



# Agenda

## Planning and Zoning Commission

July 21, 2009  
6:30 PM  
Council Chambers

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I. INVOCATION - Tony Parker

II. ROLL CALL

III. APPROVAL OF MINUTES - June 16, 2009

IV. OLD BUSINESS

### REZONINGS

1. Ordinance requested by Brown Family Investments, LLC to rezone 1.502 acres located at the southeast corner of the intersection of Greenville Boulevard and Crestline Boulevard from R9S (Residential-Single-family [Medium Density]) and O (Office) to CH (Heavy Commercial), R9S (Residential-Single-family [Medium Density]) and O (Office).

V. NEW BUSINESS

### PRELIMINARY PLATS

2. Request by KMRJ Development, LLC for a preliminary plat entitled "Porter's Pointe (Revised)". The property is located north of Portertown Road at its intersection with Herman Garris Road. The proposed development consists of 94 lots on 33.848 acres.

### TEXT AMENDMENTS

3. Request by the City of Greenville Redevelopment Commission to amend the Downtown Commercial (CD) district residential parking requirements.

OTHER

4. Election of Officers - Chair and Vice Chair

VI. ADJOURN



# City of Greenville, North Carolina

Meeting Date: 7/21/2009  
Time: 6:30 PM

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**Title of Item:** June 16, 2009

**Explanation:** Review of minutes from June 16, 2009 Planning and Zoning Commission.

**Fiscal Note:** N/A

**Recommendation:** Approval

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[June 16 2009 Planning and Zoning Minutes 836424](#)

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

June 16, 2009

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

Mr. Bill Lehman - \*  
Mr. Bob Ramey - \*                      Mr. Dave Gordon - X  
Mr. Tony Parker - \*                    Mr. Tim Randall - \*  
Mr. James Wilson – X                Mr. Len Tozer - \*  
Mr. Godfrey Bell, Sr. - \*            Ms. Shelley Basnight-\*  
Mr. Hap Maxwell – \*                Mr. Allen Thomas - \*  
Ms. Linda Rich - \*

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

**VOTING MEMBERS:** Lehman, Ramey, Parker, Randall, Tozer, Bell, Basnight, Thomas, Rich

**PLANNING STAFF:** Chantae Gooby, Planner; Merrill Flood, Director of Community Development; and Sarah Radcliff, Secretary.

**OTHERS PRESENT:** Dave Holec, City Attorney, Daryl Vreeland, Transportation Planner, Tim Corley, Engineer

Mr. Lehman welcomed new member Linda Rich to the Commission. Ms. Radcliff stated Ms. Rich has completed orientation and was eligible to vote.

**MINUTES:** Motion was made by Mr. Ramey, seconded by Mr. Tozer, to accept the May 19, 2009 minutes as presented. Motion carried unanimously.

**REZONINGS**

**REQUEST BY BROWN FAMILY INVESTMENTS, LLC**

Ordinance requested by Brown Family Investments, LLC to rezone 1.59 acres located at the southeast corner of the intersection of Greenville Boulevard and Crestline Boulevard from R9S (Residential-Single-Family [Medium Density]) and O (Office) to CH (Heavy Commercial), R9S (Residential-Single-family [Medium Density]) and O (Office).

Chairman Lehman said they had received a letter from Mike Baldwin, Baldwin & Janowski, requesting a continuance of this project until the next meeting date of July 21, 2009.

Motion was made by Mr. Bell, seconded by Mr. Thomas, to continue the request until the next meeting. Motion carried unanimously.

### **REQUEST BY H.M. WILSON DEVELOPMENT, LLC**

Ordinance requested by H.M. Wilson Development, LLC to rezone 34.142 acres located 1,300± feet west of Allen Road between Teakwood Subdivision and Woodridge Commercial/Industrial Park from R9S (Residential-Single-family [Medium Density]) to R6 (Residential [High Density Multi-family]) and R6A-RU (Residential [Medium Density Multi-family]) with a RU (restricted use) residential overlay (single-family and duplex only).

Ms. Chantae Gooby stated this was a request to rezone 34 acres. She said 27 acres were requested for multi-family and 7 acres for single-family and duplexes. Ms. Gooby stated the RU overlay denotes the property is restricted to single-family and duplexes only. The rezoning is located in the western section of the city, west of Allen Road between Woodridge Corporate Park and Teakwood Subdivision. The property is currently vacant but is part of the Allen Ridge Subdivision. This rezoning could generate over 2,200 trips with the majority of those trips going north on Allen Road. Ms. Gooby stated Woodridge Corporate Park is designated as an Industrial Employment Focus Area. In 2001, the area was part of a 275-acre ETJ expansion. Both Woodridge Corporate Park and Teakwood Subdivision existed at that time. Woodridge Park was zoned Industrial and Teakwood Subdivision was zoned RA20. The intervening property was zoned OR (office-multi-family) as a transition area. At the time of the ETJ expansion, there was a strip of R9S (single-family) added adjacent to Teakwood, at the request of the neighborhood, to give the neighborhood an additional buffer of single-family in anticipation of the multi-family development between Teakwood Subdivision and Woodridge Corporate Park. In 2004, a portion of the OR-zoned property was rezoned to the present single-family zoning. Staff would anticipate between 65 and 75 single-family lots for tract 1 under the current zoning and about 320 multi-family units under the requested multi-family district. Under the proposed zoning for Tract 2, staff would anticipate 15-20 single-family/duplex lots. Ms. Gooby stated the intent of the Land Use Plan was to provide a transition between the Teakwood Subdivision and Woodridge Corporate Park. In staff's opinion, the requested zoning could be in compliance with the Land Use Plan, but for the people who have purchased homes in Allen Ridge and Teakwood Subdivisions that may have made their decision based on the current R9S (single-family) zoning.

Mr. Tozer asked Ms. Gooby if she was alright with the changes.

Ms. Gooby stated the R9S (single-family) zoning works under the Land Use Plan and the request would be compliant except that there are already homes and people who have purchased in the area with the expectation of the R9S (single-family) being in the area.

Mr. Ramey asked how the people would get across Allen Road.

Ms. Gooby stated there were a lot of vacant lots and as homes are built there would be improvements made to the highway.

Mike Baldwin, Baldwin and Janowski, spoke in favor of the request on behalf of the applicant. Mr. Baldwin stated he was involved in the project back in 1998 when they requested and were approved for the whole tract to be OR, with the exception of a buffer area for Teakwood. He said there was a long stretch of single-family homes that were purchased with duplexes on the other side of them in the OR area. He said when they submitted the rezoning request they originally asked for R6 and were told by planning staff that RU might be more appropriate to the people who had purchased lots in the area.

Mr. Ramey stated Allen Road was not designed to carry those volumes of traffic. He asked if the request were approved how were the people going to get in and out of the area.

Mr. Baldwin said there was lane widening and there was a turn lane in place already. He said traffic flow was better now than it was in 1998 at the initial rezoning.

Mr. Bell asked if H.M. Wilson had talked with the landowners/homeowners in the area.

Mr. Baldwin said he did not know.

Mr. Randall asked what was planned for Tract 1.

Mr. Baldwin said a portion of Tract 1 would be for duplexes. He said he did not know what would happen all the way back.

Mr. Tozer asked about the City's traffic report.

Mark Stamper spoke in opposition to the request on behalf of the residents of Allen Ridge. Mr. Stamper stated he was a property owner on Ellery Drive for approximately one month. He said they chose their house based on many criteria, one being that you had to drive very slowly to avoid running over children playing and riding on bicycles. Mr. Stamper stated he felt traffic would be exponentially increased on Ellery Drive if the proposed zoning request was approved. He said there was currently a severe bottleneck at Allen Ridge Drive and Ellery Drive. He said that combined with the development across the street there was already causing traffic problems. He stated he had a protest petition that had been signed by 18 property owners opposing the rezoning request. He said the three things they all agreed on were: fear of a decrease in property value, exponential traffic increases, and irreversible damage to their safe and quiet neighborhood. Mr. Stamper requested the rezoning request be denied or at least continued until a statutory protest petition could be submitted.

Mr. Holec stated a statutory protest petition had no application for this Commission so they were not at a disadvantage. He said the statutory protest petition only applied to City Council and Mr. Stamper's petition could be submitted to the Commission for consideration.

Mr. Lehman stated they would accept the petition.

Mr. Thomas asked Mr. Stamper if he had had any discussion with the developer or if there was an HOA.

Mr. Stamper stated they did have a HOA but had not been able to contact them. He said they had had no communication with the developer.

Mr. Randall asked why only 18 names were on the petition when there appeared to be around 70 homes on Ellery Drive.

Mr. Stamper stated the neighborhood was not entirely developed at this time.

Mr. Eric Reifschneider spoke in opposition to the request. He stated he had lived in the area since the construction of the first duplexes. He said he lived on Allen Road and that area has become a mess. He said his house had been broken into and traffic was a mess. He did not feel Allen Road could handle the traffic with the current condition of the road. He stated he had tried to call the developer and they directed him to the surveyor who he spoke with prior to the first continuance of the request.

Mr. Ramey asked if the developer had talked to the people in the area.

Mr. Reifschneider said they had not. He stated he thought they were from out of state and when he called they said their representative was Spruill and when he spoke with them they told them it was being continued.

Ms. Tiffany Bell spoke in opposition to the request. Ms. Bell stated she had been a resident of Ellery Drive for about two years. She stated she just wanted the Commission to see the face of one of the homeowners in the area. She said she didn't know a lot about zoning and policies and procedures but she has a son and felt putting apartments or duplexes there would jeopardize the safety of the children in the area. She said when she purchased her home the builder told her there would be other single-family homes put in the area.

Mr. Parker asked if the developer had attempted to contact her.

Ms. Bell stated they hadn't.

Mr. Johnny Tyson spoke in opposition to the request. Mr. Tyson stated he lived at the entrance to Allen Ridge Subdivision and was there before any of the other people. He said he sold about 14 acres to Mr. Cherry and though he had nothing in writing, he was told it would be single-family with a couple of duplexes. He said he definitely didn't want a lot of people behind him and he was now concerned that they wanted a portion of his front yard for a turn lane. He stated he was very concerned about that and did not want to lose his front yard to that.

Mr. Curtis Wilder spoke in opposition to the request. Mr. Wilder stated he was also a resident of Ellery Drive. He just wanted to add to what the others had said regarding the traffic. He said at times the traffic would be backed up from ViQuest to Allen Ridge which is about a quarter of a mile. He stated he was also concerned with the depreciation of his property if more duplexes were added to the area.

Mr. Baldwin spoke in favor in rebuttal. He stated he shared some of the concerns that they had spoken about. He said this subdivision would not be what makes or breaks Allen Road. He said with respect to the traffic on Ellery Drive he did not understand why anyone would venture off of Allen Ridge Drive heading toward Allen Road would go through Ellery. He stated he did not think the development that would take place on Allen Ridge Drive would affect the traffic on Ellery Drive. He stated the request was part of the City's recommendation and their ordinance of interconnectivity. He said this was transitional zoning. He asked what lot numbers the people who spoke lived on.

Mr. Stamper stated his address was 957 Ellery Drive.

Mr. Baldwin stated 957 Ellery Drive didn't about the rezoning. He said there were already duplexes on the right side of Ellery Drive. He stated he did not feel the property values would be affected based on the size of the houses that were already in the area.

Mr. Ramey stated he was concerned that the developers had not spoken with the people in the area.

Mr. Baldwin stated it concerned him as well because the developers were located in Wilson, not another state; and he was located in Greenville and Spruill wasn't working on the job. He said when the initial request was made Chantae had received some calls and they changed the request to R6A-RU and to his knowledge there hadn't been any calls since.

Mr. Randall asked if Tract 1 was made R6A-RU to provide flexibility.

Mr. Baldwin said it was for flexibility and also because they had gotten beyond the area where people had bought homes.

Mr. Stamper spoke in opposition in rebuttal. He said his property did not about the area in question and he did ride by the current duplexes everyday; however, he felt he would still be affected by the change. He stated there had been a lot of comments about what happened in 1998 and that he was more concerned with what was happening now and in the future.

Mr. Ramey stated he had a problem with the fact that the developer had not talked with the people being affected. He made a motion to continue the item to allow time for the developer to communicate with the people in the area.

