



Agenda

Planning and Zoning Commission

March 17, 2015

6:30 PM

Council Chambers, City Hall, 200 W. Fifth Street

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- I. CALL MEETING TO ORDER -
- II. INVOCATION - Torico Griffin
- III. ROLL CALL
- IV. APPROVAL OF MINUTES - January 20, 2015
- V. NEW BUSINESS

REZONINGS

- 1. Ordinance requested by Brighton Park Apartments, LLC to rezone 0.63 acres located along the western right-of-way of Brighton Park Drive and 250+/- feet north of West 5th Street from MO (Medical-Office) to MR (Medical Residential [High Density Multi-family]).
- 2. Ordinance requested by Happy Trail Farms, LLC to rezone 67.652 acres located south of Stantonsburg Road and west of Pitt County Landfill from RA20 (Residential-Agricultural) to I (Industry) and IU (Unoffensive Industry).
- 3. Ordinance requested by Hardee 3 Enterprises, Incorporated to rezone 9.816 acres located along the southern right-of-way of East 10th Street and 275+/- feet west of L. T. Hardee Road from RA20 (Residential-Agricultural) to CG (General Commercial).
- 4. Ordinance requested by Ward Holdings, LLC to rezone 2.0361 acres located along the southern right-of-way of East 10th Street and 270+/- feet west of Elm Street from R9 (Residential [Medium Density Multi-family]) to R6 (Residential [High Density Multi-family]).

TEXT AMENDMENTS

5. Ordinance to amend the Zoning Ordinance by adding live performance theaters as an allowed land use within the CD (Downtown Commercial) zoning district, subject to an approved special use permit, and establishing specific criteria.
6. Ordinance to amend the Zoning Ordinance by expanding the existing wine shop regulations to add the allowance of craft beer shops in the same zoning districts where wine shops are allowed to operate.

OTHER

7. Ordinance amending Horizons: Greenville's Community Plan to incorporate by reference the South Greenville Elementary School Area Report and Plan.

VI. ADJOURN

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

January 20, 2015

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 – X (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-X	Mr. Brian Smith -*

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

VOTING MEMBERS: Smith, Weitz, King, Bellis, Griffin, Schrade, Darden, Reid

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; and Jonathan Edwards, Communications Technician.

MINUTES: Motion was made by Mr. Smith, seconded by Ms. Darden, to accept the December 16, 2014 minutes as presented. Motion carried unanimously.

NEW BUSINESS

REZONING

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.

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 sign 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. 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 stated 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 it 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 50 square feet 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 do 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 combined changes that Attorney Holec reiterated and 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, seconded by Mr. King, to have Staff initiate a text amendment to sign regulations regarding suspended signs. Motion passed unanimously.

Mr. Flood advised the Commission of items on next month's agenda. First is the theatre, or live performance venue, that City Council has sent back for modifications. Also it is time for the 10 year update to the Horizons plan and information will be provided.

With no further business, a motion was made by Mr. Smith, seconded by Ms. Darden, to adjourn. Motion passed unanimously. Meeting adjourned at 7:29 p.m.

Respectfully Submitted,

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



City of Greenville, North Carolina

Meeting Date: 3/17/2015
Time: 6:30 PM

Title of Item: Ordinance requested by Brighton Park Apartments, LLC to rezone 0.63 acres located along the western right-of-way of Brighton Park Drive and 250+/- feet north of West 5th Street from MO (Medical-Office) to MR (Medical Residential [High Density Multi-family]).

Explanation: **Abstract:** The City has received a request from Brighton Park Apartments, LLC to rezone 0.63 acres located along the western right-of-way of Brighton Park Drive and 250+/- feet north of West 5th Street 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 March 3, 2015.
On-site sign(s) posted on March 3, 2015.
City Council public hearing notice (property owner and adjoining property owner letter) mailed - N/A.
Public hearing legal advertisement published - N/A.

Comprehensive Plan:

The subject area is located in Vision Area F.

The Future Land Use Plan Map recommends office/institutional/multi-family (OIMF) along the northern right-of-way of West Fifth Street between Schoolhouse Branch and Harris Run.

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

A traffic report was not generated since the proposed rezoning will generate fewer trips on West Fifth Street than the existing zoning.

History/Background:

In 1986, the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned MD-3 and MD-5. Later, these districts were re-named to MO (Medical-Office) and MR (Medical-Residential), respectively.

Present Land Use:

Currently, the property is vacant.

Water/Sewer:

Water and sanitary sewer are located in the right-of-way of Brighton Park Drive.

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: MR - Brighton Park Apartments

South: MO - vacant

East: MO - vacant

West: MO - Carolina Ortho Prosthetics

Density Estimates:

Under the current zoning (MO), the site could yield 5,200+/- square feet of medical office space.

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

The anticipated build-out time is within one year.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map and the Medical District Land Use Plan Update (2007).

"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.

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 rezoning, 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 rezoning, 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."

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 maps, 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

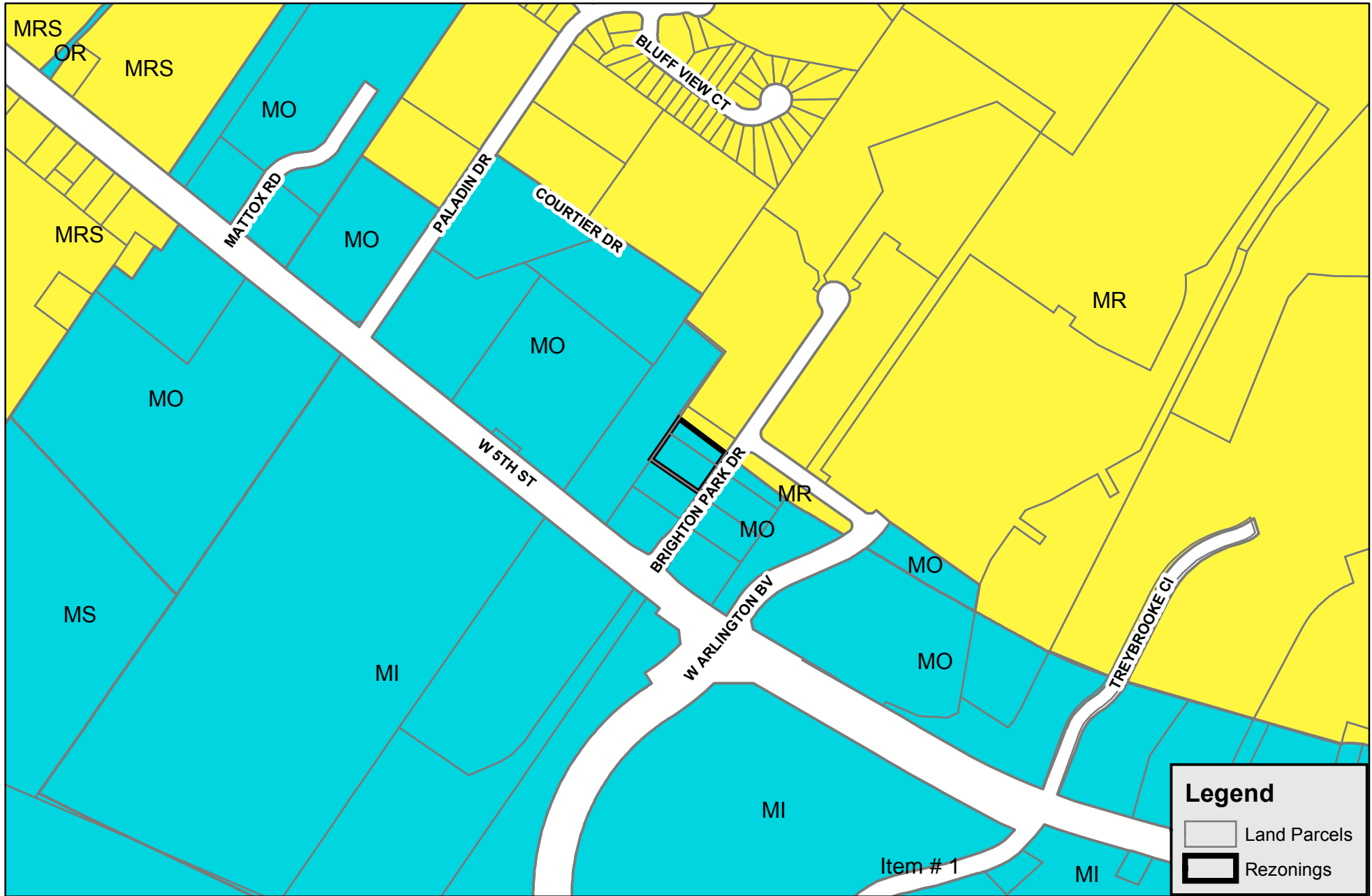
(12) *Construction*:* None

(13) *Transportation*:* None

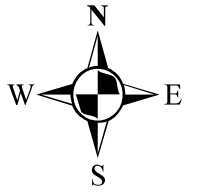
(14) *Manufacturing/ Warehousing*: * None

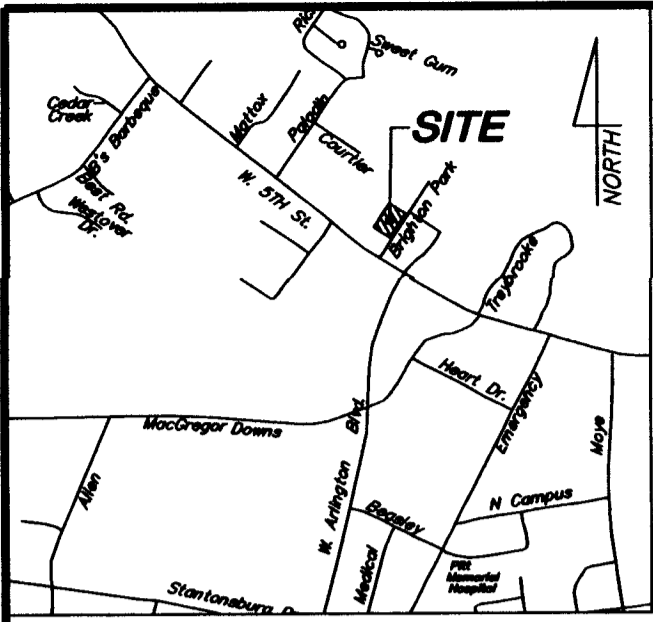
(15) *Other Activities (not otherwise listed - all categories)*:* None

Brighton Park Apartments, LLC (15-05)
From: MO To: MR
0.63 acres
February 23, 2015



Brighton Park Apartments, LLC (15-05)
From: MO To: MR
0.63 acres
February 23, 2015





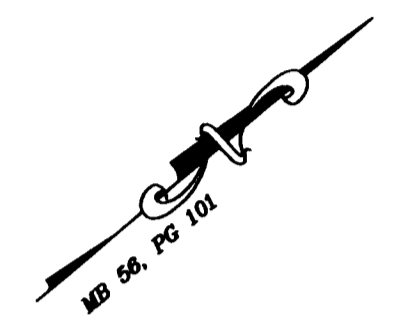
VICINITY MAP
1"=200'

LEGEND

ACRE	AC
BACK OF CURB	BC
CENTERLINE	C/L
DEED BOOK	DB
DRILL HOLE	DH
EXISTING IRON PIPE	EIP
LIGHT POLE	LP
MAP BOOK	MB
NOT TO SCALE	NTS
PAGE	PG
RIGHT OF WAY	R/W
SQUARE FEET	SFT
TELEPHONE PEDESTAL	TPED
ELECTRICAL TRANSFORMER	TRANS
X CHISELED IN CONCRETE	"X"
LOT NUMBER	⊙
ADJACENT LOT NUMBER	⊖

ADDRESSES OF ADJOINERS WITHIN 100 FEET OF SITE

- | | |
|---|--|
| BRIGHTON PARK APARTMENTS, LLC
LOT 2, BRIGHTON PARK
PO BOX 20370
GREENVILLE, NC 27858 | CARROL & ASSOCIATES, INC.
LOT 6, BRIGHTON PARK
2510 S. CHARLES BOULEVARD
GREENVILLE, NC 27858 |
| BRIGHTON PARK APARTMENTS, LLC
LOT 5, BRIGHTON PARK
PO BOX 20370
GREENVILLE, NC 27858 | CARROL & ASSOCIATES, INC.
LOT 7, BRIGHTON PARK
2510 S. CHARLES BOULEVARD
GREENVILLE, NC 27858 |
| BRIGHTON PARK APARTMENTS 1, LLC
105C REGENCY BOULEVARD
GREENVILLE, NC 27858 | CARROL & ASSOCIATES, INC.
LOT 8, BRIGHTON PARK
2510 S. CHARLES BOULEVARD
GREENVILLE, NC 27858 |
| BARBARA J. TYNDALL & SARAH C. TYNDALL
359 HUNTINGRIDGE ROAD
GREENVILLE, NC 27834 | |



NOTES

- REQUEST TO CHANGE ALL OF LOT 3 AND A PORTION OF LOT 4 TO MR ZONING.
- LOT 3 = 18,209.18 SFT CURRENTLY ZONED MO.
- PORTION OF LOT 4 = ± 9,189.53 SFT CURRENTLY ZONED MO. THE REMAINDER OF LOT 4 IS CURRENTLY ZONED MR. (APPROXIMATELY ± 9,017.65).
- TOTAL AREA REQUESTED TO BE REZONED FROM MO TO MR = 27,398.71 SFT (0.63 ACRES)
- THERE ARE CURRENTLY NO STRUCTURES OR IMPROVEMENTS LOCATED ON LOTS 3 AND 4.

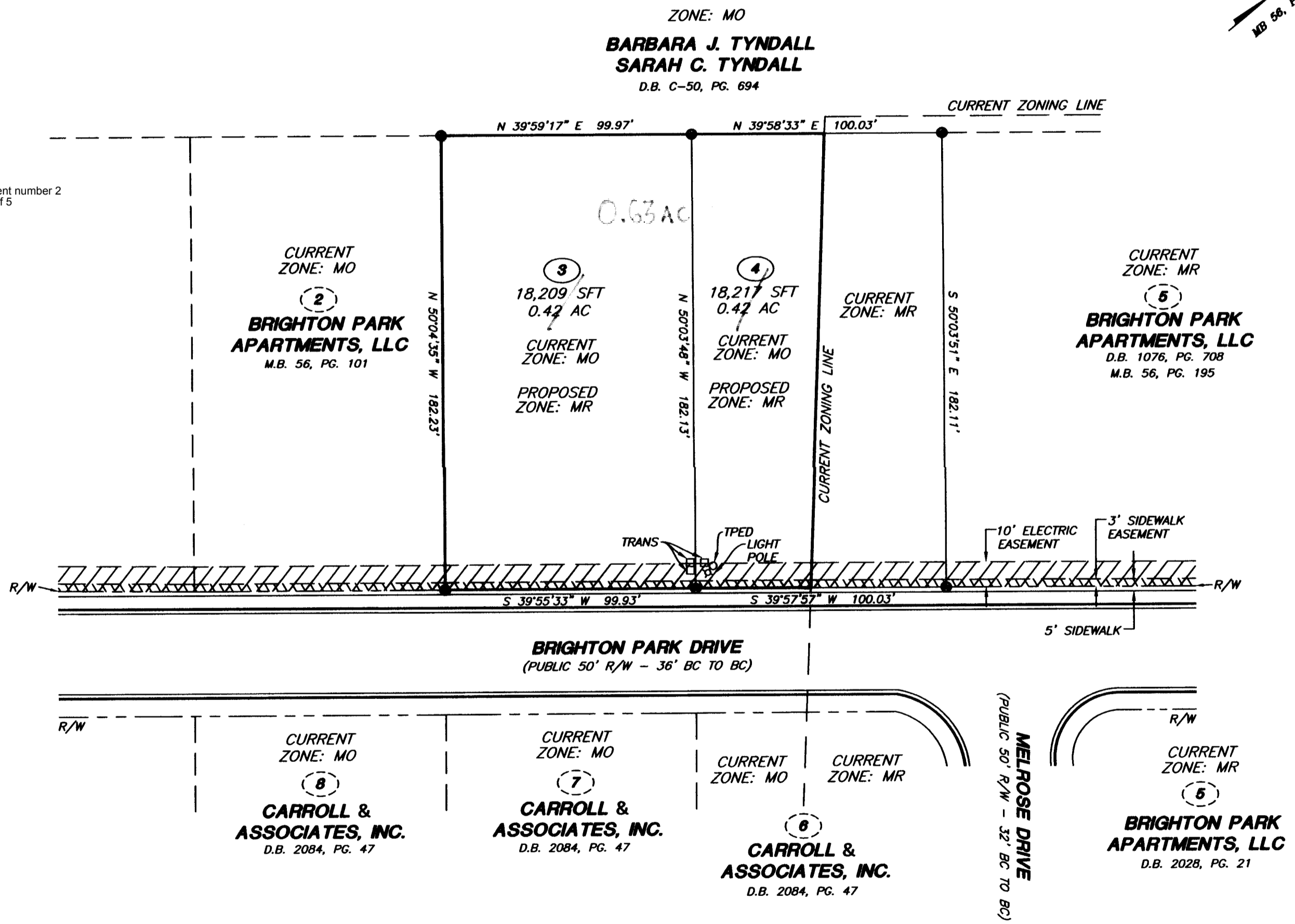
Attachment number 2
Page 3 of 5

SURVEY NOTES

- ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS UNLESS SHOWN OTHERWISE.
- ALL BEARINGS ARE BASED ON MAP BOOK 56, PAGE 101.
- LOT AREAS CALCULATED BY COORDINATE GEOMETRY.
- THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. REF: FIRM 3720467800K, DATED: 07/07/2014
- CURRENT ZONING LINE SCALED FROM PITT COUNTY ONLINE PARCEL INFORMATION SYSTEM.

LOT 3
PARCEL #69688
PIN 4678235392

LOT 4
PARCEL #69689
PIN 4678236440

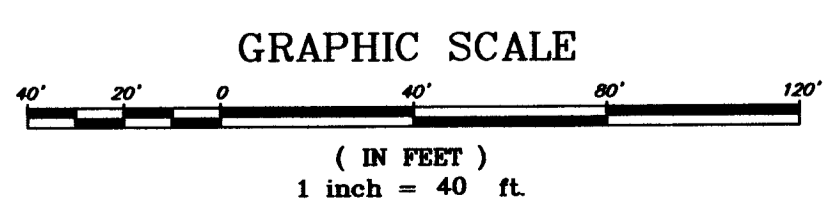


REZONING MAP FOR
BRIGHTON PARK APARTMENTS, LLC
BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1076, PAGE 708 AND MAP BOOK 56, PAGE 101 OF THE PITT COUNTY REGISTRY
GREENVILLE, FALKLAND TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: BRIGHTON PARK APARTMENTS, LLC
ADDRESS: P.O. BOX 20370, GREENVILLE, NC 27858
PHONE: (252) 756-4052

BENJAMIN J. PURVIS, P.L.S.
2004 B. EAST 3RD. ST.
Greenville, N.C. 27858
(252) 341-5588
WWW.LANDSURVEY.WEBS.COM

SURVEYED:	BJP	APPROVED:	BJP
DRAWN:	CPT	DATE:	2/12/15
CHECKED:	BJP	SCALE:	1" = 40'



REFERENCE
DEED BOOK 1076, PAGE 708
MAP BOOK 56, PAGE 101

SURVEYOR'S CERTIFICATION

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. 47-30 AS AMENDED; I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (1) (11) d. THAT THIS SURVEY IS OF ANOTHER CATEGORY; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 12TH DAY OF FEBRUARY, A.D., 2015.

BENJAMIN J. PURVIS, P.L.S. L-4290

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.

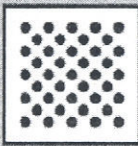
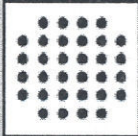
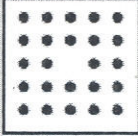
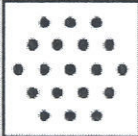
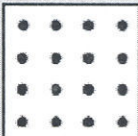
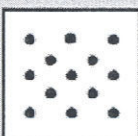
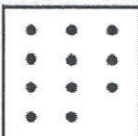
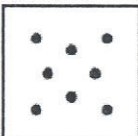
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons 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: 3/17/2015
Time: 6:30 PM

Title of Item: Ordinance requested by Happy Trail Farms, LLC to rezone 67.652 acres located south of Stantonsburg Road and west of Pitt County Landfill from RA20 (Residential-Agricultural) to I (Industry) and IU (Unoffensive Industry).

Explanation: **Abstract:** The City has received a request from Happy Trail Farms, LLC to rezone 67.652 acres located south of Stantonsburg Road and west of Pitt County Landfill from RA20 (Residential-Agricultural) to I (Industry) and IU (Unoffensive Industry).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on March 3, 2015.

On-site sign(s) posted on March 3, 2015.

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

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

Comprehensive Plan:

The subject property is located in Vision Area F.

Allen Road, from MacGregor Downs Road to the Norfolk Southern Railroad, is considered a "connector" corridor then transitions to a "residential" corridor to its intersection with Dickinson Avenue.

Stantonsburg Road, between US Highway 264 and the proposed interchange with the Southwest Bypass, is considered a "connector" corridor then transitions to a "residential" corridor continuing west.

Connector corridors are anticipated to contain a variety of higher intensive activities and uses whereas residential corridors are preferred to accommodate lower intensity residential uses. Along residential corridors, office, service, and

retail activities should be specifically restricted to the associated focus area and linear expansion outside of the focus area should be prohibited.

There is a recognized neighborhood focus area at the intersection of Allen Road and Landfill Road. These nodes typically contain 20,000-40,000 of conditioned floor space.

The Future Land Use Plan Map recommends commercial on the western side of the intersection of Allen Road and Landfill Road transitioning to conservation/open space (COS) to act as a buffer to the interior industrial (I). Further, conservation/open space (COS) is recommended as a buffer between the interior industrial (I) and the (OIMF) along Stantonsburg Road.

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.

The Comprehensive Plan specifically states that, "... all of the industrial areas indicated on the Land Use Plan Map have been buffered with either office, institutional and multi-family or conservation/open space land uses. Buffering has been provided to help prevent land use conflicts between industrial developments and neighboring land uses."

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

Based on the analysis comparing the existing zoning (1,819 daily trips) and requested rezoning, the proposed rezoning classification could generate 1,734 trips to and from the site on Stantonsburg Road, which is a net decrease of 85 less 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 2001, the subject property was part of a large-scale extra-territorial jurisdiction (ETJ) extension and was zoned RA20 (Residential-Agricultural).

Present Land Use:

Vacant

Water/Sewer:

Water is available from Bell Arthur Water Corporation. Sanitary sewer is not

available.

Historic Sites:

There are no known effects on designated sites

Environmental Conditions/Constraints:

There are no known effects on the designated area.

Surrounding Land Uses and Zoning:

North: RA20 - Wooded

South: IU - Wooded

East: I and RA20 - Pitt County Landfill and wooded (owned by Pitt County)

West: RA20 - Vacant and wooded

Density Estimates:

Tract 1:

Under the current zoning (RA20), staff would anticipate the site to yield 125-135 single-family lots.

Under the proposed zoning (I), the site could accommodate 270,403+/- square feet of industrial/warehouse uses.

Tract 2:

Under the current zoning (RA20), staff would anticipate the site to yield 30-40 single-family lots.

Under the proposed zoning (IU), the site could accommodate 78,582+/- square feet of industrial/warehouse uses.

Tract 3:

Under the current zoning (RA20), staff would anticipate the site to yield 10-15 single-family lots.

Under the proposed zoning (I), the site could accommodate 32,496+/- square feet of industrial/warehouse uses.

The anticipated build-out time is 3-5 years.

Fiscal Note: No cost to the City.

Recommendation: **Tracts 1 and 3:**

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

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

Tract 2:

In staff's opinion, the request is not in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

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

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 rezoning, 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 rezoning, 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."

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 maps, survey, traffic and buffer charts](#)

 [List of uses RA20 to I IU 962698](#)

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

I (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
- 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
- i. Livestock sales pavilion, auditorium, yard, distribution or transshipment facility
- j. Quarry, mining, excavation and works including material storage and distribution; sand, stone, gravel

(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
- 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)
- 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)
- gg. Vocational rehabilitation center
- nn. Industrial laundries

(9) Repair:

- a. Major repair; as an accessory or principal use
- b. Minor repair; as an accessory or principal use
- c. Upholster; automobile, truck, boat or other vehicle, trailer or van
- d. Upholsterer; furniture
- e. Furniture refinishing, stripping or repair facility
- 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
- dd. Industrial implement, machinery or tool 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:

- a. 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
- e. Mobile home repair or rework facility; no sales allowed
- 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 the district; excluding outside storage
- n. Petroleum (bulk) storage facility; excluding retail sales
- o. Feed and grain elevator, mixing, redrying, storage or sales facility
- p. Tobacco redrying or processing plant
- q. Fertilizer or lime manufacture or bulk storage
- r. Manufacturing of acid, toxic chemicals or other hazardous materials or explosive products not otherwise listed
- 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
- w. Bottling or packing plant for hazardous, flammable or explosive materials or products
- y. Recycling collection station of facilities
- z. Metallurgy, steel fabrication, welding
- aa. Meat, poultry or fish processing or packing plant
- bb. Slaughterhouse
- cc. Manufacture of pharmaceutical, biological, botanical, medical, and cosmetic products, and related materials

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

I (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

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

(4) Governmental:

- f. Correctional facility

*(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
- 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: None*

(10) Retail Trade:

- j. Restaurant; regulated outdoor activities

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

(12) Construction: None*

(13) Transportation: None*

(14) Manufacturing/ Warehousing:

- f. Junkyard automobile graveyard or materials reclamation facility
- x. Sanitary landfill or incinerator; public or private

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

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

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, re-drying, 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:

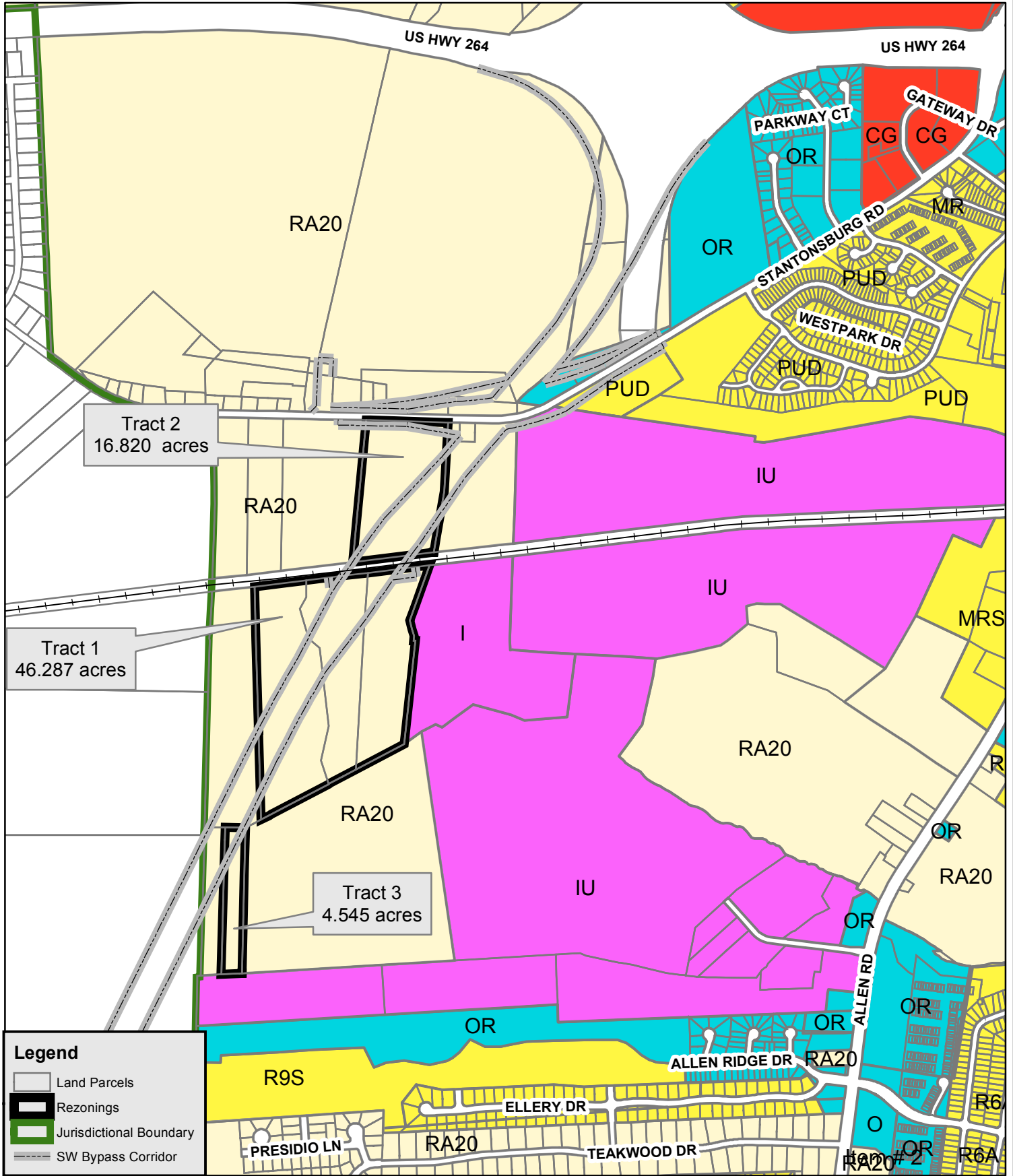
z. Metallurgy, steel fabrication, welding

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





c. Other activities; commercial services not otherwise listed

e. Other activities; industrial services not otherwise listed

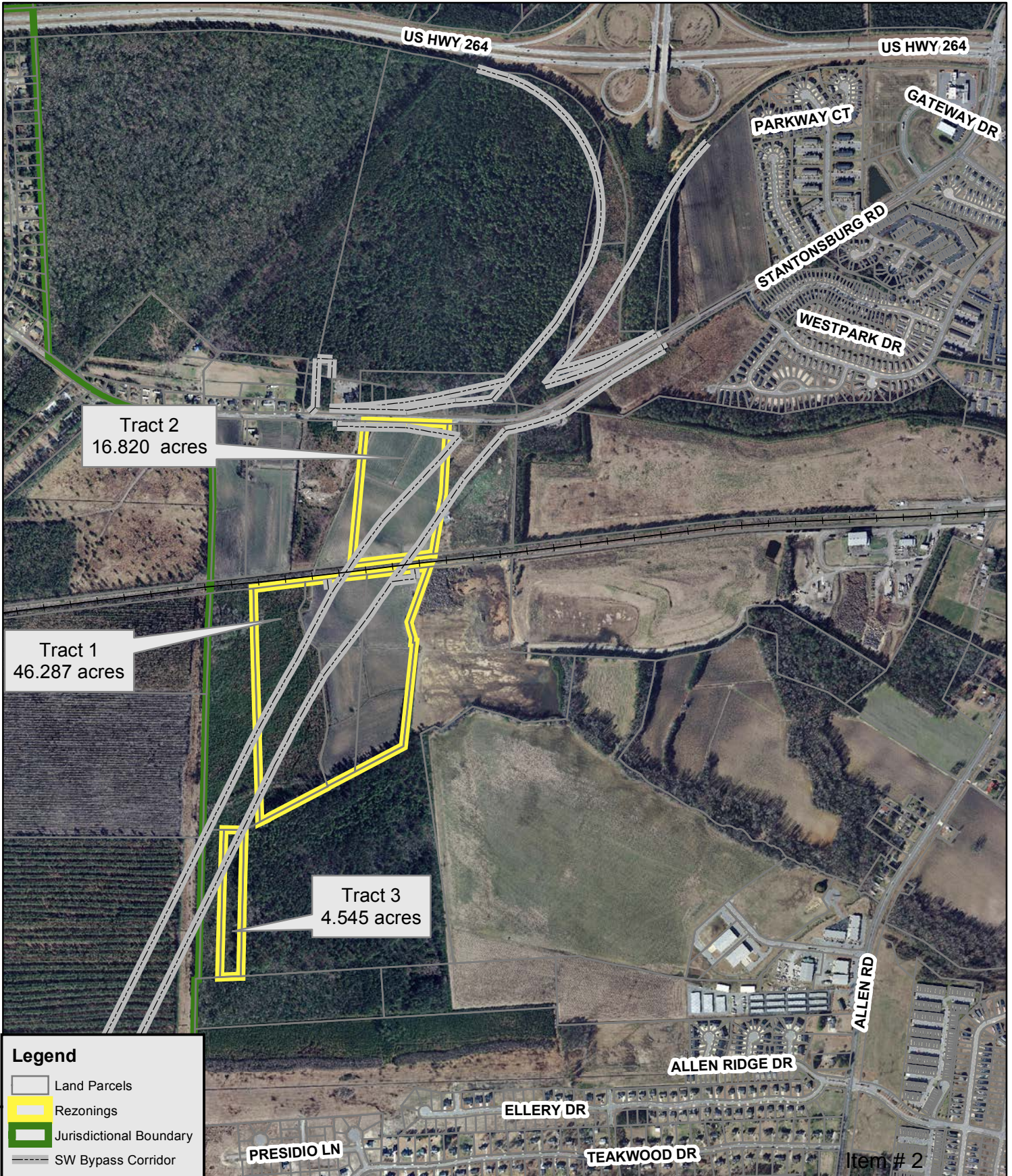
Happy Trail Farms, LLC. (15-03)
Tract 1: From: RA20 to: I
Tract 2: From: RA20 To: IU
Tract 3: From: RA20 To: I
February 3, 2015

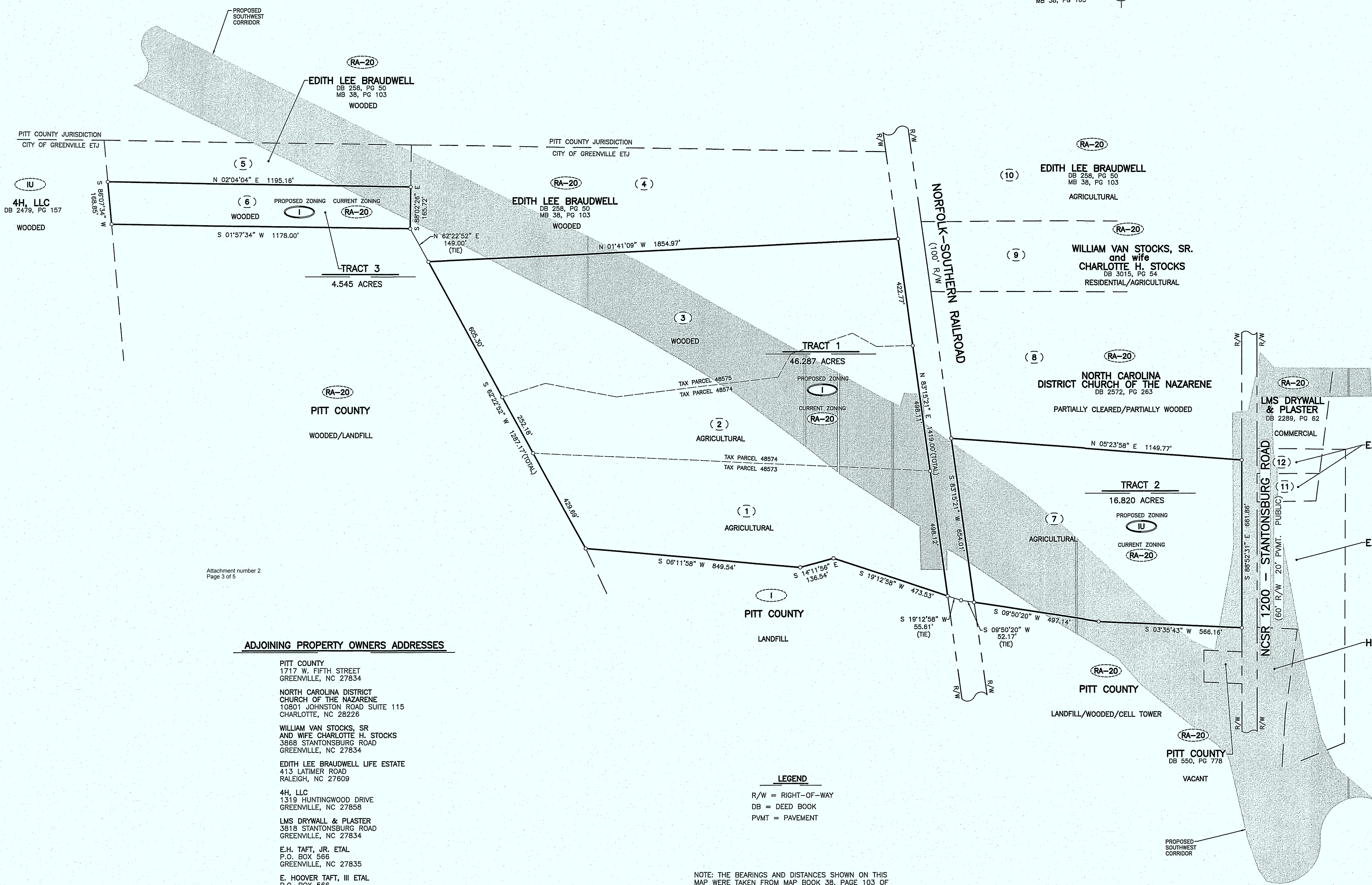
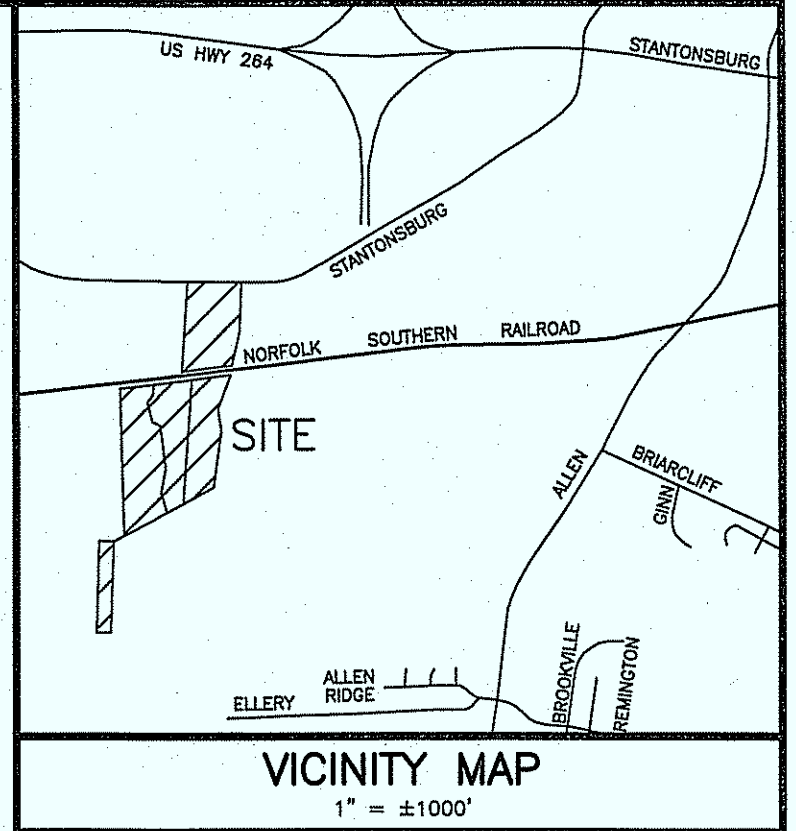
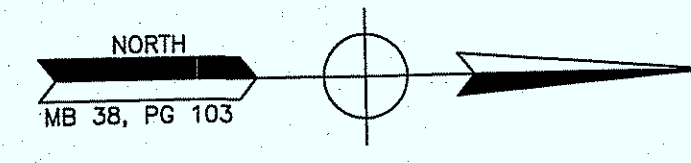


Legend

-  Land Parcels
-  Rezoning
-  Jurisdictional Boundary
-  SW Bypass Corridor

Happy Trail Farms, LLC. (15-03)
Tract 1: From: RA20 to: I
Tract 2: From: RA20 To: IU
Tract 3: From: RA20 To: I
February 3, 2015





Attachment number 2
Page 3 of 5

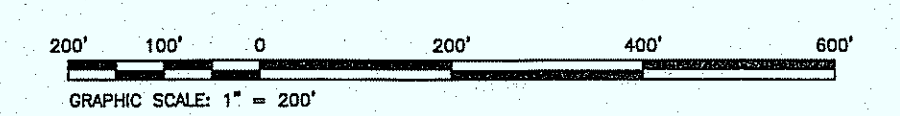
ADJOINING PROPERTY OWNERS ADDRESSES

- PITT COUNTY
1717 W. FIFTH STREET
GREENVILLE, NC 27834
- NORTH CAROLINA DISTRICT
CHURCH OF THE NAZARENE
10901 JOHNSTON ROAD SUITE 115
CHARLOTTE, NC 28226
- WILLIAM VAN STOCKS, SR
AND WIFE CHARLOTTE H. STOCKS
3888 STANTONSBURG ROAD
GREENVILLE, NC 27834
- EDITH LEE BRAUDWELL LIFE ESTATE
413 LATIMER ROAD
RALEIGH, NC 27609
- 4H, LLC
1319 HUNTINGWOOD DRIVE
GREENVILLE, NC 27858
- LMS DRYWALL & PLASTER
3818 STANTONSBURG ROAD
GREENVILLE, NC 27834
- E.H. TAFT, JR. ETAL
P.O. BOX 566
GREENVILLE, NC 27835
- E. HOOVER TAFT, III ETAL
P.O. BOX 566
GREENVILLE, NC 27835
- HERBERT LEWIS HEIRS
2067 STOKES ELEMENTARY SCHOOL ROAD
STOKES, NC 27884

LEGEND
R/W = RIGHT-OF-WAY
DB = DEED BOOK
PVMT = PAVEMENT

NOTE: THE BEARINGS AND DISTANCES SHOWN ON THIS MAP WERE TAKEN FROM MAP BOOK 38, PAGE 103 OF THE PITT COUNTY REGISTER OF DEEDS, AND DOES NOT REPRESENT AN ACTUAL SURVEY BY THIS FIRM.

AREA TO BE REZONED: 67.652 ACRES



SHEET 1 OF 1
REZONING MAP

HAPPY TRAIL FARMS, LLC

REFERENCE: MAP BOOK 38, PAGE 103, DEED BOOK 3005, PAGE 769, DEED BOOK 3030, PAGE 162 AND DEED BOOK 3035, PAGE 573 OF THE PITT COUNTY REGISTER OF DEEDS

ARTHUR TOWNSHIP, PITT COUNTY, N.C.

OWNER: HAPPY TRAIL FARMS, LLC
ADDRESS: P.O. BOX 1863
GREENVILLE, NC 27835
PHONE: (310)-623-7896



	LICENSE# C-3498	SURVEYED: NA	APPROVED: MWB
	DATE: 12/29/14	DRAWN: JGG	DATE: 12/29/14
3740-B EWING STREET GREENVILLE, NC 27834		CHECKED: MWB	SCALE: 1" = 200'

BOUNDARY CLOSURE CHECK	
CHECKED: JGG	DATE: 12/29/14

CAD FILE: DRAWINGS\14-112 HAPPY TRAIL FARMS-ROBERT MOORE\14-112 REZONING.DWG

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: 3/17/2015
Time: 6:30 PM

Title of Item: Ordinance requested by Hardee 3 Enterprises, Incorporated to rezone 9.816 acres located along the southern right-of-way of East 10th Street and 275+/- feet west of L. T. Hardee Road from RA20 (Residential-Agricultural) to CG (General Commercial).

Explanation: **Abstract:** The City has received a request from Hardee 3 Enterprises, Incorporated to rezone 9.816 acres located along the southern right-of-way of East 10th Street and 275+/- feet west of L. T. Hardee Road from RA20 (Residential-Agricultural) to CG (General Commercial).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on March 3, 2015.

On-site sign(s) posted on March 3, 2015.

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 5,529 trips to and from the site on East 10th Street, which is a net increase of 5,165 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 RA20 (Residential-Agricultural).

Present Land Use:

Three (3) single-family residences and farmland.

Water/Sewer:

Water is available from Eastern Pines Water Corporation. Sanitary sewer is available from Greenville Utilities 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 - Three single-family residences and one mobile-home residence;
CN - Commercial building
South: Norfolk Southern Railroad
East: CG - Denton Landscaping and vacant
West: CH and CG - Wal-Mart Shopping Center

Density Estimates:

Under the current zoning (RA20), the site could yield 35+/- single-family lots.

Under the proposed zoning (CG), the site could yield 94,069+/- square feet of retail/ conventional and fast food restaurant uses.

The anticipated build-out within 1-2 years.

Fiscal Note: No cost to the City.

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

"In compliance with the comprehensive plan" should be construed as meaning the requested 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.

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 rezoning, 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 rezoning, 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."

