



Agenda

Planning and Zoning Commission

April 21, 2015

6:30 PM

Council Chambers, City Hall, 200 W. Fifth Street

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I. CALL MEETING TO ORDER -

II. INVOCATION - Doug Schrade

III. ROLL CALL

IV. APPROVAL OF MINUTES - March 17, 2015

V. NEW BUSINESS

TEXT AMENDMENTS

1. Text Amendment to the Zoning Ordinance to amend the maximum building length criteria of multi-family developments.
2. Text Amendment to the Zoning Ordinance by adding schools as an allowed use within the IU (Unoffensive Industry) zoning district, subject to an approved special use permit and establishing specific criteria.

LAND USE PLAN MAP AMENDMENTS

3. Ordinance requested by the North Carolina Department of Transportation to amend the Future Land Use Plan Map from an office/institutional/multi-family (OIMF) category to an industry (I) category for the property located at the northwest corner of the intersection of North Memorial Drive and West Belvoir Road containing 30 acres.

VI. ADJOURN

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

March 17, 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 – * (Vice Chair)	Ms. Chris Darden – *
Mr. Jerry Weitz – *	Ms. Margaret Reid - *
Ms. Ann Bellis - *	Mr. Torico Griffin - *
Mr. Doug Schrade - *	Mr. Terry King –*
Mr. Brian Smith -*	

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

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

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

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

MINUTES: Motion was made by Mr. Griffin, seconded by Mr. Schrade, to accept the January 20, 2014 minutes as presented. Motion carried unanimously.

NEW BUSINESS

REZONING

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]). - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated the property is located in the center section of the City, near the intersection of W. 5th Street and Arlington Boulevard and specifically along Brighton Park Drive. Currently, the property is vacant. There is multi-family to the north and office/institutional uses along W. 5th Street. This area, including the subject property, was incorporated into the City’s extra-territorial jurisdiction (ETJ) in 1986 and zoned to its current zoning. Due to a small change in traffic, a volume report was not prepared. Under the current zoning, the property could accommodate 5,200 square feet of medical office space. Under the requested zoning, it could accommodate 6-8 multi-family units. The Future Land Use Map recommends office/institutional/multi-family (OIMF) along the northern right-of-way of West 5th Street. 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).

Mr. Weitz asked how staff considers Comprehensive Plan policies in the staff report.

Ms. Gooby stated that if he was referring to the Horizons Plan then those policies are considered as part of the staff report.

Mr. Weitz suggested a rezoning should be similar to a text amendment that cites relevant policies out of the Comprehensive Plan and say if it is consistent or not consistent with those policies.

Mr. Thomas Weitnauer, Chief Planner, stated they are using the Future Land Use Map as a reference and the policies that back up the map. It is the basis of the staff recommendation.

Mr. Weitz asked if staff recommendation is only based on the Future Land Use Map and not citing Comprehensive Plan policies.

Mr. Merrill Flood, Director of Community Development, stated the map is the graphic representation of the Future Land Use Urban Form. There are management objectives in each vision area but each objective cannot cover every parcel in the City, unless there is a specific policy to a specific rezoning.

Mr. Weitz stated he has seen several instances where the map is not the full story and policies are not considered.

Mr. Flood stated staff considers the various considerations in the comprehensive plan in the staff analysis. Absent a specific recommendation by policy objective in the plan for a specific site, the map is the final determination of the preferred land use.

Mr. Weitz stated he disagrees that the policies are not site specific and that recommendations do not portray the complete picture of the Comprehensive Plan.

Mr. Flood stated, absent a specific recommendation related to a specific site, staff has been consistent.

Chairwoman Basnight opened the public hearing.

Mr. Reggie Spain, applicant, spoke in favor of the request. He stated he wants to offer 2-bedroom units.

No one spoke in opposition of the request.

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

Mr. Weitz stated he has a concern with the ability to expand the core of the Medical District. The Medical Plan appears to show that it is trying to reserve some area for non-residential

development. He stated there is a loss of future service area lands due to the subsequent alternative use. Additional office space will be needed as the Medical District continues to grow. He has a concern of setting a precedent to expand multi-family beyond its current location as shown on the map. There are many other places that apartments can be developed.

Ms. Darden stated she agreed with Mr. Weitz.

Mr. Smith stated it is only 0.63 acres which is significant and there are apartments already located there. People in the medical area need places to live. He is in favor of the request.

Ms. Gooby stated the property was zoned back in 1986 when it was brought into the ETJ. The depth of the office zoning was made to a sufficient depth to allow office development along W. 5th Street then transitions to multi-family zoning. The zoning line was made at a time when most of the area was not developed and it was expected that there were be small changes to the zoning line as properties develop. There was a similar rezoning several years ago that changed the zoning to follow property lines.

Attorney Holec stated the recommendation the Commission is to give is either up or down recommendation on the request. Comments can still be made. There are some differences with applications that have multiple tracts.

Mr. Weitz asked if it was unlawful for the Commission to recommend a smaller area than the requested area.

Attorney Holec stated it is not unlawful, but the typical practice is to make a recommendation on the actual application.

Mr. Weitz stated that the suggestion is not to do it because it has never been done that way.

Attorney Holec stated the ordinance says to make a recommendation on the request.

Mr. Parker asked if the property owner had any say in rezoning less than what was requested.

Attorney Holec stated Council does have the ability to make a separation. They can rezone all or part of a request and/or rezone as a different zoning classification. The role of the Commission is to make a recommendation on the actual request. He stated he could suggest a follow-up motion stating how the Commission would consider the request differently.

Mr. Griffin asked if they voted down, would it be the responsibility of the applicant.

Attorney Holec stated no. The Commission could ask the applicant if they would like to amend their application. The Commission would vote on the actual application.

Mr. Smith asked what the difference was since the size is only 0.63 acres.

Mr. Schrade stated that splitting the request could be useless to the applicant.

Chairwoman Basnight asked the applicant how splitting the request would affect him.

Mr. Spain stated the reason they have requested the extra lot is to have room for centralized parking for the units. It would be useless unless the whole request was granted. He stated no one would want 0.63 acres to expand in the medical district because it is so small.

Mr. Weitz stated that it could set a precedent in the area.

Mr. Flood stated when the Medical District Use Plan was amended and a preferred land use pattern was established, it took into account all recommended objectives of the plans. They dovetail each other.

Motion made by Mr. Smith, seconded by Mr. Schrade, 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. In favor: Mr. Smith, Mr. King, Ms. Bellis, Mr. Griffin, Mr. Parker, and Mr. Schrade. Oppose: Mr. Weitz and Ms. Darden. Motion carried.

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) - TRACTS 1 & 3 - APPROVED AND TRACT 2 - DENIED

Ms. Gooby delineated the property. She stated the property is located in the western section of the City and adjacent to the Pitt County Landfill. The request is divided into three tracts: the requested zoning for Tracts 1 & 3 are I (Industry) and Tract 2 is IU (Unoffensive Industry). The projected path of the Southwest Bypass will bisect all three tracts. Tract 2 is north of the railroad and the other two tracts are south of the railroad. Most of the property is vacant. There are residential uses to the west and the landfill is to the east. Under the current zoning, the property could accommodate about 170 single family lots. Under the requested zoning, it could accommodate 380,000 square feet of industrial or warehouse uses. 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. The Future Land Use Plan Map recommends commercial (C) at the southwest corner of the intersection of the US Highway 264 and the proposed Southwest Bypass and transitioning to office/institutional/multi-family (OIMF) and conservation/open space (COS) along Stantonsburg Road to act as a buffer to the interior industry (I). Further, conservation/open space (COS) is recommended as a buffer between the interior industrial (I) and the high density residential (HDR) to the north. 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." Tracts 1 and 2 are adjacent to the Pitt County Landfill. Only the portion of the landfill adjacent to Tract1 is zoned industry (I). In staff's opinion, the request for Tracts 1 & 3 is in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map. In staff's opinion, the request for Tract 2 is not in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

Ms. Bellis asked if there was enough land for development after the bypass is built.

Ms. Gooby stated yes.

Mr. Weitz asked if the landfill was still operational.

Ms. Gooby stated yes.

Mr. Weitz asked if the County planned on expanding the landfill with their additional lot.

Ms. Gooby stated they are storing lime with the railroad and then it is trucked out.

Mr. Weitz asked if the railroad had a loading area which would be accessible to the applicant.

Ms. Gooby stated that was a railway right-of-way question.

Mr. Weitz asked where the closest sewer was.

Ms. Gooby stated about a ½ mile away at Westpointe neighborhood.

Mr. Weitz asked if the water drainage from this site goes into the Green Mill water shed.

Mr. Tim Corley showed a map that the area is part of the Green Mill Run watershed and that the City is working on a watershed master plan that will look at all the watersheds within the City. The study will show what projects can be done and what areas are most sensitive. It will find what areas could change from a 10-year storm event to a 25-year storm event.

Mr. Weitz asked if it would include proposals to impound water for flood control.

Mr. Corley stated they are looking at opportunities to identify areas to retrofit activity.

Mr. Weitz asked if their motions would be divided since the tracts were divided.

Attorney Holec stated the request has three separate distinct tracts and individual motions can be made.

Ms. Bellis asked why tract 2 is not in compliance.

Ms. Gooby stated the Future Land Use Plan shows tract 2 should be OIMF (Office/Institutional/Multi-Family) and the request is for IU (Unoffensive Industry).

Mr. Parker asked for the definition of Unoffensive Industry or for the uses in that zone.

Ms. Gooby referenced the list of uses for the IU district and named a few of the uses: agricultural, office, retail, truck terminals, bakeries, and mini-storage with no outside storage is permitted.

Chairwoman Basnight opened the public hearing.

