



Agenda

Planning and Zoning Commission

May 20, 2014

6:30 PM

Council Chambers, City Hall, 200 W. Fifth Street

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- I. CALL MEETING TO ORDER -
- II. INVOCATION - Jerry Weitz
- III. ROLL CALL
- IV. APPROVAL OF MINUTES - April 15, 2014
- V. NEW BUSINESS

REZONINGS

- 1. Ordinance requested by Champions Health and Fitness to rezone 5.13 acres located 950+/- feet south of East Fire Tower Road and adjacent to Whitebridge Duplexes from R6MH (Residential-Mobile Home [High Density]) to CG (General Commercial).
- 2. Ordinance requested by Happy Trails, LLC to rezone 28.534 acres located along the southern right-of-way of Regency Boulevard and adjacent to South Pointe Duplexes from R6S (Residential-Single-family [Medium Density]) to R6A (Residential [Medium Density Multi-family]).

PRELIMINARY PLATS

- 3. Request by Outdoor Properties II, LLC for a preliminary plat entitled "Northwest Commercial Park". The property is located near the intersection of Allen Road and Dickinson Avenue Extension on the western right-of-way of Allen Road immediately adjacent to the Trade Station. The subject property is further identified as a portion of Pitt County Tax Parcel No. 78577.

TEXT AMENDMENTS

4. Ordinance to amend the Zoning Ordinance by reducing the number of regular Board of Adjustment members, that are appointed by Pitt County, from two members to one member.

VI. OTHER ITEMS OF BUSINESS

5. This is an informational item from Vidant Medical Center about the upcoming construction of the Cancer Center.

VII. ADJOURN

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

April 15, 2014

The Greenville Planning and Zoning Commission met on the above date at 6:30 p.m. in the Council Chambers of City Hall.

Ms Shelley Basnight –Chair-X
Mr. Tony Parker - *(Vice Chair) Ms. Chris Darden – X
Mr. Terry King – * Ms. Ann Bellis – *
Ms. Linda Rich - X Mr. Brian Smith - X
Mr. Doug Schrade - * Mr. Jerry Weitz –*
Ms. Wanda Harrington-X Mr. Torico Griffin -*

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

VOTING MEMBERS: Schrade, Bellis, Griffin, King, Weitz

PLANNING STAFF: Thomas Weitnauer, Chief Planner; Chantae Gooby, Planner II, Andy Thomas, Lead Planner; and Amy Nunez, Staff Support Specialist II.

OTHERS PRESENT: Dave Holec, City Attorney; Merrill Flood, Director of Community Development; Tim Corley, Civil Engineer II and Jonathan Edwards, Communications Technician.

MINUTES: Motion was made by Ms. Bellis, seconded by Mr. Weitz, to accept the March 18, 2014 minutes as presented. Motion carried unanimously.

NEW BUSINESS

REZONINGS

ORDINANCE REQUESTED BY THE COUNTY OF PITT TO REZONE 28.975 ACRES LOCATED ALONG THE SOUTHERN RIGHT-OF-WAY OF THE NORFOLK SOUTHERN RAILROAD, 3,600+/- FEET WEST OF ALLEN ROAD AND NORTH OF ALLEN RIDGE SUBDIVISION FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO I (INDUSTRY) - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated the property is located in the western section of the City, adjacent to the Pitt County Landfill and west of Allen Road. The rezoning is for 28 acres, which is only a portion of the property owned by Pitt County. The property is currently vacant and is accessed from Landfill Road. The proposed Southwest Bypass will be west of the site. There is a small area of the 500-year flood plain to the east. Under the current zoning, the property could accommodate approximately 110 single-family lots. Under the requested zoning, there could be about 277,000 square feet of industrial/warehouse

uses. The Land Use Plan recommends commercial at the intersection of Allen Road and Landfill Road with conservation/open space to act as a buffer between the commercial and office/multi-family/institutional to the interior industry. In staff's opinion, the request is in compliance with Horizon's Greenville Community Plan and the Future Land Use Plan Map.

Chairman Parker opened the public hearing.

Mr. James Rhodes, with the Pitt County Planning Department, spoke in favor of the request. He stated that this rezoning is only a portion of the property. This rezoning will help define the current industrial-zoned property. The request is in conformance with the City's Land Use Plan.

Mr. Weitz asked if Pitt County was required to comply with City zoning laws when the area is an open use as opposed to a building.

Mr. Rhodes stated that it is not an open use. It is a transfer station.

Attorney Holec stated that the County does have to comply with City zoning regulations.

Mr. Weitz asked even if it was an open area use.

Attorney Holec stated yes because it is still a use. The use of a property is governed by zoning.

No one spoke in opposition of the request.

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

No comments were made during board discussion.

Motion made by Mr. Weitz, seconded by Mr. King, 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.

ORDINANCE REQUESTED BY EASTERN AREA HEALTH EDUCATION CENTER TO REZONE 0.757 ACRES LOCATED EAST OF THE INTERSECTION OF WEST ARLINGTON BOULEVARD AND MELROSE DRIVE AND 400+/- FEET NORTH OF WEST FIFTH STREET FROM MR (MEDICAL-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) TO MO (MEDICAL-OFFICE) - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated the property is located in the central section of the City, north of 5th Street and west of Treybrooke Apartments. The requested rezoning area is part of a larger piece of property. This rezoning will result in the whole property

having the same zoning. The property is vacant. There is multi-family to the north, vacant and institutional to the south. This request could generate a net increase of 190 trips. All the traffic will be at the signalized intersection at Arlington Boulevard and 5th Street. There is a small area of the property in the 500-year flood plain. Any environmental constraints will be considered at the time of development. The Future Land Use Plan recommends office, institutional, or multi-family (OIMF) for this area. The Conservation Open Space (COS) area is recommended as a potential environmental constraint. In staff's opinion, the request is in compliance with Horizon's Greenville Community Plan and the Future Land Use Plan Map.

Chairman Parker opened the public hearing.

Mr. Jon Day, representative for the applicant, spoke in favor of the request. He stated that Eastern Area Health Education Center (AHEC) handles the continuing education requirements for medical professionals in Eastern North Carolina. The requested area is under contract with the desire to construct an office building of approximately 30,000 square feet. The rezoning will result in the entire parcel having one zoning. The new building would be owner-occupied with a few leased spaces.

No one spoke in opposition of the request.

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

No comments were made during board discussion.

Motion made by Mr. Weitz, seconded by Mr. Griffin, 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.

ORDINANCE REQUESTED BY MATTHEW HINES TO REZONE 0.36 ACRES LOCATED AT THE NORTHWEST CORNER OF DICKINSON AVENUE AND CLARK STREET FROM CDF (DOWNTOWN COMMERCIAL FRINGE) TO CD (DOWNTOWN COMMERCIAL)-
APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated that the property is located in the central section of the City specifically, along Dickinson Avenue between Reade Circle and the proposed 10th Street Connector. It fronts on to Clark Street. Most of the uses in this area are commercial. This rezoning is part of the Uptown Commercial Focus Area. Under the current zoning, the site could accommodate about 3,400 square feet as potential retail or restaurant. Under the requested zoning, there are no setbacks or parking requirements, the property could

accommodate 15,000 square feet. The Land Use Plan recommends commercial in this area. In staff's opinion, the request is in compliance with Horizon's Greenville Community Plan, the Future Land Use Plan Map and the West Greenville 45 Block Revitalization Plan.

Chairman Parker opened the public hearing.

Mr. Matthew Hines, applicant, spoke in favor of the request. He owns Cross-Fit Greenville which is currently located on West Arlington Boulevard. He has outgrown his current space and this location will give more space. The requested site is a warehouse space and is ideal for his business.

No one spoke in opposition of the request.

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

No comments were made during board discussion.

Motion made by Mr. Schrade, seconded by Mr. King, 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.

