



Agenda

Planning and Zoning Commission

October 21, 2014

6:30 PM

Council Chambers, City Hall, 200 W. Fifth Street

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- I. CALL MEETING TO ORDER -
- II. INVOCATION - Wanda Harrington
- III. ROLL CALL
- IV. APPROVAL OF MINUTES - September 16, 2014
- V. OLD BUSINESS

TEXT AMENDMENTS

- 1. Ordinance to amend the Zoning Ordinance by adding a requirement that sidewalks must be constructed along major thoroughfares, minor thoroughfares and boulevards in conjunction with the construction of any new development of non-residential developments, mixed-use developments and multi-family residential developments on existing lots.

- VI. NEW BUSINESS

REZONINGS

- 2. Ordinance requested by HD Property Holdings, LLC to rezone 3.062 acres located near the southwest corner of the intersection of East 10th Street and L. T. Hardee Road from IU (Unoffensive Industry) to CG (General Commercial).
- 3. Ordinance requested by Parkside MM, LLC to rezone 0.53 acres located at the southwest corner of the intersection of Johns Hopkins Drive and Scales Place from MO (Medical-Office) to MR (Medical-Residential [High Density Multi-family]).
- 4. Ordinance requested by V. Parker Overton to rezone 13.62 acres located 1,300+/- feet south of

Fire Tower Road and 900+/- feet west of Corey Road from R6MH (Residential-Mobile Home [High Density Multi-family]) to CG (General Commercial) and OR (Office-Residential [High Density Multi-family]).

PRELIMINARY PLATS

5. Request by Bill Clark Homes of Greenville, LLC for a preliminary plat entitled "Langston West, Section 10". The subject property is located approximately 650 feet west of Thomas Langston Road and south of South Bend Drive and south of Ridgewood Elementary School. The property is further identified as a portion of Tax Parcel # 23627. The preliminary plat consists of 7 lots on 3.0817 acres. The property owner is AMA Holdings, LLC.

TEXT AMENDMENTS

6. Zoning Text Amendment requested by Rivers and Associates, Incorporated to Title 9, Chapter 4, Article O. Section 9-4-252 of the City Code to change the required parking spaces for mini-storage warehouse.

PLAN AMENDMENTS

7. Request initiated by the Planning and Zoning Commission to amend the Horizons: Greenville's Community Plan Focus Area (or commercial node) Map designation for the property located at the intersection of Fire Tower Road and Bayswater Road from a "Neighborhood Focus Area" to a "Regional Focus Area".

VII. ADJOURN

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

September 16, 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. Jerry Weitz – *	Ms. Margaret Reid - *
Ms. Ann Bellis - *	Mr. Torico Griffin - *
Mr. Doug Schrade - *	Mr. Terry King –*
Ms. Wanda Harrington-*	Mr. Brian Smith -X

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

VOTING MEMBERS: Parker, Schrade, Darden, Griffin, Bellis, King, Weitz, Harrington

PLANNING STAFF: Thomas Weitnauer, Chief Planner; Chantae Gooby, Planner II; 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 Ms. Harrington, to accept the August 19, 2014 minutes as presented. Motion carried unanimously.

NEW BUSINESS

TEXT AMENDMENTS

ORDINANCE TO AMEND THE ZONING ORDINANCE BY ADDING A REQUIREMENT THAT SIDEWALKS MUST BE CONSTRUCTED ALONG MAJOR THOROUGHFARES, MINOR THOROUGHFARES AND BOULEVARDS IN CONJUNCTION WITH THE CONSTRUCTION OF ANY NEW DEVELOPMENT OF NON-RESIDENTIAL DEVELOPMENTS, MIXED-USE DEVELOPMENTS AND MULTI-FAMILY RESIDENTIAL DEVELOPMENTS ON EXISTING LOTS. - CONTINUED

Mr. Thomas Weitnauer, Chief Planner, presented the text amendment. As part of a continuing effort to implement recommendations outlined in Horizons: Greenville's Community Plan, the Planning Division developed this text amendment for consideration that would require the installation of sidewalks. Currently, sidewalks are not required to be installed when commercial development is constructed on vacant lots. Over the last several years, the City of Greenville has

adopted numerous plans and studies that include directives that support this text amendment requiring sidewalks when commercial development is constructed. On January 21, 2014, Planning Division Staff presented a discussion item to the Planning and Zoning Commission for its input for a text amendment that would require sidewalks. The text amendment was also presented to the Bicycle and Pedestrian Commission for their input. The last ordinance amendment to require sidewalks was in 1997 where it stated that developers were required to construct sidewalks in conjunction with public street extensions and subdivisions. Currently, when a developer builds a new commercial project on a vacant lot, the installation of a sidewalk is not required. He stated he worked with the Public Works Department, planners, and the City Attorney's Office on the proposed amendment. It was decided to put the amendment in the zoning ordinance rather than the subdivision ordinance where sidewalk requirements are already adopted. Proposed text amendments to require construction of sidewalks along major thoroughfares, minor thoroughfares and boulevards when new commercial development is built on existing lots are as follow:

SEC. 9-4-281- SIDEWALKS REQUIREMENTS ALONG MAJOR THOROUGHFARES,
MINOR THROUGHFARES AND BOULEVARDS.

Construction of sidewalks shall be required along major thoroughfares, minor thoroughfares and boulevards in conjunction with the construction of any new development of non-residential developments, mixed-use developments and multifamily residential developments in accordance with the provisions of this section. The sidewalk requirements in this section are in addition to sidewalk requirements set forth under Art. 5: Subdivisions, Sec. 9-5-123.

- (a) Sidewalks shall be provided along both sides of major thoroughfares, minor thoroughfares and boulevards as designated on the adopted Highway Map from the Highway Element of the Comprehensive Transportation Plan, as amended, excluding: freeways; expressways; US-264 between NC-11 and NC-33; and Stantonsburg Dr. from B's Barbeque Rd. westward. The developer shall provide the sidewalk on the side of the street where the development is located in conjunction with the new development on existing lots.
- (b) Construction of sidewalks required by this section shall be accomplished along the entire length of all property of the development abutting major thoroughfares, minor thoroughfares and boulevards.
- (c) Sidewalks shall be constructed in accordance with the *Manual of Standard Designs and Details*. The specific design and location of all sidewalks shall be reviewed by the Director of Public Works. The Director of Public Works may vary the required width

of sidewalks from the *Manual of Standard Design and Details* in certain locations of the City.

- (d) All required sidewalks shall be installed prior to any occupancy, including temporary occupancy, of new development.
- (e) If special conditions make sidewalk construction unnecessary or undesirable, and such conditions have been verified by the Director of Public Works, the requirement to construct sidewalks along major thoroughfares, minor thoroughfares and boulevards in conjunction with the construction of any new building on existing lots may be waived. Such waivers shall be granted upon written application to and approval of the Director of Public Works. Appeals of decisions made by the Director of Public Works may be made by the developer to the Board of Adjustment.”

The standard width for sidewalks is 5 feet. Examples of exceptions are the Convention Center and the downtown area. Consideration of any modification to the city zoning ordinance should include a review of Horizons: Greenville’s Community Plan and other officially adopted plans that are applicable. Staff reviewed the Plan and the following is an example regarding consistency between the proposed text amendment and the Plan:

IMPLEMENTATION ELEMENT

Transportation, Objective 3: Reduce traffic congestion and safety problems.

3(g) Require sidewalks and landscaping ([public] trees in particular) throughout the City and use sidewalks to connect all major activity centers within the City.

In 2012, the City of Greenville and Pitt County reviewed land use-related plans and development standards to identify policy recommendations and requirements that have an impact on the built environment and physical activity of the city’s residents. Through a series of meetings with a project work group, the Development Code Review and Policy Gap Analysis to Improve Greenville’s Health, Design and Appearance was produced and the City Council adopted the study in 2012. The study’s outcome produced a prioritized list of regulatory reforms the project work group believed would produce the most positive impacts on making Greenville a healthier community. Here is a recommendation from the Plan:

“The following regulatory language items were identified as the top five (5) priority elements having the most positive impacts on making Greenville a healthier community...

5. Adopt language to require commercial developments to install sidewalks.”

In staff's opinion, the proposed Zoning Ordinance is in compliance with Horizons: Greenville's Community Plan. On September 3, 2014 when the information was presented at the Bicycle and Pedestrian Commission, they gave unanimous approval to endorse the proposed ordinance with suggestions reported on page 10 of the staff report.

Mr. Parker asked why the Bicycle and Pedestrian Commission recommendations were not included.

Mr. Weitnauer stated that one recommendation was to add a provision that gives the public the authority to appeal decisions of the Director of Public Works to City Council when the public disagrees with the Public Works Director waiver of sidewalk requirements. He stated that Staff does not overstep their authority when drafting text amendments. Also there were no other peer communities that had anything similar. Another recommendation was to require sidewalks when residential structures were converted to non-residential uses. Text amendments do not include every situation. He stated the Planning and Zoning Commission could consider them and try to integrate them.

Mr. Flood, Director of Community Development, stated the appeal process for zoning related items is with the Board of Adjustment.

Mr. Parker asked if properties would be grandfathered.

Mr. Weitnauer stated the amendment applies to vacant lots or lots where the building is torn down and rebuilt. The last recommendation from the Bicycle and Pedestrian Commission was if there was a property for which is not on a major or minor thoroughfare or boulevard but is designated as such later, the owner should install sidewalks. It would be a tough surprise of anyone involved to plan for it or maintain it.

Chairwoman Basnight opened the public hearing.

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

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

Mr. Weitz stated that in the minutes from the January (2014) meeting he made a comment about suggesting to include requirements for commercial and office developments to link up or attach to public sidewalks. He stated he does not see it in the draft. He wanted to include "sidewalks on individual properties must connect to the sidewalk system within the public road right-of-way" and other language. He wanted to know if it was possible to include.

Mr. Weitnauer stated an ambitious and lengthy process is about to begin to write commercial design guidelines, architectural and potentially site design. He stated that might be a good time to integrate Mr. Weitz's request. It is possible that sidewalks could be picked up during the site

plan review process. Every site plan is different but instructions would need to be prepared in order to include it properly in the site plan.

Mr. Parker asked if the sidewalk ordinance would be part of site development.

Mr. Weitnauer stated it would be appropriate, under commercial design standards, as an incentive or requirement. It would balance the goal with other site requirements.

Mr. Weitz stated Staff did a great job. It is a thorough citation of all the plans and it is consistent. He questioned the terminology of the roads and using the term boulevard.

Mr. Tim Corley, Civil Engineer II, stated the only existing boulevard is NC Hwy 11. He stated he is unaware of NCDOT's designation difference between thoroughfare and boulevard, but possibly related to traffic and the demand on those roads. The missing piece right now, regarding sidewalks, is the major and minor thoroughfares. The 10 Year Sidewalk Plan doesn't designate boulevards from the major thoroughfares but regardless of the definition, it covers both entities.

Mr. Weitz asked if minor thoroughfares, defined as collecting traffic, are collector roads.

Mr. Corley stated that the ordinance change references the map. If it is designated as a minor thoroughfare on the map then it qualifies. Some collector roads that enter residential areas may not be covered under this ordinance because they are residential. There are some collector streets in commercial settings that are not covered under this ordinance. The map indicates what is to be included in the ordinance which indicates where pedestrian safety is most needed. The sidewalk master plan is designed around those needs.

Mr. Weitz asked if it is on the map, it would have sidewalks.

Mr. Corley stated yes.

Mr. Weitz stated he has concerns with the Public Works Director's authority to vary the width of sidewalks and to waive a sidewalk requirement. He believes there could be circumstances where it would need to be deferred, but not waived. There should be criteria for an administrator to make such decisions. He stated it should be up to the Board of Adjustment. He stated an in lieu fee, or escrow account, would be suitable for deferment and therefore used at a more appropriate time. It should be a situation that should be anticipated and language for it should be included in the ordinance.

Mr. Corley stated designating actual areas for specific widths would make it harder to have requirements for developers if there were reason to include different widths. Five feet is the minimum.

Mr. Weitz stated the ordinance language states “varies the width”. He stated that could indicate more or less width. The language could allow for a sidewalk width to be reduced. The language should be changed to “expand the width” rather than “vary”.

Mr. Corley agreed and that changing the verbiage is something to be looked into.

Mr. Weitz asked if there would be a situation where a reduction in width would be necessary.

Mr. Corley stated no.

Mr. Flood stated it helps with flexibility if there was a situation like at a traffic signal or utility box. He stated the language is taken from the Manual of Standard Designs and Details. The authorities granted to the Director of Public Works are for extenuating circumstances where flexibility is needed. It is carryover of past language in the manual.

Mr. Corley stated they will never go below ADA Standards.

Mr. Weitz asked if the waiver was needed and if so, if standards can be added.

Mr. Corley stated he believes there are other things in the ordinance where the Public Works Director is granted final authority. The developer could have circumstances, like right-a-ways, curb/gutters or ditches that incur expenses, which would need a waiver request to complete a project.

Attorney Holec stated the language is to give the greatest flexibility. A generalized standard, similar to a variance, could be included. It should not be as stringent, but yet still general to provide flexibility.

Mr. Weitz asked if the Public Works Director deferred a request, could money be collected and put in an escrow account so that work could be done later if the circumstances warrant.

Mr. Corley stated they do have a bond process in place for other types of improvements.

Attorney Holec stated there are payments in lieu options.

Mr. Weitnauer stated research indicated a few cities that have in lieu payment options. He stated he wanted to keep the ordinance simple. The Finance Department would need to get involved to create such account. The idea is to encourage developers to build the sidewalks and not delay it. He stated if there were reasons the Public Works Director wanted to delay or waive, it would be a rare. It could be incorporated or done as a text amendment later.

Mr. Weitz asked if situations requiring a waiver are to be anticipated. If so, standards are needed instead of leaving it to the discretion of the Public Works Director.

Mr. Corley stated they do have a surety bonding process in place. If something was to come up, the temporary certificate of occupancy would not be issued into the sidewalks were in place. There is a way to issue a temporary certificate of occupancy through an improvement agreement in which the developer would place a bond. This would insure that a sidewalk gets placed.

Mr. Parker asked if there is a mechanism to cover that currently.

Mr. Corley stated yes.

Mr. Weitz stated that process should be incorporated into the language of the ordinance.

Mr. Flood stated that process conflicts with one of the provisions of the existing ordinance. Referencing the bonding and when the Public Works Director would vary the widths are changes that need to be made and brought back to the Commission.

Mr. Weitz commented on the suggestion from the Bicycle and Pedestrian Commission regarding item number 2 (Add a provision that requires the construction of sidewalks when residential structures are converted to non-residential uses).

Mr. Weitnauer stated as the ordinance is drafted right now, if someone makes a conversion of residential to non-residential and they are on one of the designated thoroughfares, they would not have to put in a sidewalk. He replied, if you wanted that, it would have to be added to the amendment.

Mr. Weitz asked if no sidewalk was needed if on a thoroughfare when a property is converted from residential to non-residential.

Mr. Weitnauer stated no if a business was to occupy the property without any changes to the property.

Attorney Holec stated the sidewalk is required in connection with a site plan review and development of the property. Site plan review would be necessary in order to impose the sidewalk requirement.

Mr. Flood stated a change of use from residential to a higher use classification that requires a parking lot and therefore a site plan would require sidewalk installation. There is no legal hook for sidewalks if existing parking meets standards and no site plan review is needed.

Mr. Weitz stated the Bicycle and Pedestrian Commission also suggested applying a sidewalk requirement retroactively. He asked if it was problematic.

Attorney Holec stated yes. The sidewalk requirement would be hooked in when the development occurs.

Mr. Parker stated it would be unfair to make the requirement retroactive.

Mr. Weitz stated the Bicycle and Pedestrian Commission was concerned with the appeal process and wanted to introduce public opportunity if there was a waiver. He asked what could be done with this suggestion.

Attorney Holec stated it is a question of who can bring the appeal and being a party of interest. The person would need to be limited to the development and not just any member of the public. The process is to go in front of the Board of Adjustment where there would be a public comment period.

Mr. Weitz asked if someone disliked the Director of Public Works decision to waiver, they would have to have standing in order to appeal it to the Board of Adjustment.

Attorney Holec stated yes and the ordinance language is limited to the developer who has the interest if the sidewalk requirement is or is not waived. The Public Works Director would need to make a decision based on the interest of the public. When the appeal is waived, it really is not an appeal. It is only an appeal if the requirement is not waived.

Mr. Weitz stated he would like to elect to continue this item until the October meeting so Staff will have time to review the changes suggested. The suggestions are: general standards for the Public Works Director to follow on waiver decisions, changing the language if necessary on varying the width of sidewalks, any items relating to an escrow of funds or in lieu payment, and Staff address and formally remark to the Bicycle and Pedestrian Commission recommendations.

Mr. Flood stated it can be acknowledged in an amended Staff Report the recommendations of the Bicycle and Pedestrian Commission.

Mr. Weitz made a motion, seconded by Mr. Parker, to continue this item until the October meeting with the following suggestions: General standards for the Public Works Director to follow on waiver decisions, changing the language if necessary on varying the width of sidewalks, any items relating to an escrow of funds or in lieu payment, and Staff address and formally remark to the Bicycle and Pedestrian Commission recommendations. Motion passed unanimously.