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 maps, survey, traffic and buffer charts](#)

[List of Uses RA20 to CG 996558](#)

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

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

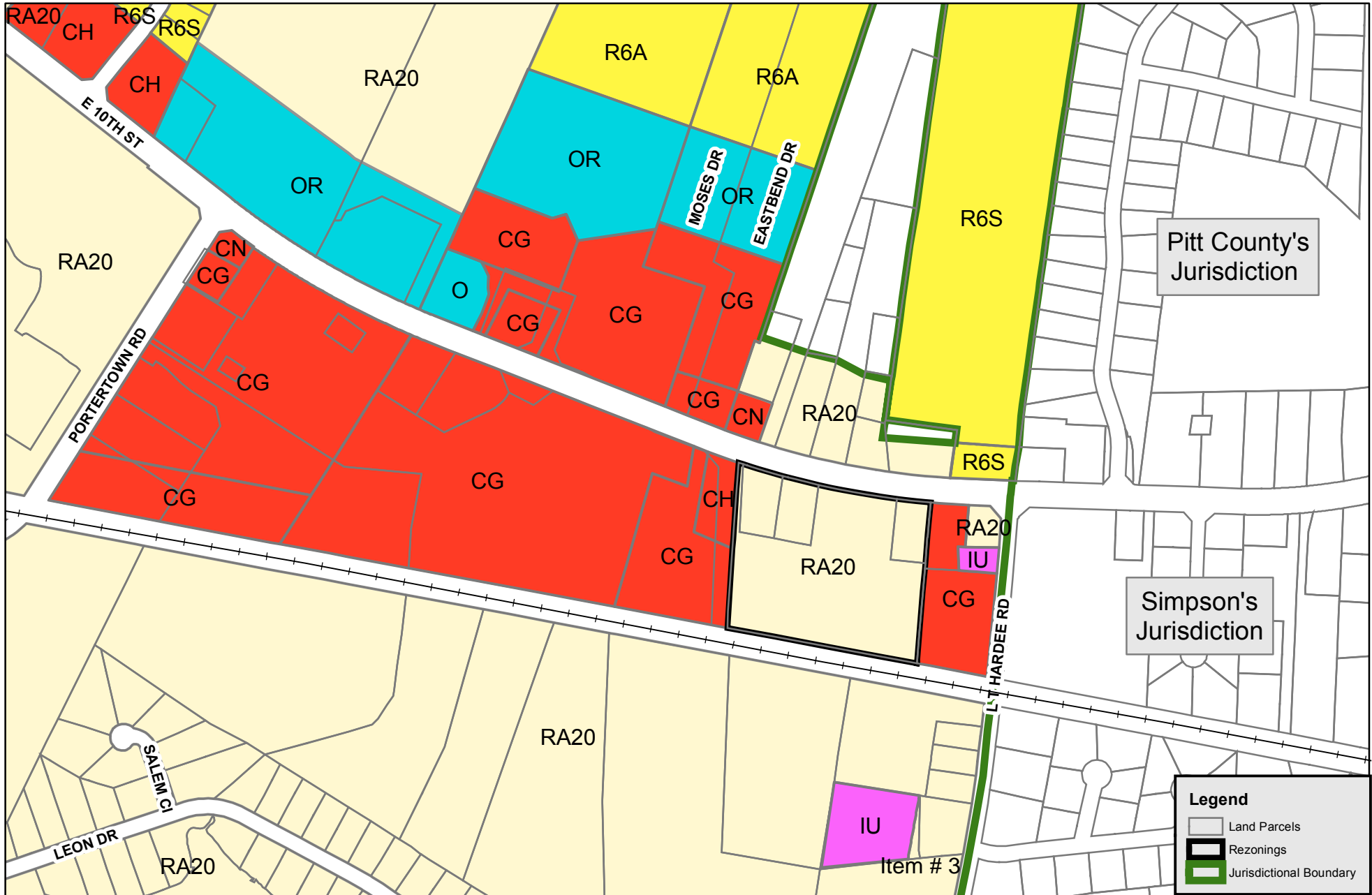
(14) Manufacturing/ Warehousing:

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

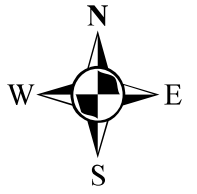
(15) Other Activities (not otherwise listed - all categories):

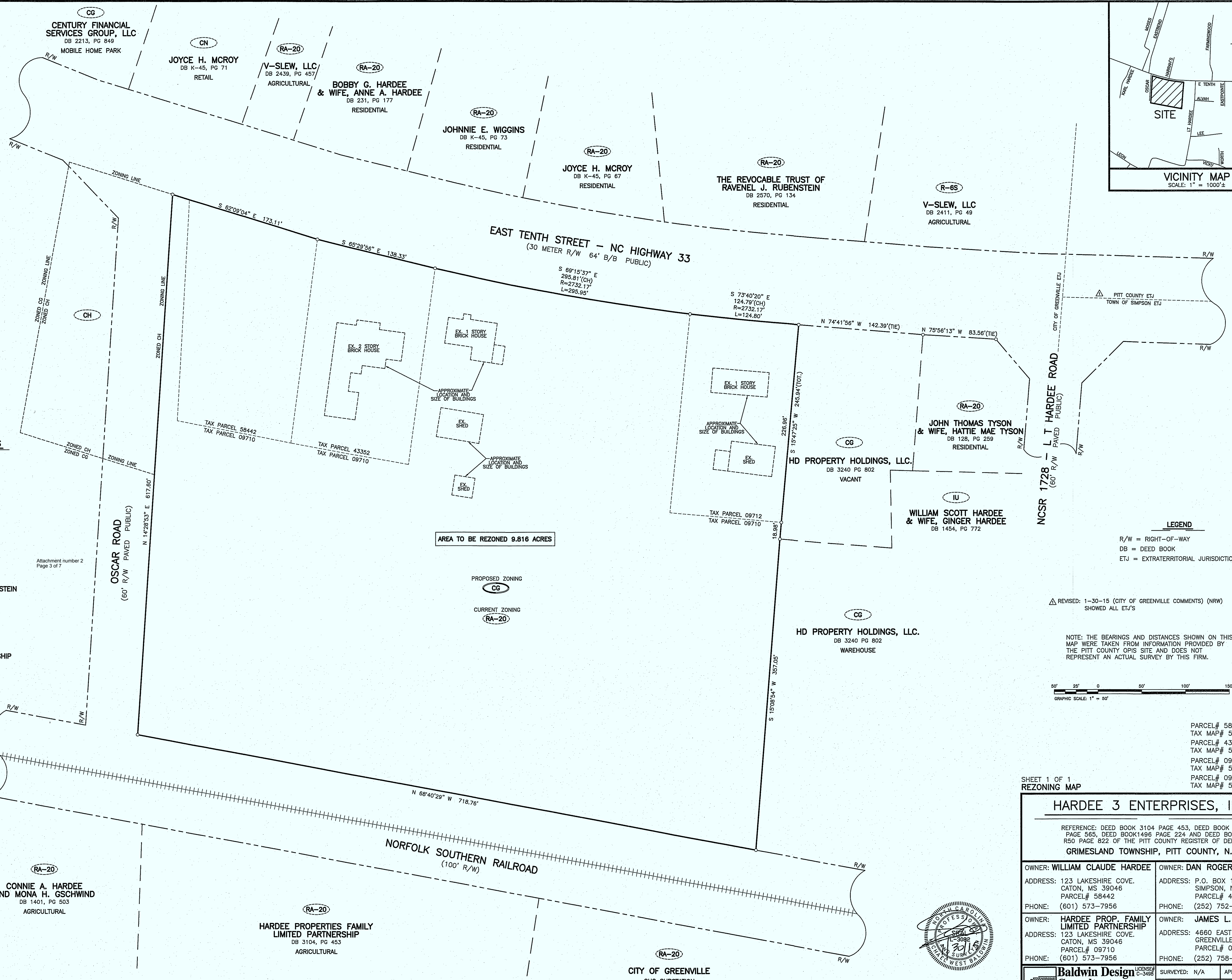
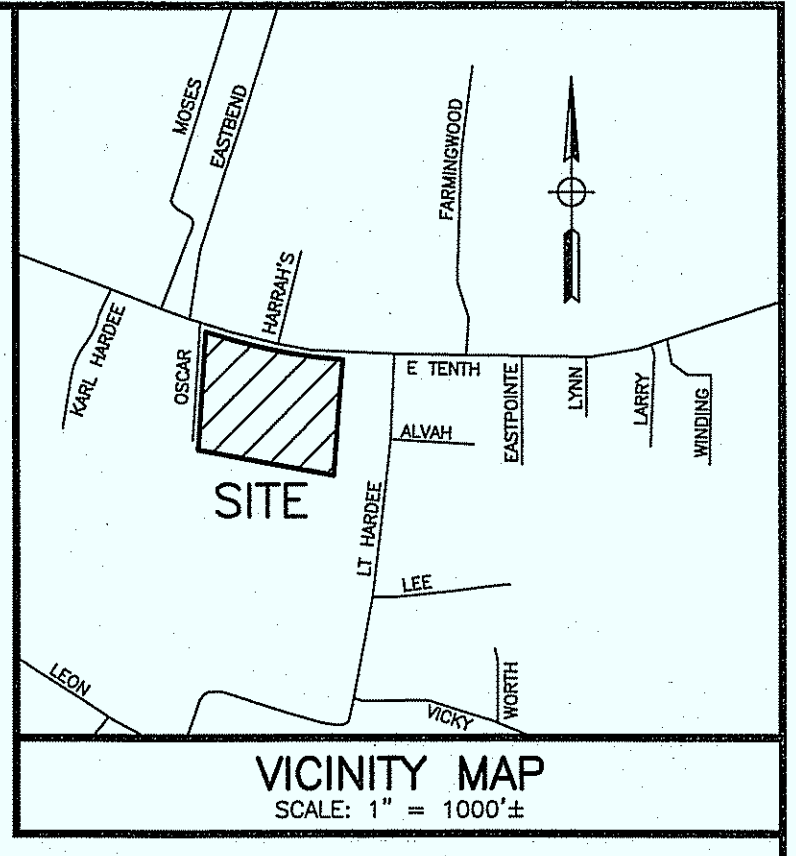
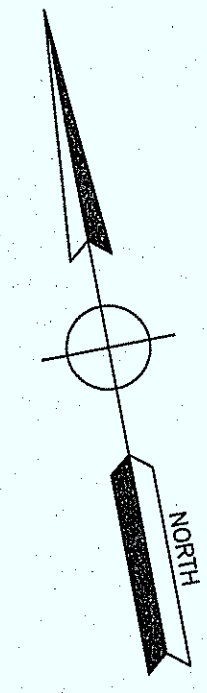
- a. Other activities; personal services not otherwise listed
- b. Other activities; professional activities not otherwise listed
- c. Other activities; commercial services not otherwise listed
- d. Other activities; retail sales not otherwise listed

Hardee 3 Enterprises, Inc. (15-02)
From: RA 20 (Residential-Agricultural)
To: CG (General Commercial)
9.816 acres
February 3, 2015



Hardee 3 Enterprises, Inc. (15-02)
From: RA 20 (Residential-Agricultural)
To: CG (General Commercial)
9.816 acres
February 3, 2015





ADJOINING PROPERTY OWNERS ADDRESSES

- CENTURY FINANCIAL SERVICES GROUP, LLC**
740 SE GREENVILLE BOULEVARD SUITE 400 #314
GREENVILLE, NC 27858
- JOYCE H. MCROY**
4651 E TENTH STREET
GREENVILLE, NC 27858
- V-SLEW, LLC**
2625 CHARLES BOULEVARD
GREENVILLE, NC 27858
- BOBBY G. HARDEE AND WIFE, ANNE A. HARDEE**
1580 ALLEN ROAD
GREENVILLE, NC 27834
- JOHNNIE E. WIGGINS**
4631 E TENTH STREET
GREENVILLE, NC 27858
- THE REVOCABLE TRUST OF RAVENEL J. RUBENSTEIN**
3 WILDEWOOD DOWNS POINT
COLUMBIA, SC 29223
- HD PROPERTY HOLDINGS, LLC**
103 OAKMONT DRIVE SUITE 1
GREENVILLE, NC 27858
- CITY OF GREENVILLE**
P.O. BOX 7207
GREENVILLE, NC 27835
- HARDEE PROPERTIES FAMILY LIMITED PARTNERSHIP**
123 LAKESHIRE COVE
CANTON, MS 39201
- CONNIE A. HARDEE AND MONA H. GSCHWIND**
1510 L.T. HARDEE ROAD
GREENVILLE, NC 27834
- WAL-MART REAL ESTATE BUSINESS TRUST**
P.O. BOX 8050 ATTN: 0555
BENTONVILLE, AR 72716

Attachment number 2
Page 3 of 7

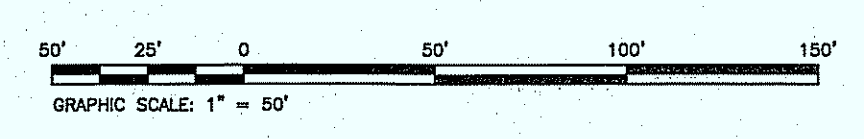
AREA TO BE REZONED 9.816 ACRES

PROPOSED ZONING
CG
CURRENT ZONING
RA-20

LEGEND
R/W = RIGHT-OF-WAY
DB = DEED BOOK
ETJ = EXTRATERRITORIAL JURISDICTION

▲ REVISED: 1-30-15 (CITY OF GREENVILLE COMMENTS) (NRW)
SHOWED ALL ETJ'S

NOTE: THE BEARINGS AND DISTANCES SHOWN ON THIS MAP WERE TAKEN FROM INFORMATION PROVIDED BY THE PITT COUNTY OPIS SITE AND DOES NOT REPRESENT AN ACTUAL SURVEY BY THIS FIRM.



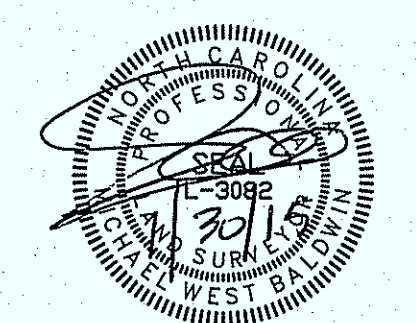
- PARCEL# 58442
- TAX MAP# 5607-40-0530
- PARCEL# 43352
- TAX MAP# 5607-40-1476
- PARCEL# 09710
- TAX MAP# 5607-40-3211
- PARCEL# 09712
- TAX MAP# 5607-40-6309

SHEET 1 OF 1
REZONING MAP

HARDEE 3 ENTERPRISES, INC.

REFERENCE: DEED BOOK 3104 PAGE 453, DEED BOOK 778
PAGE 565, DEED BOOK 1496 PAGE 224 AND DEED BOOK
R50 PAGE 822 OF THE PITT COUNTY REGISTER OF DEEDS
GRIMESLAND TOWNSHIP, PITT COUNTY, N.C.

OWNER: WILLIAM CLAUDE HARDEE ADDRESS: 123 LAKESHIRE COVE. CANTON, MS 39046 PARCEL# 58442 PHONE: (601) 573-7956	OWNER: DAN ROGER HARDEE ADDRESS: P.O. BOX 178 SIMPSON, NC 27879 PARCEL# 43352 PHONE: (252) 752-1730
OWNER: HARDEE PROP. FAMILY LIMITED PARTNERSHIP ADDRESS: 123 LAKESHIRE COVE. CANTON, MS 39046 PARCEL# 09710 PHONE: (601) 573-7956	OWNER: JAMES L. HARDEE JR. ADDRESS: 4660 EAST 10th STREET GREENVILLE, NC 27858 PARCEL# 09712 PHONE: (252) 758-2221



CLOSURE CHECK BOUNDARY	
CHECKED: NRW	DATE: 11/14/14

Baldwin Design Consultants, PA 3740-B EVANS STREET GREENVILLE, NC 27834	252.758.1390	SURVEYED: N/A	APPROVED: MWB
DRAWN: NRW	DATE: 11/12/14	CHECKED: MWB	SCALE: 1" = 50'

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 15-02

Applicant: Hardee 3 Enterprises, Inc

Property Information

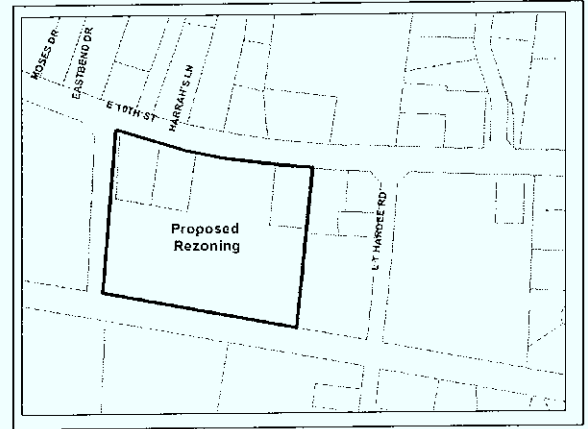
Current Zoning: RA20 (Residential-Agricultural)

Proposed Zoning: CG (General Commercial)

Current Acreage: 9.816 acres

Location: E. 10th St, west of LT Hardee Road

Points of Access: E. 10th St



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:	18,600 (*)	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 on 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: 364 -vehicle trips/day (*) **Proposed Zoning:** 5,529 -vehicle trips/day (*)

Estimated Net Change: increase of 5165 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 18,600
Estimated ADT with Proposed Zoning (full build) –	21,917
Estimated ADT with Current Zoning (full build) –	18,818
Net ADT change =	3,099 (16% increase)

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

“No build” ADT of 18,600

Estimated ADT with Proposed Zoning (full build) – 20,812

Estimated ADT with Current Zoning (full build) – 18,746

Net ADT change = 2,066 (11% increase)

Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 5529 trips to and from the site on E. 10th St, which is a net increase of 5165 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.

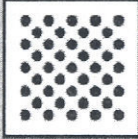
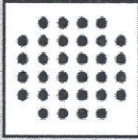
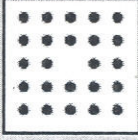
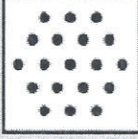

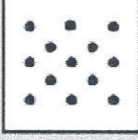
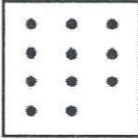
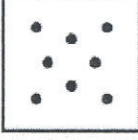
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons 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: 3/17/2015
Time: 6:30 PM

Title of Item: Ordinance requested by Ward Holdings, LLC to rezone 2.0361 acres located along the southern right-of-way of East 10th Street and 270+/- feet west of Elm Street from R9 (Residential [Medium Density Multi-family]) to R6 (Residential [High Density Multi-family]).

Explanation: **Abstract:** The City has received a request from Ward Holdings, LLC to rezone 2.0361 acres located along the southern right-of-way of East 10th Street and 270+/- feet west of Elm Street from R9 (Residential [Medium Density Multi-family]) to R6 (Residential [High Density Multi-family]).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on March 3, 2015.

On-site sign(s) posted on March 3, 2015.

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 I.

East 10th Street, between Evans Street to Greenville Boulevard, is considered a "connector" corridor. Connector corridors are anticipated to contain a variety of higher intensive activities and uses whereas residential corridors are preferred to accommodate lower intensity residential uses.

The Future Land Use Plan Map recommends high density residential (HDR) at the southwest corner of the intersection of East 10th Street and Elm Street transitioning to office/ institutional/multi-family (OIMF) to the west and conservation/open space to the south along Green Mill Run.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 200 trips to and from the site on East 10th Street, which is a net increase of 94 additional trips per day.

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

History/Background:

In 1969, the subject property was zoned R9.

Present Land Use:

One single-family residence

Water/Sewer:

Water and sanitary sewer are available at the property.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

The property is impacted by the 500 and 100-year floodplains and floodway associated with Green Mill Run.

Surrounding Land Uses and Zoning:

North: R9S - One single-family residence and Roman Catholic Campus Ministry
South: OR - Elm Street Park and ECU parking lot
East: R9 - One single-family residence
West: R9 - Alpha Phi Sorority

Density Estimates:

Under the current zoning (R9), the site could yield 10+/- duplex units (5 buildings) .

Under the proposed zoning (R6), the site could yield 28-30 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 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.

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 rezoning, 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 rezoning, 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."

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 R9 to R6 971140](#)

EXISTING ZONING

R9 (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)
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

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

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical: None*

(8) Services:

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

(9) Repair: None*

(10) Retail Trade: None*

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

(12) Construction:

- a. 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*

R9 (Residential)
Special Uses

(1) *General*:* None

(2) *Residential*:

o.(1). Nursing, convalescent center or maternity home; minor care facility

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

b. Home occupation; excluding barber and beauty shops

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

(4) *Governmental*:

a. Public utility building or use

(5) *Agricultural/ Mining*:* None

(6) *Recreational/ Entertainment*:

a. Golf course; regulation

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

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

(8) *Services*:

a. Child day care facilities

b. Adult day care facilities

d. Cemetery

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

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

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

(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

R6 (Residential)

Permitted Uses

(1) General:

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

(2) Residential:

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

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

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical: None*

(8) Services:

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

(9) Repair: None*

(10) Retail Trade: None*

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

(12) Construction:

- a. 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*

R6 (Residential)
Special Uses

(1) *General*:* None

(2) *Residential*:

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

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

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

(4) *Governmental*:

- a. Public utility building or use

(5) *Agricultural/ Mining*:* None

(6) *Recreational/ Entertainment*:

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

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

(8) *Services*:

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- m. Multi-purpose center
- t. Guest house for a college and other institutions of higher learning

(9) *Repair*:* None

(10) *Retail Trade*:* None

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

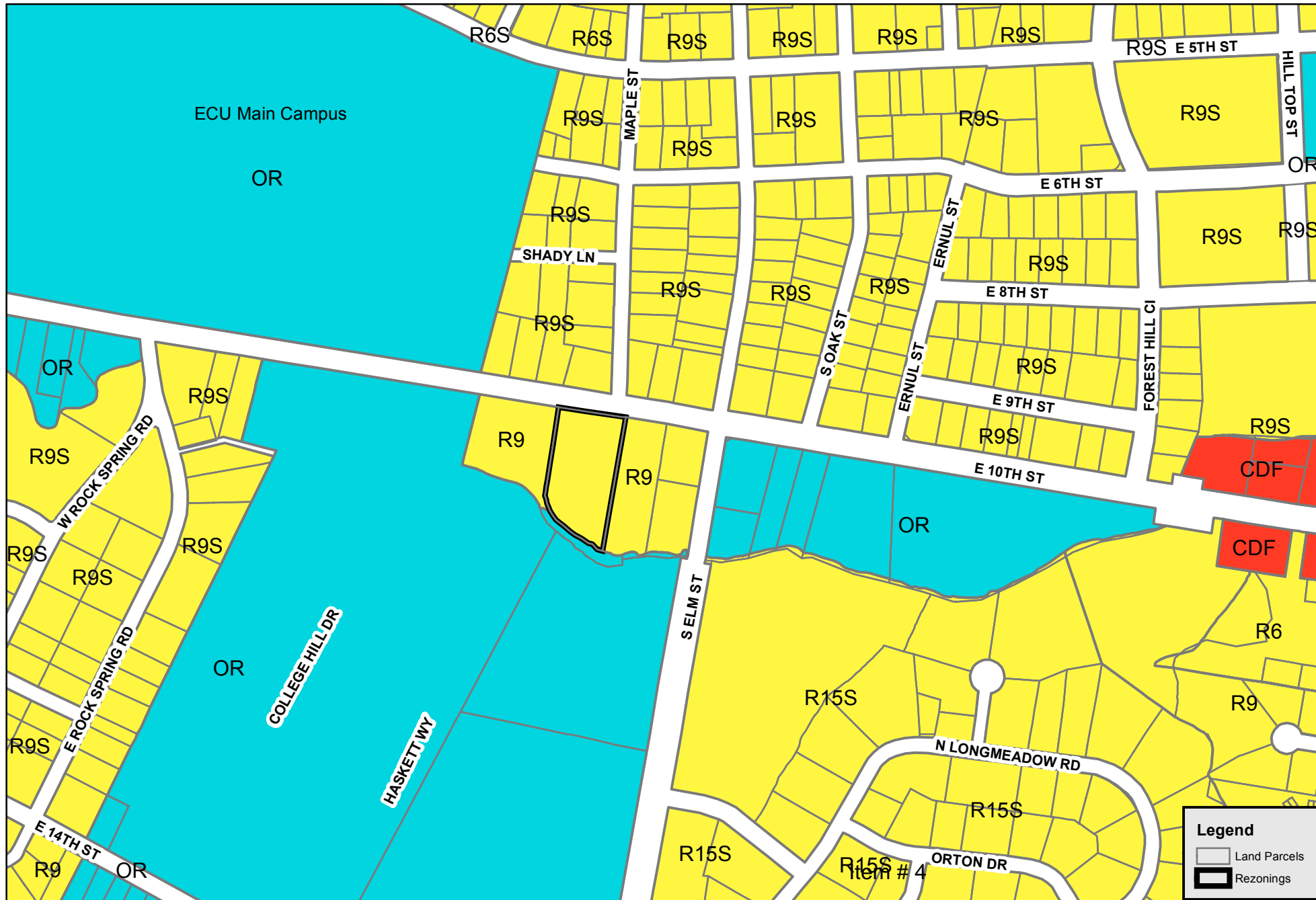
(12) *Construction*:* None

(13) *Transportation*:* None

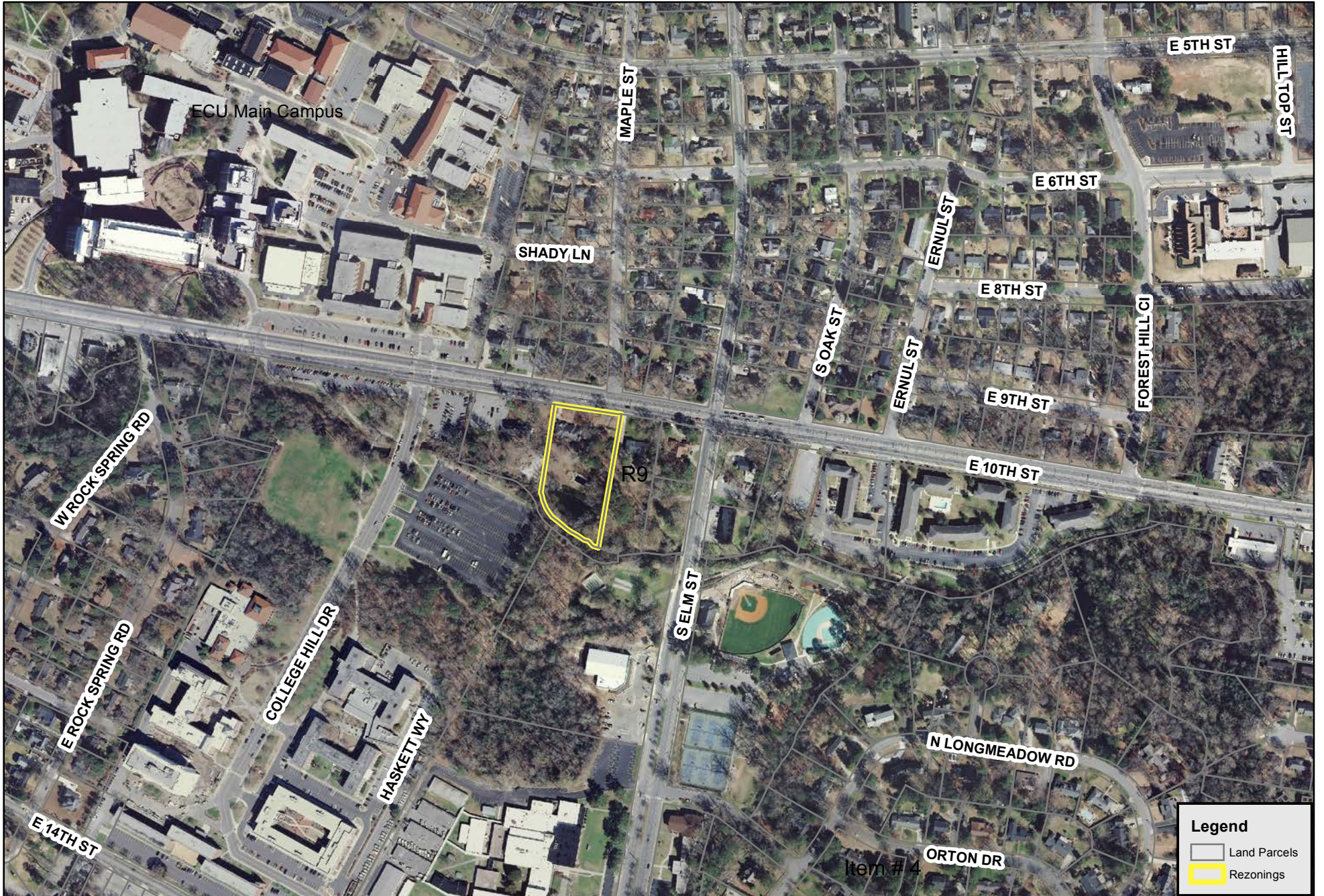
(14) *Manufacturing/ Warehousing*: * None

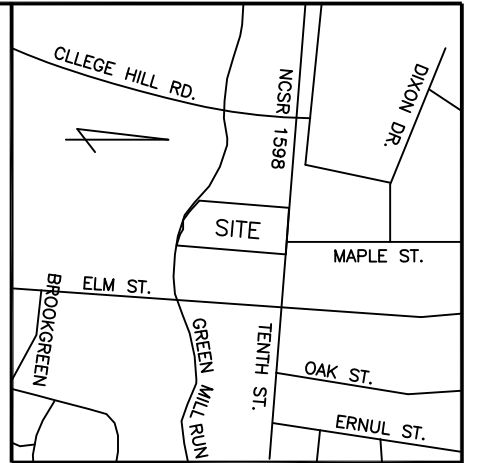
(15) *Other Activities (not otherwise listed - all categories)*:* None

Ward Holdings, LLC (15-04)
2.0361 acres
February 3, 2015



Ward Holdings, LLC (15-04)
2.0361 acres
February 3, 2015





NOTES

- THIS IS A REZONING SURVEY FOR PITT COUNTY TAX PARCEL 03379
- AS PER FEMA FLOOD INSURANCE RATE MAP 3720468700K, DATED JULY 7, 2014, A PORTION OF THIS TRACT IS LOCATED IN A SPECIAL FLOOD HAZARD AREA, ZONE AE
- ALL DISTANCES SHOWN ARE HORIZONTAL FIELD DISTANCES; NO GRID FACTOR APPLIED
- THE COMBINED NC GRID FACTOR USED FOR GRID COORDINATE CALCULATIONS IS 0.998989571
- SEE MAP BOOK 76, PAGE 182 FOR THE RECORDED SUBDIVISION PLAT OF THIS PROPERTY WHICH SUBDIVIDES THE PROPERTY INTO 2 LOTS

OWNER

DELTA ALPHA EAST, LLC
 P.O. BOX 2685,
 GREENVILLE, NC 27836
 252-412-5583

REZONING APPLICANT

WARD HOLDINGS, LLC
 503 CHESAPEAKE PLACE
 GREENVILLE, NC 27858

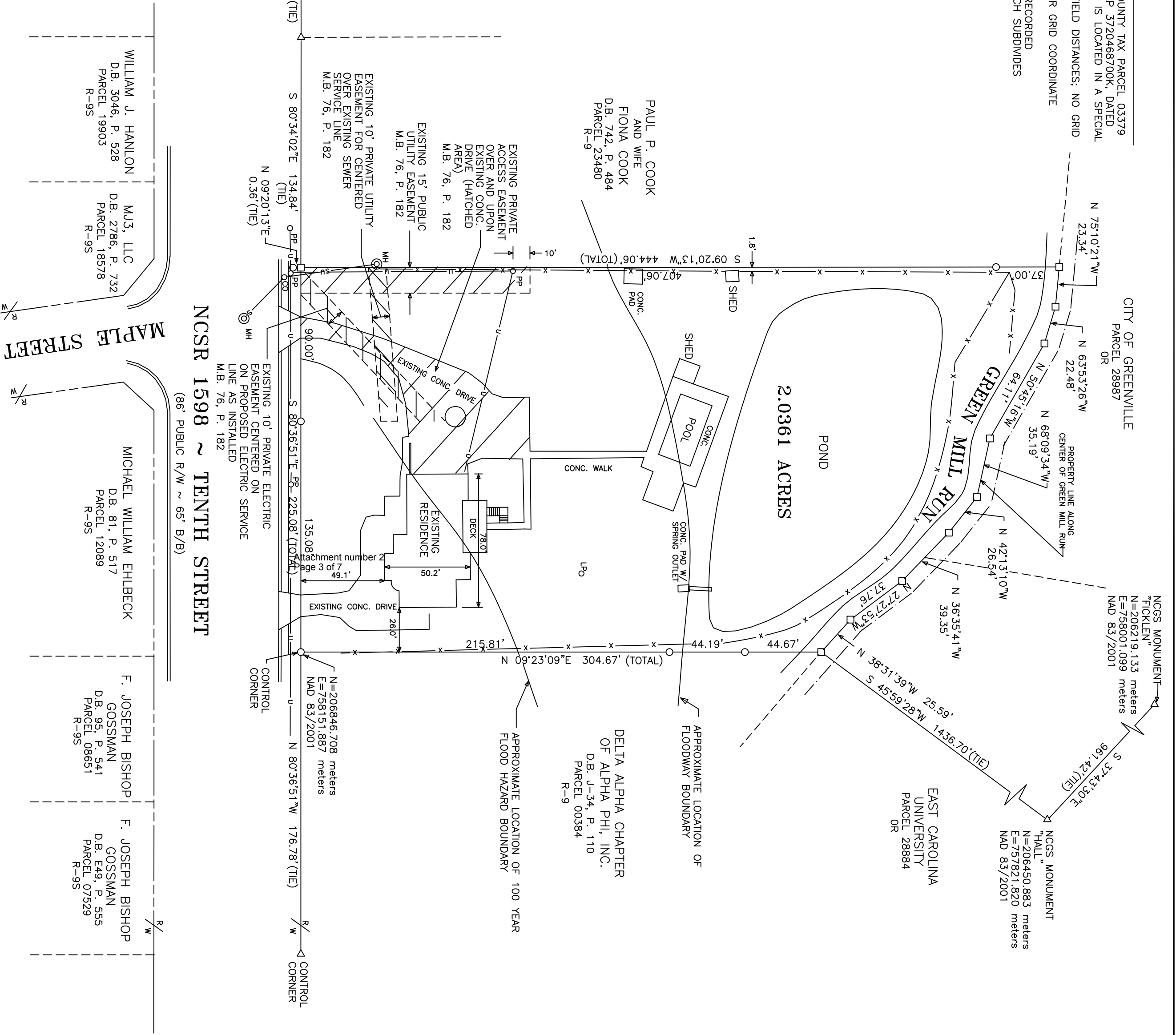
SITE DATA

ACREAGE IN TOTAL TRACT: 2.0361 AC.
 CURRENT ZONING: R-9
 PROPOSED ZONING: R-6

LEGEND

- EXISTING IRON PIPE
- IRON PIPE SET
- NO. POINT SET
- ◁ EXISTING CONCRETE MONUMENT
- PRO POWER POLE
- u- OVERHEAD UTILITY LINE
- r/w RIGHT OF WAY
- x- 5' CHAINLINK FENCE
- s- SEWER LINE
- MH MANHOLE

REZONING SURVEY FOR
WARD HOLDINGS, LLC
 DEED BOOK 3073, PAGE 243
 CITY OF GREENVILLE
 GREENVILLE TOWNSHIP ~ PITT COUNTY ~ NORTH CAROLINA
 DATE: JANUARY 14, 2015 SCALE: 1"=50'
 REVISED TITLE BLOCK: FEBRUARY 3, 2015
 REVISED MARCH 4, 2015: REMOVE PROPOSED DUPLICATES



REFERENCES

D.B. 3073, P. 243
 D.B. M-39, P. 98
 M.B. 76, P. 182
 R/W BOOK 1, P. 12-D
 PITT COUNTY REGISTRY

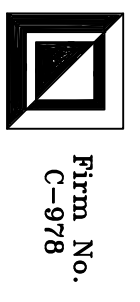
THIS DOCUMENT ORIGINALLY ISSUED AND SEALED BY STEPHEN N. SPRULL, P.L.S. NC L-2723 ON MARCH 4, 2015. THIS MEDIA SHALL NOT BE CONSIDERED A CERTIFIED DOCUMENT.

I, STEPHEN N. SPRULL, CERTIFY THAT THIS IS A SURVEY OF AN EXISTING PARCEL OF LAND, AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

STATE OF NORTH CAROLINA, PITT COUNTY
 I, STEPHEN N. SPRULL, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE AS CALCULATED IS 1:21,380. THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS DAY OF _____ 2015

STEPHEN N. SPRULL, P.L.S. L-2723

Sprull & Associates Inc.
 2747 East Tenth Street
 Greenville, North Carolina 27858
 (252) 757-1200
 sprull@coastalnet.com



REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 15-04

Applicant: Ward Holdings, LLC

Property Information

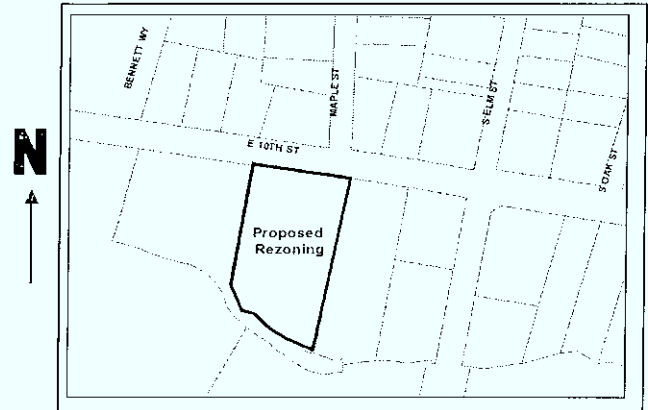
Current Zoning: R9 (Medium Density Residential)

Proposed Zoning: R6 (High Density Residential)

Current Acreage: 2.0361 acres

Location: E. 10th St, west of Elm Street

Points of Access: E. 10th St



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)	35	no change
Current ADT:	23,345 (*)	Ultimate Design ADT: 27,200 vehicles/day (**)
Design ADT:	27,200 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	

Other Information: There are sidewalks along E. 10th St that service this property.

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

Transportation Improvement Program Status: No planned improvements.

Trips generated by proposed use/change

Current Zoning: 106 -vehicle trips/day (*) **Proposed Zoning: 200** -vehicle trips/day (*)

Estimated Net Change: increase of 94 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 23,345

Estimated ADT with Proposed Zoning (full build) – 23,465
 Estimated ADT with Current Zoning (full build) – 23,409
Net ADT change = 56 (<1% increase)

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

"No build" ADT of 23,345

Estimated ADT with Proposed Zoning (full build) – 23,425

Estimated ADT with Current Zoning (full build) – 23,387

Net ADT change = 38 (<1% increase)

Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 200 trips to and from the site on E. 10th St, which is a net increase of 94 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.

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: 3/17/2015
Time: 6:30 PM

Title of Item: Ordinance to amend the Zoning Ordinance by adding live performance theaters as an allowed land use within the CD (Downtown Commercial) zoning district, subject to an approved special use permit, and establishing specific criteria.

Explanation: **Abstract:** On December 16, 2014, the Planning and Zoning Commission unanimously approved a motion to recommend approval of a proposed text amendment to add live performance theaters as an allowed use within the CD (Downtown Commercial) Zoning District. The item moved forward to the City Council meeting but when the City Council considered the amendment during their January 15, 2015 meeting, the Council referred it back to the Planning and Zoning Commission for further review. The text amendment has been revised since the Planning and Zoning Commission reviewed it on December 16, 2014.

Explanation: Currently, the Zoning Ordinance does not allow live performance theaters in the CD (Downtown Commercial) zoning district.

The text amendment has been revised from the version the Planning and Zoning Commission voted to recommend approval on December 16, 2014. Exhibit A illustrates changes made since the Planning and Zoning Commission's previous review. Changes are highlighted in yellow. Exhibit B provides the same revised text amendment as Exhibit A, but does not highlight the new changes.

Revisions made to the text amendment since the Planning and Zoning Commission reviewed it on December 16, 2014 are comprised of the following changes:

1. Subsections 9-4-86RR(5), (9) and (12) were added; and
2. Subsection 9-4-86RR(8) was revised to increase the minimum square footage of live performance theaters from 5,000 square feet to 7,500 square feet.

This amendment allows live performance theaters in the CD zoning district through a special use permit. Maps 1 and 2 identify current boundaries of the CD Zoning District. Map 3 identifies the Future Land Use designation as

Commercial in the Center City area and depicts the area as a Regional Focus Area. (Refer to Exhibit C for Maps 1-3).

This text amendment also establishes specific criteria for live performance theaters.

Excerpts of relevant adopted meeting minutes are attached from the following meetings:

Exhibit D: City Council meeting held on January 15, 2015;

Exhibit E: Planning and Zoning Commission meeting held on December 16, 2014; and

Exhibit F: Redevelopment Commission meeting held November 4, 2014.

Planning Division staff contacted other North Carolina cities to research whether they have provisions to regulate live performance theaters. The research did not produce examples to incorporate into the proposed text amendment.

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, Growth and Development Subsection, Implementation Strategy 2(t) states, "Preserve historic warehouses and older buildings through renovation and adaptive reuse."

Implementation Section, Economic Development Subsection, Implementation Strategy 2(b) states, "Encourage rehabilitation and reuse of commercial/industrial buildings."

Implementation Section, Vision Areas Subsection, Central, Management Action H5, 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."

On November 4, 2014, the Redevelopment Commission unanimously voted to request staff and the Planning and Zoning Commission initiate a text amendment that would permit live performance theaters to locate in the CD (Downtown Commercial) zoning district with a special use permit (Refer to Exhibit F).

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

 [Exhibits to Revised Live Performance Theater Text Amendment 997791](#)

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 April 9, 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, Growth and Development Subsection, Implementation Strategy 2(t) to preserve historic warehouses and older buildings through renovation and adaptive reuse, Implementation Section, Economic Development Subsection, Implementation Strategy 2(b) to encourage rehabilitation and reuse of commercial/industrial buildings, 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 B, Section 9-4-22 of the City Code is hereby amended by adding the following definitions for “*Live Performance Theater*”:

Live Performance Theater. A facility for holding live performances, motion pictures, plays, and live music through the sale of tickets and allows banquets as an accessory use. Such use is limited in its location, size and operation in accordance with the provisions of section 9-4-86.RR. (see also section 9-4-86.RR).

Section 2: That Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A), of the City Code, is hereby amended by adding the following new land uses:

(10) gg. “*Live Performance Theater (see also section 9-4-86)*”; by allowing this land use with a special use permit in the CD (Downtown Commercial) zoning district; and by assigning a LUC 4 to the land use.

Section 3: That Title 9, Chapter 4, Article F, Section 9-4-86, of the City Code, is hereby amended by adding the following new subsections:

SEC. 9-4-86 LISTED USES; SPECIFIC CRITERIA.

RR. Live Performance Theater (see also section 9-4-22).

- (1) Events and/or banquets must be ticketed or free of charge to participants. No cover charges can be required for events.
- (2) The following ticketed events shall be permitted: Concerts, Plays, Motion Pictures Operas, Musicals, Ballets, Other Forms of Modern Dance.
- (3) As an accessory use the facility may host private banquets and meetings.
- (4) The following activities shall not be permitted at the theater: televised events, disc jockey-based events, dance parties, raves, house music-based events, outdoor events or outdoor amplified music.
- (5) Recorded music events may be held by touring acts provided the same act does not return to the venue more than three times per calendar year. The maximum percentage of recorded music events shall not exceed 30% of total shows held per calendar year.
- (6) May have as an ancillary or accessory use a full service bar which is only open to patrons of ticketed events, private banquets or meetings and is limited to operate only during the hours the above listed permitted ticketed events, private banquets or meetings are being held.
- (7) The facility shall not operate as a public or private club as defined by Title 9, Chapter 4, Article B, Section 9-4-22.
- (8) Minimum square footage of live performance theaters shall be 7,500 square feet.

(9) The facility shall have a fixed permanent stage platform of 800 s.f. min.

- (10) Accessory retail sales shall be permitted for the sale of theater or event related items.
- (11) The portion of the building devoted to live performances may have open or fixed seating.

(12) Closing time shall be no later than 1:00 A.M.

- (13)
 - (a) A special use permit for a live performance theater is subject to revocation in accordance with the provisions of this subsection (10). Nothing herein shall prohibit or restrict the authority of the Board of Adjustment to rescind or revoke a special use permit for a live performance theater in accordance with the provisions of section 9-4-83.
 - (b) An annual review shall be conducted by the Director of Community Development or his or her authorized representative of a live performance theater which has received a special use permit for the purpose of determining and ensuring compliance with applicable laws, codes and ordinances, including but not limited to noise regulations, litter control regulations, fire codes, building codes, nuisance and public safety regulations, and special use permit conditions of approval. The findings of the Director of Community Development or his or her authorized representative as a result of this annual review shall be compiled in a written staff report.
 - (c) At a meeting of the Board of Adjustment, the Director of Community Development or his or her authorized representative shall present to the Board of Adjustment the staff report of a live performance theater for which the annual review includes a finding of one or more instances of noncompliance with applicable laws, codes and ordinances, including but not limited to noise regulations, litter control regulations, fire codes, building codes, nuisance and public safety regulations, and special use permit conditions of approval. The special use permit holder shall be provided notice of the meeting and a copy of the staff report.
 - (d) Based on the staff report, the Board of Adjustment, by a majority vote, may either determine that a rehearing is not required for the special use permit or order a rehearing on the special use permit.
 - 1. An order for a rehearing shall be based upon a determination by the Board of Adjustment that either:
 - a. The use of the property is inconsistent with the approved application;
 - b. The use is not in full compliance with all specific requirements

set out in this chapter;

- c. The use is not compliant with the specific criteria established for the issuance of a special use permit including conditions and specifications, health and safety, detriment to public welfare, existing uses detrimental, injury to properties or improvements, and nuisance or hazard; or
 - d. The use is not compliant with any additional conditions of approval established by the Board and set out in the order granting the permit.
2. The rehearing shall be in the nature of and in accordance with the requirements for a hearing upon a special use permit application. After the rehearing and in accordance with the provisions of section 9-4-81, the Board of Adjustment may grant a special use permit with conditions imposed pursuant to this subsection (RR) and section 9-4-82 or deny the special use permit. The grant or denial of the special use permit by the Board of Adjustment after the rehearing shall constitute a revocation of the previously granted special use permit for a live performance theater.
- (e) The requirements and standards set forth in this subsection (RR)(10) are in addition to other available remedies and nothing herein shall prohibit the enforcement of applicable codes, ordinances and regulations as provided by law.

Section 4. 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 5. That this ordinance shall become effective immediately upon adoption.