Mr. Tozer stated they already knew both sides and didn't see how a continuance would provide any additional information.

Mr. Bell said he agreed that the developer should meet with the people; however, he felt the request would provide a substantial impact on the future saleability of the homes in the area.

Mr. Lehman asked if there was a second for Mr. Ramey's motion. With no second, the motion died.

Motion was made by Mr. Bell, seconded by Mr. Parker, to deny the proposed amendment, to advise that, although the proposed amendment is consistent with the comprehensive plan, there is a more



appropriate zoning classification, and to adopt the staff report which addresses plan consistency. Mr. Ramey, Mr. Parker, Mr. Randall, Mr. Bell, Ms. Basnight, Mr. Thomas, and Ms. Rich voted in favor of the motion. Mr. Tozer voted in opposition to the motion. Motion carried.

There being no other business, the meeting adjourned at 7:50 p.m.

Respectfully submitted,

Merrill Flood  
Secretary



# City of Greenville, North Carolina

Meeting Date: 7/21/2009  
Time: 6:30 PM

**Title of Item:** Ordinance requested by Brown Family Investments, LLC to rezone 1.502 acres located at the southeast corner of the intersection of Greenville Boulevard and Crestline Boulevard from R9S (Residential-Single-family [Medium Density]) and O (Office) to CH (Heavy Commercial), R9S (Residential-Single-family [Medium Density]) and O (Office).

**Explanation:**

**Required Notice:**

Planning and Zoning Commission meeting notice (adjoining property owner letters) mailed on July 7, 2009.

On-site sign(s) posted on July 7, 2009.

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 E.

Greenville Boulevard is designated as a connector corridor from its intersection with Charles Boulevard to its intersection at Dickinson Avenue. Connector corridors are anticipated to contain a variety of higher intensity land uses.

Crestline Boulevard is a standard residential collector street that provides access to Greenville Boulevard.

The Future Land Use Plan Map recommends office/institutional/multi-family (OIMF) along the southern right-of-way of Greenville Boulevard from Hooker Road to the western (Greenville Boulevard) entrance of Belvedere Subdivision, transitioning to medium density residential (MDR) in the interior areas to the south. Office development preferred in lieu of multi-family in the areas abutting single-family neighborhoods.

The Comprehensive Plan states that, "office/institutional/multi-family development should be used as a buffer between light industrial and commercial development and adjacent lower density residential land uses."

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 480 trips to and from the site on Greenville Boulevard, which is a net increase of 426 additional trips per day.

During the review process, measures to mitigate the traffic will be determined. Access to the tract from Greenville Boulevard will be reviewed.

**History/Background:**

In 1969, the property was zoned R9 (residential). In 1985, Tracts 1 and 3 were rezoned from R9 to O (office). Tract 2 was rezoned from R9 to R9S as part of a P&Z sponsored rezoning for the Belvedere/Club Pines/Westhaven Subdivisions.

In 1995, there was a similar request to rezone property from O (Office) to CH (Heavy Commercial) at this same location. This request created the current Office buffer (100 feet wide) along Crestline Boulevard with additional commercial property along Greenville Boulevard. In addition, by private agreement with the neighborhood, certain improvements including a landscape berm and plantings were subsequently installed. This resulted in the current zoning pattern and situation as it exists today.

**Present Land Use:**

Brown and Wood Automotive Dealership

**Water/Sewer:**

Water and sanitary sewer are available on the site.

**Historic Sites:**

There is no known effect on designated sites.

**Environmental Conditions/Constraints:**

There are no known environmental constraints.

**Surrounding Land Uses and Zoning:**

North: CH - Former Lone Star Restaurant and a convenience store  
South: R9S - Portion of a vacant lot under common ownership as applicant;  
Belvedere Subdivision  
East: CH - Brown and Wood Dealership (under common ownership as

applicant); CG - Greenville Convention Center  
West: R9S - University Church of Christ

**Density Estimates:**

Tract 1

Gross Acreage: 0.997 acres

Current Zoning: O (Office)

Proposed Zoning: CH (Heavy Commercial)

Currently, Tract 1 contains a parking area for the Brown and Wood Automotive Dealership.

Under the proposed zoning (CH), the site could yield 9,746 square feet of retail/conventional restaurant/fast food restaurant.

Tract 2

Gross Acreage: 0.504 acres

Current Zoning: R9S (Residential-Single-family)

Proposed Zoning: O (Office)

Under the current zoning (R9S), the site could accommodate one (1) single-family residence.

Under the proposed zoning (O), the site could yield 5,567 square feet of office space. Commercial cross district parking is permitted within the Office (O) zoning district which allows for additional employee parking associated with the auto dealership to be located on the subject site.

Tract 3

Gross Acreage: 0.001 acres (50 square feet)

Current Zoning: O (Office)

Proposed Zoning: R9S (Residential-Single-family)

The purpose of the subject tract is to prohibit driveway access along Crestline Boulevard.

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

**Additional Staff Comments:**

Of primary concern is the protection of the Belvedere Subdivision entrance and the residential interests of the adjoining property owners. The intersection of Greenville Boulevard and Crestline Boulevard serves as a primary entrance into a substantial single-family neighborhood.

A similar zoning pattern has been established at the intersection of Greenville Boulevard and Belvedere Drive, which is another entrance into the neighborhood, with Office zoning on both corner lots.

The proposed rezoning will eliminate the office buffer along Crestline Boulevard that was established by the previous rezoning in 1995.

Under the proposed rezoning, a 5-foot wide strip of R9S-zoned property will be adjacent to a portion of Crestline Boulevard which will prohibit driveway access along the existing and proposed Office zoning.

At minimum, staff would recommend that the applicant retain an Office buffer in lieu of commercial along Crestline Boulevard to protect the interest of the neighborhood.

The existing Office zoning contains a compatible mix of business and office uses and serves as a transition between the commercial activities on Greenville Boulevard and the residential dwellings in the interior. Office zoning is the most restrictive non-residential zoning district. There is no residential option under the Office zone.

This specific property has been the subject of a past rezoning request and continuing neighborhood concerns have resulted in the current zoning. Office zoning is the preferred zoning for this location due to the intersection's function as a primary entrance into the neighborhood.

Under Article O. Parking, the proposed Office zoning allows for cross district parking for uses in the proposed CH district.

Any specific improvements above minimum bufferyard and street tree requirements, including additional plantings and the like, which the applicant may voluntarily offer, would be by private agreement. The City cannot participate in the development of, or in the enforcement of, any private agreements associated with any rezoning.

**Fiscal Note:** No cost to the City.

**Recommendation:** In staff's opinion, the proposed O (Office) (Tract 2) and R9S (single-family only) (Tract 3) zoning are in compliance with the Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

In staff's opinion, the proposed CH (Heavy Commercial) zoning (Tract 1) would not be in compliance with Horizons: Greenville's Community Plan in the absence of an adequate buffer or other condition(s) determined sufficient to protect the interest of the neighborhood. The inclusion of transitional zoning or other private conditions of development that are agreeable to the affected neighborhood residents, may accomplish the intent of the Plan.

The Plan recommends that buffers to commercial development be provided to minimize negative impacts on low density residential developments in

proximity. Accomplishment of that objective is the primary concern.

"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.

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

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**Attachments / click to download**

- [📎 Location Map](#)
  - [📎 Survey](#)
  - [📎 Bufferyard and Residential Charts](#)
  - [📎 Rezoning Case 09\\_07 Brown Family Investments LLC 827419](#)
  - [📎 List of Uses R9S to O CH 691994](#)
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# REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

**Case No:** 09-07

**Applicant:** Brown Family Investments, LLC

**Property Information**

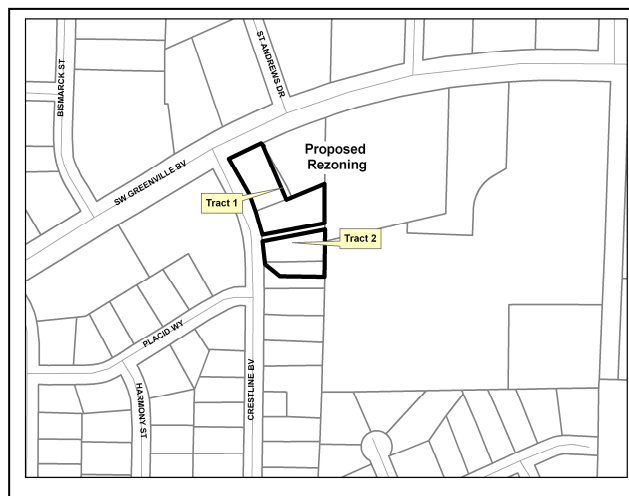
**Current Zoning:** Tract: 1 O (Office)  
Tract: 2 R9S (Residential Single Fam. Med Den.)

**Proposed Zoning:** Tract: 1 CH (Heavy Commercial)  
Tract: 2 O (Office)

**Current Acreage:** Tract: 1 0.997 acres  
Tract: 2 0.504 acres

**Location:** Greenville Blvd

**Points of Access:** Greenville Blvd



**Location Map**

**Transportation Background Information**

**1.) Greenville Blvd.- State maintained**

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4 lanes	6 lanes
Right of way width (ft)	100	110
Speed Limit (mph)	45	45
<b>Current ADT:</b>	36,080 (*)	Ultimate Design ADT: 45,000 vehicles/day (**)
<b>Design ADT:</b>	33,500 vehicles/day (**)	
<b>Controlled Access</b>	<b>No</b>	
<b>Thoroughfare Plan Status:</b>	Major Thoroughfare	

**Other Information:** There are no sidewalks along Greenville Blvd. that service this property.

**Notes:** (\*) 2006 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:** (from priority list; unfunded) Greenville Blvd- widen to 6 travel lanes and improve intersections from NC 11 to Tenth St.

**Trips generated by proposed use/change**

**Current Zoning: 54** -vehicle trips/day (\*)                      **Proposed Zoning: 480** -vehicle trips/day (\*)

**Estimated Net Change: increase of 426 vehicle trips/day (assumes full-build out)**

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

**Impact on Existing Roads**

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

**1.) Greenville Blvd. , East of Site:**                      “No build” ADT of **36,080**

Estimated ADT with Proposed Zoning (full build) – 36,320  
Estimated ADT with Current Zoning (full build) – 36,107  
**Net ADT change = 213 (<1% increase)**

**2.) Greenville Blvd. , West of Site:**

**“No build” ADT of 36,080**

Estimated ADT with Proposed Zoning (full build) – 36,320

Estimated ADT with Current Zoning (full build) – 36,107

**Net ADT change = 213 (<1% increase)**

**Staff Findings/Recommendations**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 480 trips to and from the site on Greenville Blvd., which is a net increase of 426 additional trips per day.

During the review process, measures to mitigate the traffic will be determined. Access to the tract from Greenville Blvd. will be reviewed.