LAND USE PLAN MAP AMENDMENTS

ORDINANCE REQUESTED BY V. PARKER OVERTON TO AMEND THE FUTURE LAND USE PLAN MAP FROM A HIGH DENSITY RESIDENTIAL (HDR) CATEGORY TO COMMERCIAL (C) AND OFFICE/INSTITUTIONAL/MULTI-FAMILY (OIMF) CATEGORIES FOR THE PROPERTY LOCATED SOUTH OF FIRE TOWER ROAD, ADJACENT TO DUDLEY'S GRANT TOWNHOMES AND WEST OF COREY ROAD CONTAINING 85 ACRES.- APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. The property is located in the southern section of the City, south of Fire Tower Road, between Corey Road and Dudley's Grant Townhomes. The request is broken into two separate tracts - Tract 1 is 35 acres for commercial and Tract 2 is 50 acres for office/institutional/multi-family. The change of the Future Land Use Map is usually a precursor to a rezoning. The property is located in the city limits. The entire property is vacant except for Fire Tower Mini Storage on Tract 1. Windsor Subdivision is to the east and Bedford, Chesapeake and other subdivisions are to the north. There is vacant property to the south. There are two points of ingress/egress via Bayswater Road that are both signalized, which will eventually connect and create a continuous loop. The property was brought into the city limits in 1988. At that time, there were two mobile home parks and it was zoned for mobile homes. In 2009, a preliminary plat was approved for the property. There will be sidewalks on the outer loop of Bayswater Road with the storm water retention area inside of the loop. In 2004, the Future Land Use Plan recommended office/institutional/multi-family along Fire Tower Road and high density residential (HDR) to the south. In 2004, there was Future Land Use Plan Map amendment to change that area to commercial. The request was approved. There was a subsequent rezoning approved for 24 acres of neighborhood commercial. In 2012, there was a rezoning request for the previously approved neighborhood commercial zoning and a portion mobile home zoning to general commercial. The request was for 32 acres and was approved. Currently, about 80% of Tract 1 is already zoned commercial. The remaining residential zoning is about 12 acres. The Tract 2 request would allow an office option. Fire Tower Road is considered a residential corridor between Corey Road and Evans Street. The Horizons Plan

states that any kind of commercial or office should be restricted to the commercial node, keeping it concentrated into one cohesive spot and no linear expansion. There is a focus area at this particular location. This request could generate a net increase of 3,000 trips per day in a worst-case scenario. The property is impacted by the floodway and the 100 and 500-year floodplains associated with the Fork Swamp Canal. There can be no development in floodway. There are regulations on development in the 100 and 500-year floodplains. The canal is located to the east and south of the property and creates a natural barrier to the residential areas. There is a 50-foot greenway easement. The net 12 acres in Tract 1 could accommodate about 160 multi-family units. Under the commercial designation, it could accommodate 120,000 square feet of retail, ministorage, or conventional restaurant. The current and proposed designations for Tract 2 allow the same density of multi-family units, but would allow an office option. The conservation open space (COS), that runs on the east and south sides, is not included in the request. The Horizons: Greenville's Community Plan provides criteria in determining if a change to the Future Land Use Plan Map (FLUPM) is compatible. A request will be construed to be "compatible with the comprehensive plan" if:

- (i) The proposed amendment is determined by Planning and Zoning Commission and City Council to be necessary as a result of changed conditions in the local development pattern, street pattern, environment or other major feature or plan, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the Current FLUPM; and
- (ii) The location of the proposed classification(s) supports the intent and objective of the current FLUPM, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan; and
- (iii) The resulting anticipated land use is properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing land and future neighborhoods and businesses within and in proximity to the area of proposed amendment; and
- (iv) The amendment is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.

Other items to consider:

Uniformity: the property must be treated like other properties. It would need to have the same transitional zoning as expected and as seen in other parts of the City.

Functionality: the proposed category serves the necessary function and it does not interrupt or interfere with other uses. It creates a desirable transition.

Mobility and Connectivity: The use does not unduly burden or disrupt existing or planned transportation systems.

Efficiency: The use does not place an undue financial burden on the adjacent land owners or the public.

Integration: the proposed use category should be evaluated in terms of long term goals.

In staff's opinion, the request could be considered compatible with Horizons if the requested change is the result of changed conditions in the local development pattern, street pattern, environment or other major feature or plan, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the Current FLUPM, the property is properly located with respect to existing and future adjoining land uses and is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing and future neighborhoods and businesses within and in proximity to the area; and the change is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.

Chairwoman Basnight opened the public hearing.

Mr. Durk Tyson, representative of the applicant, spoke in favor of the request. He stated 10 years ago this property was two mobile home parks. The economy has changed and multi-family was not developed. The property has been vacant for 10 years. There is more interest in commercial and office use based on the evolving market. About two months ago, there was a rezoning request for commercial within Tract 1. Development is about to start and they realized they did not have enough land. He stated they approached the City about additional commercial. Also, there is another group interested that needs office zoning. City staff stated the rezonings were in a piecemeal fashion and needed to be approach comprehensively. That is why they are requesting all of Tract 1 to be commercial and Tract 2 to be office.

No one spoke in opposition.

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

Mr. Weitz stated recent rezoning requests show the trend to be toward commercial for this area. Regarding a land use point, the request is appropriate but he stated he had concerns. The staff report stated that the area must be restricted to the associated focus area. In his view, it is going outside the focus area. The Focus Area Map shows this area has a limitation of 20,000 to 40,000 square feet and this is inconsistent to the request. He suggests if the proposed amended map is approved then the Focus Area Map should also be amended to alleviate an inconsistency and he would like to incorporate that in the motion to approve.

Ms. Gooby stated that when commercial is increased on the Future Land Use Plan Map staff considered the size of Focus Area to be increased by de facto. Staff has discussed requiring the size of the Focus Area designation to be changed when the commercial designation is increased

on the Future Land Use Plan Map when Horizons Plan is updated. The size of focus areas are not intended to be static.

Attorney Holec stated the change to the Focus Area Map would need to be advertised before it goes to City Council because it also amends the Comprehensive Plan.

Mr. Weitz stated he would recommend advertising the additional change since the motion to approve is based on consistency and if the change is not done then it would be inconsistent.

Ms. Gooby asked what designation it should be.

Mr. Weitz stated he would leave the decision up to staff.

Mr. Parker asked if they would still vote on the item or could it be addressed after the fact.

Attorney Holec stated the better process would be to go forward with the request, then let the Planning and Zoning Commission initiate an amendment and have Staff bring it back at the next meeting.

Mr. Weitz agreed but stated he was a little uncomfortable.

Mr. Parker stated he is not uncomfortable with it and that it would be the right thing to do. There is no reason to delay the applicant.

Mr. Weitz stated he has supported commercial zoning but had concerns regarding the criteria of undue traffic impact. The traffic report stated Fire Tower Road has a design capacity of 35,000 vehicles a day. Currently, it is 33,000. The high estimated increased trips would be another 3,000. The fact is Fire Tower Road will be over capacity and it already is a 4-lane divided highway.

Mr. Schrade asked if staff stated it was consistent with the Comprehensive Plan.

Ms. Gooby stated the map is part of the Comprehensive Plan therefore they need to rely on the text of the Horizons Plan. It still has transitional zoning, the depth of the commercial is increasing versus the width and it is somewhat insulated because of the Fork Swamp Canal. There will not be connections to other neighborhoods.

Ms. Darden asked if there would be a buffer between the request and Dudley's Grant.

Ms. Gooby stated there will be a vegetation buffer.

Motion made by Mr. Parker, seconded by Mr. Schrade, to approve the amendment to the Land Use Plan Map. Motion passed unanimously.

Mr. Weitz stated he was uncomfortable with the motion to approve and hoped to have another motion to include his concerns.

Motion made by Mr. Weitz, seconded by Ms. Darden, to initiate an amendment to the Comprehensive Plan to increase the size of the focus area designation, regarding the proposed request, on the Focus Area Map. Motion passed unanimously.

Mr. Schrade asked if the size of the focus area was going to be increased during the Horizons update.

Ms. Gooby stated yes.

With no further business, a motion was made by Ms. Darden, seconded by Mr. Griffin, to adjourn. Motion passed unanimously. Meeting adjourned at 8:01 p.m.

Respectfully Submitted,

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



City of Greenville, North Carolina

Meeting Date:
10/21/2014
Time: 6:30 PM

Title of Item: Ordinance to amend the Zoning Ordinance by adding a requirement that sidewalks must be constructed along major thoroughfares, minor thoroughfares and boulevards in conjunction with the construction of any new development of non-residential developments, mixed-use developments and multi-family residential developments on existing lots.

Explanation: **Abstract:** As part of a continuing effort to implement recommendations outlined in Horizons: Greenville's Community Plan, the Planning Division developed this text amendment for consideration that would require the installation of sidewalks.

Explanation: Currently, sidewalks are not required to be installed when commercial development is built on existing lots. Sidewalks are only required when a developer builds a street. Over the last several years, the City of Greenville has adopted plans and studies that include directives that support this text amendment requiring sidewalks when commercial development is constructed.

On January 21, 2014, Planning Division staff presented a discussion item to the Planning and Zoning Commission for its input for a text amendment that would require sidewalks for major commercial development along major thoroughfares. The Planning and Zoning Commission offered supportive comments of the conceptual ideas presented.

Planning Division staff surveyed peer cities in North Carolina and determined it is typical for cities to require sidewalks when new commercial projects are built on existing lots.

On September 16, 2014, staff presented a proposed text amendment to the Planning and Zoning Commission during a public hearing. The Planning and Zoning Commission approved a motion to continue the item until the October 21, 2014 meeting with the following suggestions:

1. Add general standards for the Public Works Director to follow on waiver decisions;
2. Revise the language if necessary on varying the width of sidewalks;
3. Any items relating to an escrow of funds or in lieu payment; and
4. Request staff addresses and formally remarks to the Bicycle and Pedestrian Commission recommendations.

Staff revised the text amendment in response to the Planning and Zoning Commission suggestions 1 through 3 as provided in this updated staff report and met with the Bicycle and Pedestrian Commission on October 1, 2014 to formally respond to their suggested changes.

Revisions made to the proposed text amendment to respond to suggestions made at the September 16, 2014 Planning and Zoning Commission meeting are presented in the attached staff report on pages 6-8. The updated text amendment, in its entirety, is included in the attached staff report in Section V: Proposed Text Amendments.

Regulations that require developers install sidewalks along major thoroughfares, minor thoroughfares and boulevards when new development of non-residential development, mixed-use developments and multifamily residential developments is built on existing lots is reasonable and in the public interest to encourage walking to help improve physical health and provides a transportation alternative to help reduce traffic congestion.

Fiscal Note:

There will be a cost to the City to maintain additional sidewalks that developers will be required to construct. However, since developers will be required to construct the sidewalks, the City will not have to pay for the sidewalk construction.

Recommendation:

In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan. Horizon's Implementation Element, Transportation, Objective 1(k) states, "*Require major commercial development to provide areas for public transit and adequate sidewalks.*"

Horizon's Implementation Element, Objective 3(g) states, "*Require sidewalks and landscaping ([public] trees in particular) throughout the City and use sidewalks to connect all major activity centers within the City.*"

Horizon's Implementation Review: A Progress Report, Recommended Text

Amendments 3. states, *" The below language should be formally adopted as an amendment to the Horizons plan text and inserted into Horizons: Greenville Community Plan, in the Plan Elements section, under the Mobility "Policy Statement": The City of Greenville will adopt a comprehensive Sidewalk Improvement Plan and associated sidewalk improvement policies and ordinances to ensure that sidewalks are, pursuant to such a plan, provided for and/or constructed at the time of street extentions and individual site/lot 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

 [PDF of 10 15 2014 Final Sidewalk Requirements Text Amendment 990265](#)

**Staff Report:
Sidewalk Requirements – Text Amendment**

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**Staff Report Developed by the City of Greenville
Community Development Department - Planning Division
September 15, 2014**

SECTION I: BACKGROUND

As part of a continuing effort to implement recommendations outlined in Horizons: Greenville's Community Plan, the Planning Division developed this text amendment for consideration that would require the installation of sidewalks. Currently, sidewalks are not required to be installed when commercial development is built on existing lots. Sidewalks are only required when a developer builds a street.

Over the last several years, the City of Greenville has adopted plans and studies that include directives that support this text amendment requiring sidewalks when commercial development is constructed.

On January 21, 2014, Planning Division staff presented a discussion item to the Planning and Zoning Commission for its input for a text amendment that would require sidewalks for major commercial development along major thoroughfares. The Planning and Zoning Commission offered supportive comments of the conceptual ideas presented and stated a sidewalk ordinance should have been in place years ago.

This report and proposed text amendment addresses the provision of the installation of sidewalks when commercial development occurs along major thoroughfares, minor thoroughfares and boulevards, with some exceptions. Ordinance No. 97-131, adopted on December 11, 1997, requires installation of sidewalks with the construction of a new street regardless of the type of development.

SECTION II: EXISTING REQUIREMENTS FOR SIDEWALKS

Currently, a developer is required to construct sidewalks in conjunction with public street extensions as stated in Sec. 9-5-123:

SEC. 9-5-123 SIDEWALKS; WHERE TO BE INSTALLED.

Sidewalks shall be provided by the subdivider in accordance with the following:

- (A) Sidewalks shall be provided in conjunction with public street extensions pursuant to section 9-5-81 of this chapter.*
- (B) The location of proposed sidewalks required pursuant to this section shall be in accordance with the Manual of Standard Designs and Details.*
- (C) Sidewalks shall be provided along both sides of all minor and major thoroughfare streets as shown on the official Thoroughfare Plan.*
- (D) Sidewalks shall be provided along one side of all collector, standard residential and planned industrial streets.*

- (E) *Sidewalks shall be provided along one side of all minor residential streets which are in excess of 500 feet in length in the case of a cul-de-sac/terminal street or 1,000 feet in length in the case of a loop/connecting street.*
- (F) *The arrangement of sidewalks in new subdivisions shall make provision for the continuation of existing sidewalks in adjoining areas.*

Currently, when a developer builds a new commercial project on a parcel that is already subdivided, the installation of a sidewalk is not required.

SECTION III: LOCATIONS OF EXISTING SIDEWALKS AND GAPS

Sidewalks are defined in the City of Greenville Code of Ordinances in Sec. 9-2-33, Definitions:

Sidewalk – An improved area on a public or private property, generally parallel to edge of street roadway or curb, where pedestrians walk or stand.

Map 1: Existing Sidewalks, illustrates the location of existing sidewalks within the City of Greenville as of October 2012. Single red lines indicate where existing sidewalks are located along one side of the street while double red lines indicate where existing sidewalks are located on both sides of the street. The map also shows the location of Greenville Housing Authority communities, recreation and park facilities, multi-family developments, bus stops and schools.

The urban core of Greenville has a good sidewalk network of sidewalks on both sides of the street while outlying areas either have sidewalks on only one side of the street or have no sidewalks at all. There are also dozens of multi-family developments and bus stops that are not served by sidewalks.

Sidewalks connect to the greenway system, as evidenced in the city's existing and planned greenway trails, in accordance with the Greenway Master Plan 2004. Combined, they each contribute to the non-motorized transportation network.

Major and Minor Thoroughfares are defined in the City of Greenville Code of Ordinances in Sec. 6-2-33, Definitions:

Thoroughfare, major. Roads which are the principal traffic carriers of the urban area. Their function is to move intra-urban and inter-urban traffic. Refer to the city thoroughfare plan as amended for streets classified as "major thoroughfares."

Thoroughfare, minor. Roads which serve the function of collecting traffic from local streets, such as residential, commercial or industrial, and carrying it to the major thoroughfare system. Refer to the city thoroughfare plan as amended for streets classified as "minor thoroughfares."

Currently, boulevards are not defined in the City of Greenville Code of Ordinances. However, they are designated on the Highway Map from the Highway Element of the Comprehensive Transportation Plan.

Maps 2A and 2B: Highway Map from the Highway Element of the Comprehensive Transportation Plan, identifies the location of freeways, expressways, boulevards, major and minor thoroughfares. These maps were adopted by the Greenville Urban Area Metropolitan Planning Organization on November 18, 2011 and by the North Carolina Department of Transportation on January 5, 2012.

Map 3: Examples of Sidewalk Gaps, provides recent examples and observations from Community Development staff of the absence and gaps of sidewalks. The Bicycle and Pedestrian Master Plan for the Greenville Urban Area Metropolitan Planning Organization, adopted by the City of Greenville on February 10, 2011 provides more extensive examples of existing gaps in sidewalks, particularly on pages 5-9 through 5-13, including cost estimates.

Map 4: Vacant Lots in Non-Residential Land Uses, highlights only non-residential zoning districts and identifies vacant lots encompassed within the non-residential zoning districts along major thoroughfares, minor thoroughfares and boulevards. The heavy red lines show general locations where sidewalks will be required under current zoning when development occurs after the text amendment is adopted.

Map 5: General Locations where Sidewalks will be Required Under Current Zoning after Text Amendment is Adopted, is the same information presented in Map 4, however all of the non-residential zoning districts' colors of vacant lots have been cropped and changed to dark gray so the location of sidewalks, denoted in red, are more readily identifiable than they appear in Map 4. To provide even more clarity on where sidewalks would be required after the text amendment is adopted, Maps 6 through 9 are enlarged quadrants of the City with aerial photographs added. These maps show general locations where sidewalks will be required when non-residential construction occurs in these vacant lots after the text amendment is adopted. These maps may not be precise in all areas due to changes of conditions or occasional errors in the GIS map data. However these enlarged maps help depict how new sidewalk segments will be scattered throughout areas of the city to help connect existing sidewalks when new construction is built on vacant lots along major thoroughfares, minor thoroughfares and boulevards.

As other vacant property is rezoned from residential zoning to non-residential zoning for non-residential development along major thoroughfares, minor thoroughfares and

boulevards, additional sidewalks will be required which do not appear on the attached maps.

SECTION IV: SIDEWALK REQUIREMENTS IN PEER CITIES

Planning Division staff contacted peer cities in North Carolina to inquire whether sidewalks are required when new commercial development is constructed on existing lots. The cities of Asheville, Jacksonville, Raleigh, and Wilmington require sidewalks when new commercial development is constructed on existing lots. The cities of Charlotte and Goldsboro do not require sidewalks when new commercial development is constructed on existing lots.

Staff also conducted a ListServ inquiry asking cities to reply if they require sidewalks when new commercial development is constructed on existing lots. Following is a list of cities that responded that they require sidewalks in such cases: City of Conover, City of Fayetteville, City of Graham, City of Hendersonville, City of Indian Trail, Elizabeth City, Town of Yadkinville and the Village of Pinehurst.

SECTION V: PROPOSED TEXT AMENDMENTS

Proposed text amendments to require construction of sidewalks along major thoroughfares, minor thoroughfares and boulevards when new commercial development is built on existing lots are illustrated below using underlined text to denote new regulations.

“Article Q. ~~[Reserved]~~ OTHER REQUIREMENTS.

SEC. 9-4-281- SIDEWALKS REQUIREMENTS ALONG MAJOR THOROUGHFARES, MINOR THOROUGHFARES AND BOULEVARDS.

Construction of sidewalks shall be required along major thoroughfares, minor thoroughfares and boulevards in conjunction with the construction of any new development of non-residential developments, mixed-use developments and multifamily residential developments in accordance with the provisions of this section. The sidewalk requirements in this section are in addition to sidewalk requirements set forth under Art. 5: Subdivisions, Sec. 9-5-123.

(a) Sidewalks shall be provided along both sides of major thoroughfares, minor thoroughfares and boulevards as designated on the adopted Highway Map from the Highway Element of the Comprehensive Transportation Plan, as amended, excluding: freeways; expressways; US-264 between NC-11 and NC-33; and Stantonsburg Dr. from B’s Barbeque Rd. westward. The developer shall provide the sidewalk on the side of the street where the development is located in conjunction with the new development on existing lots.