PRELIMINARY PLATS

REQUEST BY LANGSTON FARMS, LLC FOR A PRELIMINARY PLAT ENTITLED "LANGSTON COMMERCIAL AND OFFICE PARK, LOT 1". THE PROPERTY IS LOCATED AT THE INTERSECTION OF THE EASTERN RIGHT -OF-WAY OF S. MEMORIAL DRIVE AND THE SOUTHERN RIGHT-OF-WAY OF REGENCY BOULEVARD. THE PROPERTY IS BOUND BY WESTHAVEN SOUTH TO THE NORTH, A RESIDENCE AND TRACTOR SUPPLY COMPANY TO THE SOUTH, VACANT PROPERTY TO THE EAST AND VACANT PROPERTY AND A SHOPPING CENTER (FORMER HOME DEPOT SITE) TO THE WEST. THE SUBJECT PROPERTY IS FURTHER IDENTIFIED AS A PORTION OF PITT COUNTY TAX PARCEL NO. 74013. – APPROVED

Mr. Andy Thomas, Lead Planner, delineated the property. He stated that the property is located in the southern section of the City, bound by S. Memorial and Regency Boulevard. The Tractor Supply Company is to the south and Westhaven South subdivision is to the north. It is vacant to the east and vacant with a shopping center to the west. The zoning pattern for this area was

established when the Thomas Langston Road Extension (now called Regency Boulevard) was being discussed. This zoning pattern was established with collaboration of the Westhaven Neighborhood and was approved by the Planning and Zoning Commission on December 20, 2005 and City Council approval on January 12, 2006. The Future Land Use Map (FLUP) shows high density residential to the east. The property is not impacted by the flood plain. S. Memorial Drive is a major thoroughfare. Regency Boulevard is a minor thoroughfare. This lot is being presented as the next phase of development of the Langston Farms property. Westhaven South Phases 1, 2 & 3 and Regency Boulevard was approved March 21, 2006. Westhaven South Section 4 & Revisions to Phases 2 & 3 was approved on October 17, 2006. Westhaven South, Section 5 was approved on April 15, 2008. The remainder of the property has not been preliminary platted and will need to be preliminary platted prior to future development. The property will be served by a drive on S. Memorial Drive which will be a shared driveway with the adjacent property to the south and a shared driveway on Regency Boulevard. There is a 10-foot non-access easement along S. Memorial Drive and Regency Boulevard. The property has been before the Board of Adjustment which issued a special use permit for a large box grocery store and gas station. The City's Subdivision Review Committee has reviewed the preliminary plat and has determined that it meets all technical requirements.

Ms. Bellis asked a general question regarding the final approval of preliminary plats is by the Planning and Zoning Commission.

Mr. Thomas stated yes.

Ms. Bellis stated that anything with final say by the Planning and Zoning Commission needs to be advertised in the newspaper. She stated she did not see this plat advertised.

Mr. Thomas stated the preliminary plats are not advertised. First class notices are mailed to adjoining property owners. With this plat they were within 300 feet.

Ms. Bellis asked how many occupied houses received letters.

Mr. Thomas stated 8.

Ms. Bellis asked if legal requirements were met.

Mr. Holec stated there is no requirement to publish a notice in the paper for this particular request.

Ms. Bellis asked when would a notice be published.

Mr. Holec stated when the state statute or our regulations require us, but not for a preliminary plat. City Council rezoning requests are required to have a publication of notice.

Ms. Bellis stated that there is residential to the north and south and possibly in the future to the east. These residents should be aware of a development going in that area and be able to provide input.

Mr. Thomas stated the property to the east vacant and to the south is commercial. Across the street is vacant and commercial. The property owners within 300 feet received notice.

Chairman Parker asked that the property in question is already zoned commercial.

Mr. Thomas stated yes, back in 2005.

Mr. Flood stated when the property was rezoned, it was advertised at that time. When the Board of Adjustment met for a special use permit for this property, an advertisement was done. This is a creation of a lot line and extension of utilities; therefore it is not typically a legislative action, but establishing a building site or acceptable building plot for development. The legislative actions have been met along the way.

Mr. Thomas stated when the zoning pattern was established, it was done with collaboration with the Westhaven Neighborhood.

Chairman Parker asked that this is not a zoning issue but a plat.

Mr. Thomas stated yes.

Chairman Parker opened the public hearing.

No one spoke in opposition of the request.

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

No comments were made during board discussion.

Motion made by Mr. Griffin, seconded by Mr. Weitz, to approve the preliminary plat entitled “Langston Commercial and Office Park, Lot 1”. Motion passed unanimously.

TEXT AMENDMENTS

ORDINANCE AMENDING THE FLOOD DAMAGE PREVENTION ORDINANCE TEXT DEFINING THE BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS WITHIN THE JURISDICTIONAL AUTHORITY OF THE CITY OF GREENVILLE AND REDEFINING THE REGULATORY FLOOD PROTECTION ELEVATION - APPROVED

Mr. Tim Corley, Civil Engineer II, stated the flood studies have been completed and new maps are completed. The new maps are to take effect July 7, 2014. All new building will have to comply after the July 7, 2014 date. The base flood elevation building requirements will have a minimum of two (2) feet above base flood elevation per the North Carolina Floodplain Mapping Program.

Adoption of the revised Flood Insurance Study and the accompanying Flood Insurance Rates maps and to change the freeboard requires a text amendment to The Flood Damage Prevention Ordinance outlined below:

That Title 9, Chapter 6, of the City Code be amended as follows:

Section 9-6-3, subsection (B) Basis for Establishing the Special Flood Hazard Areas, replace the strikethrough text with the BOLD text as follows:

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Pitt County, dated ~~April 13, 2013~~ **July 7, 2014**, and its accompanying Flood Insurance Rate Map, (FIRM) including any digital data developed as part of the FIS, which are adopted by reference and declared to be a part of this ordinance. Future revisions to the FIS or FIRM panels that do not change flood hazard data within the jurisdictional authority of the City of Greenville are also adopted by reference and declared to be part of this ordinance. Subsequent revisions to the FIRM should be adopted within 6 months.

Replace all of the text in subsection, Sec. 9-6-2. Definitions, (52) *Regulatory Flood Protection Elevation* with the following:

Regulatory Flood Protection Elevation means the “Base Flood Elevation” plus the “Freeboard”. In “Special Flood Hazard Areas” where Base Flood Elevations (BFEs) have been determined, this elevation shall be at least the BFE plus two (2) feet for all structures and other development except manufactured homes. In “Special Flood Hazard Areas” where no BFE has been established, this elevation shall be at least two (2) feet above the highest adjacent grade. For manufactured homes, the regulatory flood protection elevation shall be at least the BFE plus two (2) feet. Allowable elements below the lowest floor are limited to electrical, mechanical, and ductwork, which are considered a standard part of the manufactured home. Cross over ducts for double and triple wide manufactured homes are specifically exempted from the freeboard requirement provided the bottom of all such cross over ducts are above the base flood elevation. All electrical, mechanical, and duct work which are not a part of the manufactured home shall be no lower than two (2) feet above the base flood elevation.

Staff recommends approval of the proposed text amendments to City Council.

Ms. Bellis asked for the definition of base flood elevation.

Mr. Corley stated it referred to the 100 year flood level.

Chairman Parker opened the public hearing.

No one spoke in favor or in opposition of the text amendment.

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

Mr. Weitz stated he supports the ordinance amendment that increases the regulation in flood areas. He stated that elevating a structure to the new 2 feet minimum is a much better protection from flooding. He stated the best policy it to keep buildings and people out of the flood plain. Even though there is flood insurance, partially subsidized by the federal government for those who build in the flood plain, it must be kept in mind that the flood plain will change over time. He stated it is not a guarantee that an area will not flood. He stated that the new Congress just passed a law, signed by the President, regarding a whole new mapping program. He stated he wanted to recognize the importance of flood plains and good development that stays out of the flood plains.

