



## Agenda

### Planning and Zoning Commission

July 15, 2014

6:30 PM

Council Chambers, City Hall, 200 W. Fifth Street

---

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

---

- I. CALL MEETING TO ORDER -
- II. INVOCATION - Brian Smith
- III. ROLL CALL
- IV. APPROVAL OF MINUTES - June 17, 2014
- V. NEW BUSINESS

#### REZONINGS

- 1. Ordinance requested DVM Services Realty, Incorporated to rezone 1.012 acres located along the western right-of-way of Evans Street and south of Lynncroft Shopping Center from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family]).
- 2. Ordinance requested by Gene Bland and Jason B. Adams to rezone 0.468 acres located at the southwest corner of the intersection of Evans Street and West 9th Street from OR (Office-Residential [High Density Multi-family]) to CDF (Downtown Commercial Fringe).

#### TEXT AMENDMENTS

- 3. Zoning Ordinance Amendment for the deletion of private streets as a development option.

- VI. ADJOURN

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

June 17, 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-\*

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

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

**VOTING MEMBERS:** Parker, Bellis, Weitz, Schrade, Smith, Darden, King, Harrington

**PLANNING STAFF:** Thomas Weitnauer, Chief 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 Mr. Parker, seconded by Mr. Smith, to accept the May 20, 2014 minutes as presented. Motion carried unanimously.

**NEW BUSINESS**

**TEXT AMENDMENTS**

ORDINANCE TO AMEND THE ZONING ORDINANCE BY ADDING MICROBREWERIES AS AN ALLOWED LAND USE WITHIN THE CD (DOWNTOWN COMMERCIAL) ZONING DISTRICT, SUBJECT TO AN APPROVED SPECIAL USE PERMIT, AND ESTABLISHING SPECIFIC CRITERIA. – APPROVED

Mr. Thomas Weitnauer, Chief Planner, presented the text amendment. Meetings to date:

- 1/21/14 P&Z Discussion item. P&Z directed staff to formulate a microbrewery text amendment.
- 2/4/14 RDC (Redevelopment Commission) Discussion item. RDC asked staff to return with revisions.
- 5/6/14 RDC Discussion item. RDC requested P&Z to create a microbrewery ordinance.

- 5/9/14 Chamber of Commerce Issues Committee briefing. Chamber was supportive of concepts.

Mr. Weitnauer also stated he met with Uptown Greenville's Director, Bianca Shoneman, and she had no objections. There are over 100 microbreweries in North Carolina. There are 13 in Eastern North Carolina. According to City Ordinance, if a use is not listed, it is prohibited. The City needs to be prepared if any interest arises. Breweries in North Carolina contributed 37,000 jobs and \$3.8 billion to the economy as of May 2011.

Text Amendment includes: New Definition, Added to Use Table and:

1. Allowed in CD (Downtown Commercial) with special use permit
2. Principal use is production of beer
3. Accessory uses are limited to: retail sales, food consumption, entertainment, games, tasting room, event room, and loading area
4. 5,000 square feet maximum for brew equipment
5. 30% minimum building square feet for equipment
6. No exterior speakers within 150' of residential (150' buffers around known residential uses within the Target Area where microbreweries cannot have amplified equipment)
7. No cover charges
8. Annual review conducted
9. Restaurants may add microbreweries, 30% maximum square feet with special use permit

The proposed zoning ordinance text amendment is in compliance with the Horizons: Greenville's Community Plan. Growth & Development Implementation Strategy 2(t): "Preserve historic warehouses and older buildings through renovation and adaptive reuse."

Horizons: Greenville's Community Plan. Vision Areas Subsection: Central, Management Action H5: "Develop the downtown as the cultural, recreational and entertainment center of the City."

Center City West Greenville Revitalization Plan. Flexibility in Zoning and Development Codes: "Providing innovative administration of zoning regulations and development codes may create market opportunities in depressed areas."

In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with the Horizons: Greenville's Community Plan and the Future Land Use Map.

Mr. Weitz stated the proposed amendment is good for downtown, good for the City. He stated staff did a good job. He was concerned that it might be too restrictive but it does fit with the ordinance and the standards are appropriate. The maximum space to brew at about 5,000 square feet and the minimum floor area of 30% limits the size of a microbrewery to about 16,000 square feet or less. There are warehouses in the downtown commercial district that are larger than

20,000 square feet. He stated it appears that the space would force the microbrewery to have another tenant in the same building.

Mr. Weitnauer stated there is a supply of buildings that would accommodate the restrictions.

Mr. Parker asked how a previous microbrewery, Ham's, existed and if it was by special use.

Mr. Flood stated that Ham's was more of a restaurant and the microbrewery was an accessory use. This ordinance is to make the microbrewery the principal use.

Chairwoman Basnight asked if they have to have food.

Mr. Weitnauer stated it was optional.

Chairwoman Basnight asked if restaurants want to add a microbrewery do they have to be in the downtown commercial area.

Mr. Weitnauer stated yes, in the downtown commercial (CD) zone.

Mr. Weitz suggested language and word changes in the text amendment. Under SEC. 9-4-86 QQ. (3) add: food and beverage consumption. He stated this because of the possible tasting rooms.

Mr. Weitnauer said that it is covered under #2 which states: The principal use is the production of malt beverages for retail sales for on-premises and off-premises consumption.

Mr. Weitz stated that the word addition would limit confusion.

Mr. Parker asked if they would be able to sell liquor also.

Mr. Weitnauer stated yes with the proper permits.

Mr. Parker stated that he agreed with Mr. Weitz.

Mr. Weitnauer acknowledged Mr. Parker then stated that also in #3 the word "ancillary" should be "accessory". He stated we would make both changes.

Mr. Weitz stated the other change was in SEC. 9-4-86 QQ. (9)(a)2. He suggested changing "overall building square footage" to "total square feet of the restaurant". He stated the

possibility of a restaurant operating in part of a building versus the whole building and the 30% limit should only apply to the leased space and not the whole building.

Mr. Weitnauer stated that a restaurant may not want to use their current space but could do an addition for a microbrewery. The word change could make an existing restaurant reduce their restaurant area.

