



Agenda

February 12, 2015
7:00 PM
City Council Chambers
200 West Fifth Street

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

I. Call Meeting To Order

II. Invocation - Council Member Glover

III. Pledge of Allegiance

IV. Roll Call

V. Approval of Agenda

VI. Special Recognitions

- Captain Chris Matthews - Graduate of U.S. Fire Administration's National Fire Academy's Executive Fire Officer Program
- Distinguished Budget Presentation Award from the Government Finance Officers Association

VII. Appointments

1. Appointments to Boards and Commissions

VIII. New Business

Public Hearings

2. Ordinance to annex Covington Downe, Block G, Lot 13 and Block B, Lot 13, involving 2.488 acres located along East Arlington Boulevard and 680+/- north of East Fire Tower Road
3. Ordinance requested by Scouts, LLC to rezone 1.50 acres located near the intersection of Tupper

Drive and Old Pactolus Road and 215+/- feet east of Old Pactolus Road from RA20 (Residential-Agricultural) to CH (Heavy Commercial)

4. Ordinance to amend the Zoning Ordinance by revising the size and projection dimensions for projection wall signs and allowing such signs on each side of a building facing a public street or public alley within the CD (Downtown Commercial) zoning district

Public Comment Period

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

Other Items of Business

5. Presentation by East Carolina University Student Government Association

IX. Comments from Mayor and City Council

X. City Manager's Report

XI. Adjournment



City of Greenville, North Carolina

Meeting Date: 2/12/2015
Time: 7:00 PM

Title of Item: Appointments to Boards and Commissions

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

Explanation: City Council appointments need to be made to the Affordable Housing Loan Committee, Board of Adjustment, Firefighters' Relief Fund Committee, Historic Preservation Commission, Human Relations Council, Police Community Relations Committee, Public Transportation and Parking Commission, and Youth Council.

Fiscal Note: No direct fiscal impact.

Recommendation: Make appointments to the Affordable Housing Loan Committee, Board of Adjustment, Firefighters' Relief Fund Committee, Historic Preservation Commission, Human Relations Council, Police Community Relations Committee, Public Transportation and Parking Commission, and Youth Council.

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Attachments / click to download

[Muni_Report_Appointments_to_Boards_and_Commissions_914698](#)

Appointments to Boards and Commissions

February 2015

Affordable Housing Loan Committee

Council Liaison: Council Member Marion Blackburn

Name	District #	Current Term	Reappointment Status	Expiration Date
Kevin Fuell	1	Unexpired	Eligible	Feb. 2015
William Kitchin	5	Unexpired	Eligible	January 2015
Matt Smith	4	Unexpired	Eligible	Feb. 2015

Board of Adjustment

Council Liaison: Mayor Pro-Tem Calvin Mercer

Name	District #	Current Term	Reappointment Status	Expiration Date
William Fleming (Mayor Allen Thomas)	1	First term	Resigned	June 2015

Firefighters' Relief Fund Committee

Council Liaison: Not Applicable

Name	District #	Current Term	Reappointment Status	Expiration Date
William Franklin	4	Third term	Ineligible	January 2015
George Powell	5	Third term	Resigned	January 2016

Historic Preservation Commission

Council Liaison: Council Member Kandie Smith

Name	District #	Current Term	Reappointment Status	Expiration Date
Kerry Carlin	1	First term	Eligible	January 2015

Charles Gee	3	Unexpired term	Eligible	January 2015
David Hursh	3	Unexpired term	Eligible	January 2015
Sara Larkin	3	First term	Resigned	January 2015
Richard Weir	5	First term	Eligible	January 2015

Human Relations Council

Council Liaison: Council Member Rose Glover

Name	District #	Current Term	Reappointment Status	Expiration Date
Robert Hudak	4	Second term	Ineligible	Sept. 2014

Police Community Relations Committee

Council Liaison: Council Member Rose Glover

Name	District #	Current Term	Reappointment Status	Expiration Date
Aaron Lucier <i>(Council Member Richard Croskery)</i>	2	Unexpired term	Resigned	October 2015

Public Transportation and Parking Commission

Council Liaison: Council Member Richard Croskery

Name	District #	Current Term	Reappointment Status	Expiration Date
Charles Moore	3	Unexpired term	Eligible	January 2015
Will Russ	4	Unexpired term	Eligible	January 2015
Marsha Wyly	4	Second term	Ineligible	January 2015

Youth Council

Council Liaison: Mayor Pro-Tem Calvin Mercer

Name	District #	Current Term	Reappointment Status	Expiration Date
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7 Available Spots

Applicants for Affordable Housing Loan Committee

Godfrey Bell
PO Box 91 – 300 Memorial Drive
Greenville, NC 27835

Application Date: 6/20/2013

District #: 1

Home Phone: (252) 916-6381

Business Phone:

Email: gbellsr1@earthlink.net

Terri Williams
PO Box 3109
Greenville, NC 27836

Application Date: 1/04/2014

District #: 4

Home Phone: (252) 756-9346

Business Phone: (252) 756-3500

Email: twilliams110@suddenlink.net

Applicants for Board of Adjustment

Sharon D. Gray
3402 Governors Lane
Greenville, NC 27858

Application Date: 5/29/2014

District #: 3

Home Phone: (252) 565-5757
Business Phone:
Email: graysdg@hotmail.com

Robert Kevin Howard
2745 North Chatham Court
Winterville, NC 28590

Application Date: 5/29/2014

District #: 2

Home Phone: (252) 258-7900
Business Phone: (252) 227-4313
Email: gvegasmagazine@hotmail.com

Dustin Mills
504 Daventry Drive
Greenville, NC 27858

Application Date: 10/01/2014

District #: 5

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

Tyrone O. Walston
2706 Webb Street
Greenville, NC 27834

Application Date: 6/6/2014

District #: 2

Home Phone: (252) 412-7351
Business Phone: (252) 355-8736
Email: walston.tyrone@gmail.com

Uriah Ward
106 Osceola Drive
Greenville, NC 27858

Application Date: 5/7/2013

District #: 3

Home Phone: (252) 565-2038
Business Phone:
Email: uriahward@yahoo.com

Applicants for Firefighters' Relief Fund Committee

None.

Applicants for Historic Preservation Commission

Jamitress Bowden
111 Brownlea Drive Apt. O
Greenville, NC 27858

District #: 3

Dustin Mills
504 Daventry Drive
Greenville, NC 27858

District #: 5

Tyrone O. Walston
2706 Webb Street
Greenville, NC 27834

District #: 2

Application Date:

Home Phone:

Business Phone:

Email: jamitressbowden@gmail.com

Application Date: 4/9/2012

Home Phone: (919) 480-0791

Business Phone: (252) 558-0207

Email: dmills@pirhl.com

Application Date: 1/27/2015

Home Phone: (252) 412-7351

Business Phone: (252) 355-8736

Email: walston.tyrone@gmail.com

Applicants for Human Relations Council

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

District #: 4

Bridget Moore
4128A Bridge Court
Winterville, NC 28590

District #: 5

Travis Williams
3408 Evans Street Apt. E
Greenville, NC 27834

District #: 5

Application Date: 4/15/2013

Home Phone: (252) 227-4240
Business Phone: (252) 328-2950
Email: aeleonor@suddenlink.net

Application Date: 8/28/2014

Home Phone: (252) 355-7377
Business Phone: (252) 355-0000
Email: bmoore2004@netzero.com

Application Date:

Home Phone: (252) 412-4584
Business Phone:
Email: taft1986@yahoo.com

Applicants for Police Community Relations Committee

Sharon D. Gray
3402 Governors Lane
Greenville, NC 27858

Application Date: 5/29/2014

Home Phone: (252) 565-5757

Business Phone:

Email: graysdg@hotmail.com

District #: 3

Applicants for Public Transportation and Parking Commission

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

Application Date: 12/10/2014

District #: 3

Kellie Gonzalez
3936 Dunhagen Rd.
Greenville, NC

Application Date: 9/12/2014

District #:

Home Phone: (252) 752-5278

Business Phone:

Email: kiltedmile@aol.com

Home Phone: (919) 791-5841

Business Phone:

Email:

Applicants for Youth Council

None.



