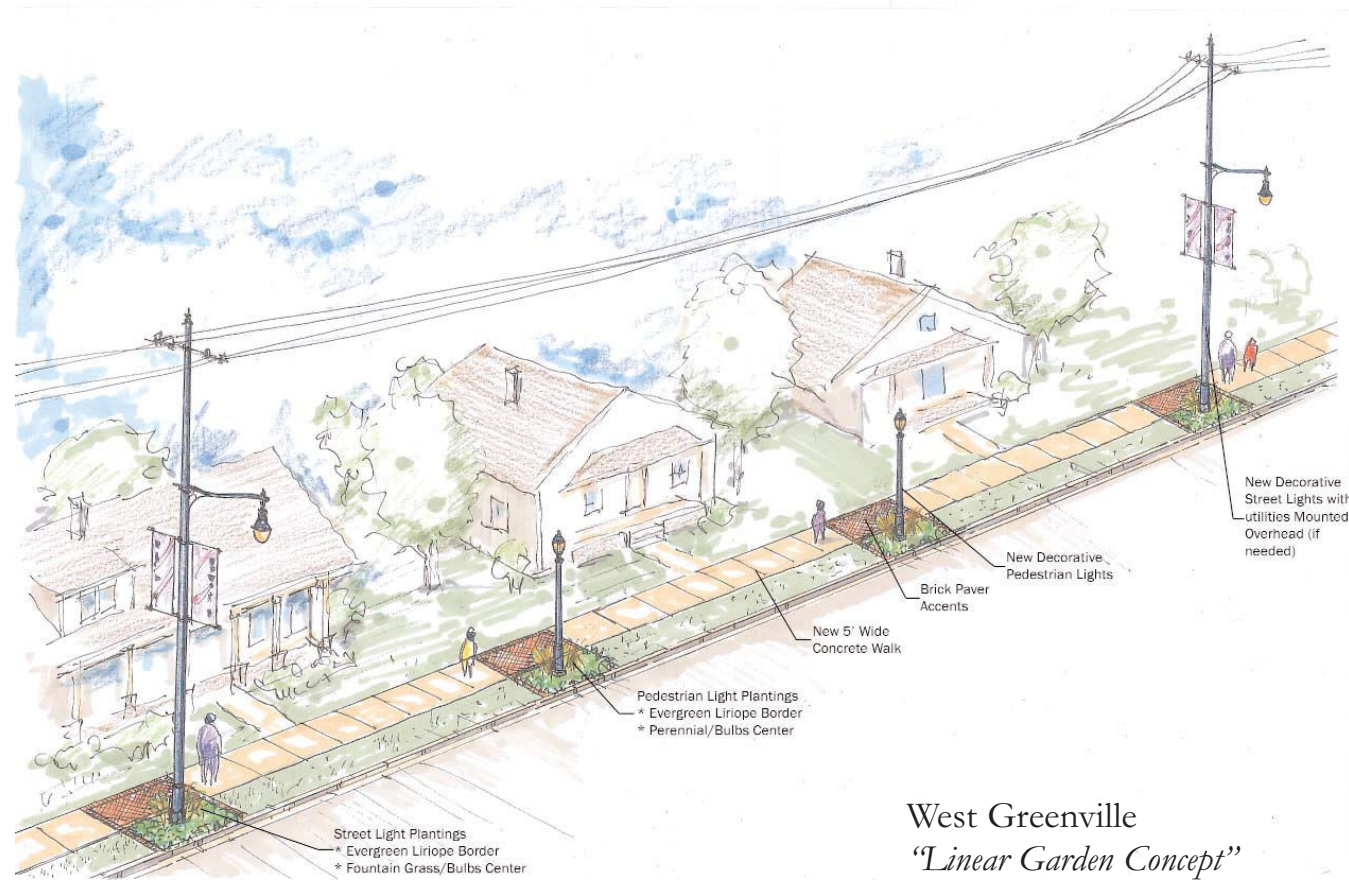
Center City – West Greenville Streetscape Master Plan

To address the vision identified in the City’s Redevelopment Plan the City with its consultants—Urban Resource Group and CitiArts—prepared this master plan to guide future streetscape improvements. The Center City – West Greenville Streetscape Master Plan honors the Redevelopment Commission’s vision while providing specific guidance for Greenville’s streets and streetscapes. Extensive interaction with the City staff and the citizens was key in the development of the plan. Multiple small group meetings, open houses, and other more specialized meetings with stakeholders set the ground work for the designs within this plan. The Center City – West Greenville Streetscape Master Plan covers the 566 Acre area designated in the Center

City – West Greenville Redevelopment Plan with a focus on four major street corridors.