Motion made by Mr. Weitz, 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.

With no further business, motion made by Mr. Griffin, seconded by Mr. Weitz, to adjourn. Motion passed unanimously. Meeting adjourned at 7:06 p.m.

Respectfully Submitted,

Merrill Flood, Secretary to the Commission
Director of Community Development Department



City of Greenville, North Carolina

Meeting Date: 5/20/2014
Time: 6:30 PM

Title of Item: Ordinance requested by Champions Health and Fitness to rezone 5.13 acres located 950+/- feet south of East Fire Tower Road and adjacent to Whitebridge Duplexes from R6MH (Residential-Mobile Home [High Density]) to CG (General Commercial).

Explanation: **Abstract:** The City has received a request from Champions Health and Fitness to rezone 5.13 acres located 950+/- feet south of East Fire Tower Road and adjacent to Whitebridge Duplexes from R6MH (Residential-Mobile Home [High Density]) to CG (General Commercial).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on May 6, 2014.

On-site sign(s) posted on May 6, 2014.

City Council public hearing notice (property owner and adjoining property owner letter) mailed - N/A.

Public hearing legal advertisement published - N/A.

Comprehensive Plan:

The subject area is located in Vision Area D.

The Future Land Use Plan Map recommends commercial (C) along the southern right-of-way of East Fire Tower Road between Bayswater Road and Swamp Fork Canal transitioning to high density residential (HDR) to the south and conservation/open space (COS) to the east.

The Future Land Use Plan Map identifies certain areas for conservation/open space (COS) uses. The map is not meant to be dimensionally specific, and may not correspond precisely to conditions on the ground. When considering rezoning requests or other development proposals, some areas classified as

conservation/open space may be determined not to contain anticipated development limitations. In such cases, the future preferred land use should be based on adjacent Future Land Use Plan designations, contextual considerations, and the general policies of the comprehensive plan.

Fire Tower Road is designated as a residential corridor between Evans Street and Corey Road. Along residential corridors, office, service and retail activities should be specifically restricted to the associated focus area, and linear expansion outside of the focus area should be prohibited.

There is a designated neighborhood commercial focus area at the intersection of Fire Tower Road and Bayswater Road. These nodes typically contain 20,000 - 40,000 square feet of conditioned floor space.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1,153 trips to and from the site on East Fire Tower Road, which is a net increase of 953 additional trips per day.

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

History/Background:

In 1988, the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned R6MH (Residential-Mobile Home [High Density]).

Present Land Use:

Currently, the property is vacant.

Water/Sewer:

Water and sanitary sewer will be located in the future right-of-way of Bayswater Road.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

The property is impacted by the 500 and 100-year floodplains associated with the Fork Swamp Canal.

Surrounding Land Uses and Zoning:

North: CG - Vacant

South: R6MH - Vacant

East: R6 - Whitebridge Duplexes; R9S - Surrey Meadows Subdivision Open

Space
West: CG - Vacant

Density Estimates:

Under the current zoning (R6MH), the site could accommodate 40 mobile home units.

Under the proposed zoning (CG), the site could accommodate 49,162+/- square feet of retail/conventional restaurant space.

The anticipated build-out time 1-2 years.

Fiscal Note: No cost to the City.

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

"General compliance with the comprehensive plan" should be construed as meaning the requested rezoning is recognized as being located in a transition area and that the requested rezoning (i) is currently contiguous or is reasonably anticipated to be contiguous in the future, to specifically recommended and desirable zoning of like type, character or compatibility, (ii) is complementary with objectives specifically recommended in the Horizons Plan (iii) is not anticipated to create or have an unacceptable impact on adjacent area properties or travel ways, and (iv) preserves the desired urban form. It is recognized that in the absence of more detailed plans, subjective decisions must be made concerning the scale, dimension, configuration, and location of the requested zoning in the particular case. Staff is not recommending approval of the requested zoning; however staff does not have any specific objection to the requested zoning.

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](#)

 [List_of_Uses_R6MH_to_CG_911650](#)

EXISTING ZONING

R6MH (Residential-Mobile Home)

Permitted Uses

(1) General:

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

(2) Residential:

- a. Single-family dwelling
- b. Two-family attached dwelling (duplex)
- c. Multi-family development per Article 1
- g. Mobile home
- h. Mobile home park
- k. Family care home (see also section 9-4-103)
- q. Room renting

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

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical: None*

(8) Services:

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

(9) Repair: None*

(10) Retail Trade: None*

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

(12) Construction:

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

(13) Transportation: None*

*(14) Manufacturing/ Warehousing: * None*

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

R6MH (Residential-Mobile Home)

Special Uses

(1) General: None*

(2) Residential:* None

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:* None

(6) Recreational/ Entertainment:* None

(7) Office/ Financial/ Medical:* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery

(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: 14-11

Applicant: **Champions Health and Fitness**

Property Information

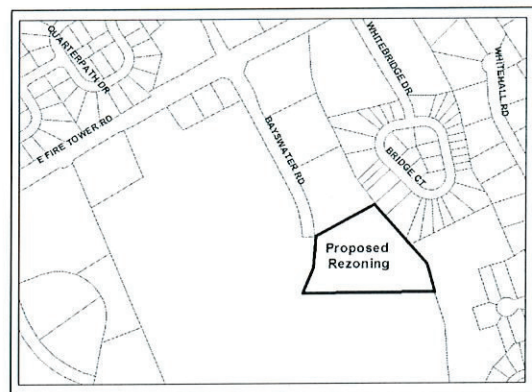
Current Zoning: R6MH (Residential [High Density Mobile Home])

Proposed Zoning: CG (General Commercial)

Current Acreage: 5.13 acres

Location: south side of Fire Tower Rd, on Bayswater Rd

Points of Access: Fire Tower Rd



Location Map

Transportation Background Information

1.) Fire Tower Rd- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lane with raised median	no change
Right of way width (ft)	100	no change
Speed Limit (mph)	45	no change
Current ADT:	33,290 (*)	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 sidewalks along Fire Tower Rd that service this property.

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

Transportation Improvement Program Status: No planned improvements.

Trips generated by proposed use/change

Current Zoning: 200 -vehicle trips/day (*) **Proposed Zoning: 1,153** -vehicle trips/day (*)

Estimated Net Change: increase of 953 vehicle trips/day (assumes full-build out)

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

Impact on Existing Roads

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

1.) Fire Tower Rd , East of Site (60%): “No build” ADT of 33,290

Estimated ADT with Proposed Zoning (full build) – 33,982
Estimated ADT with Current Zoning (full build) – 33,410
Net ADT change = 572 (2% increase)