City of Greenville, North Carolina

Meeting Date: 2/12/2015
Time: 7:00 PM

Title of Item: Ordinance to annex Covington Downe, Block G, Lot 13 and Block B, Lot 13, involving 2.488 acres located along East Arlington Boulevard and 680+/- north of East Fire Tower Road

Explanation: **Abstract:** The City received a voluntary annexation petition to annex Covington Downe, Block G, Lot 13 and Block B, Lot 13, involving 2.488 acres located along East Arlington Boulevard and 680+/- north of East Fire Tower Road. The subject areas are currently undeveloped and are anticipated to accommodate 21,675+/- square feet of commercial space.

ANNEXATION PROFILE

A. SCHEDULE

1. Advertising date: February 2, 2015
2. City Council public hearing date: February 12, 2015
3. Effective date: June 30, 2015

B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 2.4488
4. Voting Districts: 4 and 5
5. Township: Winterville
6. Vision Area: D

- 7. Zoning: CG (General Commercial)
- 8. Land Use: Existing: Vacant
Anticipated: 21,675+/- square feet of commercial space
- 9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	-----	0
Current Minority	-----	0
Estimated Minority at full development	-----	0
Current White	-----	0
Estimated White at full development	-----	0

* - 2.2 people per household in Greenville

- 10. Rural Fire Tax District: Rural Winterville
- 11. Greenville Fire District: Station #3 (Distance of 3.0 miles)
- 12. Present Tax Value: \$424,313
Estimated Future Tax Value: \$2,601,813

Fiscal Note: The total estimated tax value at full development is \$2,601,813.

Recommendation: Approve the attached ordinance to annex Covengton Downe, Block G, Lot 13 and Block B, Lot 13.

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

Attachments / click to download

- [Survey](#)
- [Ordinance Covengton Downe Blck G Lot 13 and Block B Lot 13 996425](#)

ORDINANCE NO. 15-
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the City Council has directed the City Clerk to investigate the sufficiency of said petition; and

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall at 7:00 p.m. on the 12th day of February, 2015, after due notice by publication in The Daily Reflector on the 2nd day of February, 2015; and

WHEREAS, the City Council does hereby find as a fact that said petition meets the requirements of G. S. 160A-31, as amended.

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

Section 1. That by virtue of the authority vested in the City Council of the City of Greenville, North Carolina, under G. S. 160A-31, as amended, the following described contiguous territory is annexed:

TO WIT: Being all of that certain property as shown on the annexation map entitled “Covengton Downe, Block G, Lot 13 and Block B, Lot 13”, involving 2.488 acres as prepared by Gary S. Miller & Associates, P.A.

LOCATION: Lying and being situated in Winterville Township, Pitt County, North Carolina, located along East Arlington Boulevard and 680+/- feet north of East Fire Tower Road.

GENERAL DESCRIPTION (Tract 1):

Beginning at an existing PK nail located at the intersection of the southeast property corner of the property belonging to Salter Path Camp Ground, Inc. as recorded in Deed Book 2121, Pages 719-722 and Map Book 60, Page 87, Pitt County Registry and the western right of way of E. Arlington Boulevard; thence running along the western right of way of E. Arlington Boulevard with a curve to the right having a radius of 1,113.70 feet a chord bearing and distance S 18-08-55 E, 242.72 feet to an iron pipe set; thence continuing along the western right of way of E. Arlington Boulevard S 11-56-30 E, 60.05 feet to an iron pipe set located on the western right of way of E. Arlington Boulevard; thence leaving the western right of way of E. Arlington Boulevard S 78-01-26 W, 165.83 feet to an iron pipe set; thence N 11-55-56 W, 94.76 feet to an existing iron pipe; thence S 78-04-16 W, 10.00 feet to an iron pipe set; thence N 13-42-48 W, 201.96 feet to an iron pipe set; thence N 76-17-12 E, 155.89 feet to the point of beginning containing 1.153 acres.

GENERAL DESCRIPTION (Tract 2):

Beginning at an iron pipe set located at the intersection of the northern right of way of Turnbury Drive and the eastern right of way of E. Arlington Boulevard; thence running along the northern right of way of Turnbury Drive N 76-18-20 E, 244.95 feet to an iron pipe set; thence leaving the northern right of way of Turnbury Drive S 13-41-40 E, 248.00 feet to an existing iron pipe; thence S 76-17-03 W, 232.38 feet to an existing iron pipe located on the eastern right of way of E. Arlington Boulevard; thence running along the eastern right of way of E. Arlington Boulevard the following courses and distances N 11-55-22 W, 28.71 feet to an iron pipe set; thence with a curve to the left having a radius of 1,193.70 feet a chord bearing and distance N 17-12-19 W, 219.80 feet to the point of beginning containing 1.335 acres.

Section 2. Territory annexed to the City of Greenville by this ordinance shall, pursuant to the terms of G. S. 160A-23, be annexed into Greenville municipal election districts four and five. The City Clerk, City Engineer, representatives of the Board of Elections, and any other person having responsibility or charge of official maps or documents shall amend those maps or documents to reflect the annexation of this territory into municipal election districts four and five.

Section 3. The territory annexed and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Greenville and shall be entitled to the same privileges and benefits as other territory now within the City of Greenville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 4. The Mayor of the City of Greenville, North Carolina, shall cause a copy of the map of the territory annexed by this ordinance and a certified copy of this ordinance to be recorded in the office of the Register of Deeds of Pitt County and in the Office of the Secretary

of State in Raleigh, North Carolina. Such a map shall also be delivered to the Pitt County Board of Elections as required by G.S. 163-288.1.

Section 5. This annexation shall take effect from and after the 30th day of June, 2015.

ADOPTED this 12th day of February, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

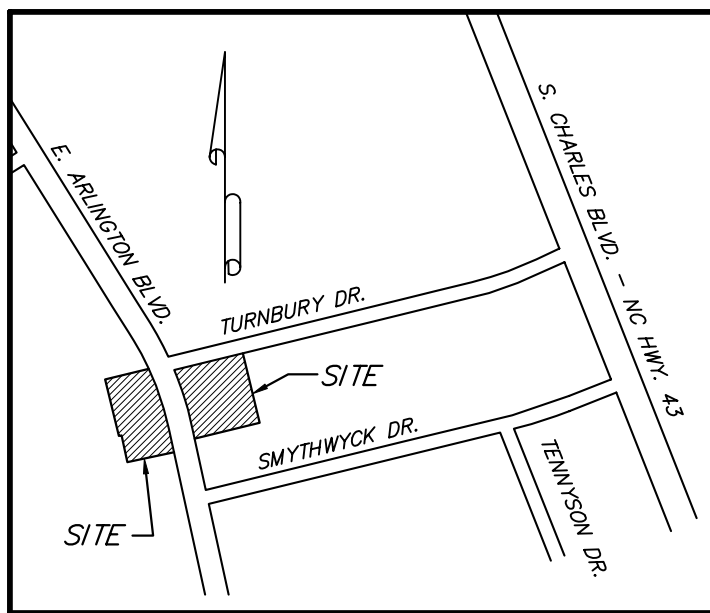
NORTH CAROLINA
PITT COUNTY

I, _____, a Notary Public for said County and State, certify that Carol L. Barwick personally came before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by its Mayor, sealed with the corporate seal, and attested by herself as its City Clerk.