- Evans Street (from 10th Street to Reade Circle)
- MLK Drive/East 5th Street (from Memorial Drive to Reade Circle)
- Dickinson Avenue (from Atlantic Avenue to Reade Circle)
- Cotanche Street (from East 5th Street to Reade Circle)

This is a policy document that establishes the City and its Citizen’s official vision and recommendations for future streetscape construction improvements to the streets and sidewalks in the Center City – West Greenville area. This plan is not an ordinance or zoning regulation. The plan itself does not change the zoning of a property, nor does it contain development suggestions for a specific project. Rather, this plan is an official document used to guide future City development decisions as they relate to streetscape improvements; development policies; public infrastructure improvements; and evaluations for future development proposals. The plan also provides development guidance to landowners, citizens, and developers in the Center City – West Greenville area.



West Greenville
“Linear Garden Concept”

Plan Vision and Guiding Principles

The following Guiding Principles and Vision Statement are based on citizen input and were formulated during the public involvement process for this plan. They are the foundation upon which the Center City – West Greenville Streetscape Master Plan has been developed. These principles can also provide guidance in interpreting the recommendations of this plan.

Citizen's Vision Statement:

The City of Greenville is a place that is:

- Alive
- Safe
- Beautiful
- Well lit
- Walkable

Guiding Principles

For Uptown and Tobacco Warehouse Districts

- Street trees – Add landscaping that makes the harsh city environment a nicer, more inviting place to be.
- Utility Improvements – Remove all unsightly overhead utilities. Convert all traffic signals to mast arms.
- Street Lighting – Improve the lighting levels by meeting a consistent standard of lighting level throughout the Center City. Provide a unified street lighting appearance.
- Street Furnishings – Provide for small scale experiences while improving the day to day movement of pedestrians along the streets of the Center City.
- Pedestrian Safety – Provide adequate sidewalk widths, well marked crosswalks, and appropriate surface materials that are distinctive and unique to the Center City districts. Narrow streets to naturally calm traffic and ease pedestrian crossings.

For West Greenville neighborhoods

- Street Lighting - Improve the lighting levels by meeting a consistent standard of lighting level throughout West Greenville. Special attention should be given to

the residential scale of the lighting so as to not create light pollution providing appropriate lighting for security. Lighting elements should assist in providing a unified street lighting appearance.

- Transit Improvements – provide access to and shelter at all transit stops along the MLK Drive Corridor.
- Pedestrian Safety - provide adequate sidewalk widths, well marked crosswalks, and appropriate surface materials that are distinctive and unique to the historic nature of the West Greenville neighborhoods. Narrow streets to naturally calm traffic and ease pedestrian crossings.
- Street trees – Add landscaping in keeping with the natural environment and historical nature of the West Greenville neighborhoods.
- Improved Sidewalks – Provide new sidewalks not only along MKL Drive but those streets leading to this major neighborhood transit corridor.



Community Benefits

Communities that invest public funds into streetscape projects typically see a financial return over time. In recent years, many of Greenville's neighbors including Raleigh and New Bern, have embraced this approach, and are currently undertaking public improvement projects for their downtown streets. Streetscape investments bring a number of tangible benefits to citizens. At the most basic level, they are indicators of civic pride and help transform the downtown into an attractive public amenity for all to enjoy. Secondly, these improvements lead to

increases in the overall tax base by stimulating sales for existing businesses, helping to attract new investment to the improved area, and ultimately by increasing property values.