Adopted this 9th day of April, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

EXHIBIT B: Revised Ordinance

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 April 9, 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, Growth and Development Subsection, Implementation Strategy 2(t) to preserve historic warehouses and older buildings through renovation and adaptive reuse, Implementation Section, Economic Development Subsection, Implementation Strategy 2(b) to encourage rehabilitation and reuse of commercial/industrial buildings, 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 B, Section 9-4-22 of the City Code is hereby amended by adding the following definitions for "*Live Performance Theater*":

Live Performance Theater. A facility for holding live performances, motion pictures, plays, and live music through the sale of tickets and allows banquets as an accessory use. Such use is limited in its location, size and operation in accordance with the provisions of section 9-4-86.RR. (see also section 9-4-86.RR).

Section 2: That Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A), of the City Code, is hereby amended by adding the following new land uses:

(10) gg. “*Live Performance Theater (see also section 9-4-86)*”; by allowing this land use with a special use permit in the CD (Downtown Commercial) zoning district; and by assigning a LUC 4 to the land use.

Section 3: That Title 9, Chapter 4, Article F, Section 9-4-86, of the City Code, is hereby amended by adding the following new subsections:

SEC. 9-4-86 LISTED USES; SPECIFIC CRITERIA.

RR. Live Performance Theater (see also section 9-4-22).

- (1) Events and/or banquets must be ticketed or free of charge to participants. No cover charges can be required for events.
- (2) The following ticketed events shall be permitted: Concerts, Plays, Motion Pictures Operas, Musicals, Ballets, Other Forms of Modern Dance.
- (3) As an accessory use the facility may host private banquets and meetings.
- (4) The following activities shall not be permitted at the theater: televised events, disc jockey-based events, dance parties, raves, house music-based events, outdoor events or outdoor amplified music.
- (5) Recorded music events may be held by touring acts provided the same act does not return to the venue more than three times per calendar year. The maximum percentage of recorded music events shall not exceed 30% of total shows held per calendar year.
- (6) May have as an ancillary or accessory use a full service bar which is only open to patrons of ticketed events, private banquets or meetings and is limited to operate only during the hours the above listed permitted ticketed events, private banquets or meetings are being held.
- (7) The facility shall not operate as a public or private club as defined by Title 9, Chapter 4, Article B, Section 9-4-22.
- (8) Minimum square footage of live performance theaters shall be 7,500 square feet.

- (9) The facility shall have a fixed permanent stage platform of 800 square feet minimum.
- (10) Accessory retail sales shall be permitted for the sale of theater or event related items.
- (11) The portion of the building devoted to live performances may have open or fixed seating.
- (12) Closing time shall be no later than 1:00 A.M.
- (13)
 - (a) A special use permit for a live performance theater is subject to revocation in accordance with the provisions of this subsection (10). Nothing herein shall prohibit or restrict the authority of the Board of Adjustment to rescind or revoke a special use permit for a live performance theater in accordance with the provisions of section 9-4-83.
 - (b) An annual review shall be conducted by the Director of Community Development or his or her authorized representative of a live performance theater which has received a special use permit for the purpose of determining and ensuring compliance with applicable laws, codes and ordinances, including but not limited to noise regulations, litter control regulations, fire codes, building codes, nuisance and public safety regulations, and special use permit conditions of approval. The findings of the Director of Community Development or his or her authorized representative as a result of this annual review shall be compiled in a written staff report.
 - (c) At a meeting of the Board of Adjustment, the Director of Community Development or his or her authorized representative shall present to the Board of Adjustment the staff report of a live performance theater for which the annual review includes a finding of one or more instances of noncompliance with applicable laws, codes and ordinances, including but not limited to noise regulations, litter control regulations, fire codes, building codes, nuisance and public safety regulations, and special use permit conditions of approval. The special use permit holder shall be provided notice of the meeting and a copy of the staff report.
 - (d) Based on the staff report, the Board of Adjustment, by a majority vote, may either determine that a rehearing is not required for the special use permit or order a rehearing on the special use permit.
 1. An order for a rehearing shall be based upon a determination by the Board of Adjustment that either:
 - a. The use of the property is inconsistent with the approved application;
 - b. The use is not in full compliance with all specific requirements

set out in this chapter;

- c. The use is not compliant with the specific criteria established for the issuance of a special use permit including conditions and specifications, health and safety, detriment to public welfare, existing uses detrimental, injury to properties or improvements, and nuisance or hazard; or
 - d. The use is not compliant with any additional conditions of approval established by the Board and set out in the order granting the permit.
2. The rehearing shall be in the nature of and in accordance with the requirements for a hearing upon a special use permit application. After the rehearing and in accordance with the provisions of section 9-4-81, the Board of Adjustment may grant a special use permit with conditions imposed pursuant to this subsection (RR) and section 9-4-82 or deny the special use permit. The grant or denial of the special use permit by the Board of Adjustment after the rehearing shall constitute a revocation of the previously granted special use permit for a live performance theater.
- (e) The requirements and standards set forth in this subsection (RR)(10) are in addition to other available remedies and nothing herein shall prohibit the enforcement of applicable codes, ordinances and regulations as provided by law.

Section 4. 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 5. That this ordinance shall become effective immediately upon adoption.

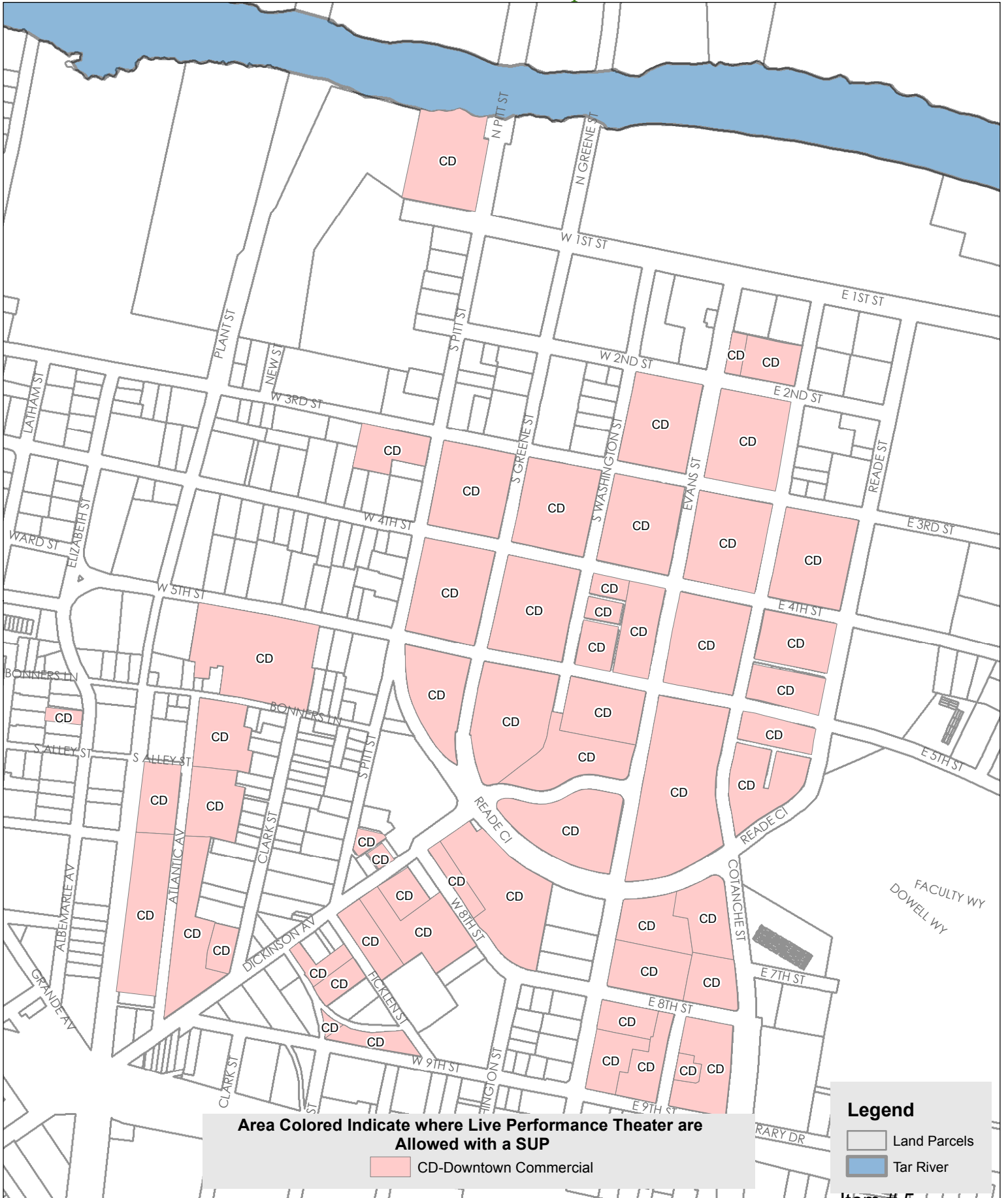
Adopted this 9th day of April, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

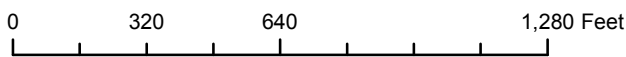
Map 1 - Zone (CD) Where Live Performance Theater are Permitted with a Special Use Permit



Area Colored Indicate where Live Performance Theater are Allowed with a SUP
 CD-Downtown Commercial

Legend

- Land Parcels
- Tar River

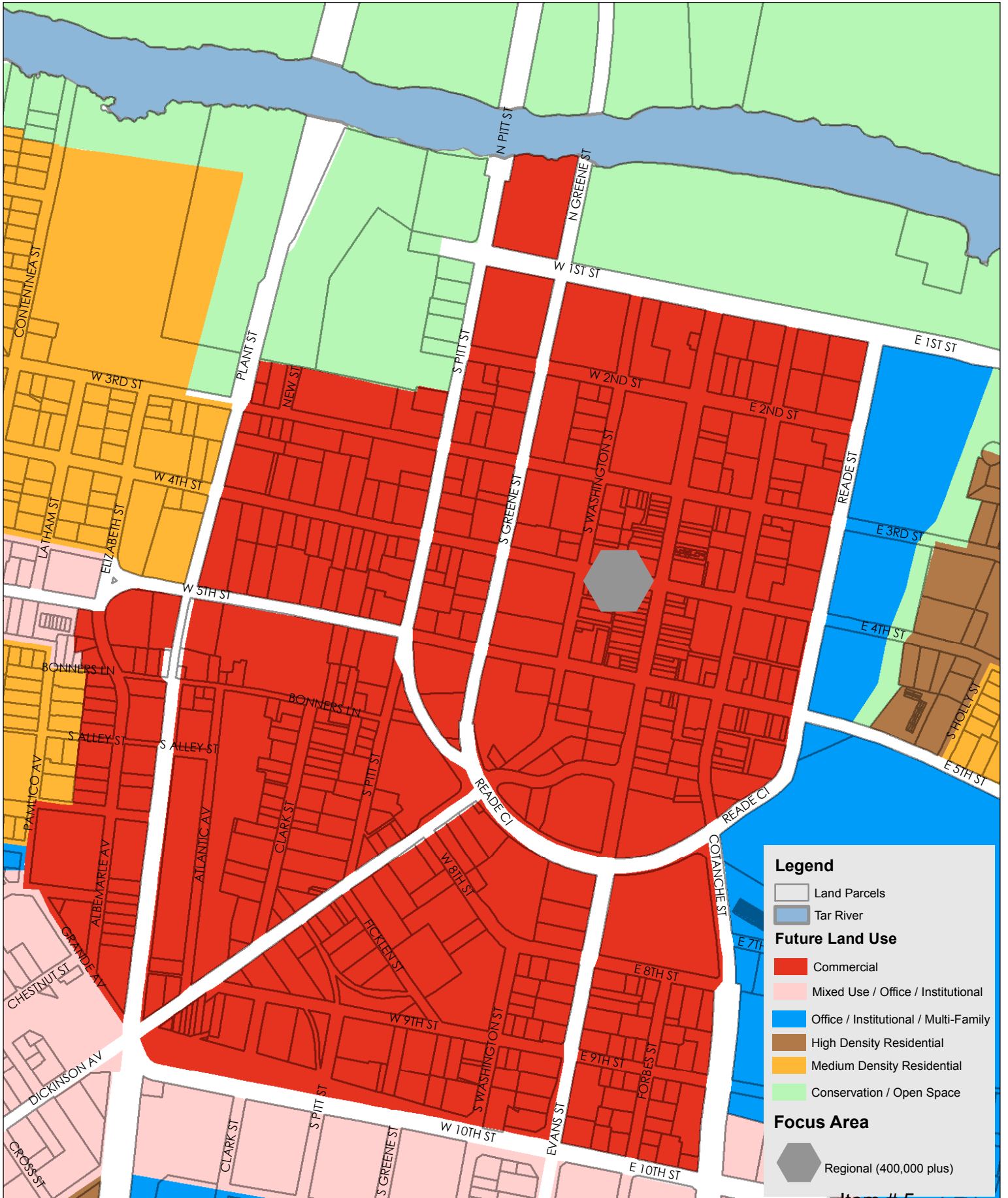




0 320 640 1,280 Feet

Item # 5
10

December 3, 2014



Legend

- Land Parcels
- Tar River

Future Land Use

- Commercial
- Mixed Use / Office / Institutional
- Office / Institutional / Multi-Family
- High Density Residential
- Medium Density Residential
- Conservation / Open Space

Focus Area

- Regional (400,000 plus)

0 350 700 1,400 Feet

EXHIBIT D - Excerpt from Adopted City Council Meeting Minutes, Jan. 15, 2015

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

Community Development Director Flood stated this item comes about as a result of work to revive the uptown and market the former White's Theater to interested redevelopers to create a live entertainment or theater venue in the uptown area. This facility used to be the Park Theater. It has since been purchased by the City in hopes of revitalizing it. The Redevelopment Commission issued a call for developers and is in the process of working with one submitter that seems to have a business model that might work in that facility for a live entertainment venue. There are many similarities between land uses so staff had to work to first determine if this is allowed by Greenville's City Code. Sometime in the early 1990's, the theater option was removed as a permitted or special use in the downtown commercial district. This amendment would allow live performance theaters in the CD (Downtown Commercial) zoning district through a special use permit. It would also establish specific criteria for live performance theaters. This amendment could potentially satisfy two issues as it is known that East Carolina University has future plans to include a performing arts center in this general vicinity.

Staff had to consider the characteristics of live performance venues and define how those differ from some other similar uses such as public or private clubs. One of the major factors affecting public or private clubs in this location would be a spacing requirement. Many other cities treat a live performance venue as a public or private club, but staff feels Greenville needs a hybrid application with a distinction made between the two by operating characteristics.

The text amendment defines a Live Performance Theater as a facility for holding live performances, motion pictures, plays and live music through the sale of tickets and allows banquets as an accessory use. Such use is limited to its location, size and operation in accordance with the provisions of Section 9-4-86.RR.

The definition makes this a different sort of model because one purchases a ticket to see a live event. There are limitations on size – it must be not less than 5,000 sq. ft. – and it allows special events such as banquets, but without a cover charge allowed. It does not permit televised events, disc jockey based events, dance parties, raves, etc. It does allow a full-service bar as an accessory use.

There are other portions of the zoning ordinance that would need to be amended, such as the spacing between public or private clubs if it were classified as a public or private club.

While the Planning and Zoning Commission unanimously voted at its December 16, 2014 meeting to recommend approval, the Redevelopment Commission and the potential developer do have some concerns because of the potential developer's preference to be able to have pre-recorded music at the venue.

Mayor Thomas asked if it is necessary to move forward on this at the present time if there are still unanswered questions.

Director Flood stated at the time the proposal was submitted, the goal was to insure the provisions were in the ordinance. He stated he did not feel a delay of another thirty days would be an issue, but being that the City has entered into negotiations with the potential developer, those provisions will be an important aspect of the buyer's financing agreement.

Council Member Smith stated she was at the Redevelopment Commission's meeting and it was clear that the buyer had some concerns. She feels they would want the City to take a closer look at it. One issue was the recorded music. If someone is putting on a play, but does not have someone to sing live – all of their music is pre-recorded – wouldn't this proposal exclude them?

Director Flood stated no, because the primary use would be the play. This restricts recorded music from being the sole performance because that would make them no different from a public or private club.

Council Member Smith asked if the theater has theater seating or open floor space.

Director Flood stated their model has moveable seating. They could also have telescoping seating that will go flat against a wall.

Council Member Smith asked if this being a ticketed event would make them different from a public or private club.

Director Flood stated this is where the distinction becomes a gray area. It could be in the definition, but the net result is whether you pay in advance for a ticket or at the door for a cover charge, you are still paying to get in.

Council Member Blackburn expressed a desire to be supportive since there is interest in the facility, but if that is not yet the will of the City Council, she would not be hasty.

Mayor Thomas asked if the interested buyer was the Lincoln Theater Group, and if so, don't they operate similar facilities in Raleigh.

Director Flood stated the Mayor was correct, and in Raleigh, they are classified as a public or private club.

Council Member Croskery said by the stated definition, the facility would not be able to broadcast the Super Bowl, but one of the new uses for a facility of this nature is for simulcasting events. He stated he can go to the Regal Theater on Saturday and watch the Metropolitan Opera with a group of his friends. That is a live performance, but it's being done elsewhere. It has recorded music since it's coming over the airwaves, but yet it's being performed live. Motion pictures, which are pre-recorded, are allowed. This seems to

be another gray area. He said he wonders if there are others that may warrant more attention before adopting an ordinance.

Council Member Glover stated this building has been here for a long time with no interest. She would be afraid they potential buyers may lose momentum and decide they cannot work in Greenville. The building needs to be used.

Mayor Thomas asked if it was necessary to hold the public hearing if the item was referred back to Planning and Zoning.

City Attorney Dave Holec stated the Council could hold the public hearing, or choose not to do so if the item was being referred back to Planning and Zoning or continued.

Mayor Thomas asked if anyone was present who wished to speak in a public hearing on this item and no one responded.

Council Member Smiley moved to refer this item to Planning and Zoning for further review and revision to distinguish this use from a public or private club, while allowing its development as a viable venue, with input from the Redevelopment Commission, Uptown Greenville and the potential buyer. Mayor Pro-Tem Mercer seconded the motion, which passed by unanimous vote.

EXHIBIT E - Excerpt from Adopted Planning & Zoning Commission Meeting Minutes, Dec. 16, 2014

MINUTES ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION
December 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 - X
Ms. Ann Bellis - *	Mr. Torico Griffin - *
Mr. Doug Schrade - *	Mr. Terry King –*
Ms. Wanda Harrington-X	Mr. Brian Smith -X

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

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

PLANNING STAFF: Thomas Weitnauer, Chief Planner and Amy Nunez, Staff Support Specialist II.

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

MINUTES: Motion was made by Mr. Parker, seconded by Mr. King, to accept the October 21, 2014 minutes as presented. Motion carried unanimously.

NEW BUSINESS

TEXT AMENDMENTS

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

Mr. Merrill Flood, Director of Community Development, presented the text amendment. He stated the amendment was recommended by the Redevelopment Commission, who has actively been seeking a redevelopment partner to help redevelop White's Theater. There are plans that have been identified by community partners to establish a performing arts venue in the Uptown Area. This idea was first discussed during the adoption of the Revitalization Plan in 2006. In the early to mid 1990s, the idea of theaters or performance venues listed as a permitted use in the zoning ordinance was removed. It is no longer a permitted use or special use permitted use in the CD (downtown commercial) district. He stated as they seek to increase activities in the Uptown Area, it is important to have a live, work, play environment as referred to in the Center City Revitalization Plan. The amendment will create a land use category and classification of use for live performance theaters. He stated the Office of Economic Development staff brought a discussion item to the Redevelopment Commission to seek reaction and input regarding live performance theaters in the CD zoning district with a special use permit. The RDC unanimously voted to request staff and the Planning and Zoning Commission to initiate a text amendment.

Definition: A facility for holding live performances, motion pictures, plays, and live music through the sale of tickets and allows banquets as an accessory use. Such use is limited in its location, size, and operation in accordance with the provisions of section 9-4-86.RR.

Text amendment additions

1. Events and/or banquets must be ticketed or free of charge to participants. No cover charge.
2. Ticketed events permitted: concerts, plays, motion pictures, operas, musicals, ballets, other forms of modern dance.
3. Accessory uses: private banquets and meetings.
4. Activities not permitted: televised events, disc jockey-based events, dance parties, raves, house music-based events, outdoor events or outdoor amplified music.
5. May have as an accessory use a full service bar only open to patrons of ticketed events, private banquets or meetings and is limited to operate only during the hours the above listed permitted ticketed events, private banquets or meetings are held.
6. The facility shall not operate as a public or private club as defined by Title 9, Ch. 4, Art. B, Sec. 9-4-22.
7. Minimum square footage of live performance theaters shall be 5,000 square feet.
8. Accessory retail sales shall be permitted for the sale of theater or event related items.
9. The portion of the building devoted to live performances may have open or fixed seating.
10. A SUP (special use permit) is required and is revocable.

The proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan as follows:

Implementation Section, Growth and Development Subsection, Implementation Strategy 2(t) states, "Preserve historic warehouses and older buildings through renovation and adaptive reuse."

Implementation Section, Economic Development Subsection, Implementation Strategy 2(b) states, "Encourage rehabilitation and reuse of commercial/industrial buildings."

Implementation Section, Vision Areas Subsection, Central, Management Action H5, 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."

In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan and Center City West Greenville Revitalization Plan.

Ms. Bellis asked if it was previously a permitted use and if it no longer existed.

Mr. Flood stated yes. He stated sometime in the 1990s it was no longer a permitted use or special use permit in the downtown area.

Ms. Bellis asked if it covered as many uses as the proposed text amendment.

Mr. Flood stated it was less definitive. Since 1977 there have been about 19 amendments to the zoning ordinance related specifically to public/private clubs. He stated things change and the

code has been amended to reflect the community's sentiment as to how public/private clubs should perform and operate in the community.

Chairwoman Basnight asked if the proposed meets the minimum requirements.

Mr. Flood stated yes.

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.

No board discussion was made.

Motion made by Mr. Schrade, seconded by Ms. Darden, 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. Motion passed unanimously.

EXHIBIT F - Excerpt from Adopted Redevelopment Commission Meeting Minutes, Nov. 4, 2014

VI. Update on Evans Street Gateway Public Art Project

Mr. Rees stated that a couple of months ago there was a public forum calling for artist issued by the Pitt County Arts Council on our behalf. The Public Arts Committee reviewed a total of eleven submissions. The committee has narrowed down the selection to three finalists. The three finalists are Jim Galuchi, who did the whisper benches at five points, H&G Studios, and Beth Nybeck. They will be at the Emerge gallery on November 14th to answer questions. Two volunteers, Ms. Marshall and Ms. Dunn, will be serving on the selection committee. Finalist will be at the next meeting.

VII. Consideration of Recommendation to Create a Zoning Category for Theatres and Live Performance Venues

Mr. Flood stated that there is a lot of momentum concerning land uses and the uptown theater consideration. In addition, East Carolina University is considering a performing arts center in the future. Currently the zoning ordinance does not have provisions for allowing a theatre. We need to make some accommodations for use. Staff would like to create an amendment allowing special use permit. We are asking the RDC to sponsor and authorize staff to craft a zoning amendment to allow special use permit.

Ms. Dunn asked what area is being discussed.

Mr. Flood replied the uptown area and the Dickinson Avenue, Tenth Street, and Evans Street area.

Ms. Dunn asked if staff was proposing to take the CDF and include as a permitted use the theatre or drama.

Mr. Flood replied that staff would look at creating a separate use category or amend the current category to create a definition or to allow special use permits. We will evaluate what other similar cities are doing for special uses.

Mr. King asked if the performing arts area would be limited to the redevelopment area.

Mr. Flood replied perhaps. Staff would not want to do anything that affects reinvestment.

Motion was made by Mr. King and seconded by Ms. Marshall to request that staff investigate venues to create a zoning category for theatres and live performance. Motion carried unanimously.



City of Greenville, North Carolina

Meeting Date: 3/17/2015
Time: 6:30 PM

Title of Item: Ordinance to amend the Zoning Ordinance by expanding the existing wine shop regulations to add the allowance of craft beer shops in the same zoning districts where wine shops are allowed to operate.

Explanation: **Abstract:** The City of Greenville received an application for a text amendment to expand the existing wine shop definition and provisions to include the allowance of craft beer. Under the proposal, a craft beer shop would be allowed to operate, with or without wine sales, and would follow the same regulations currently required of wine shops.

Explanation: Greenville's Zoning Ordinance does not allow craft beer shops. Omission of a particular land use is interpreted to mean uses not listed are prohibited.

The text amendment proposes craft beer shops in the same zones where wine shops are allowed. This text amendment permits craft beer shops within the CH (Heavy Commercial) zoning district, by right and within the MCG (Medical General Commercial), MCH (Medical Health Commercial), CD (Downtown Commercial), CDF (Downtown Commercial Fringe) and CG (General Commercial) zoning districts through special use permits.

The attached staff report provides additional details and recommendation regarding this text amendment. The applicant's full application submittal is attached to the staff report in Appendix A. Attachments 4 and 5 of Appendix A provides the applicant's research findings of how other cities regulate craft beer shops and how and where craft beer shops operate.

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

 [3 11 2015 Wine and Craft Beer Text Amendment Staff Report and Appendix A 999630](#)

**Staff Report:
Wine and Craft Beer Shop – Text Amendment**

Contents:

Background 1

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Distinctions between Wine and Craft Beer Shops and Public/Private Clubs 1

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Maps:

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Appendix A Application Submittal Documents A-1



**Staff Report Developed by the City of Greenville
Community Development Department - Planning Division
March 11, 2015**

Background

Greenville's Zoning Ordinance currently does not allow craft beer shops. Omission of a particular land use is interpreted to mean uses not listed are prohibited. Sec. 9-4-13, Uses Prohibited states, *"Unless a use of land is specifically allowed in a zoning district, either as a matter of right or as a special use, then the use shall be prohibited in the district."*

The City of Greenville received an application for a text amendment to expand the existing wine shop definition and provision to include the allowance of craft beer. (Appendix A).

Zones Where Wine and Craft Beer Shops are Proposed Under This Text Amendment

The text amendment proposes craft beer shops in the same zones where wine shops are allowed. This text amendment permits craft beer shops within the CH (Heavy Commercial) zoning district, by right and within the MCG (Medical General Commercial), MCH (Medical Health Commercial), CD (Downtown Commercial), CDF (Downtown Commercial Fringe) and CG (General Commercial) zoning districts through special use permits. Map 1 illustrates locations where wine shops are already permitted and where craft beer shops would be allowed under the proposed text amendment.

Distinctions between Wine and Craft Beer Shops and Public and Private Clubs

Consideration was given to ensure this text amendment does not allow wine and craft beer shops to turn into de facto nightclubs. Following are distinctions between microbrewery and public and private clubs regulations.

Cover Charges. Wine and craft beer are prohibited from charging cover charges while public/private clubs are allowed to charge cover charges.

Separation Requirements. Wine and craft beer shops have separation requirements of 200 feet from existing or approved public or private clubs, dining and entertainment establishments, or other wine and craft beer shops that includes the on-premises consumption of wine and malt beverages. Public and Private clubs must be separated at least 500 feet from other public and private clubs and from conforming use single-family dwellings and any single-family residential zoning district.

Hours of Operation. Wine and craft beer shops shall not operate after 11:00 p.m. on Sunday, Monday, Tuesday, Wednesday, and Thursday or after 12:00 a.m. on Friday and Saturday. Public and private clubs must stop serving alcohol at 2:00 a.m. per ABC regulations.

Proposed Text Amendment

In order to amend the Zoning Code to allow the current provisions of wine shop to be expanded to include beer shop provisions, text amendments must be adopted. This text amendment requires a public hearing before City Council. The Planning and Zoning Commission is required to review and if supportive, recommend an ordinance relating to beer shop regulations since they would be added in the Zoning Ordinance.

Proposed text amendments to add craft beer shops to wine shops, or as only craft beer shops, are illustrated below using underlined text to denote regulations to be added.

SEC. 9-4-22 WORDS AND TERMS DEFINED.

***Wine and Craft Beer Shop.** An establishment conducted pursuant to G.S. 18B-1001 as amended, and operated as a principal or accessory use, which is authorized to sell wine and/or craft beer in the manufacture's original container for consumption off the premises, provided however, the permittee shall be authorized to conduct accessory and incidental wine and/or craft beer tasting on the premises and is further authorized to sell wine and/or craft beer for on-premises consumption, as an accessory and incidental use to the "wine and craft beer shop", provided the establishment and operation is compliant with section 9-4-103(S). Among the two limited types of alcoholic beverages that may be sold, a "wine and craft beer shop" may sell wine exclusively, craft beer exclusively, or both wine and craft beer provided that the "wine and craft beer shop" has the requisite state permit(s) that allows retail sales of wine and/or malt beverages for consumption on the premises. A "wine and craft beer shop" that does not meet the requirements of section 9-4-103(S) shall be deemed a public or private club for the purpose of zoning and land use classification. For purposes of the wine and craft beer shop use, craft beer is defined as a malt beverage from a brewer with an annual production of 6 million barrels of beer or less. Notwithstanding the foregoing, wine and beer shops may offer retail products and prepared pre-packaged food for purchase as an incidental use.*

Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A(C)(10)c. is amended as follows (refer to attached excerpt of the Table of Uses on page 5 of this staff report):

(10) c. "Wine and craft beer shop (see also section 9-4-103)"

Title 9, Chapter 4, Article D, Section 9-4-103 (S), of the City Code is amended to expand specific criteria of Wine Shops to add Craft Beer Shop provisions as follows:

Title 9, Chapter 4, Article D, Section 9-4-103(S)

- (S) Wine and Craft Beer Shop (see also Section 9-4-22).
- (1) *A wine and craft beer shop may sell wine and/or craft beer for consumption on the premises, provided that the on-premises consumption of wine and/or craft beer constitutes an accessory and incidental use to the wine and craft beer shop.*
 - (2) *A wine and craft beer shop that also has the requisite state permit(s) that allows retail sales of malt beverages for on-premises consumption, in accordance with G.S.18B-1001 as amended, may sell both wine and malt beverages for consumption on the premises, provided that the combined on-premises consumption of wine and malt beverages constitute an accessory and incidental use to the primary retail use wine and craft beer shop.*
 - (3) *For purposes of this section, on-premises consumption of wine and malt beverages shall be deemed an accessory and incidental use to a wine and craft beer shop, provided the combined sale of wine and malt beverages for consumption on the premises does not exceed 40% of the wine and craft beer shop's total sales of wine and malt beverages including both on-premises and off-premises consumption, for any 30-day period. The term "sale(s)" as used herein shall be the receipt of payment for the wine and malt beverages sold and/or consumed and shall not be a measure of the volume of wine and malt beverages sold and/or consumed.*
 - (4) *Records related to the wine and craft beer shop's total sales of wine and malt beverages for both on-premises and off-premises consumption shall be maintained on the premises for not less than one year and shall be open for inspection and audit at all reasonable hours when the establishment is open for business by the Zoning Enforcement Officer. The Zoning Enforcement Officer may view the records on the premises or may request that copies of the written records be delivered to the city. The requirements of this subsection shall be for the purpose of determining compliance with subsection (S)(3) above.*
 - (5) *No wine and craft beer shop that includes the on-premises consumption of wine and malt beverages shall be located within a 200-foot radius, including street rights-of-way, of an existing or approved public or private club, dining and entertainment establishment, or other wine and craft beer shop that includes the on-premises consumption of wine and malt beverages. The required measurement shall be from the building or structure containing the wine and craft beer shop to the nearest property line of the parcel containing the existing or approved public or*

private club, dining and entertainment establishment, or other wine shop that includes the on-premises consumption of wine and malt beverages.

- (6) *A wine and craft beer shop shall not operate after 11:00 p.m. on Sunday, Monday, Tuesday, Wednesday, and Thursday or after 12:00 a.m. on Friday and Saturday.*
- (7) *A wine and craft beer shop shall not require a membership, cover or minimum charge for admittance or service during regular or special periods of operation.*
- (8) *A wine and craft beer shop that does not meet the requirements of section 9-4-103(S) shall be deemed a public or private club for the purpose of zoning and land use classification.*
- (9) *The provisions of this section shall apply to all wine and craft beer shops whether operated as a principal or accessory use.*

(10) Retail trade.

USE	LUC #	RA 20	R 15 S	R 9 S S	R 6 S S	R 6 N	R 9	R 6	R 6 A	R 6 M H	M I	M S	M O G	M R C G	M R C H	M R S	O R	O	C D	C D F	C G	C N	C H U	C I U	P I U	P I U
a. Miscellaneous retail sales; nondurable goods, not otherwise listed	3												P		P			P	P	P						
b. Gasoline or automotive fuel sales; accessory or principal use, retail	4													P				S	S	S	S	S	P	P	P	P
c. Wine and craft beer shop; including on premises consumption (see also § 9-4-103)	4												S		S			S	S	S	S	P				
d. Pharmacy	3											P	P		P			P	P	P	P					
e. Convenience store (see also gasoline sales)	4														P			P	P	P	P					
f. Office and school supply, equipment sales	3												S	P				P	P	P	P					
g. Fish market; excluding processing or packing	3																	S	S	S	P					
h. Restaurant; conventional	3											S	S	P			S	P	P	P	P	P	P	P	P	P
i. Restaurant; fast food (see also § 9-4-103)	4												S	P				P	P	P	P	S	P	P	P	P
j. Restaurant and/or dining and entertainment establishment; regulated outdoor activities	4											S	S	S			S	S	S	S	S	S	S	S	S	S
k. Medical supply sales and rental of medically related products including uniforms and related accessories	3											S	S	P							P					
l. Electronic; stereo, radio, computer, television and the like, sales and accessory repair	3												P					P	P	P	P					
m. Appliance; household use, sales and accessory repair, excluding outside storage	3																	P	P	P	P					
n. Appliance; commercial use, sales and accessory repair, excluding outside storage	3																	S	P	S	S	S	S	S	S	S
o. Appliance; household, commercial or industrial use, sales and accessory repair, including outside storage	4																									P

Compliance with the Comprehensive Plan

Consideration of any modification to the city zoning ordinance should include a review of the community's comprehensive plan and other officially adopted plans that are applicable.

Greenville's comprehensive plan, Horizons: Greenville's Community Plan, contains adopted goals, policy statements and objectives that should be reviewed and considered to ensure that the proposed text amendments are in compliance with the Plan, and effectively with the community's values.

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

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

PLAN ELEMENTS

Economy

Objective E1. *To create conditions favorable for healthy economic expansion in the area.*

Objective E2. *To attract new industry and businesses which strengthen Greenville's role as a regional center.*

Staff Recommendation

In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizon's: 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:

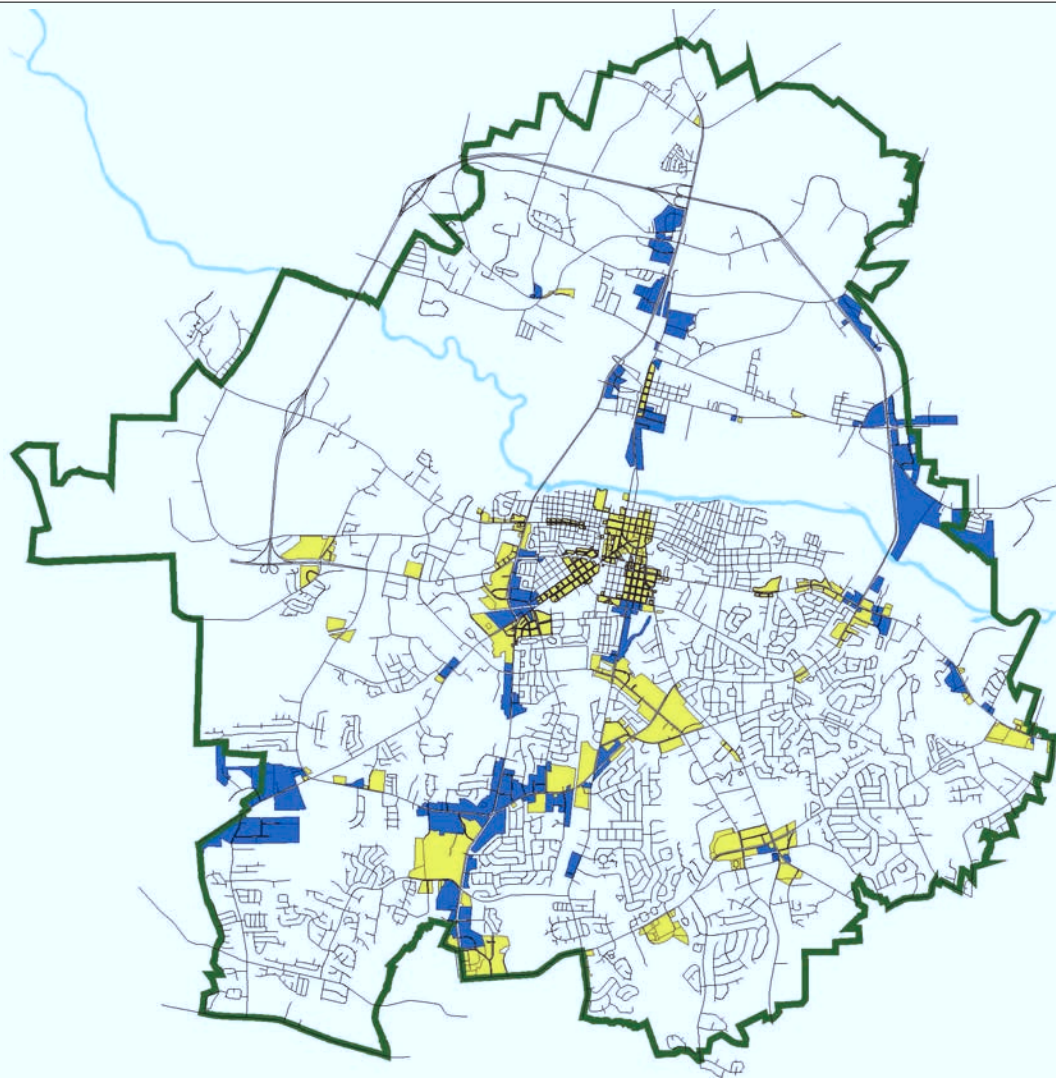
"Motion to recommend approval of the proposed text amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters."

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.”



Map 1: LOCATIONS WHERE WINE SHOPS ARE ALREADY PERMITTED AND WHERE CRAFT BEER SHOPS WOULD BE ALLOWED UNDER THE PROPOSED TEXT AMENDMENT



- Legend**
- Allowed By Right**
 - CH (Heavy Commercial)
 - Allowed With A Special Use Permit**
 - MCG (Medical General Commercial)
 - MCH (Medical Health Commercial)
 - CD (Downtown Commercial)
 - CDF (Downtown Commercial Fringe)
 - CG (General Commercial)

March 9, 2015

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 April 9, 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, Plan Elements, Economy, Objective E1 to create conditions favorable for healthy economic expansion in the area; Objective E2 to attract new industry and businesses which strengthen Greenville's role as a regional center;

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, attract new businesses;

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 9-4-22 of the City Code is hereby amended by rewriting said section so that it shall read as follows:

Wine and Craft Beer Shop. An establishment conducted pursuant to G.S. 18B-1001 as amended, and operated as a principal or accessory use, which is authorized to sell wine and/or craft beer in the manufacturer's original container for consumption off the premises, provided however, the permittee shall be authorized to conduct accessory and incidental wine and/or craft beer tasting on the premises and is further authorized to sell wine and/or craft beer for on-premises consumption, as an accessory and incidental use to the "wine and craft beer shop", provided the establishment and operation is compliant

with section 9-4-103(S). Among the two limited types of alcoholic beverages that may be sold, a “wine and craft beer shop” may sell wine exclusively, craft beer exclusively, or both wine and craft beer provided that the “wine and craft beer shop” has the requisite state permit(s) that allows retail sales of wine and/or malt beverages for consumption on the premises. A “wine and craft beer shop” that does not meet the requirements of section 9-4-103(S) shall be deemed a public or private club for the purpose of zoning and land use classification. For purposes of the wine and craft beer shop use, craft beer is defined as a malt beverage from a brewer with an annual production of 6 million barrels of beer or less. Notwithstanding the foregoing, wine and beer shops may offer retail products and prepared pre-packaged food for purchase as an incidental use.

Section 2: That Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A)(C)(10)c. of the City Code is hereby amended by rewriting said section so that it shall read as follows:

(10) c. “Wine and craft beer shop (see also section 9-4-103)”

Section 3: That Title 9, Chapter 4, Article D, Section 9-4-103(S) of the City Code is hereby amended by rewriting said section so that it shall read as follows:

(S) Wine and Craft Beer Shop (see also Section 9-4-22).

- (1) A wine and craft beer shop may sell wine and/or craft beer for consumption on the premises, provided that the on-premises consumption of wine and/or craft beer constitutes an accessory and incidental use to the wine and craft beer shop.
- (2) A wine and craft beer shop that also has the requisite state permit(s) that allows retail sales of malt beverages for on-premises consumption, in accordance with G.S.18B-1001 as amended, may sell both wine and malt beverages for consumption on the premises, provided that the combined on-premises consumption of wine and malt beverages constitute an accessory and incidental use to the primary retail use wine and craft beer shop.
- (3) For purposes of this section, on-premises consumption of wine and malt beverages shall be deemed an accessory and incidental use to a wine and craft beer shop, provided the combined sale of wine and malt beverages for consumption on the premises does not exceed 40% of the wine and craft beer shop’s total sales of wine and malt beverages including both on-premises and off-premises consumption, for any 30-day period. The term “sale(s)” as used herein shall be the receipt of payment for the wine and malt beverages sold and/or consumed and shall not be a measure of the volume of wine and malt beverages sold and/or consumed.
- (4) Records related to the wine and craft beer shop’s total sales of wine and malt beverages for both on-premises and off-premises consumption shall be maintained on the premises for not less than one year and shall be open for inspection and audit at all reasonable hours when the establishment is open for business by the Zoning Enforcement Officer. The Zoning

Enforcement Officer may view the records on the premises or may request that copies of the written records be delivered to the city. The requirements of this subsection shall be for the purpose of determining compliance with subsection (S)(3) above.

- (5) No wine and craft beer shop that includes the on-premises consumption of wine and malt beverages shall be located within a 200-foot radius, including street rights-of-way, of an existing or approved public or private club, dining and entertainment establishment, or other wine and craft beer shop that includes the on-premises consumption of wine and malt beverages. The required measurement shall be from the building or structure containing the wine and craft beer shop to the nearest property line of the parcel containing the existing or approved public or private club, dining and entertainment establishment, or other wine shop that includes the on-premises consumption of wine and malt beverages.
- (6) A wine and craft beer shop shall not operate after 11:00 p.m. on Sunday, Monday, Tuesday, Wednesday, and Thursday or after 12:00 a.m. on Friday and Saturday.
- (7) A wine and craft beer shop shall not require a membership, cover or minimum charge for admittance or service during regular or special periods of operation.
- (8) A wine and craft beer shop that does not meet the requirements of section 9-4-103(S) shall be deemed a public or private club for the purpose of zoning and land use classification.
- (9) The provisions of this section shall apply to all wine and craft beer shops whether operated as a principal or accessory use.

Section 4. 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 5. That this ordinance shall become effective immediately upon adoption.

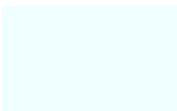
Adopted this 9th day of April, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

**Appendix A Application Submittal Documents
Wine and Craft Beer Shop – Text Amendment**





Date Received 2/17/2015

CITY OF GREENVILLE

ZONING ORDINANCE TEXT AMENDMENT APPLICATION

Applicant Name(s) Jeremy Spengeman, Jennifer Spengeman, Michael Leaman, Kitty Leaman

Mailing Address PO Box 2577
Greenville, NC 27836

Contact Phone Number (252) 341-0038

Contact Fax Number (252)353-2824

Zoning Ordinance Section Proposed to be Amended: Title 9, Chapter 4, Article B, Section 9-4-22 and Title 9, Chapter 4, Article B, Section 9-4-103S

Reason for Request: To amend Use to be titled "Wine and Craft Beer Shop" which allows for the sale of wine and/or beer for both on-premise and off-premise consumption with the sale of wine and/or beer for on-premise consumption not to exceed 40% of total sales of wine and/or beer. Further the ordinance should not require the sale of wine and beer, but allows for the sale of wine exclusively, the sale of beer exclusively or the sale of both wine and beer.

Proposed Language of Text Amendment (attach additional pages if needed): See attached documents.

Jeremy Spengeman
Print Name

Jeremy Spengeman
Signature of Applicant

2/17/2015
Date

Appendix A - Application Submittal Documents - Attachment 1

Proposed Language Text Amendment:

Zoning Ordinance Section Proposed to be Amended:

Title 9, Chapter 4, Article B, Section 9-4-22 and Title 9, Chapter 4, Article B, Section 9-4-103S

Title 9, Chapter 4, Article D, Section 9-4-22

Wine and Craft Beer Shop. An establishment conducted pursuant to G.S. 18B-1001 as amended, and operated as a principal or accessory use, which is authorized to sell wine and/or craft beer in the manufacture's original container for consumption off the premises, provided however, the permittee shall be authorized to conduct accessory and incidental wine and/or craft beer tasting on the premises and is further authorized to sell wine and/or craft beer for on-premises consumption, as an accessory and incidental use to the "wine and craft beer shop", provided the establishment and operation is compliant with section 9-4-103(S). A "wine and craft beer shop" may sell wine exclusively, craft beer exclusively, or both wine and craft beer provided that the "wine and craft beer shop" has the requisite state permit(s) that allows retail sales of wine and/or malt beverages for consumption on the premises. A "wine and craft beer shop" that does not meet the requirements of section 9-4-103(S) shall be deemed a public or private club for the purpose of zoning and land use classification.

Title 9, Chapter 4, Article D, Section 9-4-103(S)

(S) Wine and Craft Beer Shop (see also Section 9-4-22).

(1) A wine and craft beer shop may sell wine and/or craft beer for consumption on the premises, provided that the on-premises consumption of wine and/or craft beer constitutes an accessory and incidental use to the wine and craft beer shop.