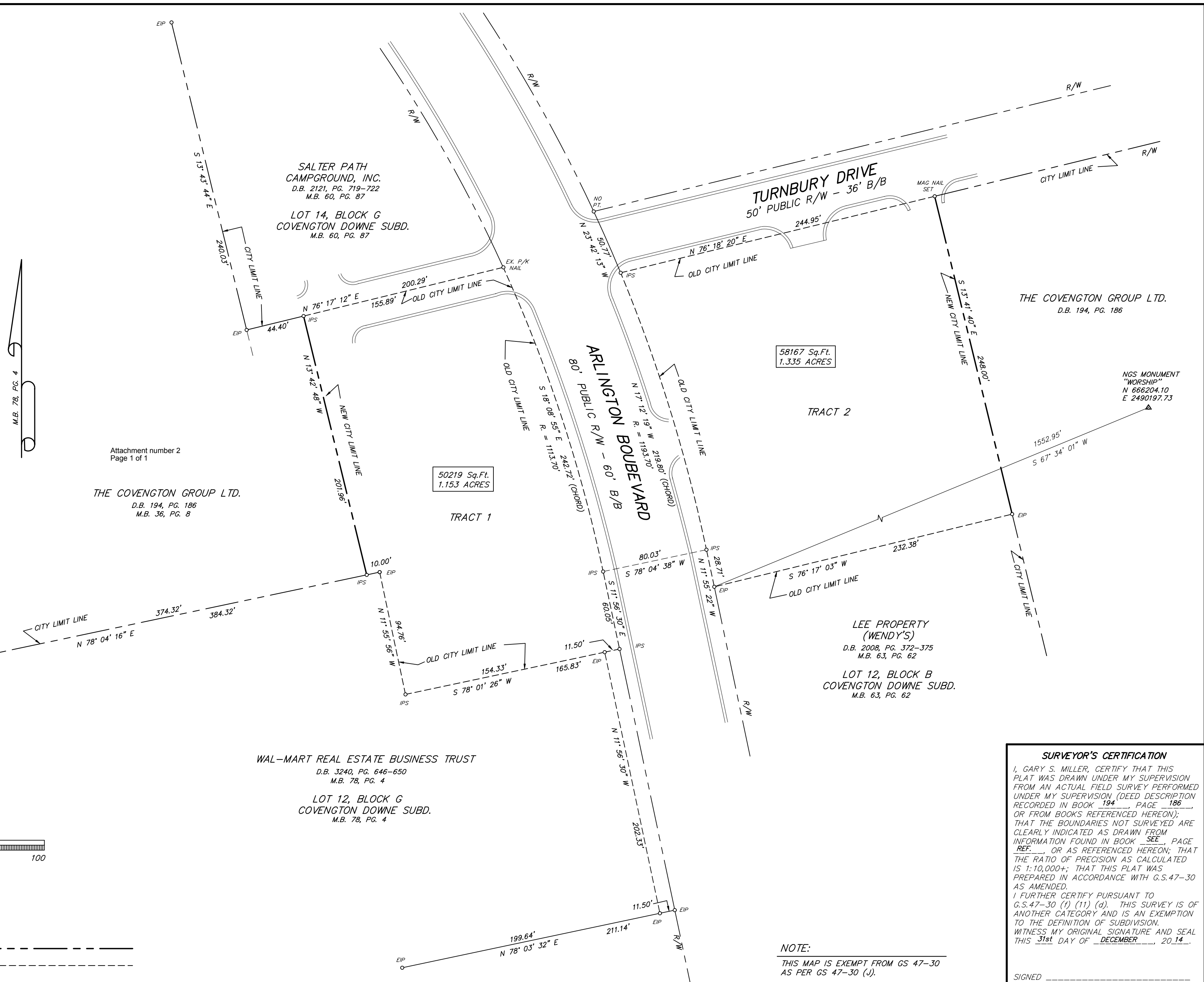
WITNESS my hand and official seal this ____ day of _____, 2015.

Notary Public

My Commission Expires: _____

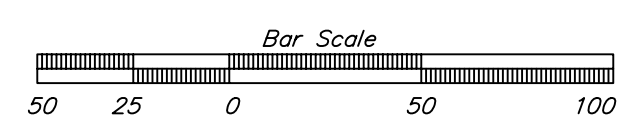


VICINITY MAP NO SCALE



Attachment number 2
Page 1 of 1

- LEGEND:**
- EIP - EXISTING IRON PIPE
 - IPS - IRON PIPE SET
 - P/K - PARKER/KALON NAIL
 - NGS - NATIONAL GEODETIC SURVEY
 - R/W - RIGHT OF WAY
 - B/B - BACK TO BACK



- LEGEND**
- NEW CITY LIMIT -----
 - OLD CITY LIMIT - - - - -
 - CITY LIMIT -----

SURVEYOR'S CERTIFICATION

I, GARY S. MILLER, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 194 PAGE 186 OR FROM BOOKS REFERENCED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK SEE PAGE REF. OR AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f) (11) (d). THIS SURVEY IS OF ANOTHER CATEGORY AND IS AN EXEMPTION TO THE DEFINITION OF SUBDIVISION. WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 31st DAY OF DECEMBER, 2014.

SIGNED _____
PROFESSIONAL LAND SURVEYOR NO. L-2562

NOTE:
THIS MAP IS EXEMPT FROM GS 47-30 AS PER GS 47-30 (J).

ANNEXATION MAP FOR
COVENGTON DOWNE
LOT 13 BLOCK G & LOT 13, BLOCK B
BEING A PORTION OF TAX PARCEL # 04191, AND A PORTION OF TAX PARCEL # 33117
WINTERVILLE TWP., PITT CO., N.C.

MAP NO.	PLATS RECORDED	BOOK	PAGE

MAP SHOWING AREA ANNEXED BY
THE CITY OF GREENVILLE, N.C.

DATE: _____ ORDINANCE NO. _____ AREA: 2.488 AC.
WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

GARY S. MILLER & ASSOCIATES, P.A.
LAND SURVEYORS
1803 South Charles Blvd.
Greenville, N.C. 27859
Phone: (252)756-7878
Fax: (252)756-0785

SURVEYED: MCP APPROVED: GSM
DRAWN: BLW DATE: 12-30-11
CHECKED: TEM SCALE: 1" = 50'



City of Greenville, North Carolina

Meeting Date: 2/12/2015
Time: 7:00 PM

Title of Item: Ordinance requested by Scouts, LLC to rezone 1.50 acres located near the intersection of Tupper Drive and Old Pactolus Road and 215+/- feet east of Old Pactolus Road from RA20 (Residential-Agricultural) to CH (Heavy Commercial)

Explanation: **Abstract:** The City has received a request from Scouts, LLC to rezone 1.50 acres located near the intersection of Tupper Drive and Old Pactolus Road and 215+/- feet east of Old Pactolus Road from RA20 (Residential-Agricultural) to CH (Heavy Commercial).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on January 5, 2015.
On-site sign(s) posted on January 5, 2015.
City Council public hearing notice (property owner and adjoining property owner letter) mailed on January 27, 2015.
Public hearing legal advertisement published on February 2 and February 9, 2015

Comprehensive Plan:

The subject site is located in Vision Area B.

Old Pactolus Road is considered a residential corridor. Along residential corridors, service and retail activities should be specifically restricted to the associated focus area, and linear expansion should be prohibited.

There is a designated regional focus area at the intersection of Greenville Boulevard and US Highway 264. These nodes typically contain 400,000+ square feet of conditioned floor space.

The Future Land Use Plan Map recommends commercial (C) at the intersection of Greenville Boulevard and US Highway 264 transitioning to conservation/open

space (COS) to the east.

The Future Land Use Map identifies certain areas for conservation/open space uses. The map is not meant to be dimensionally specific, and may not correspond precisely with 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 Land Use Plan designations, contextual considerations, and the general policies of the Comprehensive Plan.

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

Based on the analysis comparing the existing zoning (67 daily trips) and requested rezoning, the proposed rezoning classification could generate 51 trips to and from the site on Tupper Drive, which is a net *decrease* of 16 trips per day. Since the traffic analysis for the requested rezoning indicates that the proposal would generate less traffic than the existing zoning, a traffic volume report was not generated.

History/Background:

In 1989, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned RA20 (Residential-Agricultural) as part of a large-scale ETJ expansion.

Present Land Use:

Seegar's Fence Company

Water/Sewer:

Water is available along Tupper Drive. Sanitary sewer is located at the intersection of US Highway 264 and North Drive.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

The property is impacted by the 500-year and 100-year floodplains.