Master Plan Districts

Streetscape improvements also can be an avenue to creating a brand identity for a downtown area. This is accomplished though seemingly opposing values: Uniqueness and Consistency. Uniqueness in a downtown environment means creating opportunities to enhance those aspects of Greenville that set it apart such as its rich history: specific examples of this include its history as a tobacco center, its ties to the Tar River, its deep roots in the education and medical fields, and its place in the history and development of Eastern North Carolina. As part of the development of this plan three unique districts were defined.

- *The Uptown District* – The historical downtown of Greenville that is surrounded by historic neighborhoods, a major university, and the riverfront along the Tar River. This area was referred to by the citizens as the “Classic Downtown.” Evans Street would serve as its gateway and be celebrated as the “Avenue of the Arts.” Civic art should be a predominant feature of the streetscape, and the street itself should take on the character of a classic great urban street. This combined with the Museum of Art and the proposed Performing Arts Center would make this corridor a destination not only for residents but for the region as well.
- *The Tobacco Warehouse District* – Centered on Dickinson Avenue this district builds upon the rich history of the tobacco industry in Greenville. Period tobacco warehouse architecture sets the stage for a unique arts and entertainment district. The character of this street would be truly unique as a place for local artists to congregate and practice their crafts. Rotating art parks can be constructed to showcase these local artists and their works. An outdoor plaza would be created to provide opportunity for outdoor art shows and markets.
- *The West Greenville Historic Neighborhood District* – The original “suburbs” of Greenville are now home to several historic neighborhoods. The rich history of the early development of Greenville and its people are celebrated throughout the corridor with multiple memory markers centering on the role that African Americans played in the history of the development of Greenville. “Memory Markers” denoting Professor C.M. Eppes, the Negro Midwives Association, and the historic Albemarle Black Business District are placed at prominent locations along the MLK Drive corridor.

GREENVILLE CENTER CITY STREETScape MASTER PLAN



This Master Plan also integrates multiple civic art opportunities to create and celebrate the uniqueness that is Greenville. As part of the Civic Art Plan, historical research was done as well as an oral history session conducted to mine the uniqueness of the streets and districts of Greenville. These memories and stories of Greenville’s past will be visually celebrated as “memory markers” along the project corridors. These markers can be in the form of formal or contemporary art projects. It also sets the framework for a citywide civic art program and demonstrates a number of unique ways and ideas to engage the public and local artists to create Greenville’s “artistic palette.” This addition of civic art to the streetscape allows for Greenville to celebrate its past while looking forward to its future.



Consistency in a streetscape is also important to create a specific theme for Greenville. Consistency in the basic streetscape design elements creates a natural rhythm and flow to the street corridors that allow for visitors and residents alike to have an enjoyable experience and want to come back again and again.

Implementation Program

Purpose

The purpose for recommending phasing and prioritization of projects is to provide a rational approach to the sequence of projects that will lead ultimately to the completion of the planned streetscape program.

Criteria

Municipally funded streetscape improvements are typically built in stages, block by block. This is as an alternative to an all-at-once downtown-wide approach. An example of this building block approach is the City of New Bern, North

Carolina and their streetscape program. Each year a set amount of money is allocated to streetscape improvements. Year to year the money available varies so the program is tailored to meet the money at hand while not sacrificing the integrity and level of streetscape enhancements. Over time, the streets of New Bern have been converted to the charming place that they are today. This small project approach is particularly appropriate in business districts where some customers tend to avoid the construction zone, a practice that impacts the livelihood of business owners and their employees. While orange barrels and traffic detours are to be expected during construction, it is imperative that reasonably convenient and safe pedestrian access routes to all businesses be maintained at all times during construction. This is the first criteria for developing a phasing plan. The criteria are listed below:

- Maintain reasonable convenient and safe pedestrian access to establishments during construction.
- Provide reasonable convenient and safe detour routes for vehicular traffic.
- Coordinate schedules for compatible utility upgrades.
- Coordinate schedules for compatible improvements to adjacent private and public properties.
- Consider streetscape investments as key catalysts for some private investments that otherwise would have been delayed by property owners.
- Account for project phases requiring more advance planning and permitting (i.e. NCDOT).
- Advance projects that require less right-of way acquisition early in the phasing.
- Time construction to minimize disturbances (i.e. school season).
- Take advantage of available funding as it arises.
- Take advantage of opportunities with local artists or other art agencies and their funding programs.