- (b) Construction of sidewalks required by this section shall be accomplished along the entire length of all property of the development abutting major thoroughfares, minor thoroughfares and boulevards.
- (c) Sidewalks shall be constructed in accordance with the *Manual of Standard Designs and Details*. The specific design and location of all sidewalks shall be reviewed by the Director of Public Works. The Director of Public Works may expand the required width of sidewalks from the *Manual of Standard Design and Details* in certain locations of the City and in limited cases, reduce the required width of sidewalks to avoid obstructions while remaining in compliance with dimensional standards of the Americans with Disabilities Act.
- (d) All required sidewalks shall be installed prior to any occupancy, including temporary occupancy, of new development.
- (e) If special conditions make sidewalk construction unnecessary or undesirable and such conditions have been verified by the Director of Public Works, the requirement to construct sidewalks along major thoroughfares, minor thoroughfares and boulevards in conjunction with the construction of any new building on existing lots may be deferred. Such deferment shall be granted upon written application to and approval of the Director of Public Works based on circumstances the Director determines are currently undesirable for sidewalk installation.

General standards the Director may use while considering deferment of sidewalk installation shall include, but not be limited to, pending changes to rights-of-way alignments, pending changes to roadway drainage facilities, unsafe contours or unprotected drainage facilities adjacent to the sidewalk route, or pending utility work or other construction scheduled in the area beyond the developer's control that could damage the sidewalk if installed. Special conditions which make the sidewalk construction unnecessary or undesirable shall not include personal circumstances of the developer or the lack of sidewalks on adjacent or nearby properties.

If approved for a circumstance where the sidewalk construction is being delayed, the cost of the installation and construction of the deferred sidewalk, as determined by the Public Works Director, shall be paid by the developer to the city and the city will construct and install the sidewalk when the circumstances for deferment no longer exist. If approved for a circumstance where the sidewalk construction will not occur, no payment for sidewalk construction will be required by the developer. Appeals of decisions made by the Director of Public Works may be made by the developer to the Board of Adjustment."

SECTION VI: MEETINGS AND RECOMMENDATIONS

January 21, 2014 Meeting – Planning and Zoning Commission

On January 21, 2014, Planning Division staff presented a discussion item to the Planning and Zoning Commission for its input for a text amendment that would require sidewalks for major commercial development along major thoroughfares. The Planning and Zoning Commission offered supportive comments of the conceptual ideas presented. Commissioners stated the sidewalk ordinance should encompass more than commercial thoroughfares and that a sidewalk requirement for land development should have been in place years ago.

September 3, 2014 Meeting - Bicycle and Pedestrian Commission

On September 3, 2014, Planning Division staff presented a proposed text amendment to the Bicycle and Pedestrian Commission. The Commission unanimously voted approval of a motion to endorse the proposed amendment with three suggested changes.

1. Add a provision in subsection (e) that gives the public the authority to appeal decisions of the Director of Public Works to the City Council when the public disagrees with the Public Works Director's waiver of sidewalk requirements.
2. Add a provision that requires the construction of sidewalks when residential structures are converted to non-residential uses.
3. Add a provision that would require a property owner construct a sidewalk when the roadway that fronts his property is redesignated on the Highway Map. For example, if a commercial use is located on a collector facility, then the roadway is later widened and redesignated as a major thoroughfare facility, the property owner would be retroactively required to construct a sidewalk along his frontage.

September 16, 2014 Meeting – Planning and Zoning Commission

On September 16, 2014, staff presented a proposed text amendment to the Planning and Zoning Commission. The staff report to the Planning and Zoning Commission included the Bicycle and Pedestrian Commission's three suggested changes for the Planning and Zoning Commission's consideration to modify the proposed text amendment. The Commission discussed the Bicycle and Pedestrian Commission's suggestions and raised other items for discussion. The Planning and Zoning Commission approved a motion to continue the item until the October 21, 2014 meeting with the following suggestions:

Planning and Zoning Commission Suggestion # 1. Add general standards for the Public Works Director to follow on waiver decisions;

Staff Response to Suggestion #1. Staff revised the language as follows:

- (e) If special conditions make sidewalk construction unnecessary or undesirable, and such conditions have been verified by the Director of Public Works, the requirement to construct sidewalks along major thoroughfares, minor thoroughfares and boulevards in conjunction with the construction of any new building on existing lots may be ~~waived~~ deferred. Such ~~waivers~~ deferment shall be granted upon written application to and approval of the Director of Public Works based on circumstances the Director determines are currently undesirable for sidewalk installation.

General standards the Director may use while considering deferment of sidewalk installation shall include, but not be limited to, pending changes to rights-of-way alignments, pending changes to roadway drainage facilities, unsafe contours or unprotected drainage facilities adjacent to the sidewalk route, or pending utility work or other construction scheduled in the area beyond the developer's control that could damage the sidewalk if installed. Special conditions which make the sidewalk construction unnecessary or undesirable shall not include personal circumstances of the developer or the lack of sidewalks on adjacent or nearby properties.

If approved for a circumstance where the sidewalk construction is being delayed, the cost of the installation and construction of the deferred sidewalk, as determined by the Public Works Director, shall be paid by the developer to the city and the city will construct and install the sidewalk when the circumstances for deferment no longer exist. If approved for a circumstance where the sidewalk construction will not occur, no payment for sidewalk construction will be required by the developer. Appeals of decisions made by the Director of Public Works may be made by the developer to the Board of Adjustment."

Planning and Zoning Commission Suggestion # 2. Revise the language if necessary on varying the width of sidewalks;

Staff Response to Suggestion #2. Staff revised the language as follows:

- (c) Sidewalks shall be constructed in accordance with the *Manual of Standard Designs and Details*. The specific design and location of all sidewalks shall be reviewed by the Director of Public Works. The Director of Public Works may ~~vary~~ expand the required width of sidewalks from the *Manual of Standard Design and Details* in certain locations of the City and in limited cases, reduce the required width of sidewalks to avoid obstructions, while

remaining in compliance with dimensional standards of the Americans with Disabilities Act.

Planning and Zoning Commission Suggestion #3. Any items relating to an escrow of funds or in lieu payment; and

Staff Response to Suggestion #3. Staff revised the language shown above (see response to suggestion #2) that responds to this suggestion.

Planning and Zoning Commission Suggestion #4. Request staff addresses and formally remarks to the Bicycle and Pedestrian Commission recommendations.

Staff Response to Suggestion #4. On October 1, 2014, staff attended the Bicycle and Pedestrian Commission meeting and presented a response to their three suggestions from their September 3, 2014 meeting. Additional details are provided below.

October 1, 2014 Meeting – Bicycle and Pedestrian Commission

On October 1, 2014, staff attended the Bicycle and Pedestrian Commission meeting and presented a response to their three suggestions from their September 3, 2014 meeting. Staff responded that their suggestions should not be incorporated in the proposed text amendment for the following summarized reasons.

Bicycle and Pedestrian Commission Suggestion #1. Add a provision in subsection (e) that gives the public the authority to appeal decisions of the Director of Public Works to the City Council when the public disagrees with the Public Works Director's waiver of sidewalk requirements.

Staff Response to Suggestion #1. This suggested change was not incorporated into the proposed ordinance since it grants appeal rights to persons who do not have legal standing to appeal the decision. In order to have legal standing to appeal a decision, the person would need to have special damages as a result of the decision. Persons qualifying for this would include the developer, an owner of the property, or an adjacent property owner with a showing of a diminution in value of his property. An appeal creates uncertainty and the potential for delay in development. Because of this, it is proposed to limit appeal rights only to the developer. The public's interest is being represented by the Director of Public Works.

Bicycle and Pedestrian Commission Suggestion #2. Add a provision that requires the construction of sidewalks when residential structures are converted to non-residential uses.

Staff Response to Suggestion #2. This suggested change was not incorporated into the proposed ordinance since the legal basis for imposing the requirement to construct sidewalks is the authority to adopt development regulations. Development regulations

apply when the property is being developed with the site plan approval process being the mechanism to review development plans and ensure that required development regulations are met. Converting a structure from a residential use to a non-residential use by itself does not involve the development of the property which would allow a development regulation to be imposed. However, when the development involves a new development which would involve improvements significant enough to require a site plan, the requirement to construct sidewalks is imposed.

Bicycle and Pedestrian Commission Suggestion #3. Add a provision that would require a property owner construct a sidewalk when the roadway that fronts his property is redesignated on the Highway Map. For example, if a commercial use is located on a collector facility, then the roadway is later widened and redesignated as a major thoroughfare facility, the property owner would be retroactively required to construct a sidewalk along his frontage.

Staff Response to Suggestion #3. This suggested change was not incorporated into the proposed ordinance since the legal basis for imposing the requirement to construct sidewalks is the authority to adopt development regulations. Development regulations apply when the property is being developed with the site plan approval process being the mechanism to review development plans and ensure that required development regulations are met. A change in designation of a street by itself does not involve the development of the property which would allow a development regulation to be imposed.

During the meeting, staff also briefed the Bicycle and Pedestrian Commission of the Planning Commission's four suggested revisions from their September 16, 2014 meeting.

The minutes from the October 1, 2014 meeting have not been drafted. Planning Division staff recorded the following regarding an approved motion of the item: Unanimous endorsement of the text amendment with the caveat that the Bicycle and Pedestrian Commission's suggestion #1 is addressed by another mechanism, that provides public input, and the Commission's suggestion #2 is already addressed by another mechanism such as a site plan requirement. The Commission's suggestion #3 was not incorporated into the Commission's motion after discussing and understanding staff's reason for responding that such a revision should not be incorporated in the text amendment.

SECTION VII: COMPLIANCE WITH ADOPTED PLANS AND STUDIES

Consideration of any modification to the city zoning ordinance should include a review of Horizon's: Greenville's Community Plan and other officially adopted plans that are applicable. This section provides excerpts from the following plans, programs and studies that are consistent with the proposed text amendment:

- Horizons: Greenville’s Community Plan, 2009-2010 Update
- City of Greenville Strategic Plan 2014-2015
- 2014 Citizen Survey
- Development Code Review and Policy Gap Analysis to Improve Greenville’s Health, Design and Appearance (November 8, 2012)
- Comprehensive Recreation and Parks Master Plan (November 6, 2008)
- Horizons: Greenville’s Community Plan, 2004

Horizons: Greenville’s Community Plan, 2009-2010 Update

Greenville’s comprehensive plan, Horizons: Greenville’s Community Plan, Update 2009-2010 contains adopted goals, policy statements and objectives that should be reviewed and considered to ensure that the proposed text amendment is in compliance with the Plan, and effectively with the community’s values.

Staff reviewed the Plan and provides the following findings regarding consistency between the proposed text amendment and the Plan:

IMPLEMENTATION ELEMENT

Transportation, Objective 1: *Ensure that streets in new developments are properly designed, built, and maintained.*

1(k). Require major commercial development to provide areas for public transit stops and adequate sidewalks.

PWD Engineering Division: For sidewalks, this is an on-going process and included as part of the development review process. Public Transit Stops is for future consideration.

Transportation, Objective 3: *Reduce traffic congestion and safety problems.*

3(g). Require sidewalks and landscaping ([public] trees in particular) throughout the City and use sidewalks to connect all major activity centers within the City.

*PWD Engineering Division: Since *2000, the City has installed *11.2 miles of sidewalk. The City will apply for a grant to create a street tree master plan. Sidewalks required in conjunction with the extension of public streets in all subdivisions, provided however sidewalks are not required on short cul-de-sac and loop/connector streets.*

**Note: Figures as reported in 2009-2010.*

IMPLEMENTATION REVIEW: A PROGRESS REPORT

Vision Areas, D-South

D16. Develop pedestrian and bicycle connections between residential areas and between residential and nonresidential areas.

PWD Engineering Division: Ongoing. Included as part of the development review process. The MPO is also developing a bike and pedestrian master plan.

RECOMMENDED TEXT AMENDMENTS

3. Sidewalk Improvement Plan and Policies

The below language should be formally adopted as an amendment to the Horizons plan text and inserted into Horizons: Greenville’s Community Plan, in the Plan Elements section, under the Mobility “Policy Statement”:

The City of Greenville will adopt a comprehensive Sidewalk Improvement Plan and associated sidewalk improvement policies and ordinances to ensure that sidewalks are, pursuant to such a plan, provided for and/or constructed at the time of street extension and individual site/lot development.

City of Greenville Strategic Plan 2014-2015

The Strategic Plan is comprised of the vision for the community, the organizational mission and values, 5-year goals, and annual tactics to achieve the goals. Following are excerpts that relate to the proposed text amendment.

GOALS, PERFORMANCE MEASURES AND TACTICS

GOAL 1: DYNAMIC AND INVITING COMMUNITY

*The City of Greenville will be a dynamic and inviting community with an abundance of arts, cultural and recreational venues, parks and open spaces, greenways and **other transportation alternatives**, clean and attractive streetscapes, and well-designed public spaces and private developments.*

Current Year Tactics

1. Well-Planned City

1a. Development Standards – Review existing development standards (i.e. zoning ordinance and subdivision regulations) to identify substantive modifications that would result in better implementation of the vision, policies and objectives of Horizon’s: Greenville’s Community Plan.

Lead Department: Community Development

GOAL 6: SAFE COMMUNITY

The City of Greenville will collaborate with citizens, businesses, and visitors to provide a safe community.

Performance Measures

*2. Traffic and **pedestrian safety** (motor vehicle and pedestrian crash incidents)*

2014 Citizen Survey

Citizen input was gathered by conducting a citizen survey of over 800 residents in 2014. The survey identified the types of services City citizens value and how satisfied they are with how the City provides those services. Key findings from the survey include:

- Greenville scored higher than the national and regional averages for satisfaction with the quality of services provided by the City.
- Citizens were least satisfied with management of traffic flow on City streets and overall maintenance of City streets and **sidewalks**.
- Police and Fire/Rescue services are the most important to citizens, followed by traffic flow, sanitation services, and maintenance of City streets and **sidewalks**.
- Public safety, economic development, and infrastructure were rated as the most important focus areas for the city.

Development Code Review and Policy Gap Analysis to Improve Greenville’s Health, Design and Appearance, Adopted November 8, 2012

In 2012, the City of Greenville and Pitt County reviewed land use-related plans and development standards to identify policy recommendations and requirements that have an impact on the built environment and physical activity of the city’s residents.

Through a series of meetings with a project work group, the Development Code Review and Policy Gap Analysis to Improve Greenville’s Health, Design and Appearance was produced and the City Council adopted the study in 2012. The study’s outcome

produced a prioritized list of regulatory reforms the project work group believed would produce the most positive impacts on making Greenville a healthier community.

Following are the Study's top five recommendations which include a recommendation for sidewalks (#5).

1. *Drafting and implementation of a Mixed-Use development ordinance.*
2. *Improve/increase the acceptance of property dedications for inclusion into the greenway corridor system and/or the community's parks program.*
3. *Adoption and implementation of recommendations presented in the 2011 Bicycle & Pedestrian Master Plan.*
4. *Adoption of NCDOT Complete Streets Planning and Design Guidelines to promote design flexibility and alternatives to increase pedestrian amenities in street design.*
5. ***Adopt language to require commercial developments to install sidewalks along corridors adjoining property development.***

Comprehensive Recreation and Parks Master Plan (November 6, 2008)

In 2000, the City developed the Recreation and Parks Master Plan that identified park needs through the year 2020. The Plan was updated in 2008 by assessing the changes that occurred, initiated public discussion on future park needs, and established standards for future park development. As part of the planning effort, interviews were conducted with stakeholders. Each interviewee was asked a list of questions. There was an overall agreement and similarity in many of the responses. When asked "What do you like least?," the following response was given among the answers as reported in the Master Plan:

"Several people pointed out the City's lack of sidewalks and trails. Greenville is not a walkable community."

Horizons: Greenville's Community Plan, 2004

Plan Elements, Mobility, Policy Statement, fifth paragraph:

*"The City shall continue to require sidewalks along streets in new developments. The City shall provide additional pedestrian facilities in targeted areas of existing development. **The City will adopt policies that minimize walking distances and encourage pedestrian movement.** The City shall include bicycle facilities in the design of roadway improvements and new construction projects."*

Implementation, Transportation, Implementation Strategies

1(e) When consistent with State Department of Transportation road standards, incorporate the following transportation practices into the design of developments:

- *Design the street network with multiple connections and relatively direct routes.*
- *Space through-streets no more than a half mile apart, or the equivalent route density in a curvilinear network.*
- *Use traffic calming measures liberally.*
- *Keep speeds on local streets down to 20 mph.*
- *Keep speeds on arterials and collectors down to 35 mph (at least inside communities).*
- *Keep local streets as narrow as possible.*
- *Avoid using traffic signals wherever possible and always space them for good traffic progression.*
- **Provide pedestrians and bicyclists with shortcuts and alternatives to travel along high-volume streets.**
- *Eliminate right turns on red lights in high pedestrian areas.*
- *Require interconnection of commercial parking lots.*

City of Greenville Bicycle and Pedestrian Commission

Several pedestrian-related programs and resources that advocate pedestrian infrastructure are included in the Bicycle and Pedestrian Master Plan for the Greenville Urban Area Metropolitan Planning Organization on pages 7-1 through 7-4. The Master Plan is available on the City of Greenville website.

Among the valuable list of programs is the City of Greenville Bicycle and Pedestrian Commission (BPAC). The BPAC was created to advance Greenville as a bicycle and pedestrian-friendly community and to encourage bicycling and walking among its citizens and visitors.