Surrounding Land Uses and Zoning:

North: CH -Vacant
South: CH - Vacant
East: RA20 - Vacant
West: CH - LBA University

Density Estimates:

Under the current zoning (RA20), the site could accommodate no more than 7 single-family lots.

Under the proposed zoning (CH), the site could accommodate 14,375+/- square feet of commercial space.

The anticipated build-out is 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 and the Future Land Use Plan Map.

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

The Planning and Zoning Commission voted to approve the request at its January 20, 2015 meeting.

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

If City Council determines to deny the zoning map amendment, in order to comply with this statutory requirement, it is recommended that the motion be as follows:

Motion to deny the request to rezone and to make a finding and determination that the rezoning request is inconsistent with the adopted comprehensive plan including, but not limited to, Objective UF 20 to concentrate higher intensity uses in employment and focus areas, and further that the denial of the rezoning request is reasonable and in the public interest due to the rezoning request does not promote, in addition to the furtherance of other goals and objectives, the safety and general welfare of the community by concentrating higher intensive uses in focus areas which helps to preserve the carrying capacity of streets.

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

- [Map, Survey, and Density Charts](#)
 - [Ordinance Scouts LLC 996053](#)
 - [Minutes Scouts LLC 996059](#)
 - [List of Uses RA20 to CH 966805](#)
-

ORDINANCE NO. 15-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 12th day of February, 2015, at 7:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Objective UF20 to concentrate higher intensive uses in employment and focus areas; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, promote the safety and general welfare of the community by concentrating higher intensive uses in focus areas which helps to preserve the carrying capacity of streets.

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

Section 1. That the following described territory is rezoned from RA20 (Residential-Agricultural) to CH (Heavy Commercial).

TO WIT: Scouts, LLC Property

LOCATION: Located near the intersection of Tupper Drive and Old Pactolus Road and 215+/- feet east of Old Pactolus Road.

DESCRIPTION: LYING AND BEING IN PACTOLUS TOWNSHIP, PITT COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING IRON STAKE AT THE CORNER OF LOTS 5-A AND 5-B, NORTHSIDE COMMERCIAL CENTER, SAID CORNER BEING THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING WITH A CURVE HAVING A RADIUS OF 161.39 FEET, N 50°17'43" E 90.00 FEET TO A NEW IRON PIPE; THENCE S 47°34'29" E 404.39 FEET TO AN NEW IRON PIPE; THENCE S 11°07'00" W 75.68 FEET TO AN EXISTING IRON PIPE; THENCE N 89°06'04" W 228.72 FEET TO AN IRON PIPE; THENCE N 23°31'04" W 311.90 FEET TO AN EXISTING IRON ROD, SAID POINT BEING THE POINT OF BEGINNING, CONTAINING 1.50 ACRES, MORE OR LESS.

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

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

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

ADOPTED this 12th day of February, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Doc. # 996053

Excerpt from the DRAFT Planning & Zoning Commission Minutes (01/20/2015)

ORDINANCE REQUESTED BY SCOUTS, LLC TO REZONE 1.50 ACRES LOCATED NEAR THE INTERSECTION OF TUPPER DRIVE AND OLD PACTOLUS ROAD AND 215+/- FEET EAST OF OLD PACTOLUS ROAD FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO CH (HEAVY COMMERCIAL).- APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated the property is located in the northeastern section of the City, near the intersection of US Highway 264 and Greenville Boulevard and specifically along Tupper Drive. Currently, the Seegar's Fence Company is located on the property. Most of the uses in the area are commercial, institutional and vacant. The property is impacted by the 500 and 100-year floodplains. The property is considered to be part of the regional focus area located at US Highway 264 and Greenville Boulevard, where commercial is anticipated and encouraged. Due to a small change in traffic, a volume report was not prepared. In 1989, the property was incorporated into the City's ETJ, as part of a large-scale ETJ extension, and zoned RA20 (Residential-Agricultural). Under the current zoning, the property could accommodate 7 single-family lots. Under the requested zoning CH (Heavy Commercial), it could accommodate 14,375+/- square feet of commercial space. Since the property does not have frontage along a major highway, staff does not anticipate retail or restaurant uses. The Future Land Use Plan Map recommends commercial at the intersection of US Highway 264 and Greenville Boulevard. In staff's opinion, the request is in compliance with Horizon's Greenville Community Plan and the Future Land Use Plan Map.

Mr. Weitz asked when the current use was established on this site.

Ms. Gooby stated in the 1980's.

Mr. Weitz asked if it was there before it was brought into the City's ETJ and remained a nonconforming use.

Ms. Gooby stated yes.

Chairwoman Basnight opened the public hearing.

Mr. Ben Purvis, representative for the applicant, spoke in favor of the request.

Mr. Weitz asked if the site had experienced flooding and if so how much.

Mr. Purvis stated yes, during hurricane Floyd and it was severe.

No one spoke in opposition of the request.

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

Mr. Weitz stated this is an appropriate rezoning request from a land use standpoint. It is surrounded by heavy commercial and little residential. He has reservations about building in the

floodplain, but supports the request since there are ordinances and standards in place when building in the floodplain.

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

EXISTING ZONING

RA20 (Residential-Agricultural)

Permitted Uses

(1) General:

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

(2) Residential:

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

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

(4) Governmental:

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

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)
- c. Wayside market for farm products produced on site
- e. Kennel (see also section 9-4-103)
- f. Stable; horse only (see also section 9-4-103)
- g. Stable; per definition (see also section 9-4-103)
- h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical: None*

(8) Services:

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

(9) Repair: None*

(10) Retail Trade: None*

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

(12) Construction:

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

(13) Transportation: None*

*(14) Manufacturing/ Warehousing: * None*

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

RA20 (Residential-Agricultural)
Special Uses

(1) *General*:* None

(2) *Residential*:

- b. Two-family attached dwelling (duplex)
- g. Mobile Home
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility

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

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

(4) *Governmental*:

- a. Public utility building or use

(5) *Agricultural/ Mining*:

- b. Greenhouse or plant nursery; including accessory sales

(6) *Recreational/ Entertainment*:

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

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

(8) *Services*:

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)

(9) *Repair*:* None

(10) *Retail Trade*:* None

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

(12) *Construction*:* None

(13) *Transportation*:* None

(14) *Manufacturing/ Warehousing*: * None

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

PROPOSED ZONING

CH (Heavy Commercial)
Permitted Uses

(1) *General*:

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

(2) *Residential*:* None

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

(4) *Governmental*:

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

(5) *Agricultural/ Mining*:

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

(6) *Recreational/ Entertainment*:

- b. Golf course; par three
- c. Golf driving range
- c.(1). Tennis club; indoor and outdoor facilities
- e. Miniature golf or putt-putt course
- f. Public park or recreational facility
- h. Commercial recreation; indoor only, not otherwise listed
- i. Commercial recreation; indoor and outdoor, not otherwise listed
- j. Bowling alleys
- n. Theater; movie or drama, indoor only
- o. Theater; movie or drama, including outdoor facility
- q. Circus, carnival or fair, temporary only (see also section 9-4-103)
- s. Athletic club; indoor only
- t. Athletic club; indoor and outdoor facility

(7) *Office/ Financial/ Medical*:

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

(8) *Services*:

- c. Funeral home

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

(9) Repair:

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

(10) Retail Trade:

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

- y. Auto part sales (see also major and minor repair)
- aa. Pawnbroker
- bb. Lawn and garden supply and household implement sales and accessory sales
- cc. Farm supply and commercial implement sales
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

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

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

(12) Construction:

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

(13) Transportation:

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

(14) Manufacturing/ Warehousing:

- a. Ice plant and freezer lockers
- b. Dairy; production, storage and shipment facilities
- c. Bakery; production, storage and shipment facilities
- g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholster
- h. Engraving; metal, glass or wood
- i. Moving and storage of nonhazardous materials; excluding outside storage
- k. Mini-storage warehouse, household; excluding outside storage
- m. Warehouse; accessory to approved commercial or industrial uses within a district; excluding outside storage
- u. Tire recapping or retreading plant