Priority Projects

The following are recommended phasing of priority projects within the project area. These are not intended to be the actual final sequence of construction and should be evaluated yearly as construction money and other partnering opportunities arise.

Priority 1 – Evans Street (3 block section from 10th Street to Reade Circle)

Noted as THE major streetscape priority for creating the gateway experience to draw people into the Uptown District in the Center City – West Greenville Redevelopment Plan. This project has a number of issues that need to be addressed as part of it. Many of which need to be addressed before the 10th Street Project reaches design.

- It has the largest of the ROW acquisitions for it to reach its ultimate cross section.
- The 10th Street Connector project plays a major role in its construction sequencing. Due to this it should be considered as part of the 10th Street





project.

- It has a large civic art piece that needs to be commissioned and constructed.
- There are several major redevelopment projects slated for the corridor.

Priority 2 – MLK Drive (3 block section from Memorial Drive to Nash Street)

This section serves as the gateway to the West Greenville Neighborhoods from Memorial Drive. It also sets the stage for the City’s new housing redevelopment projects and provides the first major memory marker opportunity for West Greenville with the Eppes Memorial. This section is not affected by the 10th Street Connector Project.

Priority 3 – Cotanche Street (1 block section from E. 5th Street to Reade Circle)

This small section lends itself to a pilot project in Uptown due to its size and opportunity for a civic art piece. This section is not affected by the 10th Street Connector Project.

Priority 4 – Dickinson Avenue (4 block section from Atlantic Avenue to Reade Circle)

This section should be done as a whole as it sets the character for the entire redevelopment of the Tobacco Warehouse District. However, there are some conflicts with the final 10th Street Connector project that need to be resolved prior to design and construction in addition to some minor ROW acquisitions.

Priority 5 – MLK Drive/E. 5th Street (5 block section from Pitt Street to Reade Circle)

This section along with Evans Street serves as the crossroads of Uptown originally known as “Five Points.” An opportunity for a major urban park or parking deck makes this a prominent street to be developed. The 10th Street Corridor project would need to be in place and functioning to make the improvements recommended in this plan.

Priority 6 – MLK Drive (4 block section from Nash Street to Tyson Street)

This section would allow for the realignment of the offset Tyson Street intersection thereby increasing the safety level for pedestrians and automobiles alike. It is also in proximity to the possible redevelopment site of St. Gabriel’s Church into a community resource center and the memory marker opportunity for the Negro Midwives Association. This alignment could possibly play heavily into the completion of the 10th Street Connector project.

Priority 7 – MLK Drive (2 block section from Latham Street to Railroad)

This intersection would realign the intersection of MLK Drive with Elizabeth Street and Albemarle Avenue. This realignment would allow for new infill development to occur as well as the creation of a small neighborhood park/open space. This new intersection would serve as the major gateway into West Greenville.

Priority 8 – MLK Drive (2 block section from Tyson Street to Davis Street)

This section of MLK Drive would support new redevelopment along this section of the corridor.

Priority 9 – MLK Drive (3 block section from Davis Street to Latham Street)

This section of MLK Drive would support new redevelopment along this section of the corridor.



Priority 10 – MLK Drive (1 long block section from Railroad to Pitt Street)

This section of MLK Drive would support new redevelopment along this section of the corridor. It could possibly be done in tandem with the redevelopment of the Imperial Tobacco Warehouse site.