Mr. Mike Baldwin, representative for the applicant, spoke in favor of the request. He stated the Land Use Plan is a guide, it is not perfect, and does not meet every aspect. He presented a map of the zoning at the intersection of Arlington Boulevard and Fire Tower Road. The parcel shows OR (Office-Residential) and adjacent IU (Unoffensive Industry). It is transitional zoning. Tract 2 is similar in transitional zoning. A more appropriate buffer is IU (Unoffensive Industry). It decreases traffic. About 40% of Tract 2 will be taken up by the Southwest Bypass. Tracts 1 & 3 are in compliance. Following the plan on Tract 2 is not in the best interest of the whole property.

Mr. Weitz asked how Tracts 1 & 3 would be accessed.

Mr. Baldwin stated that it depends on cuts on the Bypass.

Mr. Weitz asked if he was sure since it should be controlled access.

Mr. Baldwin stated it could be controlled or restricted but there would be allowed access.

Mr. Weitz asked how they would get sewer to the property.

Mr. Baldwin stated they have not spoke with GUC yet, but it would require a regional lift station.

Mr. Weitz asked if there were any immediate prospects for development.

Mr. Baldwin stated no.

Mr. Weitz stated that by rezoning the property the value would increase. The State then would pay more for the land during the right-of-way acquisition when it's time for the Bypass. He asked it that was the intent.

Mr. Baldwin stated no and that it was business as usual.

Mr. Weitz asked what the possible use of the land is after the Bypass.

Mr. Baldwin stated that the questioning was site specific and this rezoning request is a broad scope.

Ms. Bellis asked if the Landfill is currently being used as a transfer station and asked if it would increase in height.

Ms. Gooby stated they are still in operation.

Mr. Smith stated that trash is dropped off and then it gets transferred somewhere else. It's not getting buried and increasing in height.

Mr. Schrade stated that the height Mr. Baldwin referred to was the lime.

Mr. Baldwin stated he does not know the height of the lime but the height of the Landfill is very visible.

Mr. Weitz asked if anyone knew what the landfill told the State what its long-term plans are.

Ms. Gooby stated she believes they will remain there as a transfer station.

Mr. Schrade stated they are still taking in biodegradable items.

Mr. Parker stated the land gives them room to increase their capacity as the County grows.

Mr. Baldwin stated that a conclusion cannot be made on Pitt County's plans.

Ms. Elizabeth Letchworth spoke in opposition of the request. She lives on Stantonsburg Road near the requested rezoning. She and her neighbors have concerns. Their first concern was rezoning the property to industrial and then the State buying it at a higher cost. Another concern was how the rezoning would affect the residential values of the nearby properties. She stated there is an issue with flooding on Stantonsburg Road and she has concerns how development there could cause more flooding to the residential properties.

Ms. Gooby stated that any concerns about property values are best left with a real estate appraiser. Their area is rural and development is nearing them. The flooding along Stantonsburg Road would need to be addressed with NCDOT.

Ms. Letchworth stated her concern with development there could cause more drainage toward the residential area causing more flooding.

Ms. Gooby stated that drainage would be handled at the time the property gets developed.

Attorney Holec stated the speaker made clear objections although there are no answers for her at this time. The Commission considers the land use and not what NCDOT would pay for the land.

Mr. Baldwin spoke in rebuttal. He stated the City has a storm water ordinance to protect downstream property owners from flooding conditions. Any development on the property would have to conform to those requirements.

Ms. Bellis asked if the storm water retention he refers to is a 10-year event.

Mr. Baldwin stated yes and it is possible in some areas to be a 25-year event.

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

Mr. Schrade stated that Mr. Weitz made a point about the increased value of the property due to the rezoning. As staff has stated, the Commission is to make a decision based on land use and not land value. He stated he was okay with Tracts 1 & 3 but questions Tract 2. Since the property is near the lime transfer station, it seems to work as a transition and it would not be a large lot with the Bypass coming through it. His opinion is to approve all three.

Mr. Weitz stated some uses for I (Industry) for Tracts 1 & 3 could be: rock quarry, mines, toxic and hazardous materials manufacturing, slaughter houses, etc. He has concerns with some of the uses. He would prefer to see IU (Unoffensive Industry). He stated the site would probably be visible to the travelling public because of the roads. Tracts 1 & 3 do not have access to roads at this time. There is no sewer. He is concerned with the uses it could have at the entrance to the City.

Motion made by Mr. Schrade, seconded by Mr. Smith, of Tracts 1 & 3 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. In favor: Mr. Schrade, Mr. Smith, Ms. Bellis, Mr. Griffin, Mr. Parker and Ms. Darden. Oppose: Mr. Weitz and Mr. King. Motion carried.

Mr. Weitz stated that if Tracts 1 & 3 were for IU, he would be in favor of the motion.

Motion made by Mr. Schrade, seconded by Mr. Smith, of Tract 2 to recommend approval of the proposed amendment, to advise that, although the proposed amendment is not consistent with the Comprehensive Plan, in this instance it is an appropriate zoning classification, and to adopt the staff report which addresses plan consistency. In favor: Mr. Schrade, Mr. Smith and Ms. Darden. Oppose: Ms. Bellis, Mr. Griffin, Mr. Parker, Mr. Weitz and Mr. King. Motion failed.

Motion made by Mr. Parker, seconded by Mr. Griffin, of Tract 2 to recommend denial of the proposed amendment, to advise that it is inconsistent with the Comprehensive Plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. In favor: Ms. Bellis, Mr. Griffin, Mr. Parker, Mr. Weitz and Mr. King. Oppose: Mr. Schrade, Mr. Smith and Ms. Darden. Motion carried.

ORDINANCE REQUESTED BY HARDEE 3 ENTERPRISES, INCORPORATED TO
REZONE 9.816 ACRES 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) - APPROVED

Ms. Gooby delineated the property. She stated the property is located in the eastern section of the City, south of 10th Street, west of L.T. Hardee Road, and abuts to the Wal-Mart Shopping Center. The property consists of 3 single-family homes and farm land. There is commercial on either side of the property and vacant property to the south. It is considered part of the intermediate focus area on East 10th Street between Portertown Road and L. T. Hardee Road, where commercial is encouraged and anticipated. The proposed rezoning could generate about 5,100 trips per day but that does keep 10th Street within its design capacity. Under the current zoning, the property could accommodate about 35 single-family lots. Under the requested zoning, it could accommodate about 94,000 square feet of retail/conventional and fast food restaurant uses. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, and the Future Land Use Plan Map.

Chairwoman Basnight opened the public hearing.

Mr. Baldwin, representative of the applicant, spoke in favor of the request. He estimates traffic on 10th Street is at about 50% capacity. If and when the property is developed, traffic mitigation, storm water issues, etc. will comply with the City's ordinances. They are currently working with GUC to bring sewer to the site. The property is in compliance with the Land Use Plan.

Ms. Bellis asked where the drainage from the property goes.

Mr. Baldwin stated under the railroad tracks into an existing ditch into Hardee Creek and Lake Glenwood.

No one spoke 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 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 carried unanimously.

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]) - DENIED

Ms. Gooby delineated the property. She stated the property is located in the central section of the City, south of 10th Street, across from ECU Main Campus, and west of Elm Street. To the south

is Elm Street Park. There are single-family residences to the east and north and Green Mill Run to the south. The property is impacted by the 500 and 100-year floodplains and the floodway associated with Green Mill Run. There are developmental standards in the ordinance for new development. The proposed could generate about 94 trips per day and it does stay within the design capacity of the street. Under the current zoning, the property could accommodate about 10 duplex units or 5 buildings. Under the requested zoning, it could accommodate 28-30 multi-family units of new development. The Future Land Use Map recommends high density residential (HDR) at the southwest and southeast corners of the intersection of East 10th Street and Elm Street and then transitions to conservation/open space (COS) to the south along Green Mill Run. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

Mr. Weitz asked if staff considered the policies in the Hazard Mitigation Plan or the Horizons Plan which refers to not having high density in the flood plain.

Ms. Gooby stated that the adopted Land Use Plan Map takes policies into consideration. There is a damage prevention ordinance in place which sets standards for new development in the floodplain.

Mr. Weitz asked if Ms. Gooby and staff believe it is in the best interest of the public to put additional density in the flood plain.

Mr. Parker stated he did not agree with the comments from Mr. Weitz and that it appears he was trying to put words in staffs' mouths.

Mr. Weitz stated he did not see any rezoning signs posted in the area for the request.

Ms. Gooby showed the Commission a picture of the property from her presentation with the rezoning sign and stated it was taken on March 3rd. Once the sign has been posted, then the statue has been met.

Mr. Smith stated she posted the sign but she can't be out there watching the sign.

Ms. Bellis asked if the proposed property was contiguous with the parking lot at the foot of College Hill. She stated that parking lot floods often.

Ms. Gooby stated that Green Mill Run is between this property and the parking lot.

Mr. Tim Corley, Civil Engineer II, showed another map that indicated the floodway/floodplain. He stated the parking lot is in the floodway. Any development on this request will need to comply with the flood damage prevention ordinance. Nothing can be built in the floodway. Development is allowed in the 100-year floodplain but requirements must be met. There are no restrictions in the 500-year floodplain. If there is significant change to the existing property, then the requirement for the floodplain would need to be met.

Mr. Schrade asked how much of the property was in the 500-year flood plain.

Mr. Corley estimated about 3/4 of an acre.

Ms. Bellis asked if there was a cumulative effect considered.

Mr. Corley stated they can try to put certain restrictions on certain watersheds in the City.

Ms. Bellis stated that ultimately a dam is being built.

Mr. Corley stated it is displacement of water to other places but there are safety factors involved.