2.) Fire Tower Rd , West of Site (40%): "No build" ADT of 33,290

Estimated ADT with Proposed Zoning (full build) – 33,751

Estimated ADT with Current Zoning (full build) – 33,370

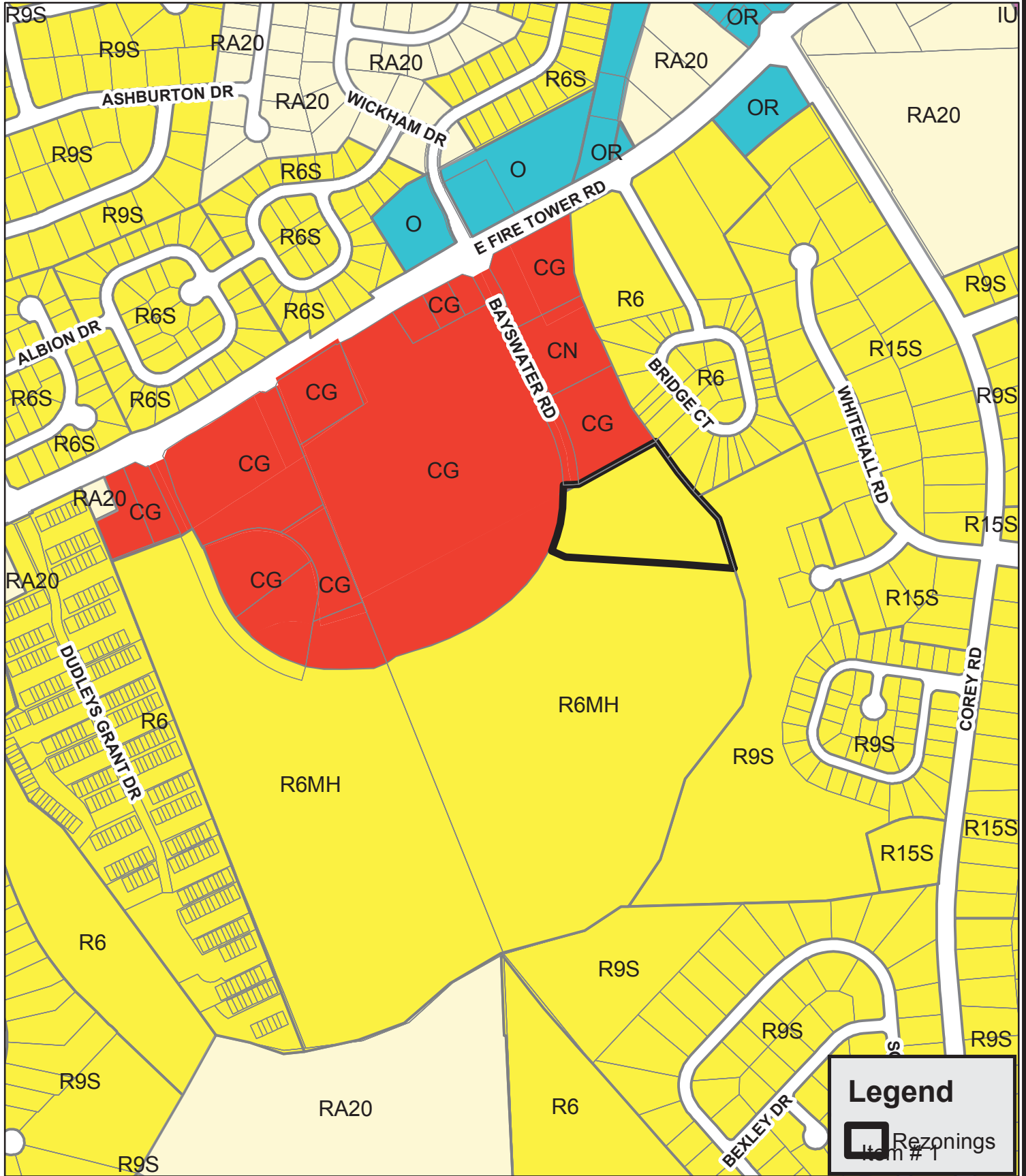
Net ADT change = 381 (1% increase)

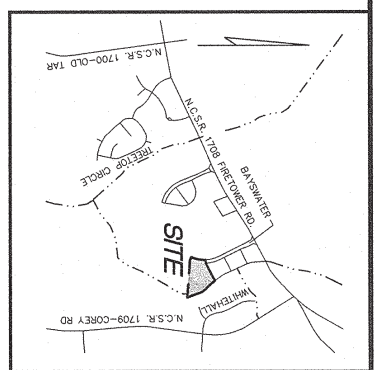
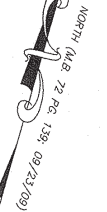
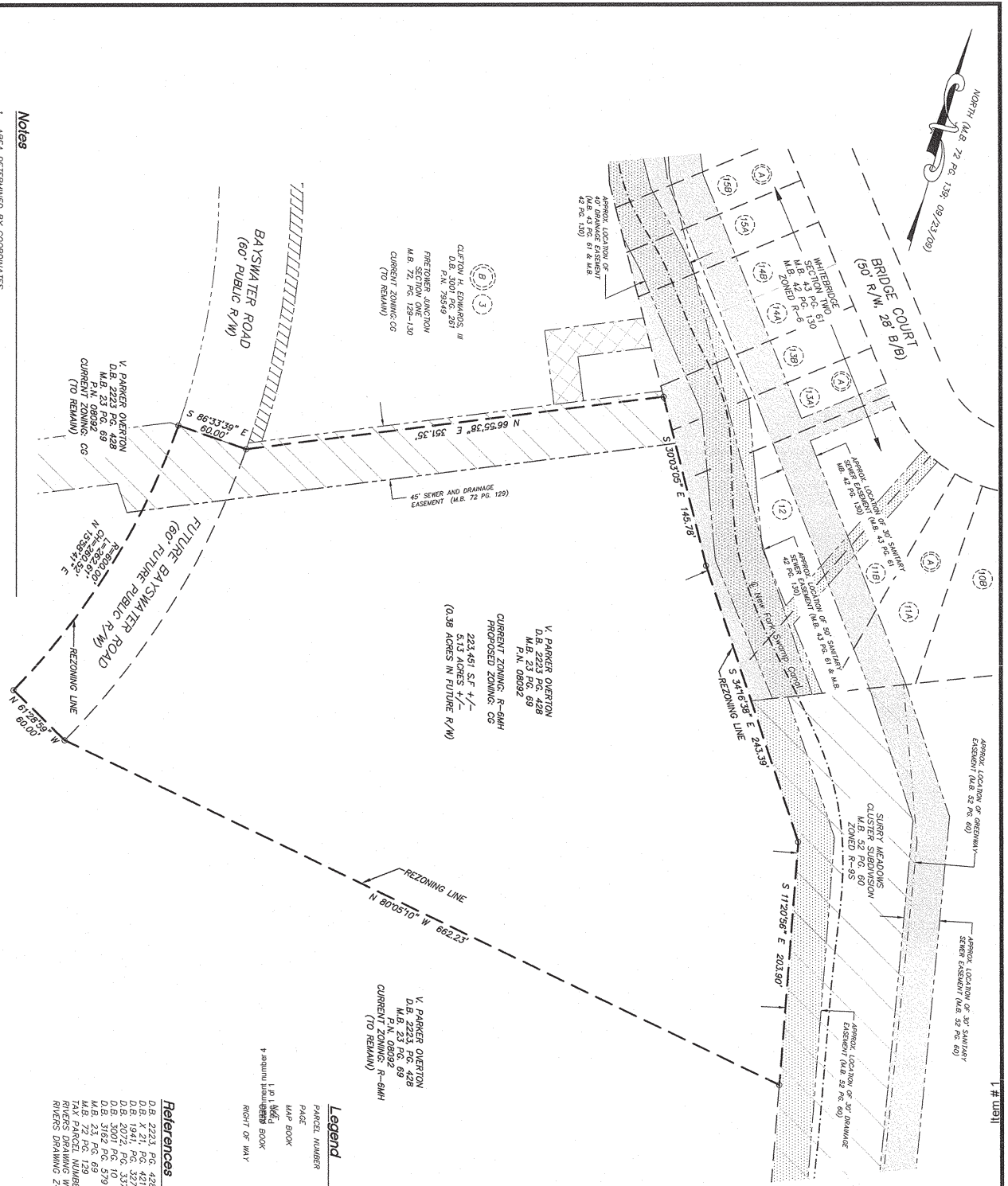
Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1153 trips to and from the site on Fire Tower Rd, which is a net increase of 953 additional trips per day.