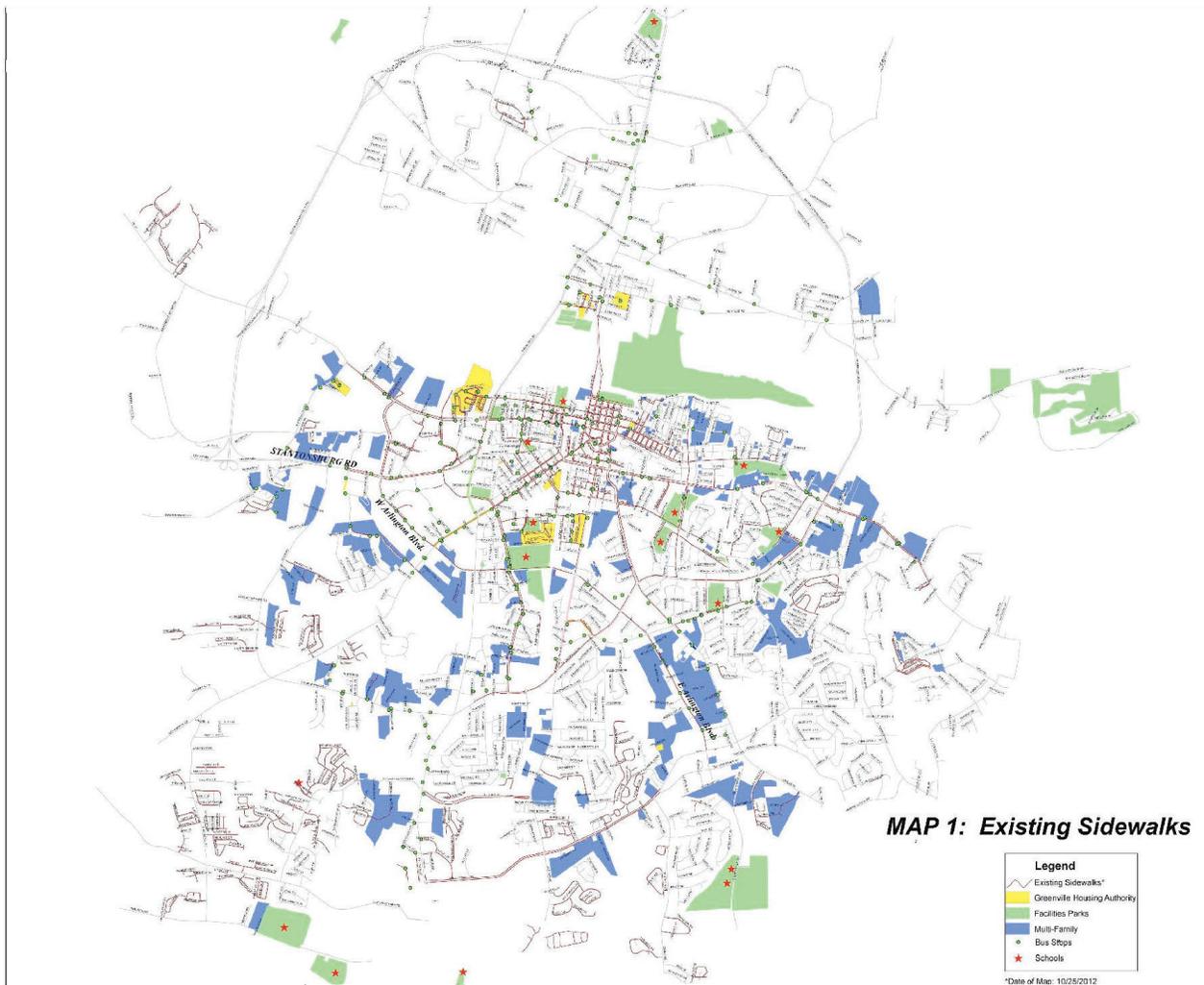
Adoption of this text amendment will help advance the mission of the Bicycle and Pedestrian Commission by helping to encourage walking among its citizens and visitors toward creating a pedestrian-friendly community.

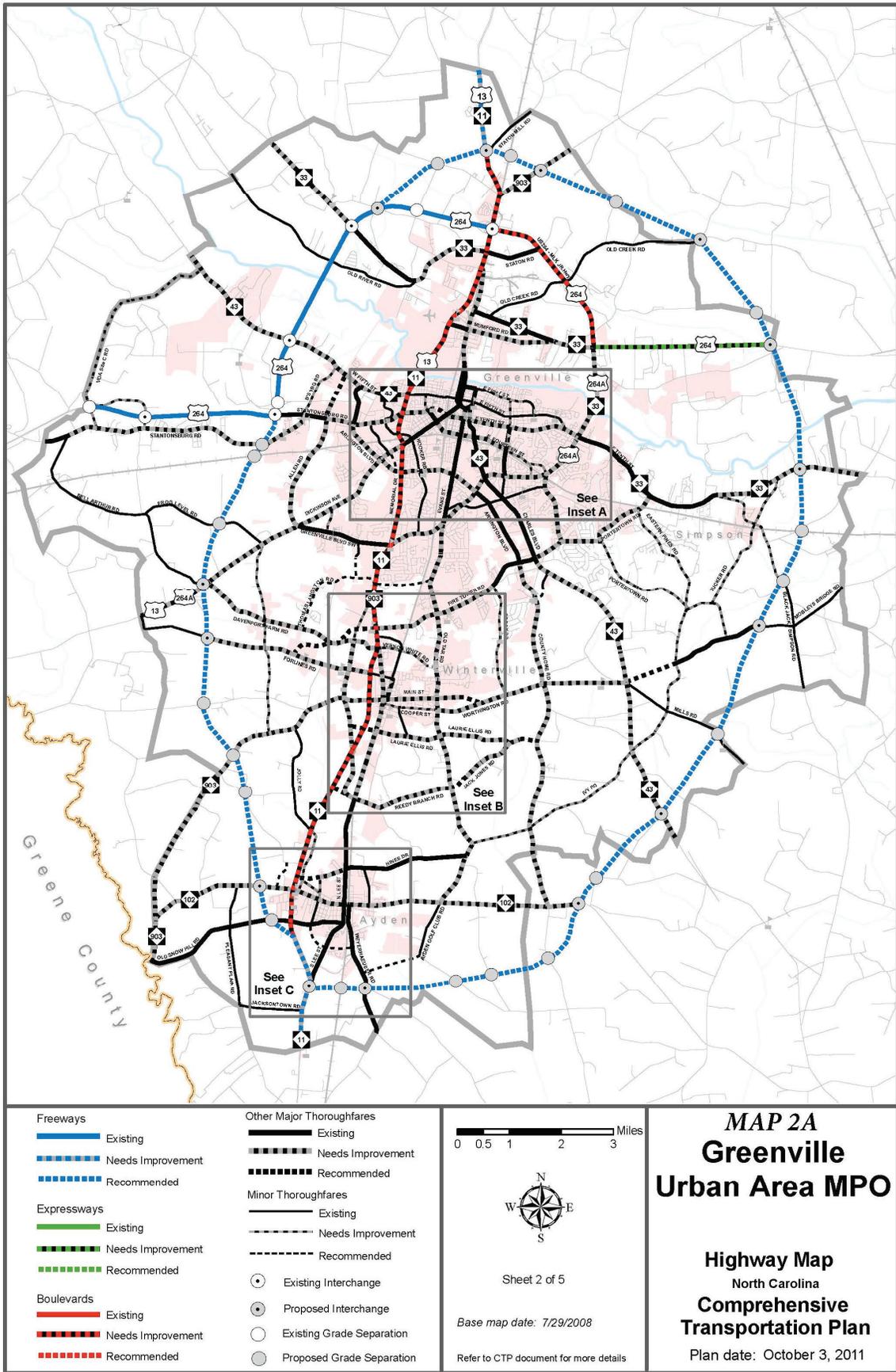
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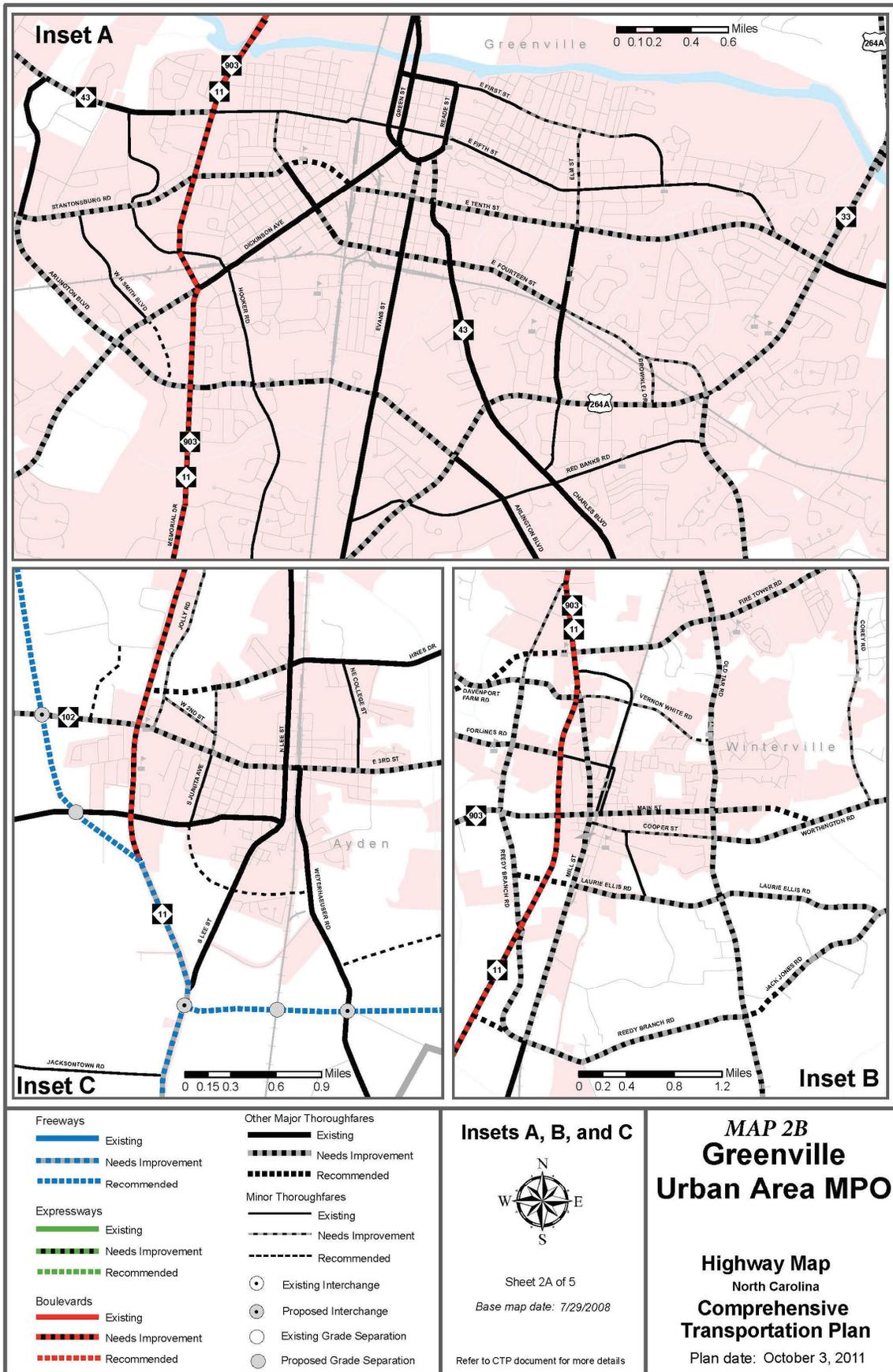
In staff's opinion, the adoption of regulations that require developers install sidewalks along major thoroughfares, minor thoroughfares and boulevards when new development of non-residential development, mixed-use developments and multifamily residential developments is built on existing lots is reasonable and in the public interest to encourage walking to help improve physical health and provides a transportation

alternative to help reduce traffic congestion. It is further staff's opinion that the text amendment is in compliance with the following adopted plans and studies that support pedestrian infrastructure:

- Horizon's: Greenville's Community Plan (2009-10 Update);
- City of Greenville Strategic Plan 2014-2015;
- 2014 Citizen Survey;
- Development Code Review and Policy Gap Analysis to Improve Greenville's Health, Design and Appearance;
- Comprehensive Recreation and Parks Master Plan; and
- Horizon's: Greenville's Community Plan, 2004.



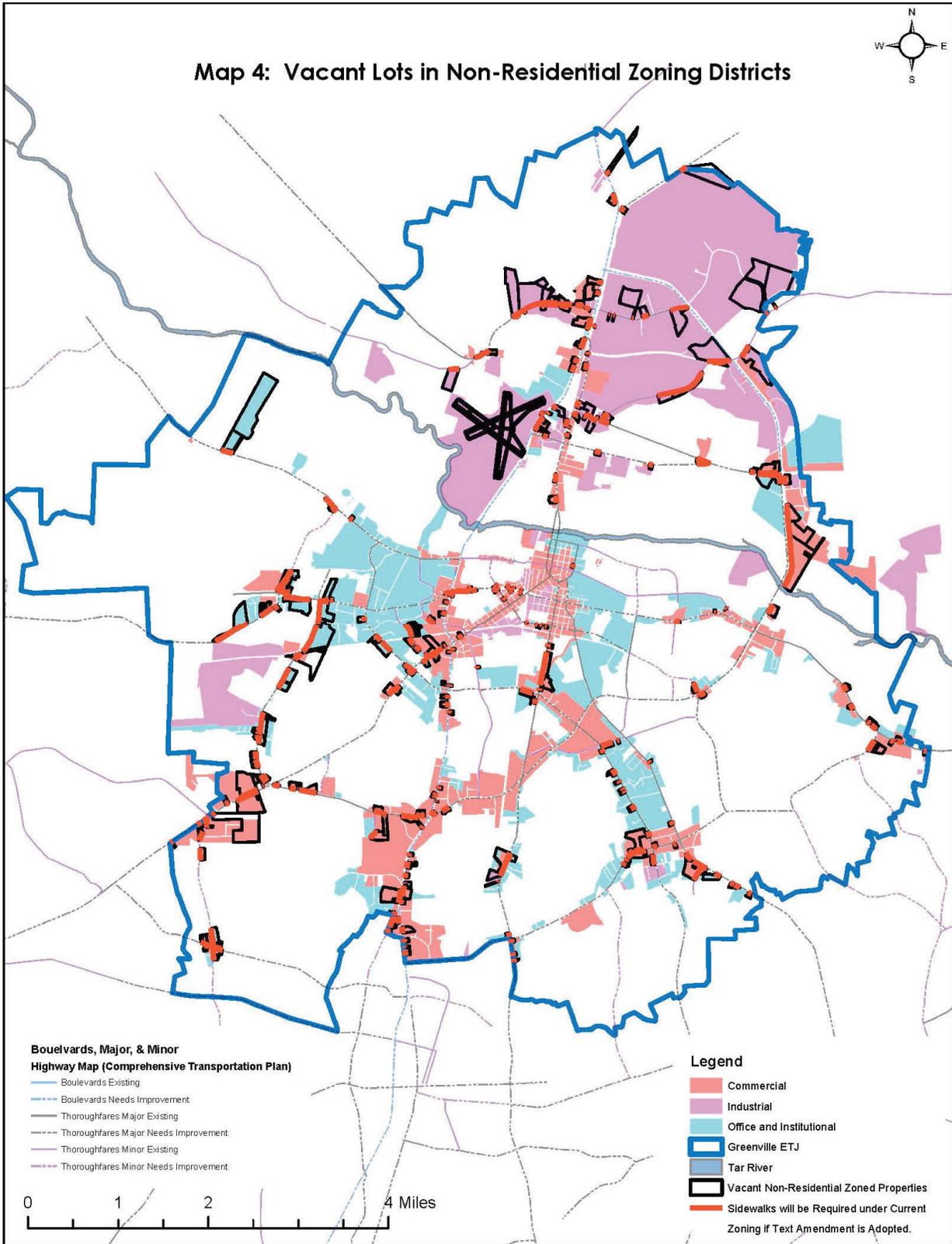




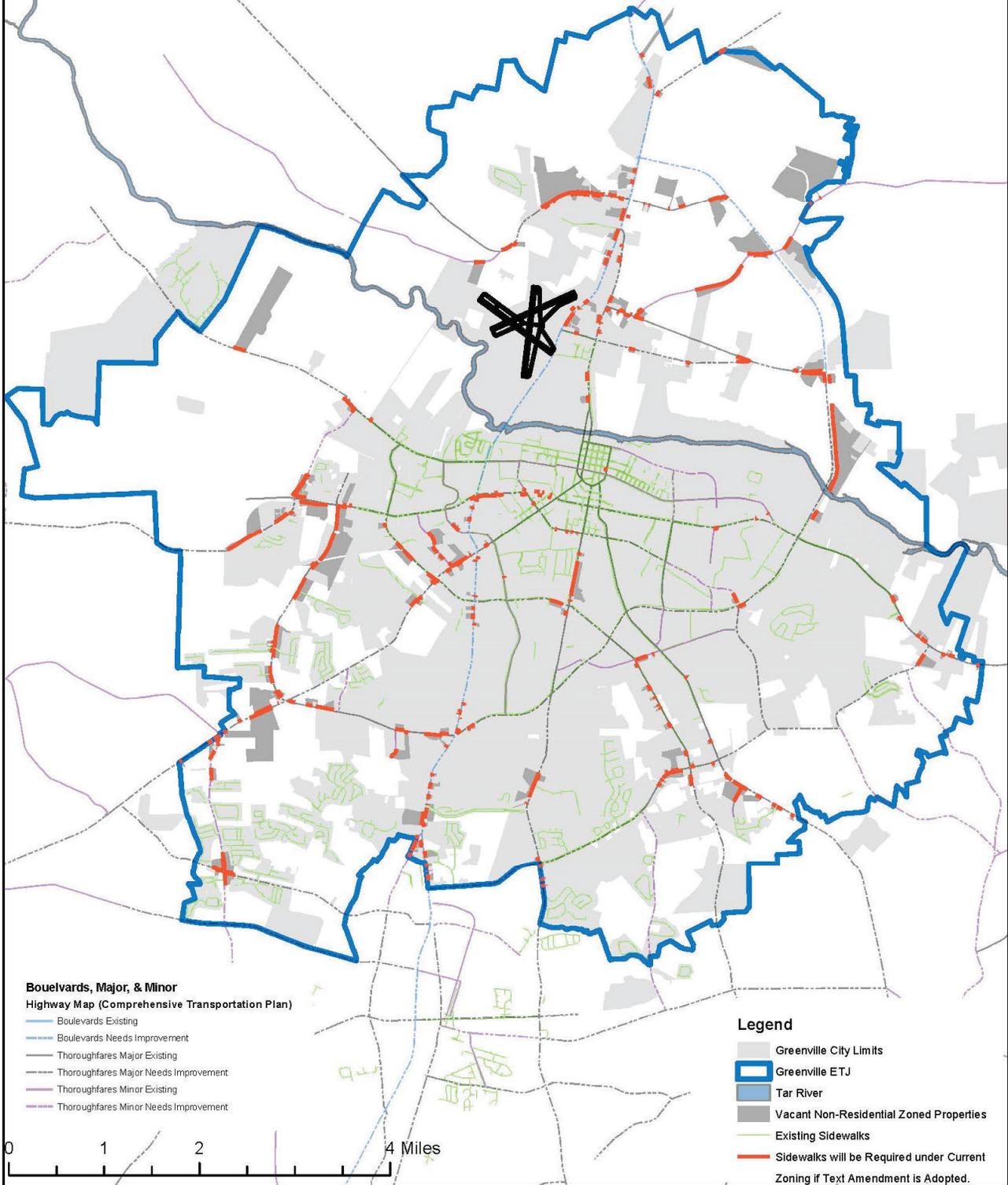
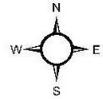