## **EXISTING ZONING**

### **R9S (Residential-Single-Family)**

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

*(1) General:*

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

*(2) Residential:*

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

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

\*None

*(4) Governmental:*

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

*(5) Agricultural/ Mining:*

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

*(6) Recreational/ Entertainment:*

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

*(7) Office/ Financial/ Medical:*

\* None

*(8) Services:*

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

*(9) Repair:*

\* None

*(10) Retail Trade:*

\* None

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

\* None

*(12) Construction:*

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

*(13) Transportation:*

\* None

*(14) Manufacturing/ Warehousing:*

\* None

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

\* None

**R9S (Residential-Single-Family)**  
***Special Uses***

*(1) General:*

\* None

*(2) Residential:*

\* None

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

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

*(4) Governmental:*

- a. Public utility building or use

*(5) Agricultural/ Mining:*

\* None

*(6) Recreational/ Entertainment:*

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

*(7) Office/ Financial/ Medical:*

\* None

*(8) Services:*

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

*(9) Repair:*

\* None

*(10) Retail Trade:*

\* None

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

\* None

*(12) Construction:*

\* None

*(13) Transportation:*

\* None

*(14) Manufacturing/ Warehousing:*

\* None

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

\* None

## **EXISTING AND PROPOSED ZONING**

### **O (Office)**

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

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

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

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

\* None

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

\*None

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

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

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

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

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

- f. Public park or recreational facility

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

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

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

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

##### *(9) Repair:*

\* None

##### *(10) Retail Trade:*

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

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

\* None

*(12) Construction:*

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

*(13) Transportation:*

\* None

*(14) Manufacturing/ Warehousing:*

\* None

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

\* None

**O (Office)**  
***Special Uses***

*(1) General:*

\* None

*(2) Residential:*

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

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

\* None

*(4) Governmental:*

a. Public utility building or use

*(5) Agricultural/ Mining:*

\* None

*(6) Recreational/ Entertainment:*

\* None

*(7) Office/ Financial/ Medical:*

\* None

*(8) Services:*

a. Child day care facilities

b. Adult day care facilities

j. College and other institutions of higher learning

l. Convention center; private

bb. Civic organizations

cc. Trade and business organizations

*(9) Repair:*

\* None

*(10) Retail Trade:*

\* None

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

\* None

*(12) Construction:*

\* None

*(13) Transportation:*

\* None

*(14) Manufacturing/ Warehousing:*

\* None

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

\* None

## **PROPOSED ZONING**

### **CH (Heavy Commercial)**

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

*(1) General:*

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

*(2) Residential:*

\* None

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

\*None

*(4) Governmental:*

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

*(5) Agricultural/ Mining:*

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

*(6) Recreational/ Entertainment:*

- b. Golf course; par three
- c. Golf driving range
- c.(1). Tennis club; indoor and outdoor facilities
- e. Miniature golf or putt-putt course

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

*(7) Office/ Financial/ Medical:*

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

*(8) Services:*

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

*(9) Repair:*

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

*(10) Retail Trade:*

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

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

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

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

*(12) Construction:*

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

*(13) Transportation:*

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

*(14) Manufacturing/ Warehousing:*

- a. Ice plant and freezer lockers
- b. Dairy; production, storage and shipment facilities
- c. Bakery; production, storage and shipment facilities
- g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholster

- h. Engraving; metal, glass or wood
- i. Moving and storage of nonhazardous materials; excluding outside storage
- k. Mini-storage warehouse, household; excluding outside storage
- m. Warehouse; accessory to approved commercial or industrial uses within a district; excluding outside storage
- u. Tire recapping or retreading plant

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

\* None

## **CH (Heavy Commercial)**

### ***Special Uses***

*(1) General:*

\* None

*(2) Residential:*

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

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

\* None

*(4) Governmental:*

\* None

*(5) Agricultural/ Mining:*

\* None

*(6) Recreational/ Entertainment:*

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

*(7) Office/ Financial/ Medical:*

\* None

*(8) Services:*

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

*(9) Repair:*

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

*(10) Retail Trade:*

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

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

\* None

*(12) Construction:*



\* None

*(13) Transportation:*

\* None

*(14) Manufacturing/ Warehousing:*

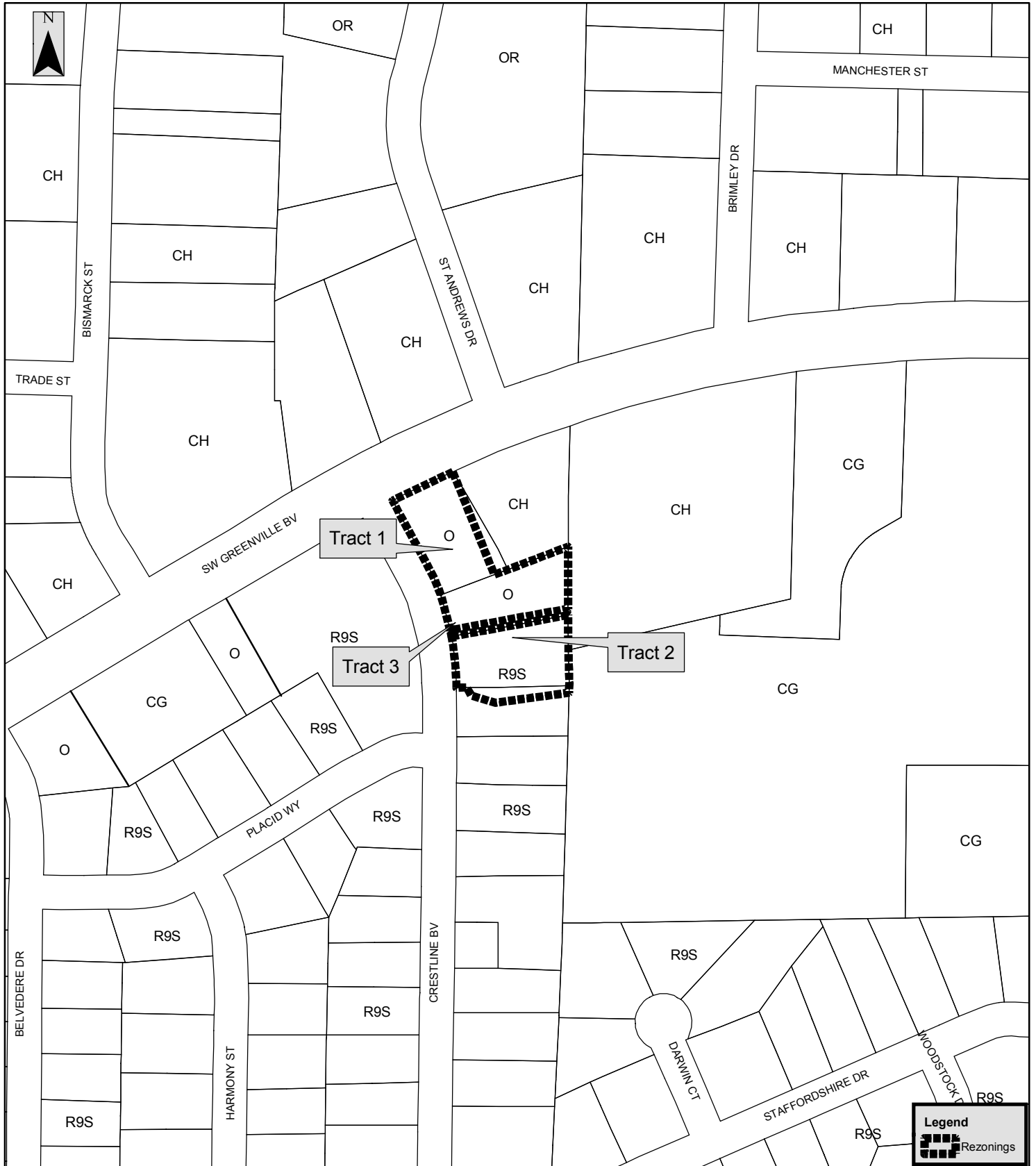
- d. Stone or monument cutting, engraving
- j. Moving and storage; including outside storage
- l. Warehouse or mini-storage warehouse, commercial or industrial; including outside storage
- y. Recycling collection station or facilities

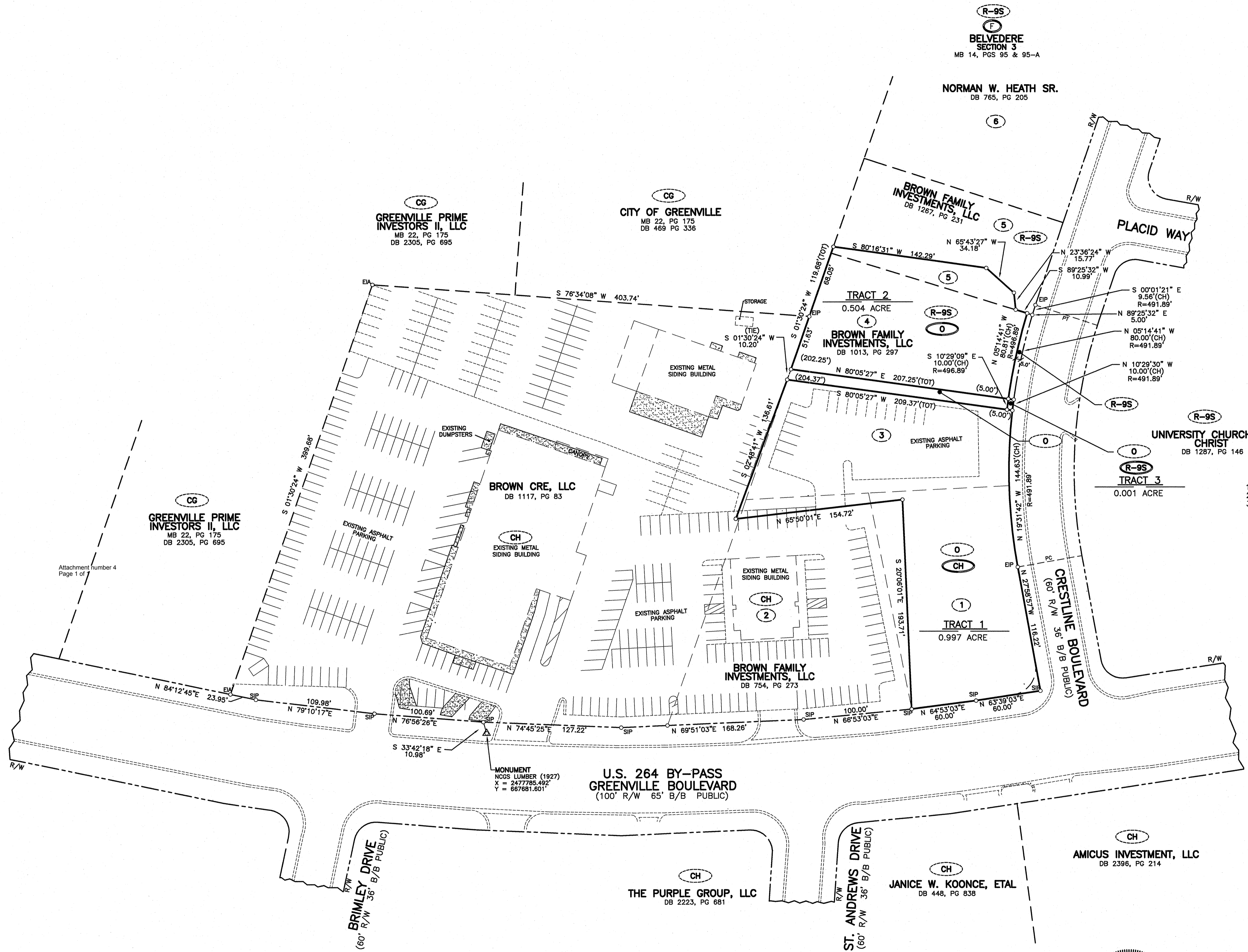
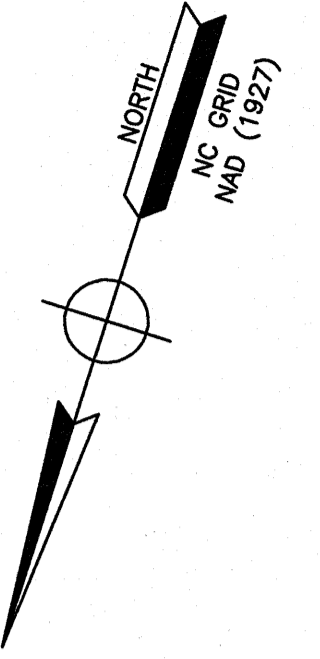
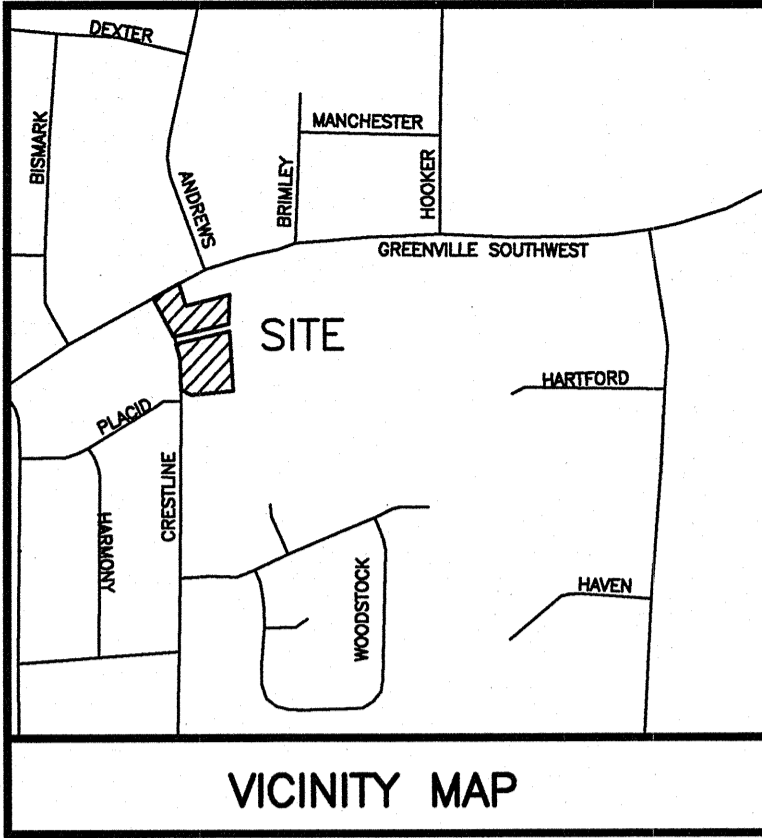
*(15) Other Activities (not otherwise listed - all categories):*