(2) A wine and craft beer shop that also has the requisite state permit(s) that allows retail sales of malt beverages for on-premises consumption, in accordance with G.S.18B-1001 as amended, may sell both wine and malt beverages for consumption on the premises, provided that the combined on-premises consumption of wine and malt beverages constitute an accessory and incidental use to the primary retail use wine and craft beer shop.

(3) For purposes of this section, on-premises consumption of wine and malt beverages shall be deemed an accessory and incidental use to a wine and craft beer shop, provided the combined sale of wine and malt beverages for consumption on the premises does not exceed 40% of the wine and craft beer shop's total sales of wine and malt beverages including both on-premises and off-premises consumption, for any 30-day period. The term "sale(s)" as used herein shall be the receipt of payment for the wine and malt beverages sold and/or consumed and shall not be a measure of the volume of wine and malt beverages sold and/or consumed.

(4) Records related to the wine and craft beer shop's total sales of wine and malt beverages for both on-premises and off-premises consumption shall be maintained on the premises for not less than one year and shall be open for inspection and audit at all reasonable hours when the establishment is open for business by the Zoning Enforcement Officer. The Zoning Enforcement Officer may view the records on the premises or may request that copies of the written records be delivered to the city. The requirements of this subsection shall be for the purpose of determining compliance with subsection (S)(3) above.

(5) No wine and craft beer shop that includes the on-premises consumption of wine and malt beverages shall be located within a 200-foot radius, including street rights-of-way, of an existing or approved public or private club, dining and entertainment establishment, or other wine and craft beer shop that includes the on-premises consumption of wine and malt beverages. The required measurement shall be from the building or structure containing the wine and craft beer shop to the nearest property line of the parcel containing the existing or approved public or private club, dining and entertainment establishment, or other wine shop that includes the on-premises consumption of wine and malt beverages.

(6) A wine and craft beer shop shall not operate after 11:00 p.m. on Sunday, Monday, Tuesday, Wednesday, and Thursday or after 12:00 a.m. on Friday and Saturday.

(7) A wine and craft beer shop shall not require a membership, cover or minimum charge for admittance or service during regular or special periods of operation.

(8) A wine and craft beer shop that does not meet the requirements of section 9-4-103(S) shall be deemed a public or private club for the purpose of zoning and land use classification.

(9) The provisions of this section shall apply to all wine and craft beer shops whether operated as a principal or accessory use

(10) For purposes of the wine and beer shop use Craft Beer is defined as a malt beverage from a brewer with an annual production of 6 million barrels of beer or less

Appendix A - Application Submittal Documents - Attachment 2

Tapped 1904 Business Plan

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Tentatively named "Tapped 1904" (hereafter referred to as Bottle Shop), the proposed business will focus on the retail sale of craft beers. Research has found that in markets across the country, bottle shops – retail stores with a big focus on pricey craft beers – are booming. "They're the new generation of retailer," explains Matthias Neidhart, president of specialty beer importer B. United International. Neidhart adds that the emergence of bottle shops is due to consumer demand for craft and artisanal beers that often aren't stocked by mass merchandisers.

Operation

REDACTED FOR PRIVACY

Sales

The Bottle Shop would focus on two main sources of **Net Sales** with a few additional minor ancillary sources of sales as described below.

1. **Retail Sales of Craft Beer for Off-Premise Consumption** is anticipated to be 75% of Net Sales.
 - a. Retail sales of American made Craft Beer to include but not limited to package sizes of 12oz bottle, 22oz Bottle (also referred to as a Bomber), 12 oz cans and 64oz Growlers filled from the on-premise draught system all of which are allowed by the NC ABC On-Premise Malt Beverage Permit which does not require sale of food.
 - b. 200-250 room temperature Craft Beer selections would be available and may increase or decrease based on space available and customer demand.
 - c. All bottles and can Craft Beer would be purchased from licensed distributors as required by law in a pre-packaged state and presented in the Bottle Shop at room temperature for retail purchase for off-premise consumption.
 - d. All growlers would be filled to order, labeled and tagged as required by NC ABC regulations from the on-premise draught system and would be provided cold due to the fact that the draught beer is often unfiltered and unrefrigerated and is required to be kept cold at all times.

2. **Sales of Craft Beer for On-Premise Consumption** is anticipated to be 20% of Net Sales.
 - a. On-premise sales would include the sale of draught beer for on-premise consumption while browsing the retail selections, browsing the internet through provided Wi-Fi, or engaging in social interaction with other patrons.
 - b. A selection of 20-30 bottle or can selections would also be available for on-premise consumption and would typically include customer favorites or special releases not necessarily available for draught consumption.
3. **Ancillary sales** is anticipated to be 5% of net sales.
 - a. **Gift Baskets** featuring Craft Beer Selections and North Carolina and regionally local products such as cured meats, shelf stable cheeses, crackers, and dipping sauces to be sold both as on-site purchases and through mail orders.
 - b. **Prepared Pre-Packaged Food** to include North Carolina and regionally local products such as cured meats, shelf stable and cold cheeses, crackers, pimento cheese, hummus, salsa, etc. All food would be purchased prepared and no preparation would occur on-site.
 - i. Patrons would also have the availability to order from a limited Basil's menu to be delivered to the Bottle Shop, as well as having agreements with other restaurants with in close proximity to deliver food to the patrons.
 - c. **Glassware** to include logo pint glasses, growlers, etc.
 - d. **Apparel** to include logo shirts, hats, bottle and growler koozies, etc.

Location

REDACTED FOR PRIVACY

Staff

The Bottle Shop will employ between 5-7 employees with no more than 3 employees working at any given time. Table service will **not** be provided. All retail off-premise sales and sales for on-premise consumption will be made at either the draught station or the checkout station and will be made through a POS system with the ability to account for inventory, pricing and have the capability to run any reports required by the NC ABC, Pitt County or City of Greenville.

"Wine and Craft Beer Shop" Use

The Bottle Shop falls under the currently petitioned, amended Use "Wine and Craft Beer Shop" which is a permitted use in CH and a special use in the MCG, MCH, CD, CDF, CG and CN districts. The currently petitioned, amended "Wine and Craft Beer Shop" Use allows for the sale of wine and/or beer for on-premise and off-premise consumption.

1. **Hours of Operation** will initially be from 12pm-10pm Sunday through Thursday and 12pm-11pm Friday and Saturday. The Bottle Shop is prepared to always operate within the constraints of the Wine and Craft Beer Shop Use which allows operation until 11pm Sunday through Thursday and 12am Friday and Saturday.
2. **On-Premise Sales of Craft Beer will not exceed 40 Percent** of net sales as a percentage of total sales of Craft Beer for On-Premise and Off-Premise consumption. As stated above sales of Craft Beer is projected to be 95% of Net Sales with 20% of these sales to be for On-Premise Consumption, which would make On-Premise Consumption 21.05% of all Craft Beer sales.
3. **A Membership, Cover or Minimum Charge for Admittance or Service** will **NOT** be required at any time as such would be prohibitive to all intended revenue streams.

Appendix A - Application Submittal Documents - Attachment 3

Below are NC ABC Commission definition of establishments and the kinds of ABC Permits. Highlighted areas are those which would be applicable to my proposed Wine and Craft Beer Bottle Shop Use which would be considered a retail use by the NC ABC.

§ 18B-1000. Definitions concerning establishments.

The following requirements and definitions shall apply to this Chapter:

- (1) Community theatre. - An establishment owned and operated by a bona fide nonprofit organization that is engaged solely in the business of sponsoring or presenting amateur or professional theatrical events to the public. A permit issued for a community theatre is valid only during regularly scheduled theatrical events sponsored by such nonprofit organization.
- (1a) Convention center. - An establishment that meets either of the following requirements:
 - a. A publicly owned or operated establishment that is engaged in the business of sponsoring or hosting conventions and similar large gatherings, including auditoriums, armories, civic centers, convention centers, and coliseums.
 - b. A privately owned facility located in a city that has a population of at least 200,000 but not more than 250,000 by the 2000 federal census and is located in a county that has previously authorized the issuance of mixed beverage permits by referendum. To qualify as a convention center under this subdivision, the facility shall meet each of the following requirements:
 1. The facility shall be certified by the appropriate local official as being consistent with the city's redevelopment plan for the area in which the facility is located.
 2. The facility shall contain at least 7,500 square feet of floor space that is available for public use and shall be used exclusively for banquets, receptions, meetings, and similar gatherings.
 3. The facility's annual gross receipts from the sale of alcoholic beverages shall be less than fifty percent (50%) of the gross receipts paid to all providers at permitted functions for food,

nonalcoholic beverages, alcoholic beverages, service, and facility usage fees (excluding receipts or charges for entertainment and ancillary services not directly related to providing food and beverage service). The person to whom a permit has been issued for a privately owned facility shall be required to maintain copies of all contracts and invoices for items supplied by providers for a period of three years from the date of the event.

A permit issued for a convention center shall be valid only for those parts of the building used for conventions, banquets, receptions, and other events, and only during scheduled activities.

- (1b) Cooking school. - An establishment substantially engaged in the business of operating a school in which cooking techniques are taught for a fee.
- (2) Eating establishment. - An establishment engaged in the business of regularly and customarily selling food, primarily to be eaten on the premises. Eating establishments shall include businesses that are referred to as restaurants, cafeterias, or cafes, but that do not qualify under subdivision (6). Eating establishments shall also include lunchstands, grills, snack bars, fast-food businesses, and other establishments, such as drugstores, which have a lunch counter or other section where food is sold to be eaten on the premises.
- (3) Food business. - An establishment engaged in the business of regularly and customarily selling food, primarily to be eaten off the premises. Food businesses shall include grocery stores, convenience stores, and other establishments, such as variety stores or drugstores, where food is regularly sold, and shall also include establishments engaged primarily in selling unfortified or fortified wine or both, for consumption off the premises.
- (4) Hotel. - An establishment substantially engaged in the business of furnishing lodging. A hotel shall have a restaurant either on or closely associated with the premises. The restaurant and hotel need not be owned or operated by the same person.
- (5) Private club. - An establishment that is organized and operated solely for a social, recreational, patriotic, or fraternal purpose and that is not open to the general public, but is open only to the members of the organization and their bona fide guests.

This provision does not, however, prohibit such an establishment from being open to the general public for raffles and bingo games as required by G.S. 14-309.11(a) and G.S. 14-309.13. Except for bona fide religious organizations, no organization that discriminates in the selection of its membership on the basis of religion shall be eligible to receive any permit issued under this Chapter.

- (5a) Residential private club. - A private club that is located in a privately owned, primarily residential and recreational development.
- (6) Restaurant. - An establishment substantially engaged in the business of preparing and serving meals. To qualify as a restaurant, an establishment's gross receipts from food and nonalcoholic beverages shall be not less than thirty percent (30%) of the total gross receipts from food, nonalcoholic beverages, and alcoholic beverages. A restaurant shall also have a kitchen and an inside dining area with seating for at least 36 people.
- (7) Retail business. - An establishment engaged in any retail business, regardless of whether food is sold on the premises.
- (8) Sports club. - An establishment that meets either of the following requirements:
 - a. The establishment is substantially engaged in the business of providing equine boarding, training, and coaching services, and the establishment offers on-site dining, lodging, and meeting facilities and hosts horse trials and other events sanctioned or endorsed by the United States Equestrian Federation, Inc.; or
 - b. The establishment is substantially engaged in the business of providing an 18-hole golf course, two or more tennis courts, or both.

The sports club can either be open to the general public or to members and their guests. To qualify as a sports club, an establishment's gross receipts for club activities shall be greater than its gross receipts for alcoholic beverages. This provision does not prohibit a sports club from operating a restaurant. Receipts for food shall be included in with the club activity fee.

- (9) Congressionally chartered veterans organizations. - An establishment that is organized as a federally chartered, nonprofit veterans organization, and is operated solely for patriotic or fraternal purposes.

- (10) Wine producer. - A farming establishment of at least five acres committed to the production of grapes, berries, or other fruits for the manufacture of unfortified wine. (1905, c. 498, ss. 6-8; Rev., ss. 3526, 3534; C.S., s. 3371; 1937, c. 49, ss. 12, 16, 22; c. 411; 1955, c. 999; 1967, c. 222, ss. 1, 8; c. 1256, s. 3; 1969, c. 1018; 1971, c. 872, s. 1; 1973, c. 1226; 1977, c. 176, s. 1; 1981, c. 412, s. 2; 1981 (Reg. Sess., 1982), c. 1262, s. 15; 1983, c. 583, s. 1; c. 896, s. 5; 1987, c. 307, s. 1; c. 391, s. 1; 1993, c. 415, ss. 14, 15; 1993 (Reg. Sess., 1994), c. 579, s. 1; 1995, c. 466, s. 8; c. 509, s. 15; 2001-262, s. 7; 2001-487, s. 49(d); 2002-188, s. 1; 2003-135, s. 1; 2009-539, s. 4; 2013-392, s. 2.)

§ 18B-1001. Kinds of ABC permits; places eligible.

When the issuance of the permit is lawful in the jurisdiction in which the premises are located, the Commission may issue the following kinds of permits:

- (1) On-Premises Malt Beverage Permit. - An on-premises malt beverage permit authorizes (i) the retail sale of malt beverages for consumption on the premises, (ii) the retail sale of malt beverages in the manufacturer's original container for consumption off the premises, and (iii) the retail sale of malt beverages in a cleaned, sanitized, resealable container as defined in 4 NCAC 2T.0308(a) that is filled or refilled and sealed for consumption off the premises, complies with 4 NCAC 2T.0303, 4 NCAC 2T.0305, and 4 NCAC 2T.0308(d)-(e), and the container identifies the permittee and the date the container was filled or refilled. It also authorizes the holder of the permit to ship malt beverages in closed containers to individual purchasers inside and outside the State. The permit may be issued for any of the following:
- a. Restaurants;
 - b. Hotels;
 - c. Eating establishments;
 - d. Food businesses;
 - e. Retail businesses;
 - f. Private clubs;
 - g. Convention centers;
 - h. Community theatres;
 - i. Breweries as authorized by G.S. 18B-1104(7).

- (2) Off-Premises Malt Beverage Permit. - An off-premises malt beverage permit authorizes (i) the retail sale of malt beverages in the manufacturer's original container for consumption off the premises, (ii) the retail sale of malt beverages in a cleaned, sanitized, resealable container as defined in 4 NCAC 2T.0308(a) that is filled or refilled and sealed for consumption off the premises, complies with 4 NCAC 2T.0303, 4 NCAC 2T.0305, and 4 NCAC 2T.0308(d)-(e), and the container identifies the permittee and the date the container was filled or refilled, and (iii) the holder of the permit to ship malt beverages in closed containers to individual purchasers inside and outside the State. The permit may be issued for any of the following:
- a. Restaurants;
 - b. Hotels;
 - c. Eating establishments;
 - d. Food businesses;
 - e. Retail businesses.
- (3) On-Premises Unfortified Wine Permit. - On-Premises Unfortified Wine Permit. - An on-premises unfortified wine permit authorizes the retail sale of unfortified wine for consumption on the premises, either alone or mixed with other beverages, and the retail sale of unfortified wine in the manufacturer's original container for consumption off the premises. The permit also authorizes the permittee to transfer unfortified wine, not more than four times per calendar year, to another on-premises unfortified wine permittee that is under common ownership or control as the transferor. Except as authorized by this subdivision, transfers of wine by on-premises unfortified wine permittees, purchases of wine by a retail permittee from another retail permittee for the purpose of resale, and sale of wine by a retail permittee to another retail permittee for the purpose of resale are unlawful. In addition, a particular brand of wine may be transferred only if both the transferor and transferee are located within the territory designated between the winery and the wholesaler on file with the Commission. Prior to or contemporaneous with any such transfer, the transferor shall notify each wholesaler who distributes the transferred product of the transfer. The notice shall be in writing or verifiable electronic format and shall identify the transferor and transferee, the date of the transfer, quantity, and items transferred. The holder of the permit is

authorized to ship unfortified wine in closed containers to individual purchasers inside and outside the State. Orders received by a winery by telephone, Internet, mail, facsimile, or other off-premises means of communication shall be shipped pursuant to a wine shipper permit and not pursuant to this subdivision. The permit may be issued for any of the following:

- a. Restaurants;
- b. Hotels;
- c. Eating establishments;
- d. Private clubs;
- e. Convention centers;
- f. Cooking schools;
- g. Community theatres;
- h. Wineries;
- i. Wine producers.

- (4) Off-Premises Unfortified Wine Permit. - An off-premises unfortified wine permit authorizes the retail sale of unfortified wine in the manufacturer's original container for consumption off the premises and it authorizes the holder of the permit to ship unfortified wine in closed containers to individual purchasers inside and outside the State. The permit may be issued for retail businesses. The permit also authorizes the permittee to transfer unfortified wine, not more than four times per calendar year, to another off-premises unfortified wine permittee that is under common ownership or control as the transferor. Except as authorized by this subdivision, transfers of wine by off-premises unfortified wine permittees, purchases of wine by a retail permittee from another retail permittee for the purpose of resale, and sale of wine by a retail permittee to another retail permittee for the purpose of resale are unlawful. In addition, a particular brand of wine may be transferred only if both the transferor and transferee are located within the territory designated between the winery and the wholesaler on file with the Commission. Prior to or contemporaneous with any such transfer, the transferor shall notify each wholesaler who distributes the transferred product of the transfer. The notice shall be in writing or verifiable electronic format and shall identify the transferor and transferee, the date of the transfer, quantity, and items transferred. The permit may also be issued to the holder of a viticulture/enology course authorization under G.S. 18B-1114.4. A school obtaining a

permit under this subdivision is authorized to sell wines manufactured during its viticulture/enology program at one non-campus location in a county where the permittee holds and offers classes on a regular full-time basis in a facility owned by the permittee. The permit may also be issued for a winery or a wine producer for sale of its own unfortified wine during hours when the winery or wine producer's premises is open to the public, subject to any local ordinance adopted pursuant to G.S. 18B-1004(d) concerning hours for the retail sale of unfortified wine. A winery obtaining a permit under this subdivision is authorized to sell wine manufactured by the winery at one additional location in the county under the same conditions specified in G.S. 18B-1101(5) for the sale of wine at the winery; provided, however, that no other alcohol sales shall be authorized at the additional location. Orders received by a winery by telephone, Internet, mail, facsimile, or other off-premises means of communication shall be shipped pursuant to a wine shipper permit and not pursuant to this subdivision.

- (5) On-Premises Fortified Wine Permit. - An on-premises fortified wine permit authorizes the retail sale of fortified wine for consumption on the premises, either alone or mixed with other beverages, and the retail sale of fortified wine in the manufacturer's original container for consumption off the premises. The permit also authorizes the permittee to transfer fortified wine, not more than four times per calendar year, to another on-premises fortified wine permittee that is under common ownership or control as the transferor. Except as authorized by this subdivision, transfers of wine by on-premises fortified wine permittees, purchases of wine by a retail permittee from another retail permittee for the purpose of resale, and sale of wine by a retail permittee to another retail permittee for the purpose of resale are unlawful. In addition, a particular brand of wine may be transferred only if both the transferor and transferee are located within the territory designated between the winery and the wholesaler on file with the Commission. Prior to or contemporaneous with any such transfer, the transferor shall notify each wholesaler who distributes the transferred product of the transfer. The notice shall be in writing or verifiable electronic format and shall identify the transferor and transferee, the date of the transfer, quantity, and items transferred. The holder of the permit is

authorized to ship fortified wine in closed containers to individual purchasers inside and outside the State. Orders received by a winery by telephone, Internet, mail, facsimile, or other off-premises means of communication shall be shipped pursuant to a wine shipper permit and not pursuant to this subdivision. The permit may be issued for any of the following:

- a. Restaurants;
- b. Hotels;
- c. Private clubs;
- d. Community theatres;
- e. Wineries;
- f. Convention centers.

- (6) Off-Premises Fortified Wine Permit. - An off-premises fortified wine permit authorizes the retail sale of fortified wine in the manufacturer's original container for consumption off the premises and it authorizes the holder of the permit to ship fortified wine in closed containers to individual purchasers inside and outside the State. The permit may be issued for food businesses. The permit may also be issued for a winery for sale of its own fortified wine. Orders received by a winery by telephone, Internet, mail, facsimile, or other off-premises means of communication shall be shipped pursuant to a wine shipper permit and not pursuant to this subdivision. The permit also authorizes the permittee to transfer fortified wine, not more than four times per calendar year, to another off-premises fortified wine permittee that is under common ownership or control as the transferor. Except as authorized by this subdivision, transfers of wine by off-premises fortified wine permittees, purchases of wine by a retail permittee from another retail permittee for the purpose of resale, and sale of wine by a retail permittee to another retail permittee for the purpose of resale are unlawful. In addition, a particular brand of wine may be transferred only if both the transferor and transferee are located within the territory designated between the winery and the wholesaler on file with the Commission. Prior to or contemporaneous with any such transfer, the transferor shall notify each wholesaler who distributes the transferred product of the transfer. The notice shall be in writing or verifiable electronic format and shall identify the transferor and transferee, the date of the transfer, quantity, and items transferred.

- (7) **Brown-Bagging Permit.** - A brown-bagging permit authorizes each individual patron of an establishment, with the permission of the permittee, to bring up to eight liters of fortified wine or spirituous liquor, or eight liters of the two combined, onto the premises and to consume those alcoholic beverages on the premises. The permit may be issued for any of the following:
- a. Restaurants;
 - b. Hotels;
 - c. Private clubs;
 - d. Community theatres;
 - e. Congressionally chartered veterans organizations.
- (8) **Special Occasion Permit.** - A special occasion permit authorizes the host of a reception, party or other special occasion, with the permission of the permittee, to bring fortified wine and spirituous liquor onto the premises of the business and to serve the same to his guests. The permit may be issued for any of the following:
- a. Restaurants;
 - b. Hotels;
 - c. Eating establishments;
 - d. Private clubs;
 - e. Convention centers.
- (9) **Limited Special Occasion Permit.** - A limited special occasion permit authorizes the permittee to bring fortified wine and spirituous liquor onto the premises of a business, with the permission of the owner of that property, and to serve those alcoholic beverages to the permittee's guests at a reception, party, or other special occasion being held there. The permit may be issued to any individual other than the owner or possessor of the premises. An applicant for a limited special occasion permit shall have the written permission of the owner or possessor of the property on which the special occasion is to be held.
- (10) **Mixed Beverages Permit.** - A mixed beverages permit authorizes the retail sale of mixed beverages for consumption on the premises. The permit also authorizes a mixed beverages permittee to obtain a purchase-transportation permit under G.S. 18B-403 and 18B-404, and to use for culinary purposes spirituous liquor lawfully purchased for use in mixed beverages. The permit may be issued for any of the following:
- a. Restaurants;

- b. Hotels;
 - c. Private clubs;
 - d. Convention centers;
 - e. Community theatres;
 - f. Nonprofit organizations; and
 - g. Political organizations.
- (11) Culinary Permit. - A culinary permit authorizes a permittee to possess up to 12 liters of either fortified wine or spirituous liquor, or 12 liters of the two combined, in the kitchen of a business and to use those alcoholic beverages for culinary purposes. The permit may be issued for either of the following:
- a. Restaurants;
 - b. Hotels;
 - c. Cooking schools.

A culinary permit may also be issued to a catering service to allow the possession of the amount of fortified wine and spirituous liquor stated above at the business location of that service and at the cooking site. The permit shall also authorize the caterer to transport those alcoholic beverages to and from the business location and the cooking site, and use them in cooking.

- (12) Mixed Beverages Catering Permit. - A mixed beverages catering permit authorizes a hotel or a restaurant that has a mixed beverages permit to bring spirituous liquor onto the premises where the hotel or restaurant is catering food for an event and to serve the liquor to guests at the event.

- (13) Guest Room Cabinet Permit. - A guest room cabinet permit authorizes a hotel having a mixed beverages permit or a private club having a mixed beverages permit and management contracts for the rental of living units to sell to its room guests, from securely locked cabinets, malt beverages, unfortified wine, fortified wine, and spirituous liquor. A permittee shall designate and maintain at least ten percent (10%) of the permittee's guest rooms as rooms that do not have a guest room cabinet. A permittee may dispense alcoholic beverages from a guest room cabinet only in accordance with written policies and procedures filed with and approved by the Commission. A permittee shall provide a reasonable number of vending machines, coolers, or similar machines on premises for the sale of soft drinks to hotel guests.

A guest room cabinet permit may be issued for any of the following:

- a. A hotel located in a county subject to G.S. 18B-600(f).
 - b. A hotel located in a county that has a population in excess of 150,000 by the last federal census.
 - c. A qualifying private club located in a county defined in G.S. 18B-101(13a)b.2.
- (14) Brew on Premises Permit. - A permit may be issued to a business, located in a jurisdiction where the sale of malt beverages is allowed, where individual customers who are 21 years old or older may purchase ingredients and rent the equipment, time, and space to brew malt beverages for personal use in amounts set forth in 27 C.F.R. § 25.205. The customer must do all of the following:
- a. Select a recipe and kettle.
 - b. Weigh out the proper ingredients and add them to the kettle.
 - c. Transfer the wort to the fermenter.
 - d. Add the yeast.
 - e. Place the ingredients in a fermentation room.
 - f. Filter, carbonate, and bottle the malt beverage.
- A permittee may transfer the ingredients from the fermentation room to the cold room and may assist the customer in all the steps involved in brewing a malt beverage except adding the yeast. A malt beverage produced under this subdivision may not contain more than six percent (6%) alcohol by volume.
- (15) Wine-Tasting Permit. - A wine-tasting permit authorizes wine tastings on a premises holding a retail permit, by the retail permit holder or his employee. A wine tasting consists of the offering of a sample of one or more unfortified wine products, in amounts of no more than one ounce for each sample, without charge, to customers of the business. Any person pouring wine at a wine tasting shall be at least 21 years of age.
- a. Representatives of the winery, which produced the wine, the wine producer, a wholesaler, or a wholesaler's employee may assist with the tasting. Assisting with a wine tasting includes:
 - 1. Pouring samples for customers.
 - 2. Checking the identification of patrons being served at the wine tasting.
 - b. When a representative of the winery that produced the wine, the wine producer, a wine wholesaler, or a wine wholesaler's employee assists in a wine tasting conducted by a retail permit holder:

1. The retail permit holder shall designate an employee to actively supervise the wine tasting.
 2. A retail permit holder's employee shall not supervise more than three wine-tasting areas.
 3. No more than six wines may be tasted at any one tasting area.
 4. The wine tasting shall not last longer than four hours from the time designated as the starting time by the retail permit holder.
- c. The retail permit holder shall be solely liable for any violations of this Chapter occurring in connection with the wine tasting. The Commission shall adopt rules to assure that the tastings are limited to samplings and not a subterfuge for the unlawful sale or distribution of wine, and that the tastings are not used by industry members for unlawful inducements to retail permit holders. Except for purposes of this subsection, the holder of a wine-tasting permit shall not be construed to hold a permit for the on-premises sale or consumption of alcoholic beverages. Any food business is eligible for a wine-tasting permit.
- (16) Wine Shop Permit. - A wine shop permit authorizes (i) the retail sale of malt beverages, unfortified wine, and fortified wine in the manufacturer's original container for consumption off the premises, (ii) the retail sale of malt beverages in a cleaned, sanitized, resealable container as defined in 4 NCAC 2T.0308(a) that is filled or refilled and sealed for consumption off the premises, complies with 4 NCAC 2T.0303, 4 NCAC 2T.0305, and 4 NCAC 2T.0308(d)-(e), and the container identifies the permittee and the date the container was filled or refilled, and (iii) wine tastings on the premises conducted and supervised by the permittee in accordance with subdivision (15) of this section. It also authorizes the holder of the permit to ship malt beverages, unfortified wine, and fortified wine in closed containers to individual purchasers inside and outside the State. The permit may be issued for retail businesses whose primary purpose is selling malt beverages and wine for consumption off the premises and regularly and customarily educating consumers through tastings, classes, and seminars about the selection, serving, and storing of wine. The holder of the permit is authorized to sell unfortified wine for consumption on the premises, provided that the sale of wine

for consumption on the premises does not exceed forty percent (40%) of the establishment's total sales for any 30-day period. The holder of a wine-tasting permit not engaged in the preparation or sale of food on the premises is not subject to Part 6 of Article 8 of Chapter 130A of the General Statutes.

- (17) Winemaking on Premises Permit. - A permit may be issued to a business, located in a jurisdiction where the sale of unfortified wine is allowed, where individual customers who are 21 years old or older may purchase ingredients and rent the equipment, time, and space to make unfortified wine for personal use in amounts set forth in 27 C.F.R. § 24.75. Except for wine produced for testing equipment or recipes and samples pursuant to this subdivision, the permit holder shall not engage in the actual production or manufacture of wine. Samples may be consumed on the premises only by a person who has a nonrefundable contract to ferment at the premises, and the samples may not exceed one ounce per sample. All wine produced at a winemaking on premises facility shall be removed from the premises by the customer and may only be used for home consumption and the personal use of the customer.
- (18) Malt Beverage Tasting Permit. - A malt beverage tasting permit authorizes malt beverage tastings on a premises holding a retail permit by the retail permit holder or his employee. A representative of the brewery whose beverages are being featured at the tasting shall be present at the tasting unless the wholesaler or a wholesaler's employee determines that no representative of the brewery needs to be present. A malt beverage tasting consists of the offering of a sample of one or more malt beverage products, in amounts of no more than two ounces for each sample, without charge, to customers of the business. Any persons pouring malt beverage at a malt beverage tasting shall be at least 21 years of age.
- a. Representatives of the brewery which produced the malt beverage, a wholesaler, or a wholesaler's employee may assist with the tasting. Assisting with a malt beverage tasting includes:
 1. Pouring samples for customers.
 2. Checking the identification of patrons being served at the malt beverage tasting.
 - b. When a representative of the brewery that produced the malt beverage, a malt beverage wholesaler, or a malt

beverage wholesaler's employee assists in a malt beverage tasting conducted by a retail permit holder:

1. The retail permit holder shall designate an employee to actively supervise the malt beverage tasting.
 2. A retail permit holder's employee shall not supervise more than three malt beverage tasting areas.
 3. No more than four malt beverages may be tasted at any one tasting area.
 4. The malt beverage tasting shall not last longer than four hours from the time designated as the starting time by the retail permit holder.
- c. The retail permit holder shall be solely liable for any violations of this Chapter occurring in connection with the malt beverage tasting. The Commission shall adopt rules to assure that the tastings are limited to samplings and not a subterfuge for the unlawful sale or distribution of malt beverages, and that the tastings are not used by industry members for unlawful inducements to retail permit holders. Except for purposes of this subdivision, the holder of a malt beverage tasting permit shall not be construed to hold a permit for the on-premises sale or consumption of alcoholic beverages. Any food business is eligible for a malt beverage tasting permit.
- (19) Spirituous liquor tasting permit. - The holder of any distillery permit authorized by G.S. 18B-1105 may conduct a consumer tasting event on the premises of the distillery subject to the following conditions:
- a. Any person pouring spirituous liquor at a tasting shall be an employee of the distillery and at least 21 years of age.
 - b. The person pouring the spirituous liquor shall be responsible for checking the identification of patrons being served at the tasting.
 - c. Each consumer is limited to tasting samples of 0.25 ounce of each spirituous liquor which total no more than 1.5 ounces of spirituous liquor in any calendar day.
 - d. The consumer shall not be charged for any spirituous liquor tasting sample.

- e. The spirituous liquor used in the consumer tasting event shall be distilled at the distillery where the event is being held by the permit holder conducting the event.
- f. A consumer tasting event shall not be allowed when the sale of spirituous liquor is otherwise prohibited.
- g. Tasting samples are not to be offered to, or allowed to be consumed by, any person under the legal age for consuming spirituous liquor.

The distillery permit holder shall be solely liable for any violations of this Chapter occurring in connection with the tasting. The Commission shall adopt rules to assure that the tastings are limited to samplings and not a subterfuge for the unlawful sale or distribution of spirituous liquor and that the tastings are not used by industry members for unlawful inducements to retail permit holders. (1945, c. 903, s. 1; 1947, c. 1098, ss. 2, 3; 1949, c. 974, s. 1; 1957, cc. 1048, 1448; 1963, c. 426, ss. 10, 12; c. 460, s. 1; 1971, c. 872, s. 1; 1973, c. 476, s. 128; 1975, c. 586, s. 1; c. 654, ss. 1, 2; c. 722, s. 1; 1977, c. 70, s. 19; c. 182, s. 1; c. 669, ss. 1, 2; c. 676, ss. 1, 2; c. 911; 1979, c. 348, ss. 2, 3; c. 683, ss. 5, 6, 11, 12; 1981, c. 412, s. 2; 1981 (Reg. Sess., 1982), c. 1262, ss. 16, 17, 22; 1983, c. 457, s. 3; c. 583, ss. 2-5; 1985, c. 89, ss. 1-3; c. 596, s. 1; 1987, c. 391, s. 2; c. 434, s. 1; 1989, c. 800, ss. 11, 12; 1991, c. 459, ss. 5, 6; c. 565, ss. 1, 7; c. 669, s. 1; 1991 (Reg. Sess., 1992), c. 920, s. 7; 1993, c. 508, s. 5; 1995, c. 466, s. 10; c. 509, ss. 16-18; 1997-443, s. 16.28; 1997-467, s. 3; 2001-262, s. 1; 2001-487, s. 49(a); 2003-402, s. 5; 2005-350, ss. 1, 2(a); 2006-222, s. 2.1; 2006-227, ss. 1, 9; 2006-264, s. 35.3; 2009-377, s. 2; 2009-539, s. 3; 2010-31, s. 14.12(c); 2011-73, ss. 3, 4; 2011-107, s. 1; 2011-333, ss. 4, 5; 2013-76, s. 1.)

§ 18B-1006.1. Additional requirement for certain permittees to recycle beverage containers.

Holders of on-premises malt beverage permits, on-premises unfortified wine permits, on-premises fortified wine permits, and mixed beverages permits shall separate, store, and provide for the collection for recycling of all recyclable beverage containers of all beverages sold at retail on the premises. A permittee has satisfied the requirements of this section if it implements a recycling program that meets the minimum standards of the model recycling program developed by the Commission pursuant to G.S. 130A-309.14(m). Failure to comply with the requirements of this section shall not be grounds for revocation of a permit. A conviction for violation of this section shall not

constitute an alcoholic beverage offense within the meaning of G.S. 18B-900(a)(4). (2005-348, s. 1; 2007-402, s. 2(a); 2008-187, s. 35.5.)

Appendix A - Application Submittal Documents - Attachment 4

Bottle Shop classified as Retail Use in Durham, NC

Email from Dennis Doty with Durham City-County Planning Development

Jeremy, in Durham we would view the on-premise consumption of beer and wine as an accessory use to the retail use if:

1. The on-premise consumption is only allowed when the retail store is open.
2. There is no physical separation between the retail and consumption areas (we would typically request a floor plan to verify this).
3. The on-premise consumption is clearly subordinate in size and purpose to the primary retail use.

If these criteria could not be met, we would classify the on-site consumption as Bar or Nightclub under our ordinance and the Limited Use Standards for that use would have to be met (such as separation from a pre-existing place of worship).

Any questions, please advise.

Dennis Doty

Customer Service Center

Durham City-County Planning Department

101 City Hall Plaza

Durham, NC 27701

(919)560-4137 ext 28252

Dennis.Doty@durhamnc.gov

www.durhamnc.gov

Appendix A - Application Submittal Documents - Attachment 5

Competition Similar to The Bottle Shop

As Prepared By:

Small Business & Technology Development Center (SBTDC) At East Carolina University

Chef & the Farmer - Kinston NC

<http://chefandthefarmer.com/wine-shop/>

Started as a restaurant and added the wine shop for guests who wish to take home the wines served at the restaurant or craft beers. Wine is the main focus of The Wine Shop, craft beers are added for the non-wine drinkers.

Tuesday – Saturday 2pm – 9pm

Offer “Saturday Tastings”, semi-private dining, and “at the table wine dinners”

Brewmasters – Wilson, NC

http://www.yelp.com/biz_photos/brewmasters-wilson#Re3y0xjmlOJxysiMbnSJCg

No webpage but there is Yelp review with pictures. It appears they offer Boar’s Head sandwiches and other food products in house. Their main selection consists of craft beer bottles and six packs. There are some cold beers available in a “build your own six packs” section. It appears there are 9 craft beers on tap (I’m assuming that selection would constantly change). There are 3 tables in the store and a long bar with barstools. It appears they sell glassware with logos of some craft beer brewers (ex. Duck Rabbit), as well as a small condiment section. (All this information was concluded by looking through the pictures on yelp.

The Beer Store – Wilson, NC

<http://www.thebeerstorewilson.com/home.html>

Large selection of craft beers. 6 beers on tap, 2 beers in growlers, 202 beers in bottles and 11 beers in cans. Bottles are sold individually so customers can make their own six pack. Style includes imports, seasonal and large selection of NC brews. Also have a gluten free bar and craft soda.

Featured Beer (in 25 oz. or 22 oz. bottles) – \$5.99 - \$18.99

On Tap – 12 oz. or 16 oz. \$4.00 - \$7.00

Growlers – 32 oz. \$8.00 - \$10.00

Bottles & Cans – 11oz. or 12 oz. \$1.79 - \$6.99

Wednesday – Saturday 12-9pm

Clayton Beverage Company – Clayton, NC

<http://claytonbeverageco.com/>

Based on the Facebook page, people enjoy stopping in and trying different types of craft beers and then deciding what to buy after drinking a few and figuring out what they like. The staff is knowledgeable about the beers and helps the customers decide what is best for them. They constantly have new items for customers to try. They have events every now and again including sampling events etc.

Draft - Pints \$2.50 all day every day

Numerous shops in Raleigh, Durham, Wake Forest, and surrounding areas

<http://www.ncbeerguys.com/nc-bottle-shops/>

A few in Wilmington and Fayetteville as well as up and down the coast line

(see link above)

Pricing strategy for craft beer in a restaurant

http://craftbeerrestaurant.com/Craft_Beer_Restaurant/Pricing_craft_beer.html

I notice that craft beers are priced based on alcohol levels, the more alcohol there is in it then the more expensive it will be.

Convenience stores markup beer (probably not craft) – 23%

<http://www.nps.gov/orgs/csp/upload/2014-Convenience-Store-Markup-Percentages.pdf>



City of Greenville, North Carolina

Meeting Date: 3/17/2015
Time: 6:30 PM

Title of Item: Ordinance amending Horizons: Greenville's Community Plan to incorporate by reference the South Greenville Elementary School Area Report and Plan.

Explanation: As part of the Task Force on Preservation of Neighborhoods and Housing's recommendations, City Council's 2006-2007 Goals, and Horizons: Greenville's Community Plan recommendations, the Community Development Division has prepared the South Greenville Elementary School Area Report and Plan. This plan is intended to guide policy and investment decisions for the Oak Grove Estates Subdivision.

Fiscal Note: Costs of specific recommendations to be determined prior to their implementation.

Recommendation: Staff recommends approval of the ordinance amending Horizons: Greenville's Community Plan to incorporate by reference the South Greenville Elementary School Area Report and 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.

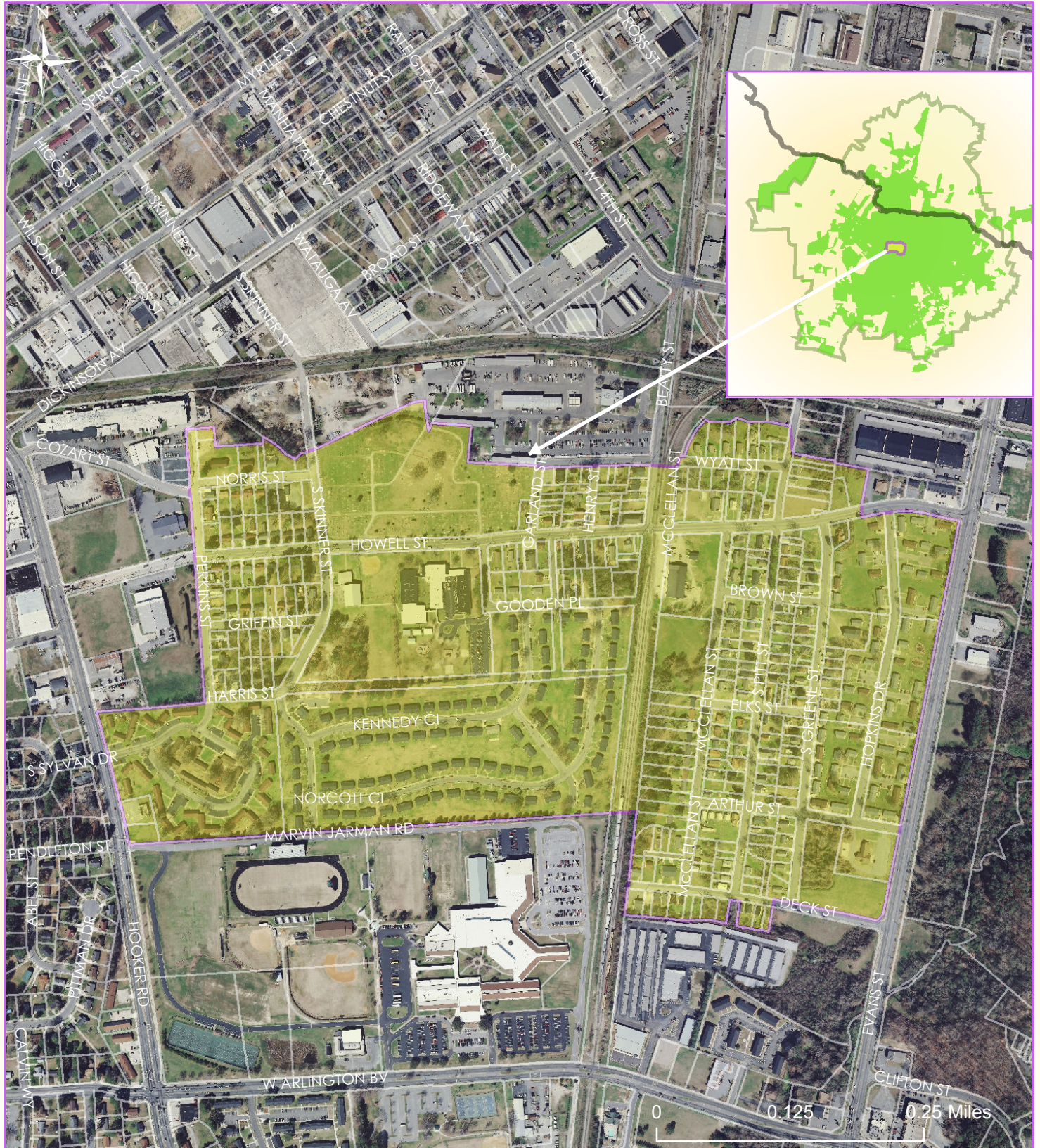
Attachments / click to download

 [Plan 1 of 2](#)

 [Plan 2 of 2](#)



South Greenville Elementary Area Neighborhood Report and Plan (15-01)



Prepared by the Community Development Department

Item # 7

Adopted on November 7, 2013

ACKNOWLEDGEMENTS

Greenville City Council and Administrative Staff

Mr. Allen Thomas, Mayor
Mr. Calvin Mercer, Mayor Pro-Tem
Ms. Rose Glover,
Ms. Kandie Smith
Ms. Marion Blackburn
Mr. Rick Smiley
Mr. Rick Croskery

Ms. Barbara Lipscomb, City Manager
Ms. Carol Barwick, City Clerk
Mr. Dave Holec, City Attorney

Greenville Planning and Zoning Commission

Ms. Shelley Basnight, Chairman
Mr. Tony Parker, Vice Chairman
Mr. Jerry Weitz
Ms. Ann Bellis
Mr. Doug Schrade
Mr. Torico Griffin
Ms. Chris Darden
Mr. Terry King
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<i>J. Code Compliance (Code Enforcement unless otherwise noted) (see maps 24a and 24b)</i>	<i>10</i>
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South Greenville Elementary School Area Report and Plan 2015

Report

1. Background/Introduction

In February 2004, the Greenville City Council established an ad hoc citizen Task Force on Preservation of Neighborhoods and Housing. This Task Force was charged with examining the conditions that exist in older, established neighborhoods, determining the impacts of rental properties, and recommending actions that would strengthen and enhance neighborhood vitality. The Task Force recommended 10 neighborhood improvement strategies, including strategy #9: “Develop and adopt Neighborhood Plans to guide public policy and investment decisions in older, established neighborhoods”. These recommendations were submitted to and accepted by the Greenville City Council in December, 2004. The Task Force on Preservation of Neighborhoods and Housing Report to City Council, December 13, 2004 is available on-line at the city’s web page, www.greenvillenc.gov/department/communitydevelopment/plans. The Greenville City Council also has established as one of its 2006-2007 Goals, “Emphasize the importance of neighborhood stabilization and revitalization”. In an effort to achieve this goal, comprehensive neighborhood plans will be prepared and presented to the Planning and Zoning Commission for review and recommendation, and to the City Council for adoption. The adopted plans will be in the form of an amendment to HORIZONS: Greenville’s Community Plan.

2. Neighborhood Profile (see map 1)

The South Greenville Elementary School area, hereafter referred to collectively as “the neighborhood”, is located in the central section of the city, and more specifically, between Evans Street and Hooker Road and north of Arlington Boulevard. The neighborhood is located in Voting District 2 and within the city limits. As designated in HORIZONS: Greenville’s Community Plan, the neighborhood is located in Vision Area G. The neighborhood began developing in the early 1960’s. The neighborhood contains a total of 305 lots on 144 net acres (173 total acres). The neighborhood has 5.27 miles (27,855 linear feet) of paved public streets. The average year of construction of single-family dwellings is 1969.

Below is a break-out of all of the land uses within the neighborhood by number of lots:

Single-family dwellings	179
Duplex	25
Multi-family	23
Mobile Home	1
Institutional	10
Commercial	9
Cemetery	1
Public Parking	1
Vacant	56
TOTAL	305

In 1969, the neighborhood was located in the city limits and zoned residential (R6) commercial (CH and CN) and industrial (I).