Mr. Weitz stated the total square feet would let them expand.

Mr. Schrade stated a restaurant would incorporate the additional space.

Mr. Weitz stated if a restaurant doesn't occupy an entire building but the 30% restriction applies to the entire building. It should be measured on the space they occupy.

Mr. Weitnauer stated he doesn't want a restaurant to lose space currently occupied for tables and chairs that bring in revenue. He stated it could be changed to: "The area of the restaurant devoted to operating brewing equipment shall not exceed 30% of the restaurant's total area at the time a microbrewery is added."

Attorney Holec stated it will be reviewed and with correct language to incorporate what was said.

Mr. Schrade agreed with Mr. Weitz about the larger buildings. He stated that possibly a footnote could be added to indicate that the space would not have to be shared.

Mr. Flood stated that one of the items they wanted to stay away from was getting above 5,000 square feet devoted to microbrewery because then it's a production facility and would have to be located outside of the downtown commercial zone. Production facilities are at the peripheral of the City.

Mr. Parker asked when will there be an ordinance for brewery production.

Mr. Flood stated they will be working on it. This text amendment is the most urgent right now.

Mr. Weitnauer stated the RDC wanted staff to also look into distillery text amendments.

Chairwoman Basnight opened the public hearing.

No one spoke in favor or in opposition of the request.

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

No comments were made during board discussion.

**Motion made by Mr. Weitz, seconded by Mr. Parker, to recommend approval of the proposed text amendment with the suggested discussed amendments to SEC. 9-4-86 QQ. (3) and (9)(a)2, 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.**

## **OTHER**

### **PRESENTATION ON THE STATUS OF PRIVATE STREETS WITHIN THE CITY OF GREENVILLE.**

Tim Corley, Civil Engineer II, presented the presentation on private streets. He stated City Council asked for this item to be looked at. An ordinance change will come before the P&Z Commission in the near future. Here is the current private street status:

- Private streets within City limits = 16 lane miles
- Private streets in ETJ = 17 lane miles
- Estimated cost to repair and accept City private streets is \$6-10 million dollars or more
- Named Access (private driveways) = 42 lane miles - \$750,000/mi
- Powell Bill funds (State funds for roads) not collected over life of private road

The City's private street requirements have changed with the most recent update to the City's Manual of Standard Design and Details. The current standard is for a 40-foot easement on private streets versus 50-foot right-of-way for a public street and 24-foot pavement width for private streets versus a 28-foot width for public streets. Another key private street consideration is the allowance of on-street parking. Besides the costs to upgrade the streets as shown above, additional costs may occur if other infrastructure requires improvements. There are no building setbacks for private streets and there is for public streets. Encroachments are set standards but require an agreement for public streets. The maintenance of these private streets has always been the responsibility of the Homeowners Associations or property owners.

The current City Code Policy for Acceptance of Roadways:

- Must be within City limits
- Must meet minimum current design standards
- Provide Calculations/Inspection/Repairs before acceptance
- Right-of-way dedication & non-conforming lots occurs prior to acceptance (All property owners must agree and sign)
- Bring road up to City Standards in all aspects
- Revise Powell Bill lane miles for NCDOT

Benchmark data of peer cities indicates that other jurisdictions have moved to a standard that all streets, public and private, must be built to public street standards to avoid future requests of this nature and their long term financial implications.

The Developer Requirements for Public Road Acceptance are:

- Must follow acceptance procedures and streets must be built to City Standards
- Inspections performed by City Staff to insure no deficiencies in construction

Zoning Implications:

- Establishment of public right-of-way will create non-conforming situations with regard to dimensional requirements of the zoning ordinance
- This will create several issues because there is no “blanket variance” provision to exempt these structures from the dimensional standards of the City of Greenville Zoning Ordinance such as:
  1. Prohibiting the expansion of structures where the non-conformity exists
  2. Future property title issues for structures not meeting the City of Greenville Zoning Ordinance property dimensional standards
  3. Establishment of public rights-of-way may have the result of rendering properties unusable thus resulting in a property takings without compensation or a form of condemnation

Mr. Corley listed examples of private streets with issues: drainage directly to street not allowed, dead end street with no cul-de-sac, driveway width and separation, dirt road and private paved roads create dangerous conditions, encroachment and setback issues, uninspected work and risk of failures, unmaintained roads/stormwater facilities, poor quality of work, and dirt road and wooden bridges are non-conforming construction.

Recommendation - City Council to provide direction on:

- Continue to follow the private street procedure for acceptance with full compliance to public street standards
- Consider the omission of the private street standard or make public and private street standards the same for all criteria – width, setbacks, R/W, etc.
- Accepting all private streets within the City Limits (not recommended)
- Modifying acceptance requirements in some manner (not recommended)

The Greenville City Council upon hearing the information voted unanimously to direct the staff to remove private streets as a development option. He stated no action is needed tonight.

## **OTHER ITEMS OF BUSINESS**

### **ELECTION OF OFFICERS**

Chairwoman Basnight recognized Mr. Weitz and Ms. Bellis both being reappointed to second three year terms. Also Chris Darden was appointed to her full first three year term. Linda Rich has resigned from the Planning and Zoning Commission effective immediately.

Dave Holec, City Attorney, stated there are two officers elected, the Chair and the Vice-Chair. The term of office is one year from July 1<sup>st</sup> to June 30<sup>th</sup>. The Chair is eligible to serve two one year terms and not repeat after that. The current Chair and Vice-Chair have served one year each. The procedure is to call for nominations. Nominations can be made by any member. No second is required. Allow opportunity for as many nominations as possible. Once all nominations are made, the nominations period is closed. Voting will be done in the order nominations were received. Once a member receives the majority vote, then that person is elected and voting ceases.

Mr. Parker nominated Shelly Basnight for Chair.

Attorney Holec asked if there were any more nominations. None heard, he declared nominations closed. **Ms. Shelley Basnight was unanimously elected Chair.**

Ms. Darden nominated Mr. Tony Parker for Vice-Chair.