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

# REVISED

Brown Family Investments, LLC  
Tract 1: From O to CH (0.997 acres)  
Tract 2: From R9S to O (0.523 acres)  
Tract 3: From O to R9S (0.001 acres)  
July 6, 2009





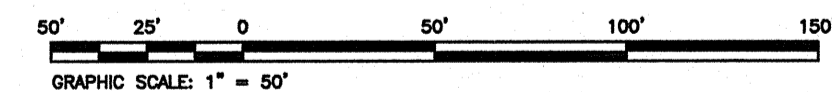
Attachment number 4  
Page 1 of 7

- NOTES**
1. THIS SURVEY IS OF ANOTHER CATEGORY.
  2. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
  3. REFERENCE: DEED BOOK 1013, PAGE 297 AND BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 754, PAGE 273, DEED BOOK 1117, PAGE 83 AND DEED BOOK 1267, PAGE 231 OF THE PITT COUNTY REGISTRY.

**LEGEND**

- R/W = RIGHT-OF-WAY
- = EXISTING ZONING
- = PROPOSED ZONING
- EIP = EXISTING IRON PIPE
- SIP = SET IRON PIPE
- EIA = EXISTING IRON AXLE

PARCEL# 14042  
NC PIN #4676775262  
PARCEL# 14043  
NC PIN #4676775363  
PARCEL# 14045  
NC PIN #4676774414  
A PORTION OF  
PARCEL# 14041  
NC PIN #4676775162



SHEET 1 OF 1

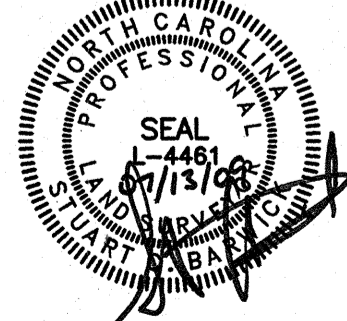
REZONING MAP FOR  
**BROWN FAMILY INVESTMENTS, LLC**

LOTS 2 & 4 BLOCK F AND A PORTION OF LOTS 1, 2 & 5 BLOCK F BELVEDERE SUBDIVISION, SECTION III

REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN MAP BOOK 14, PAGES 95-95A OF THE PITT COUNTY REGISTRY.  
**GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA**

OWNER: <b>BROWN FAMILY INVESTMENTS, LLC</b> ADDRESS: 329 GREENVILLE BLVD. GREENVILLE, NC 27858 PHONE: (252) 355-6080	OWNER: <b>BROWN CRE, LLC</b> ADDRESS: 329 GREENVILLE BLVD. GREENVILLE, NC 27858 PHONE: (252) 355-6080
<p><b>Baldwin &amp; Janowski</b> ENGINEERING - SURVEYING - PLANNING 1015 CONFERENCE DRIVE GREENVILLE, NC 27858 252.756.1390</p>	
SURVEYED: JP	APPROVED: SCB
DRAWN: SCB	DATE: 03/30/2009
CHECKED: SCB	SCALE: 1" = 50'

TOTAL AREA TO BE REZONED = 1.502 ACRES



REVISED 06/25/2009 (AREA OF TRACT 2)  
REVISED 06/19/2009 (AREA OF TRACT 1, & TRACT 2)  
REVISED 04/30/2009 (ADDED TRACT 3 & REDUCED TRACT 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.

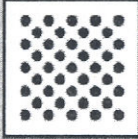
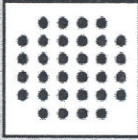
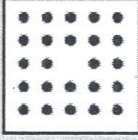
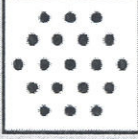

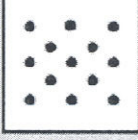
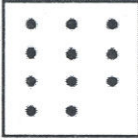
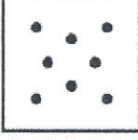
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
<b>High Density</b>		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
<b>Medium Density</b>		
R6-A	9 units per acre 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: 7/21/2009  
Time: 6:30 PM

**Title of Item:** Request by KMRJ Development, LLC for a preliminary plat entitled "Porter's Pointe (Revised)". The property is located north of Portertown Road at its intersection with Herman Garris Road. The proposed development consists of 94 lots on 33.848 acres.

**Explanation:** This is a revision of a preliminary plat that was approved by the Planning and Zoning Commission on April 15, 2008. The roads and the open space have changed but the number of lots remain the same. Since they are changing the road pattern and this is a cluster subdivision where the Planning and Zoning Commission has approval of the location, character and arrangement of open space, the preliminary plat is being brought back for approval.

This is a resubmission of a project that was initially denied by the Planning and Zoning Commission. The Porter's Grove preliminary plat was originally submitted with septic tanks. The Planning Staff and Greenville Utilities Commission Water Resources division recommended that the development be denied because the extension of sanitary sewer to this property was considered feasible. The Planning and Zoning Commission denied the original request on September 18, 2007.

This project is a cluster subdivision. The open space will be maintained by the Homeowner's Association. All the open space will be dedicated in the initial final plat section.

Cluster subdivisions are an alternative development option that provides for a more efficient use of land while protecting environmentally sensitive areas. The location and arrangement of open space is subject to Planning and Zoning Commission approval. Open space #4 has a parking lot on it and that improvement is not being counted as required open space. The level spreader does not count towards the required open space. In open space # 3, only 25% of the property that is located in the floodway counts towards the required open space. The open space that is provided exceeds the 15% requirement. There is a significant amount of environmentally sensitive area that is being preserved (3.7 acres) even though all of this area does not count toward the required open space. The Army Corps of Engineers has approved the wetlands delineation boundary.

There will be some road widening and a turn lane provided off Portertown Road. Porters Pointe Drive will be the main entrance into the proposed development. An interconnected street pattern with adjoining properties is not possible due to existing development and intervening environmentally sensitive areas. This project has a good internal circulation.

Sidewalks are provided along Porters Pointe Drive and Hardee Bluff Drive. Porterview Drive and Baycrest Drive have a 40' right of way and 24 back to back curb. This is a standard that is in the Manual of Standards and Design that is maintained by the Engineering Department. This has been a street section that is seldom used because it can only be used in limited circumstances on low volume streets.

There have been some recent changes to the North Carolina Fire Code which mandates that emergency vehicles must be provided a twenty foot travel way. If there is any on-street parking, the required travel way will not be provided. It was requested that the developer increase the street width to 28 feet. They maintain they want to use the twenty-four foot standard that is in the manual. The Planning Staff would recommend that as a condition of approval that an ordinance be adopted by City Council prior to recordation of the initial final plat, that Porterview Drive and Baycrest Drive be designated as no parking along those streets. Application for the no-parking zones shall be the responsibility of the owner/developer. The street will then be signed as such.

The preliminary plat has been reviewed and approved by the City's Technical Review Committee. The preliminary plan meets all requirements and city standards with the exception of the above street width (fire access) standard. The fire protection issue can be accommodated by the no-parking option mentioned above.

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

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

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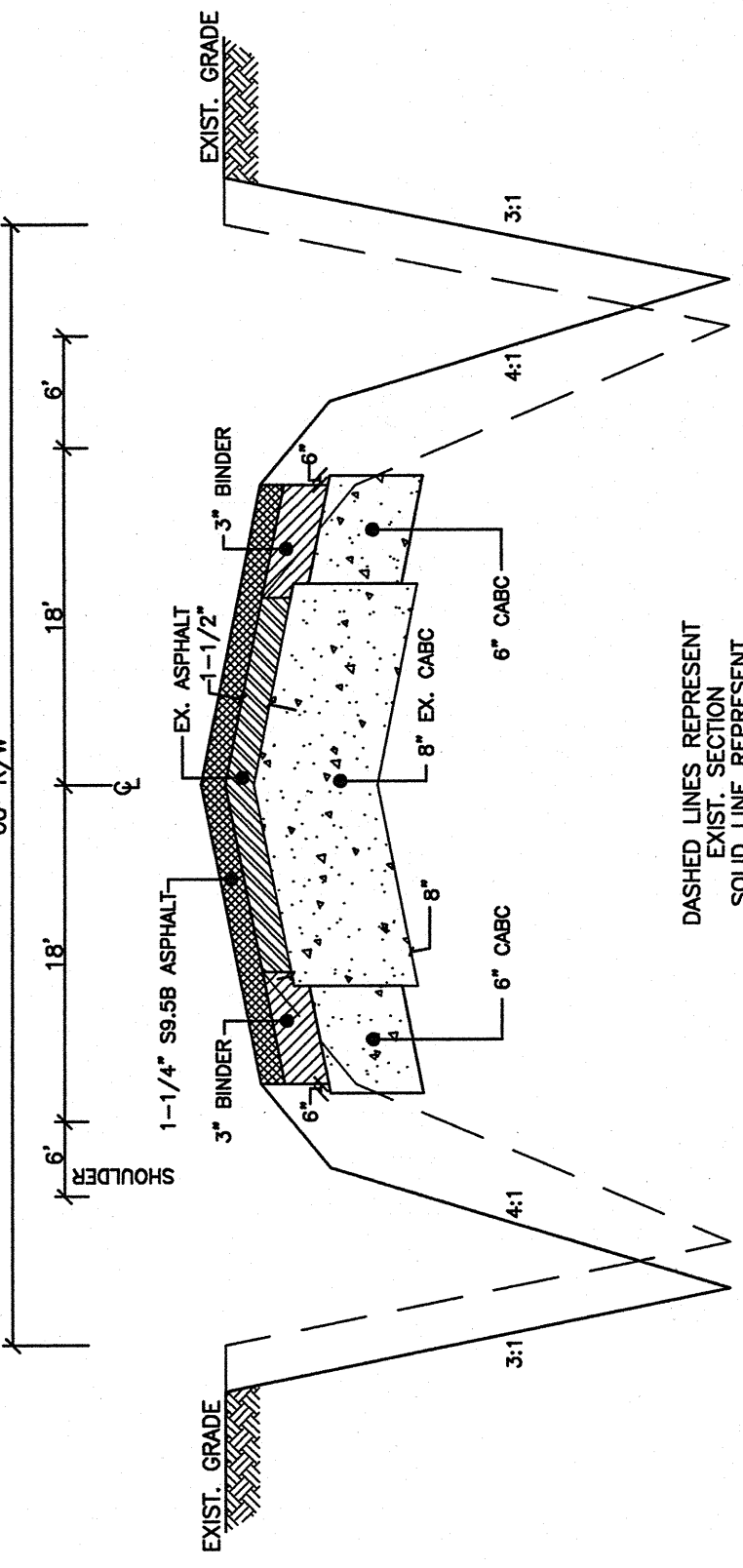
Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