3. Index of Maps

Due to shape and size of neighborhood, the attached maps are for illustrative purposes only and can be reproduced in larger sizes.

- Map 1: Voting District and City Limits
- Map 2: Streams and Open Ditches
- Map 3: Topography
- Map 4: Flood Hazard
- Map 5: Aerial Photo
- Map 6: Greenways and Recreation and Parks Facilities
- Map 7: Hydric Soils
- Map 8: Impervious Surfaces
- Map 9: Thoroughfare Plan
- Map 10: Existing Sidewalks
- Map 11: Traffic Calming
- Map 12: Water and Sanitary Sewer Systems (public)
- Map 13: Drainage System (public)
- Map 14: Existing Land Uses
- Map 15: Multi-Family and Duplexes
- Map 16: Owner–Occupied Units versus Rental Units
- Map 17: Building Tax Value
- Map 18: Fire Stations and Routes
- Map 19: Fire Hydrants
- Map 20: Street Lights
- Map 21: Cultural Resources
- Map 22: Government Facilities
- Map 23: Focus Areas (HORIZONS)
- Map 24a: Code Enforcement Actions (west side)
- Map 24b: Code Enforcement Actions (east side)
- Map 25: Future Land Use Plan Map (FLUMP)
- Map 26: Current Zoning
- Map 27: Areas Zoned Inconsistent with the FLUPM
- Map 28: City-owned Properties
- Map 29: GREAT Bus Routes (city-wide)

4. Current Conditions

A. Natural Environment (see maps 2-6)

The neighborhood is generally located in the central section of the City. The Tar River bisects the City and traverses in a west to east direction.

The topography (NGVD) of the neighborhood ranges from a high of 72' to a low of 32'. There is an area of 500 and 100 floodplains associated with Green Mill Run along Evans Street. The neighborhood ultimately drains to the Tar River.

The Tar River contains a regulated flood hazard area including a mapped floodway, 100 and 500-year floodplains. See also Title 9, Chapter 6, Flood Damage Prevention, of the City Code.

In 1999, the City of Greenville was impacted by Hurricane Floyd. There was no damage reported to the City for any property within the neighborhood. There may have been other hurricane-related damage reported to private insurance.

Currently, there are no opportunities in or within reasonable walking distance for residents in the neighborhood to access greenways. The Green Mill Run Greenway Phase 2 Extension Project extends the greenway 1.2 miles from its current terminus at Charles Boulevard to Evans Park on Arlington Boulevard. Construction is expected to start in the spring of 2015 and be completed by July, 2016.

There are no known regulated wetlands located within the neighborhood.

B. Land Suitability (see maps 7-8)

There are no known soil, water table, topological, and/or other environmental limitations that would prohibit continued residential use of the lots within the neighborhood.

The eastern section of the neighborhood is impacted by the floodway, 100 and 500-year floodplains associated with Green Mill Run.

In the neighborhood, there are hydric soils, Bb, Ly, Co and Os. The remaining soils are WaB, AlB CrB, ExB, NrB and CrA. Neighborhood property soils are suitable for sanitary sewer-dependent residential development.

C. Transportation (see maps 9-11, 28)

The neighborhood has an inter-connected grid street system that provides multi-directional access. Current ingress and egress to the neighborhood are served by Evans Street, Arthur Street, Deck Street, Howell Street, Beatty Street, Glendale Drive, and Cozart Street.

Howell Street is a collector road for the neighborhood that provides an east to west connection. It has sidewalks and bike lanes. Beatty Street is the only ingress and egress to the north within the neighborhood. The CSX Railroad bisects the neighborhood in a north to south direction. The Norfolk Southern Railroad runs north of the neighborhood.

In the neighborhood, the posted public street speed limits are 20 and 25 miles per hour.

All streets within the neighborhood are publicly dedicated, city-maintained streets with curb and gutter construction and a piped storm drainage system. On-street parking is permitted on most interior neighborhood streets.

Due to the age of the neighborhood, sidewalks were not required at the time of development. There is a future sidewalk planned along a portion of Skinner and Norris Streets that is recommended as part of the 10-year Sidewalk Master Plan.

There are three speed bumps located within the Glendale Court Apartment complex and one speed bump north of the intersection of McClellan Street and Elks Street. There are multiple stop signs located throughout the neighborhood.

There are multiple Greenville Area Transit (GREAT) system bus stops located within and/or within walking distance outside of the neighborhood (Routes 1, 3 and 6). All of the stops in the neighborhood are designated by a sign however there is one stop with a bench and shelter. Routes 1, 3 and 6 provide transportation to the Greenville Square Shopping Center (K-Mart), Social Security Office, University Commons (Target and Harris Teeter), Wal-Mart Shopping Center (Greenville Boulevard), and Pitt Community College. All GREAT transit system buses begin and end their routes at the transfer point, located in the downtown area. Patrons can also switch buses at this location to reach destinations on all the bus routes.

There are no plans to re-surface or re-stripe neighborhood streets.

D. Public Utilities: Water, Sanitary Sewer, Gas and Electric (see map 12)

Public utilities are provided and maintained by Greenville Utilities Commission (GUC).

All lots within the neighborhood currently have direct access to water, sanitary sewer, gas and electric services of the GUC. GUC has identified no significant infrastructure concerns, with regard to the aforementioned utilities, that will affect the current or future level of service.

Electric, telephone, and cable TV service are via overhead lines supported by utility poles located within the public rights-of-way.

E. Storm Drainage: Public and Private Storm Water Drainage (see map 13)

The street drainage system and associated out of right-of-way drainage improvements, including subsurface systems and open channel located within the city limits, are maintained by the City of Greenville Public Works Department.

During heavy rain storms, some lots experience temporary down-slope flooding.

The neighborhood does not contain any private or common storm water detention facility, due to the age of the development.

The Public Works Department has identified no significant infrastructure concerns with regard to the public stormwater drainage system that would affect the current and future level of service of the vehicle travel-ways.

F. Structures and Building Activity (see maps 8, 14, 15)

The neighborhood is comprised of a variety of uses. The average year of construction of single-family dwellings is 1969.

In a 24-month period (07/01/2012 - 07/31/2014), there were five building permits issued within the neighborhood for interior repairs. The total recorded permit value of the improvements was \$153,652.

Three of the permits were for rehabilitation work as part of the City's Community Development Block Grant program. One permit was for kitchen repairs at South Greenville Elementary School (\$14,000) and one permit was for interior repairs for a church (\$15,000).

In 2013, the total building (excluding land) tax value in the neighborhood is \$10,631,419. The combined land and building (total) tax value in the neighborhood is \$12,713,631. At the current city tax rate (\$0.54 per \$100) the total property valuation results in \$68,653 annual revenue to the city. Greenville Housing Authority (GHA) properties, Brownhill Cemetery, South Greenville Elementary School and city-owned properties are not included in the above statistics. See Section L. Public Services for a general description of municipal services provided to the neighborhood.

Due to the period of construction, most neighborhood dwellings do not contain relatively modern conveniences and energy-efficient systems.

At the time of this report, there are six boarded up/dilapidated or abandoned structures located within the neighborhood.

G. Socioeconomic (see maps 16, 17)

Based on a comparison of physical addresses and tax mailing addresses of single-family dwellings, the subject area is approximately 40% owner-occupied and 60% rental property at the time of this report.

According to the U.S. Census Bureau, the 2013 adjusted median household income in Greenville is \$35,137.

The average size of single-family dwellings in the neighborhood is 1,018 square feet.

The neighborhood contains a mix of housing options.

H. Health and Life Safety (see maps 4, 8, 18, 19, 28 and Appendix B)

There are multiple access points into the neighborhood, and the existing inter-connected street system affords alternate access routes to the thoroughfare streets. Inter-connected public streets also allow public service vehicles (police, fire, sanitation, etc.) alternate routes for ingress and egress into and through the neighborhood.

South Skinner Street ends at the Norfolk Southern Railroad crossing adjacent to the Public Works Department. This limits access to Dickinson Avenue. An unintended consequence has been cut-through pedestrian traffic on private property at South Skinner Street and Perkins Street which is being used to go between Dickinson Avenue and Hooker Road. Beatty Street is the only ingress and egress to the north within the neighborhood.

There were 1,116 calls/actions for the Greenville Police Department in the twelve (12) month period from July 1, 2013 to July 31, 2014. Some examples are: suspicious activity/person/vehicle (201), assaults (35), juvenile complaints (35), and shots fired (18). See Appendix B

There is not an official Community Watch Program in the neighborhood. At both neighborhood meetings, staff discussed the advantages of having a community watch, which would provide a specific police officer to work with the neighborhood and make the group eligible to apply for Neighborhood Improvement Grant funds (see page 9).

Fire suppression and rescue services for the neighborhood are primarily provided by City Fire/Rescue Station #1 (Greene Street) and City Fire/Rescue Station #2 (Hemby Lane), as needed. Stations #1 and #2 can be dispatched separately or simultaneously depending on the type of call. The Fire/Rescue Department provides Paramedic Service which is a higher level of service compared to basic Emergency Medical Technician (EMT) Service. The neighborhood is accessible via three ingress/egress points. All streets are accessible by emergency vehicles.

Fire hydrants are located throughout the neighborhood. Recommended hydrant to single-family dwelling separation is 500 or fewer feet. All dwellings are located within the recommended hydrant to dwelling radius. Water pressure and fire flow meets or exceeds the requirements of the city and fire apparatus access roads comply with NC and local Fire Code requirements. The emergency response travel time and distance from the service delivery stations to the furthest point in the subdivision are in accordance with recommended standards.

There are no known hazardous waste/materials (surface and/or underground) sites in the neighborhood. Some of the homes currently utilize, or may have on-site (unsecured) abandoned, underground fuel oil storage tanks that may pose a risk of groundwater contamination.

The city conducts periodic mosquito control activities in the neighborhood. There are no known conditions of rodent infestation associated with any flood hazard area, overgrown lot, standing water, or abandoned structure/vehicle.

Overhead street lights are maintained by GUC on standard (wood) transmission line poles. Currently, there are no plans to place utility lines underground. Changes or additions of street lights are performed by GUC at the City Engineer's request. Street light placement is done in accordance with applicable neighborhood GUC lighting manual standards. At the time of this report, most street lights in the neighborhood have 150 watt bulbs. As lights burnout, they are being replaced with 250 watt bulbs and will eventually be upgraded to LED lights. Any areas within the neighborhood that are considered "hot spots" by the Police Department are being upgraded to LED lights.

There were complaints from neighborhood residents, collected from surveys and at the neighborhood meetings, of under-lighted areas throughout the neighborhood. There was concern these under-lighted areas made unsafe conditions when walking through the neighborhood and created conditions for criminal activity, specifically the pedestrian cut-through at South Skinner Street and Perkins Street.

At the time of this report a significant number of structures within the neighborhood do not display code compliant address numbers on the dwelling structure. Minimum size house numbers are: single-family and duplex dwellings - four (4) inches high and multi-family dwellings - six (6) inches high. Currently, many dwellings are reliant on address numbers posted on street-side mail boxes or address numbers that are smaller than the required size in lieu of having properly-sized address numbers affixed to the dwelling structure. All dwelling units are coded to the 911-emergency response system.

I. Quality of Life (see maps 6, 8, 21- 23, 28)

At the time of this report, the neighborhood does not have an organized or active homeowner/neighborhood association. At the neighborhood meeting, there was interest expressed in starting an association. The neighborhood was informed of the benefits of organizing a neighborhood association. One benefit is the association can apply for a Neighborhood Improvement Grant from the City. The maximum amount is \$750 and the work must benefit the entire neighborhood. The Greenville Community Appearance Commission makes the final decision on grant application. The neighborhood association would need to be recognized by the City in order to apply for grant funds.

The aesthetic quality of public views and the overall general streetscape is good due to mature tree cover, paved and adequate driveways, and uniformity of dwelling orientation and setbacks of most dwellings. There are no neighborhood identifiers, such as signage at street access points, public art or public/common property landscape improvements, within the neighborhood that further define community character, identity and sense of place. As mentioned previously, with the formation of a neighborhood association, there are neighborhood improvement grant funds available to purchase street identifiers and/or an additional entrance marker. These funds can also be used to renovate the existing entrance marker.

Electric and other copper wire services are via overhead utility lines, and lack of pedestrian level street lighting negatively impacts the visual quality of the neighborhood.

At the time of the report, there are two portions of neighborhood streets that are part of the Adopt-A-Street Program. A majority of Howell Street and the Norris/Skinner Street area are included in this program.

The neighborhood contains two mapped archaeological sites, but have not been further studied.

There are leisure, educational or recreational opportunities within reasonable walking distance of the neighborhood. The South Greenville Recreation Center serves as a gymnasium for South Greenville Elementary during the school year. It also is used for the Police Athletic League (PAL) after school program and summer camp. PAL is a youth crime prevention program that utilizes educational, athletic and recreational activities to create trust and understanding between police officers and youth. It is based on the conviction that young people, if they are reached early enough, can develop strong positive attitudes towards police officers in their journey through life toward the goal of maturity and good citizenship.

The afterschool program runs from 2:30 - 6:30 every afternoon during the school year. Participants receive a snack while working on homework, reading, having computer time, working on arts and crafts projects, and having recreation time. The summer camp runs for eight weeks. A PAL police officer is on hand to ensure that there is always an officer at the site while PAL programs are going on. During the summer camp, the participants get the chance to go to the pool, go skating, go out for ice cream, have police presentations, play games, and travel in and outside of Greenville for fun and exciting trips all while interacting with Greenville police officers. The program is also offered at Eppes Recreation Center. Both programs serve approximately 110 kids who are placed into groups based on grade level.

Also, the South Greenville Recreation Center has a picnic shelter and tables, weight room, multi-purpose room, youth baseball practice field and playground equipment. There are playgrounds at

Hopkins Park Duplexes and Glendale Court Apartments that contain slides, swings, and jungle gym equipment. These playgrounds are within reasonable walking distance of most of the residents in the neighborhood.

There are three commercial/service focus areas within close proximity of the neighborhood. The Piggly-Wiggly Shopping Center is within walking distance for residents on the west side of the neighborhood. The Harris Teeter Shopping Center (Charles Boulevard and 14th Street) is within walking distance for residents on the east side of the neighborhood, but there are no sidewalks along 14th Street which makes pedestrian travel difficult. The focus area at Arlington Boulevard and Evans Street is within walking distance for residents on the south side of the neighborhood however there isn't a grocery store in this area.

These focus areas are in within walking distance for some of the residents in the neighborhood and for others are in short driving distance.

The GREAT bus offers transportation to other focus areas that offer other options for necessary goods and services.

J. Code Compliance (Code Enforcement unless otherwise noted) (see maps 24a and 24b)

In the 24-month period, July 1, 2012 – July 31, 2014, there were 196 code enforcement-related staff investigations and/or actions in the neighborhood.

Code enforcement and selected police investigations/actions were as follows:

Animal complaints (stray, domestic animals and nuisance wildlife): 40*

Abandoned structure: 1

Immediate Hazard: 1

Furniture/Carpet: 1

Temporary Sign: 1

Illegal dumping: 3

Weeded lots: 113

Trash and debris: 50

Abandoned/junked vehicles: 5

Minimum housing: 19

Public nuisance: 2

* Information provided for GPD is for the time period from July 1, 2013 – July 31, 2014. These investigations/calls are included in the 1,116 GPD service calls.

K. Current and/or Pending Planned Public Improvements (see map 6)

As part of the Greenway Master Plan, the Green Mill Run Phase 2 Extension Project extends the greenway 1.2 miles from its current terminus at Charles Boulevard to Evans Park on Arlington Boulevard. Construction is expected to start in the spring of 2015 and be completed by July, 2016.

L. Public Services

The neighborhood is located within the Greenville city limits (see map 1).

The City and GUC currently provide the following services to the neighborhood:

- General government, vested in a city council of six (6) members (5 district and 1 at-large) and a mayor elected from the qualified voters. The neighborhood is located in voting district 2.
- Sanitation services including residential (curbside) garbage, bulk refuse and yard debris disposal and recycling are provided on a weekly schedule. Vector (malaria/rodent) control and seasonal leaf collection also are provided.
- Street maintenance and traffic services including repair and reconstruction of street travel-ways and street drainage facilities located within the right-of-way of public streets.
- Public drainage system construction and maintenance.
- Fire suppression and life rescue, including paramedic service and transport on a 24-hour basis.
- Police services for the protection of life and property including traffic control and crime investigation on a 24-hour basis.
- Recreation and Parks services including passive open spaces, active recreation facilities and parks.
- Library services and branch facilities.
- Utilities including water, sanitary sewer, gas and electric service, streetlights and stormwater.

Building inspection, minimum housing code, nuisance abatement, zoning and subdivision regulations and related enforcement services are provided within the city limits.

M. Future Land Use Plan Map Recommendations (HORIZONS) (see maps 23 and 25-27)

The Future Land Use Plan Map (FLUPM) recommends several types of land uses in and around the neighborhood to support a sustainable environment.

To the west of the neighborhood is a designated regional focus area at the intersection of South Memorial Drive and Dickinson Avenue. These nodes typically contain over 400,000+ square feet of conditioned floor space.

To the east and the southeast of the neighborhood are two designated intermediate focus areas: 1) at the intersection of 14th Street and Charles Boulevard and 2) at the intersection of Evans Street and Arlington Boulevard. These nodes typically contain over 50,000 - 150,000+/- square feet of conditioned floor space.

N. Zoning Classification(s) (see maps 26- 27)

The initial zoning of the neighborhood in 1969 has stayed relatively the same. There is a variety of uses in the neighborhood. There are a few areas in and around the neighborhood where the current zoning does not correspond with the FLUPM recommendation.

The neighborhood consists of a mix of housing options.

5. Current Condition Assessment based in part on Citizens' Input compiled from the mailed/internet survey (Appendix A), comments received during the neighborhood information meetings (9 below), and Staff Analysis.

The purpose of the current condition assessment is to the identifying neighborhood strengths and weaknesses and for prioritization of remedial action plans and improvements.

- Scale:**
- 1 = Severe negative neighborhood-wide impact requiring immediate remedial action.
 - 2 = Substantial negative neighborhood-wide impact requiring the immediate development and implementation of a remedial action plan.
 - 3 = Moderate negative neighborhood-wide or localized impact requiring the development and implementation of a remedial action plan.
 - 4 = Positive neighborhood-wide attribute, condition or factor that promotes and/or facilitates sustainability, no remedial action necessary.
 - 5 = Optimal neighborhood-wide attribute, condition or factor that promotes and/or facilitates sustainability, no remedial action necessary.

- A. Natural Environment - 4
- B. Land Suitability - 4
- C. Transportation - 3
- D. Public Utilities - 4
- E. Storm Drainage - 3
- F. Structures and Building Activity - 3
- G. Socioeconomic - 3
- H. Health and Safety - 3
- I. Quality of Life - 3
- J. Code Compliance - 3
- K. Current and/or Planned Public Improvements - 4
- L. Public Services - 3
- M. Future Land Use Plan Map - 4
- N. Zoning - 3

Identified Areas for Consideration of Neighborhood Improvement:

C. Transportation – 3

- Lack of sidewalks on one side of all neighborhood collector streets
- Lack in street inter-connectivity within the neighborhood

E. Storm Drainage - 3

- Localized street flooding

F. Structures and Building Activities - 3

- Aging housing stock, and lack of reinvestment and improvement resulting in competitive disadvantage for continued owner occupancy

G. Socioeconomic - 3

- Comprehensive re-investment in and continued improvement of the housing stock

H. Health and Safety - 3

- Street Lighting
- Posted street addresses
- Under-lighted areas

I. Quality of Life - 3

- Neighborhood identifiers, entrance signs, etc.
- Overhead utility lines and services
- Street lighting
- Lack of Neighborhood Association
- Lack of Community Watch Program
- Lack of participation in Adopt-A-Street Program
- Crime

J. Code Compliance - (GPD Code Enforcement Division unless otherwise noted) - 2

- Minimum housing code
- Abandoned/junked vehicles
- Parking on unimproved surfaces
- Weeded lots
- Animal complaints

K. Current and/or Planned Public Improvements - 4

- Greenway along Green Mill Run

L. Public Services - 3

- Need for improvements to the GREAT bus stops within the neighborhood

M. Future Land Use Plan Map - 4

N. Zoning - 3

- Zoning inconsistent with the FLUPM

6. Survey Results Summary (Appendix A)

Surveys were mailed to property owners and residents, utilizing tax parcel information, and distributed at the first public information meeting requesting their opinion of current neighborhood conditions. In total, 65 surveys (20-owners, 45-renters) were submitted.

Areas of concern were: neighborhood appearance, streetscape appearance, personal safety, external/internal noise, and number and condition of rental properties.

See Appendix A for complete survey results.

7. HORIZONS: Greenville's Community Plan (2004) Recommendations: (see also map 26)

Vision area

The neighborhood is located in Vision Area G, West Central.

The following are Management Actions for Vision Area G, which are related to this specific neighborhood:

G2. Create additional after-school recreational opportunities at Thomas Foreman Park and South Greenville School.

G3. Develop a greenway along Green Mill Run.

G6. Encourage development of affordable single-family homes on vacant lots.

G8. Implement more police protection.

G9. Encourage demolition of dilapidated houses.

Other Contextual Recommendations (objectives, policy statements and implementation strategies specific to this neighborhood)

Objectives

Housing

H5. To improve and revitalize existing neighborhoods.

H6. To increase the supply of affordable rental housing for lower income families, particularly families with children using support services.

H7. To increase the supply of owner and rental housing available to low- to moderate income persons.

H8. To improve, preserve, and develop residential areas for persons of low to and moderate incomes.

H14. To assist low-income homeowners with energy-related housing rehabilitation.

H16. To encourage home ownership.

H18. To identify innovative pre- and post-home ownership programs for low-income home buyers and home owners.

Mobility

M4. To preserve and protect existing and future residential neighborhoods.

M5. To provide safe, convenient and efficient opportunities for pedestrian and bicycle-movements.

M6. To coordinate the transportation plans of the City, ECU, and the University Medical Center of Eastern Carolina – Pitt County.

M9. To improve the public mass transportation system.

M10. To improve transit connections / services between neighborhoods and major activity centers.

M11. To improve public transportation for senior citizens.

M12. To develop alternative transportation system (to include walkways and bikeways).

Recreation and Parks

RP1. To provide park and open spaces in all neighborhoods.

RP5. To increase access to and use of recreational facilities at City parks and public schools.

RP7. To continue the construction of greenway projects in the City.

RP9. To expand recreational infrastructure (i.e. sidewalks and bike paths).

Community Facilities

CF3. To increase interaction between the Police Department and citizens, in order to increase mutual respect, understanding and support.

CF5. To ensure safe, liveable neighborhoods.

CR13. To increase communication and joint planning efforts between Pitt County Schools System and the City of Greenville.

Urban Form

UF1. To encourage affordable housing options.

UF6. To preserve neighborhood livability.

UF10. To provide transitional zoning between focus areas.

Implementation Strategies

Land Use

2 (i). Office/institutional/multi-family development should be used as a buffer between light industrial and commercial development and adjacent lower density residential land uses.

2(j). Adequate conservation/open space buffers should be provided between areas designated for residential development, as indicated on the future land use plan map, and any non-residential land use where a zone transition buffer such as O or OR is not a practical option.

4 (d). Encourage revitalization of older neighborhoods in Greenville in a manner that preserves neighborhood character and identity.

4 (e). Implement programs to increase home ownership.

5(a). Enforce the City's minimum housing code to ensure that all occupied structures are fit for human habitation.

5 (b). Continue to pursue community development and North Carolina Housing Finance Agency funds from state and federal sources for rehabilitation or redevelopment of substandard housing.

Growth and Development

2(b). Implement the Greenway Master Plan.

2 (x). Maintain neighborhood character and identity.

2 (y). Create walkable communities/neighborhoods.

2 (z). Encourage citizen involvement within neighborhoods.

Service and Facilities

4 (f). Continue to support the Police Department's Community Watch Program.

Implementation Strategies (completed to date)

- General planning principles supported
- Greenway Master Plan, adopted on 03/04/04
- Recreation and Parks Master Plan, adopted on 11/06/08
- Thoroughfare Plan, adopted on 12/2004

8. City Council Goals (2012-2013) and (2014-2015)

2012 – 2013 GOALS

NEIGHBORHOOD PRESERVATION

Strategic Goal: Develop strategies to protect and preserve neighborhoods through systematic approaches.

a) An active association in every neighborhood

Action Items:

2. Work with the Neighborhood Advisory Board to provide information and technical support to neighborhoods that are interested in establishing neighborhood associations. – Community Development

Status: Staff continues to provide technical assistance to neighborhoods that are in the process of developing neighborhood associations.

PARKS AND RECREATION/GREENWAYS/BOND ISSUE

Strategic Goal: Expand and enhance our parks and greenways, as resources allow.

Action Item:

4. Pursue pedestrian and bicycle connectivity between parks and their recreation facilities, where practical. – Recreation and Parks

Status: Recreation and Parks staff continues to coordinate with Public Works and the *Complete Streets* program regarding any emerging opportunities to include sidewalks and/or bicycle lanes when street re-design or re-surfacing projects occur. Recreation and Parks staff particularly focuses on roadways that serve as travel routes to or between parks and greenways. Bike lanes were added to Howell Street in both directions between Evans Street and Hooker Road.

PUBLIC TRANSPORTATION

Action Items:

7. Develop standards for public illumination levels in coordination with City's stakeholders. – Public Works

Status: A lighting standard stakeholder group was established for street lighting and parking lot lighting. Staff presented to Council on January 13, 2013, a proposal to adopt a City of Greenville Lighting Standard. City Council approved the proposed standards and made them part of the City's Manual of Standards and Design Details (MSDD). Additionally, City Council tasked staff to develop a lighting ordinance revision to the City Code reflecting the changes implemented by the City of Greenville Lighting Standard and to include the stakeholders group in this process. Several meetings have been held with GUC to discuss implementation of the new LED street lights. Public Works is continuing to move forward with the development of this ordinance revision.

8. Explore methods of implementing light standards on existing streets approved by City Council. – Public Works

Status: The interim lighting standard approved by City Council in April 2011 has assisted City staff in determining areas on existing streets that have insufficient lighting. Staff has been working with officers from the Police Department to identify areas of the city (hot spots) that need additional street lights or illumination. A list of areas and proposed improvements has been completed, and the improvements are currently being installed by GUC.

2014 – 2015 GOALS

Goal 1: Dynamic and Inviting Community

2. Arts and Culture, Recreation & Parks
 - 2c. South Greenville Recreation Center Design – Continue to pursue a partnership with Pitt County Schools to jointly pursue a new South Greenville Recreation Center facility to begin with a design process.

Goal 4: Infrastructure

3. Policy and Planning
 - 3c. LED Street Lights – Collaborate with GUC to develop a cost-effective process to transition the City's street lights to LED and report outcomes to City Council.

Goal 5: Quality Neighborhoods

1. Neighborhood Plans
 - 1b. Develop a New Plan – Initiate and complete the South Greenville Neighborhood Plan.
2. Neighborhood Associations
 - 2a. Provide staff support and expertise to facilitate the establishment of two new neighborhood associations.

Goal 6: Safe Community

1. Police Department Three-Year Strategic Plan
 - 1b. Utilize Crime Reduction Initiative Area (CRIA) technique known as Hot Spots Policing

9. Public comments received during the public information meetings held at St. Matthew True Born Faith of Christ Church on July 8, 2014 and March 10, 2015

- Lack of neighborhood association or community watch
- Lack of property maintenance
- Need for sidewalks
- Need for streets to be re-surfaced
- Need for bus stop improvements (where there is no bench and/or shelter)
- Trash carts not rolled back after pick-up (specifically on McClellan Street)
- Under lighted areas especially at South Skinner Street where it has been closed at the Public Works Department and has increased pedestrian traffic across private property (specifically at the northern terminus of Perkins Street and South Skinner Street)
- Increase of police presence (specifically at the northern terminus of Perkins Street) due to vandalism and break-ins of neighboring properties
- Litter/garbage where streets have been closed at railroad crossings
- Slow response time to police calls
- Household items left sitting on curb
- Streetscape and entrance improvement at Brownhill Cemetery
- Rough railroad crossing on Howell Street
- Overgrown city-owned lots
- Crime in area
- Consistent code enforcement action

At the March 10, 2015 meeting, Jan Perry, Senior Housing Manager with GHA, spoke about the services offered by GHA for residents that live in GHA properties and for the entire community. Examples are: free preparation of state and federal taxes, housing assistance for veterans, disabled and homeless persons and people living with AIDS. GHA also offers homebuyer education, debt management, and renter assistance services among other services.

Neighborhood Plan for the South Greenville Elementary School Area Plan 2015

Goals:

To create, maintain and enhance a sustainable neighborhood.

Objectives:

To identify by analysis and citizen input, the strengths and weaknesses of neighborhood issues affecting sustainability and to create broad support for recommended improvement strategies.

Policy Implementation and Improvement Strategies:

The City Council and City Staff will take such actions as necessary for the support and implementation of the neighborhood plan as follows:

- City Council will amend HORIZONS: Greenville's Community Plan to incorporate the South Greenville Elementary School Area Neighborhood Report and Plan by reference.
- City Staff will conduct a periodic review of the neighborhood report and plan, and the adopted implementation and improvement strategies to evaluate plan progress toward the goal of continued neighborhood sustainability.
- Completion of current City Council Goals (2012 - 2013) and future goals, as may be adopted, in accordance with established schedules.
- Completion of current City Council Goals (2014 - 2015) and future goals, as may be adopted, in accordance with established schedules.
- City Staff will prepare cost estimates and project schedules for the Capital Improvement and Implementation Strategies included in this plan.
- City Council will utilize this plan to guide public policy and investment decisions within the South Greenville Elementary School Area.

Capital Improvement and Implementation Strategies:

The City Council and City Staff will take such actions as necessary for the support and implementation of the neighborhood plan as follows:

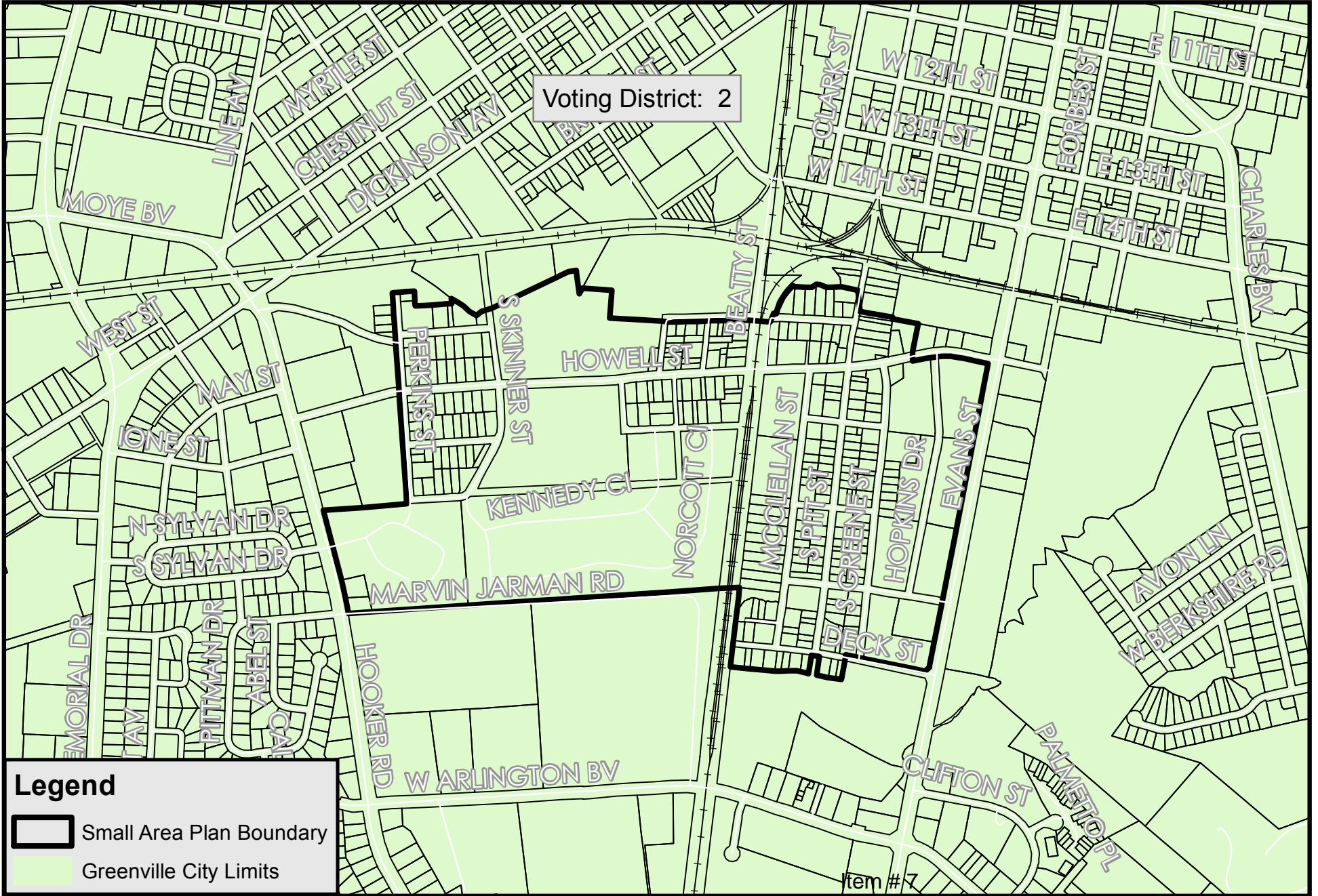
- The City will investigate the creation of a home improvement matching grant fund for older site-built single-family owner-occupied dwellings (example - not less than 30-years old) to be awarded on an annual basis, to encourage qualified home improvement/upgrades that will increase the tax value and marketability of older dwellings. Such grant to be secured by an owner occupancy condition (Deed of Trust) for a determined period.
- The City will assist the neighborhood and area residents in the establishment of a Neighborhood Association and a Community Watch Program.
- The City will provide grants, in accordance with current program/policy, to a city-recognized neighborhood association for neighborhood improvement activities such as, improvement of existing entrance signs and/or installation/construction of street identifiers.
- The City will assess the possibility of neighborhood identification.
- The City will install appropriate GREAT system bus stop improvements at locations as determined necessary and appropriate by the Public Works Department as recommended by the Thoroughfare Plan.
- The City will assess street lighting levels throughout the neighborhood and cause the installation of additional lamps and/or trimming of mature tree growth as determined necessary by the City Engineer.
- The City will assess the condition of the railroad crossing at Howell Street for possible improvement.
- The City will consider streetscape and entrance enhancements to Brownhill Cemetery.
- The City will consider the initiation of a zoning map amendment(s) for neighborhood and adjacent area properties that are included in a zoning district that is inconsistent with Comprehensive Plan and/or Future Land Use Plan Map recommendations.
- The City will notify property owners of address number display requirements.
- The City will update the GIS-GPS coverage for storm water improvements throughout and adjacent to the neighborhood.
- The City will request and encourage GUC to update the GIS-GPS coverage for all public utilities, including water, sanitary sewer, gas and electric lines, and street lights throughout and adjacent to the neighborhood.

Map 1: Voting District and City Limits



March 5, 2015



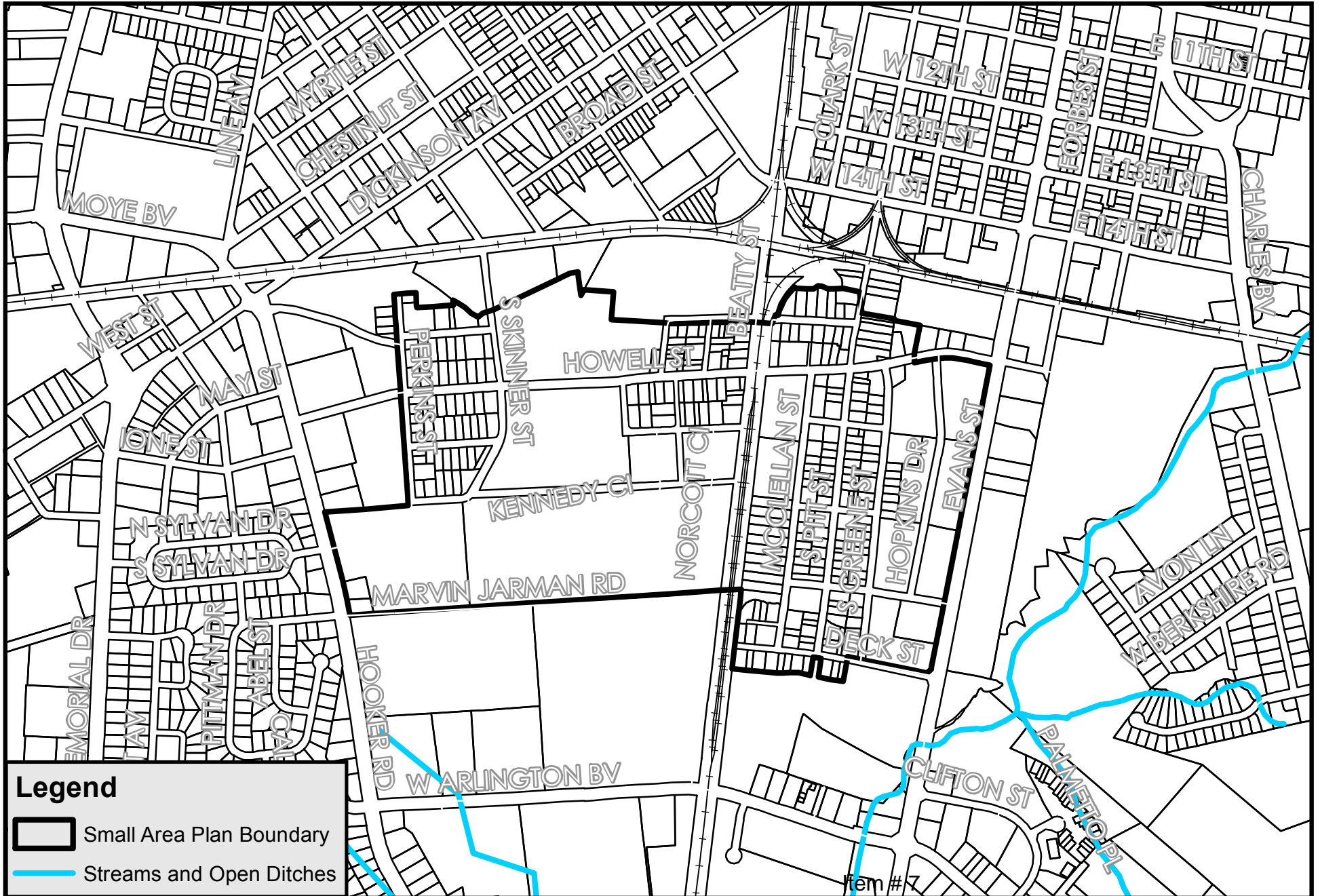
Voting District: 2



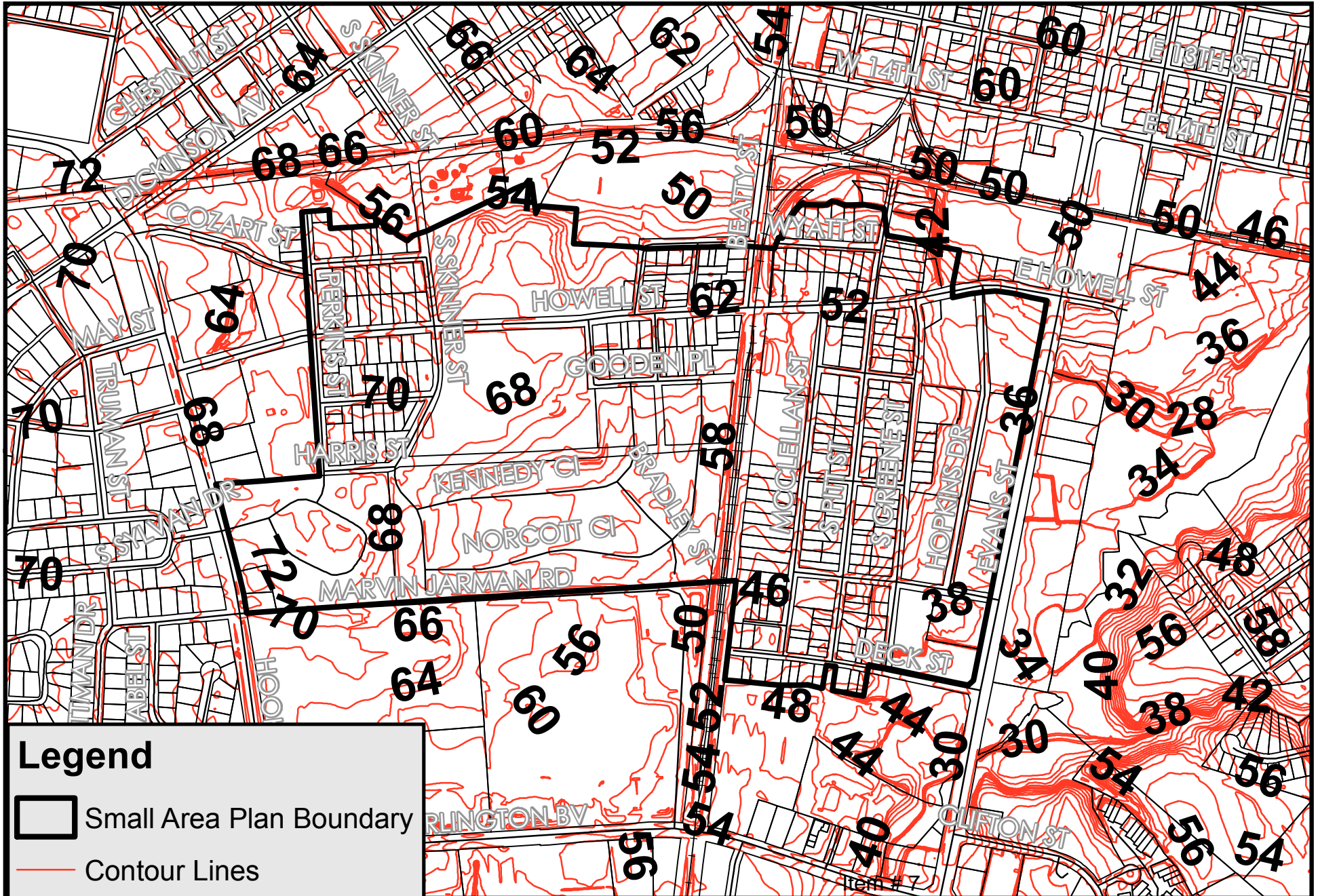
Legend

-  Small Area Plan Boundary
-  Greenville City Limits

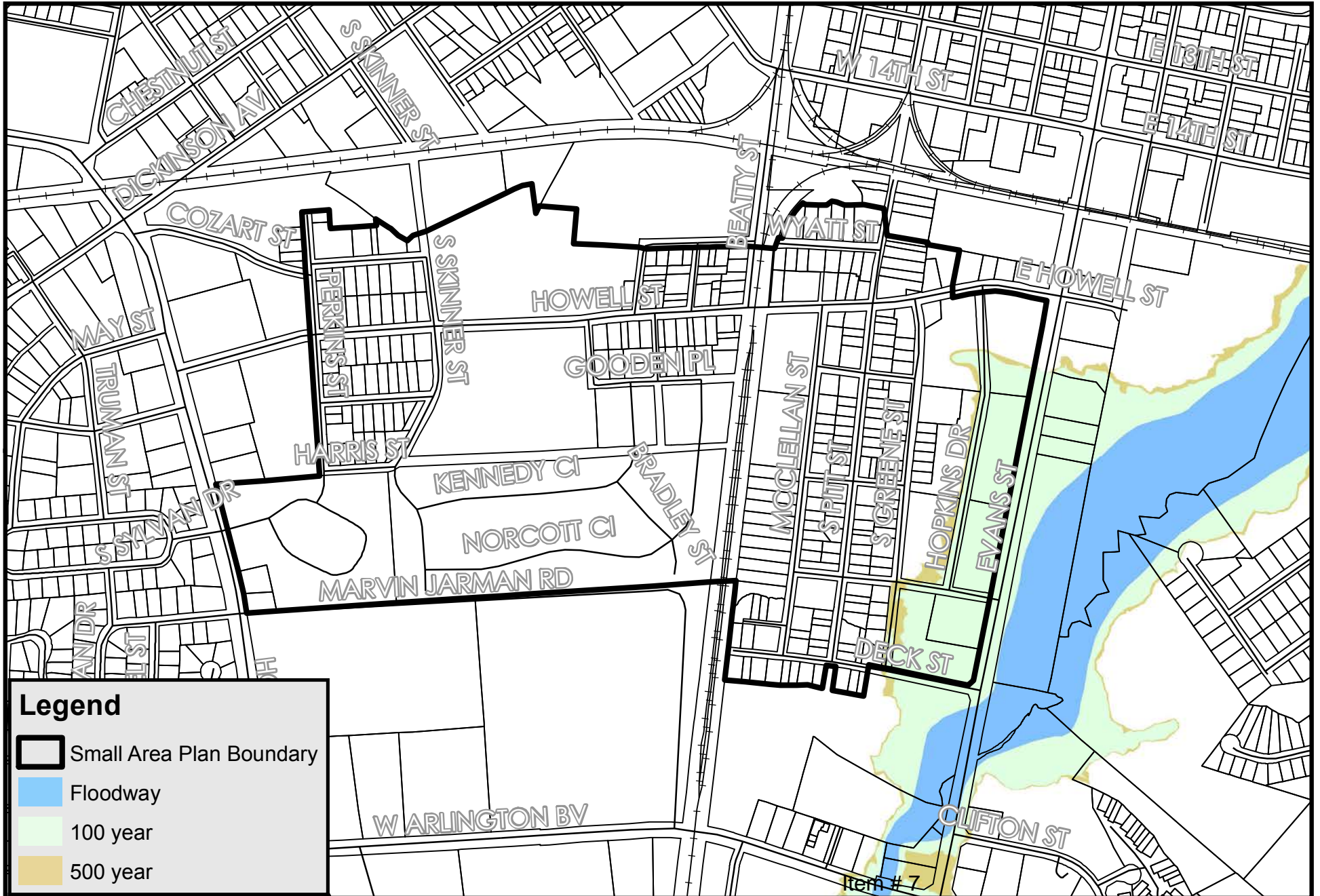
Map 2: Streams and Open Ditches
March 5, 2015