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

CH (Heavy Commercial)
Special Uses

(1) General: None*

(2) Residential:

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

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

(4) Governmental: None*

(5) *Agricultural/ Mining:** None

(6) *Recreational/ Entertainment:*

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

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

(8) *Services:*

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

(9) *Repair:*

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

(10) *Retail Trade:*

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

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

(12) *Construction:** None

(13) *Transportation:** None

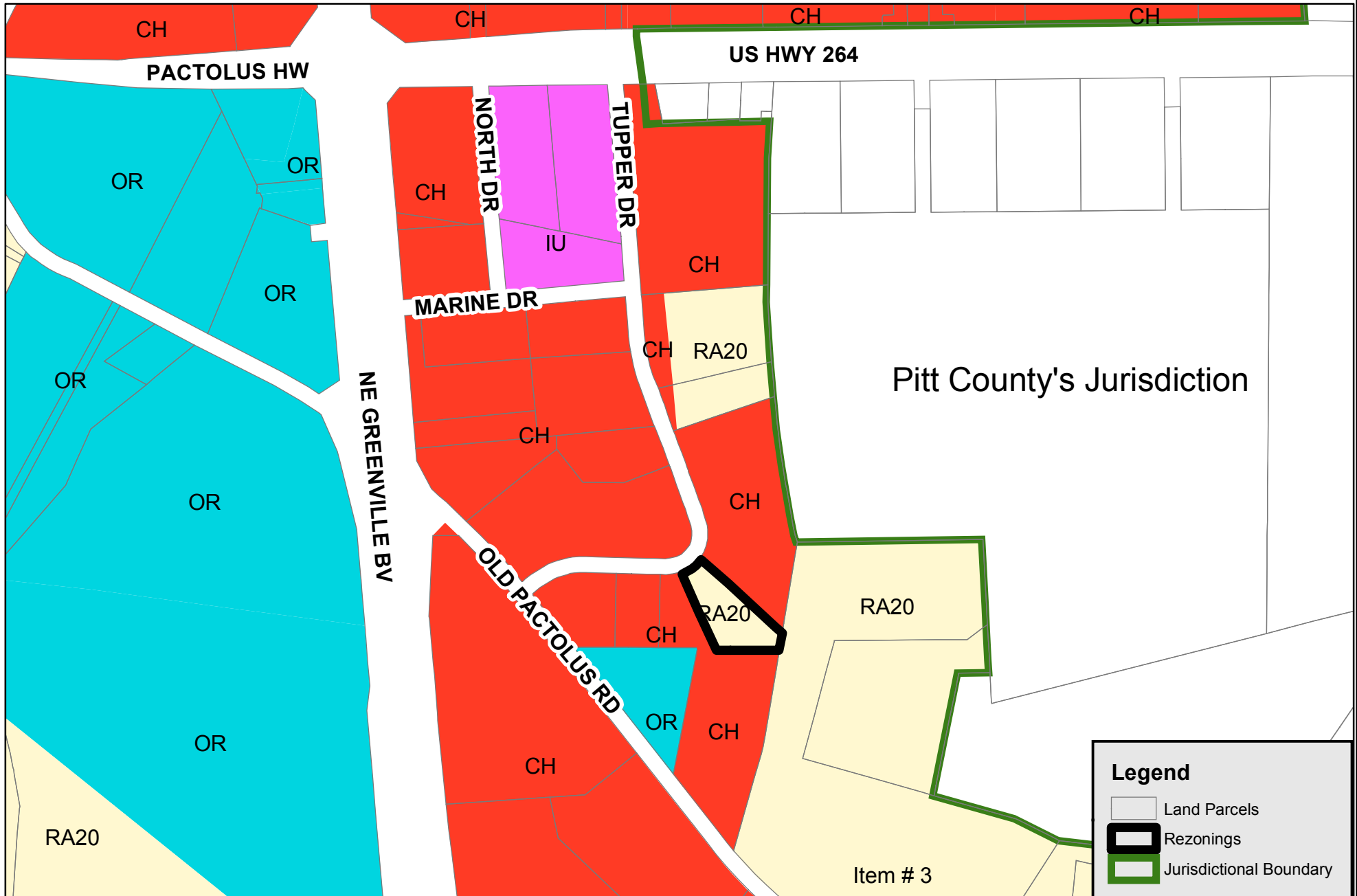
(14) *Manufacturing/ Warehousing:*

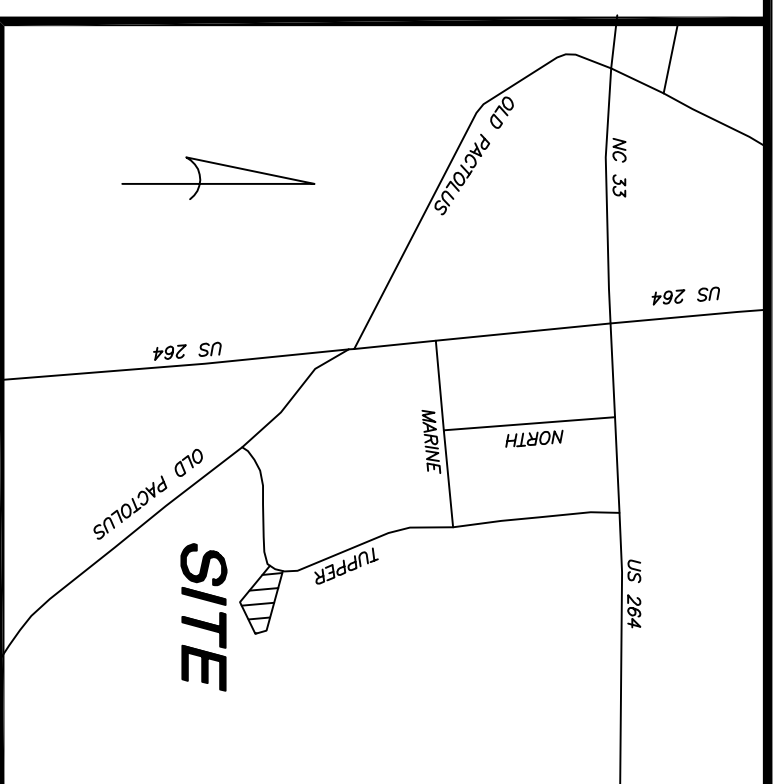
- d. Stone or monument cutting, engraving
- j. Moving and storage; including outside storage
- l. Warehouse or mini-storage warehouse, commercial or industrial; including outside storage
- y. Recycling collection station or facilities

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

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

Scouts, LLC
1.50 acres
From: RA20 To: CH
January 5, 2015





VICINITY MAP
1" = 1000'

MINI STORAGE OF GREENVILLE, INC.
DEED BOOK E-47, PAGE 288
CURRENT ZONING: CH

TUPPER DRIVE
(60' PUBLIC R/W - 20' PAVEMENT)

HB WIRELESS, LLC
DEED BOOK 1128, PAGE 379
CURRENT ZONING: CH

E. HOOVER TAFT, ETAL
DEED BOOK 3077, PAGE 222
CURRENT ZONING: CH

AREA - 150 ACRES
CURRENT ZONING: RA-20
PROPOSED ZONING: CH

IGLESIA PENTECOSTAL UNIDA, INC.
DEED BOOK 253, PAGE 670
CURRENT ZONING: OR

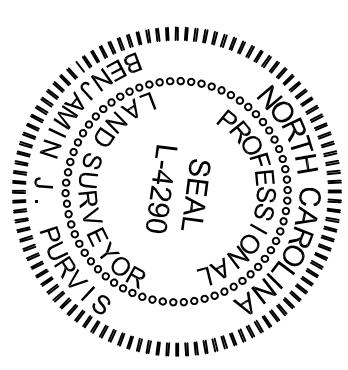
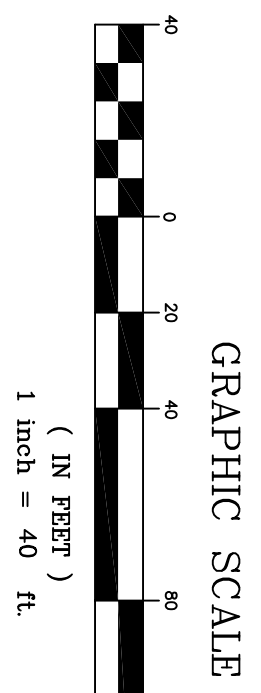
IGLESIA PENTECOSTAL UNIDA, INC.
DEED BOOK 2969, PAGE 401
CURRENT ZONING: CH