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

Champions Health and Fitness
From: R6MH To: CG
5.13 acres
May 2, 2014





Whitebridge Section Two

- LOT 114 ANGELA B. OWENS AKA ANGELA B. AMBROSE D.B. 2738 PG. 580
- LOT 118 CHRISTOPHER BRIAN CORBETT D.B. 1953 PG. 9
- LOT 1246B THOMAS W. SCOWROFT D.B. 494 PG. 860
- LOT 1346B JOHNN WALTER SMITH & CAROLYN JANE SMITH D.B. 2352 PG. 232
- LOT 1446B L. SPOTTSWOOD GRAYES ROBERTA H. GRAYES D.B. 1999 PG. 602
- LOT 15A GRW INVESTMENTS, LLC D.B. 2880 PG. 412

Legend

Parcel Number	P.N.	REZONING LINE
MAP BOOK	M.B.	PLATTED BLOCK NO.
RIGHT OF WAY	HOW OR FORMERLY	PLATTED LOT NO.
	R/W	EXISTING EASEMENT
		NEW FOREK SWAMP CANAL

References

- D.B. 2223 PG. 428
- D.B. X 21, PG. 421
- D.B. 1941, PG. 337
- D.B. 3007, PG. 10
- D.B. 3162 PG. 579
- M.B. 23 PG. 69
- M.B. 23 PG. 69
- TAX PARCEL NUMBER: 08092
- RIVERS DRAWING W-2853
- RIVERS DRAWING Z-2412-2



Notes

1. AREA DETERMINED BY COORDINATES.
2. ALL DISTANCES ARE HORIZONTAL MEASUREMENTS.
3. NO POINT SET AT ANY CORNER UNLESS OTHERWISE NOTED.
4. THIS MAP WAS PREPARED FOR REZONING PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE EXISTING EASEMENTS OR IMPROVEMENTS ARE SHOWN HEREON. PROPERTY SUBJECT TO THOSE EASEMENTS OF RECORD AND RECORDED IN MAP BOOK 22 PAGE 129 AND DEED BOOK 3001 PAGE 10.
5. EXISTING ZONING WAS TAKEN FROM THE ORIGINAL ZONING MAP, THE CITY OF GREENVILLE, DATED AUGUST 2, 2011 AND THE CITY OF GREENVILLE SPATIAL DATA EXPLORER WEB SITE.
6. BOUNDARY INFORMATION TAKEN FROM A BOUNDARY SURVEY PREPARED BY RIVERS AND ASSOCIATES, INC. ENTITLED SURVEY FOR: LEWIS LAND DEVELOPMENT, LLC DATED MAY 17, 2008 (RIVERS AND ASSOCIATES DRAWING NO. W-2853) AND FINAL PLAN RECORDED IN MAP BOOK 22 PAGE 123.
7. FUTURE BAYSWATER ROAD RIGHT OF WAY SHOWN HEREON TAKEN FROM PRELIMINARY PLAN #09-01 DATED APRIL 8, 2008.

CERTIFICATION

I, PATRICK W. HARTMAN, PROFESSIONAL LAND SURVEYOR CERTIFY THAT THIS MAP WAS DRAWN AND PREPARED IN ACCORDANCE WITH THE MAPS AS REFERENCED HEREON, AND DOES NOT REPRESENT A FIELD BOUNDARY SURVEY BY MYSELF OR RIVERS AND ASSOCIATES, INC., IN CONNECTION WITH THIS SURVEY IS OF ANOTHER CATEGORY. REZONING MAP, WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 21ST DAY OF APRIL, 2014.

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



REZONING MAP FOR:
CHAMPIONS HEALTH AND FITNESS
OWNER: V. PARKER OVERTON

DATE	4/21/2014
SURVEY	DATE
DESIGN	CHECK
SCALE	1" = 60'
DRAWING NO.	Z-2587
PROJECT NO.	2014045
SHEET	1 OF 1
CITY OF GREENVILLE, WINTERVILLE TWP., PITT CO., N.C.	

REVISION #: 02/08/14 UPDATED TITLE BLOCK PER CITY REVIEW COMMENTS

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.

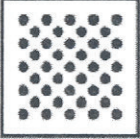
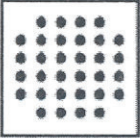
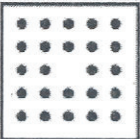
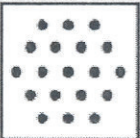
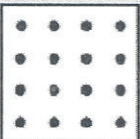
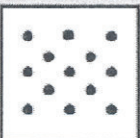
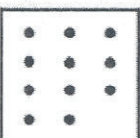
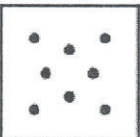
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons 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: 5/20/2014
Time: 6:30 PM

Title of Item: Ordinance requested by Happy Trails, LLC to rezone 28.534 acres located along the southern right-of-way of Regency Boulevard and adjacent to South Pointe Duplexes from R6S (Residential-Single-family [Medium Density]) to R6A (Residential [Medium Density Multi-family]).

Explanation: **Abstract:** The City has received a request from Happy Trails, LLC to rezone 28.534 acres located along the southern right-of-way of Regency Boulevard and adjacent to South Pointe Duplexes from R6S (Residential-Single-family [Medium Density]) to R6A (Residential [Medium Density Multi-family]).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on May 6, 2014.

On-site sign(s) posted on May 6, 2014.

City Council public hearing notice (property owner and adjoining property owner letter) mailed - N/A at this time.

Public hearing legal advertisement published - N/A at this time.

Comprehensive Plan:

The subject property is located in Vision Area E.

The Future Land Use Plan Map recommends office/institutional/multi-family (OIMF) at the southeast corner of the intersection of Regency Boulevard and South Memorial Drive and transitioning to medium density residential (MDR) in the interior areas.

Regency Boulevard is designated as a connector corridor. Connector corridors are anticipated to contain a variety of higher intensity land uses.

Thoroughfare/Traffic Volume Report Summary (PWD - Engineering

Division):

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1,297 trips to and from the site on Regency Boulevard, which is a net increase of 149 additional trips per day.

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

History/Background:

In 1972, the subject site was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned RA20. In 2006, the subject property was part of a large scale rezoning and was rezoned to R6S. In 2012, the property was part of a rezoning request for R6A. The Planning and Zoning Commission recommended denial and the request was withdrawn prior to City Council consideration.

Present Land Use:

Currently, the property is vacant but does contain a regional stormwater detention pond for the property to the north, east and west.

Water/Sewer:

Water and sanitary sewer are available.

Historic Sites:

There is no known effect on designated sites.

Environmental Conditions/Constraints:

There are no known effects on the designated area.

Current Surrounding Land Uses and Zoning:

North: R9S - Westhaven South Subdivision
South: RA20 - Farmland
East: R6S - Vacant; RA20 - Farmland
West: O - Vacant; R6A - South Pointe Duplexes

Density Estimates:

Under the current zoning (R6S), the site could yield approximately 120 single-family lots.

Under the proposed zoning (R6A), the site could yield approximately 195 multi-family units (1, 2 and 3 bedroom units).

The anticipated build-out time is 2-5 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.