Map 3: Topography
March 5, 2015




Map 4: Flood Hazard
March 5, 2015



Map 5: Aerial Photo (2012)
March 5, 2015

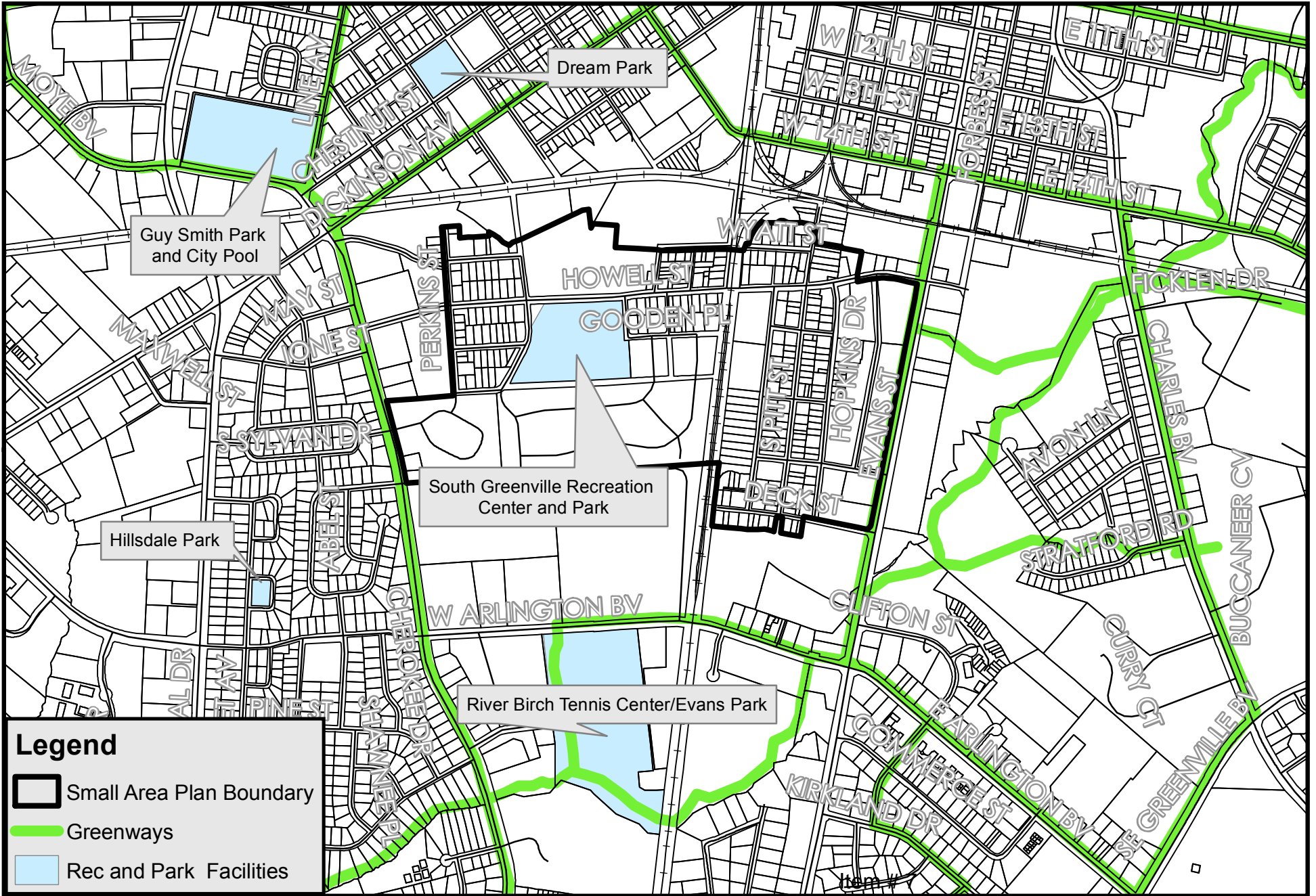


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 Small Area Plan Boundary

Item # 7

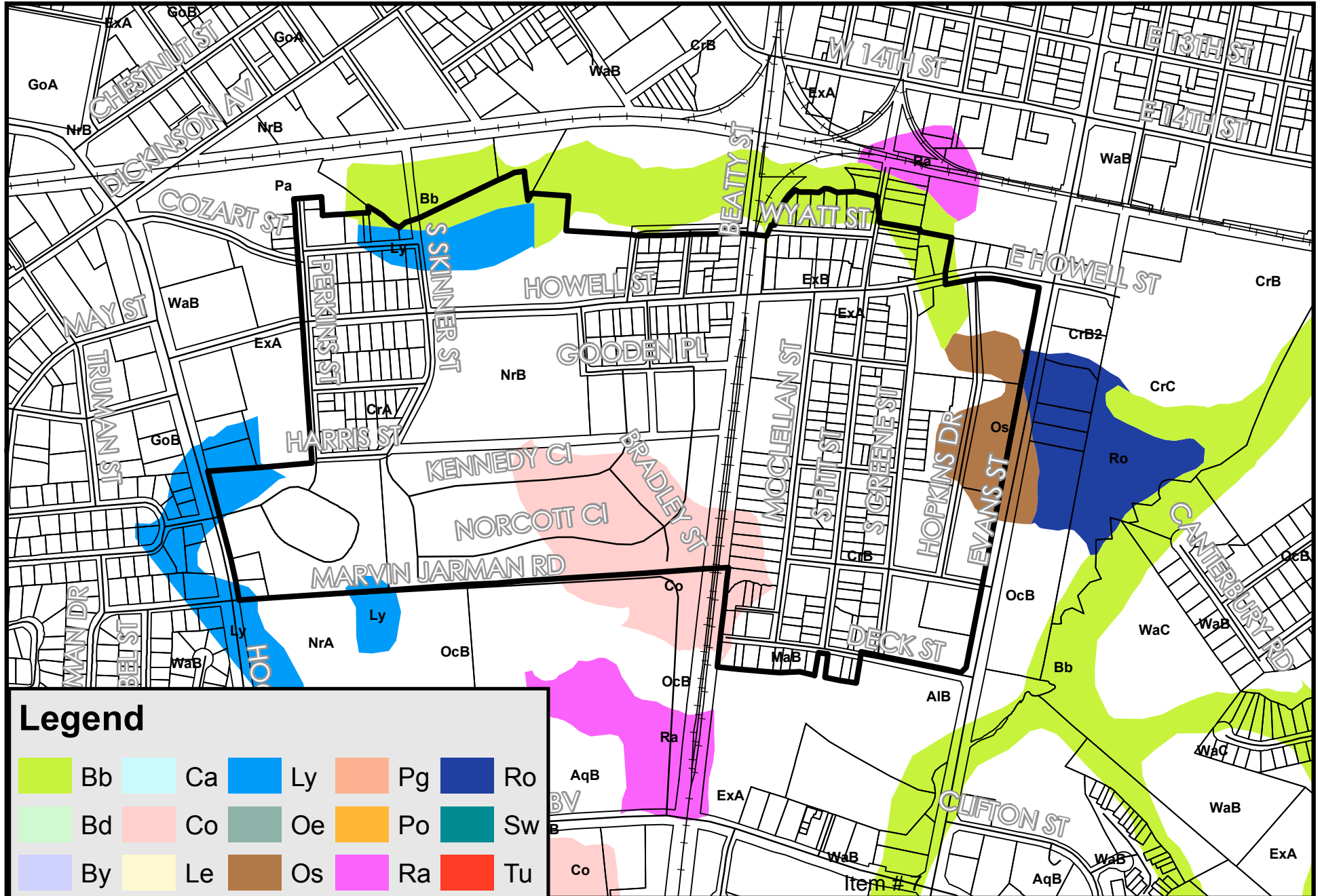
Map 6: Greenways and Recreation and Parks Facilities
March 5, 2015



Legend

- Small Area Plan Boundary
- Greenways
- Rec and Park Facilities

Map 7: Hydric Soils
March 5, 2015

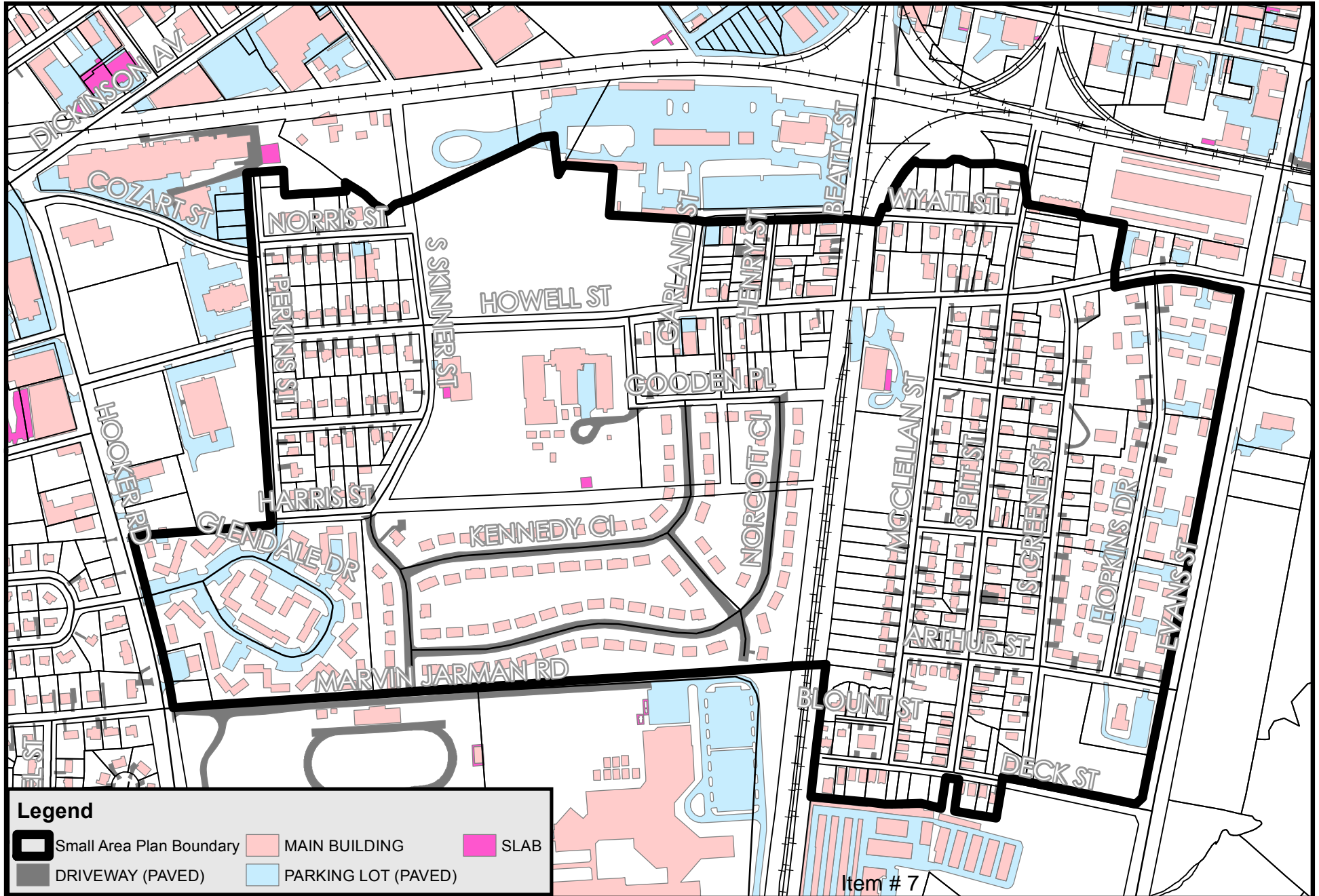


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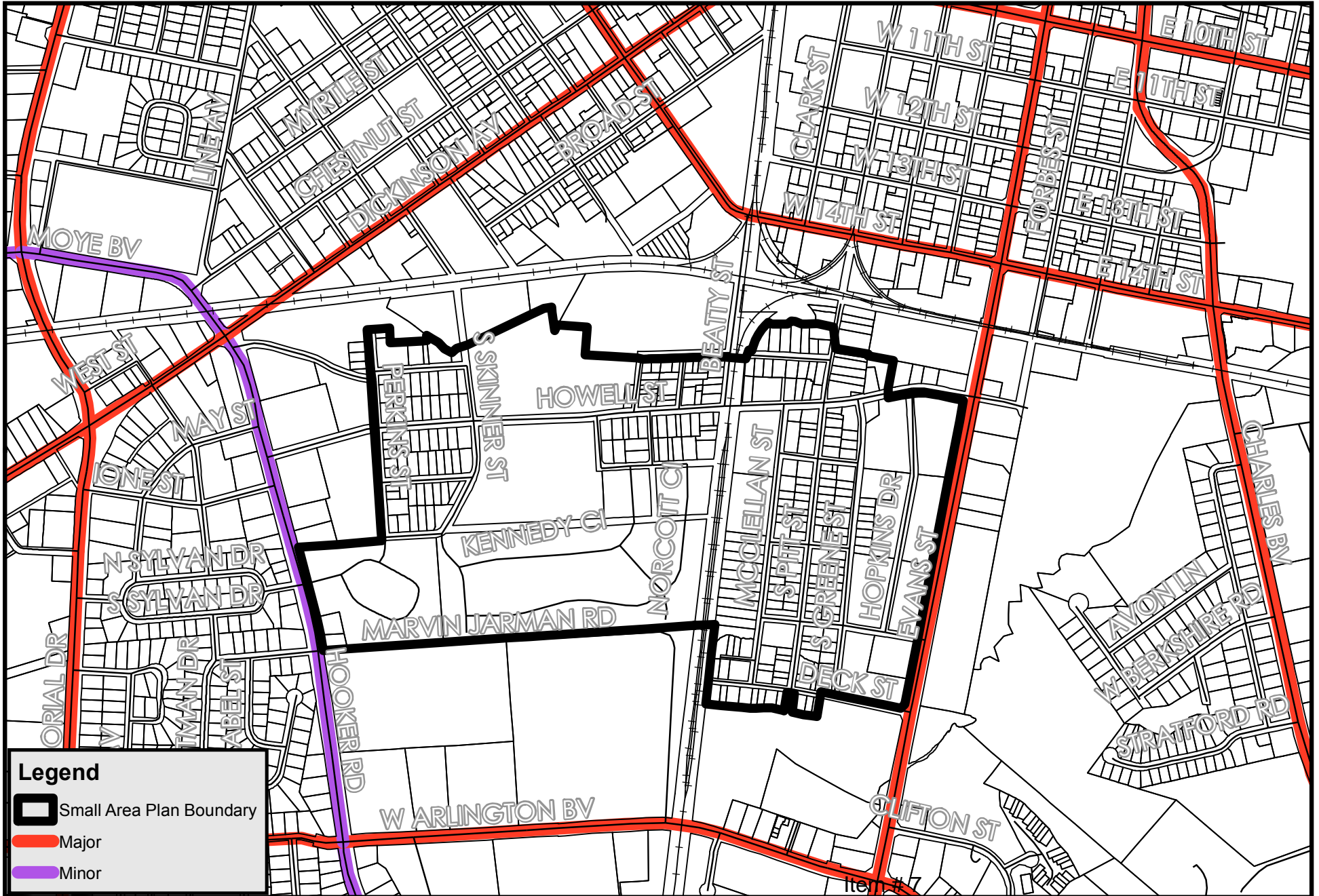
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By	Le	Os	Ra	Tu

Map 8: Impervious Surfaces

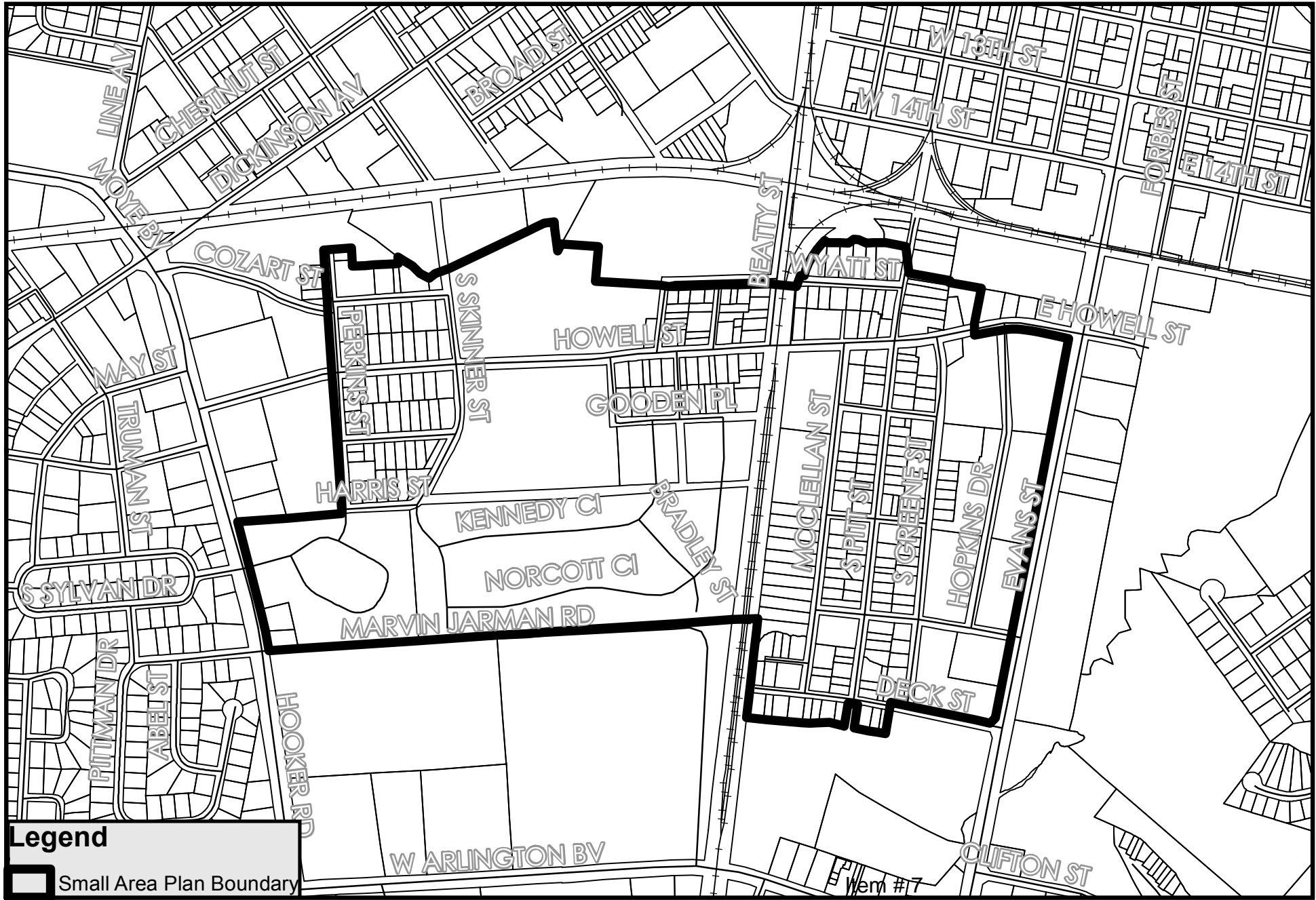
March 5, 2015



Map 9: Thoroughfare Plan
March 5, 2015

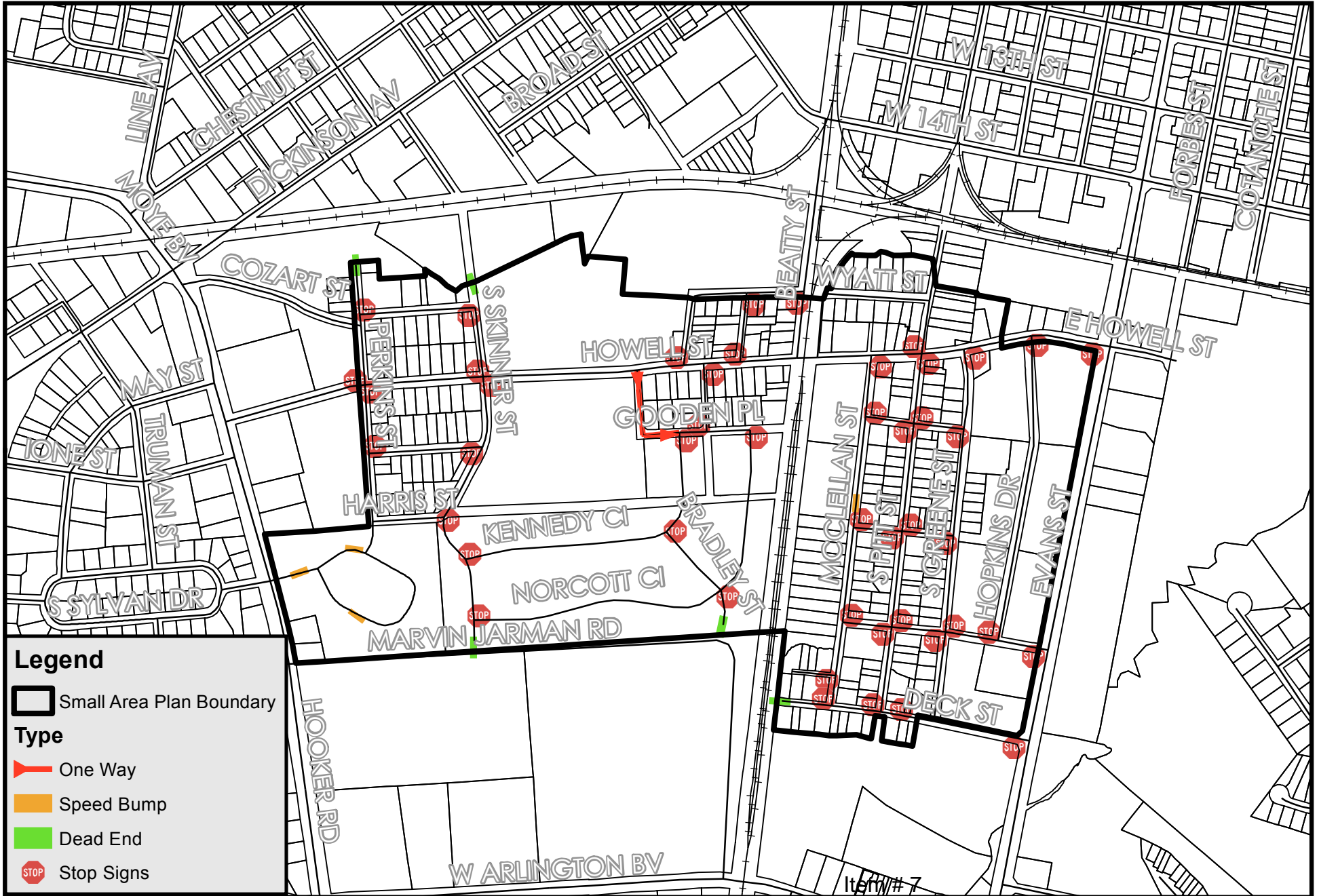


Map 10: Existing Sidewalks
March 5, 2015



Legend
■ Small Area Plan Boundary

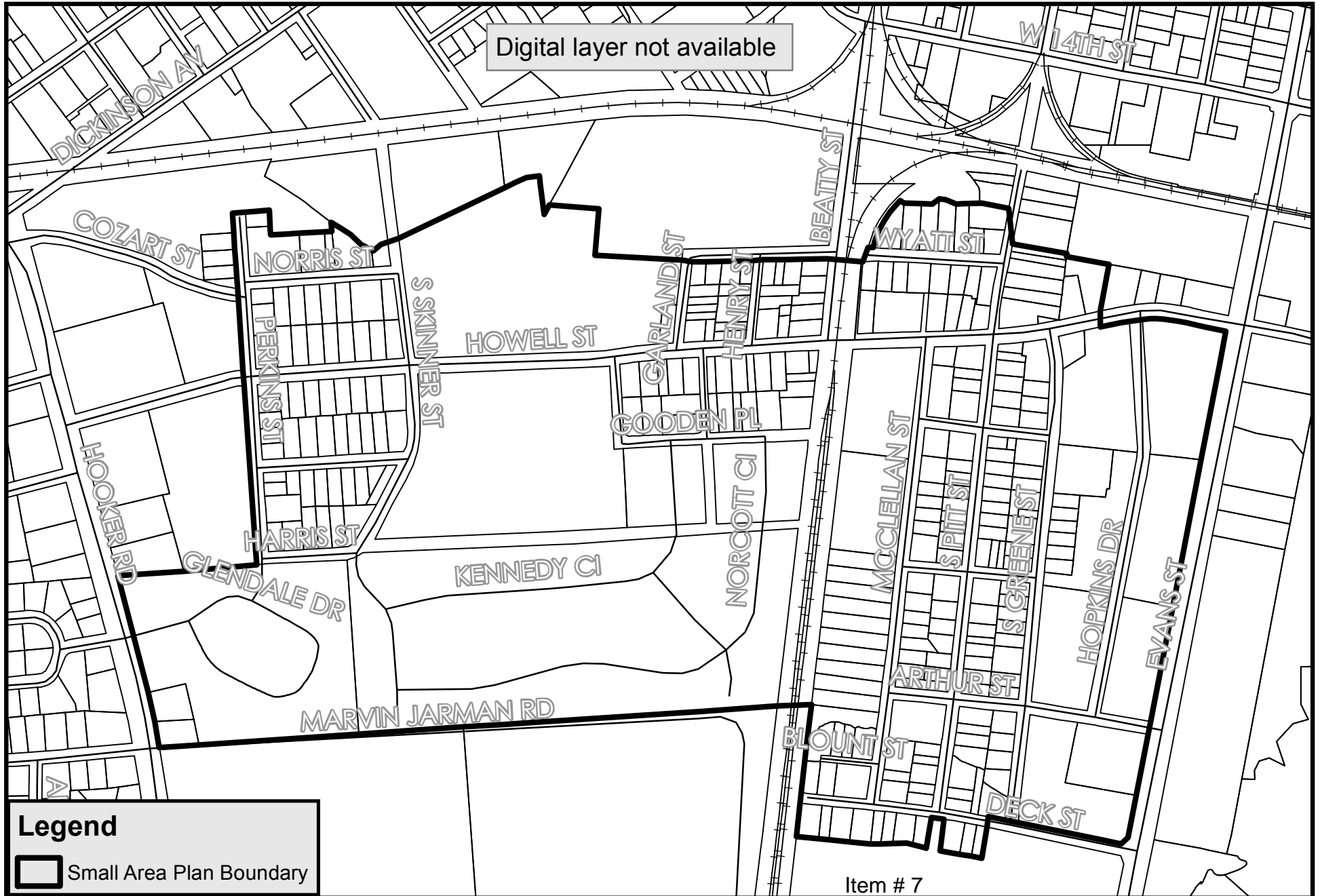
Map 11: Traffic Calming March 5, 2015



Map 12: Water and Sanitary Sewer Systems (public)
March 5, 2015



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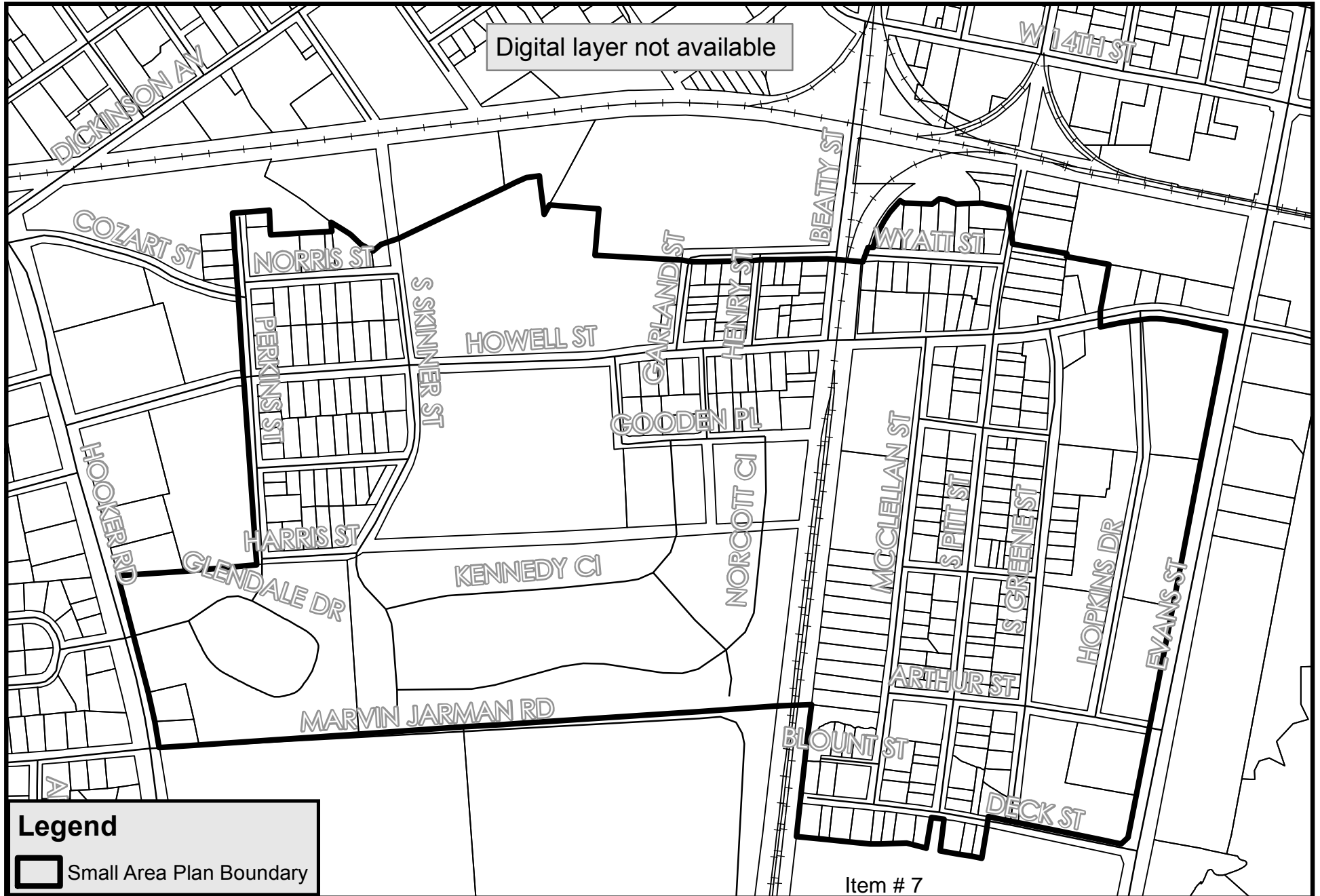
 Small Area Plan Boundary

Item # 7

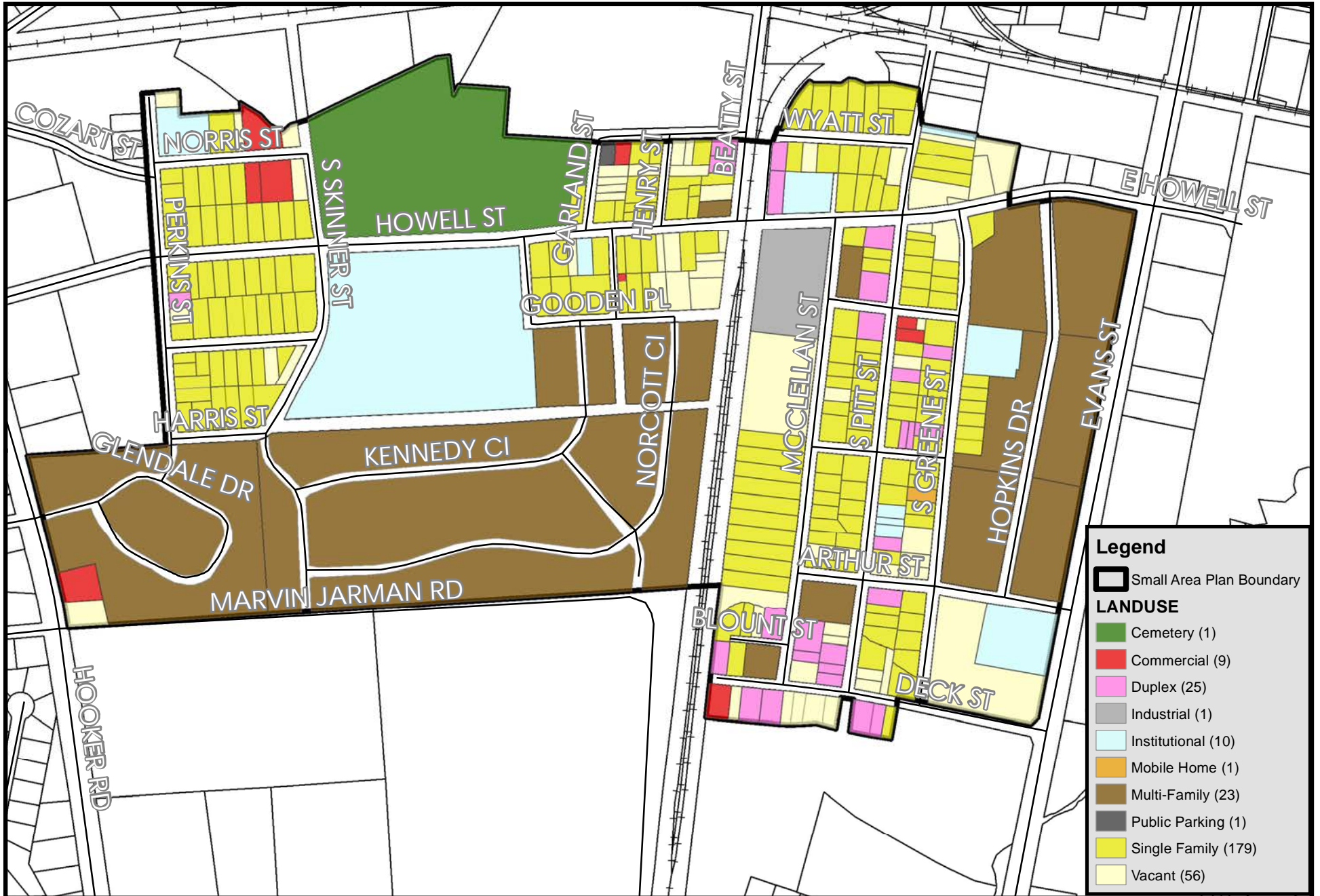
Map 13: Drainage System (public)
March 5, 2015



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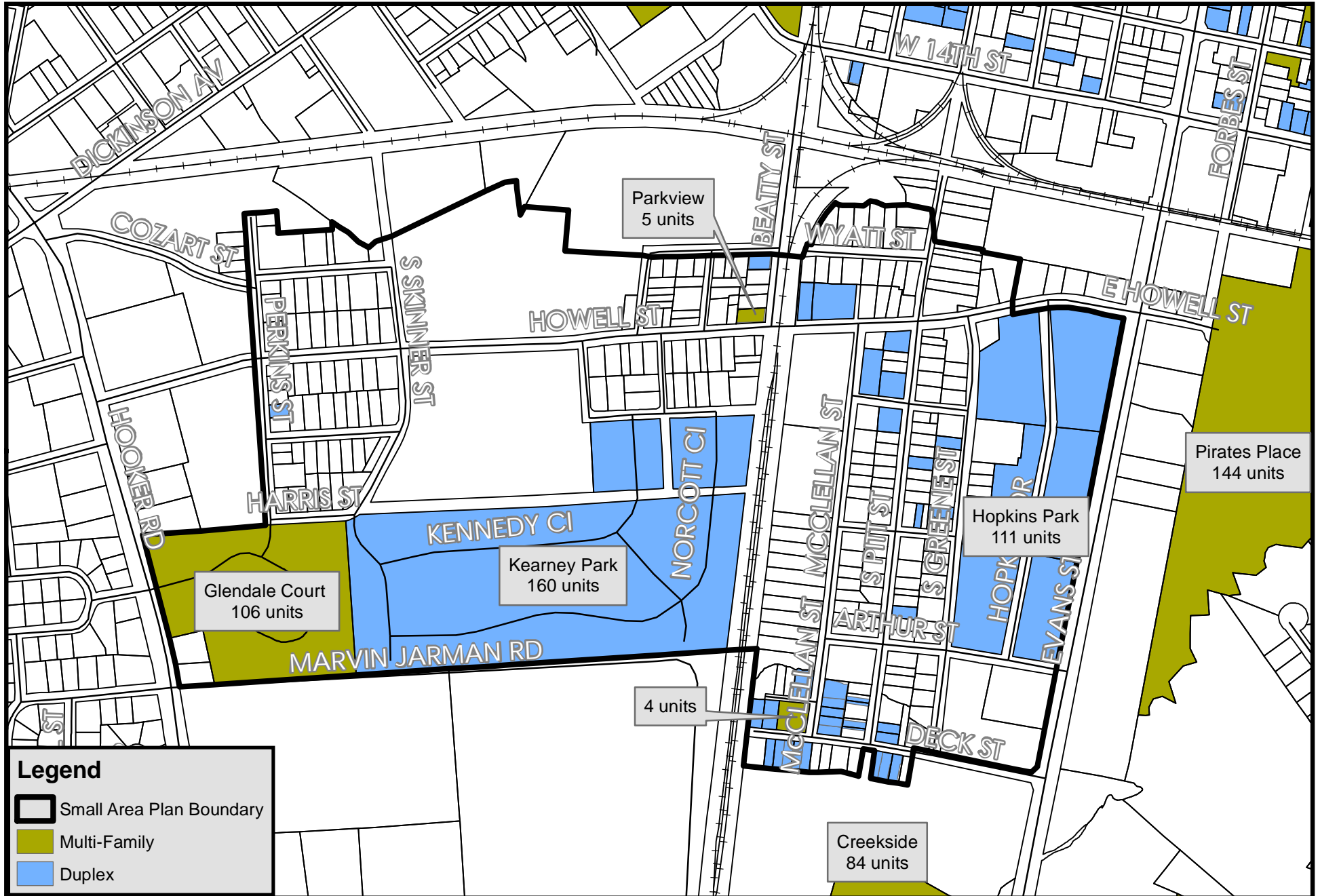


Map 14: Existing Land Uses
 March 5, 2015



Map 15: Multi-family and Duplex Units

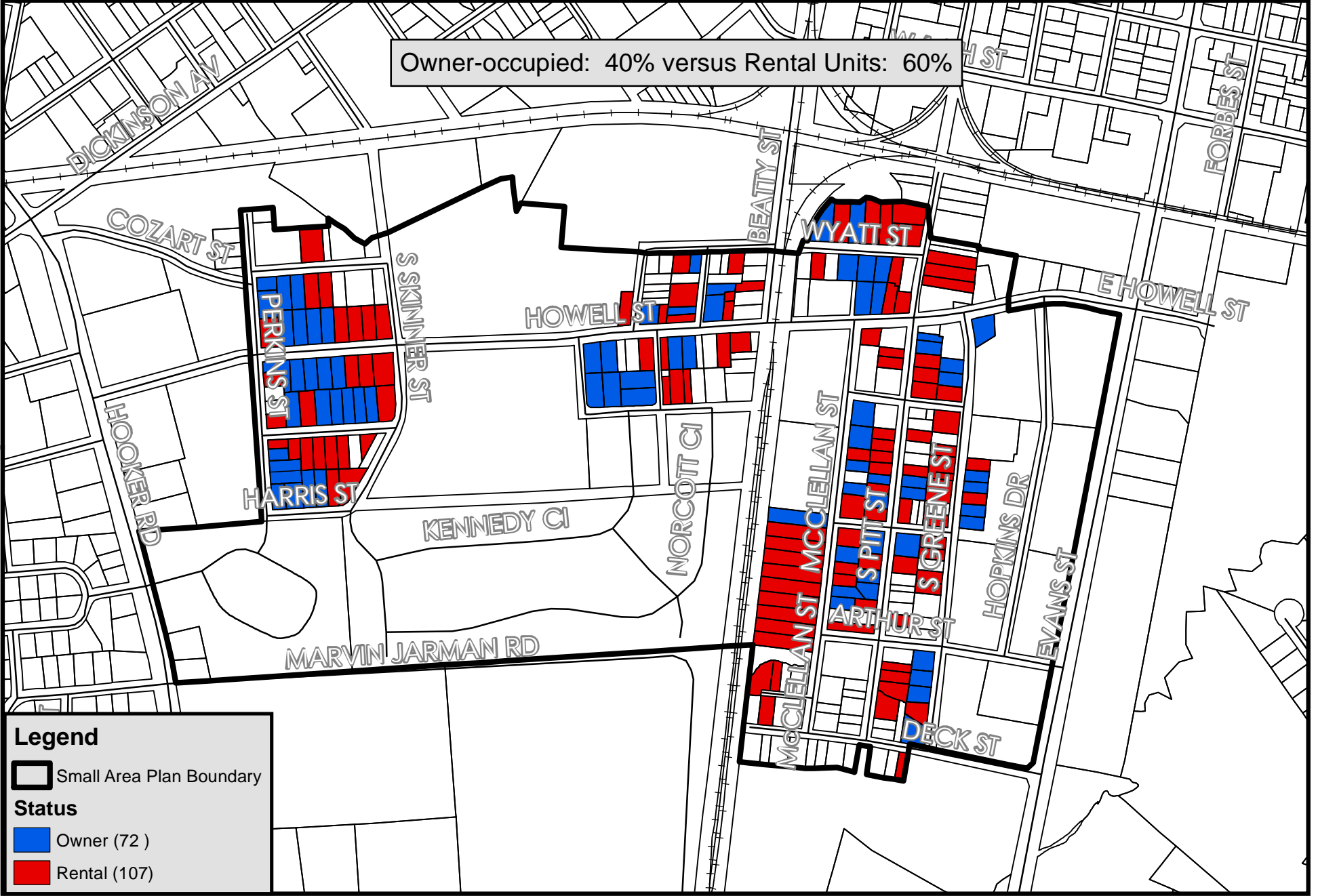
March 5, 2015



Map 16: Owner-Occupied Units vs. Rental Units (single-family only)
March 5, 2015



Owner-occupied: 40% versus Rental Units: 60%



Legend

- Small Area Plan Boundary

Status







- Owner (72)
- Rental (107)

Map 17: Building Tax Value

March 5, 2015

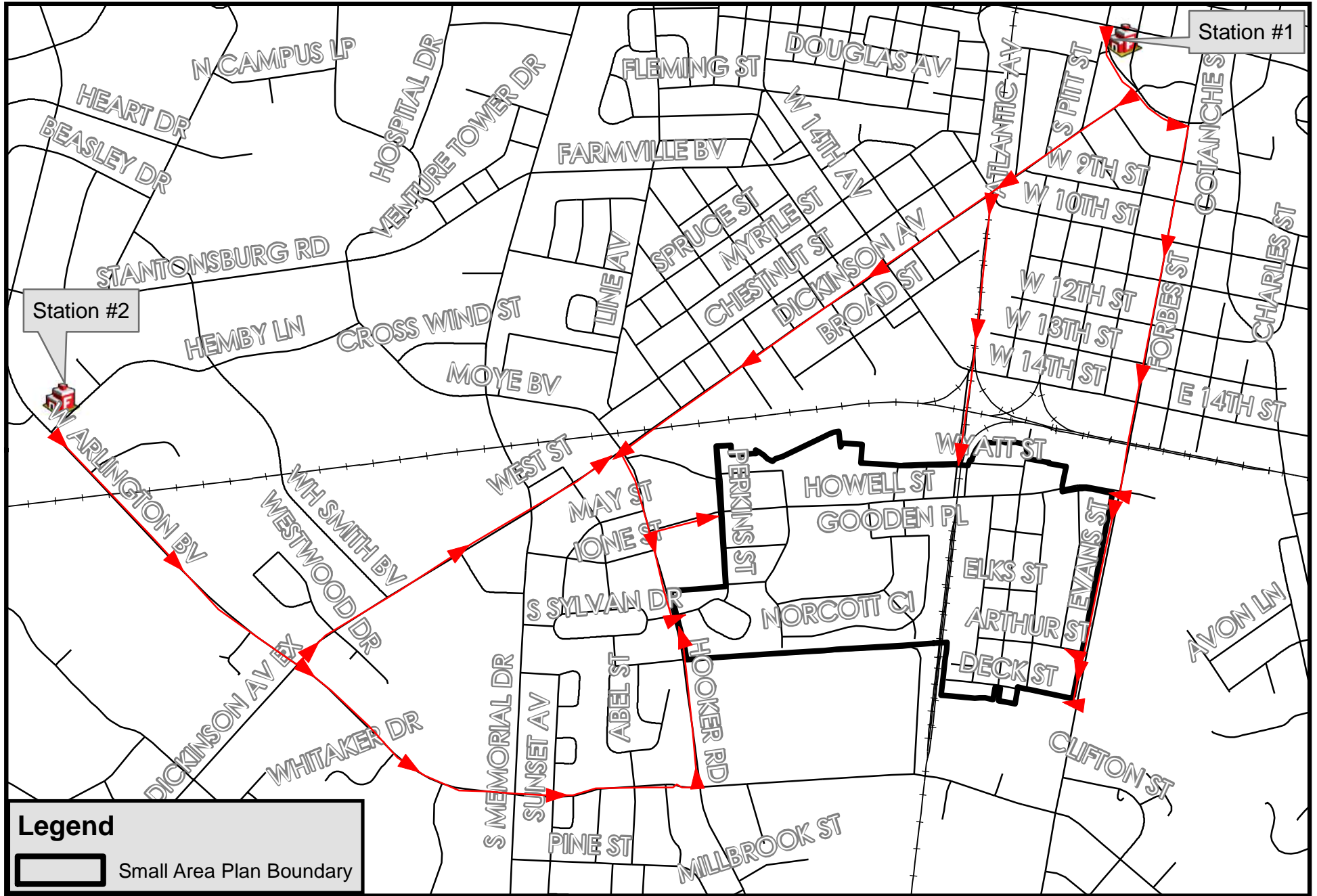


Legend

-  Small Area Plan Boundary
-  \$900.00 - \$15,900.00
-  \$15,900.01 - \$42,613.00
-  \$42,613.01 - \$105,832.00
-  \$105,832.01 - \$285,142.00
-  \$285,142.01 - \$1,791,434.00