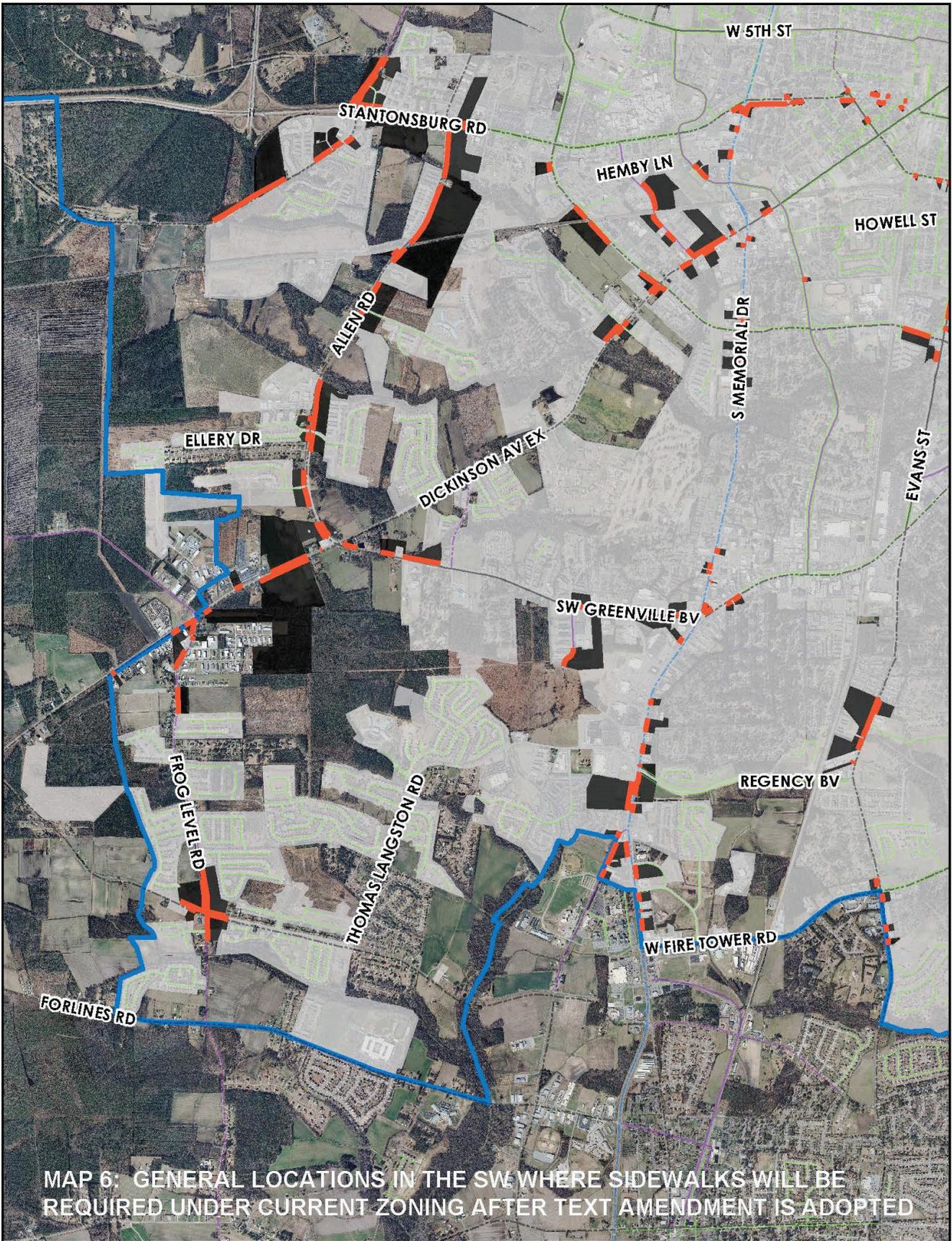
Map 3: Examples of Sidewalk Gaps

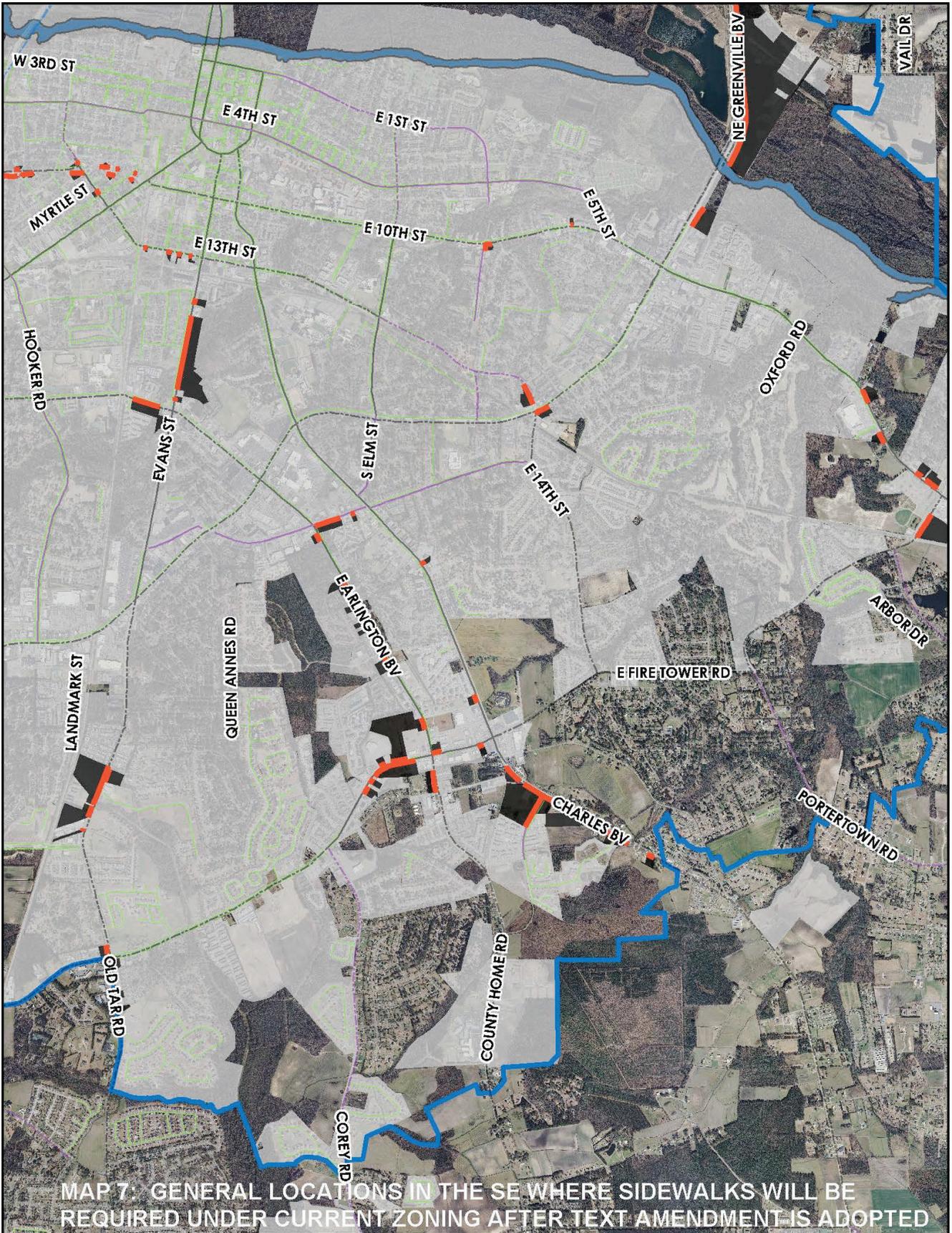




Map 5: General Locations where Sidewalks will be Required under Current Zoning after Text Amendment is Adopted







MAP 8: GENERAL LOCATIONS IN THE NE WHERE SIDEWALKS WILL BE REQUIRED UNDER CURRENT ZONING AFTER TEXT AMENDMENT IS ADOPTED



MAP 9: GENERAL LOCATIONS IN THE NW WHERE SIDEWALKS WILL BE REQUIRED UNDER CURRENT ZONING AFTER TEXT AMENDMENT IS ADOPTED





City of Greenville, North Carolina

Meeting Date:
10/21/2014
Time: 6:30 PM

Title of Item: Ordinance requested by HD Property Holdings, LLC to rezone 3.062 acres located near the southwest corner of the intersection of East 10th Street and L. T. Hardee Road from IU (Unoffensive Industry) to CG (General Commercial).

Explanation: **Abstract:** The City has received a request from HD Property Holdings, LLC to rezone 3.062 acres located near the southwest corner of the intersection of East 10th Street and L. T. Hardee Road from IU (Unoffensive Industry) to CG (General Commercial).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on October 7, 2014.

On-site sign(s) posted on October 7, 2014.

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

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

Comprehensive Plan:

The subject site is located in Vision Area C.

East 10th Street (NC 33) is considered a gateway corridor from its intersection with Greenville Boulevard and continuing east. Gateway corridors serve as primary entranceways into the City and help define community character.

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

The Future Land Use Plan Map recommends commercial (C) at the southwest corner of the intersection of East 10th Street and L. T. Hardee Road.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1,934 trips to and from the site on East 10th Street, which is a net increase of 1,832 additional trips per day.

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

History/Background:

In 1989, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned IU (Unoffensive Industry).

Present Land Use:

One commercial warehouse and one vacant lot.

Water/Sewer:

Water is available from Eastern Pines Water Corporation. Sanitary sewer from Greenville Utilities is available at the River Hills pump station.

Historic Sites:

There are no known effects on designated sites

Environmental Conditions/Constraints:

There are no known environmental conditions/constraints.

Surrounding Land Uses and Zoning:

North: RA20 - One single-family residence; R6S - Vacant (approved preliminary plat for River Bend Subdivision - 145 single-family lots)

South: Norfolk Southern Railroad

East: IU - Hardee's Body Shop; RA20 - One single-family residence; Simpson Jurisdiction - Farmland

West: RA20 - One single-family residence and farmland

Density Estimates:

Under the current zoning (IU), the site could yield 26,676+/- square feet of manufacturing/ warehouse uses.

Under the proposed zoning (CG), the site could yield 26,676+/- square feet of retail/ restaurant uses.

The anticipated build-out within 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 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 the other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the existing and proposed 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

 [Combined map, survey, traffic and buffer charts](#)

 [List of uses_IU_to_CG_962698](#)

EXISTING ZONING

IU (Unoffensive Industry)

Permitted Uses

(1) General:

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

(2) Residential: None*

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

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- g. Private noncommercial park or recreational facility
- p. Circus, carnival or fairs

(7) Office/ Financial/ Medical:

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

(8) Services:

- n. Auditorium
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- bb. Civic organization
- gg. Vocational rehabilitation center
- mm. Commercial laundries; linen supply
- nn. Industrial laundries
- y. Television, and/or radio broadcast facilities including receiving and transmission equipment and towers or cellular telephone and wireless communication towers [unlimited height, except as provided by regulations]

(9) Repair:

- b. Minor repair; as an accessory or principal use
- c. Upholster; automobile, truck, boat or other vehicle, trailer or van
- d. Upholsterer; furniture
- f. Appliance; household and office equipment repair
- h. Appliance; commercial and industrial equipment repair not otherwise listed

(10) Retail Trade:

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

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

- a. Wholesale; durable and nondurable goods, not otherwise listed
- d. Rental of automobile, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
- e. Rental of tractors and/or trailers, or other commercial or industrial vehicles or machinery

(12) Construction:

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

(13) Transportation:

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

(14) Manufacturing/ Warehousing:

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

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

* None

IU (Unoffensive Industry)

Special Uses

*(1) General:** None

(2) Residential:

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

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

(4) Governmental: None*

(5) Agricultural/ Mining: None*

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

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

(9) Repair:

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

(10) Retail Trade:

- j. Restaurant; regulated outdoor activities

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

- g. Mobile home sales including accessory mobile home office

(12) Construction: None*

(13) Transportation:

- c. Taxi and limousine service

(14) Manufacturing/ Warehousing:

- z. Metallurgy, steel fabrication, welding

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

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

PROPOSED ZONING

CG (General Commercial)

Permitted Uses

(1) General:

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

*(2) Residential: * None*

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

(4) *Governmental:*

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

(5) *Agricultural/ Mining:*

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

(6) *Recreational/ Entertainment:*

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

(7) *Office/ Financial/ Medical:*

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

(8) *Services:*

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

(9) *Repair:*

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

(10) *Retail Trade:*

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- g. Fish market; excluding processing or packing
- h. Restaurant; conventional

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

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

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

(12) Construction:

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

(13) Transportation:

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

*(14) Manufacturing/ Warehousing: * None*

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

CG (General Commercial)

Special Uses

(1) General: None*

(2) Residential:

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

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining: None*

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

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

(9) Repair:

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

(10) Retail Trade:

- b. Gasoline or automotive fuel sales; accessory or principal use, retail
- j. Restaurant; regulated outdoor activities
- n. Appliances; commercial use, sales and accessory repair, excluding outside storage

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

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

(12) Construction: None*

(13) Transportation: None*

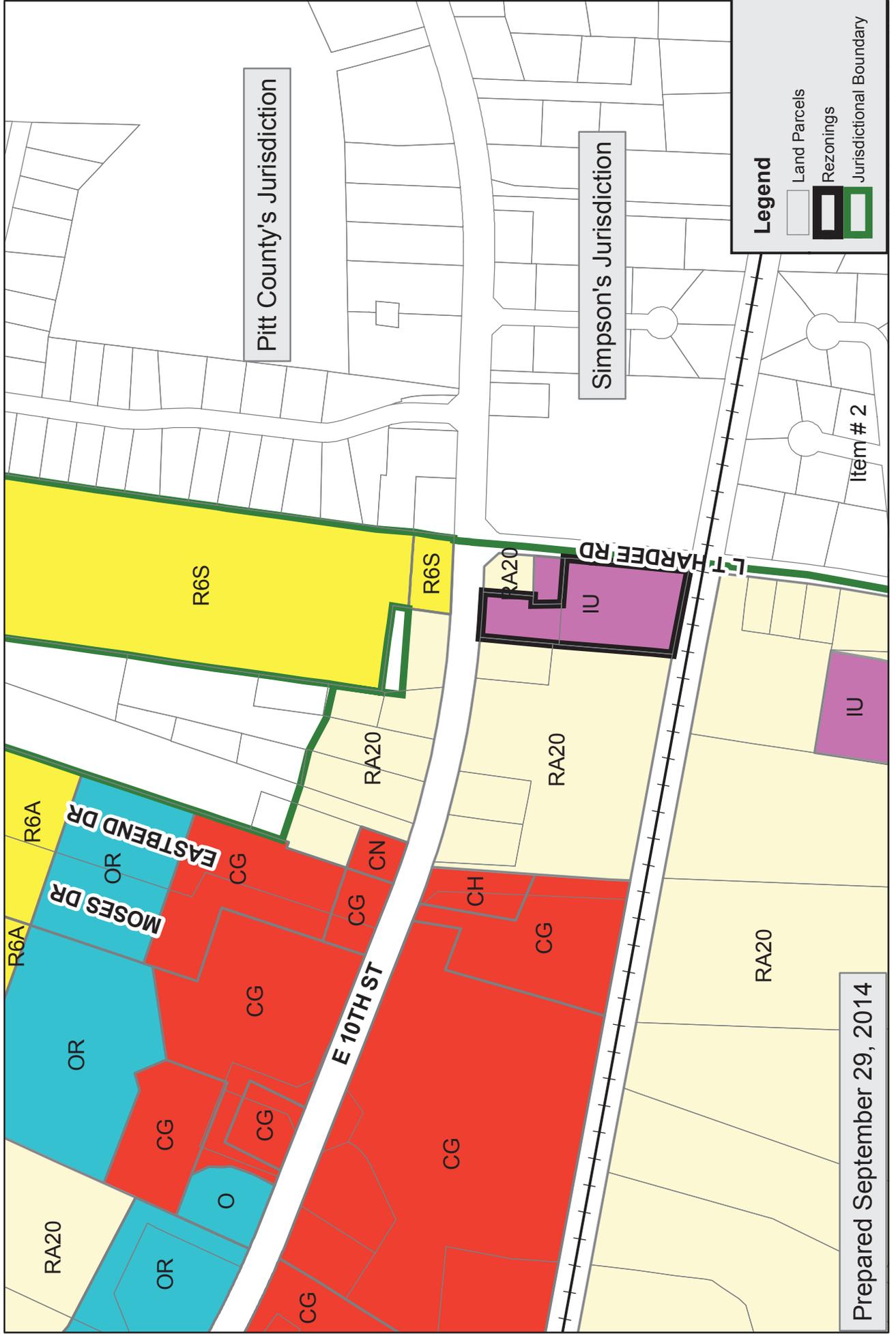
(14) Manufacturing/ Warehousing:

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

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

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

HD Property Holdings, LLC
From: IU (Unoffensive Industry)
To: CG (General Commercial)
3.062 acres



Prepared September 29, 2014



ADJOINING PROPERTY OWNERS' ADDRESSES

- JOHN THOMAS TYSON
605 W. HATFIELD AVE. #101
GREENVILLE, NC 27635
- WILLIAM SCOTT HARDEE
305 ANDREW LANE
GREENVILLE, NC 27635
- HD PROPERTY HOLDINGS, LLC
183 CAMDEN DRIVE SUITE 111
GREENVILLE, NC 27635
- HARDEE PROPERTIES FAMILY LIMITED PARTNERSHIP
123 LAKESHORE DRIVE
GREENVILLE, NC 27635
- JAMES LEWIS HARDEE, JR.
4860 E. 10TH STREET
GREENVILLE, NC 27635
- THE REVOCABLE TRUST OF RAVENEL J RUBENSTEIN
COLUMBIAN SC 29923 POINT
COLUMBIAN SC 29923 POINT
- V-SLEW, LLC
GREENVILLE, NC 27635
- WILLIAM ALVAH HARDEE, JR.
GREENVILLE, NC 27635
- CITY OF GREENVILLE
GREENVILLE, NC 27835

THE REVOCABLE TRUST OF RAVENEL J RUBENSTEIN
RESIDENTIAL
84-29

EAST TENTH STREET - NC HIGHWAY 33
(50 FEET 6" W 64' B/B PUBLIC)

JAMES LEWIS HARDEE, JR.
DB 1454, PG 772
RESIDENTIAL
84-29

AREA TO BE REZONED 3.062 ACRES

JOHN THOMAS TYSON & WIFE, HATTIE MAE TYSON
DB 1828, PG 259
RESIDENTIAL
84-29

WILLIAM SCOTT HARDEE & WIFE, HATTIE MAE HARDEE
DB 1424, PG 172
BODY SHOP
10

HARDEE PROPERTIES FAMILY LIMITED PARTNERSHIP
AGRICULTURAL
84-29

WILLIAM ALVAH HARDEE, JR.
DB 1424, PG 172
MOBILE HOME PARK
84-29

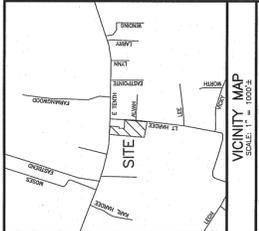
ALVAH DRIVE
(GRAVEL PRIVATE)
84-29

CITY OF GREENVILLE
GUC SUBSTATION
84-29

NORFOLK SOUTHERN RAILROAD
(100' 0" R/W)

PITT COUNTY JURISDICTION

TOWN OF SIMPSON ETU



VICINITY MAP
SCALE: 1" = 1000'

LEGEND
R/W = RIGHT-OF-WAY
DB = DEED BOOK
ETU = EXTRAJURISDICTIONAL JURISDICTION

NOTE: THE BEARINGS AND DISTANCES SHOWN ON THIS MAP WERE TAKEN FROM INFORMATION PROVIDED BY THE SURVEYOR AND ARE ASSUMED TO BE CORRECT. THIS REPRESENTS AN ACTUAL SURVEY BY THIS FIRM.