Attorney Holec asked if there were any more nominations. None heard, he declared nominations closed. **Mr. Tony Parker was unanimously elected Vice-Chair.**

**With no further business, motion made by Mr. Weitz, seconded by Mr. Parker, to adjourn. Motion passed unanimously. Meeting adjourned at 7:23 p.m.**

Respectfully Submitted,

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





# City of Greenville, North Carolina

Meeting Date: 7/15/2014  
Time: 6:30 PM

**Title of Item:** Ordinance requested DVM Services Realty, Incorporated to rezone 1.012 acres located along the western right-of-way of Evans Street and south of Lynncroft Shopping Center from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family]).

**Explanation:** **Abstract:** The City has received a request from DVM Services Realty, Incorporated to rezone 1.012 acres located along the western right-of-way of Evans Street and south of Lynncroft Shopping Center from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family]).

**Required Notice:**

Planning and Zoning Commission meeting notice (adjoining property owner letters) was mailed on July 1, 2014.

On-site Sign(s) posted on July 1, 2014.

City Council public hearing notice (adjoining property owner letters) 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 D.

Evans Street is designated as a connector corridor from Reade Circle to Caversham Road. Connector corridors are anticipated to contain a variety of higher intensity land uses.

The Future Land Use Plan Map recommends commercial (C) at the southwest corner of the intersection of Evans Street and Greenville Boulevard transitioning to office/institutional/ multi-family (OIMF) and high density residential (HDR) to the south.

The Future Land Use Plan Map further recommends a conservation/open space (COS) area along the western right-of-way of Evans Street directly opposite the Lynndale Subdivision, north of the WNCT TV Station. The recommendation is to represent a buffer between the commercial on the west side of Evans Street and the Lynndale Subdivision on the east side of Evans Street.

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

Based on the analysis comparing the existing zoning (48 trips) and the requested zoning, the proposed rezoning classification could generate 93 trips to and from the site on Evans Street, which is a net increase of 45 additional trips per day. Evans Street, at this location, has a 3-lane cross section with a capacity of 14,000 vehicles per day and a current ADT of 19,800 vehicles per day. With the addition of 45 trips generated by the proposed rezoning, the impact on traffic along this thoroughfare is negligible (<1%). Therefore, a traffic volume report was not generated.

### **History/Background**

In 1969, the subject property was zoned RA20 (Residential-Agricultural).

### **Present Land Use:**

Kingdom Hall of Jehovah's Witness

### **Water/Sewer:**

Water and sanitary sewer are located in the right-of-way of Evans Street.

### **Historic Sites:**

There is no known effect on designated sites.

### **Environmental Conditions/Constraints:**

There are no known environmental conditions/constraints.

### **Current Surrounding Land Uses and Zoning:**

North: OR – Lynncroft Condominiums

South: RA20 – One single-family home and associated outbuildings

East: O – WNCT TV Station

West: OR – Kingdom Hall of Jehovah's Witness (under common ownership as applicant)

### **Density Estimates:**

Under the current zoning (RA20), the site could yield no more than 5 single-family lots.

Under the proposed zoning (OR), the site could yield 12-14 multi-family units (1, 2 and 3 bedrooms).

The anticipated build-out time is one 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.

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

---

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

**Attachments / click to download**

- [Location Map](#)
- [Survey](#)
- [Bufferyard and Vegetation Standards and Residential Density](#)
- [Llst\\_of\\_Uses\\_RA20\\_to\\_OR\\_966797](#)

## **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

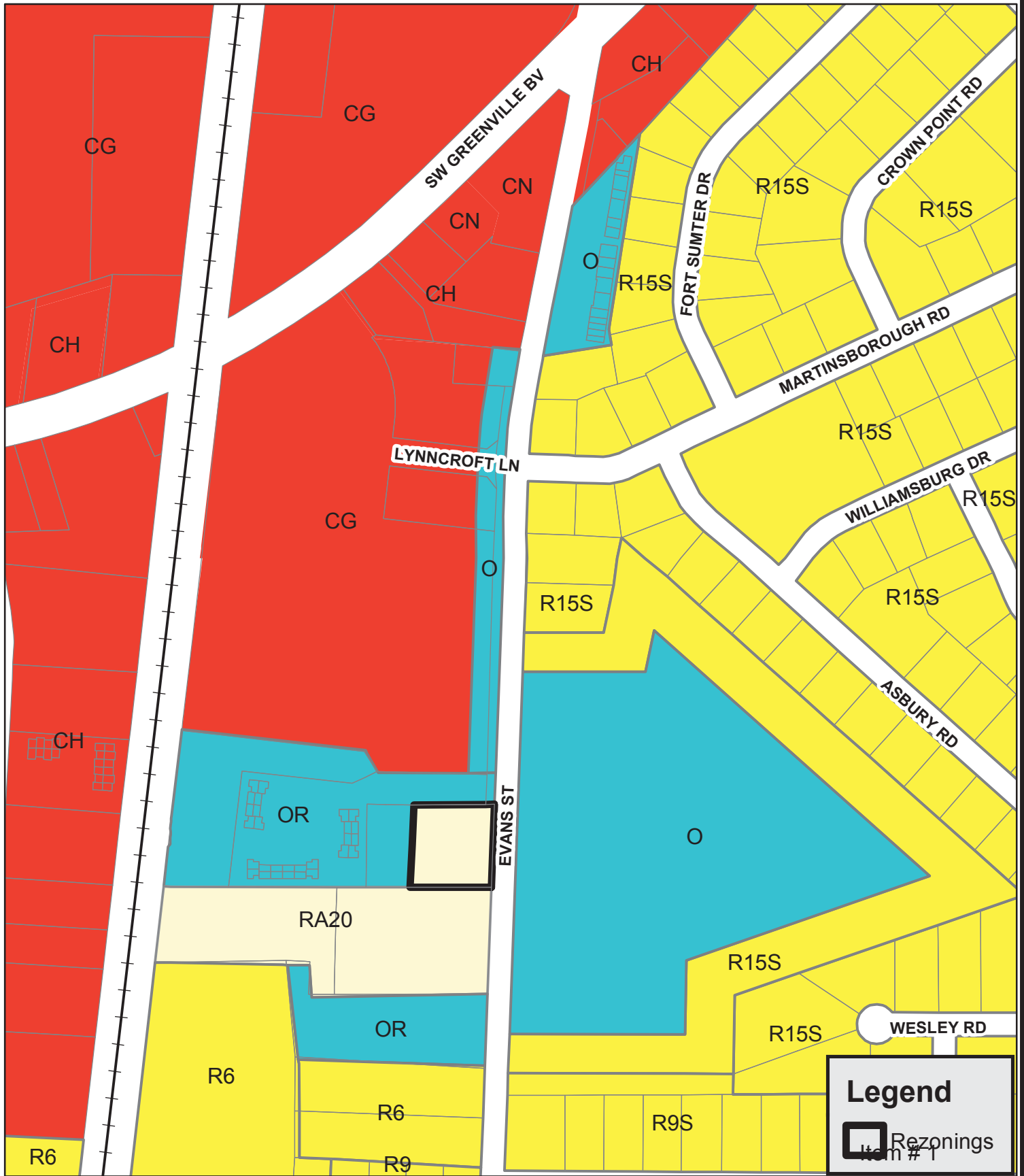
*(15) Other Activities (not otherwise listed - all categories):*