Ms. Bellis stated that if everything north of Greenville Boulevard drains into the Green Mill Run, then building in the 100-floodplain could cause more flood damage.

Mr. Corley stated that it was something to be considered in another forum regarding floodplain regulations. He stated he was not sure when the watershed plan would be complete but it is in the works. Policies changes is something that could start once problem areas are indentified.

Chairwoman Basnight opened the public hearing.

Mr. Jim Ward, applicant, spoke in favor of the request. He stated he wanted to bring the property into compliance with the Future Land Use Plan Map. There are no immediate plans for the site. He is aware that the property has significant limitations for further development outside the existing footprint at both a cost and utilization standpoint. He stated he would stay within the current boundaries as the property currently exists.

Mr. Ward stated he has done significant development in the area. He stated his "for rent" signs are constantly missing. For any development that he would consider for this site, he would include the neighborhood and it would be a team effort.

Mr. Paul Cook spoke in opposition of the request. He and his wife live in the house directly east of the property. They moved in the home in 1998 and the property has flooded 3 times to date. The 100-year floodplain is a myth. This area floods frequently. Increased residents in the area would make it worse. When Hurricane Floyd passed, 10th Street turned into a river. They were displaced.

Mr. Mike Barnum, 614 Maple Street, spoke in opposition. He stated he agrees with Mr. Cook. A lot of the flooding from Hurricane Floyd was due to all the building in that area. Green Mill Run has dammed up causing more flooding. He stated that building in this area would cause flooding to be worse and cause more problems.

Ms. Elizabeth Knott, 1908 E. 6th Street, spoke in opposition. She frequents 10th and Elm Streets daily. Traffic might be within the design capacity but in reality there is a lot of traffic. Logistically pulling into this property would cause more traffic congestion. The area does not only flood during hurricanes. Green Mill Run floods often and causes Elm Street to close. She opposes anything that will increase flooding and traffic.

Mr. Hap Maxwell, 1506 E. 5th Street, spoke in opposition. He saw the flooding from Hurricane Floyd. The flooding is caused by the huge volume of impervious surfaces that runs water to the river. If the river is high, then it flows back into Green Mill Run and the City. The bridge at Greenville Boulevard acts as a dam causing more flooding.

Mr. Andrew Morehead, president of TRUNA, spoke in opposition. He stated higher densities mean more impervious surfaces and additional houses in floodplains which causes the displacement of water to continue. This is a very big concern. Decisions need to be made in a city-wide context and not by individual lots.

Ms. Ann Maxwell, member of the Neighborhood Advisory Board (NAB), spoke in opposition. Last month the NAB heard comments from a neighborhood in District 1 about flooding and trees in their area being cut down. This area is near the airport. There were no homes in that area when the airport was developed. Homes should not be in that area but it had been approved some time ago by a Planning Board, and now the people are suffering. The decisions made by the Commission affect everyone. More development and impervious surface in the College Hill area will cause more flooding. Any new developments that run off into the waterways will ultimately cause more flooding.

Mr. Ward spoke in rebuttal. With the existing building, it would be cost prohibitive to extend an additional footprint. The only plan he has is to enhance the existing structure. Any new plans would need to have a site plan submittal and need to be approved by the City before proceeding.

Attorney Holec stated there is opportunity for opposition rebuttal to respond to what has already been said and not present new information.

Ms. Fiona Cook spoke in opposition rebuttal. She lives next door to the proposed rezoning property. She stated the existing structure on that property has completely flooded twice.

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

Mr. Weitz stated the Land Use Plan Map does indicate multi-family residential use but disagrees with staff that it is consistent with policies for the floodplains and the Comprehensive Plan. He stated that the policies indicate that floodplain development is not the responsible thing to do.

Ms. Reid stated she agrees with Mr. Weitz. When considering change in an area, you have to look at more than statistics. It needs to be taken into consideration peoples' lives and how they are affected.

Mr. Parker stated he sees the concerns and knows the area. We talk about a walkable sustainable community and bringing students to the area so they can walk to campus. We want to go away from building outside the perimeter. There are beautiful developments in the Uptown area and this request seems to fit well with that. There are other developments in the area. This property

is not going to cause a flood or be haphazardly built. He stated that he would approve the request.

Ms. Bellis stated she feels strongly that just because something is permitted doesn't mean it's a good idea. It would be irresponsible to continue to approve something that puts people in harm's way. The cumulative effect is not considered and dams are continually being built in the flood plain which exasperates the flooding. It is irresponsible to approve anything in the floodplain.

Motion made by Mr. Weitz , seconded by Mr. King , to recommend denial of the proposed amendment, to advise that it is inconsistent with the Comprehensive Plan and other applicable plans and not to adopt the staff report which addresses plan consistency and other matters due to floodplain development is not the responsible thing to do . In favor: Mr. Weitz, Mr. King, Ms. Bellis, and Ms. Darden. Oppose: Mr. Smith, Mr. Griffin, Mr. Parker, and Mr. Schrade. Chairman Basnight broke tie to vote in favor of the motion. Motion carried.

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. At the 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 with a special use permit. 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 due to the concerns of live recorded music. Staff met with the proposed purchaser of White's Theater to understand more about their business model. It would be distinguished as a theater and not a public/private club.

The following revisions were made to the ordinance since the December 16, 2014 Planning and Zoning meeting:

1. Added allowance provisions for recorded music.
2. Increased the minimum size of theaters from 5,000 square feet to 7,500 square feet.
3. Added a requirement for a permanent stage with a minimum size of 800 square feet.
4. Added a regulation stating that the theater will close at 1:00 am.

Definition: 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.

Regulations (revised regulations are underlined):

1. Events and/or banquets must be ticketed or free of charge to participants. No cover charge 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: 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 an 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 held.
7. The facility shall not operate as a public or private club as defined by Title 9, Ch. 4, Art. B, Sec. 9-4-22.
8. Minimum square footage of live performance theaters shall be 7,500 ~~5,000~~ 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 am.

Special Use Permits

The text amendment requires a special use permit which is revocable. Regulations would be reviewed on an annual basis just like the activities of dining and entertainment establishments and public/private clubs. Live Performance Theaters would only be allowed in the CD (Downtown Commercial) Zoning District.

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."

The proposed Zoning Ordinance Text Amendment is in compliance with the 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."

He stated the City is trying to create a “live, work, play” environment. The Redevelopment Commission met last week and approved unanimously the amendment modifications. In staff’s opinion, the proposed Zoning Ordinance is in compliance with the Horizons: Greenville's Community Plan and the Center City West Greenville Revitalization Plan.

Chairman 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. Smith, seconded by Mr. Griffin, 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.

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. - APPROVED

Mr. Thomas Weitnauer, Chief Planner, presented the text amendment. He stated this text amendment was brought to the City by applicants, Jeremy & Jennifer Spengeman and Michael & Kitty Leaman, to expand the existing wine shop definition and provision to include allowance of craft beer. The text amendment proposes craft beer shops in the same zones where wine shops are allowed. Wine shops can sell beer. The underlined in the following denotes regulations to be added to SEC. 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). 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 prepackaged food for purchase as an incidental use.

For the remainder of the proposed amendment, “and Craft Beer” was inserted throughout the current wine and wine shop regulations in 24 locations. The following are Zoning Districts where Wine and Craft Beer Shops are permitted:

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)

Consideration was given to ensure this text amendment does not allow wine and craft beer shops to turn into de facto nightclubs. The special use permit is part of that process and can be revoked if not abiding by the regulations. The proposed zoning ordinance text amendment is in compliance with Horizons: Greenville’s Community Plan.

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.”

The proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville’s Community Plan.

Chairwoman Basnight opened the public hearing.

Mr. Jeremy Spengeman, applicant, spoke in favor of the request. He is the owner and operator of Basil’s Restaurant since 1999. He stated, with his wife and in-laws, he wants to open a craft beer shop. It would consist of on and off premise beer consumption. He stated his business plan would consist of 75% net sales of off premise consumption with 200-250 different bottles on shelves at room temperature available for purchase. He would have 10-20 taps to bottle/fill to

order, also known as Growlers, for purchase and a few available for consumption on site. The shop would also have ancillary sales like gift baskets and pre-packaged food. No food preparation will be on site. Hours of operations: 12pm to 10pm Sunday through Thursday, 12pm to 11pm Friday and Saturday, and 12pm to 6pm on Sundays. The current ordinance allows selling wine and beer, but not beer only. He wants to sell beer only. In order to protect from bar use, the request is for craft beer which is specialty beer like wine. On-premise sales of craft beer will not exceed 40% of net sales. They will not be within 200 feet of a public/private club, a dining and entertainment establishment, or another wine and craft beer shop. A membership, cover or minimum charge for admittance or service will not be required at any time. The primary use is retail.

Mr. Michael Overton spoke in favor of the request. He stated North Carolina is becoming one of the largest craft beer states in the nation. People are looking for this concept and it is not a bar. He believes it will be good for the City.

No one spoke 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. Parker 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.

OTHER

ORDINANCE AMENDING HORIZONS: GREENVILLE'S COMMUNITY PLAN TO INCORPORATE BY REFERENCE THE SOUTH GREENVILLE ELEMENTARY SCHOOL AREA REPORT AND PLAN – APPROVED

Ms. Gooby stated that one of the 2014-2015 City Council goals is for quality neighborhoods and as part of that goal is to develop and complete a small area plan for the South Greenville Elementary School area. It is located in the central area of the City between Evans Street and Hooker Road, south of the Public Works Department and north of J. H. Rose High School. It is about 140 acres with a variety of uses. The development of the plan was a joint effort with various city departments and Greenville Utilities. Surveys were mailed out to property owners and residents for their input. There were two neighborhood information meetings: July 8, 2014 and March 10, 2015. As part of the preparation of the plans, staff identified several items that are included in the plan: assist the neighborhood in the establishment of a Neighborhood Association and a Community Watch Program, consider streetscape and entrance enhancement to Brownhill Cemetery, consider initiation of zoning amendments in the neighborhood and/or adjacent area properties that are zoned inconsistently with the Comprehensive Plan and/or FLUPM recommendations and assess street lighting levels and cause the installation of additional lamps and/or trimming of vegetation.