PARCEL# 39411
TAX MAP# 5607-40-7336
TAX MAP# 5607-40-7170

SHEET 1 OF 1
REZONING MAP

HD PROPERTY HOLDINGS, LLC.

REFERENCE: DEED BOOK 3240 PAGE 802 OF THE RECORDS OF THE REGISTERED OFFICE OF GRIMESLAND TOWNSHIP, FITT COUNTY, N.C.

OWNER: HD PROPERTY HOLDINGS, LLC.
ADDRESS: 103 CAMDEN DRIVE SUITE 1
GREENVILLE, NC 27635
PHONE: 252-341-9107

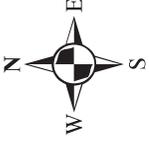
Baldwin Design Consultants, PA
103 CAMDEN DRIVE SUITE 1
GREENVILLE, NC 27635
PHONE: 252-341-9107

SURVEYED: 1/4
DRAWN: WRW
CHECKED: WRW
DATE: 08/19/14
SCALE: 1" = 50'



CLOSURE CHECK BOUNDARY
CHECKED: WRW
DATE: 09/10/14

HD Property Holdings, LLC
From: IU (Unoffensive Industry)
To: CG (General Commercial)
3.062 acres



Prepared September 29, 2014

Case No: 14-16

Applicant: HD Property Holdings, LLC

Property Information

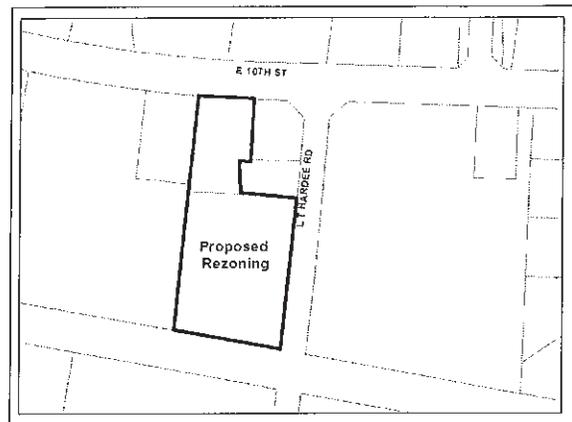
Current Zoning: IU (Unoffensive Industry)

Proposed Zoning: CG (General Commercial)

Current Acreage: 3.062 acres

Location: Corner of E. 10th St & LT Hardee Road

Points of Access: E. 10th St, LT Hardee Road



Location Map

Transportation Background Information

1.) E. 10th St- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	5-lane - curb & gutter	no change
Right of way width (ft)	100	no change
Speed Limit (mph)	55	no change
Current ADT:	18,200 (*)	Ultimate Design ADT: 33,400 vehicles/day (**)
Design ADT:	33,400 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	

Other Information: There are no sidewalks along E. 10th St 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: 102 -vehicle trips/day (*) **Proposed Zoning: 1,934** -vehicle trips/day (*)

Estimated Net Change: increase of 1832 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 E. 10th St are as follows:

1.) E. 10th St , West of Site (60%): “No build” ADT of 18,200

Estimated ADT with Proposed Zoning (full build) – 19,360
 Estimated ADT with Current Zoning (full build) – 18,261
Net ADT change = 1,099 (6% increase)

2.) E. 10th St , East of Site (40%):

"No build" ADT of 18,200

Estimated ADT with Proposed Zoning (full build) – 18,974

Estimated ADT with Current Zoning (full build) – 18,241

Net ADT change = 733 (4% increase)

Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1934 trips to and from the site on E. 10th St, which is a net increase of 1832 additional trips per day.

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

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.



City of Greenville, North Carolina

Meeting Date:
10/21/2014
Time: 6:30 PM

Title of Item: Ordinance requested by Parkside MM, LLC to rezone 0.53 acres located at the southwest corner of the intersection of Johns Hopkins Drive and Scales Place from MO (Medical-Office) to MR (Medical-Residential [High Density Multi-family]).

Explanation: **Abstract:** The City has received a request from Parkside MM, LLC to rezone 0.53 acres located at the southwest corner of the intersection of Johns Hopkins Drive and Scales Place from MO (Medical-Office) to MR (Medical-Residential [High Density Multi-family]).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on October 7, 2014.

On-site sign(s) posted on October 7, 2014.

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

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

Comprehensive Plan:

The subject site is located in Vision Area F and in the recognized Medical District.

Management Actions for Vision Area F:

F6. Strengthen/support the medical district plan.

The Future Land Use Plan Map recommends office/institutional/medical (OIM) at the southwest corner of Johns Hopkins Drive and Scales Place and transitions to office/ institutional/multi-family (OIMF) to the south and west.

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

Based on the analysis comparing the existing zoning (40 daily trips) and requested rezoning, the proposed rezoning classification could generate 53 trips to and from the site on Johns Hopkins Drive, which is a net increase of 13 trips per day. With the additional 13 trips generated by the proposed rezoning, the impact on traffic along this road is negligible (<1%). Therefore, a traffic volume report was not generated.

History/Background:

In 1976, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned RA20. In 1985, the Medical District was adopted by City Council. The subject site was included as part of the Medical District and rezoned to MO (Medical-Office).

Present Land Use:

Vacant

Water/Sewer:

Water and sanitary sewer are available at the property.

Historic Sites:

There are no known effects on the designated site.

Environmental Conditions/Constraints:

There are no known environmental conditions/constraints.

Surrounding Land Uses and Zoning:

North: MO - Eastern Carolina ENT
South: MR - University Medical Park Townhomes
East: MO - Vacant
West: MR - Common Area for University Medical Park Townhomes (undeveloped)

Density Estimates:

Under the current zoning, the site could accommodate 3,643+/- square feet of office space.

Under the proposed zoning, the site could accommodate 6-8 multi-family units (1, 2 and 3 bedrooms).

The anticipated build-out 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, the Future Land Use Plan Map, and the Medical District Land Use Plan Update (2007).

"General compliance with the comprehensive plan" should be construed as meaning the requested zoning is recognized as being located in a transition area and that the requested zoning (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 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 rezoning zoning.

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

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

Attachments / click to download

[Combined map, survey and buffer charts](#)

[List of Uses for MO to MR 900329](#)

EXISTING ZONING

MO (Medical-Office)

Permitted Uses

(1) General:

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

(2) Residential:

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

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

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

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

(9) Repair: None*

(10) Retail Trade:

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

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

(12) Construction:

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

(13) *Transportation*:* None

(14) *Manufacturing/ Warehousing*: * None

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

MO (Medical-Office)

Special Uses

(1) *General*:* None

(2) *Residential*:

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

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

(4) *Governmental*:

a. Public utility building or use

(5) *Agricultural/ Mining*:* None

(6) *Recreational/ Entertainment*:

s. Athletic club; indoor only

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

(8) *Services*:

a. Child day care facilities

b. Adult day care facilities

e. Barber or beauty shop

f. Manicure, pedicure or facial salon

j. College and other institutions of higher learning

l. Convention center; private

s. Hotel, motel bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)

s.(1). Hotel, motel bed and breakfast inn; extended stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)

hh. Exercise and weight loss studios; indoor only

ll.(1) Dry cleaning; household users, drop-off/pick-up station only [2,000 sq. ft. gross floor area limit per establishment]

jj. Health services not otherwise listed

(9) *Repair*:* None

(10) *Retail Trade*:

f. Office and school supply, equipment sales [5,000 sq. ft. gross floor area limit per establishment]

h. Restaurant; conventional

i. Restaurant; fast food [limited to multi-unit structures which contain not less than three separate uses]

j. Restaurant; regulated outdoor activities

k. Medical supply sales and rental of medically related products including uniforms and related accessories.

t. Hobby or craft shop [5,000 sq. ft. gross floor area limit per establishment]

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

(12) *Construction*:* None

(13) *Transportation*:* None

(14) *Manufacturing/ Warehousing*: * None

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

PROPOSED ZONING

MR (Medical-Residential)

Permitted Uses

(1) *General*:

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

(2) *Residential*:

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

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

(4) *Governmental*:

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

(5) *Agricultural/ Mining*:

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

(6) *Recreational/ Entertainment*:

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

MR (Medical-Residential)
Special Uses

(1) *General*:* None

(2) *Residential*:

- d. Land use intensity multifamily (LUI) development rating 50 per Article K
- l. Group care facility
- 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

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

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

(4) *Governmental*:

- a. Public utility building or use

(5) *Agricultural/ Mining*:* None

(6) *Recreational/ Entertainment*:

- 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
- 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

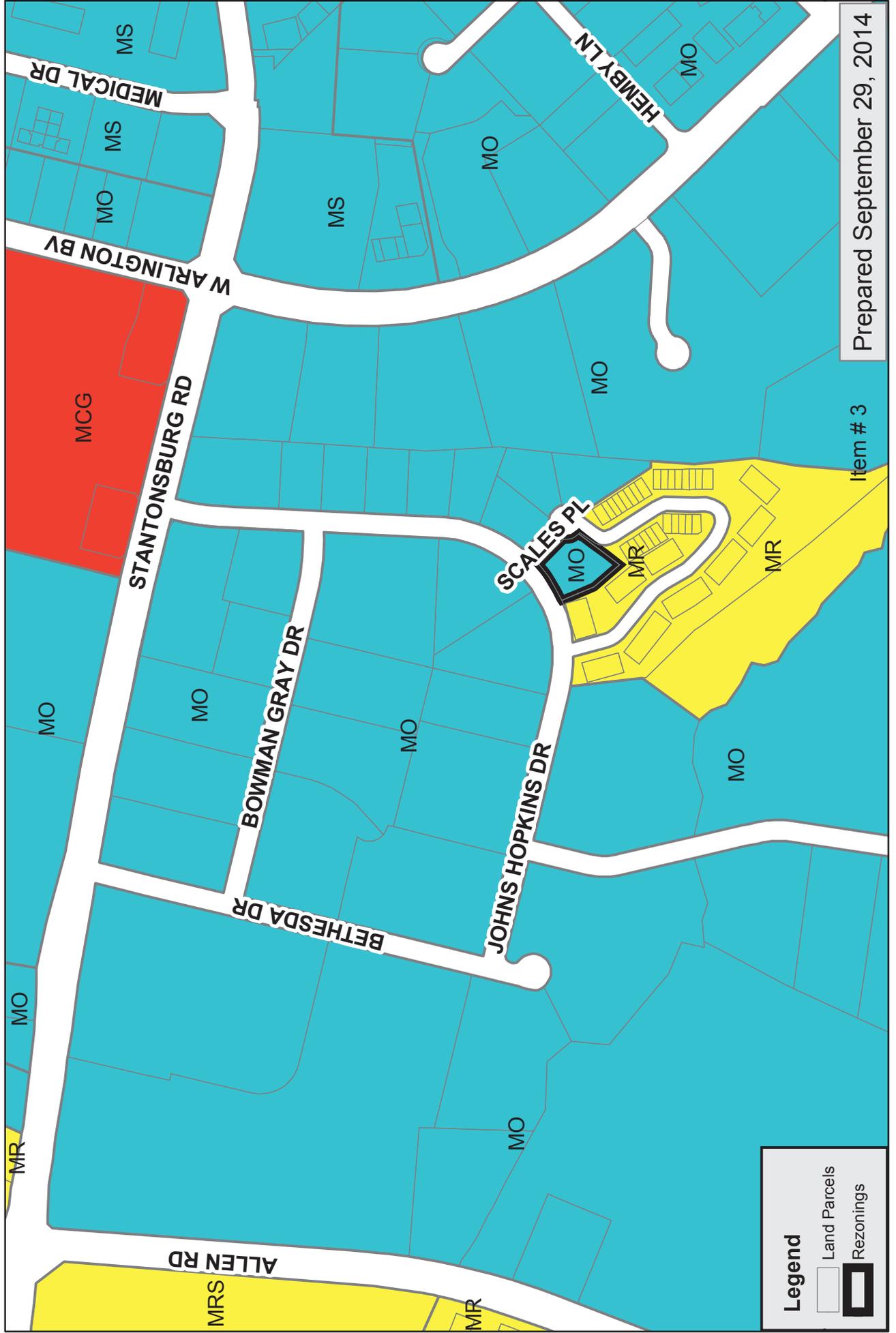
(13) *Transportation*:* None

(14) *Manufacturing/ Warehousing*: * None

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



Parkside MM, LLC
From: MO (Medical-Office)
To: MR (Medical-Residential)
0.53 acres

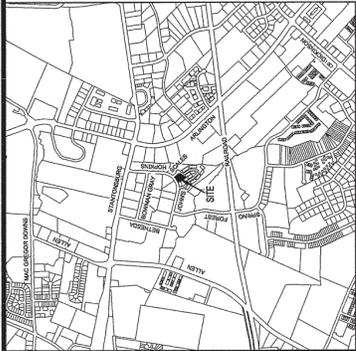


Prepared September 29, 2014

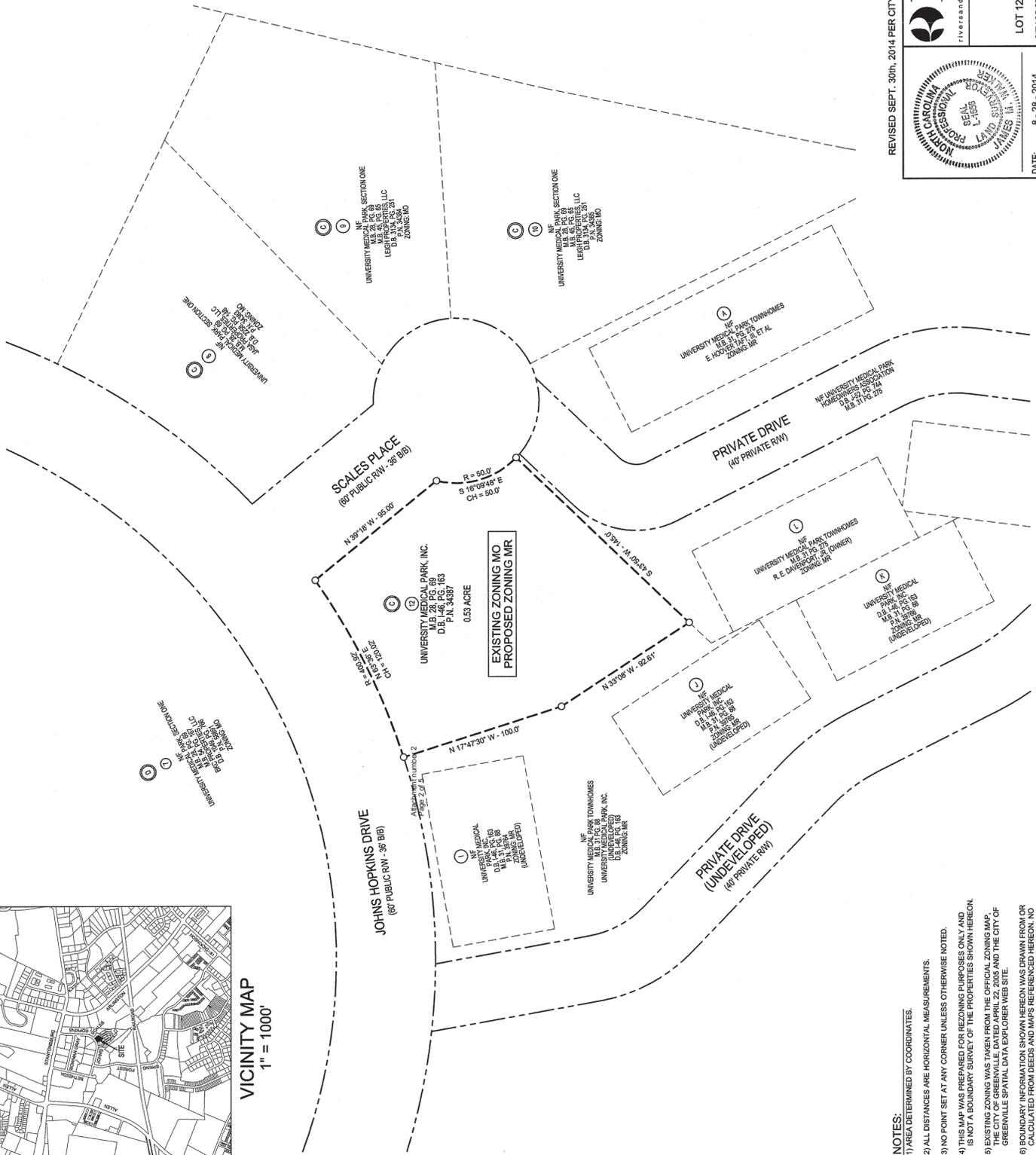
Item # 3

Legend

- Land Parcels
- Rezoning



VICINITY MAP
1" = 1000'



LEGEND:
 NF = NEIGHBORHOOD FUTURE
 MR ZONING = MEDICAL RESIDENTIAL
 NF = NOW OR FORMERLY
 RW = RIGHT OF WAY
 P.N. = PARCEL NUMBER
 D.B. = DEED BOOK
 M.B. = MAP BOOK
 P.G. = PAGE

REZONED AREA:
 TOTAL = 23,000 S.F. OR 0.53 ACRE

REFERENCES:
 D.B. 146, PG. 183
 M.B. 28, PG. 69
 M.B. 31, PG. 88
 M.B. 31, PG. 275
 P.G. 9487

OWNER:
 UNIVERSITY MEDICAL PARK, INC.
 P.O. BOX 566 N.C. 27865
 GREENVILLE, NC 27602
 PHONE: (252) 752-7101

CERTIFICATION
 NORTH CAROLINA PITT COUNTY
 I, JAMES M. WALKER, PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS MAP WAS DRAWN BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT THE DATA SHOWN ON THIS MAPS AS REFERENCED HEREON, AND DOES NOT REPRESENT A FIELD BOUNDARY SURVEY BY MYSELF OR RIVERS AND ASSOCIATES, INC. I FURTHER CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY, REZONING MAP, WITNESS MY HAND AND SEAL THIS 28th DAY OF AUGUST, 2014.