**Attachments / click to download**

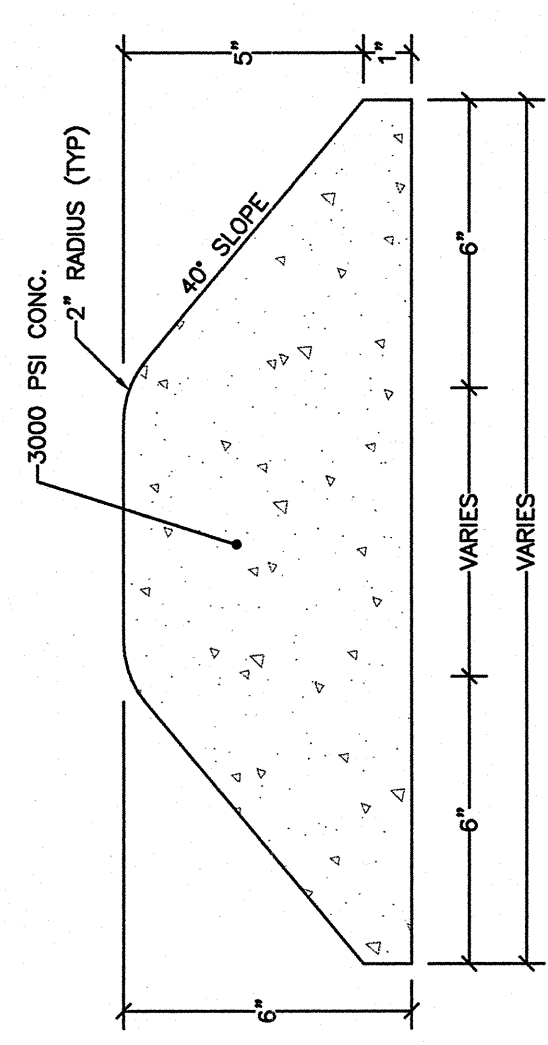
- [Porter's Pointe \(revised\) Sheet 1](#)
- [Porter's Pointe \(revised\) Sheet 2](#)
- [Old Porter's Pointe Approved Preliminary Plat](#)



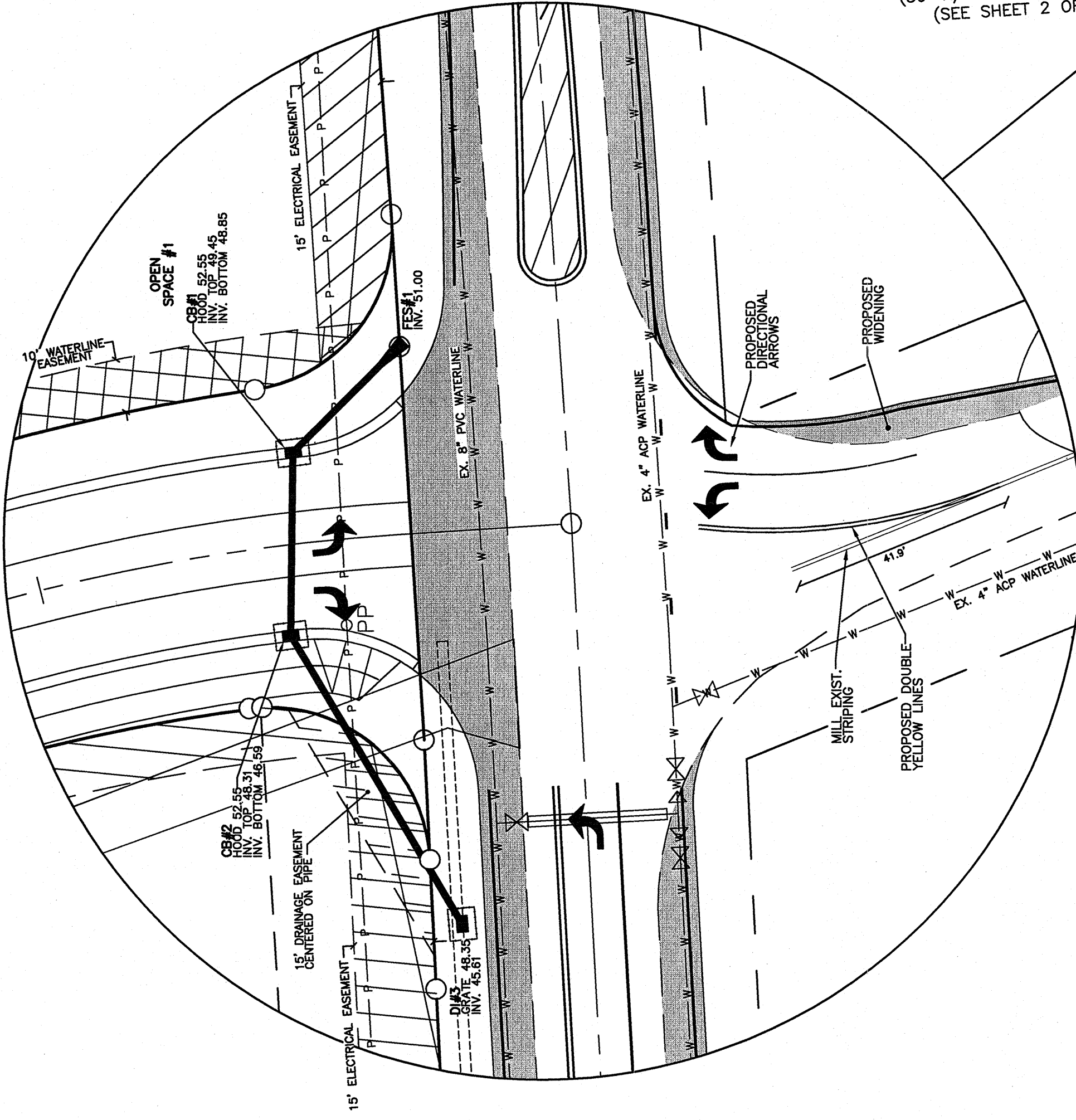




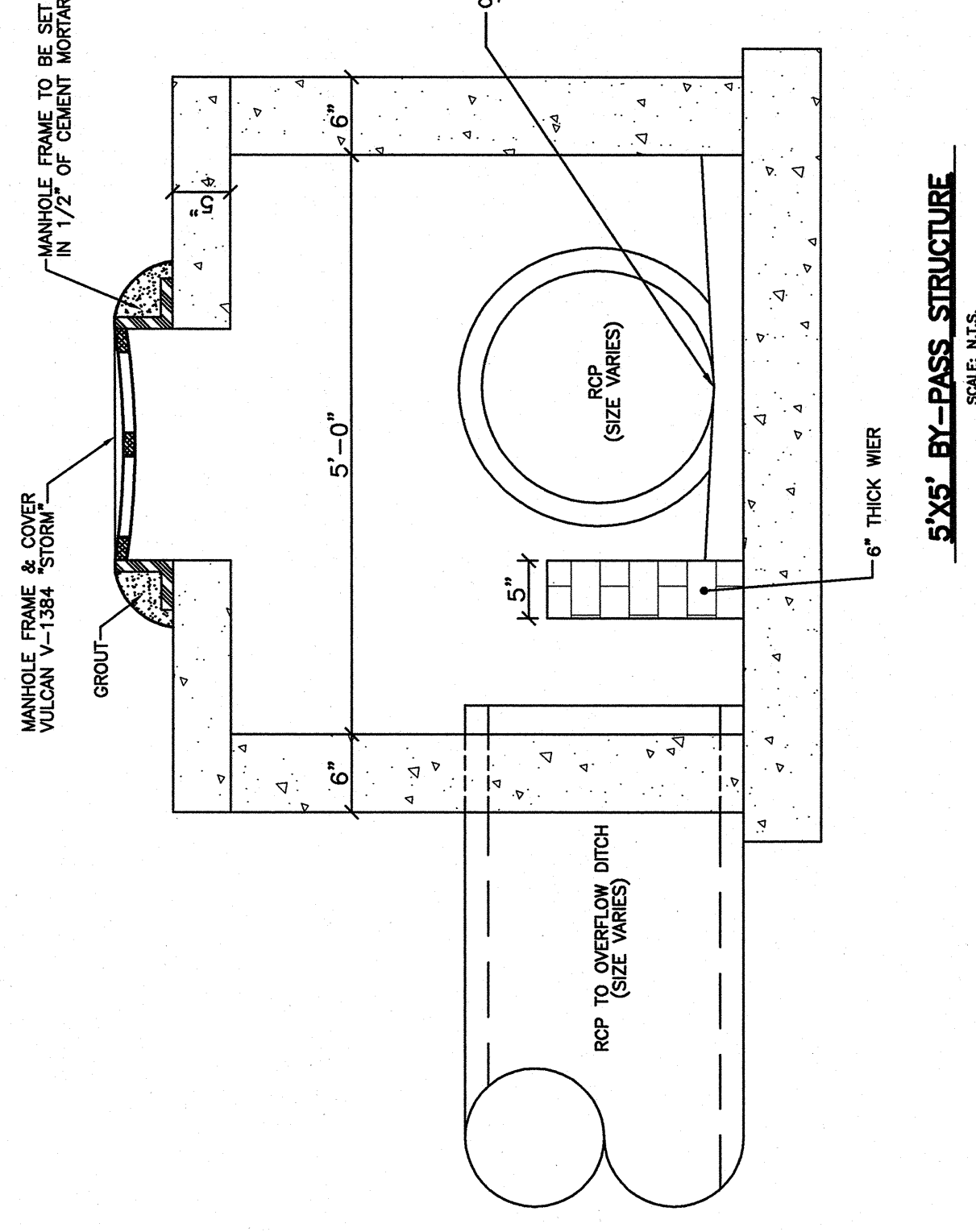
**LANE WIDENING CROSS SECTION**  
 HORIZONTAL SCALE: 1" = 10'  
 VERTICAL SCALE: 1" = 1'