The plan will be forwarded to City Council. If adopted, it will be incorporated into Horizons: Greenville's Community Plan. City Council requests these plans and uses them as guides for what the neighborhood wants, needs, or requires. Parks, greenways, health safety, zoning, etc. were taken into consideration when developing the plan.

Mr. Smith asked about the attendance at the neighborhood meetings.

Ms. Gooby stated it was not as much as we would like but many people did inquire by phone and responded to the surveys.

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 commended the staff on a good job with the plan and with the GIS maps. He stated the neighborhood is highly desirable yet unrecognized. It has a good grid pattern of streets, sidewalks, public transportation, schools, and various other uses. It is very accessible to other parts of the City. He believes there is potential for this neighborhood to be considered historic in the future. There is also potential for more commercial and other new development that can enhance and serve the neighborhood.

Motion was made by Mr. Schrade, seconded by Mr. Parker, to recommend approval of the ordinance amendment. Motion passed unanimously.

Chairwoman Basnight stated she appointed Jerry Weitz and Tony Parker to the Comprehensive Plan Committee and they accepted.

With no further business, a motion was made by Mr. Smith, seconded by Mr. Parker, to adjourn. Motion passed unanimously. Meeting adjourned at 9:10 p.m.

Respectfully Submitted,

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



City of Greenville, North Carolina

Meeting Date: 4/21/2015
Time: 6:30 PM

Title of Item: Text Amendment to the Zoning Ordinance to amend the maximum building length criteria of multi-family developments.

Explanation: **Abstract:** The City of Greenville received an application from Rivers and Associates, Inc. to amend the maximum building lengths of multi-family development so that they may exceed the existing maximum building length of 260 feet, pending compliance with other proposed criteria.

The text amendment application proposes to allow building lengths to exceed 260 feet as long as firewall(s) are constructed and/or sprinkler systems are installed.

Explanation: Greenville's Zoning Ordinance limits building lengths of multi-family developments to 260 feet. The building length regulation currently reads as follows.

Article I. Multi-Family Development, Section 9-4-145 Development Standards, (G),

"Building length. No contiguous unit or series of attached units shall exceed a combined length of 260 feet."

The text amendment proposes to retain the existing regulations above and then add the following new text (underlined) to read as follows:

"Building length. No contiguous unit or series of attached units shall exceed a combined length of 260 feet, except as provided herein. Any building which exceeds two hundred (260) feet shall be designed and constructed with the appropriate firewall(s) and/or equipped with a sprinkler system in compliance with either the North Carolina State Building Code, General Construction Volume 1, or the North Carolina Building Code, Volume 1-B, Residential, whichever is applicable, or both if both are applicable."

The text amendment application, submitted by Rivers and Associates, Inc. is attached. (Attachment A).

Staff reviewed the history of the building length regulation and determined a modified version of it was adopted in the city's first zoning ordinance in 1969. The only difference between the 1969 version and the current version is the word "contiguous" replaced the word "continuous" as it appeared in the 1969 version. Staff does not know the origin of the regulation, but suspect it may have been a method to reduce the spread of fire throughout a long egress corridor, perhaps limiting the length to either the length and/or fireflow pressure of firehoses or to help limit the time occupants would need to travel through a corridor to escape a structure fire.

Planning Staff consulted with the Chief Building Inspector and the Fire Marshal to investigate whether the proposed text amendment would have any bearing on applicable building codes or fire prevention regulations. The Chief Building Inspector responded that the Building Code does not establish any limits on building lengths to 260 feet. There are limitations to story height and total square footage per story on structures, but with proper firewalls, non-combustible or limited combustible construction materials, structures would only need to meet the limitations set forth in the code. The Fire Marshal concurred with the Chief Building Inspector's comments.

The existing regulation that limits multi-family development to a maximum building length of 260 feet is exempt in the CD (Downtown Commercial) zoning district where other standards are established in the zoning ordinance.

In staff's opinion, the proposed amendment is consistent with Horizons: Greenville's Community Plan, 2004, Plan Elements, Housing, Objective H2 which states, *"To encourage quality in the design and construction of new dwellings and multifamily structures."*

Fiscal Note: No cost to the City.

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

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


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

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

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

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

Attachments / click to download

 [Ordinance Multi Development Building Length Text Amendment 1001466](#)

 [Applicaiton for Multi Family Building Length Text Amendment 1001592](#)

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 May 14, 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, 2004, Plan Elements, Housing, Objective H2 to encourage quality in the design and construction of new dwellings and multifamily structures;

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 9-4-145(G) of the City Code is hereby amended by replacing criteria for "*Building length*" to read as follows:

Building length. No contiguous unit or series of attached units shall exceed a combined length of two hundred sixty (260) feet, except as provided herein. Any building which exceeds two hundred sixty(260) feet shall be designed and constructed with the appropriate firewall(s) and/or equipped with a sprinkler system in compliance with either the North Carolina State Building Code, General Construction, Volume 1, or the North Carolina Building Code, Volume 1-B, Residential, whichever is applicable, or both if both are applicable.

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

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

Adopted this 14th day of May, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

ATTACHMENT A



Date Received 3/18/2015 8:00AM
JW

CITY OF GREENVILLE
ZONING ORDINANCE TEXT AMENDMENT APPLICATION

Applicant Name(s) Rivers and Associates, Inc.

Mailing Address 107 East Second Street

Greenville, North Carolina 27858

Contact Phone Number (252) 752-4135

Contact Fax Number (252) 752-3974

Zoning Ordinance Section Proposed to be Amended: Article I – Multi-Family Development, Section 9-4-145 Development Standards, (g), (1) Building Length.

Reason for Request: To update Greenville's Multi-Family Development Standards to conform to today's market and development standards in keeping with other peer communities.

Proposed Language of Text Amendment (attach additional pages if needed): No contiguous unit or series of attached units shall exceed a combined length of two hundred sixty (260) feet. Any building which exceeds two hundred sixty (260) feet shall be designed and constructed with the appropriate firewall(s) and/or equipped with a sprinkler system in compliance with either the North Carolina State Building Code, General Construction Volume 1, or the North Carolina Building Code, Volume 1-B, Residential, whichever is applicable, or both if both are applicable.

James M. Walker

Print Name

James M. Walker 3/17/2015

Signature of Applicant

Date



City of Greenville, North Carolina

Meeting Date: 4/21/2015
Time: 6:30 PM

Title of Item: Text Amendment to the Zoning Ordinance by adding schools as an allowed use within the IU (Unoffensive Industry) zoning district, subject to an approved special use permit and establishing specific criteria.

Explanation: **Abstract:** The City of Greenville received an application from Mr. Fred T. Mattox on behalf of the Eastern Carolina Vocational Center, Inc., (ECVC) for a text amendment to add schools as an allowed use within the IU (Unoffensive Industry) zoning district, subject to an approved special use permit and establishing specific criteria.

Explanation: Greenville's Zoning Ordinance does not allow schools in the IU (Unoffensive Industry) zoning district. This text amendment proposes to amend the zoning ordinance to permit schools within the IU (Unoffensive Industry) zoning district, through special use permits and compliance with the following criteria proposed by ECVC (and edited by City staff with the applicant's permission).

The text amendment proposes to add a new subsection to Section 9-4-103(B) as indicated with underlined text as follows.

"(B)Schools; public and private. Shall be subject to the bufferyard regulations; however, no principal or accessory building shall be located within 50 feet of any adjoining property or public street right-of-way line.

(1) Schools may be allowed as a special use in the IU (Unoffensive Industry) zoning district provided the school complies with the following additional criteria:

- a. The property shall have a minimum of eight acres.*
- b. The maximum allowed building coverage shall be 40% of the property.*
- c. The property shall have a minimum public road frontage of 450 feet.*
- d. All loading and unloading of students shall be off-street.*
- e. All parking areas shall be off-street in accordance with Article O, Parking.*
- f. The school must be authorized by the State of North Carolina."*

The text amendment, if adopted, would also amend Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A: Table of Uses)8 to add "S"s in rows (g)(h) and (i) to align under the IU(Unoffensive Industry) zoning district column heading to indicate Junior, Senior, Elementary, Kindergarten and Nursery Schools are allowed uses pending approval of special use permits within the IU district. There is already a cross reference in the table to review criteria in Section 9-4-103 which the applicant also proposes to amend as referenced above. (Attachment A)

A proposed ordinance was prepared to amend the Table of Uses and the review criteria.(Attachment B)

This item is a proposed text amendment that if adopted, would apply in all IU zoning districts within the city and the City's extraterritorial jurisdiction (ETJ), pending an approved special use permit and compliance with criteria the applicant is proposing in the text amendment application.

Attached Maps 1 through 3 show the location of the IU zoning district as well as the recognized industrial zoning district. Map 4 shows the location of zoning districts where schools are currently allowed by right and where schools are allowed with approved special use permits. (Attachment C)

The applicant's original application is attached. (Attachment D)
After submittal of the application, ECVC revised the figure in letter C regarding frontage, from 500 feet to 450 feet.

Staff advises the Planning and Zoning Commission that this item is not an evaluation whether or not the ECVC facility has a legal nonconforming grandfathered land use as a school. ECVC wants to lease a portion of their building located at 901 Staton Rd. to a charter school. The charter school application indicates the school projects student enrollment for grades K-5 for 216 students in the first year and projects to enroll 468 students in grades K-8 in the tenth year of operation.