a. Other activities; personal services not otherwise listed

b. Other activities; professional services not otherwise listed



DVM Services Realty, Inc.  
From: RA20 To: OR  
1.012 acres  
July 1, 2014





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.




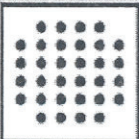
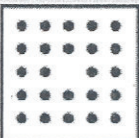
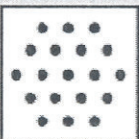
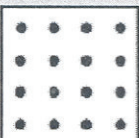
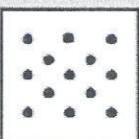
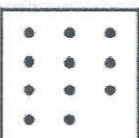
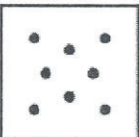
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
<b>High Density</b>		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
<b>Medium Density</b>		
R6-A	9 units per acre 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	
<b>Low Density</b>		
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: 7/15/2014  
Time: 6:30 PM

**Title of Item:** Ordinance requested by Gene Bland and Jason B. Adams to rezone 0.468 acres located at the southwest corner of the intersection of Evans Street and West 9th Street from OR (Office-Residential [High Density Multi-family]) to CDF (Downtown Commercial Fringe).

**Explanation:** **Abstract:** The City has received a request from Gene Bland and Jason B. Adams to rezone 0.468 acres located at the southwest corner of the intersection of Evans Street and West 9th Street from OR (Office-Residential [High Density Multi-family]) to CDF (Downtown Commercial Fringe).

**Required Notice:**

Planning and Zoning Commission meeting notice (adjoining property owner letters) was mailed on July 1, 2014.

On-site Sign(s) posted on July 1, 2014.

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

Public Hearing Legal Advertisement published - N/A at this time.

**Comprehensive Plan:**

The subject area is located in Vision Area G.

The Future Land Use Plan Map recommends commercial (C) for the area bounded by Evans Street, West 10th Street, Dickinson Avenue and Reade Circle.

The subject property is located in the designated regional focus area described as the central business district (Uptown area). These nodes typically contain 400,000 plus square feet of conditioned floor space.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 2,225 trips to and from the site on Evans Street, which is a net increase of 2,178 additional trips per day.

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

**History/Background**

By 1976, the subject property was zoned OR (Office-Residential).

**Present Land Use:**

A & B Auto Service

**Water/Sewer:**

Water and sanitary sewer are located in the rights-of-way of Evans Street and Ninth Street.

**Historic Sites:**

There is no known effect on designated sites.

**Environmental Conditions/Constraints:**

There are no known environmental conditions/constraints.

**Current Surrounding Land Uses and Zoning:**

North: OR – H. Edwin Gray CPA Office  
South: – Dr. Robert McCarthy Chiropractor Office  
East: CDF – State of North Carolina parking lot  
West: CDF – East Carolina Labor

**Density Estimates:**

Under the current zoning (OR), the site could yield no more than 7 multi-family units (1, 2 and 3 bedrooms).

Under the proposed zoning (CDF), the site could accommodate 4,485+/- square feet of convention or fast food restaurant/retail space.

The anticipated build-out time is within one year.

**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. The subject property is adjacent to the West Greenville 45-Block Revitalization area. Over the last couple of years, this area has been transitioning to CD zoning because of the expanded list of uses and higher density not allowed in CDF zoning. Also, CD zoning is recommended in the West Greenville 45-Block Revitalization Plan. For these reasons, staff would recommend CD zoning in lieu of the proposed CDF zoning.

"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 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 OR to CDF 983533](#)

## **EXISTING ZONING**

### **OR (Office-Residential)**

#### ***Permitted Uses***

##### *(1) General:*

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

##### *(2) Residential:*

- b. Two-family attached dwelling (duplex)
- c. Multi-family development per Article 1
- k. Family care home (see also section 9-4-103)
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- p. Board or rooming house
- q. Room renting

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

##### *(4) Governmental:*

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

##### *(5) Agricultural/ Mining:*

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

##### *(6) Recreational/ Entertainment:*

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

##### *(7) Office/ Financial/ Medical:*

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

##### *(8) Services:*

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



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

(9) *Repair*: \* None

(10) *Retail Trade*:

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

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

(12) *Construction*:

- a. Licensed contractor; general, electrical, plumbing, mechanical, etc. excluding outside storage
- c. Construction office; temporary, including modular office (see also section 9-4-103)

(13) *Transportation*: \* None

(14) *Manufacturing/ Warehousing*: \* None

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

**OR (Office-Residential)**  
***Special Uses***

(1) *General*: \* None

(2) *Residential*:

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

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

(4) *Governmental*:

- a. Public utility building or use

(5) *Agricultural/ Mining*: \* None

(6) *Recreational/ Entertainment*:

- c.(1). Tennis club; indoor and outdoor facilities
- h. Commercial recreation; indoor only, not otherwise listed

(7) *Office/ Financial/ Medical*:

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

(8) *Services*:

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

- l. Convention center; private
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- ff. Mental health, emotional or physical rehabilitation center

(9) *Repair*: \* None

(10) *Retail Trade*:

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

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

(12) *Construction*: \* None

(13) *Transportation*:

- h. Parking lot or structure; principle use

(14) *Manufacturing/ Warehousing*: \* None

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

- a. Other activities; personal services not otherwise listed
- b. Other activities; professional services not otherwise listed

## **PROPOSED ZONING**

### **CDF (Downtown Commercial Fringe)**

#### ***Permitted Uses***

(1) *General*:

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

(2) *Residential*:

- a. Single-family dwelling
- b. Two-family attached dwelling (duplex)
- c. Multi-family development per Article 1
- 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)
- 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
- g. Private noncommercial park or recreation facility
- o. Theater; movie or drama, including outdoor facility

*(7) Office/ Financial/ Medical:*

- a. Office; professional and business, not otherwise listed
- c. Office; customer service not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- d. Bank, savings and 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)
- k. Business or trade school
- n. Auditorium
- o. Church or place of worship (see also section 9-4-103)
- p. Library
- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- kk. Launderette; household users
- ll. Dry cleaners; household users
- mm. Commercial laundries; linen supply
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

*(9) Repair:*

- d. Upholsterer; furniture
- f. Appliance; household and office equipment repair
- g. Jewelry, watch, eyewear or other personal item repair

*(10) Retail Trade:*

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- 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
- h. Restaurant; conventional
- i. Restaurant; fast food
- 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 use, sales and accessory repair, excluding outside storage

- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales
- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

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

- c. Rental of cloths and accessories; formal wear, etc.
- f. Automobiles, truck, recreational vehicle, motorcycles and boat sales and service (see also major and minor repair)

*(12) Construction:*

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

*(13) Transportation:*

- b. Bus station; passenger and related freight
- c. Taxi or limousine service
- e. Parcel delivery service
- f. Ambulance service

*(14) Manufacturing/ Warehousing:*

- c. Bakery; production, storage and shipment facilities

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

**CDF (Downtown Commercial Fringe)**

***Special Uses***

*(1) General:\* None*

*(2) Residential:*

- d. Land use intensity multifamily (LUI) development rating 50 per Article K
- e. Land use intensity multifamily (LUI) development rating 67 per Article K
- j. Residential quarters for resident manager, supervisor or caretaker; including mobile homes
- m. Shelter for homeless or abused
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- o.(1). Nursing, convalescent center or maternity home; minor care facility
- r. Fraternity or sorority house

*(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:*

- d. Game center
- i. Commercial recreation; indoor and outdoor not otherwise listed
- l. Billiard parlor or pool hall
- m. Public or private club

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

*(8) Services:*

- a. Child day care facilities
- b. Adult day care facilities
- l. Convention center; private
- x. Dance studio
- bb. Civic organizations
- cc. Trade or business organizations
- hh. Exercise and weight loss studios; indoor only

*(9) Repair:*

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

*(10) Retail Trade:*

- b. Gasoline or automotive fuel sales; accessory or principal use, retail
- g. Fish market; excluding processing or packing
- j. Restaurant; regulated outdoor activities
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facility)

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

*(12) Construction:*

- d. Building supply; lumber and materials sales, plumbing and/or electrical supply including outside storage

*(13) Transportation:*

- h. Parking lot or structure; principal use

*(14) Manufacturing/ Warehousing:*

- g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholstery

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

- a. Other activities; personal services not otherwise listed
- b. Other activities; professional 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: 14-12

Applicant: Gene Bland and James B. Adams

**Property Information**

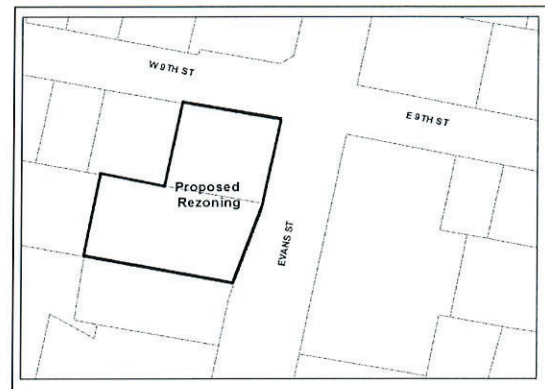
**Current Zoning:** OR (Office-Residential [High Density Multi-Family])

**Proposed Zoning:** CDF (Downtown Commercial Fringe)

**Current Acreage:** 0.468 acres

**Location:** southwest corner of Evans Street & W. 9th Street

**Points of Access:** Evans Street, W. 9th St



**Location Map**

**Transportation Background Information**

**1.) Evans Street- City maintained**

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lane - curb & gutter	4 lane - curb & gutter, wide outside lanes, sidewalks
Right of way width (ft)	70	no change
Speed Limit (mph)	35	no change
<b>Current ADT:</b>	11,440 (*)	Ultimate Design ADT: 30,000 vehicles/day (**)
<b>Design ADT:</b>	30,000 vehicles/day (**)	
<b>Controlled Access</b>	No	
<b>Thoroughfare Plan Status:</b>	Major Thoroughfare	

**Other Information:** There are sidewalks along Evans Street that service this property.

**Notes:** (\*) 2012 NCDOT 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: 47** -vehicle trips/day (\*)                      **Proposed Zoning: 2,225** -vehicle trips/day (\*)

**Estimated Net Change: increase of 2178 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 Evans Street are as follows:

**1.) Evans Street , North of Site (40%):**                      **“No build” ADT of 11,440**

Estimated ADT with Proposed Zoning (full build) – 12,330  
Estimated ADT with Current Zoning (full build) – 11,459  
**Net ADT change = 871 (8% increase)**