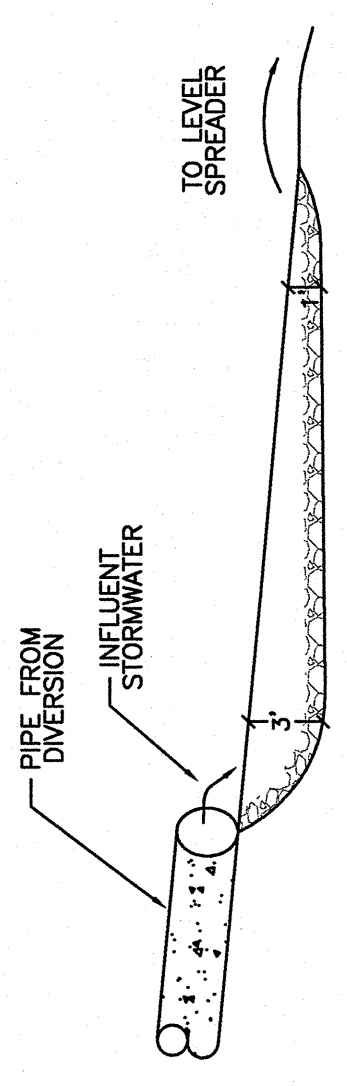
**MONOLITHIC SLAB**  
 NOT TO SCALE



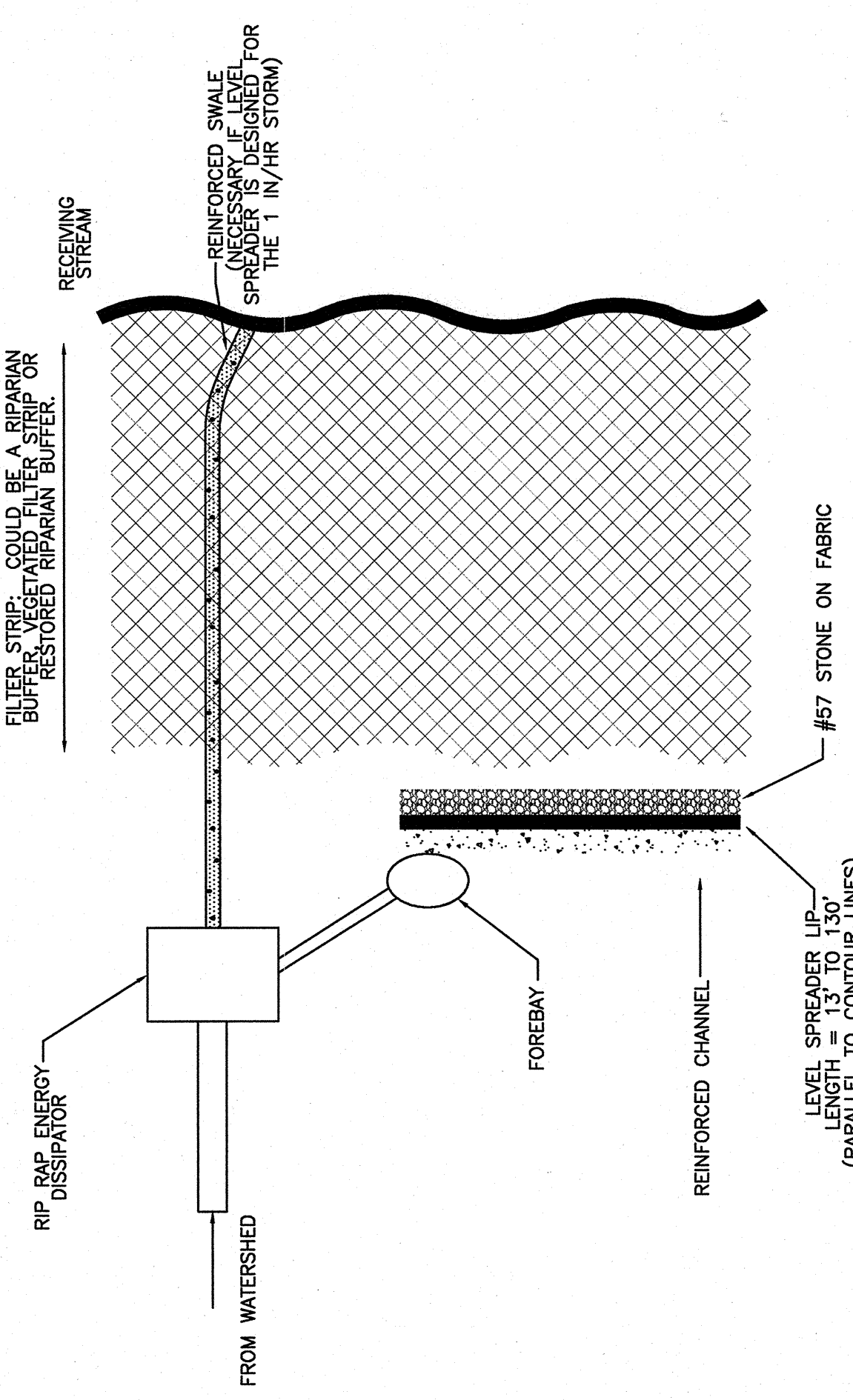
**DETAIL "B"**



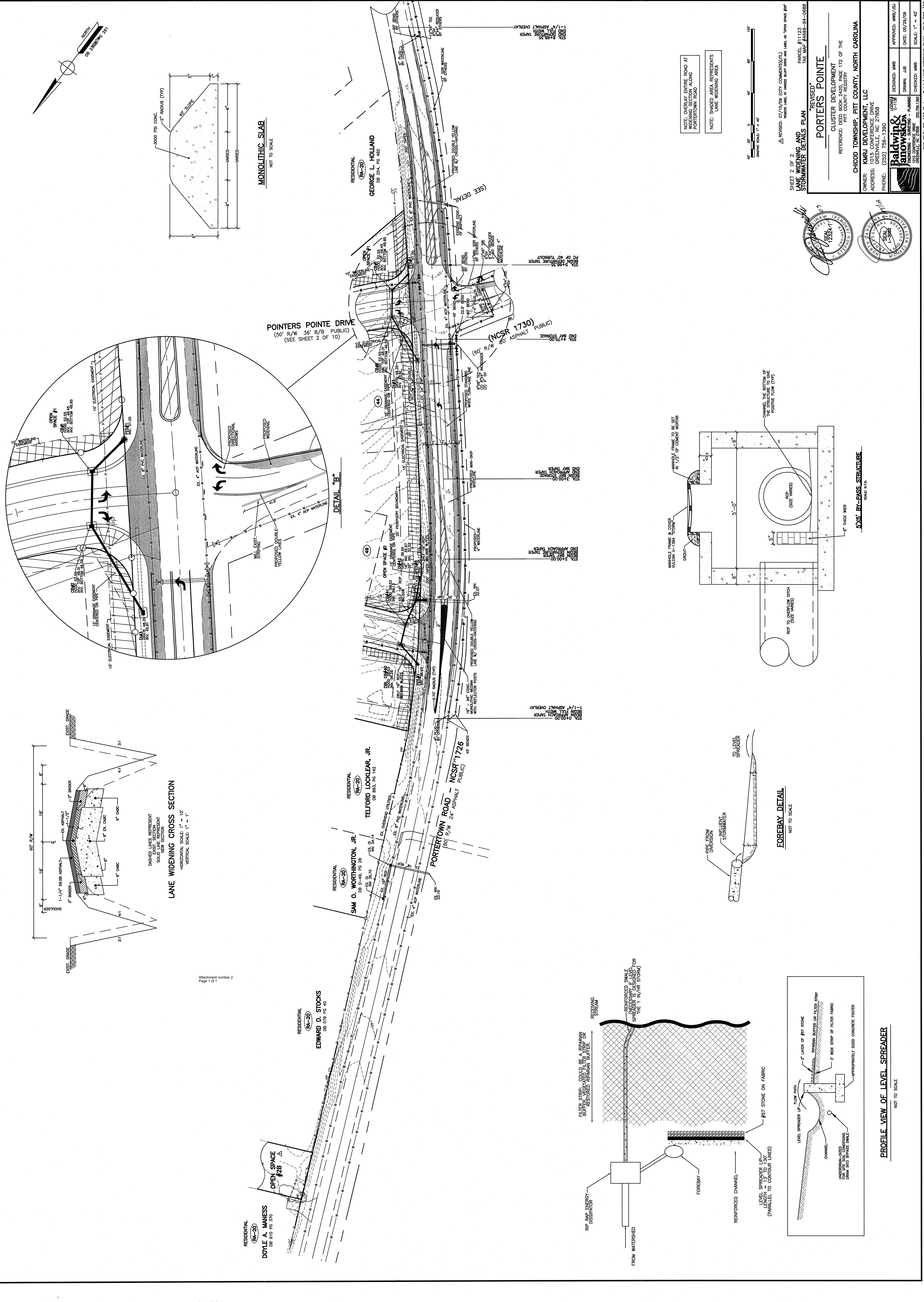
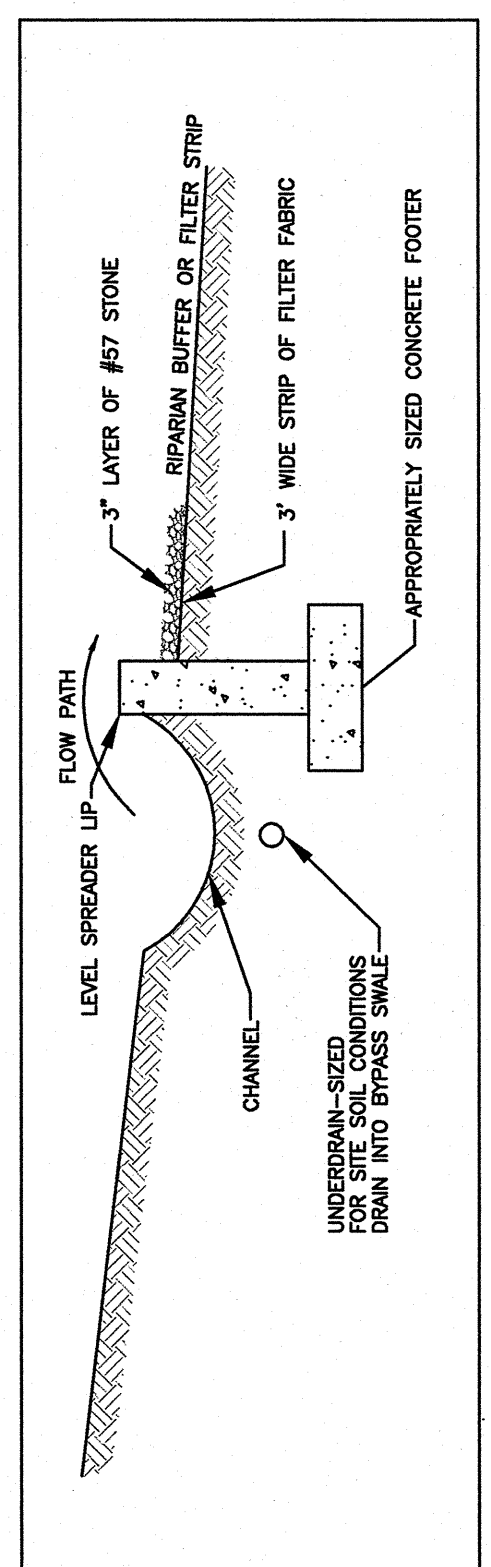
**5x6' 6x-PASS STRUCTURE**  
 SCALE 1/4"



**FOREBAY DETAIL**  
 NOT TO SCALE



**PROFILE VIEW OF LEVEL SPREADER**  
 NOT TO SCALE



REVISION: 07/15/09 (CITY COMMENTS)  
 PARCEL #1123  
 TAX MAP #4889-94-0889

**LANE WIDENING AND STORMWATER DETAILS PLAN**

**PORTERS POINT**

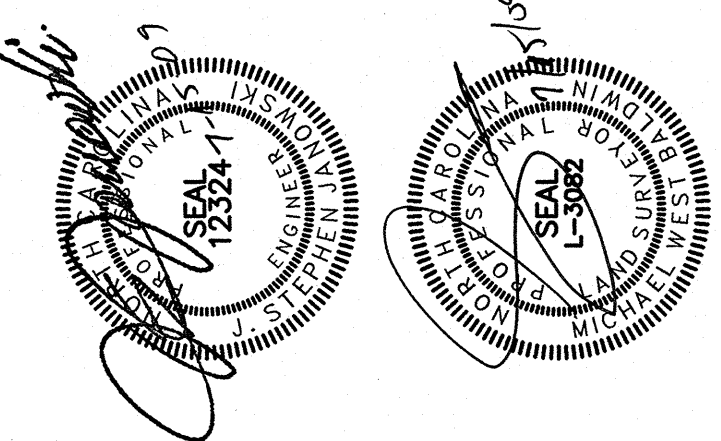
OWNER: KMRJ DEVELOPMENT, LLC  
 CLUSTER DEVELOPMENT  
 REFERENCE: DEED BOOK 2420, PAGE 172 OF THE  
 PITTS COUNTY REGISTRY

CHICOD TOWNSHIP, PITT COUNTY, NORTH CAROLINA

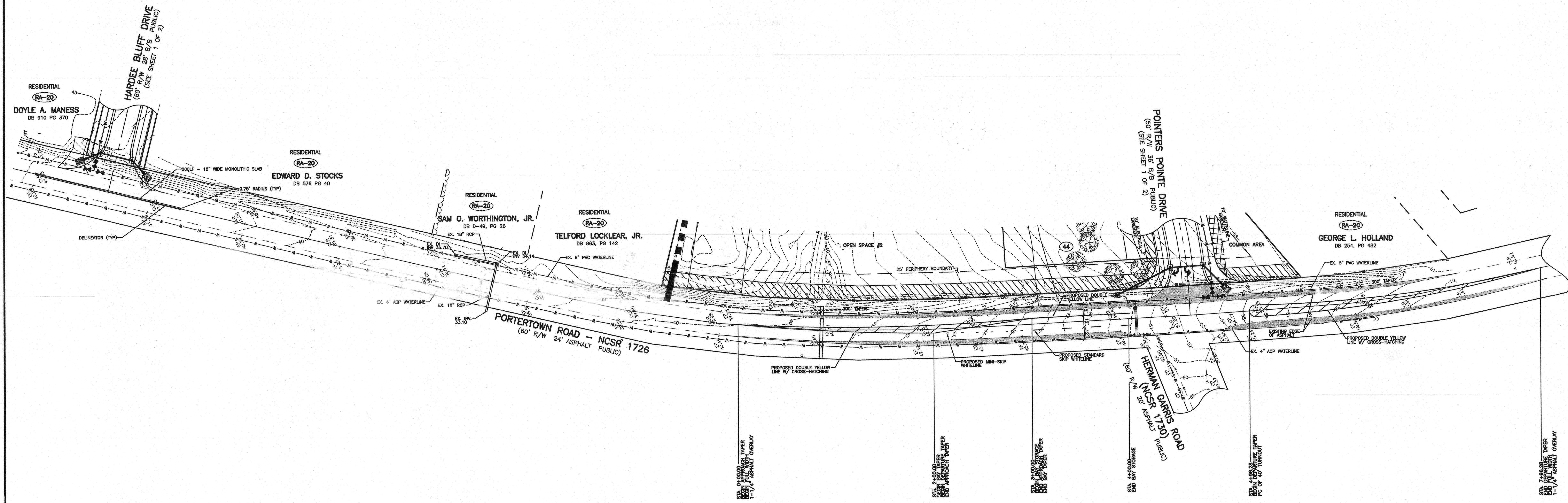
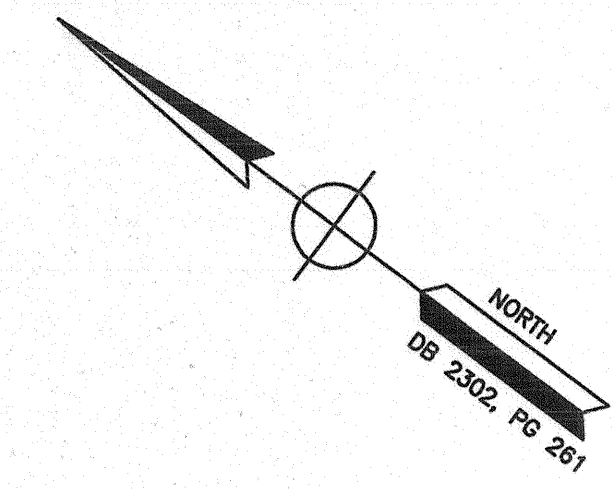
DESIGNED: MWR  
 DRAWN: JJB  
 CHECKED: MWR  
 APPROVED: MWR/ASJ