JOSEPH TAFT, JR., ETAL
DEED BOOK T-41, PAGE 255
CURRENT ZONING: RA-20

- REFERENCES**
- DEED BOOK 1172, PAGE 149
 - DEED BOOK 786, PAGE 633
 - MAP BOOK 42, PAGE 142
- NOTES.**
1. IRON STAKES LOCATED AT ALL CORNERS, EXCEPT AS NOTED OTHERWISE.
 2. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS.
 3. ALL BEARINGS ARE BASED ON N.C. GRID (NAD 83)
 4. AREA CALCULATED BY COORDINATES.
 5. THIS SURVEY PERFORMED WITHOUT BENEFIT OF A TITLE REPORT.
 6. THIS PROPERTY DOES NOT APPEAR TO BE LOCATED IN A SPECIAL FLOOD HAZARD AREA.
 7. AREA EXCLUDES STREET RIGHT OF WAY.
 8. ADJACENT OWNERS WITHIN 100' AS SHOWN.
 9. NO GEODETIC CONTROL FOUND WITHIN 2000'.

LEGEND

- EXISTING IRON PIPE EIP
- EXISTING IRON ROD EIR
- IRON PIPE SET IPS
- OVERHEAD ELECTRIC -E-
- RIGHT OF WAY R/W



I, BENJAMIN J. PURVIS, HEREBY CERTIFY THAT THIS PLAT WAS DRAWN BY ME FROM AN ACTUAL FIELD SURVEY PERFORMED BY ME FROM DEED DESCRIPTIONS RECORDED IN BOOKS REFERENCED HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THE AREA IS COMPUTED BY COORDINATE METHOD; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-50 AS AMENDED AND THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY; I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f) (11) d. THAT THIS SURVEY IS OF ANOTHER CATEGORY; THAT THE GLOBAL POSITIONING SYSTEM (GPS) SURVEY AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE GNSS SURVEY:

CLASS OF SURVEY: A
POSITIONAL ACCURACY: .06'
TYPE OF GPS FIELD PROCEDURE: NC RTN
DATE OF SURVEY: 12/09/2014
DATUM/EPOCH: NAD 83/MSRS 2007
PUBLISHED/FIXED CONTROL USE: FIXED CONTROL
GEOID MODEL: GEOID 12A
COMBINED FACTOR: 0.99989859
UNITS: US SURVEY FEET

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 12TH DAY OF DECEMBER, A.D., 2014.
Benjamin J. Purvis
BENJAMIN J. PURVIS, P.L.S. L-4290

REZONING PLAT FOR
SCOUTS, LLC

TRACT 5-B, NORTHSIDE COMMERCIAL CENTER
PACTOLUS TOWNSHIP, PITT COUNTY, NORTH CAROLINA

BENJAMIN J. PURVIS, P.L.S.		APPROVED	
2004 B. EAST 3RD, ST. Greenville, N.C. 27858 (252) 341-5588		DATE	12-12-2014
SURVEYED	BJP	DRAWN	BJP
CHECKED	BJP	SCALE	1" = 40'

Scouts, LLC
1.50 acres
From: RA20 To: CH
January 5, 2015



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.

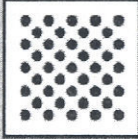
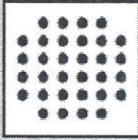
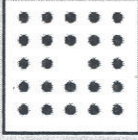
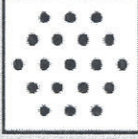

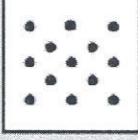
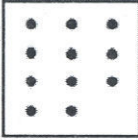
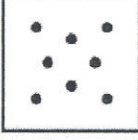
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons 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: 2/12/2015
Time: 7:00 PM

Title of Item: Ordinance to amend the Zoning Ordinance by revising the size and projection dimensions for projection wall signs and allowing such signs on each side of a building facing a public street or public alley within the CD (Downtown Commercial) zoning district

Explanation: **Abstract:** The Planning Division has initiated this text amendment to increase the maximum allowed sign area and number of projection wall signs to help align them with the maximum wall signs allowed throughout the remainder of the city.

Explanation: The Zoning Ordinance currently only allows projection wall signs in the CD (Downtown Commercial) zoning district; however, the maximum size sign allowed is ten square feet, whereas typical wall signs throughout the entire city are allowed to be at least 50 square feet as a default minimum allowed sign surface area, regardless of the lot or building size.

This text amendment allows properties with frontage having 100 feet or less to have a maximum area of 15 square feet projection wall sign, allows properties with frontage having more than 100 feet to have a maximum of 30 square foot projection wall sign, and allows properties with frontage having more than 100 feet and with at least a three-story building located on the property with a height of at least 40 feet and a building lot coverage area of at least 80% of the property to have a maximum projection wall sign of 50 square feet. This text amendment also increases the maximum dimension projection wall signs may extend past the wall they are mounted to from 3 feet to 4 feet.

The Zoning Ordinance currently allows only one wall projection sign per establishment. This text amendment allows one projection wall sign for each side of a building that fronts a public street or public alley.

Map 1 identifies the CD (Downtown Commercial) zoning district where the projection wall sign text amendment is applicable (Attached). Proposed text amendments are illustrated in the attached ordinance using underlined text to

denote regulations to be added and stricken text to denote regulations to be deleted.

Fiscal Note: There is no anticipated fiscal impact.

Recommendation: In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan, Implementation Section, Vision Areas Subsection, Central, Management Action H5, which states, "Develop the downtown as the cultural, recreational, and entertainment center of the City."

Center City West Greenville Revitalization Plan, Chapter 2, Market Feasibility – Housing, Retail and Entertainment Uses, V. Strategy Implications, Goal 2 states, "Reposition and revitalize downtown as a new and vibrant activity center for the city and the region."

The Planning and Zoning Commission voted to recommend approval of the request at its January 20, 2015 meeting.

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

If the City Council determines to deny the text amendment, in order to comply with statutory requirements, it is recommended that the motion be as follows:

"Motion to deny the requested text amendment, to make a finding and determination that the requested text amendment is inconsistent with the comprehensive plan or other applicable plans, including but not limited to the following: Horizons: Greenville's Community Plan, 2009-2010 Update, Implementation Section, Vision Areas Subsection, Central, Management Action H5, to develop the downtown as the cultural, recreational, and entertainment center of the City and the Center City West Greenville Revitalization Plan, Chapter 2, Market Feasibility – Housing, Retail and Entertainment Uses, V. Strategy Implications, Goal 2 to reposition and revitalize downtown as a new and vibrant activity center for the city and the region.

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

Attachments / click to download

 [Ordinance_Wall_Projection_Sign_Text_Amendment_996080](#)

ORDINANCE NO. 15-
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 February 12, 2015, 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 of the City of Greenville does hereby find and determine that the adoption of the ordinance involving the text amendment is consistent with the adopted comprehensive plan and other officially adopted plans that are applicable and that the adoption of the ordinance involving the text amendment is reasonable and in the public interest due to its consistency with the comprehensive plan and other officially adopted plans that are applicable and, as a result, its furtherance of the goals and objectives of the comprehensive plan and other officially adopted plans that are applicable;

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Horizons: Greenville's Community Plan, 2009-2010 Update, Implementation Section, Vision Areas Subsection, Central, Management Action H5 to develop the downtown as the cultural, recreational, and entertainment center of the City, Center City West Greenville Revitalization Plan, Chapter 2, Market Feasibility – Housing, Retail and Entertainment Uses, V. Strategy Implications, Goal 2 to reposition and revitalize downtown as a new and vibrant activity center for the city and the region;

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, encourage preservation of older buildings and enhance downtown as a vibrant activity center;

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

Section 1: That Title 9, Chapter 4, Article N, Section 9-4-234(B)(5) of the City Code is hereby amended by rewriting said section so that it shall read as follows:

(5) Wall projection signs.