2.) Evans Street , South of Site (60%): "No build" ADT of 11,440

Estimated ADT with Proposed Zoning (full build) – 12,775

Estimated ADT with Current Zoning (full build) – 11,468

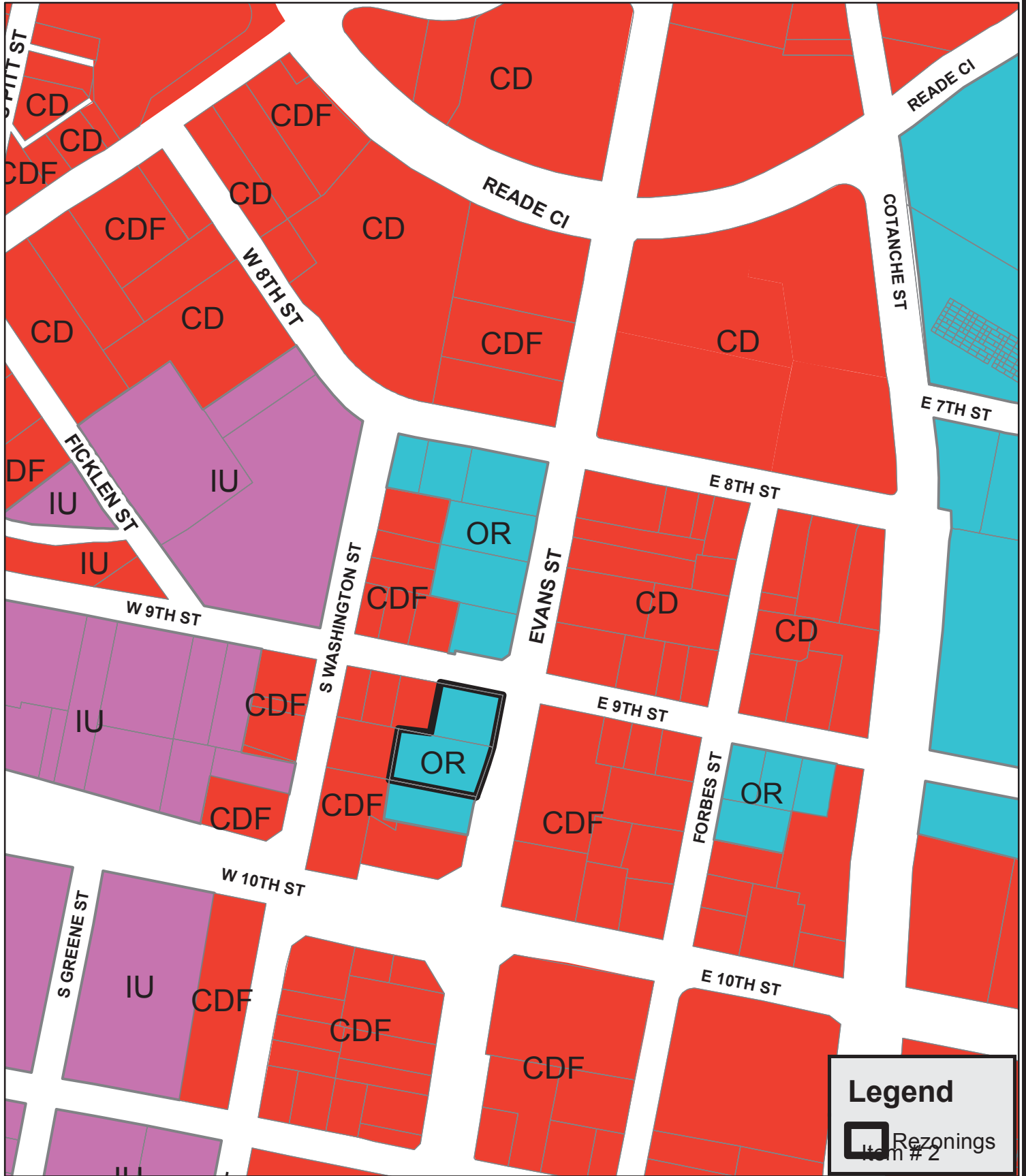
Net ADT change = 1,307 (11% increase)

Staff Findings/Recommendations


Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 2225 trips to and from the site on Evans Street, which is a net increase of 2178 additional trips per day.

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

Gene Bland and Jason B. Adams  
From: OR To: CDF  
0.468 acres  
July 1, 2014



**Legend**

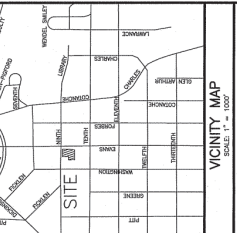
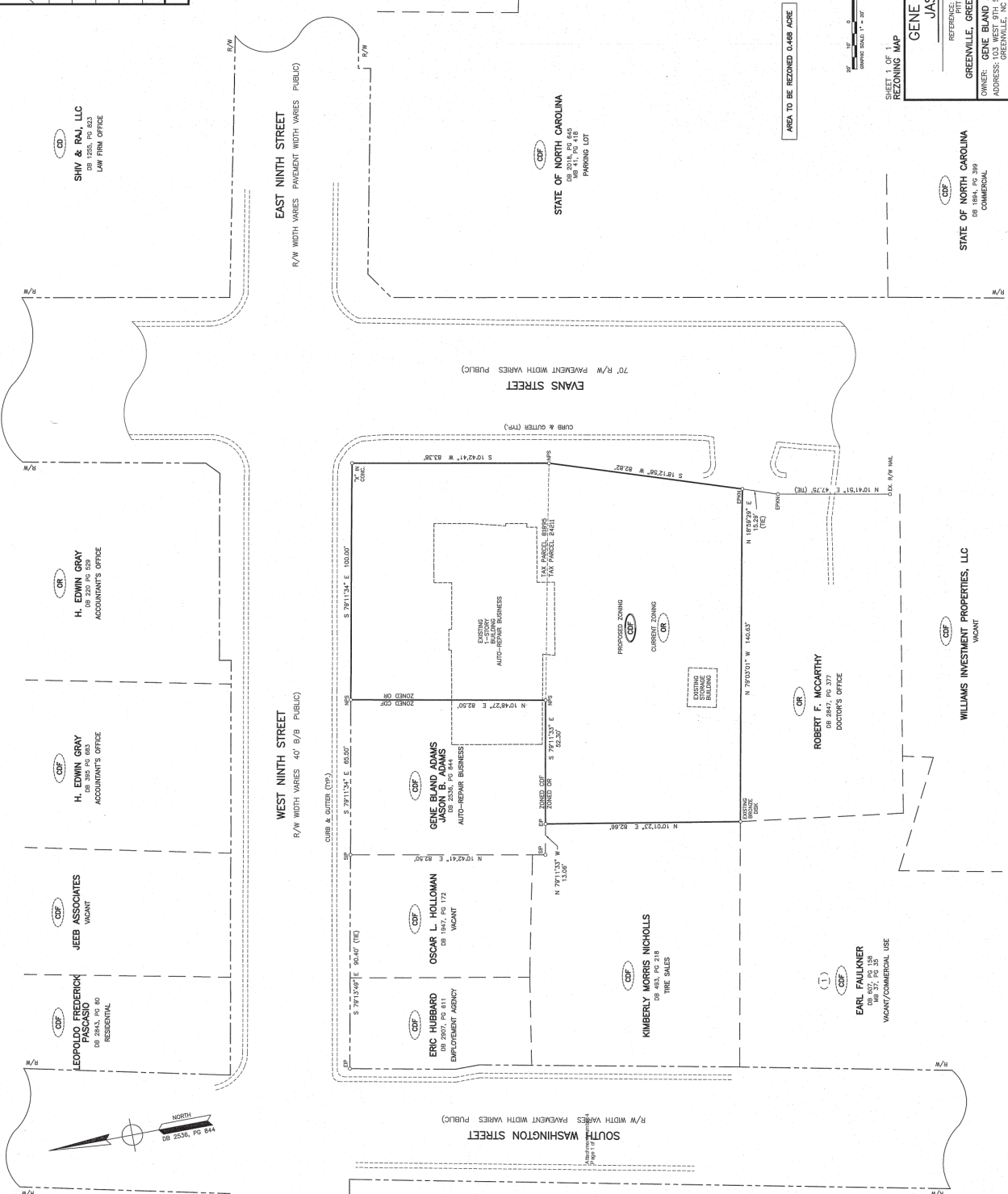
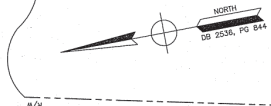
 Rezoning Item #2