Note: In addition to other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the existing and proposed 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](#)

[List of Uses R6S to R6A 979045](#)

EXISTING ZONING

R6S (Residential-Single-Family)

Permitted Uses

(1) General:

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

(2) Residential:

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

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

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical: None*

(8) Services:

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

(9) Repair: None*

(10) Retail Trade: None*

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

(12) Construction:

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

(13) Transportation: None*

*(14) Manufacturing/ Warehousing: * None*

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

R6S (Residential-Single-Family)

Special Uses

(1) General: None*

(2) *Residential*:* None

(3) *Home Occupations (see all categories)*:

- b. Home occupation; excluding barber and beauty shops
- c. Home occupation; excluding manicure, pedicure or facial salon
- d. Home occupation; including bed and breakfast inn (historic district only)

(4) *Governmental*:

- a. Public utility building or use

(5) *Agricultural/ Mining*:* None

(6) *Recreational/ Entertainment*:

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

(7) *Office/ Financial/ Medical*:* None

(8) *Services*:

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

(9) *Repair*:* None

(10) *Retail Trade*:* None

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

(12) *Construction*:* None

(13) *Transportation*:* None

(14) *Manufacturing/ Warehousing*: * None

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

PROPOSED ZONING

R6A (Residential)

Permitted Uses

(1) *General*:

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

(2) *Residential*:

- a. Single-family dwelling
- b. Two-family attached dwelling (duplex)
- c. Multi-family development per Article 1

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

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

(4) *Governmental:*

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

(5) *Agricultural/ Mining:*

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

(6) *Recreational/ Entertainment:*

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

(7) *Office/ Financial/ Medical:** None

(8) *Services:*

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

(9) *Repair:** None

(10) *Retail Trade:** None

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

(12) *Construction:*

- 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

R6A (Residential)

Special Uses

(1) *General:** None

(2) *Residential:*

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

(3) *Home Occupations (see all categories):*

- a. Home occupation; including barber and beauty shops

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

(4) Governmental:

a. Public utility building or use

(5) Agricultural/ Mining: None*

(6) Recreational/ Entertainment:

a. Golf course; regulation

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

(7) Office/ Financial/ Medical: None*

(8) Services:

a. Child day care facilities

b. Adult day care facilities

d. Cemetery

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

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

i. School; kindergarten or nursery (see also section 9-4-103)

m. Multi-purpose center

t. Guest house for a college and other institutions of higher learning

(9) Repair: None*

(10) Retail Trade: None*

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

(12) Construction: None*

(13) Transportation: None*

*(14) Manufacturing/ Warehousing: * None*

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

Case No: 14-10

Applicant: Happy Trails, LLC

Property Information

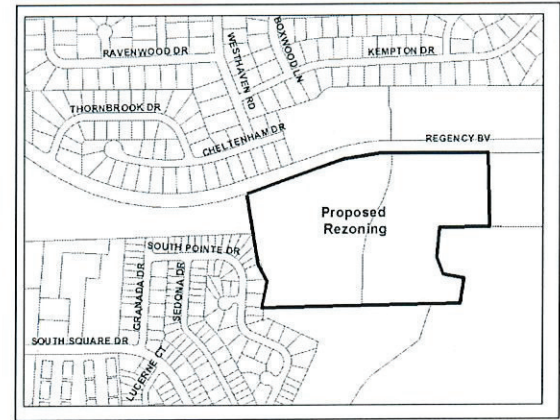
Current Zoning: R6S (Residential - Single-family)

Proposed Zoning: R6A (Residential [Medium Density Multi-family])

Current Acreage: 28.534 acres

Location: south side of Regency Blvd between Memorial Dr and RR tracks

Points of Access: Regency Blvd



Location Map

Transportation Background Information

1.) Regency Blvd- City maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lane with raised median	no change
Right of way width (ft)	90	no change
Speed Limit (mph)	45	no change
Current ADT:	7,800 (*)	Ultimate Design ADT: 35,000 vehicles/day (**)
Design ADT:	35,000 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Minor Thoroughfare	

Other Information: There are sidewalks along Regency Blvd that service this property.

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

Transportation Improvement Program Status: No planned improvements.

Trips generated by proposed use/change

Current Zoning: 1,148 -vehicle trips/day (*) **Proposed Zoning: 1,297** -vehicle trips/day (*)

Estimated Net Change: increase of 149 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 Regency Blvd are as follows:

1.) Regency Blvd , East of Site (40%): “No build” ADT of 7,800

Estimated ADT with Proposed Zoning (full build) – 8,319

Estimated ADT with Current Zoning (full build) – 8,259

Net ADT change = 60 (<1% increase)

2.) Regency Blvd , West of Site (60%): “No build” ADT of 7,800

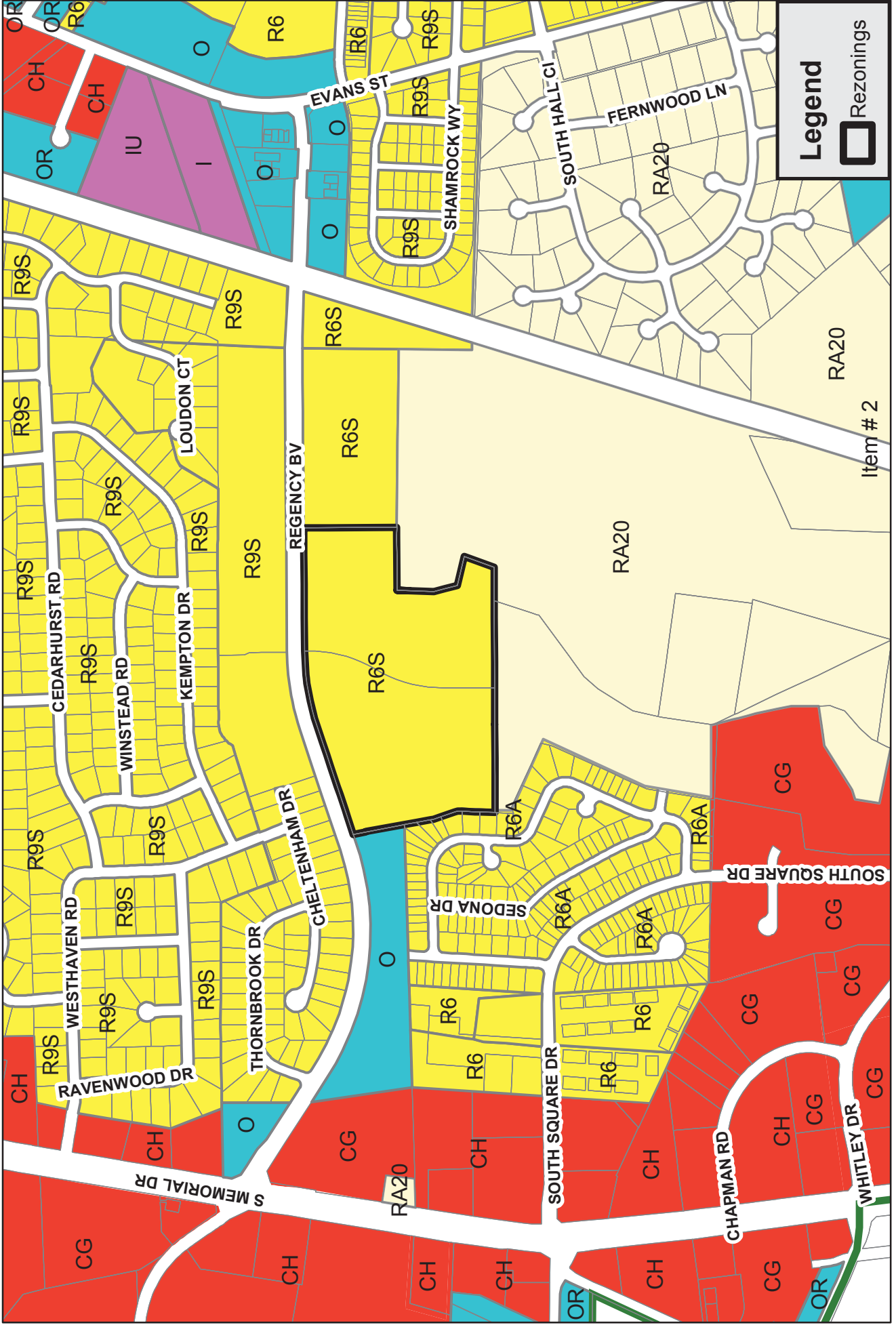
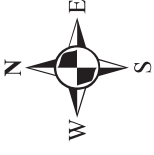
Estimated ADT with Proposed Zoning (full build) –	8,578
Estimated ADT with Current Zoning (full build) –	<u>8,489</u>
Net ADT change =	89 (1% increase)

Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1297 trips to and from the site on Regency Blvd, which is a net increase of 149 additional trips per day.