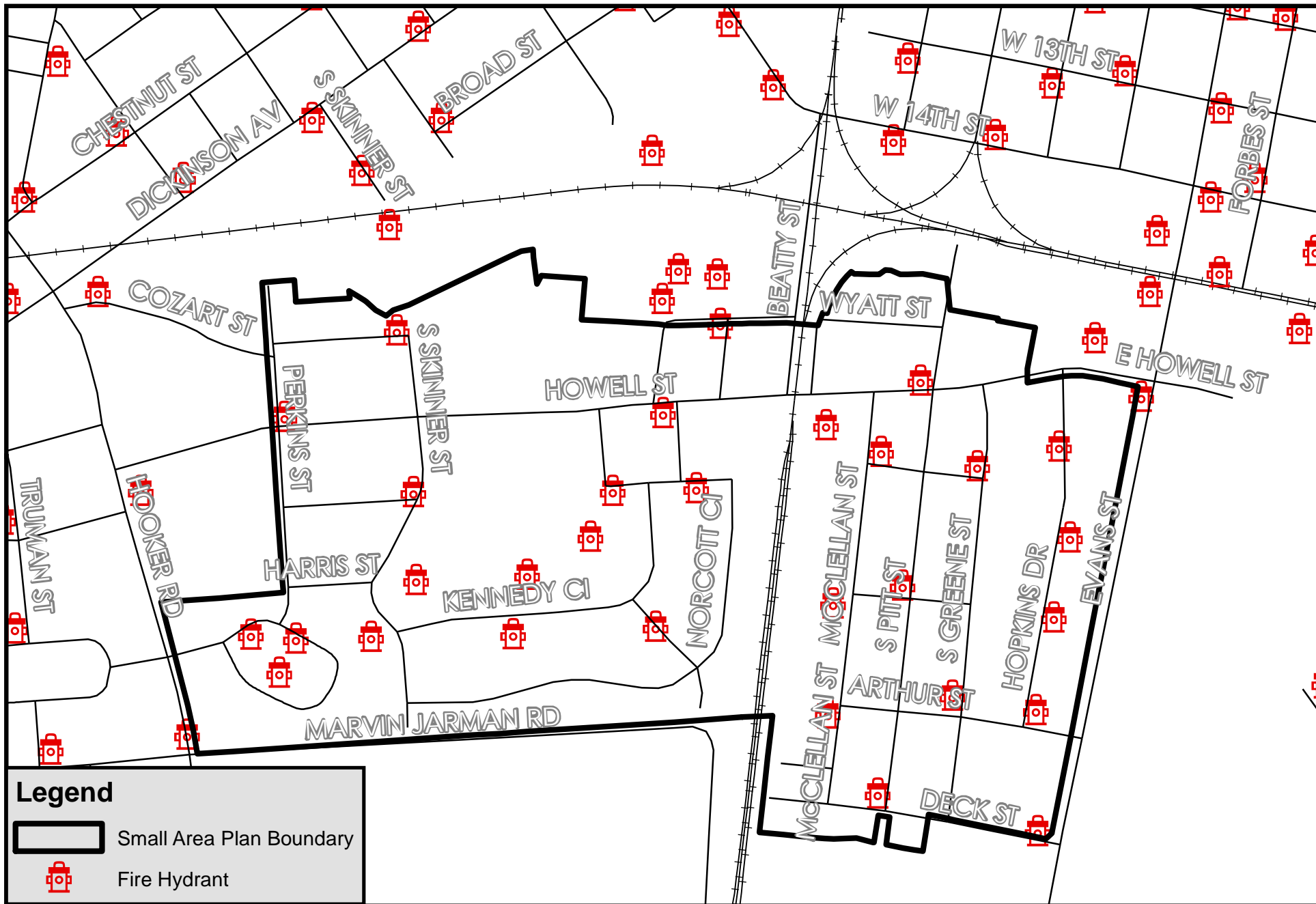
* Does not include: South Greenville Elementary School, Brownhill Cemetery, Kearney Park and Hopkins Drive Duplexes

Map 18: Fire Stations and Routes
March 5, 2015



Map 19: Fire Hydrants

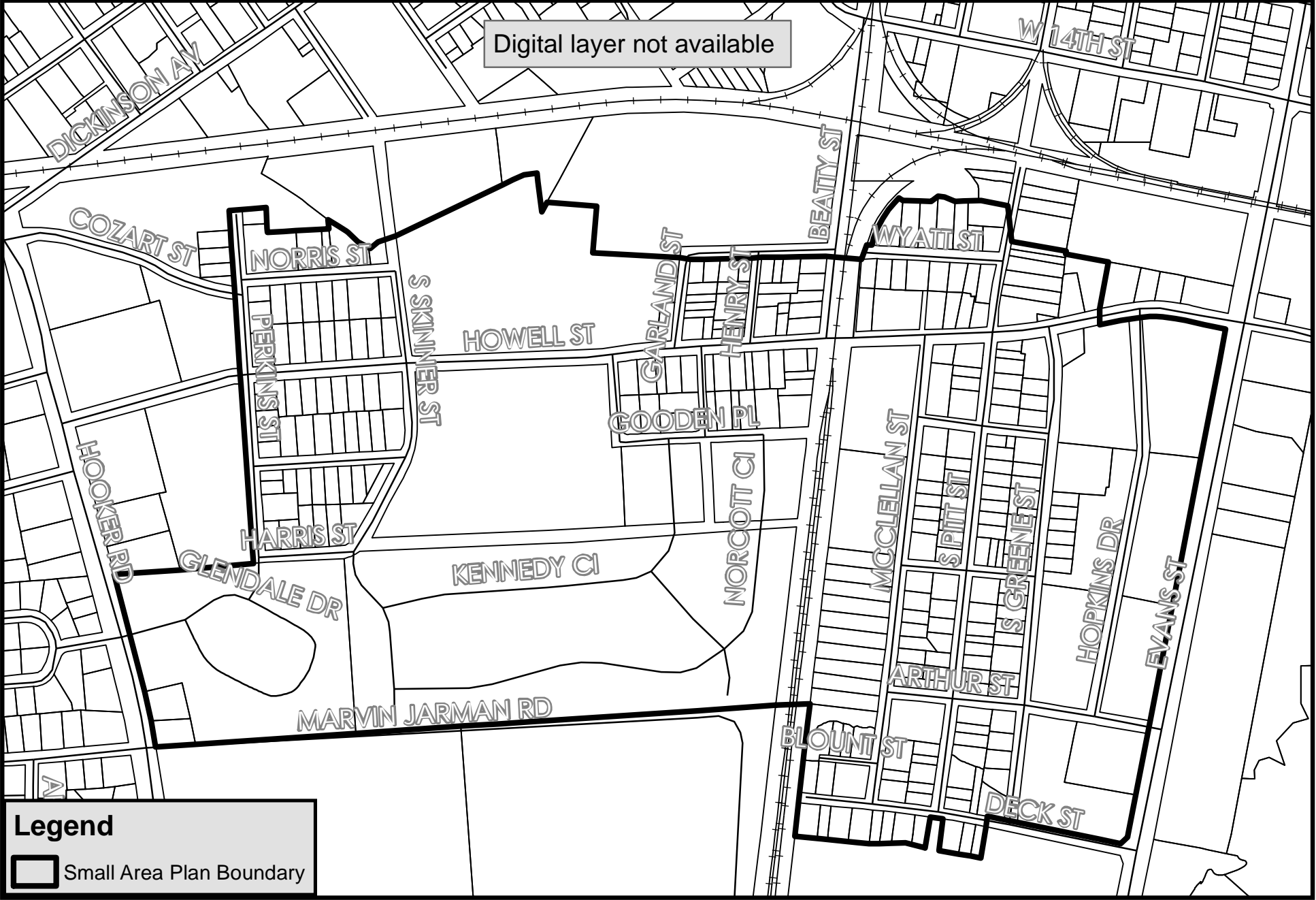
March 5, 2015




Map 20: Street Lights
March 5, 2015



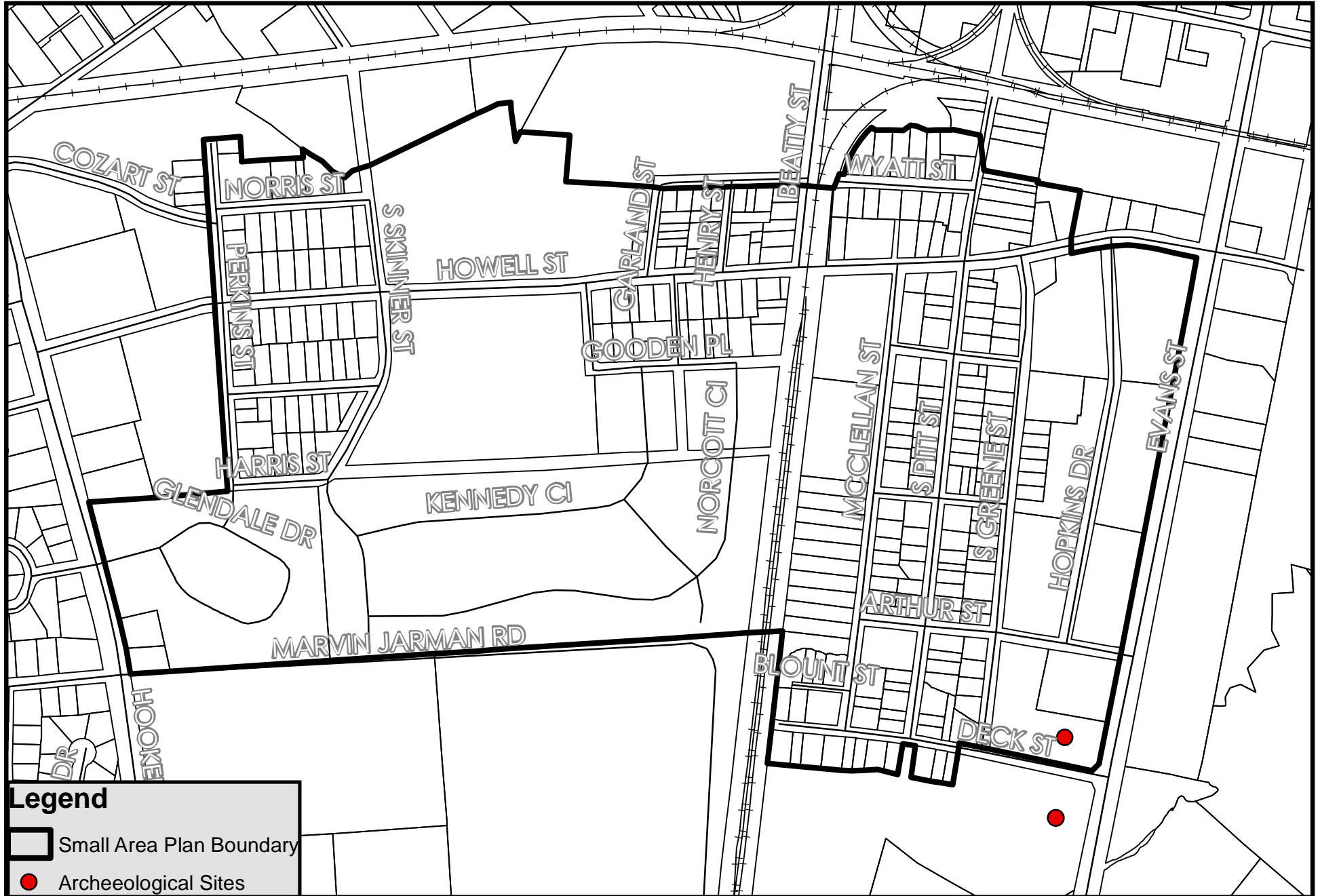
Digital layer not available



Legend

 Small Area Plan Boundary

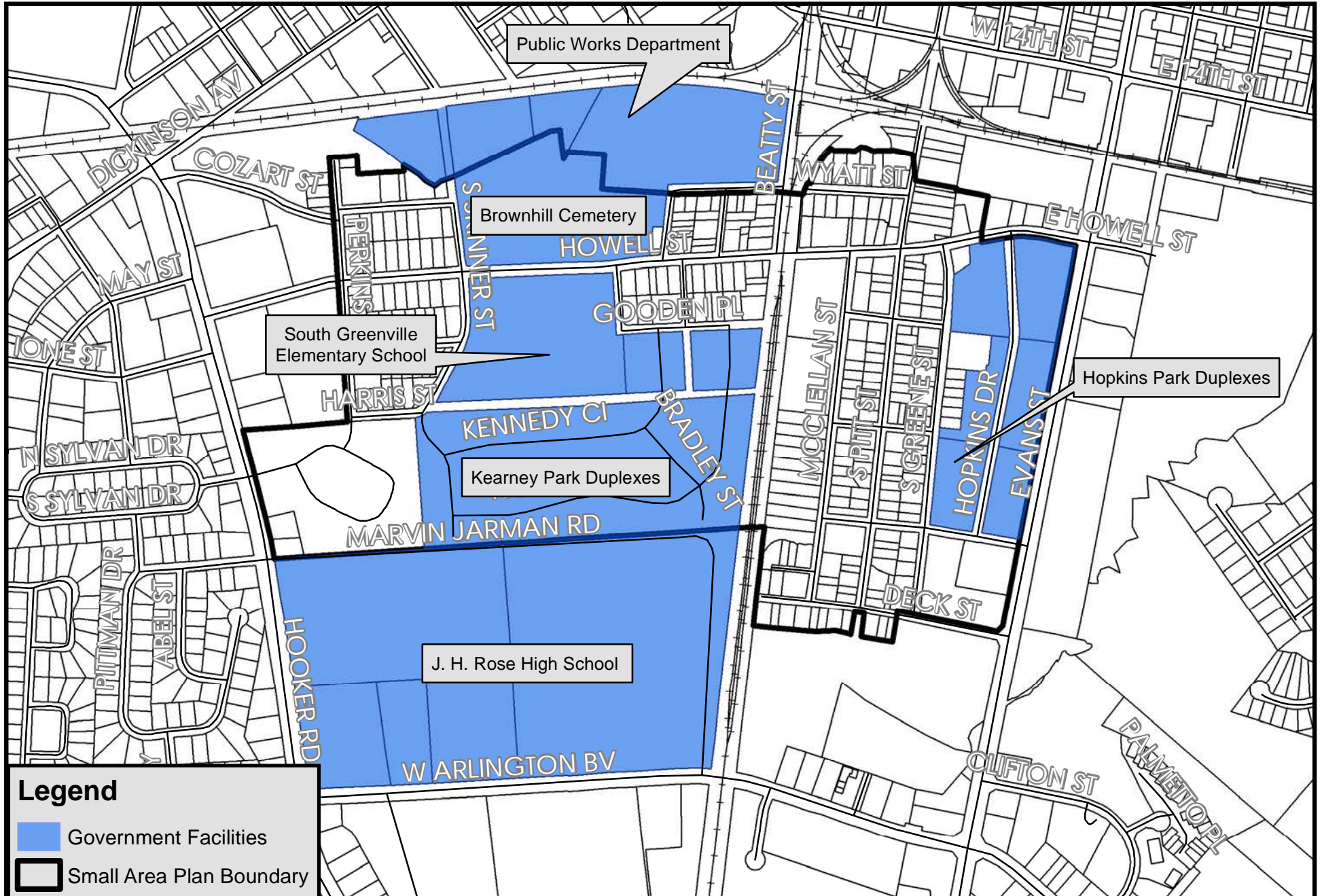
Map 21: Cultural Resources
March 5, 2015



Legend

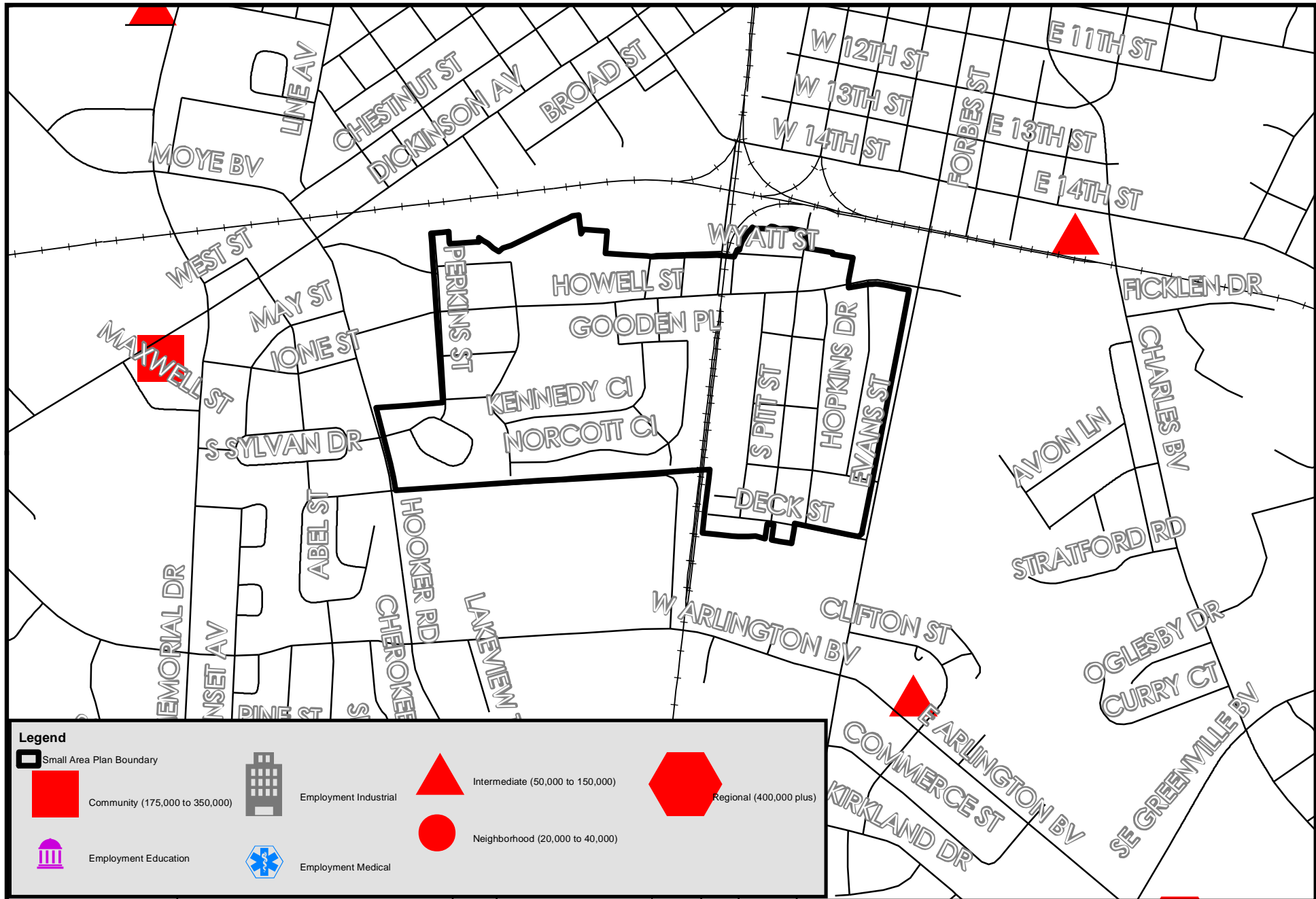
- Small Area Plan Boundary
- Archeological Sites

Map 22: Government Facilities March 5, 2015



Map 23: Focus Areas (Horizons Plan)

March 5, 2015

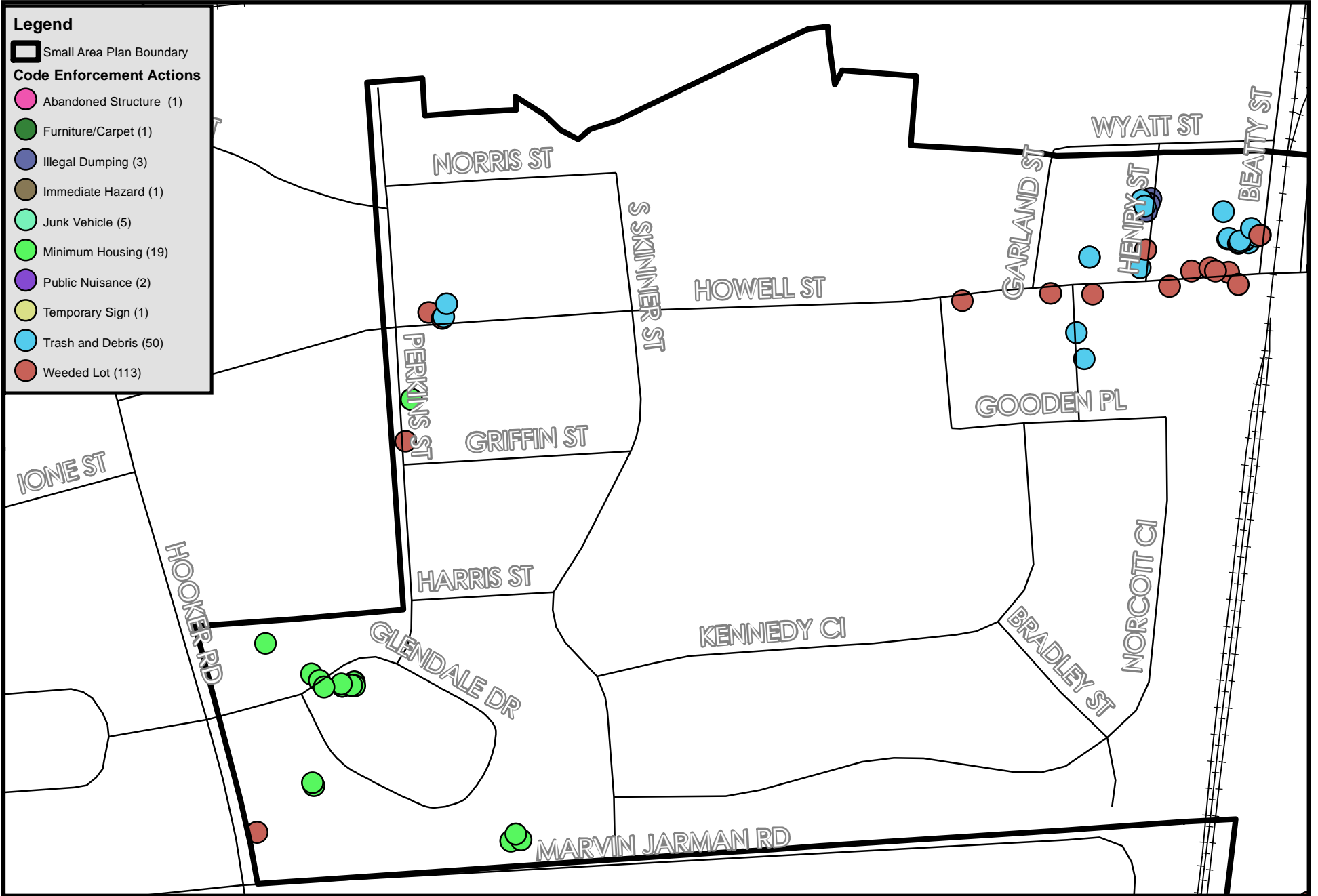


Map 24a: Code Enforcement Actions (west side) March 5, 2015



Legend

- Small Area Plan Boundary
- Code Enforcement Actions**
- Abandoned Structure (1)
- Furniture/Carpet (1)
- Illegal Dumping (3)
- Immediate Hazard (1)
- Junk Vehicle (5)
- Minimum Housing (19)
- Public Nuisance (2)
- Temporary Sign (1)
- Trash and Debris (50)
- Weeded Lot (113)



Map 24b: Code Enforcement Actions (east side)
March 5, 2015

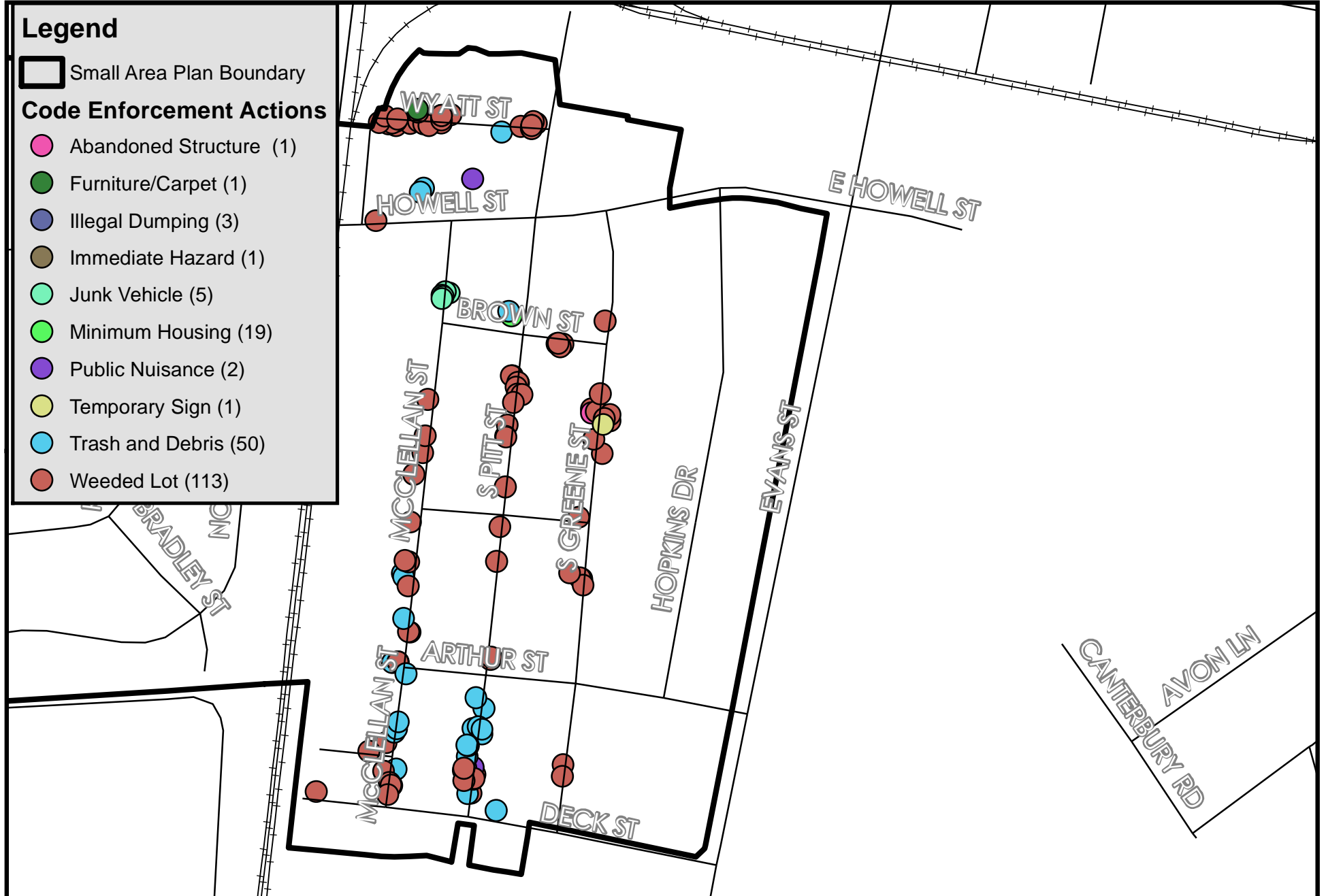


Legend

 Small Area Plan Boundary

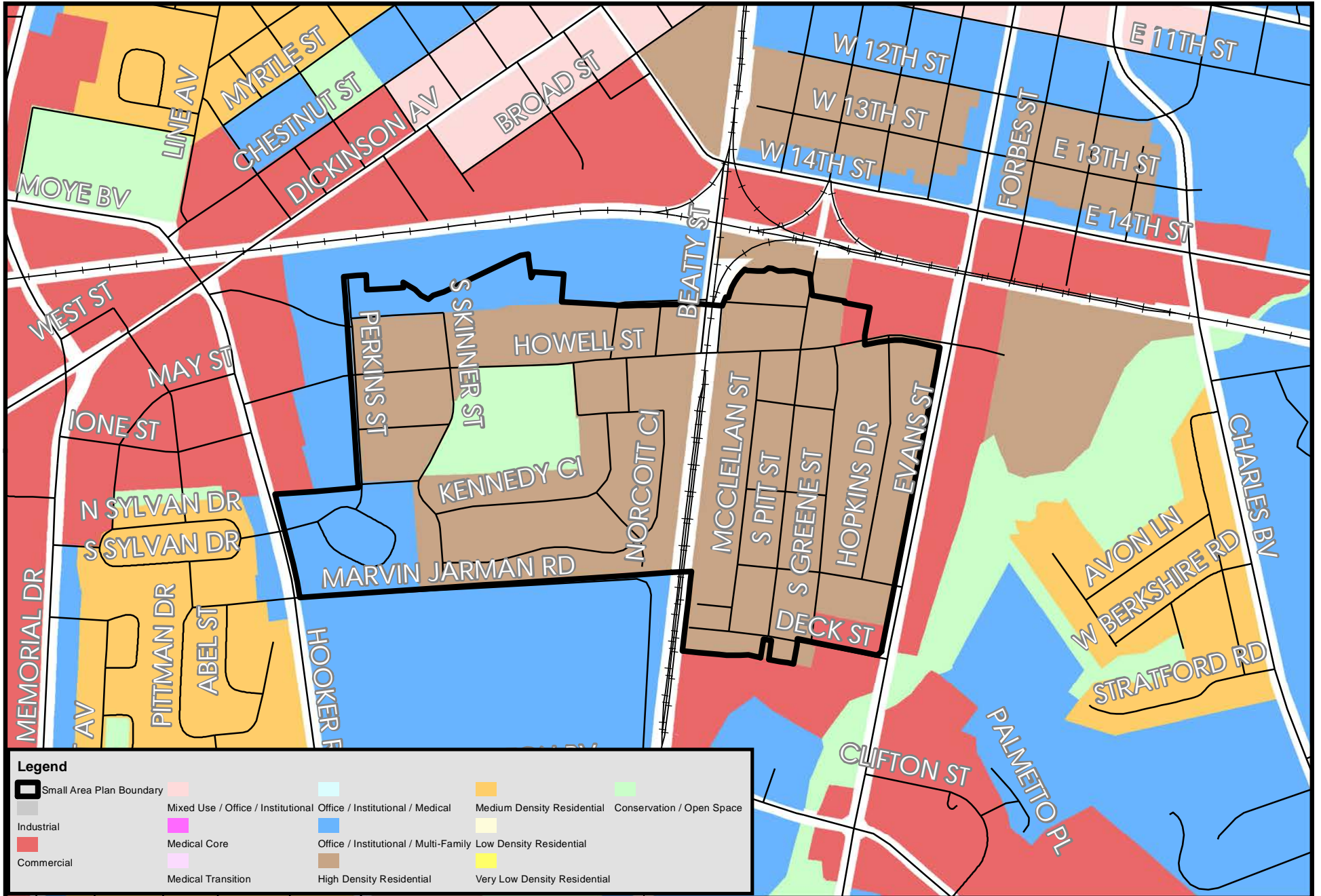
Code Enforcement Actions

-  Abandoned Structure (1)
-  Furniture/Carpet (1)
-  Illegal Dumping (3)
-  Immediate Hazard (1)
-  Junk Vehicle (5)
-  Minimum Housing (19)
-  Public Nuisance (2)
-  Temporary Sign (1)
-  Trash and Debris (50)
-  Weeded Lot (113)



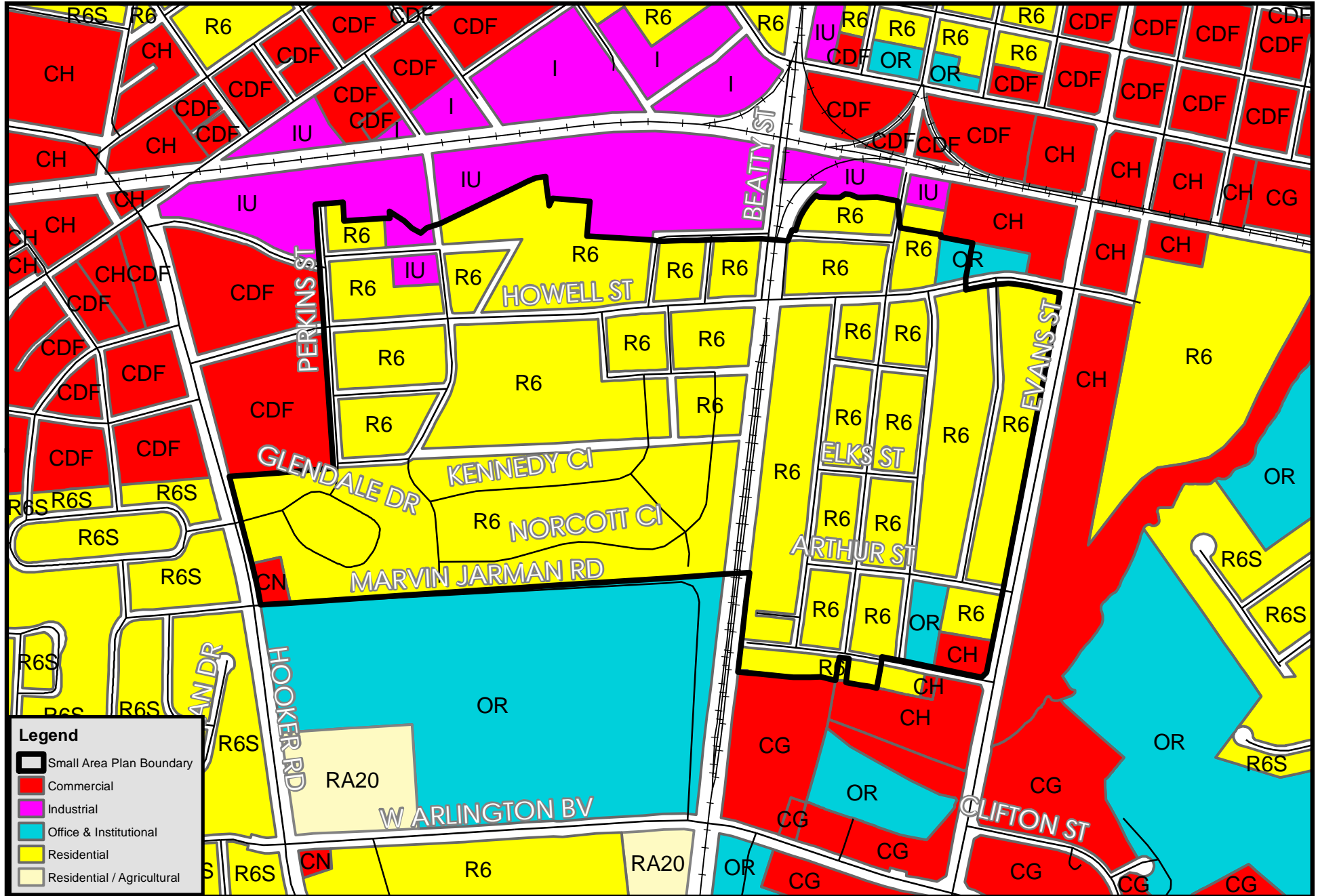
Map 25: Future Land Use Plan Map (Horizons Plan)

March 5, 2015



Map 26: Current Zoning

March 5, 2015

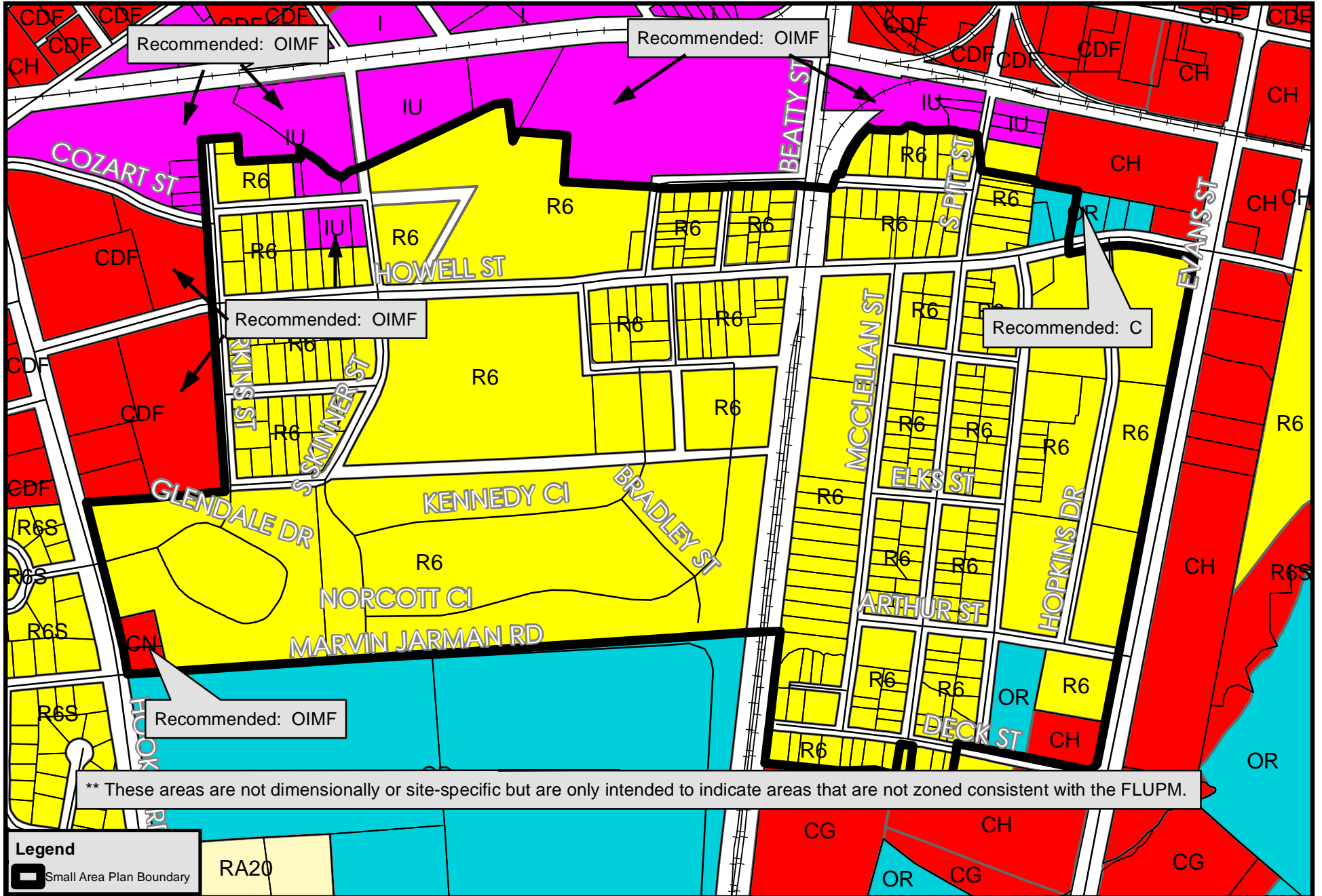


Legend

- Small Area Plan Boundary
- Commercial
- Industrial
- Office & Institutional
- Residential
- Residential / Agricultural

Map 27: Areas Zoned Inconsistent with the FLUPM

March 5, 2015



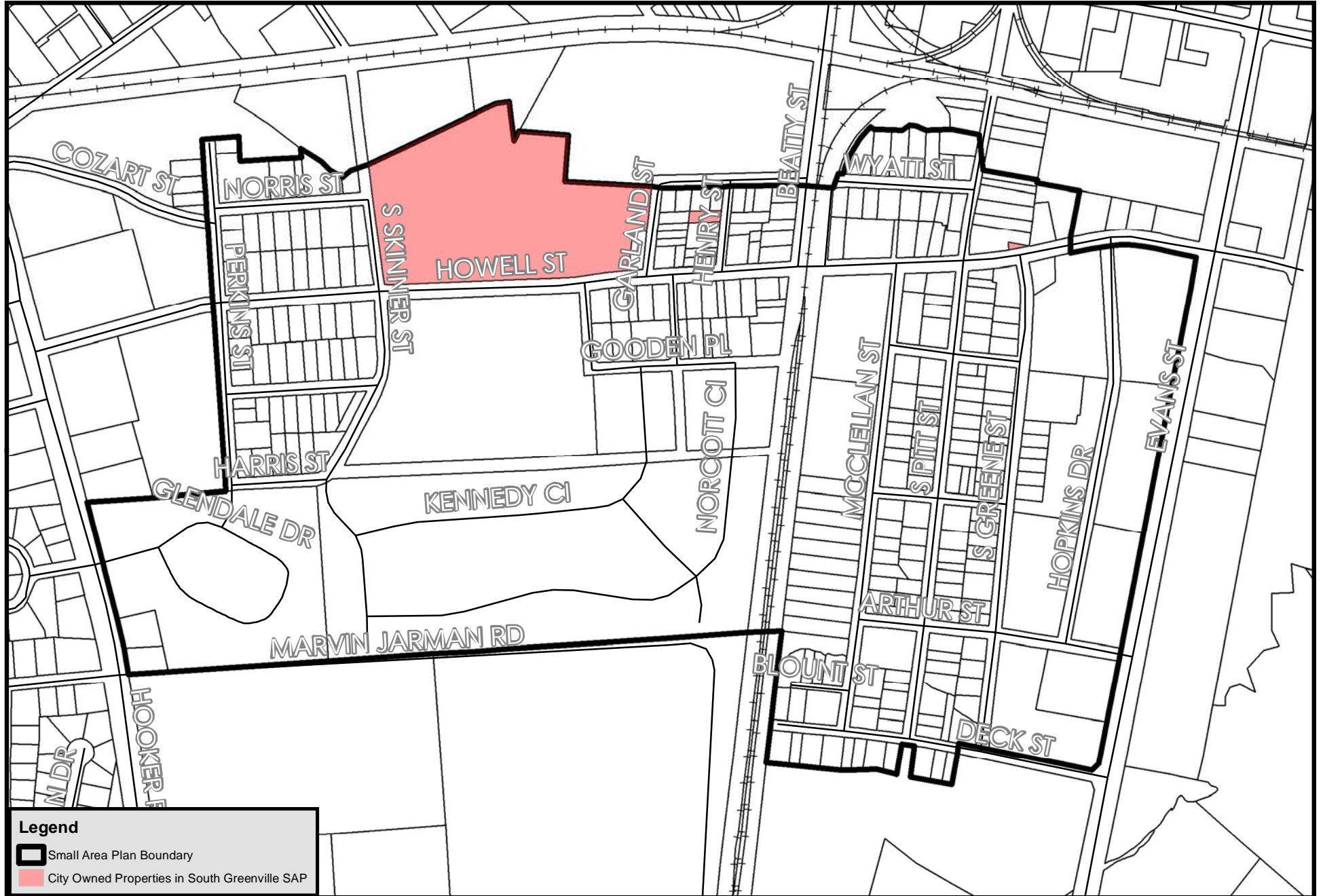
** These areas are not dimensionally or site-specific but are only intended to indicate areas that are not zoned consistent with the FLUPM.