Upon receiving ECVC's text amendment application, staff was curious whether the property could be considered to accommodate a school use in light of the numerous and commendable activities that have taken place in the ECVC facility over the years. Staff encouraged the applicant to prepare a chronology of land use activities that have been conducted on the property throughout the years so that staff could ascertain whether a legal nonconforming grandfathered use could be determined which would avoid the need for a text amendment. As staff suggested, ECVC submitted such a chronology on March 31, 2015 requesting consideration of the property for educational purposes as a grandfathered use. The City's Zoning Ordinance and Zoning Map were adopted on May 8, 1969 which zoned the ECVC property IU (Unoffensive Industry) and the original ECVC facility was completed and opened for operation in 1970. The Community Development Department responded to ECVC's request in a letter dated April 8, 2015 that the City determined a school cannot be permitted in the ECVC facility as a legal nonconforming grandfathered land use. City staff

advised ECVC that they may appeal the City's interpretation by filing an Appeal of Administrative Decision to the Board of Adjustment. Attached are copies of the ECVC and City of Greenville correspondence, without attachments referenced in the City's letter, that detail ECVC's chronology of land use activities and the City staff's review and basis for denying the request to consider a school use a legal nonconforming grandfathered land use. (Attachment E)

Community Development staff objects to the proposed text amendment for the following three reasons: 1. Approval of the text amendment can lead to future limitations on industrial development; 2. Approval of the text amendment will introduce school students, faculty and staff to dangerous conditions typically associated with industrial districts; and 3. Approval of the text amendment would not be consistent with Horizons: Greenville's Community Plan. These three objections are detailed below.

1. Other non-residential land uses likely would also pursue text amendments applicable in the industrial zones due to the precedent set by school(s) in the industrial districts. This will have the result of reducing the availability of property developed for industrial uses. A reduction in lands developed for industrial uses will limit the function of industrial districts' full potential. Industrial buildings and vacant industrial sites interspersed with service and commercial uses will make it difficult for adjacent property having industrial zoning to develop, redevelop or expand industrial facilities since there will be concern of exposing school students, faculty and staff to noises, odor, large freight traffic and potentially dangerous materials and fumes associated with industrial uses. Such a reduction in the full potential of Greenville and Pitt County's industrial districts may limit industrial employment, production and industrial growth which is a vital segment of the local and regional economy. There are ample zoning districts within the City and ETJ where schools are allowed by right or with a special use district. (Attachment C, Map 4). Another charter school recently began construction in another location that did not require a text amendment to obtain permits.

The ECVC property is immediately adjacent to two large sites to the east zoned Industry while the remaining property bordering ECVC's property is zoned Unoffensive Industry. If this text amendment is approved and a subsequent special use is approved to allow a charter school to occupy the ECVC building and later expand to accommodate the schools projected growth up to 468 students in 10 years, it is likely there will be increased scrutiny on what industrial uses and operations adjacent properties will be subjected to than would otherwise occur without the encroachment of a school use in the ECVC facility.

2). Approval of special use permits for schools could potentially expose school students, staff and faculty to noises, odor, large freight traffic and potentially dangerous materials and fumes commonly associated with industrial uses. As an example, in 2003 the West Pharmaceutical Services facility in Kinston threatened a school within 0.7 miles from the facility during a large industrial accident. To reduce such threats between incompatible land uses, it is a commonly accepted planning practice to separate sensitive non-industrial types of uses, such as schools, from being located within or immediately adjacent to

property zoned for industry. The ECVC facility, where the charter school desires to locate, is almost in the geographic center of the recognized industrial district. (Attachment C, Map 2) The ECVC property is bound by two sites having the zoning district designation of Industry to the east while the remaining boundary of the ECVC parcel is zoned Unoffensive Industry.

3. In staff's opinion, the proposed Zoning Ordinance Text Amendment is NOT in compliance with: Horizons: Greenville's Community Plan, 2009-2010 Update, Implementation Review, Vision Areas, Northeast, Policy B4 which states, ***"Encourage new industry and support businesses in the recognized industrial area."***; Horizons: Greenville's Community Plan, 2004, Plan Elements, Urban Form and Land Use, Employment Areas, Policy 6(c) which states, ***"Industrial development shall not be located in areas which would diminish the desirability of existing and planned non-industrial uses, nor shall non-industrial uses be allowed to encroach upon existing or planned industrial sites. New industrial development shall be encouraged to locate in existing and/or planned industrial parks."*** and Horizons: Greenville's Community Plan, 2004, Implementation, Vision Areas, Northeast, Policy B9 which states, ***"Prohibit additional commercial use of land within the "Greenville Industrial Area" on lots or tracts located outside of commercial zoning districts. Specifically, special use permits for mobile home sales shall not be permitted within the "Greenville Industrial Area" on lots or tracts which are zoned to an industrial classification."***

The adopted Horizons Plan's Future Land Use Plan Map designates the designated industrial district and the majority of other property with the Unoffensive Industry and Industry zoning districts with an Industrial future land use classification. The Horizons Plan describes the Industrial classification as, ***"The land use plan supports the City's objective to locate the majority of industrial development north of the Tar River in the area designated as Greenville's Industrial Area and in the southwest quadrant in the southwest loop corridor. The only significant area where the land use plan supports new industrial growth is in these predetermined Industrial areas..."***

The Industrial land use category has associated zoning districts. These zoning districts specify the allowable uses for each of the land use categories. Within the Horizons Plan, the zoning districts listed in association with the Industrial Future Land Use category are Unoffensive Industry, Industry, Planned Unoffensive Industry and Planned Industry. A list of land uses currently permitted in the Unoffensive Industry and Industry zoning districts, by right, and with an approved special use permit are attached. (Appendix A)

Fiscal Note: No cost to the City.

Recommendation: Staff recommends denial of the proposed text amendment. In staff's opinion, the proposed Zoning Ordinance Text Amendment is NOT 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."

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 [Attachments A E and Appendix A to Schools In IU District Text Amendment 1001801](#)

Excerpt of Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A: Table of Uses) 8, Services - Showing Proposed Text Amendment to add Junior, Senior, Elementary, Kindergarten and Nursery Schools as Allowed Uses within the IU (Unoffensive Industry) Zoning District with Approved Special Use Permits, Indicated with the Addition of the Letter "S" in Subsections (8)g, h and i under the IU zoning district column.

(8) *Services.*

USE	LUC #	RA 20	R 15 S	R 9 S	R 6 S	R 6 N	R 9	R 6	R 6 A	R 6 M H	M I	M S	M O	M C G	M R	M C H	M R S	O R	O	C D	C D F	C G	C N	C H	I U	I	P I U	P I
a. Child day care facilities	3	S					S	S	S	S	S	S	S	S	S			S	S	S	S	S	S	S	S	S	S	S
b. Adult day care facilities	3	S					S	S	S	S	S	S	S	S	S			S	S	S	S	S	S	S	S	S	S	S
c. Funeral home	3																	P	P	P	P	P		P				
d. Cemetery	3	S	S	S	S	S	S	S	S	S																		
e. Barber or beauty shop	3												S	P		P		P	P	P	P	P	P	P				
f. Manicure, pedicure or facial salon	3												S	P		P		P		P	P	P	P	P				
g. School; junior and senior high (see also § 9-4-103)	3	S	S	S	S		S	S	S						S		S	P	P		P							<u>S</u>
h. School; elementary (see also § 9-4-103)	3	S	S	S	S		S	S	S						S		S	P	P		P							<u>S</u>
i. School; kindergarten or nursery (see also § 9-4-103)	3	S	S	S	S		S	S	S						S		S	P	P	S	P							<u>S</u>
j. College and other institutions of higher learning	3										P	S	S			S		P	S	P								
k. Business or trade schools	3																	P		P	P	P						
l. Convention center; private	3											S	S			S		S	S	S	S	S		S	S	S	S	S
m. Multi-purpose center	3							S	S																			
n. Auditorium	3												P			P		P		P	P			P	P	P	P	P
o. Church or place of worship (see also § 9-4-103)	2	P	P	P	P	P	P	P	P	P					P	P	P	P	P	P	P	P	P	P	P	S		
p. Library	3																	P	P	P	P							
q. Museum	3																	P	P	P	P	P		P				
r. Art gallery	3													P		P		P	P	P	P	P		P				



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 May 14, 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 Review, Economic Development, Objective 2(b) to encourage rehabilitation and reuse of commercial/industrial buildings;

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 D, Section 9-4-78 (Appendix A)(C)(8)g. of the City Code is hereby amended to add the use entitled "School: junior and senior high" as a special use in the IU (Unoffensive Industry) district.

Section 2: That Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A)(C)(8)h. of the City Code is hereby amended to add the use entitled "School: elementary" as a special use in the IU (Unoffensive Industry) district.

Section 3: That Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A)(C)(8)i. of the City Code is hereby amended to add the use entitled "School: kindergarten or nursery" as a special use in the IU (Unoffensive Industry) district.

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

- (B) Schools; public and private. Shall be subject to the bufferyard regulations; however, no principal or accessory building shall be located within 50 feet of any adjoining property or public street right-of-way line.
 - (1) Schools may be allowed as a special use in the IU (Unoffensive Industry) zoning district provided the school complies with the following additional criteria:
 - a. The property shall have a minimum of eight acres.
 - b. The maximum allowed building coverage shall be 40% of the property.
 - c. The property shall have a minimum public road frontage of 450 feet.
 - d. All loading and unloading of students shall be off-street.
 - e. All parking areas shall be off-street in accordance with Article O, Parking.
 - f. The school must be authorized by the State of North Carolina.