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

Happy Trails, LLC
From: R6S To: R6A
28.534 acres
May 2, 2014



Legend

- Rezoning

Item # 2

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.


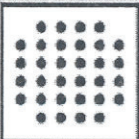
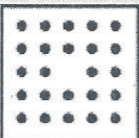
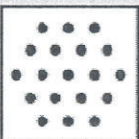
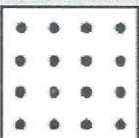
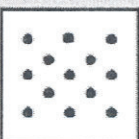
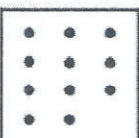
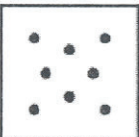
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons 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: 5/20/2014
Time: 6:30 PM

Title of Item: Request by Outdoor Properties II, LLC for a preliminary plat entitled "Northwest Commercial Park". The property is located near the intersection of Allen Road and Dickinson Avenue Extension on the western right-of-way of Allen Road immediately adjacent to the Trade Station. The subject property is further identified as a portion of Pitt County Tax Parcel No. 78577.

Explanation: This plat represents further development of the commercial property at this intersection.

It will be accessed by a driveway that will be maintained by the property owner's association. The City of Greenville of Greenville will not consider accepting this driveway for maintenance. It will also be accessed via a shared driveway with the Wilco-Hess Convenience Store at the intersection.

There is a 50 Foot Tar/Pamlico Riparian Buffer along the northern boundary.

A common detention pond will serve the properties and will be maintained by the property owner's association.

Fiscal Note: There will be no costs to the City of Greenville associated with this subdivision other than routine costs to provide public services.

Recommendation: The City's Subdivision Review Committee has reviewed the preliminary plat and has determined that it meets all technical requirements.

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

Attachments / click to download

 [Northwest Commercial Park Preliminary Plat](#)



City of Greenville, North Carolina

Meeting Date: 5/20/2014
Time: 6:30 PM

Title of Item: Ordinance to amend the Zoning Ordinance by reducing the number of regular Board of Adjustment members, that are appointed by Pitt County, from two members to one member.

Explanation: General Statutes prescribes Board of Adjustment (BOA) extraterritorial membership based on the population outside of city limits and within the municipalities' extraterritorial jurisdiction. Since the population within the City of Greenville's Extraterritorial Jurisdiction (ETJ) has reduced in number, it is acceptable and appropriate to reduce the number of County appointees representing the extraterritorial areas. There have been extended periods of vacancy in two of the three positions on the Board which are appointed by the Pitt County Board of Commissioners. This has been caused by the lack of applicants for these positions which meet the qualification that the person be a resident of the extraterritorial area. Reducing the number of regular BOA members, that are appointed by Pitt County, from two members to one member, will help reduce chances that the BOA will have to declare a lack of a quorum and subsequently cancel meetings.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan. Horizon's Administrative Element's Implementation Strategy 1(b) states, "Ensure that the membership of all planning related boards, commissions and ad hoc/advisory committees is a broad cross section of Greenville's citizenry."

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

"Motion to recommend approval of the proposed text amendment, to advise that

it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters."

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

"Motion to recommend denial of the proposed text amendment, to advise that it is inconsistent with the comprehensive plan 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

 [Staff Report BOA Reduction in Extraterritorial Representation Text Amendment 979025](#)

 [Ordinance BOA Reduction in Extraterritorial Representation Text Amendment 979023](#)

**Staff Report:
Board of Adjustment Reduction in Extraterritorial Representation –
Text Amendment**

Contents:

- Section I. Background – Page 1
- Section II. Existing Zoning Ordinance, Board of Adjustment Membership Composition – Page 1
- Section III. Shortfalls of Existing BOA Composition – Page 2
- Section IV. Proposed Text Amendment – Page 4
- Section V. Compliance with the Comprehensive Plan and Other Applicable Adopted Plans – Page 4
- Appendix A. General Statutes 160A-362 Extraterritorial Representation – Page 6



**Staff Report Developed by the City of Greenville
Community Development Department - Planning Division
May 13, 2014**

Section I: Background

There is a recurring problem for the City of Greenville's Board of Adjustment in achieving a quorum for monthly meetings. Most recently, on April 24, 2014, only two members were present and the meeting had to be cancelled. This delay caused three applicants scheduled on the April 24 agenda to wait a month for their applications to be heard. Following the cancellation of the April meeting, the Board of Adjustment Chairman requested that the City take steps to improve attendance and in particular, address the lack of County appointees. The City is taking steps to improve Board of Adjustment attendance. To this end, one task to undertake toward improving attendance is to adopt a text amendment that sets the number of Pitt County representatives serving on the Board of Adjustment to an appropriate number of members relative to the extraterritorial population the county representative member(s) serve.

There have been extended periods of vacancy in two of the three positions on the Board which are appointed by the Pitt County Board of Commissioners. This has been caused by the lack of applicants for these positions which meet the qualifications that the person be a resident of the extraterritorial area.

General Statutes prescribes Board of Adjustment extraterritorial membership based on the population outside of city limits and within the municipalities' extraterritorial jurisdiction. Since the population within the City of Greenville's Extraterritorial Jurisdiction has reduced in number, it is acceptable and appropriate to reduce the number of County appointees representing the extraterritorial areas. A reduction in the number of Board of Adjustment members appointed by the County will reduce chances that the Board of Adjustment will have to declare lack of a quorum and subsequently cancel meetings.

This text amendment has been developed to reduce the number of extraterritorial representatives on the Board of Adjustment membership composition from two County regular members to one and continue to retain one County alternate member.

Section II: Existing Zoning Ordinance, Board of Adjustment Membership Composition

Section 9-4-317, Board of Adjustment, Composition, provides the current membership composition requirement as follows:

SEC. 9-4-317 COMPOSITION.

- (A) *The Board of Adjustment (hereinafter called the Board) shall consist of seven regular members, and four alternate members. Five of the regular members, and three alternate members shall reside within the corporate limits of the City of Greenville at the time of their appointment and shall be appointed by the City Council. Two of the regular members and one*

alternate member shall reside outside of the corporate limits of the city, but within the limits of the extraterritorial jurisdiction of the City of Greenville, at the time of their appointment and shall be appointed by the Chairperson of the Board of Commissioners of Pitt County.

- (B) The extraterritorial representatives have equal rights, privileges and duties with the city members of the Board, and are required to vote on each question, regardless of whether the matters at issue arise within the city or within the extraterritorial area.*
- (C) Each alternate member, while attending any meeting of the Board and serving in the absence of any regular member, shall have and may exercise all powers and duties of a regular member. Any alternate member may serve for any regular member without regard to which jurisdiction the alternate or the regular member was originally appointed by.*
- (D) The Director of Community Development, or authorized representative shall be an ex officio member of the Board*

Section III: Shortfalls of Existing BOA Composition

G.S. 160A-362 requires the City to provide a means of ‘proportional representation’ on the Board of Adjustment (BOA) based upon the population for residents of the extraterritorial area to be regulated. The statute requires at least one resident of the Extraterritorial Jurisdiction (ETJ) area to be appointed to the BOA. An additional member must be appointed to achieve proportional representation only when the population of the ETJ area constitutes a full fraction of the City’s population divided by the total membership of the BOA.

The physical area of Greenville’s ETJ area is reducing in acreage and in corresponding population due to annexations while the outer ETJ limits is not expanding since the County now exercises zoning, subdivision, and building inspection authority. Applying this requirement to the population within the ETJ yields a requirement of one Extraterritorial Representative as calculated as follows:

The City’s population* of 87,242 is divided by seven regular BOA members equals 12,463. Since the ETJ area’s population of 9,575 (which is less than 12,463), the BOA is only required to have one regular member resident of the ETJ area. Currently, the BOA has two regular member residents of the ETJ area. Therefore, the City has the authority to reduce the number of extraterritorial members serving on the BOA from two to one.