**LEGEND**  
 R/W = RIGHT-OF-WAY  
 DB = DEED BOOK  
 SET = SET  
 EIP = EXISTING IRON PIPE  
 SIP = SET IRON PIPE  
 EPIN = EXISTING PARKER KALON MAIL

**ADJOINING PROPERTY OWNERS' ADDRESSES**

- LEOPOLDO FREDERICK PASCASO  
1019 W. HIGHT ROAD  
GREENVILLE, NC 27606
- 401 BERKSTON DRIVE  
GREENVILLE, NC 27606
- 401 BERKSTON DRIVE  
GREENVILLE, NC 27606
- H. EDWIN GRAY, D. GRAY  
820 SOUTH EVANS STREET  
GREENVILLE, NC 27604
- SHIV & RAJ, LLC  
662 JORDAN AVENUE  
GREENVILLE, NC 27604
- STATE OF NORTH CAROLINA  
P.O. BOX 427740  
GREENVILLE, NC 27604
- WILLIAMS INVESTMENT PROPERTIES LLC  
GREENVILLE, NC 27604
- EARL FALKNER  
GREENVILLE, NC 27604
- KIMBERLY MORRIS NICHOLLS  
100 PAULA ROSSER NICHOLLS  
WASHINGTON, NC 27889
- ERIC HUBBARD  
207 W. WILLIAMS STREET  
GREENVILLE, NC 27604
- OSCAR L. HOLLOWAN  
and wife CAROL P. HOLLOWAN  
207 W. WILLIAMS STREET  
GREENVILLE, NC 27604
- ROBERT F. MCCARTHY  
GREENVILLE, NC 27606



SHEET 4 OF 11  
**REZONING MAP**  
 GENE BLAND ADAMS &  
 JASON B. ADAMS  
 REFERENCE: DEED BOOK 2338 PAGE 844 OF THE  
 PITT COUNTY REGISTER OF DEEDS  
 GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, N.C.  
 OWNER: GENE BLAND ADAMS & JASON B. ADAMS  
 ADDRESS: GREENVILLE, NC 27606  
 PHONE: (252) 756-4228

**Baldwin Design**  
 LICENSED ARCHITECT  
 200 W. HIGHT ROAD, SUITE 200  
 GREENVILLE, NC 27606  
 PHONE: (252) 756-4228

DATE: 05/23/14  
 DRAWN: JST/ARW  
 CHECKED: MWB  
 SCALE: 1" = 20'

APPROVED: MWB	DATE: 05/23/14
CHECKED: MWB	DATE: 05/23/14

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.

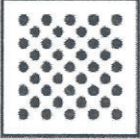
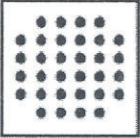
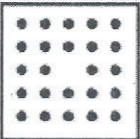
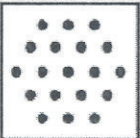
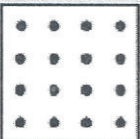
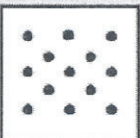
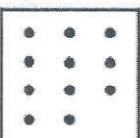
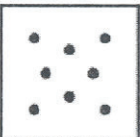
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
<b>High Density</b>		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
<b>Medium Density</b>		
R6-A	9 units per acre 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	
<b>Low Density</b>		
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: 7/15/2014  
Time: 6:30 PM

**Title of Item:** Zoning Ordinance Amendment for the deletion of private streets as a development option.

**Explanation:** The Greenville City Council requested the Engineering Division of Public Works to provide a presentation on private streets at the June City Council meeting. The Council has received a number of requests for the City to assume maintenance responsibility on private streets which have not been constructed to city standards. Often times these streets do not meet setbacks, the condition of the streets have fallen into disrepair or have situations that would not be allowed on a public street (drainage, mailbox kiosks, etc.).

Private street development standards have been in the Zoning and Subdivision Ordinances for many years. Some developers wish to have private streets as a means to control who can access their street, to lower development costs or utilize the reduced setbacks that are offered with private streets. Maintenance agreements are required to ensure streets will be maintained by homeowner associations. Often times, homeowners do not fully realize that the street is their responsibility until such a time the street falls into disrepair and maintenance is required. This leads to homeowners contacting the City for assistance. The City will not accept maintenance on substandard streets.