Legend
 Small Area Plan Boundary

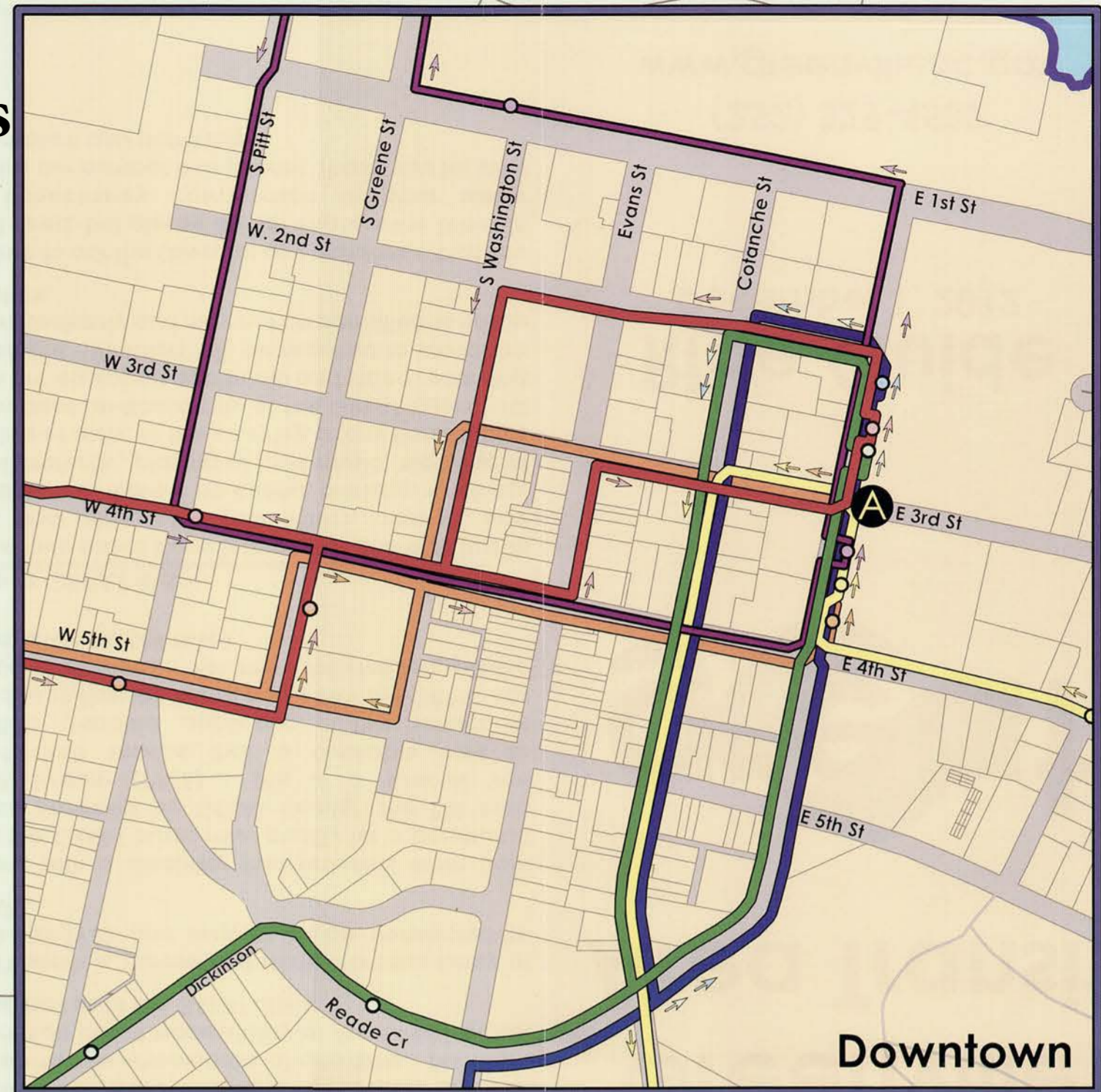
RA20

Map 28: City-Owned Properties in the Neighborhood

March 5, 2015



Map 29: GREAT Bus Routes



Downtown



Legend

- Route 1
- Route 2
- Route 3
- Route 4
- Route 5
- Route 6
- See Schedule on Reverse Side
- See Schedule on Reverse Side
- Bus Stop
- A Time Point
- Arrows Indicate Direction of Travel



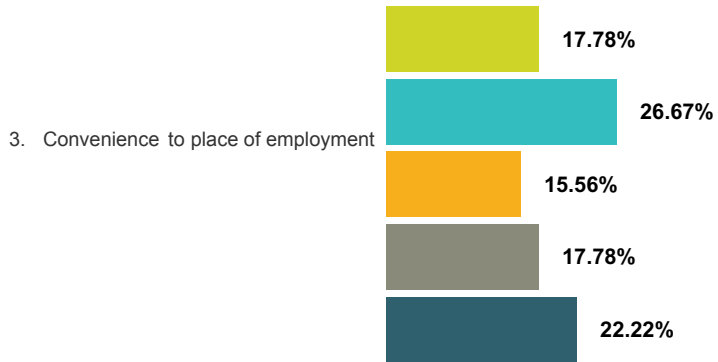
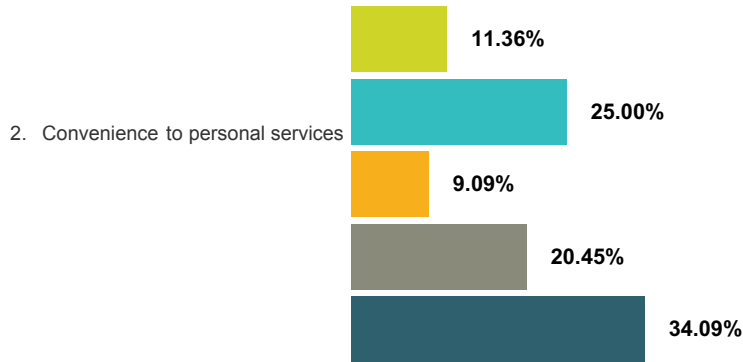
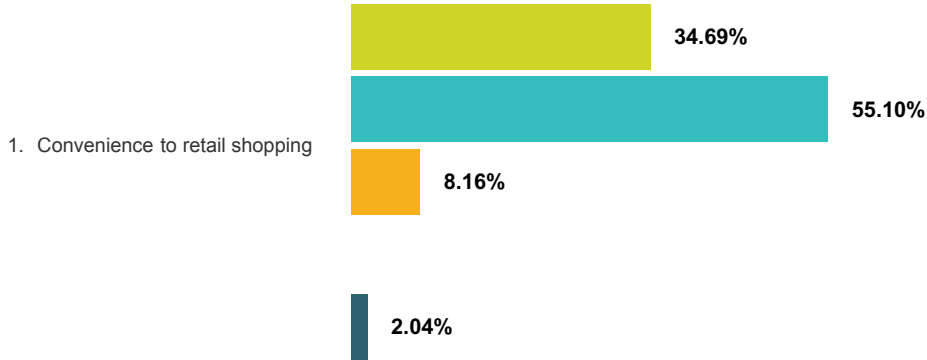
APPENDIX A

South Greenville Elementary Area Survey

Q1 What is your overall satisfaction level with the following neighborhood

issues: Answered: 55 Skipped: 10

■ 5 - very satisfied
 ■ 4 - satisfied
 ■ 3 - unsatisfied
 ■ 2 -no interest
 ■ 1 - N/A or unable to answer



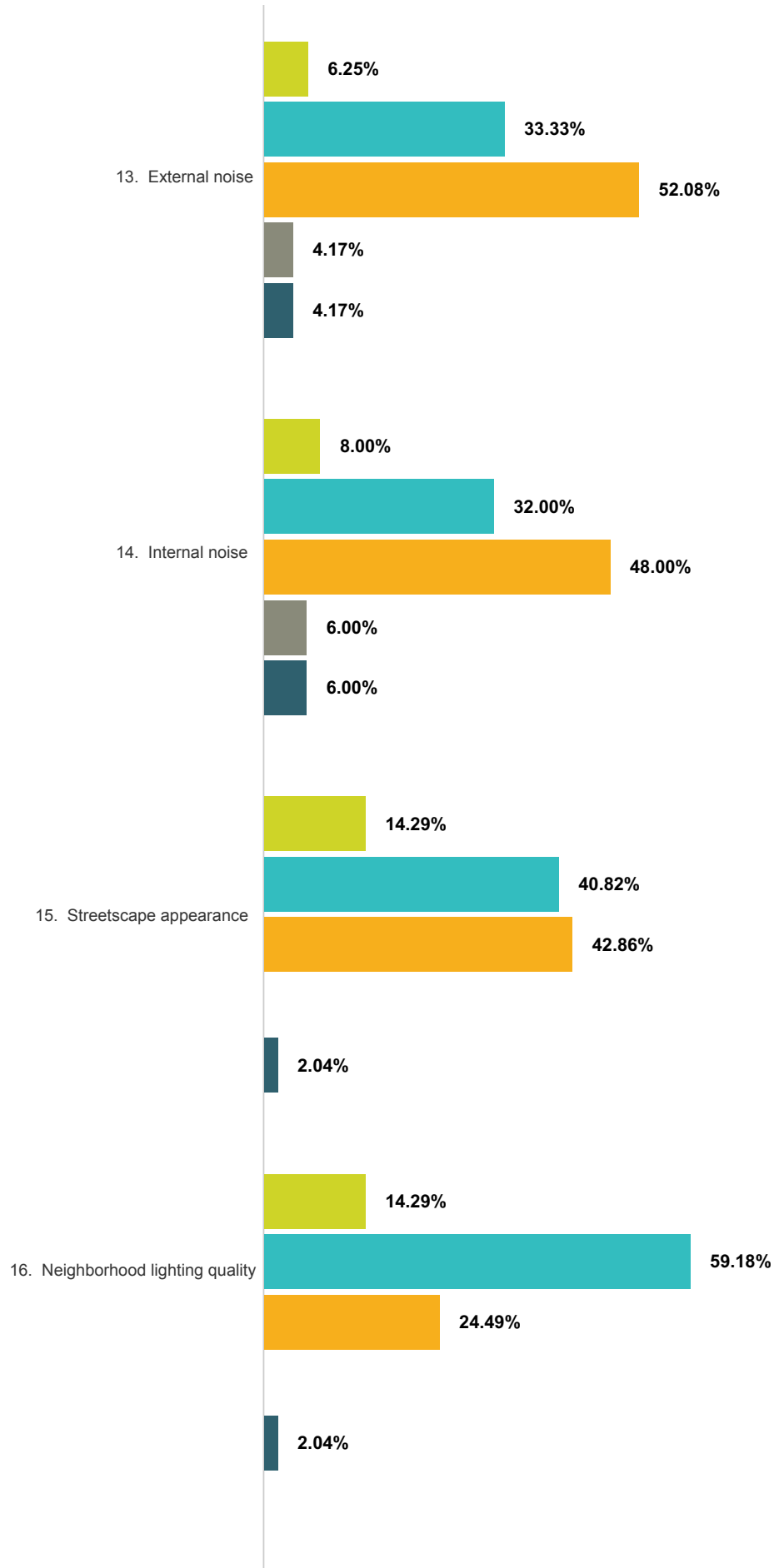
South Greenville Elementary Area



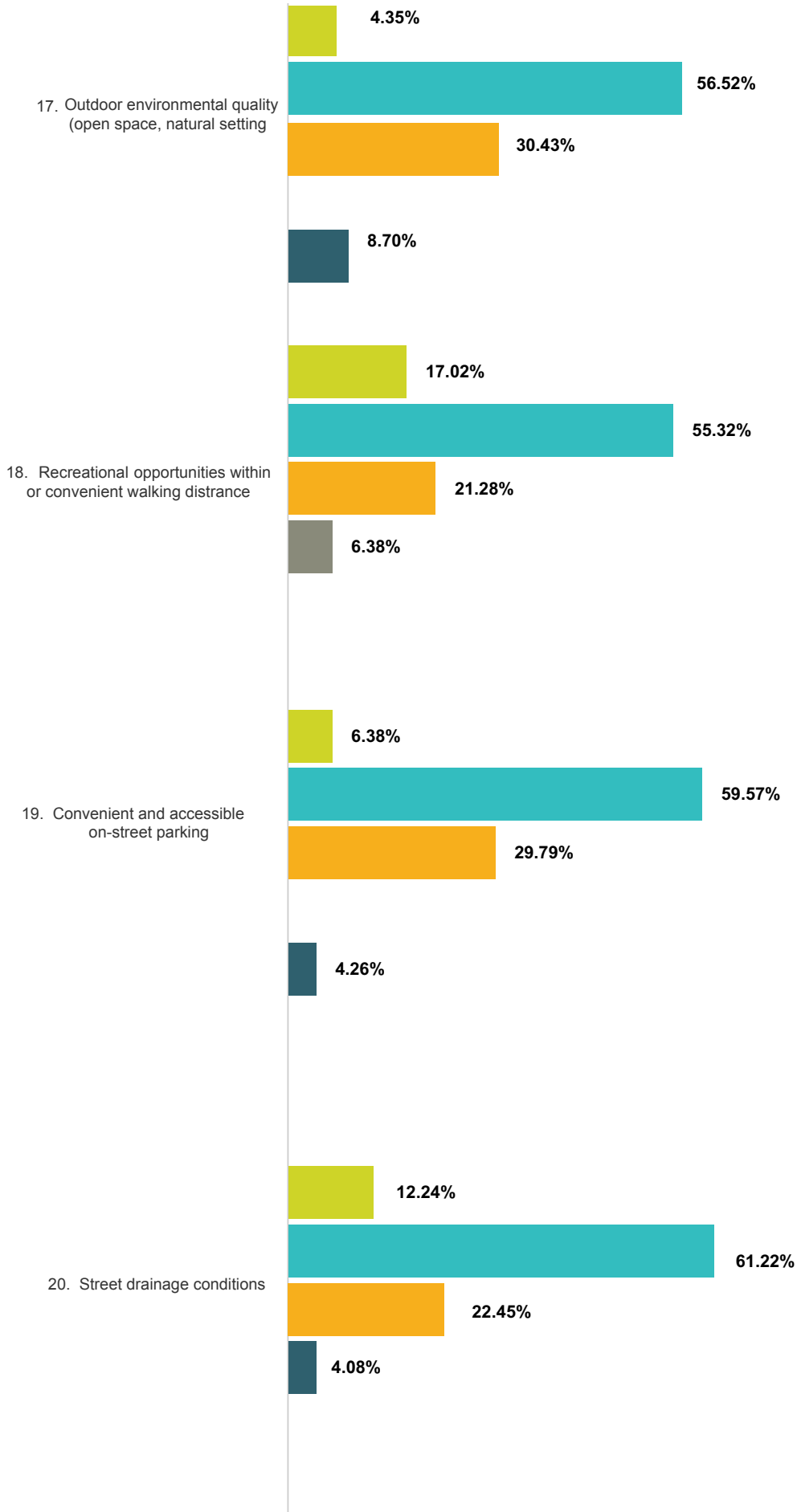
South Greenville Elementary Area



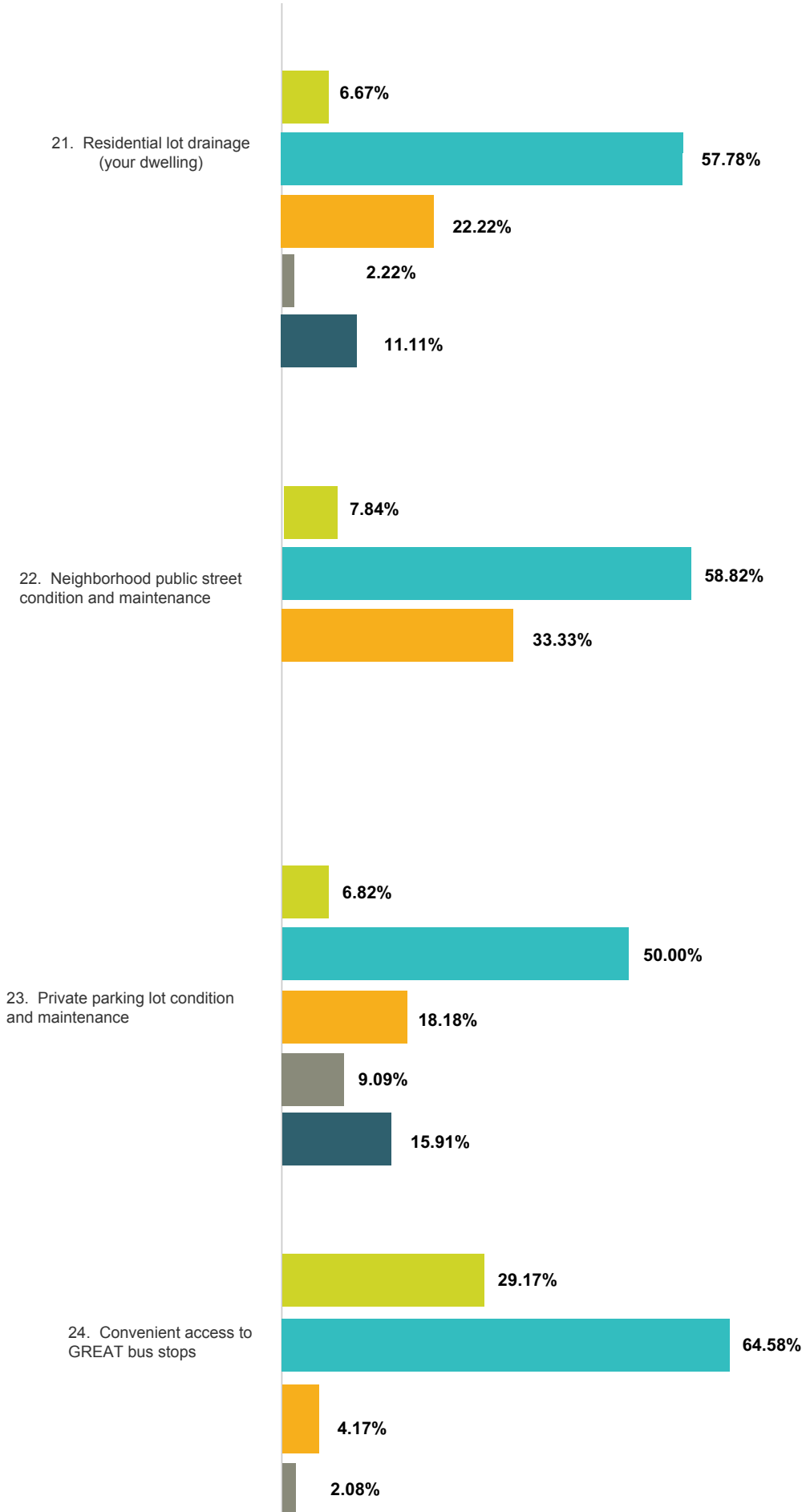
South Greenville Elementary Area



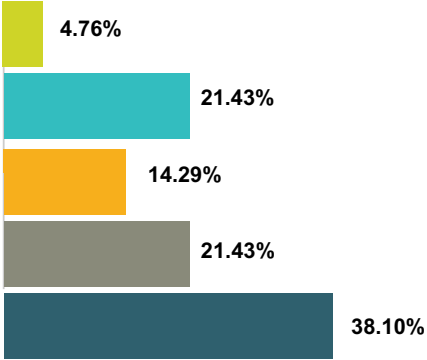
South Greenville Elementary Area



South Greenville Elementary Area

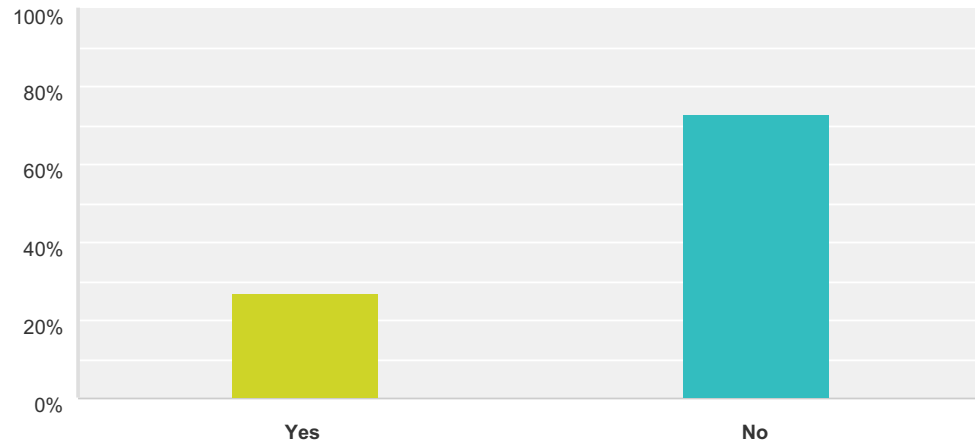


25. Convenient access to ECU bus stops

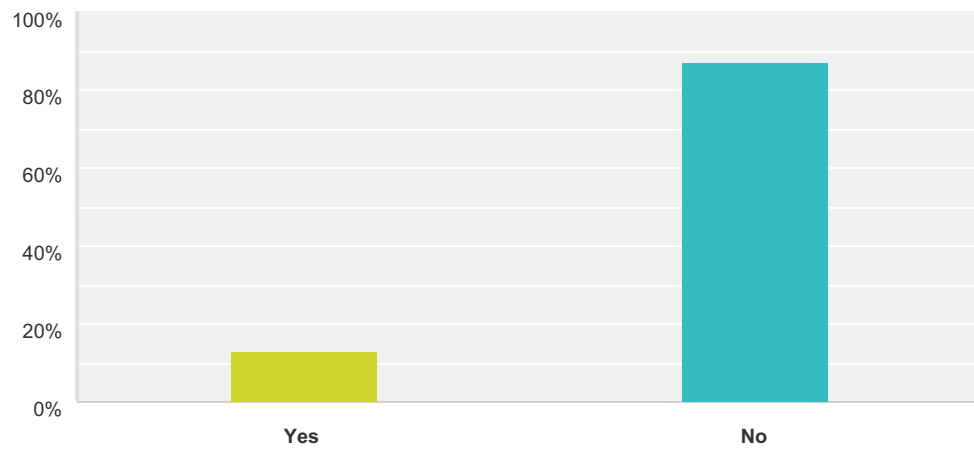


Q2 Does your neighborhood have an organized and active Neighborhood Association? (check one) Answered: 59

Skipped: 6

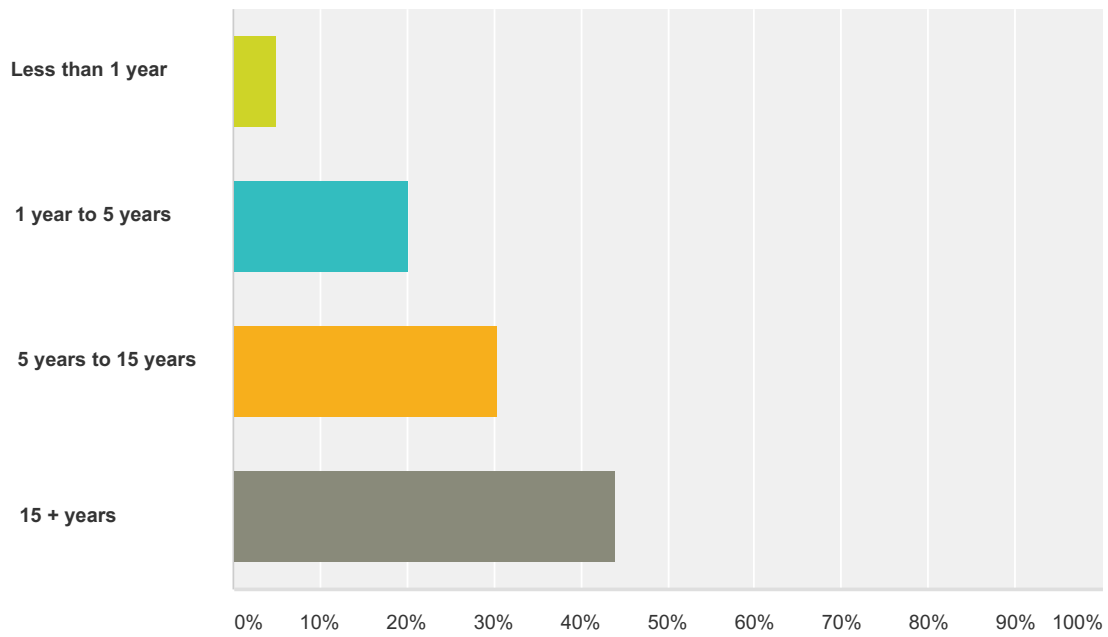


Q3 Do you regularly attend meetings of the neighborhood association? (check one) Answered: 38 Skipped: 27

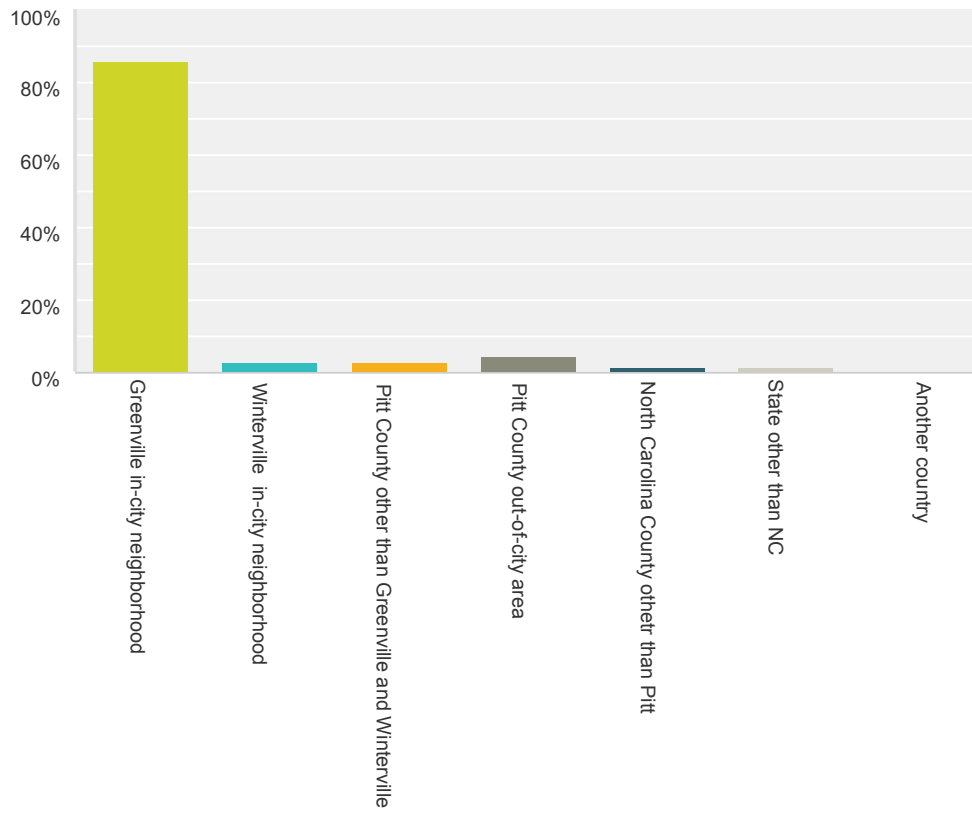


Q4 How many years have you lived in this neighborhood?

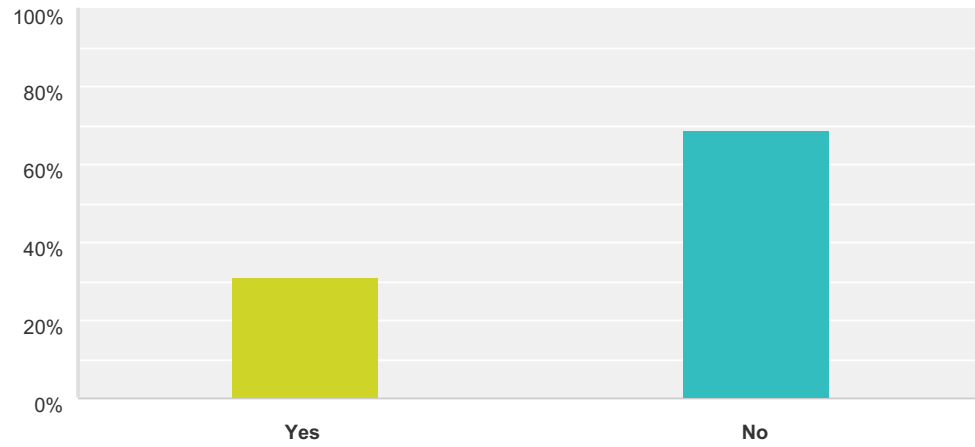
Answered: 59 Skipped: 6



Q5 My previous address located outside this neighborhood was (check one): Answered: 64 Skipped: 1

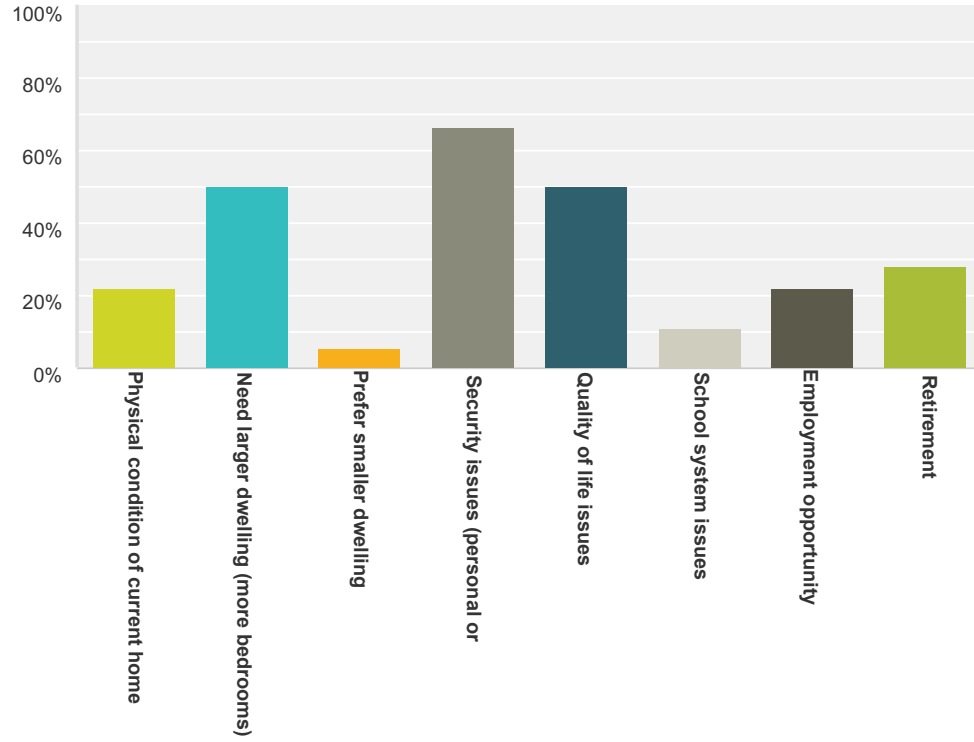


Q6 Do you plan on moving out of your current neighborhood in the next 1 to 3 years? Answered: 64 Skipped: 1

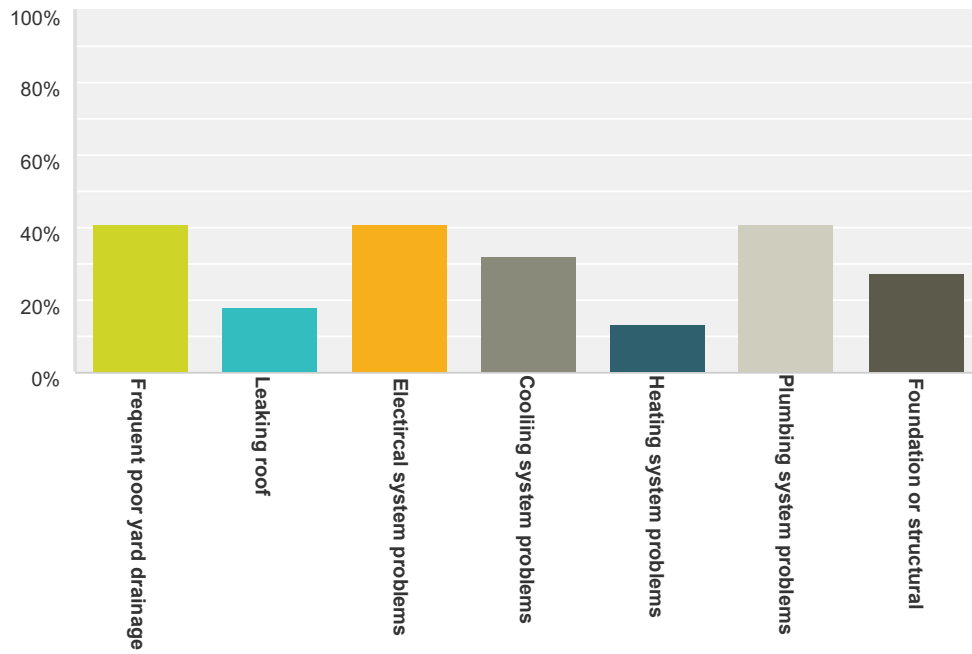


**Q7 If yes to previous question, check all that apply
(consideration or reasons for moving):**

Answered: 18 Skipped: 47

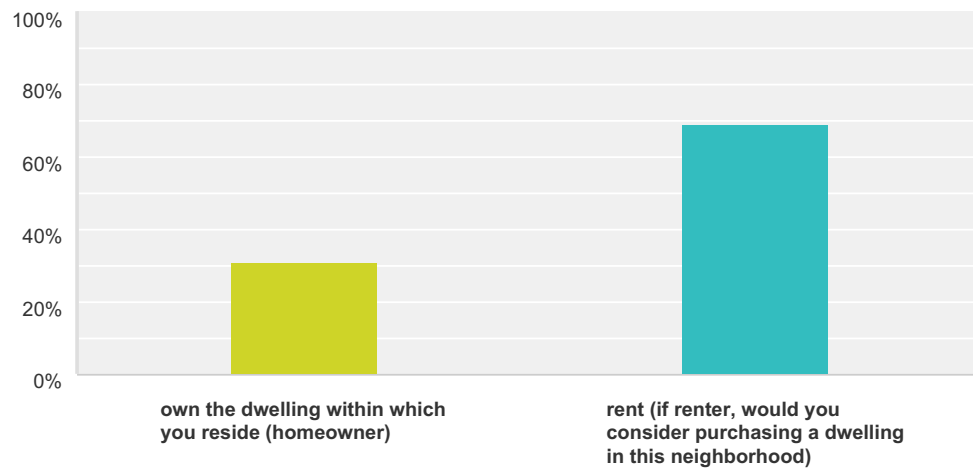


Q8 Do you have any of these problems at your current dwelling? (check all that apply) Answered: 22 Skipped: 43



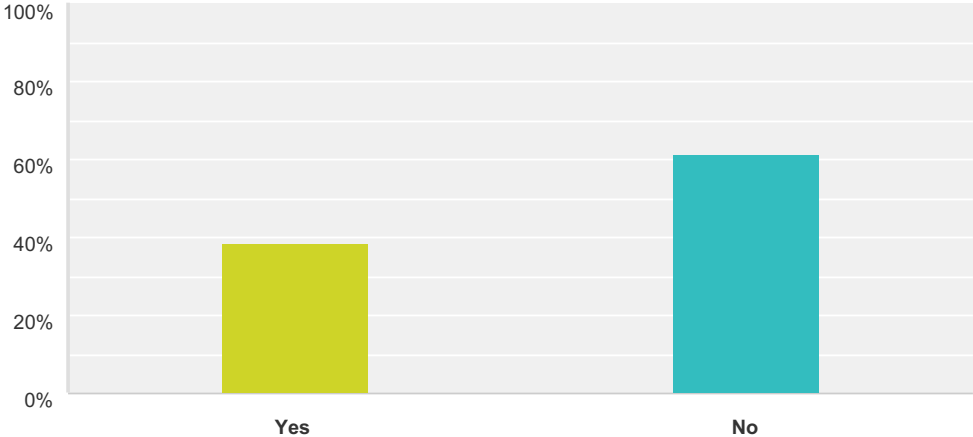
Q9 Occupancy of current dwelling; do you:(check one)

Answered: 65 Skipped: 0



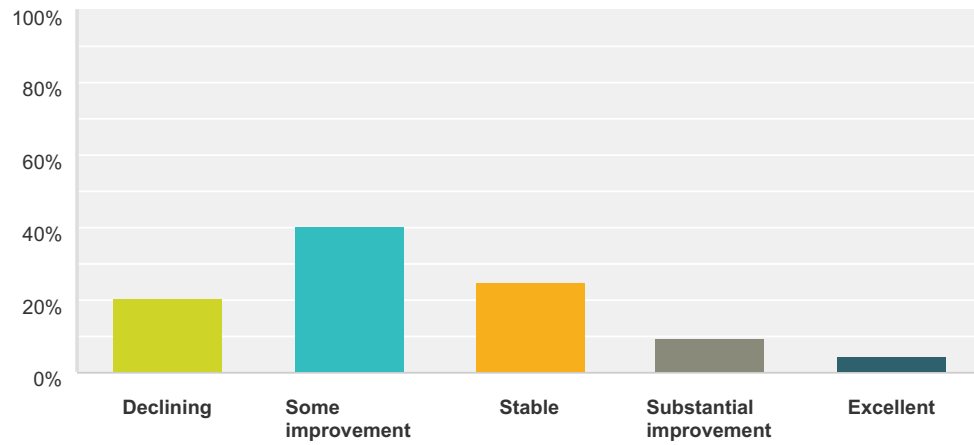
Q10 If renting, would you consider purchasing a dwelling in this neighborhood?

Answered: 39 Skipped: 26

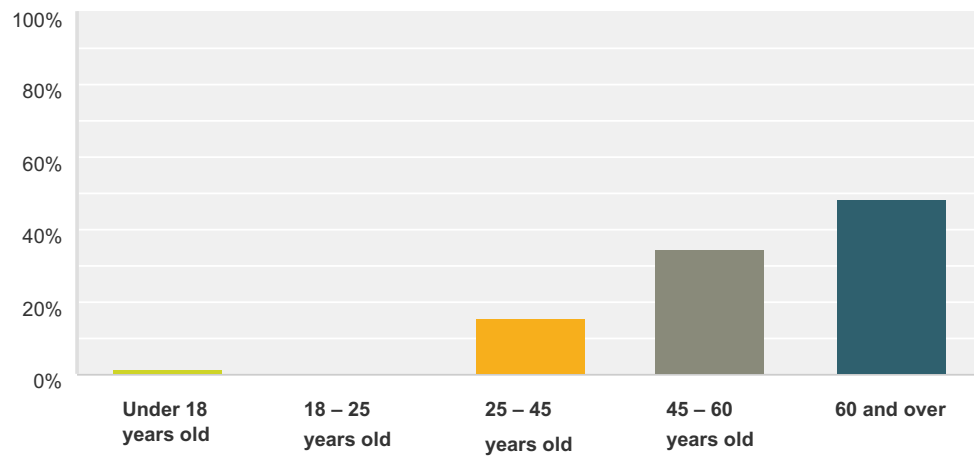


Q11 How do you view your current neighborhood condition?

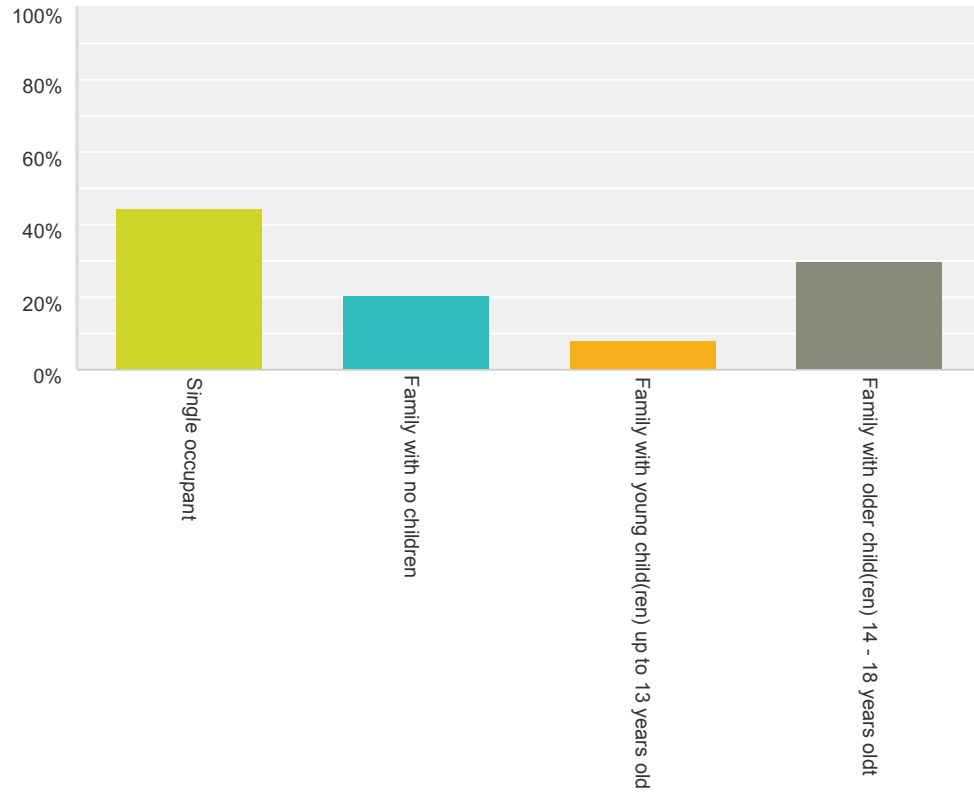
Answered: 64 Skipped: 1



Q12 Please check the appropriate age range for the person(s) completing this survey. Answered: 64 Skipped: 1



Q13 Which of the following best describes your household?
Family = 2 or more adults living together (married couple, roommates, etc...) Answered: 63 Skipped: 2



APPENDIX B

Greenville Police Department calls for service are for the period of July 1, 2013 – July 31, 2014 for the neighborhood.

Type	Number of Calls	Disposition
Abandoned vehicle	1	towed
Alarm	24	11-operator error; 9-equipment failure; 4-false alarm
Animal complaint	40	17-removed; 2 – citations; 3 warning tickets
Armed robbery	6	6-reports taken
Armed suspect	6	2-reports taken
Assault	35	2- arrests; 15-reports taken
Auto larceny	5	3-reports taken
Breaking and entering vehicle	6	4-reports taken
Breaking and entering	20	1-arrest; 12-reports taken
Burglary	2	1-report taken
Check on welfare	14	9-contact made
Crowd control	7	1-removed
Damage to property	27	19-reports taken
Directed patrol	59	1-citation
Dispute	40	3-reports taken
Disturbance	14	1-arrest; 1-removed
Disturb the peace	14	1 - citation
Domestic	36	3-arrests; 21-reports taken
Drug violation	14	5-arrests; 3-citations
Fight	21	1-arrest; 1-citation
Follow-up	21	1 - arrest
Foot patrol	17	
Hit and run w/property damage	11	8-reports taken
House check	5	
Juvenile complaint	35	3-reports taken; 10-made contact; 1-verbal warnings; 2-escorts
Larceny	27	21-reports taken;
Open door	3	
Request officer	81	4-arrests; 21-made contact; 2-escorts; 5-field interviews; 2-reports taken

Serve papers	65	22-arrests; 22-unable to locate; 10-papers served
Shots fired	18	1 - arrest
Suspicious activity/person/vehicle	201	33 – arrests; 11 – citations; 57-field interview; 21-consent searches; 17-contacts made
Trespassing	33	8–arrests; 7-contact made
Traffic stop	208	14 – arrests; 48– citations issued; 26-warnings issued; 37- investigative stops/consent searches
TOTAL	1,116	

APPENDIX C

Neighborhood Plan Development and Consideration Process Outline

1. Identification of neighborhood boundaries.
2. City departments meeting to compile current condition assessment and assemble facts, statistics and past and pending actions.
3. Mail surveys to each property owner (tax listing) and household (street address) if different, and advise the owner/occupants of a scheduled neighborhood meeting.
4. Activate the on-line (city web page) survey option for the particular neighborhood.
5. Conduct first neighborhood information meeting to explain purpose of the report and plan, assess current conditions and receive input from neighborhood resident/owners. Surveys will be distributed and accepted at the meeting to increase participation.
6. Conduct second neighborhood information to present a draft comprehensive neighborhood report and plan, present data gathered from surveys, and provide follow-up to previous neighborhood meeting. Meeting dates and times for the Planning and Zoning Commission and City Council will be announced.
7. Advertise Planning and Zoning Commission meeting (newspaper).
8. Planning and Zoning Commission to hold a public meeting to consider the draft neighborhood plan report and plan recommendations at which time the report and plan may be recommended for adoption, or continued for further study prior to recommendation; forward recommendation to City Council.
9. Advertise City Council meeting item as a proposed amendment to the comprehensive plan – HORIZONS: Greenville's Community Plan (newspaper).
10. City Council to hold a public hearing to consider adoption of the neighborhood plan report and amendment to the comprehensive plan
11. City Council to consider plan project/improvement funding at the time of annual budget or capital improvement plan adoption.
12. Neighborhood Plan projects to be completed in accordance with program schedule and funding availability.

APPENDIX D

Issues for Consideration in the Development of Neighborhood Plans

Community Development Department

Land Suitability

- Topography
- Soils
- Watershed protection
- Buffers

Comprehensive Land Use Plan

- Vision Area designation
- Current HORIZONS Plan contextual recommendations
- Current Future Land Use Plan Map recommendations

Structures and Building Activity

- Dwelling types and condition
- Improvement permit records

Socioeconomic

- Demographics
- Dwelling Occupancy
- Median home value
- Home improvements
- Retail trade service areas
- Employment areas

Quality of Life

- Community character and identity
- Unifying and complementary elements
- Aesthetics
- History and heritage
- Open spaces
- Noise pollution
- Minimum housing code compliance and enforcement
- Nuisance abatement code compliance and enforcement
- Walkability
- Private development identification signage
- Neighborhood property owners association
- Access to commercial, services and employment nodes

Code Compliance

- Building
- Residential Occupancy
- Minimum housing
- Abandoned/junk vehicles
- Public nuisance

Weeded lots
Zoning and land use
Garbage and trash, etc. collection standards

Cultural Resources

Library services, etc.
Civic and private art resources
Cultural /historical resources and landmarks

Public Works Department

Natural Environment

Flood hazard areas
Stream channels and bodies water
Street trees
Wildlife habitat
Environmental hazards and limitations
Mosquito control

Transportation

Traffic circulation
Connectivity of streets
GREAT bus stops/routes existing
ECU bus stops/routes existing
Sidewalks and bike lanes
Thoroughfare and street construction/improvement plans
On-street parking
Street identification, and regulatory signage
Speed limits within neighborhood
Traffic control and traffic calming

Storm Drainage

Stormwater management systems
Road flooding conditions
Lot flooding conditions
Stream bank stabilization
Riparian buffers
Storm water detention
Storm water utility program improvements

Service Delivery

Garbage collection
Mosquito control
Trash collection
Yard debris collection
Recycling

Other

Adopt-A-Street program

Greenville Utilities Commission

Public Utilities

- Water system
- Sanitary sewer system
- Gas system
- Electric distribution system
- Street lights

Police Department

Health & Safety

- Crime control and calls for service with number of citations issued
- Animal control and calls for service with number of citations issued
- Police presence and programs
- Community watch program

Quality of Life

- Residential noise violations with number of citations issued

Fire/Rescue Department

Health & Safety

- Fire/Rescue service delivery station(s) and response time
- Fire/Rescue apparatus access roads
- Hydrant location and dwelling separation
- Chemical hazards

Recreation and Parks Department

Quality of Life

- Public recreational and open space improvements and facilities
- Public recreation programs
- Accessibility of public green spaces
- Condition of public green spaces
- Usability of public green spaces
- Private recreation and open space

Adopted Plans Affecting Neighborhoods – All Departments

- HORIZONS, Greenville's Community Plan (2004)
- Recreation and Parks Comprehensive Master Plan (2000) [updated in 2008]
- Greenville Urban Area Thoroughfare Plan (2004)
- GREAT Short Range Transit Plan (2014)
- Transportation Improvement Program (2006)
- Greenway Master Plan (2004)
- Hazard Mitigation Plan (2004)