* The City’s population of 87,242 was derived by plotting address points in the county and applying the per person average population per dwelling unit based on the most recent American Community Survey by the U.S. Census. Since the ETJ population is

11% of the city limit population, the numbers on the BOA proportionate representation would be 0.77, rounded to one person.

Although not legally required, the City will retain one alternate member from the ETJ.

Section IV: Proposed Text Amendment

In order to amend the membership of the BOA, Section 9-4-317 of the City Code is required to be amended. The text amendment requires a public hearing before City Council. The P & Z Commission is required to review and recommend an ordinance relating to the BOA membership since it is in the Zoning Ordinance.

The amendment to the membership of the BOA can be initiated, as provided in Section 9-4-331, by City Council, P&Z Commission, any department or agency of the City, or an owner or agent of any property within the City or ETJ area. The Community Development Department initiated this text amendment. There has already been discussion and concurrence with the County concerning the reduction in extraterritorial representation. A reduction of County appointees to the BOA from two to one simultaneously increases the number of regular members of City appointees from five to six.

Additionally, two clean-up amendments to this section are proposed. First, in compliance with statutory provisions, the County appointment is to be made by the Pitt County Board of Commissioners and not the Chairman of the Board of Commissioners. The amendment corrects this. Second, there are no ex-officio members to the Board so the language which provides that the Director of Community Development, or authorized representative, is an ex-officio member is deleted by the amendment.

Proposed text amendments to Sec. 9-4-317 are illustrated below. Underlined text is proposed to be added and existing text proposed to be deleted is shown with a strikethrough line as shown below.

SEC. 9-4-317 COMPOSITION.

- (A) *The Board of Adjustment (hereinafter called the Board) shall consist of seven regular members, and four alternate members. Six Five of the regular members, and three alternate members shall reside within the corporate limits of the City of Greenville at the time of their appointment and shall be appointed by the City Council. One Two of the regular members and one alternate member shall reside outside of the corporate limits of the city, but within the limits of the extraterritorial jurisdiction of the City of Greenville, at the time of their appointment and shall be appointed by the ~~Chairperson of the~~ Board of Commissioners of Pitt County.*

- (B) *The extraterritorial representatives have equal rights, privileges and duties with the city members of the Board, and are required to vote on each question, regardless of whether the matters at issue arise within the city or within the extraterritorial area.*

- (C) *Each alternate member, while attending any meeting of the Board and serving in the absence of any regular member, shall have and may exercise all powers and duties of a regular member. Any alternate member may serve for any regular member without regard to which jurisdiction the alternate or the regular member was originally appointed by.*

- ~~(D) *The Director of Community Development, or authorized representative, shall be an ex officio member of the Board.*~~

Section V: 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 provide broad goals, policy statements and objectives that should be reviewed and considered to ensure that the proposed text amendments are in compliance with the plan, and effectively with the community’s values.

Staff has reviewed the Plan and provides the following administrative implementation strategy to be considered when evaluating the proposed text amendment proposed herein:

Horizons: Greenville’s Community Plan Provisions, Administration Element:

Implementation Strategy 1(b). Ensure that the membership of all planning related boards, commissions and ad hoc/advisory committees is a broad cross section of Greenville’s citizenry.

Appendix A. General Statutes 160A-362 Extraterritorial Representation**§ 160A-362. Extraterritorial representation.**

When a city elects to exercise extraterritorial zoning or subdivision-regulation powers under G.S. 160A-360, it shall in the ordinance creating or designating its planning board provide a means of proportional representation based on population for residents of the extraterritorial area to be regulated. Representation shall be provided by appointing at least one resident of the entire extraterritorial zoning and subdivision regulation area to the planning board and the board of adjustment that makes recommendations or grants relief in these matters. For purposes of this section, an additional member must be appointed to the planning board or board of adjustment to achieve proportional representation only when the population of the entire extraterritorial zoning and subdivision area constitutes a full fraction of the municipality's population divided by the total membership of the planning board or board of adjustment. Membership of joint municipal county planning agencies or boards of adjustment may be appointed as agreed by counties and municipalities. Any advisory board established prior to July 1, 1983, to provide the required extraterritorial representation shall constitute compliance with this section until the board is abolished by ordinance of the city. The representatives on the planning board and the board of adjustment shall be appointed by the board of county commissioners with jurisdiction over the area. When selecting a new representative to the planning board or to the board of adjustment as a result of an extension of the extraterritorial jurisdiction, the board of county commissioners shall hold a public hearing on the selection. A notice of the hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The board of county commissioners shall select appointees only from those who apply at or before the public hearing. The county shall make the appointments within 45 days following the public hearing. Once a city provides proportional representation, no power available to a city under G.S. 160A-360 shall be ineffective in its extraterritorial area solely because county appointments have not yet been made. If there is an insufficient number of qualified residents of the area to meet membership requirements, the board of county commissioners may appoint as many other residents of the county as necessary to make up the requisite number. When the extraterritorial area extends into two or more counties, each board of county commissioners concerned shall appoint representatives from its portion of the area, as specified in the ordinance. If a board of county commissioners fails to make these appointments within 90 days after receiving a resolution from the city council requesting that they be made, the city council may make them. If the ordinance so provides, the outside representatives may have equal rights, privileges, and duties with the other members of the board to which they are appointed, regardless of whether the matters at issue arise within the city or within the extraterritorial area; otherwise they shall function only with respect to matters within the extraterritorial area. (1959, c. 1204; 1961, c. 103; c. 548, ss. 1, 13/4; c. 1217; 1963, cc. 519, 889, 1076, 1105; 1965, c. 121; c. 348, s. 2; c. 450, s. 1; c. 864, ss. 3-6; 1967, cc. 15, 22, 149; c. 197, s. 2; cc. 246, 685; c. 1208, s. 3; 1969, cc. 11, 53; c. 1010, s. 5; c. 1099; 1971, c. 698, s. 1; 1983, c. 584, ss. 1-4; 1995 (Reg. Sess., 1996), c. 746, s. 2; 2005-418, s. 11.)

ORDINANCE NO. 14 - _____
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 North Carolina General Statutes, 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 12th day of June, 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; 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 involving the text amendment is consistent with the adopted comprehensive plan 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, as a result, its furtherance of the goals and objectives of the comprehensive plan.

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

Section 1: That Title 9, Chapter 4, Section 9-4-317, of the Code of Ordinances, City of Greenville, North Carolina, is hereby amended by rewriting said section so that it shall read as follows:

SEC. 9-4-317 COMPOSITION.

- (A) The Board of Adjustment (hereinafter called the Board) shall consist of seven regular members, and four alternate members. Six of the regular members, and three alternate members shall reside within the corporate limits of the City of Greenville at the time of their appointment and shall be appointed by the City Council. One of the regular members and one alternate member shall reside outside of the corporate limits of the city, but within the limits of the extraterritorial jurisdiction of the City of Greenville, at the time of their appointment and shall be appointed by the Board of Commissioners of Pitt County.
- (B) The extraterritorial representatives have equal rights, privileges and duties with the city members of the Board, and are required to vote on each question, regardless of whether the matters at issue arise within the city or within the extraterritorial area.
- (C) Each alternate member, while attending any meeting of the Board and serving in the absence of any regular member, shall have and may exercise all powers and duties of a regular member. Any alternate member may serve for any regular

member without regard to which jurisdiction the alternate or the regular member was originally appointed by.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 4. This ordinance shall become effective on the 12th day of June, 2014.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk



City of Greenville, North Carolina

Meeting Date: 5/20/2014
Time: 6:30 PM

Title of Item: This is an informational item from Vidant Medical Center about the upcoming construction of the Cancer Center.

Explanation: No action required.

Fiscal Note:

Recommendation:

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