At the June City Council meeting, the City Council voted to remove private streets as a development option. The staff has prepared an ordinance that will amend those sections of the ordinance to delete the option of private streets.

**Fiscal Note:** There will be no costs to the City of Greenville associated with this zoning ordinance amendment.

**Recommendation:** In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan. Such action would further general goals stated in Mobility, Housing and Growth & Development.

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

 [Private Street Ordinance 982786](#)

ORDINANCE NO. 14- \_\_  
AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE CITY OF GREENVILLE, NORTH CAROLINA

Attachment number 1  
Page 1 of 3

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 August 14, 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 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 6, Chapter 2, Article B, Section 6-2-33 of the Code of Ordinances, City of Greenville, is hereby amended by the addition of a definition of ‘Named Access’ and by rewriting the definition of ‘private streets’ to read as follows:

Named Access. A private driveway assigned a name by the City Engineer.

Private streets. Streets that have been publicly dedicated by easement and as such constitute public vehicular areas as provided and regulated by the Greenville Subdivision Ordinance. These streets are constructed in accordance with Manual of Standard Designs and Details, but are maintained by the property owner or pursuant to recorded agreements. No new private streets are allowed after August 14, 2014.

Section 2: That Title 6, Chapter 2, Article B, Section 6-2-51 of the Code of Ordinances, City of Greenville, is hereby amended by adding subsection (G) to read as follows:

(G) Named Access is assigned to commercial or multifamily developments when there are not enough existing address numbers available to properly address the proposed structures off of the adjoining public street. Named Access is also assigned when three or more structures are located on a private driveway to comply with E911 standards. The City Engineer is responsible for determining when a Named Access is deemed necessary during the plan review process. The proposed names for the Named Access submitted by the developer shall be reviewed by the City Engineer. The City Engineer shall verify that the proposed name for the Named Access is not duplicated in the city and/or the Pitt County. All proposed Named Access street names should have a name suffix of “Way”.

Once the street name verification process is complete, the City Engineer shall assign the addresses for the structures using the Named Access. Using Named Access will also assist the City Engineer in not having to readdress existing structures to accommodate new development.

Section 3: That Title 9, Chapter 4, Article B, Section 9-4-22 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting the definition of 'streets; private' to read as follows:

Streets; private. Streets that have been designated by easement and as such constitute public vehicular areas as provided and regulated by law. The streets shall be maintained by the property owner or pursuant to recorded agreements. No new private streets are allowed after August 14, 2014.

Section 4: That Title 9, Chapter 4, Article I, Section 9-4-150 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section to read as follows:

SEC. 9-4-150 PRIVATE STREETS  
No new private streets are allowed after August 14, 2014.

Section 5: That Title 9, Chapter 4, Article J, Section 9-4-166 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting subsection (B)(2) to read as follows:

(2) Planned primary and secondary traffic circulation patterns showing proposed and existing public street rights-of-way;

Section 6: That Title 9, Chapter 4, Article J, Section 9-4-166 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting subsection (B)(16)(a) to read as follows:

(a) Statements addressing any declarations of covenants, conditions or restrictions which create a property owners' association for the perpetual ownership and maintenance of all common open space and other areas including, but not limited to, recreation areas, parking areas, landscaping and the like. A private facilities maintenance analysis to determine actual costs of maintenance of such common facilities may be required by the City Council in order to assess the feasibility of such private maintenance;

Section 7: That Title 9, Chapter 4, Article J, Section 9-4-168 of the Code of Ordinances, City of Greenville, is hereby amended by the deletion of subsection (a)(3) and subsection (D) in their entirety.

Section 8: That Title 9, Chapter 4, Article K, Section 9-4-183 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said to read as follows:

SEC. 9-4-183 PRIVATE STREETS.  
No new private streets are allowed after August 14, 2014.

Section 9: That Title 9, Chapter 4, Article M, Section 9-4-204 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section to read as follows:

SEC. 9-4-204 PRIVATE STREETS.  
No new private streets are allowed after August 14, 2014.

Section 10: That Title 9, Chapter 5, Article A, Section 9-5-5 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting the definition of ‘construction plans’ and rewriting the definition of ‘private streets’ to read as follows:

Construction plans. Construction plans are engineering details and specifications for the provision of necessary and/or required facilities and improvements. Such facilities and improvements may include but not be limited to public streets, water, sanitary sewer and storm drainage systems.

Private streets. Streets that have been designated by easement and as such constitute public vehicular areas as provided and regulated by applicable law. Such streets shall be constructed in accordance with the standards specified in the Manual of Standard Designs and Details and shall be maintained by the property owner or pursuant to recorded agreements. No new private streets are allowed after August 14, 2014.

Section 11: That Title 9, Chapter 5, Article B, Section 9-5-45 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting subsection (C)(2), (C)(4), (C)(5), and (C)(24) to read as follows:

(2) Existing, platted and proposed streets, their names and numbers (if state marked routes) shown and designated as “public” indicating right-of-way and/or easement widths, pavement widths, centerline curve and corner radius data, including sight distance triangles and typical cross-sections. All streets indicated on the city Thoroughfare Plan shall indicate future right-of-way widths;

(4) Location of all existing buildings with exterior dimensions including heights, number of stories, distance to existing and proposed lot lines, private drives, public rights-of-way and easements;

(5) Existing and proposed property lines, public streets, right-of-way and/or easement widths, pavement widths, easements, utility lines, hydrants, recreation areas or open spaces on adjoining property;

(24) Easements, including but not limited to electric, water, sanitary sewer, storm sewer, drainage, gas or other service delivery easements including their location, width and purpose;

Section 12: That Title 9, Chapter 5, Article B, Section 9-5-45 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting subsection (U) to read as follows:

(U) No new private streets are allowed after August 14, 2014.

Section 13: That all ordinances and sections of ordinances in conflict with this ordinance are hereby repealed.

Section 14: That this ordinance shall become effective upon its adoption.

ADOPTED this 14th day of August, 2014.

---

Allen M. Thomas, Mayor

ATTEST:

---

Carol L. Barwick, City Clerk