SURVEYOR: JAMES M. WALKER
 PROFESSIONAL LAND SURVEYOR
 REGISTRATION NUMBER: L - 1598



REVISED SEPT. 30th, 2014 PER CITY COMMENTS

Rivers
 ENGINEERS
 PLANNERS
 SURVEYORS
 LANDSCAPE ARCHITECTS
 107 EAST SECOND STREET
 GREENVILLE, NC 27608
 (252) 752-1125

REZONING MAP FOR
PARKSIDE MM, LLC.
 LOT 12, BLOCK C, UNIVERSITY MEDICAL PARK, SECTION ONE
 CITY OF GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

DATE: 8 - 28 - 2014
 SURVEY: JMT SCALE: 1" = 40'
 DESIGN: JMT DRAWING NO. 2013147
 CHECK: JMW JOB NO. Z - 2590

SHEET 1 OF 1

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





Parkside MM, LLC
From: MO (Medical-Office)
To: MR (Medical-Residential)
0.53 acres



Legend

- Land Parcels
- Rezoning

04/30/07

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

Bufferyard A (street yard)

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

Street trees may count toward the minimum acreage.

Bufferyard B (no screen required)

Lot Size	Width
Less than 25,000 sq.ft.	4'
25,000 to 175,000 sq.ft.	6'
Over 175,000 sq.ft.	10'

Bufferyard C (screen required)

Width	For every 100 linear feet
10'	3 large evergreen trees 4 small evergreens 16 evergreen shrubs

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

Bufferyard D (screen required)

Width	For every 100 linear feet
20'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs

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

Bufferyard E (screen required)

Width	For every 100 linear feet
30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs

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

Bufferyard F (screen required)

Width	For every 100 linear feet
50'	8 large evergreen trees 10 small evergreens 36 evergreen shrubs

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

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

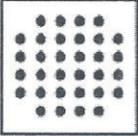
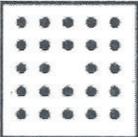
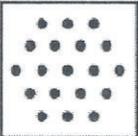
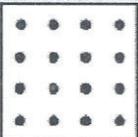
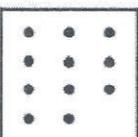
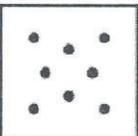
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date:
10/21/2014
Time: 6:30 PM

Title of Item: Ordinance requested by V. Parker Overton to rezone 13.62 acres located 1,300+/- feet south of Fire Tower Road and 900+/- feet west of Corey Road from R6MH (Residential-Mobile Home [High Density Multi-family]) to CG (General Commercial) and OR (Office-Residential [High Density Multi-family]).

Explanation: **Abstract:** The City has received a request by V. Parker Overton to rezone 13.62 acres located 1,300+/- feet south of Fire Tower Road and 900+/- feet west of Corey Road from R6MH (Residential-Mobile Home [High Density Multi-family]) to CG (General Commercial) and OR (Office-Residential [High Density Multi-family]).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on October 7, 2014.

On-site sign(s) posted on October 7, 2014.

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

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

Comprehensive Plan:

The subject area is located in Vision Area D.

Management Actions:

D8. Restrict development north and south of Fire Tower Road to residential uses, outside of focus areas.

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

The Future Land Use Plan Map was changed on October 9, 2014.

The Future Land Use Plan Map recommends commercial (C) along the southern right-of-way of Fire Tower Road between Bayswater Road and Swamp Fork Canal transitioning to office/institutional/multi-family (OIMF) to the south and conservation/open space (COS) to the east.

The Future Land Use Plan Map identifies certain areas for conservation/open space (COS) uses. The map is not meant to be dimensionally specific, and may not correspond precisely to conditions on the ground. When considering rezoning requests or other development proposals, some areas classified as conservation/open space may be determined not to contain anticipated development limitations. In such cases, the future preferred land use should be based on adjacent Future Land Use Plan designations, contextual considerations, and the general policies of the comprehensive plan.

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

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classifications could generate 3,300 trips to and from the site on Fire Tower Road, which is a net increase of 2,110 additional trips per day.

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

History/Background:

In 1988, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and was zoned R6MH (Residential-Mobile Home). The property was included in a Future Land Use Plan Map amendment that was approved on October 9, 2014.

The subject property is part of the approved Fire Tower Junction Preliminary Plat approved in 2009.

Existing Land Use:

Vacant

Water/Sewer:

Water and sanitary sewer are available at the property.

Historic Sites:

There are no known effects are

Environmental Conditions/Constraints:

There is floodway, 100 and 500-year floodplains associated with Fork Swamp Canal to the east and south of the property.

Surrounding Land Uses and Zoning:

North: CG - Vacant
South: R6MH - Vacant
East: CG and R6 - Common area for Surrey Meadows Cluster Subdivision
West: R6MH - Vacant

Anticipated Density:

Tract 1
Acreage: 4.4 acres
Current Zoning: R6MH
Proposed Category: CG

Under the current zoning, the site could yield 53+/- multi-family units (1, 2 and 3 bedrooms).

Under the proposed zoning, the site could yield 38,680+/- square feet of retail/conventional restaurant space.

Tract 2
Acreage: 9.18 acres
Current Zoning: R6MH
Proposed Category: OR

Under the current and proposed zoning districts, the site could yield the same number of multi-family units.

The anticipated build-out for the subject properties is within one year.

Additional Staff Comments:

On September 16, 2014, the Planning and Zoning Commission initiated an amendment to the Horizons: Greenville's Community Plan to change the commercial node designation located at Fire Tower Road and Bayswater Road from a neighborhood commercial node to a regional commercial node.

This item will be considered at the October 21, 2014 Planning and Zoning Commission meeting.

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 the other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the existing and proposed 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

 [Combined map, survey, traffic and buffer charts](#)

 [List of Uses R6MH to CG and OR 911650](#)

EXISTING ZONING

R6MH (Residential-Mobile Home)

Permitted Uses

(1) General:

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

(2) Residential:

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

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

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical: None*

(8) Services:

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

(9) Repair: None*

(10) Retail Trade: None*

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

(12) Construction:

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

(13) Transportation: None*

*(14) Manufacturing/ Warehousing: * None*

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

R6MH (Residential-Mobile Home)

Special Uses

(1) General: None*

(2) Residential:* None

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:* None

(6) Recreational/ Entertainment:* None

(7) Office/ Financial/ Medical:* None

(8) Services:

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

(9) Repair:* None

(10) Retail Trade:* None

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

(12) Construction:* None

(13) Transportation:* None

(14) Manufacturing/ Warehousing: * None

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

PROPOSED ZONING

CG (General Commercial)

Permitted Uses

(1) General:

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

(2) Residential: * None

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

(4) Governmental:

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

- minor repair
- d. Federal government building or use
- g. Liquor store, state ABC

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

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

(9) Repair:

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

(10) Retail Trade:

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- g. Fish market; excluding processing or packing

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

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

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

(12) Construction:

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

(13) Transportation:

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

*(14) Manufacturing/ Warehousing: * None*

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

CG (General Commercial)

Special Uses

(1) General: None*

(2) Residential:

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

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- d. Game center

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

(7) Office/ Financial/ Medical:

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

(8) Services:

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

(9) Repair:

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

(10) Retail Trade:

- b. Gasoline or automotive fuel sales; accessory or principal use, retail
- j. Restaurant; regulated outdoor activities
- n. Appliances; commercial use, sales and accessory repair, excluding outside storage

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

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

(12) Construction: None*

(13) Transportation: None*

(14) Manufacturing/ Warehousing:

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

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

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

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

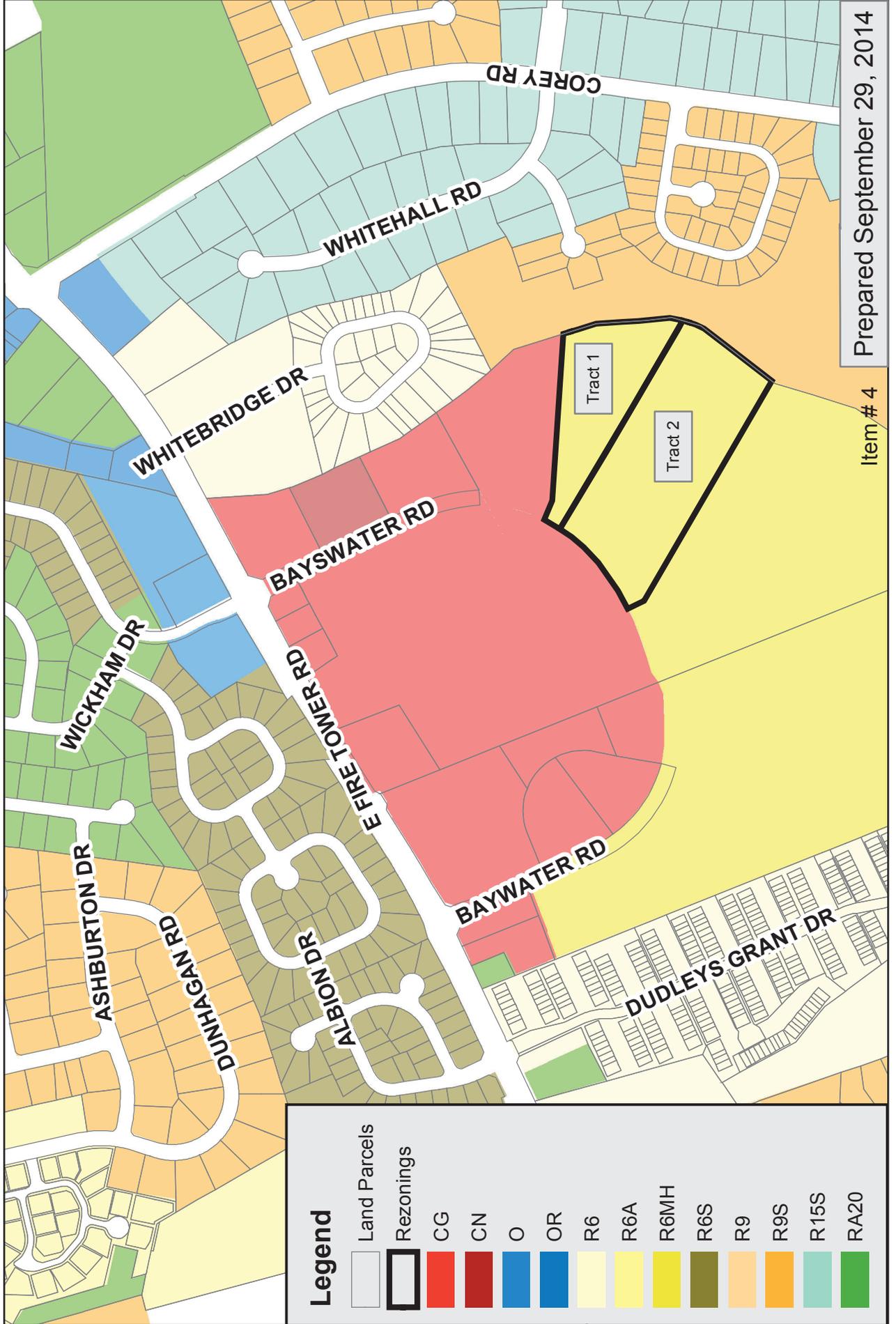
*(14) Manufacturing/ Warehousing: * None*

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

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



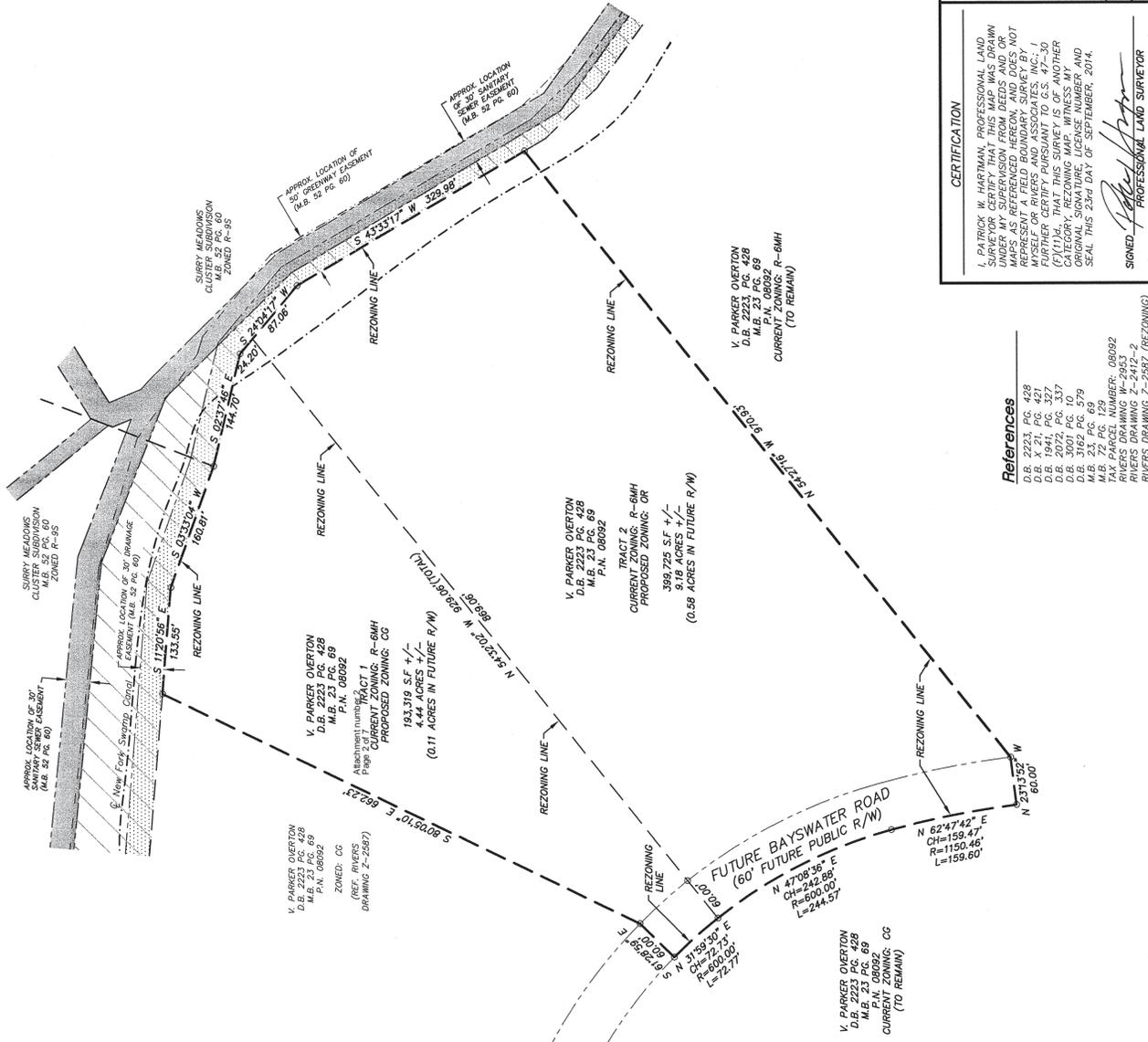
V. Parker Overton Rezoning
Tract 1: From: R6MH To: CG (4.44 acres)
Tract 2: From: R6MH To: OR (9.18 acres)





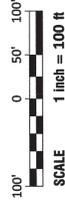
Legend

P.A.N.	REZONING LINE
P.C.	EXISTING EASEMENT
M.B.	NEW FORK SWAMP CANAL
MAP BOOK	
N/V	NOW OR FORMERLY
D.B.	DEED BOOK
R/W	RIGHT OF WAY
REF.	REFERENCE

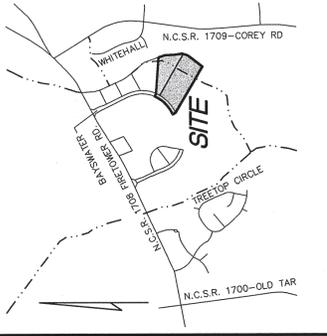


Notes

1. AREA DETERMINED BY COORDINATES.
2. ALL DISTANCES ARE HORIZONTAL MEASUREMENTS.
3. NO POINT SET AT ANY CORNER UNLESS OTHERWISE NOTED.
4. THIS MAP WAS PREPARED FOR REZONING PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON. THIS MAP NOT TO BE USED FOR SALES OR CONVEYANCES. NOT ALL EXISTING EASEMENTS OR OTHER INTERESTS ARE SHOWN. THIS MAP IS SUBJECT TO THOSE EASEMENTS OF RECORD AND RECORDED IN MAP BOOK 72 PAGE 129 AND DEED BOOK 3001 PAGE 10.
5. EXISTING ZONING WAS TAKEN FROM THE OFFICIAL ZONING MAP, THE CITY OF GREENVILLE SPATIAL DATA EXPLORER WEB SITE.
6. BOUNDARY INFORMATION TAKEN FROM A BOUNDARY SURVEY PREPARED BY RIVERS AND ASSOCIATES, INC. ENTITLED 'SURVEY FOR: LEWIS LAND DEVELOPMENT, LLC DATED MAY 17, 2006 (RIVERS AND ASSOCIATES DRAWING NO. W-3953).
7. FUTURE BAYSWATER ROAD RIGHT OF WAY SHOWN HEREON TAKEN FROM PRELIMINARY PLAT #09-03 PREPARED BY RIVERS AND ASSOCIATES, INC. ENTITLED 'PRELIMINARY PLAN - FUTURE JUNCTION' DATED APRIL 8, 2006.



Vicinity Map - NTS



REVISIONS: #1 - 10/9/2014 - PER CITY COMMENTS AND REVIEW.