Section 5. 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 6. That this ordinance shall become effective immediately upon adoption.

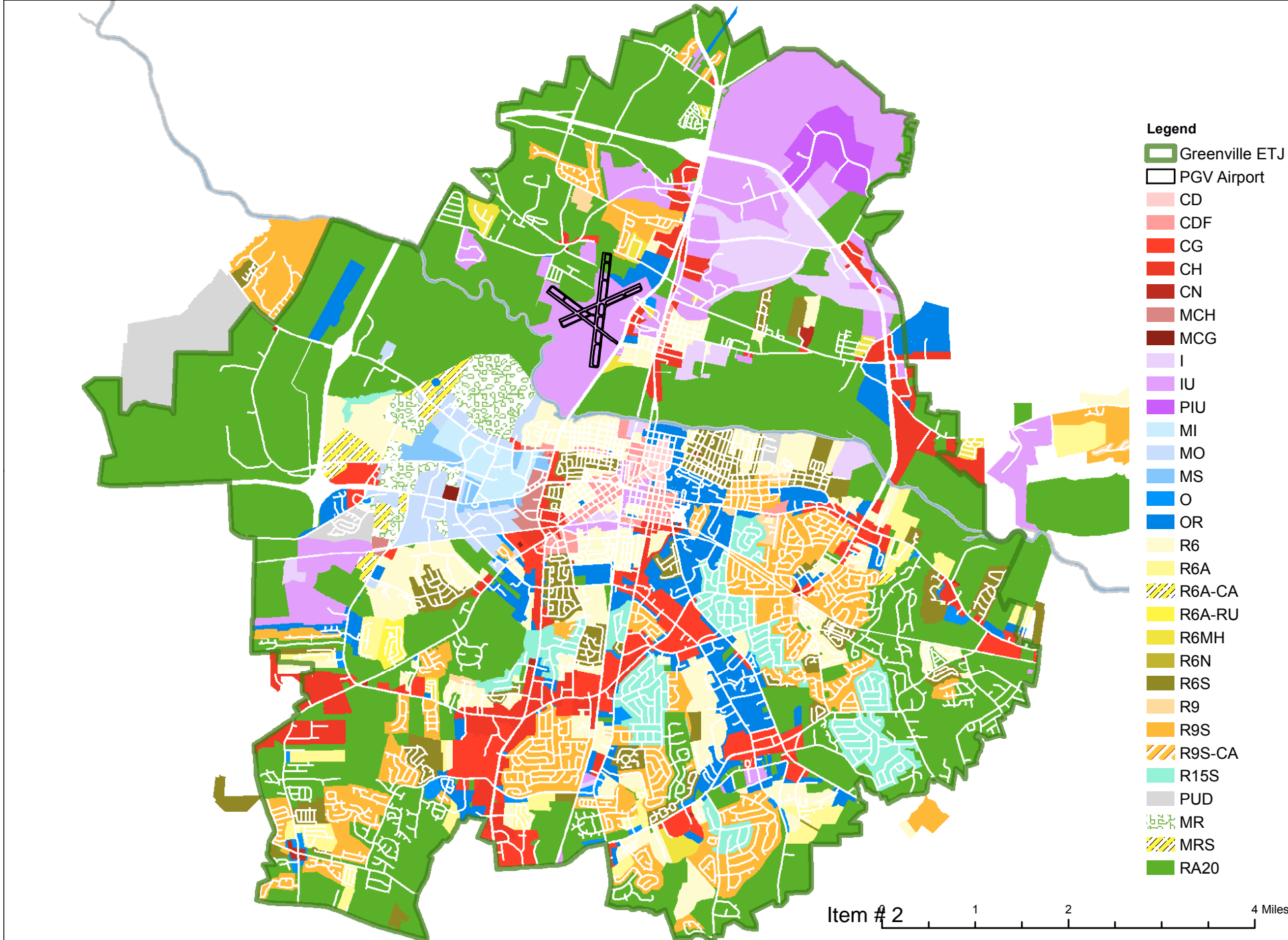
Adopted this 14th day of May, 2015.

Allen M. Thomas, Mayor

ATTEST:

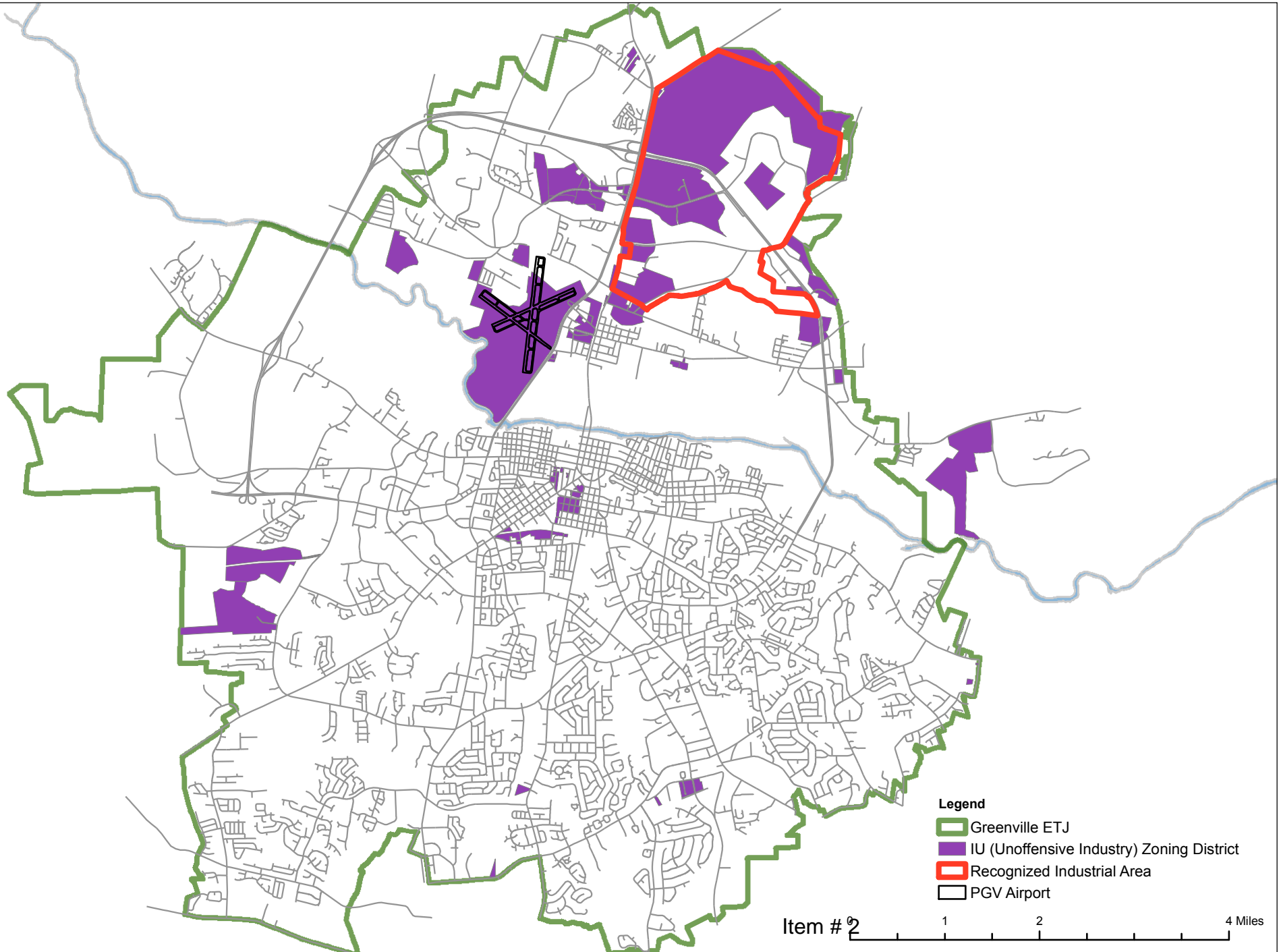
Carol L. Barwick, City Clerk

Map 1 - Zoning Districts

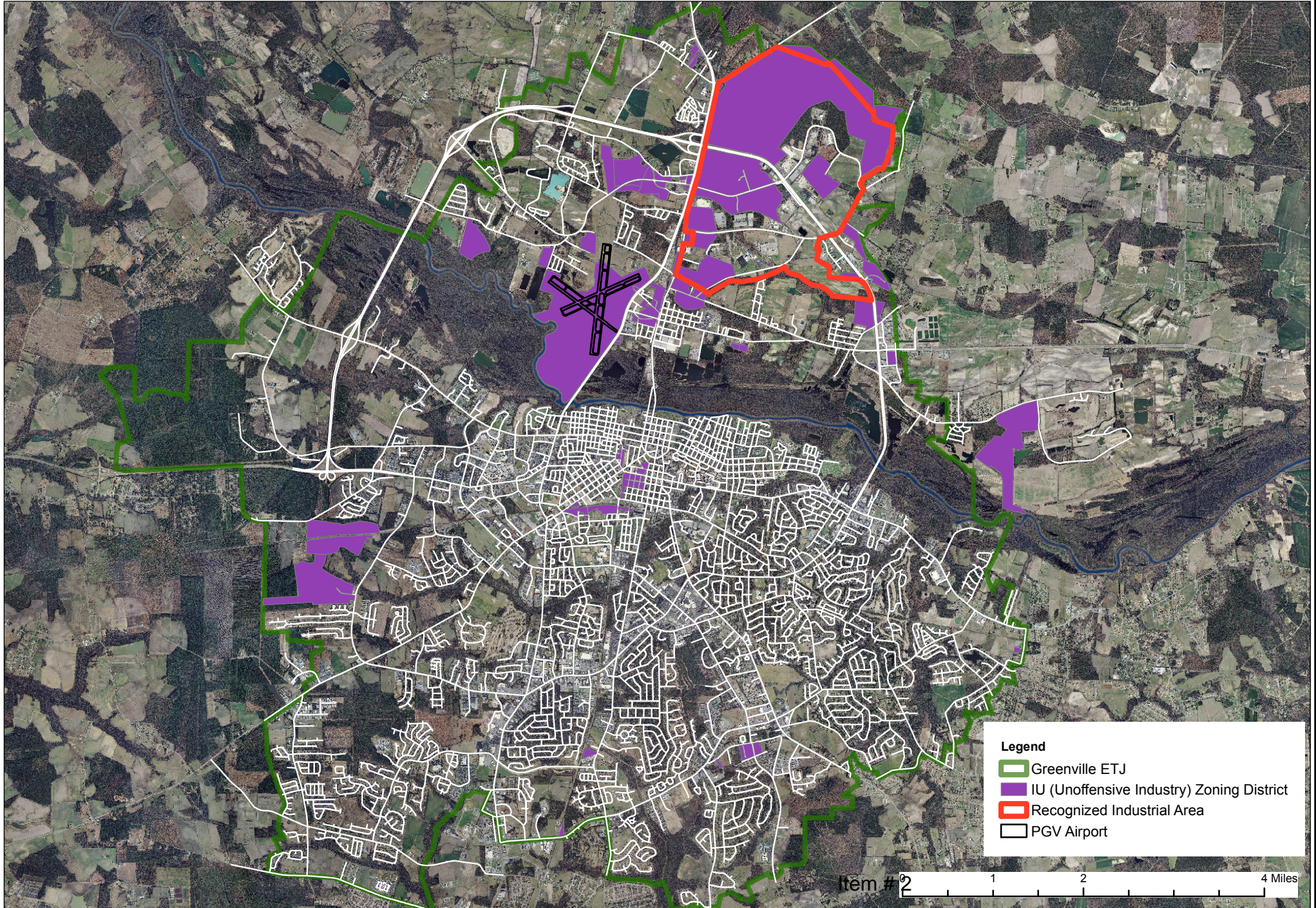


- Legend**
- Greenville ETJ
 - PGV Airport
 - CD
 - CDF
 - CG
 - CH
 - CN
 - MCH
 - MCG
 - I
 - IU
 - PIU
 - MI
 - MO
 - MS
 - O
 - OR
 - R6
 - R6A
 - R6A-CA
 - R6A-RU
 - R6MH
 - R6N
 - R6S
 - R9
 - R9S
 - R9S-CA
 - R15S
 - PUD
 - MR
 - MRS
 - RA20

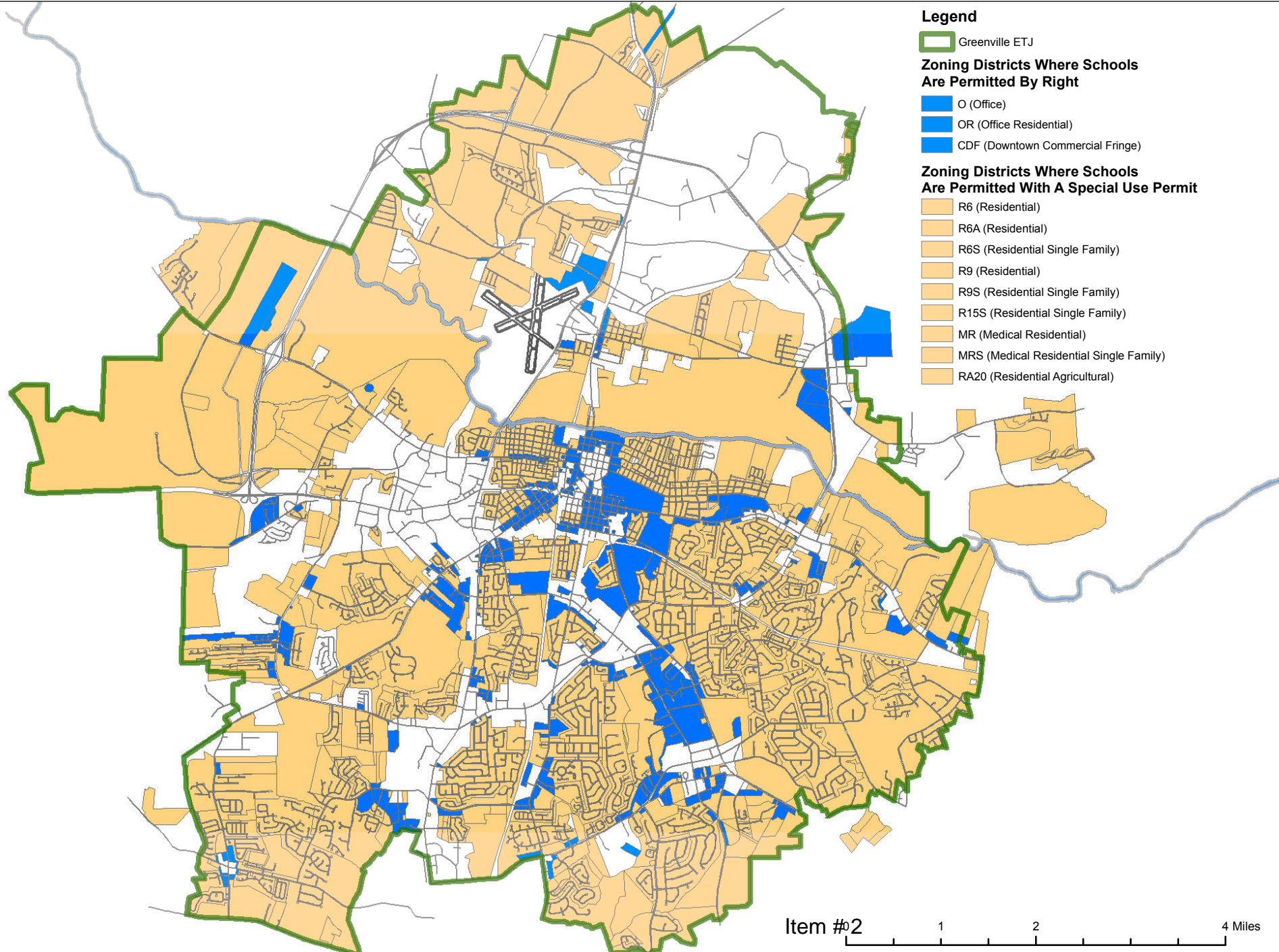
Item # 2 1 2 4 Miles



Map 3 - Location of IU (Unoffensive Industry) Zoning District with Aerial Photo



Map 4 - Zoning Districts Where Schools Are Currently Allowed



ATTACHMENT D



Date Received 3/24/2015
rw

CITY OF GREENVILLE
ZONING ORDINANCE TEXT AMENDMENT APPLICATION

Applicant Name(s) EASTERN CAROLINA VOCATIONAL CENTER, INC

Mailing Address PO BOX 425
ATTN: FRED T. MATOX
GREENVILLE, NC 27835

Contact Phone Number (301) 366-2217

Contact Fax Number (252) 752-0844

Zoning Ordinance Section Proposed to be Amended: Appendix A AND
SECTION 9.4.46

Reason for Request: TO ALLOW A SCHOOL TO USE A PORTION
OF 901 STATION ROAD FOR EDUCATIONAL PURPOSES.
TAX PARCEL 28877

Proposed Language of Text Amendment (attach additional pages if needed): _____

(A) TO AMEND APPENDIX "A" TO ALLOW A SCHOOL AS A SPECIAL
USE IN THE INDUSTRIAL ZONE SUBJECT TO SUCH
RESTRICTIONS IMPOSED BY THE BOARDS OF ADJUSTMENT

Fred T. Mattox, CHAIR.

Print Name

Fred T. Mattox

Signature of Applicant

3-23-15

Date

Attachment

Schools may be allowed as a special use in the IU zone provided:

A: The site contains at least 8 acres.

B: No more than 40% of the site be occupied by buildings.

C: Contains at least 500 feet of public road frontage.

D: Have all off street loading and unloading of students.

E: Have off street parking in accordance with the Greenville parking ordinance.

F: School must be authorized by the State Of North Carolina.



2100 North Greene Street
P.O. Box 1686
Greenville, NC 27835-1686

Where abilities overcome disabilities

Phone: (252) 758-4188
Fax: (252) 830-1260
Website: www.ECVCinc.com

March 31, 2015

Mr. Tom Wittenauer
Chief Planner
City of Greenville
201 W 5th Street
Greenville, NC 27858

Re: Ignite Innovation Academy

Dear Mr. Wittenauer,

Ignite Innovation Academy has a charter from the state of North Carolina to operate a school in Pitt County. The Academy desires to lease part of a building located at 901 Staton Road from Eastern Carolina Vocational Center (ECVC). The building has been used for instructional purposes since it was built.

Eastern Carolina Vocational Center was incorporated by the State of North Carolina on August 23, 1965. The corporation was organized "To provide personnel, services, and facilities for evaluation and training of mentally and physically handicapped persons..."

In 1970 Eastern Carolina Vocational Center (ECVC) began operations at 901 Staton Road in a building constructed for the training of mentally and physically handicapped persons. The building included an institutional size kitchen and dining area. The property has been continuously used for instructional purposes by ECVC and/or other entities ever since.

In 1975 the building was expanded to accommodate a welding shop and automotive repair center. Pitt Community College provided training in welding and automotive repair. The College also provided the instructors for the Adult Basic Education program. ECVC provided instructors for furniture refinishing, chair caning, recycling, and picture framing.