DATE: 05/29/09  
 SCALE: 1" = 40'

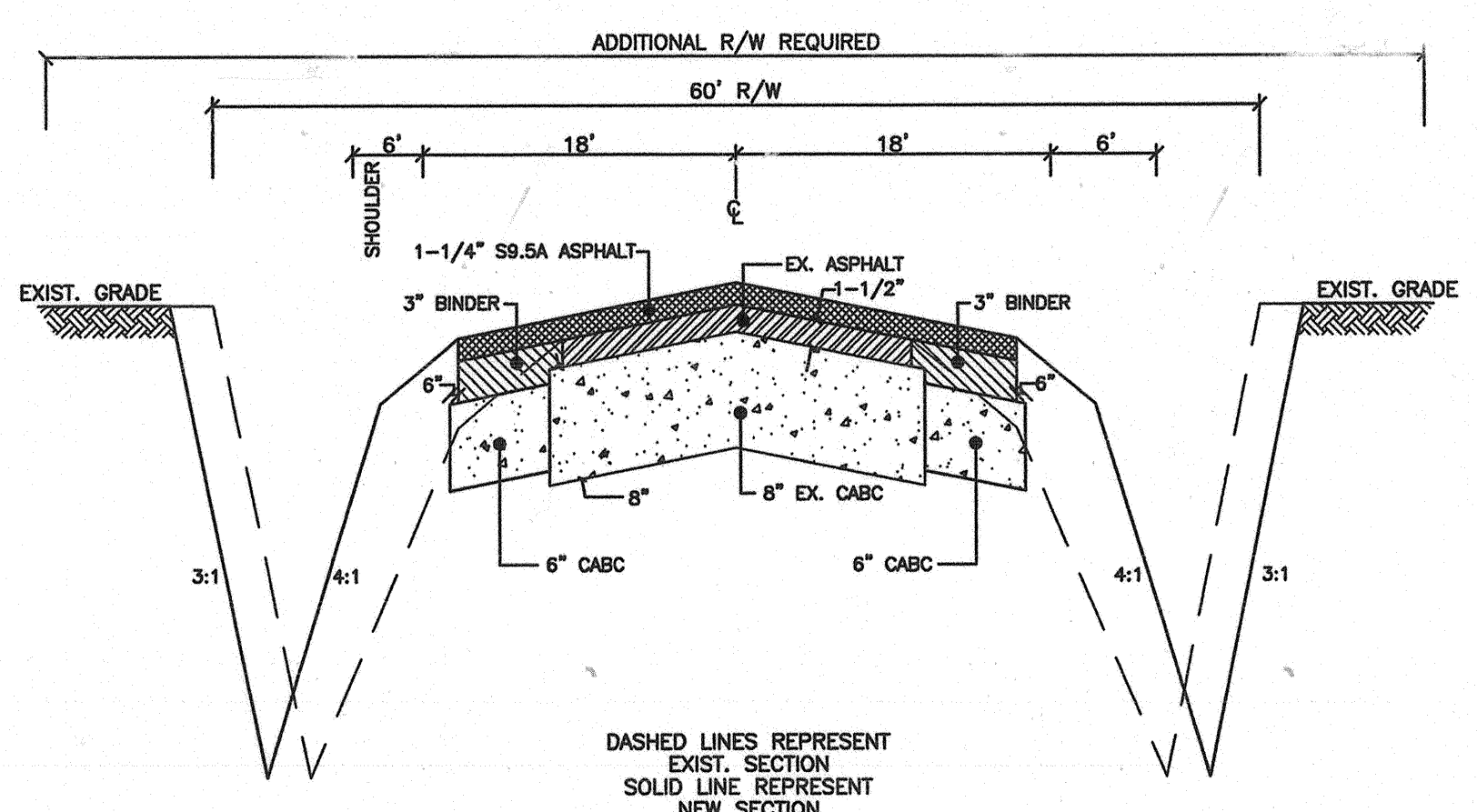
**Baldwin & Janowski**  
 ENGINEERS & ARCHITECTS  
 2525 N. LENOX ST.  
 GREENVILLE, NC 27638  
 PHONE: (252) 756-1390







Attachment number 3  
Page 2 of 2



LANE WIDENING CROSS SECTION  
HORIZONTAL SCALE: 1" = 10'  
VERTICAL SCALE: 1" = 1'

**SEEDING AND MULCHING SCHEDULE PER ACRE**

THE KINDS OF SEED AND FERTILIZER, AND THE RATES OF APPLICATION OF SEED, FERTILIZER, AND LIMESTONE, SHALL BE AS STATED BELOW. DURING PERIODS OF OVERLAPPING DATES, THE KIND OF SEED TO BE USED SHALL BE DETERMINED BY THE ENGINEER.

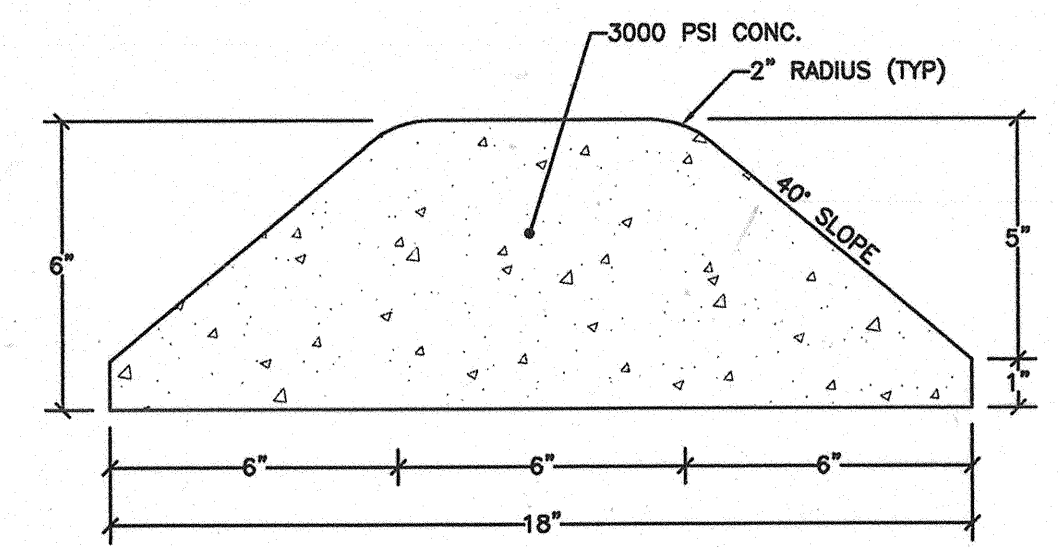
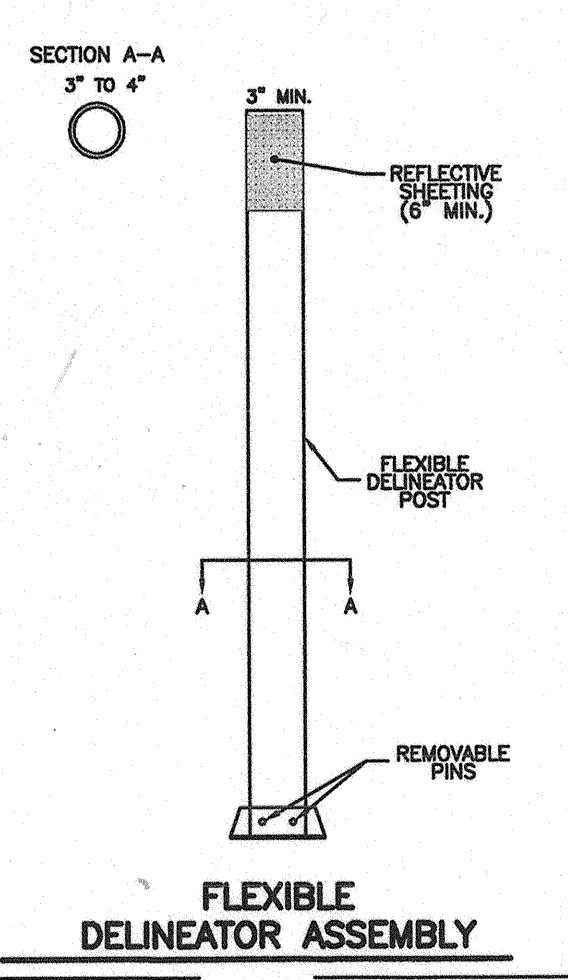
LIME	2 TONS/AC
10-10-20	1,000 LBS/AC
0-20-0	500 LBS/AC
STRAW MULCH	2 TONS/AC (AFTER SEEDING)
ASPHALT TACK	200 GAL/TON OF MULCH

<b>JANUARY 1-DECEMBER 31</b>	
50#	TALL FESCUE
10#	CENTPEDE
10#	BERMUDA GRASS
500#	FERTILIZER
4000#	LIMESTONE

SLOPES 2:1 AND STEEPER AND WASTE AND BORROW LOCATIONS:  
**JANUARY 1-DECEMBER 31**

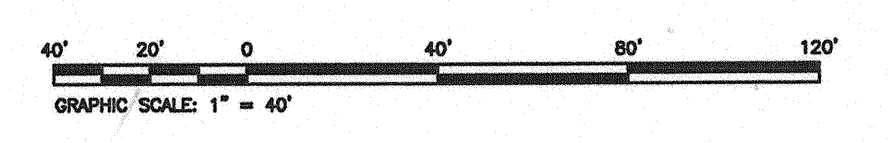
75#	TALL FESCUE
10#	BERMUDA GRASS
500#	FERTILIZER
4000#	LIMESTONE

**TEMPORARY SEEDING**  
"COOL SEASON" PLANTED BETWEEN 15 AUGUST AND 15 APRIL  
120# RYE GRASS (NO RYE GRASS)  
"WARM SEASON" PLANTED BETWEEN 15 APRIL AND 15 AUGUST  
65# GERMAN BROWN TOP OR FOX TAIL MILLET



MONOLITHIC SLAB  
NOT TO SCALE

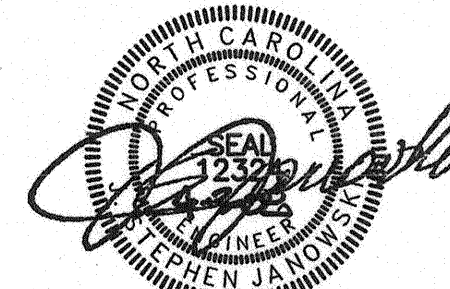
NOTE: SHADED AREA REPRESENTS LANE WIDENING AREA



REV 2/12/08 CITY/NC DOT COMMENTS DJH  
SHEET 2 OF 2  
LANE WIDENING PLAN  
PARCEL #11123  
TAX MAP #4696-84-0685

**PORTERS POINTE**  
CLUSTER DEVELOPMENT  
REFERENCE: DEED BOOK 2420, PAGE 172 OF THE PITT COUNTY REGISTRY  
CHICOD TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: KMRJ DEVELOPMENT, LLC  
ADDRESS: 1015 CONFERENCE DRIVE GREENVILLE, NC 27858  
PHONE: (252) 756-1390



**Baldwin & Janowski**  
ENGINEERING - SURVEYING - PLANNING  
1015 CONFERENCE DRIVE GREENVILLE, NC 27858  
PHONE: (252) 756-1390

DESIGNED: MWB	APPROVED: MWB/JSJ
DRAWN: DJH	DATE: 01/02/07
CHECKED: MWB	SCALE: 1" = 40'

CAD FILE: 07-150 Porters Pointe\PRELIMINARY\LANE WIDENING PLAN FILE #07-150 PG 2 OF 2  
C&G FILE: 07-150



# City of Greenville, North Carolina

Meeting Date: 7/21/2009  
Time: 6:30 PM

**Title of Item:** Request by the City of Greenville Redevelopment Commission to amend the Downtown Commercial (CD) district residential parking requirements.