- (a) For purposes of this section, wall projection signs shall be any wall sign that projects more than 12 inches from the building and does not qualify under subsection (4).
- (b) Wall projection signs shall be allowed only in the CD (downtown commercial) district and such signs shall be subject to compliance with all of the following requirements:
 1. Shall be permanently attached to an exterior wall of a building in a manner approved by the Building Inspector.
 2. Shall not be attached to the outside edge of a canopy or extend beyond any outside edge of a canopy.
 3. May project horizontally from the building wall not more than four feet.
 4. There shall not be more than 12 inches between the sign display areas (faces) of a double-sided sign. Three-dimensional projection wall signs not composed of flat sign display surfaces shall not be permitted.
 5. Projection wall signs shall be located on private property, provided however, a projection wall sign may encroach into the street right-of-way in accordance with an encroachment agreement approved by the city, and where applicable, the State Department of Transportation.
 6. One projection wall sign is allowed for each side of a building that fronts a public street or public alley.
 7. Projection wall signs for individual principal use establishments located in a common building shall not be located closer than eight feet from any other projection wall sign located on the same building.
 8. All projection wall signs for individual principal use establishments located on a common building façade shall be of equal dimension, including but not limited to, individual sign display area, width, height, horizontal projection. Sign height above grade may vary provided compliance with subsection (m) below.
 9. Projection wall signs shall be considered part of the total wall sign allowance.
 10. Properties with frontage having 100 feet or less may have a maximum projection wall sign area of 15 square feet and properties with frontage having more than 100 feet may have a maximum projection wall sign area of 30 square feet.

11. Properties with frontage having more than 100 feet and with at least a three story building located on the property with a height of at least 40 feet and the building lot coverage area of at least 80% of the property may have a maximum projection wall sign area of 50 square feet.
12. Minimum height of a projection wall sign, as measured from the finished grade directly below the sign to the lowest point of the sign, shall be not less than eight feet, except as further provided. Projection wall signs subject to street right-of-way encroachment agreement approval shall have a minimum height of not less than ten feet, or per encroachment agreement condition, whichever is greater.
13. If required, all right-of-way encroachment agreement(s) must be granted by the approval authority prior to sign permit application. A copy of any encroachment agreement and any conditions shall be attached to the sign permit application.

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.

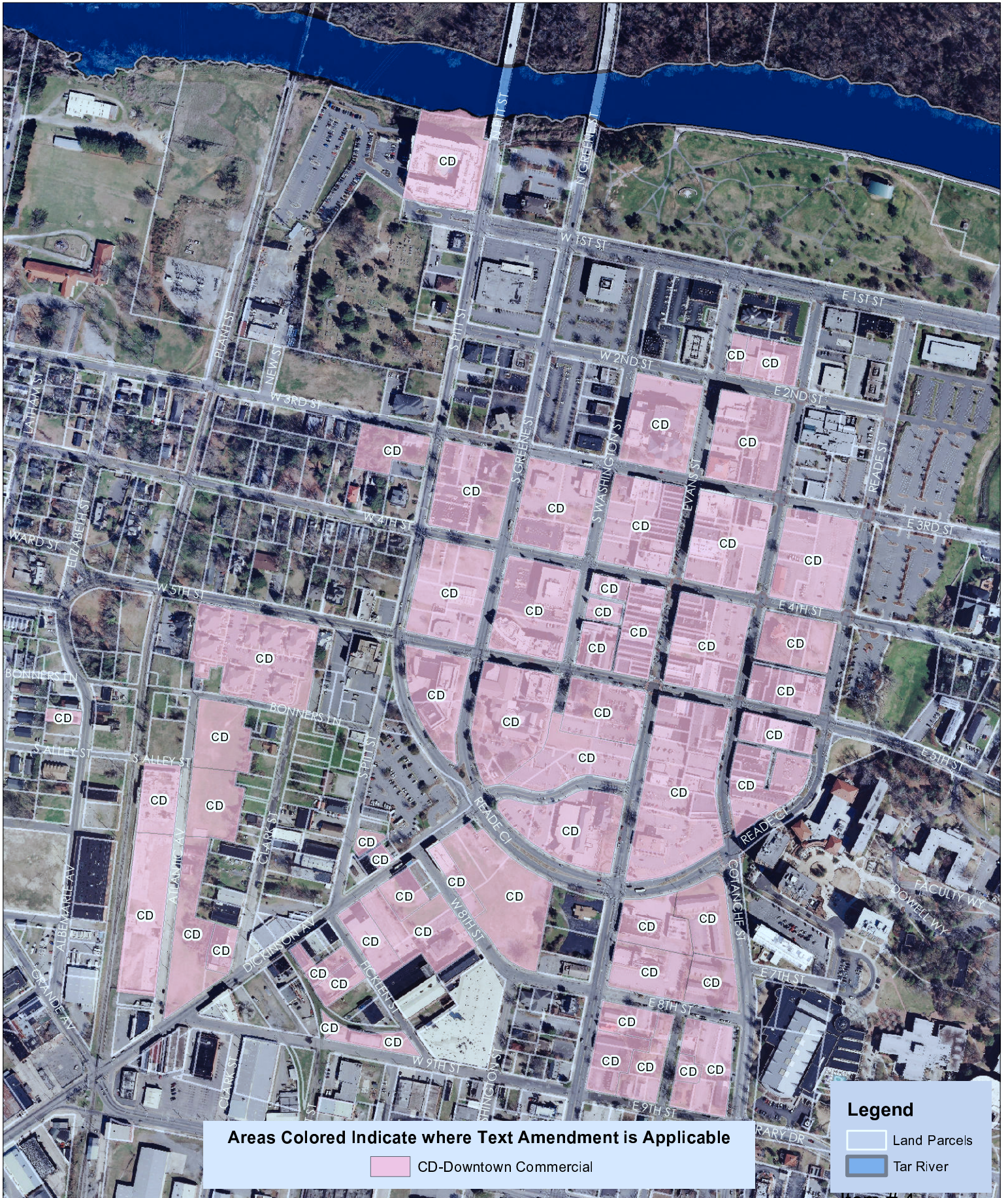
Section 3. That this ordinance shall become effective immediately upon adoption.

Adopted this 12th day of February, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk



Areas Colored Indicate where Text Amendment is Applicable

CD-Downtown Commercial

Legend

- Land Parcels
- Tar River

EXHIBIT A – DRAFT, Planning and Zoning Commission Meeting Minutes, Jan, 20, 2015

TEXT AMENDMENTS

ORDINANCE TO AMEND THE ZONING ORDINANCE BY REVISING THE SIZE AND PROJECTION DIMENSIONS FOR PROJECTION WALL SIGNS AND ALLOWING SUCH SIGNS ON EACH SIDE OF A BUILDING FACING A PUBLIC STREET OR PUBLIC ALLEY WITHIN THE CD (DOWNTOWN COMMERCIAL) ZONING DISTRICT. - APPROVED

Mr. Thomas Weitnauer, Chief Planner, presented the text amendment. He stated the Zoning Ordinance only allows projection wall signs in the CD (Downtown Commercial) zoning district, however the maximum size sign allowed is ten square feet, whereas typical wall signs throughout the entire City are allowed to be at least 50 square feet as a default minimum allowed sign surface area, regardless of the lot or building size. This text amendment allows properties with frontage having 100 feet or less to have a maximum area of 15 square feet projection wall sign and allows properties with frontage having more than 100 feet to have a maximum of 50 square foot projection wall signs. This text amendment also increases the maximum dimension projection wall signs may extend past the wall they are mounted to from 3 feet to 4 feet. The zoning ordinance currently allows only one wall projection signs per establishment. This text amendment allows one projection wall sign for each side of a building that fronts a public street or public alley. The proposed changes to the ordinance are as follows.