REZONING MAP FOR:
V. PARKER OVERTON
 OWNER: V. PARKER OVERTON
 CITY OF GREENVILLE, WINTERTOWN TWP., PITT CO., N.C.
 SCALE: 1" = 100'
 DRAWING NO.: Z-2591
 PROJECT NO.: 2014045
 SHEET: 1 OF 1



CERTIFICATION
 I, PATRICK W. HARTMAN, PROFESSIONAL LAND SURVEYOR, STATE OF NORTH CAROLINA, LICENSE NO. L-6892, UNDER MY SUPERVISION FROM DEEDS AND OR MAPS AS REFERENCED HEREON, AND DOES NOT REPRESENT A FIELD BOUNDARY SURVEY BY ME OR ANY OTHER SURVEYOR. I HEREBY FURTHER CERTIFY PURSUANT TO G.S. 47-30 (F)(1)(J), THAT THIS SURVEY IS OF ANOTHER CATEGORY, REZONING MAP, WITNESS MY HAND AND SEAL, THIS 23rd DAY OF SEPTEMBER, 2014.
 SIGNED: *Patrick W. Hartman*
 PROFESSIONAL LAND SURVEYOR
 LICENSE NUMBER L-4282

References
 D.B. 2223, PG. 428
 D.B. X, 21, PG. 671
 D.B. 2072, PG. 337
 D.B. 3007, PG. 10
 D.B. 3162, PG. 879
 M.B. 72, PG. 129
 TAX PARCEL NUMBER: 08092
 RIVERS DRAWING Z-2412-2
 RIVERS DRAWING Z-2587 (REZONING)

V. PARKER OVERTON
 D.B. 2223, PG. 428
 M.B. 23, PG. 69
 P.A.N. 08092
 CURRENT ZONING: R-6MH
 (TO REMAIN)

TRACT 2
 399,725 S.F. +/-
 9.18 ACRES +/-
 (0.58 ACRES IN FUTURE R/W)

V. PARKER OVERTON
 D.B. 2223, PG. 428
 M.B. 23, PG. 69
 P.A.N. 08092
 ATTACHMENT NUMBER: FACT 1
 PAGE: 1
 CURRENT ZONING: R-6MH
 PROPOSED ZONING: CG
 193,319 S.F. +/-
 4.44 ACRES +/-
 (0.11 ACRES IN FUTURE R/W)

V. PARKER OVERTON
 D.B. 2223, PG. 428
 M.B. 23, PG. 69
 P.A.N. 08092
 ZONED: CG
 (REF. RIVERS DRAWING Z-2587)

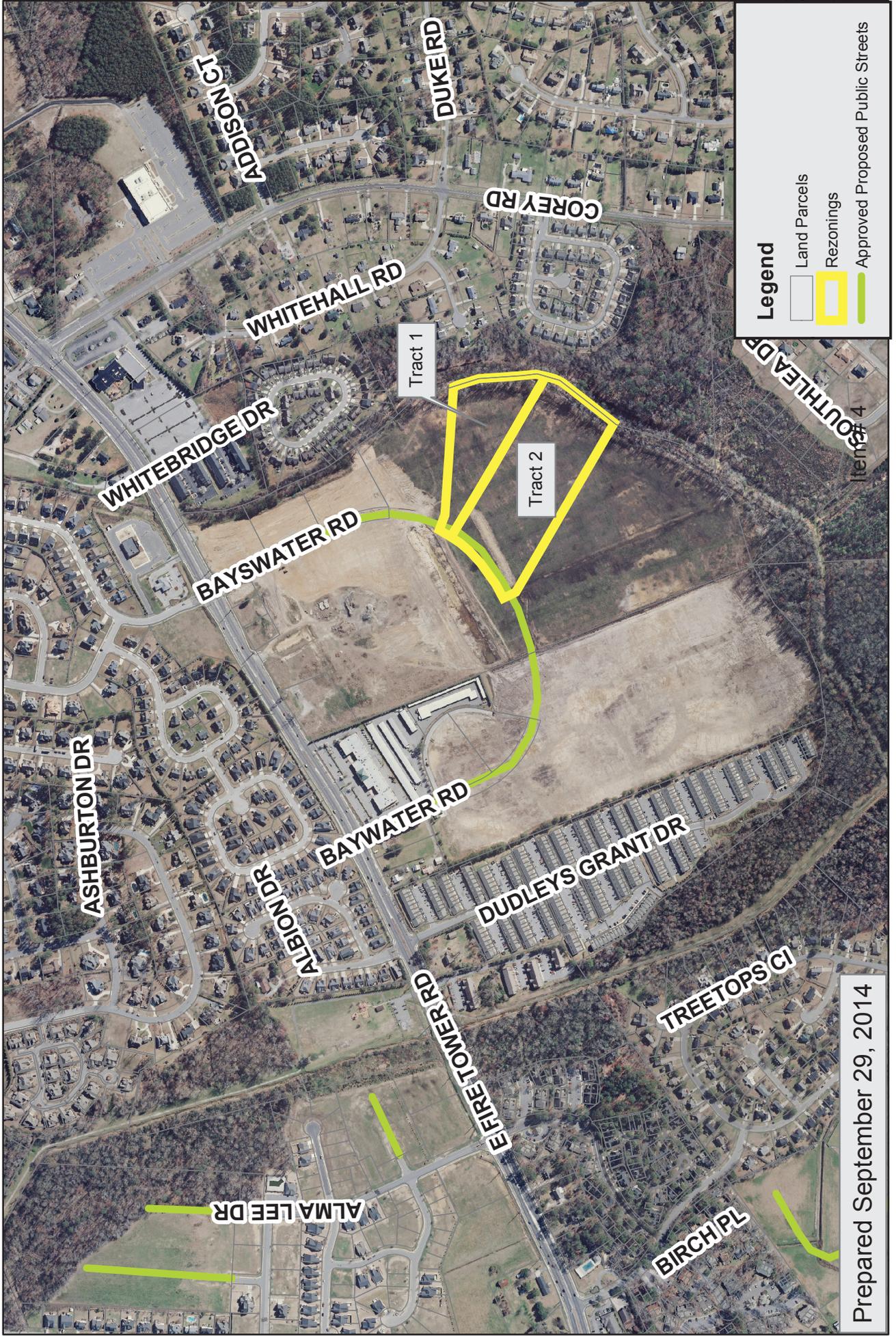
V. PARKER OVERTON
 D.B. 2223, PG. 428
 M.B. 23, PG. 69
 P.A.N. 08092
 CURRENT ZONING: CG
 (TO REMAIN)



V. Parker Overton

Tract 1 - From: R6MH To: CG (4.44 acres)

Tract 2 - From: R6MH To: OR (9.18 acres)



Prepared September 29, 2014

Item# 4

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 14-17

Applicant: V. Parker Overton

Property Information

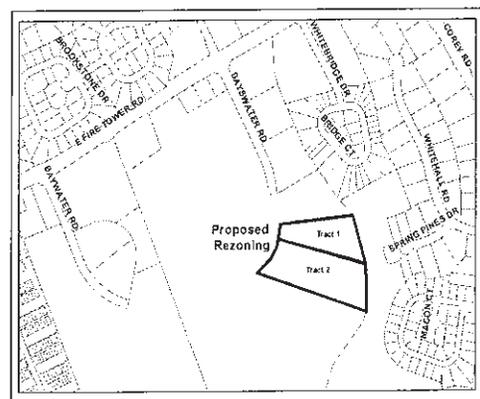
Current Zoning: Tract 1: R6MH (Residential [High Density Mobile Home])
Tract 2: R6MH (Residential [High Density Mobile Home])

Proposed Zoning: Tract 1: CG (General Commercial)
Tract 2: OR(Office-Residential [High Density Multi-Family])

Current Acreage: Tract 1: 4.44 acres
Tract 2: 9.18 acres

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

Points of Access: Fire Tower Road



Location Map

Transportation Background Information

1.) Fire Tower Rd- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lane with raised median	no change
Right of way width (ft)	100	no change
Speed Limit (mph)	45	no change
Current ADT:	33,290 (*)	Ultimate Design ADT: 39,700 vehicles/day (**)
Design ADT:	39,700 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	

Other Information: There are sidewalks along Fire Tower Rd that service this property.

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

Transportation Improvement Program Status: No planned improvements.

Trips generated by proposed use/change

Current Zoning: 1,190 -vehicle trips/day (*) **Proposed Zoning:** 3,300 -vehicle trips/day (*)

Estimated Net Change: increase of 2110 vehicle trips/day (assumes full-build out)

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

Impact on Existing Roads

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

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

Estimated ADT with Proposed Zoning (full build) – 35,270
Estimated ADT with Current Zoning (full build) – 34,004
Net ADT change = 1,266 (4% increase)

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

Estimated ADT with Proposed Zoning (full build) – 34,610

Estimated ADT with Current Zoning (full build) – 33,766

Net ADT change = 844 (2% increase)

Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 3300 trips to and from the site on Fire Tower Rd, which is a net increase of 2110 additional trips per day.

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

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

Bufferyard A (street yard)

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

Street trees may count toward the minimum acreage.

Bufferyard B (no screen required)

Lot Size	Width
Less than 25,000 sq.ft.	4'
25,000 to 175,000 sq.ft.	6'
Over 175,000 sq.ft.	10'

Bufferyard C (screen required)

Width	For every 100 linear feet
10'	3 large evergreen trees 4 small evergreens 16 evergreen shrubs

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

Bufferyard D (screen required)

Width	For every 100 linear feet
20'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs

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

Bufferyard E (screen required)

Width	For every 100 linear feet
30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs

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

Bufferyard F (screen required)

Width	For every 100 linear feet
50'	8 large evergreen trees 10 small evergreens 36 evergreen shrubs

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

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

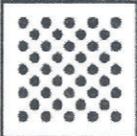
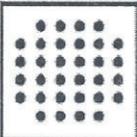
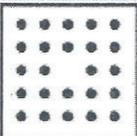
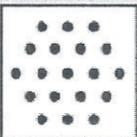
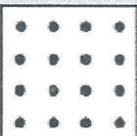
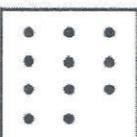
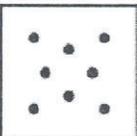
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date:
10/21/2014
Time: 6:30 PM

Title of Item: Request by Bill Clark Homes of Greenville, LLC for a preliminary plat entitled "Langston West, Section 10". The subject property is located approximately 650 feet west of Thomas Langston Road and south of South Bend Drive and south of Ridgewood Elementary School. The property is further identified as a portion of Tax Parcel # 23627. The preliminary plat consists of 7 lots on 3.0817 acres. The property owner is AMA Holdings, LLC.

Explanation: This preliminary plat represents the next section of development at Langston West, Section 10. There is a continuation of the existing sidewalk that will lead toward the Ridgewood Elementary School.

There is a common area across the rear of the properties that leads to the stormwater detention pond. This area will be maintained by a property owner's association. The documents establishing the Homeowner's Association will be reviewed by the City and recorded in the Pitt County Register of Deeds prior to recordation of the final plat.

There is a existing 40 foot drainage easement on the eastern side of the property.

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

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

Attachments / click to download

 [Langston West, Section 10 Preliminary Plat](#)



City of Greenville, North Carolina

Meeting Date:
10/21/2014
Time: 6:30 PM

Title of Item: Zoning Text Amendment requested by Rivers and Associates, Incorporated to Title 9, Chapter 4, Article O. Section 9-4-252 of the City Code to change the required parking spaces for mini-storage warehouse.

Explanation: **Abstract:** Ordinance requested by Rivers and Associates, Incorporated to Title 9, Chapter 4, Article O. Section 9-4-252 of the City Code to change the required parking spaces for mini-storage warehouse.

Explanation: The applicant proposes to change the required parking spaces for mini-storage warehouse. Under the current code, mini-storage warehouse requires 1 parking space per 4 storage units. The proposed amendment would require 5 parking spaces, plus 1 parking space per 100 storage units.

Survey of Other Communities

Asheville: 1 space per 10 storage units, plus 1 space per 2 employees on shift, plus 1 space per 250 square feet of office space

Goldsboro: 1 space per employee, plus 3 customer spaces

Greensboro: 5 spaces

Wilmington: 1 space per 1,000 square feet of gross floor space

Winston-Salem: 5 spaces, plus 1 additional spaces for each 125 storage units or fraction thereof in excess of 500 units

Parking standards for mini-storage warehouses vary among other communities of similar size/character. Staff does not anticipate any negative impacts associated with this amendment.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan.

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

 [Ordinance Mini storage parking standards 990212](#)

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

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the 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 November 13, 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 is reasonable and in the public interest.

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

Section 1: That Title 9, Chapter 4, Article O, Section 9-4-252 of the City Code is hereby amended so that said section reads as follows:

Mini storage warehouses 5 spaces, plus 1 space per 100 units

Section 2. That any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 3. That this ordinance shall become effective immediately upon adoption.

Adopted this 13th day of November, 2014.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

990212



City of Greenville, North Carolina

Meeting Date:
10/21/2014
Time: 6:30 PM

Title of Item: Request initiated by the Planning and Zoning Commission to amend the Horizons: Greenville's Community Plan Focus Area (or commercial node) Map designation for the property located at the intersection of Fire Tower Road and Bayswater Road from a "Neighborhood Focus Area" to a "Regional Focus Area".

Explanation: **Abstract:** Request initiated by the Planning and Zoning Commission to amend the Horizons: Greenville's Community Plan Focus Area (or commercial node) Map designation for the property located at the intersection of Fire Tower Road and Bayswater Road from a "Neighborhood Focus Area" to a "Regional Focus Area".

On September 16, 2014, the Planning and Zoning Commission considered an amendment to the Future Land Use Plan Map (FLUPM) for the property located south of Fire Tower Road between Corey Road and Dudley's Grant Townhomes from a high density residential (HDR) designation to commercial (C) and office/institutional/multi-family (OIMF) designations. The Planning and Zoning Commission voted to recommend approval. At that same meeting, the Commission initiated a request to change the focus area designation in the subject area to a more appropriate designation due to the increase of additional commercial. It was requested that staff determine the appropriate focus area designation that would include both the current and the proposed commercial.

On October 9, 2014, the City Council approved the request to change the FLUPM from high density residential (HDR) to commercial (C). In total, the FLUPM recommends 60+ acres of commercial in the subject area.

Horizons states: "...the location and size of commercial nodes included in this plan are not intended to be static. As the area surrounding the commercial nodes develop, large node definitions and possibly even shifts in location from one intersection to another may be warranted."

A neighborhood focus area is defined as containing less than 40,000 square feet

of conditioned floor space. A regional focus area is defined as containing 400,000+ square feet of conditioned floor space.

Staff would anticipate a build-out of 400,000+ square feet of conditioned floor space. Therefore, staff would recommend a regional focus area designation.

Fiscal Note: No cost to the City.

Recommendation: Staff recommends that City Council approve an ordinance amending Horizons: Greenville's Community Plan Focus Area (or commercial node) Map designation for the property located at the intersection of Fire Tower Road and Bayswater Road from a "Neighborhood Focus Area" to a "Regional Focus Area".

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

Attachments / click to download

 [Focus Area Map](#)

 [Ordinance amending Focus Area Map 990219](#)

ORDINANCE NO. 14-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
AMENDING HORIZONS: GREENVILLE'S COMMUNITY PLAN

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on November 13, 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 Focus Area Map for the following described territory;

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

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

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

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

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

WHEREAS, the Planning and Zoning Commission and the City Council have reviewed the Horizons: Greenville's Community Plan and a public hearing has been held to solicit public comment.

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

Section 1. The Focus Area Map is hereby amended by re-designating from a "Neighborhood Focus Area" to a "Regional Focus Area" for the area described as being located at the intersection of Fire Tower Road and Bayswater Road.

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

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

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

ADOPTED this 13th day of November, 2014.

Allen M. Thomas, Mayor

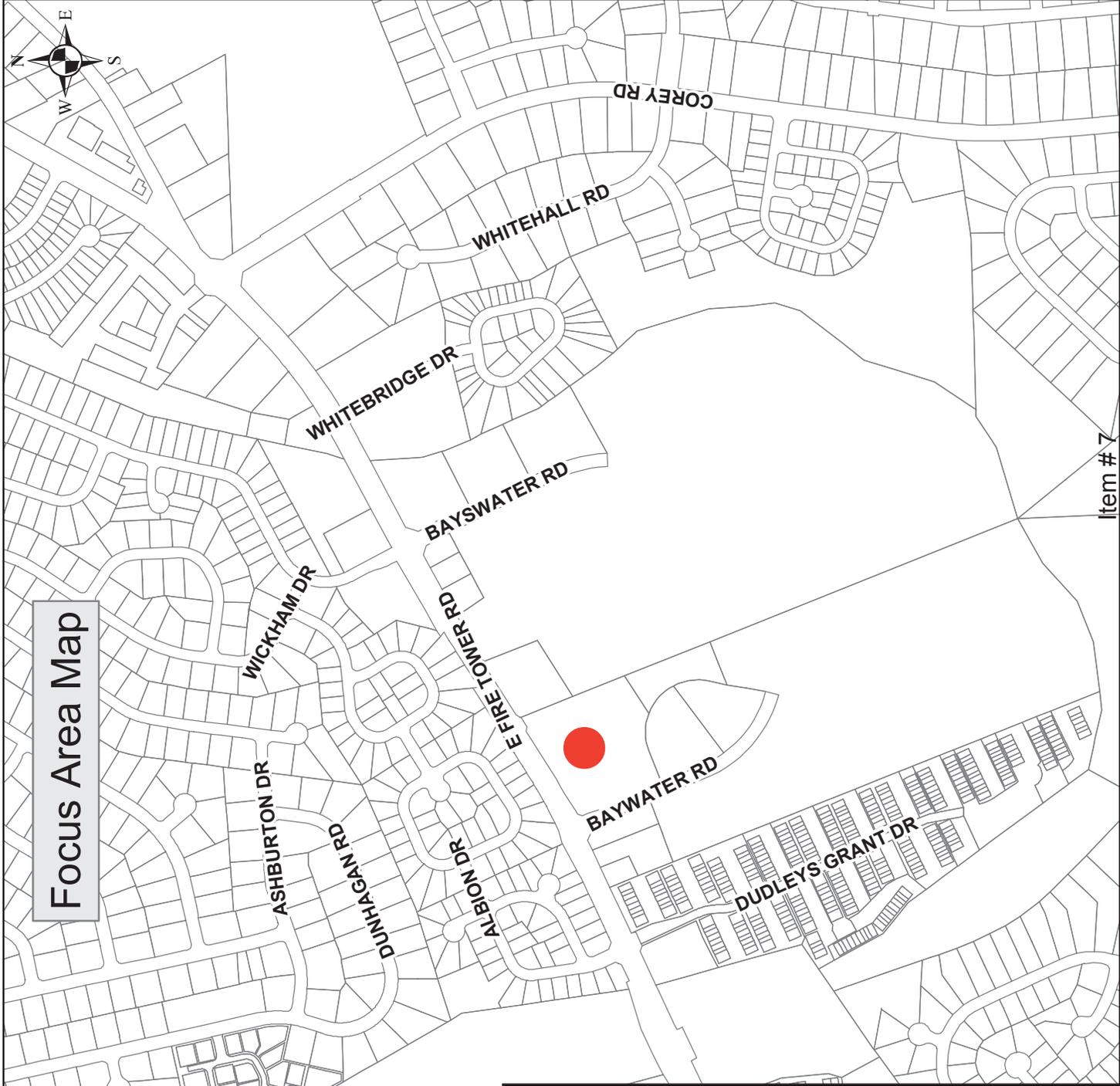
ATTEST:

Carol L. Barwick, City Clerk

990219



Focus Area Map



Item # 7

Legend

- Land Parcels
- Community (175,000 to 350,000)
- Employment Education
- Employment Industrial
- Employment Medical
- Intermediate (50,000 to 150,000)
- Neighborhood (20,000 to 40,000)
- Regional (400,000 plus)