Other smaller projects

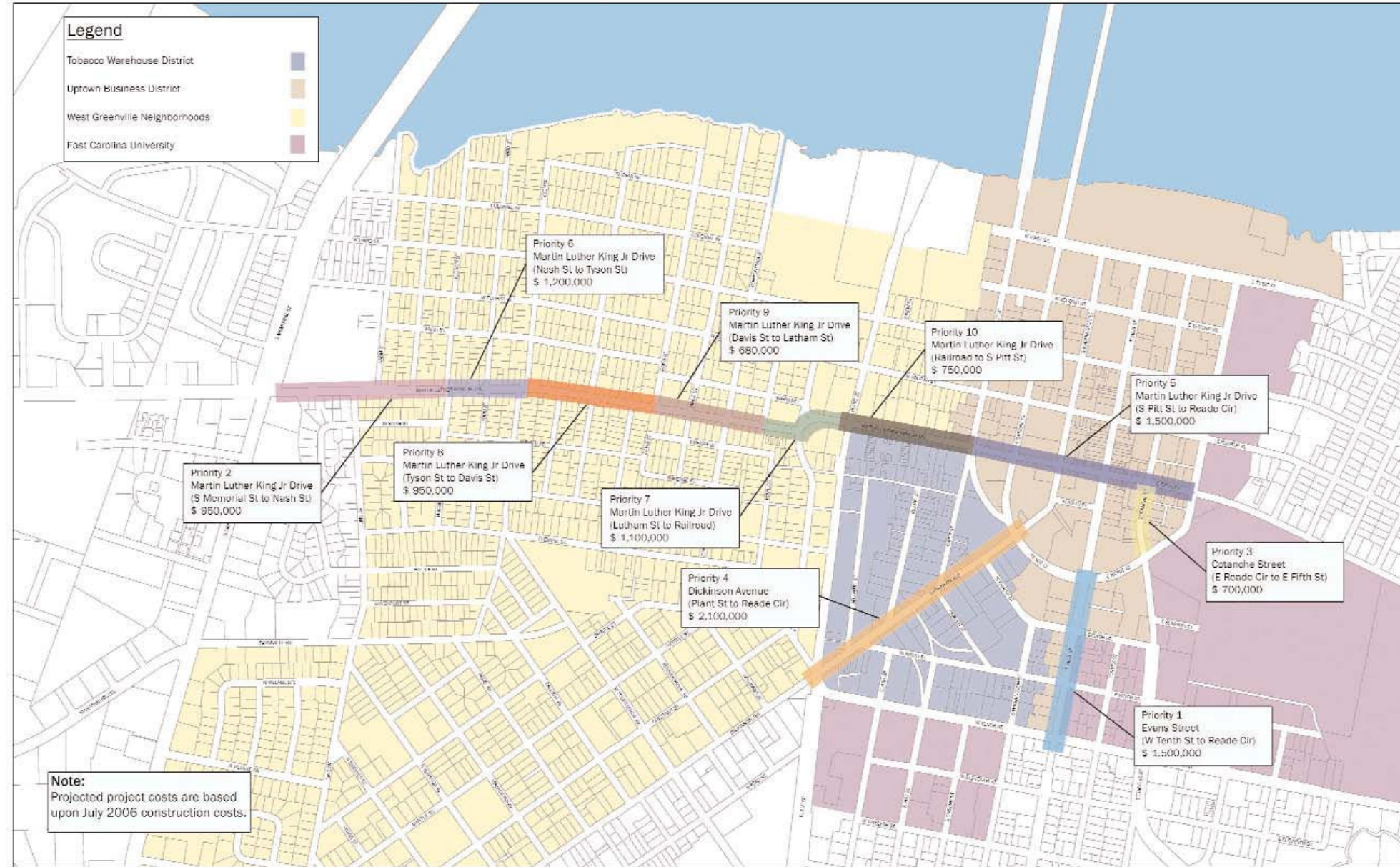
If funding for larger projects is not available smaller pieces of streetscape elements can be constructed with funding available. These are projects of opportunity and should be done if they are appropriate and have the backing of the community.

- Street lighting improvements
- Utility upgrades
- Drainage improvements
- Sidewalk improvements
- Memory markers and other civic art opportunities
- Wayfinding signage

GREENVILLE CENTER CITY STREETScape MASTER PLAN



GREENVILLE CENTER CITY STREETScape MASTER PLAN



PROJECT PRIORITIZATION PLAN