- May project horizontally from the building wall not more than four feet (currently three)
- Under Section 9-4-234 (B) (5) (b), Wall Projections Signs, remove items 4, 5, 8, and 9
- Add: One projection wall sign is allowed for each side of a building that fronts a public street or public alley.
- Add: Projection wall signs shall be considered part of the total wall sign allowance.
- Add: Properties with frontage having 100 feet or less may have a maximum projection wall sign area of 15 square feet and properties with frontage having more than 100 feet may have a maximum projection wall sign area of 50 square feet

The proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan, Vision Areas Subsection, Management Action H5: "Develop the downtown as the cultural, recreational, and entertainment center of the City." It is also in compliance with the Center City West Greenville Revitalization Plan, Chapter 2, Market Feasibility – Housing, Retail and Entertainment Uses, V. Strategy Implications, Goal 2 which states, "Reposition and revitalize downtown as a new and vibrant activity center for the city and the region."

Ms. Bellis asked if there were any current projection signs.

Mr. Weitnauer stated he saw one from the remnants of Hard Times Bar, some have used awnings and canopies, but there are not many.

Mr. Schrade asked why the allowance of 15 square feet and 50 square feet.

Mr. Weitnauer stated one reason was administrative to be able to quickly permit projects. The other reason is to be straight forward since contractors work with so many jurisdictions.

Chairwoman Basnight opened the public hearing.

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

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

Mr. Weitz stated some of the amendment is too restrictive and parts are not restrictive enough. He stated most signs are flush mounted to the wall. Projection signs are mounted to the wall but stick out over the sidewalk. He asked if small suspended signs under canopies are considered projection signs.

Mr. Weitnauer stated the ordinance in Section 5(b)(1) reads: "Wall projection signs shall be permanently attached to an exterior wall of a building in a manner approved by the Building Inspector." He stated no.

Mr. Weitz asked if there is a separate code for suspended signs.

Mr. Weitnauer stated he was not sure but they are not part of wall projection signs.

Mr. Weitz referred to Section 5 (b)(2) that it shall not be attached to the outside edge of a canopy or extend beyond any outside edge of a canopy.

Mr. Flood, Director of Community Development, clarified that suspended signs, which Mr. Weitz mentioned, that project down from the canopy are not permitted under the Code. Projection signs need to be attached to the wall and not from a canopy.

Mr. Weitz stated that an allowance for suspended signs is needed and that projection signs are a relic of the past.

Mr. Flood stated 2 projection signs exist. One at 1st & Reade Streets and the other at Winslow's.

Mr. Weitz stated the proposed would allow for one projection sign per building frontage. He asked what about when various establishments share a building.

Mr. Flood stated the purpose also is to reduce visual clutter. In this scenario, each establishment could not have its own projection sign but could combine into one projection sign.

Mr. Weitz stated the overall size allowance, 50 square feet is too large.

Mr. Weitnauer stated there is a 4 foot projection off of the wall. The allotment of 50 square feet is for buildings with more than 100 feet of frontage. There are not many buildings downtown that do. Projection signs can enhance downtown. He stated he would not suggest this amendment if it would hurt the downtown area. Between 1986 and 2011 there have been over two dozen sign amendments. It is a good time to increase standards. This is a conservative set of amendments.

Mr. Flood stated a section of the sign ordinance currently allows up to 50 square feet of signage for flush mounted signs. This provides consistency in the proposed amendment.

Mr. Weitz the proposed height is too big. He stated Starlight Café is a good example. The signage should be oriented to the pedestrian and does not need to be so big. He stated he cannot support the amendment as written.

Ms. Bellis stated she agreed with Mr. Weitz and that being too large would be unpleasant.

Ms. Darden asked how many properties downtown have more than 100 feet of frontage.

Mr. Weitnauer stated he did not have the information.

Ms. Bellis asked if there was a request for this type of sign.

Mr. Weitnauer stated the new parking garage and a few smaller businesses in the past.

Ms. Bellis suggested the parking garage should request a special use permit from the Board of Adjustment.

Mr. Weitnauer stated no, the BOA does not entertain or review variances to sign regulations.

Mr. Griffin stated if this is for consistency then he can see the bigger picture of a more urbanized feel to the City, bringing the old into the new and the new into the old.

Mr. Smith stated that it is for downtown only and that is would help. Not many businesses could afford it, so not too many of these signs would be going up.

Chairwoman Basnight asked if the new apartments being built would be eligible for a sign.

Mr. Weitnauer stated yes.

Ms. Darden asked about the sign on 1st & Pitt Streets.

Mr. Flood stated it is a projection sign and was done under the current regulations. He recalls a large projection sign years ago on Dickinson where the gym is at now. Projection signs are making a comeback. This request is trying to accommodate change and keep consistency.

Mr. Weitz stated that he researched other jurisdictions. Wilmington is 15 square feet and Durham is 40 square feet. It all comes down to design and scale. It should be scaled and oriented to the pedestrian. Projection signs should be used when there is no canopy and address the suspended signs under the canopies. The area and height should be kept small. He agreed with Ms. Bellis that the parking garage should request a variance at the Board of Adjustment.

Attorney Holec stated a variance would not meet the legal requirement. It has to be related to the land and therefore would not apply to this.

Mr. King asked what is recommended for the parking garage if this amendment is not passed.

Attorney Holec stated the ordinance would need to be amended to apply to specific buildings or structures. A text amendment is still required.

Mr. Schrade asked where the 50 square foot requirement came from.

Mr. Flood stated it is consistent with the current provisions the sign ordinance that allows up to 50sf for flush mounted signs.

Mr. Schrade suggested making the requirements 15 square feet for buildings with under 100 feet of frontage and 32 square feet for buildings over 100 feet of frontage.

Ms. Darden suggested adding an allowance of up to 50 square feet for significantly larger buildings as needed.

Mr. Weitnauer stated that significantly larger could depend on the number of stories.

Ms. Reid agreed with a requirement to include larger buildings so that it is there for the parking garage and any other future large building or expansion.

Mr. Weitnauer stated that the suggestions are good. The suggestions can be included in a motion and can be forwarded to Council.

Attorney Holec stated since this was generated by staff, they are willing to entertain a motion with the changes and proceed to City Council with the changed amendment. The motion needs to be understood and recommended clearly. He stated, as he has heard, the ordinance as is with the reduced square footage from 50 square feet to 30 square feet and adding an additional provision that a building of a certain size and height could have the 50 square feet.

Mr. Weitnauer suggested a revision to the text amendment that added properties with frontage having more than 100 feet and with at least a three story building located on the property with a height of at least 40 feet and a building lot coverage area of at least 80% of the property may have a maximum projection wall sign area of 50 square feet.

Mr. King asked if there was any urgency to do this or could it be tabled until the next meeting.

Mr. Flood stated yes. The completion of the parking deck is in the next few days. The sign became an issue.

Mr. Weitz stated he still had questions about suspended signs that are not covered in the ordinance and needs to be addressed.

Mr. Flood stated that staff would need to research and come back with a report on it. The Planning and Zoning Commission can initiate the amendment and staff can come back with it.

Motion made by Mr. Schrade, seconded by Mr. Smith, to recommend approval of the proposed text amendment with the change Mr. Weitnauer suggested 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. In favor: Mr. Smith, Mr. Griffin, Mr. Schrade, Ms. Darden, and Ms. Reid. Against: Mr. Weitz, Mr. King, Ms. Bellis. Motion carried.

Motion made by Mr. Weitz to have Staff initiate a text amendment to sign regulations regarding suspended signs. Motion passed unanimously.



City of Greenville, North Carolina

Meeting Date: 2/12/2015
Time: 7:00 PM

Title of Item: Presentation by East Carolina University Student Government Association

Explanation: Council Member Marion Blackburn requested that we add to the City Council agenda a presentation by the East Carolina University (ECU) Student Government Association (SGA). Council Member Blackburn has indicated that SGA representatives will provide information on fall accomplishments, community participation, and ECU updates.

Fiscal Note: No direct cost to hear the report.

Recommendation: Hear the presentation from the ECU Student Government Association.

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