**Explanation:** On July 7, 2009 the Redevelopment Commission initiated an amendment to the parking regulations to exempt residential development in the Downtown Commercial (CD) district from the current 800 foot (maximum) dwelling unit to remote parking lot separation standard, provided the minimum required remote parking facility is also located in the CD district.

This proposed amendment is intended to facilitate additional residential development in the urban core as recommended in the Center City Revitalization Plan.

Currently, all residential development in the CD district is required to provide off-street parking either (i) on the development site, or (ii) in a private remote parking lot located within 800 feet of the use it is intended to serve, as measured with and along an improved pedestrian path from the most distant parking space to the building entrance.

For projects located in the CD district the minimum required parking for both dormitory type development or standard multi-family development is 1/2 parking space per bedroom. The minimum number of required parking spaces is unaffected by the proposed amendment.

On-street (right-of-way) public parking, and public owned parking lots absent a long term lease, do not qualify for or satisfy the residential parking requirement.

If approved, the effect of the amendment will be to allow residential developments in the CD district to utilize remote parking that is provided at any location within the CD district - the 800 foot (maximum) dwelling unit to remote parking lot separation standard will continue to apply to such residential developments for out-of-CD-district remote parking lots.

**Fiscal Note:** No cost to the City

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

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

Motion to approve 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.

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

**Attachments / click to download**

 [Downtown Commercial Residential Parking\\_836963](#)

 [Remote parking amendment\\_833002](#)

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ORDINANCE NO. 09-\_\_\_\_  
AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on August 13, 2009 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 9, Chapter 4, Article E, Section 9-4-86(nn)(6), of the City Code, is hereby amended by deleting said section in its entirety and substituting the following.

“(6) Parking location requirements: Each required parking space shall be located (i) on the lot containing the associated residential use, or (ii) within a remote parking facility located within eight hundred (800) feet of the use it is intended to serve, as measured with and along an improved pedestrian path from the most distant parking space to the building entrance, or (iii) within a remote parking facility located in a Downtown Commercial (CD) district. Such remote parking facility shall be in accordance with the applicable provisions of Article O, Parking.”

Section 2: That Title 9, Chapter 4, Article O, Section 9-4-250(d)(1), of the City Code, is hereby amended by deleting said section in its entirety and substituting the following.

“(1) Except as further provided, no portion of the remote parking facility shall be located more than four hundred (400) feet from the associated principal use site. Dormitory development in the CD district and multi-family development in the CD district shall be subject to section 9-4-86(nn)(6) of this chapter.”

Section 3: That Title 9, Chapter 4, Article I, Section 9-4-153(f), of the City Code, is hereby amended by deleting said section in its entirety and substituting the following.

“(f) Parking location requirements: Each required parking space shall be located (i) on the lot containing the associated residential use, or (ii) within a remote parking facility located within eight hundred (800) feet of the use it is intended to serve, as measured with and along an improved pedestrian path from the most distant parking space to the building entrance, or (iii) within a remote parking facility located in a Downtown Commercial (CD) district. Such remote parking facility shall be in accordance with the applicable provisions of Article O, Parking.”

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

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

ADOPTED this 13<sup>th</sup> day of August, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

## Downtown Commercial (CD) district (residential parking requirement) amendments – **current** and **proposed** standards

### Title 9, Chapter 4, Article E.

#### Sec. 9-4-86. Same--Specific criteria. **(current 7/10/09)**

(nn) *Dormitory development within the CD district. [special use permit of the Board of Adjustment required]*

- (1) Minimum habitable (mechanically conditioned) floor area per each bedroom: Two hundred (200) square feet. For purposes of this requirement the term “floor area” shall include private living spaces and any connected common living spaces associated with the subject bedroom, provided however the common living space allocation devoted to a bedroom shall not qualify for or count toward the minimum floor area requirement of any other bedroom.
- (2) Minimum lot area: None.
- (3) Minimum lot width: None.
- (4) Minimum street, side and rear yard setbacks: None.
- (5) Minimum parking requirement: One-half (0.5) space per bedroom.
- (6) **Parking location requirements: Each required parking space shall be located within eight hundred (800) feet of the use it is intended to serve, as measured with and along an improved pedestrian path from the most distant parking space to the building entrance. Remote parking facilities shall be in accordance with the applicable provisions of Article O, Parking.**
- (7) All off-street parking areas designed for three (3) or more spaces shall be in accordance with Article O.
- (8) Preservation design: In order to protect the architectural integrity of existing buildings within the CD zoning district, and in so doing to preserve the continuity of scale and design within those areas, the following requirements shall be met:
  - (a) All slip covers previously applied to the facade of existing buildings shall be removed.
  - (b) All canopies, except for those made of canvas, shall be removed from the facade.
  - (c) Where evidence exists of original windows and door openings subsequently enclosed, such windows and doors shall be reopened in an operable manner and in a style in keeping with the building. Where other unique architectural features remain, including cornices, mid-cornices and window surrounds, they shall be repaired and/or replaced with elements of like design.
  - (d) Nothing in this subsection shall supersede applicable North Carolina State Building Code requirements.
- (9) Maximum residential occupancy limits:
  - (a) Residential occupancy within dormitory units shall be limited to one (1) bed per each bedroom and one (1) person per each bedroom.
  - (b) Residential occupancy within dwelling units shall be limited to one (1) family per each dwelling unit.
- (10) Signage: All signs shall be erected in accordance with Article N of this chapter, but in no event shall a sign be mounted over existing windows, doors or other architectural features described in (8)(c) above.
- (11) Residential and nonresidential uses allowed.
  - (a) Subject to district standards, and requirements, development allowed under this section may include both residential and nonresidential use.

#### **(Proposed)**

- (6) **Parking location requirements: Each required parking space shall be located (i) on the lot containing the associated residential use, or (ii) within a remote parking facility located within eight hundred (800) feet of the use it is intended to serve, as measured with and along an improved pedestrian path from the most distant parking space to the building entrance, or (iii) within a remote parking facility located in a Downtown Commercial (CD) district. Such remote parking facility shall be in accordance with the applicable provisions of Article O, Parking.**



## Title 9, Chapter 4, Article O.

### Sec. 9-4-250. Parking area location criteria. **(current 7/10/09)**

(a) All uses, except as provided in subsections (b) and (c) below, shall provide off-street parking on the same parcel of land as the use it is intended to serve. For purposes of this section, common areas within townhouse, condominium or planned center projects shall be construed as meaning "the same parcel of land." Parking permitted within the right-of-way of a public street shall not be considered to fulfill or partially fulfill the minimum parking requirements.

(b) Remote parking may be allowed for any use which cannot provide parking on the same parcel of land as the principal use provided such use complies with all of the following requirements:

- (1) The use does not comply with the current on-site parking requirement.
- (2) No new construction, expansion or enlargement of the existing or proposed use is requested which would intensify or create an on-site nonconforming parking situation.
- (3) The existing on-site parking facility cannot be improved to conform with current requirements.
- (4) The remote parking facility shall comply with subsection (d) below.

(c) Exemptions.

- (1) Churches are exempt from subsection (b)(2) above, provided that fifty (50) percent of the required parking spaces shall be located on the same parcel of land as the principal use.
- (2) City of Greenville municipal government building or use and county government building or use are exempt from subsection (b)(2) above.

**(d) Remote parking facilities shall conform to the following standards:**

- (1) No portion of the remote parking facility shall be located more than four hundred (400) feet from the associated principal use site.**
- (2) The remote parking facility shall not be utilized or occupied by any other use or for any purpose other than as parking for the associated principal use.
- (3) The remote parking facility shall be located within a district which permits the associated principal use or within a district which allows principal use parking lots.
- (4) Where the associated principal use is listed as being subject to special use permit approval of the board of adjustment, planning and zoning commission or city council, the proposed remote parking facility for the principal use shall be considered an expansion of the principal use and the expansion shall be subject to such approval.
- (5) The person, firm or corporation which controls, owns or operates the principal use shall have recorded in the Pitt County Register of Deeds an estate in real property sufficient to guarantee exclusive use of the remote parking site for the life of the principal use. Such instrument shall be prepared prior to approval of any permit and no occupancy shall be allowed until the instrument has been duly recorded.
- (6) If the parcel which contains the remote parking facility is disposed of, or committed to some other use which displaces the parking required by this article, then the certificate of occupancy for the principal use shall be revoked.

**(Proposed)**

**(d) Remote parking facilities shall conform to the following standards:**

- (1) Except as further provided, no portion of the remote parking facility shall be located more than four hundred (400) feet from the associated principal use site. Dormitory development in the CD district and multi-family development in the CD district shall be subject to section 9-4-86(nn)(6) of this chapter.**

## Title 9, Chapter 4, Article I.

### Sec. 9-4-153. Development standards CD zoning district. **(current 7/10/09)**

(a) Minimum habitable (mechanically conditioned) floor area per unit:

- (1) One bedroom unit: Four hundred (400) square feet.
- (2) Two (2) or more bedroom unit: Five hundred (500) square feet.

(b) Minimum lot area: None.

(c) Minimum lot width: None.

(d) Minimum street, side and rear yard setbacks: None.

(e) Minimum parking: One-half (0.5) spaces per bedroom.

**(f) Parking location requirements: Each required parking space shall be located within eight hundred (800) feet of the use it is intended to serve. Remote parking facilities shall be in accordance with the applicable provisions of Article O, Parking.**

(g) All off-street parking areas designed for three (3) or more spaces shall be in accordance with Article O.

(h) Preservation design: In order to protect the architectural integrity of existing buildings within the CD zoning district, and in so doing to preserve the continuity of scale and design within those areas, the following requirements shall be met:

- (1) All slip covers previously applied to the facade of existing buildings shall be removed.
- (2) All canopies, except for those made of canvas, shall be removed from the facade.
- (3) Where evidence exists of original windows and door openings subsequently enclosed, such windows and doors shall be reopened in an operable manner and in a style in keeping with the building. Where other unique architectural features remain, including cornices, mid-cornices and window surrounds, they shall be repaired and/or replaced with elements of like design.
- (4) Nothing in this subsection shall supersede applicable North Carolina State Building Code requirements.

(i) Signage: All signs shall be erected in accordance with Article N of this chapter, but in no event shall be mounted over existing windows, doors or other architectural features described in (h)(3) above. (Ord. No. 2337, § 1, 6-13-91; Ord. No. 94-132, § 14, 10-13-94; Ord. No. 94-156, §§ 8, 9, 12-8-94)

### **(Proposed)**

**(f) Parking location requirements: Each required parking space shall be located (i) on the lot containing the associated residential use, or (ii) within a remote parking facility located within eight hundred (800) feet of the use it is intended to serve, as measured with and along an improved pedestrian path from the most distant parking space to the building entrance, or (iii) within a remote parking facility located in a Downtown Commercial (CD) district. Such remote parking facility shall be in accordance with the applicable provisions of Article O, Parking.**