In 1982 another addition to the building was completed which included dormitory rooms to house 90 students with disabilities from counties in eastern North Carolina, a dining hall, and full service institutional kitchen. This building addition was used for instruction in food service preparation, health and fitness, and musical therapy. Food service instructors were funded by Pitt Community College. The health and fitness instruction was done by ECVC through a federal



grant. The musical therapy was done by East Carolina University. A volunteer provided pottery classes.

In 1983 ECVC leased the Aquatics and Fitness Center to the City of Greenville for \$1 per year. City employees and contractors to the City were the instructors for swimming and other fitness and nutrition classes at the Aquatics Center.

In 2006 ECVC sold the Aquatics and Fitness Center to the City of Greenville for \$1. Since that date formal classes have continued at the Center. The Greenville.gov web site lists fitness classes as one of the activities available at the Center. The Aquatics Center is attached to the 901 Staton Road building that Ignite Innovation Academy proposes to lease from ECVC for a period of four years.

For the last thirteen years ECVC's 901 Staton Road property has been leased by organizations for educational purposes. Examples are Pitt County Schools for the Alpha classes (2002-2011), Pitt County Schools for the HUGS classes (2009-2011), and Martin Community Action for the Head Start program (2002-2015).

The Creative Living Center has been housed at ECVC's Staton Road location since 2002. Creative Living Center is a day health program designed to enhance the quality of life for senior and disabled adults and provide an alternative to residential health care placement. This program includes daily activities designed to improve fine motor skills and hand-eye coordination, arts and crafts, and mind stimulation to improve cognitive functions.

The property at 901 Staton Road has been used for educational purposes continuously since 1970. ECVC respectfully requests that the property be grandfathered so as to allow ECVC to lease space to other educational entities for education purposes.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Jones", is written below the word "Sincerely,".

Bob Jones
ECVC President

CC: Mr. Fred T. Mattox
ECVC Board Chairman



COMMUNITY DEVELOPMENT
PLANNING DIVISION

April 8, 2015

Mr. Bob Jones, President
Eastern Carolina Vocational Center, Inc.
2100 North Greene St.
P.O. Box 1686
Greenville, NC 27835-1686

RE: Response to ECVC Letter dated March 31, 2015 Regarding Parcel # 028877

Dear Mr. Jones,

On March 24, 2015, an application for a text amendment to the City's zoning ordinance was submitted by Mr. Fred Mattox on behalf of Eastern Carolina Vocational Center, Inc. (ECVC). (Attachment A) During a meeting I had with Mr. Mattox on March 30 to discuss the application, I suggested he submit two additional items listed below. While meeting with Mr. Mattox, he handed me a newspaper article that reports the Ignite Innovation Academy, a proposed new charter school, is already registering students for kindergarten through fifth grade and will add a grade each year up to eighth grade. (Attachment B) The article states the school plans to open in the ECVC building located at 901 Staton Rd. (Parcel ID #028877) this fall. The purpose of this letter is to respond to your letter dated March 31, 2015 requesting that the ECVC property be grandfathered by the City so as to allow ECVC to lease space to other educational entities for education purposes.

1. The first item I suggested to Mr. Mattox is to provide a supplement to ECVC's application that establishes review criteria the Board of Adjustment (BOA) could use in reviewing special use applications for schools in an IU (Unoffensive Industry) zoning district. On March 31, 2015, Mr. Mattox provided a list of 6 items he proposes the BOA use in their review of schools in the IU (Unoffensive Industry) zoning district. (Attachment C)
2. The second item I suggested Mr. Mattox submit was a chronology of land use activities that have taken place on the property so I could ascertain whether an elementary school is a grandfathered legal nonconforming land use on ECVC's property. I felt like it was important to take time to research whether a charter school could go into the facility before we proceed with the text amendment. Your letter provided the information I requested of Mr. Mattox. (Attachment D) I reviewed your letter, the zoning history of the property, a text amendment from 1980 that was associated with ECVC, current zoning requirements and provisions in the zoning ordinance regarding grandfathered status findings. Attached is the full Article C from the City of Greenville Zoning Ordinance that addresses nonconforming situations. (Attachment E). I regret to inform you that I have determined, along with Mr. Merrill Flood's concurrence, that a charter school cannot be permitted in the ECVC facility as a legal nonconforming grandfathered land use. Following are points from my research for which our decision of denial is based.

1

Item # 2

The ECVC was being constructed simultaneously within the year the City of Greenville applied the zoning of IU to ECVC's property. The Zoning Ordinance and Zoning Map were adopted on May 8, 1969 (Attachment F) and the ECVC was completed and opened for operation in 1970. It is likely the City, if aware of the ECVC center, considered the vocational center grandfathered as there was a subsequent text amendment in 1980 to add a vocational rehabilitation center to the zoning ordinance. Although the ECVC center was in operation with an education component, it was not operated as an elementary school type of activity, but was provided as a vocational center. The November 13, 1980 text amendment to the zoning ordinance added a vocational rehabilitation center definition and use to the zoning ordinance as a permitted use in the IU district. The 1980 text amendment was submitted by ECVC. The amendment added vocational rehabilitation centers in the I (Industry) and IU (Unoffensive Industry) districts. Minutes from the September 24, 1980 Joint City-County Planning & Zoning Commission, minutes from the November 13, 1980 City Council meeting and ordinance #1014 to adopt the text amendment are attached. (Attachment G) The amendment was approved but did not imply an expansion of any type of elementary school type of component. Attached is an excerpt from the zoning ordinance, chapter 32 after the 1980 text amendment and through subsequent amendments up to 1991. (Attachment H)

Your letter notes that ECVC expanded in 1982 to include dormitory rooms to house students with disabilities, a dining hall and a kitchen. The City may have considered these expanded activities as accessory uses to the vocational rehabilitation center as permitted by the new zoning regulations adopted in the 1980 text amendment noted above. Now that the vocational rehabilitation center has relocated out of the building, the continuation of accessory uses or a transition of such accessory uses into an elementary school use without the existence of the primary use the accessory use is permitted to serve, i.e., the vocational center, does not perpetuate and extend a grandfathered accessory use into another otherwise prohibited use.

The chronology provided in your letter goes on to list the 1983 lease for the City of Greenville Aquatics and Fitness Center which would have complied with Sec. 32-67(aa) as a "Municipal government building, use or facility." As you stated in your letter, the City went on to purchase a portion of the building and property in 2006. The operation of the Aquatics and Fitness Center and the fitness classes the City offers are still in compliance with the current version of the zoning ordinance Table of Uses, Appendix (4) (b) and (c). (Attachment I) The Fitness Center's fitness classes are not the elementary school type of component as the Ignite Innovation Academy presently proposes and a charter school is not considered a government use or facility.

As your letter goes on to list, for the last 13 years, the ECVC has been leased by Pitt County Schools for their HUGS and Alpha classes. I understand HUGS is a summer pre-K class series for autistic preschoolers named Helping Us Grow Successfully. The Pitt County website indicates the location of classes are now held at the Sadie Saulter Education center on Spruce Street. The County Schools' website lists the Alpha Center as an alternative education program for students enrolled in kindergarten through eighth grade but does not list their current location. If the City were aware of these Pitt County Schools education programs in the ECVC building, those classes may have been considered to be consistent with the same application as the fitness center as a government use.

The Martin Community Action for the Head Start program may be considered a Child Day Care Facility which is an allowed special use in the IU zoning district as set forth in the zoning ordinance Table of Uses, Appendix (8)a. However, the Board of Adjustment (BOA) application cases does not record that a special use permit was ever reviewed by the BOA which would have been required prior to their occupancy. Therefore, listing this operation does not provide any support toward the proposed inquiry

whether the Ignite Innovation Academy may be allowed under an existing legal nonconforming use as the Head Start program review by the City is not documented.

The Creative Living Center program may be considered as an Adult Day Care Facility which is an allowed special use in the IU zoning district as set forth in the zoning ordinance Table of Uses, Appendix (8)a. However, I could not find any record of when such as a special use permit was reviewed or approved by the Board of Adjustment as would have been required prior to their occupancy. Therefore, listing this operation does not provide any support toward the proposed inquiry whether the Ignite Innovation Academy may be allowed under an existing legal nonconforming use as the Creative Living Center Start program review by the City is not documented and of course is catered to adult patrons rather than elementary school age children.

The City has the following records of special use permit applications that were submitted for proposed uses at 901 Staton Rd: On March 26, 1992 the Board of Adjustment approved a church use by the applicant, Christ Presbyterian Church; on November 11, 1992, the Board of Adjustment approved a maternity home use by the applicant, Eastern NC Maternity Home; on April 27, 1995, the Board of Adjustment approved a church use by the applicant, Christ Presbyterian Church; and in 2008, a special use permit for a child day care facility was submitted, but was withdrawn.

I agree that ECVC has provided years of educational uses for very worthy causes that have likely changed lives for decades. However, the types of education, the ages of students served, and documented and undocumented operations do not demonstrate sufficient evidence that a charter elementary school may locate in the ECVC building as a legal nonconforming grandfathered use. You have the right to appeal the City's interpretation by filing an Appeal of Administrative Decision. Such appeals are reviewed by the Board of Adjustment (BOA) and there is a \$500 fee which is only refundable if the BOA finds in favor of an applicant.

Section 9-4-13 states that 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. (Attachment J) Prior zoning provisions never implied that an elementary school was a permitted use in the IU (Unoffensive Industry) district and as such the current zoning provisions have not repealed rights as referenced in Sec. 9-4-15. (Attachment K). As you know the parcel ECVC currently owns, addressed 901 and 905 Staton Road and having the parcel identification number 028877 is currently zoned IU (Unoffensive Industry) as shown on the attached map. (Attachment L). The definition for the IU district is attached along with the Table of Uses. (Attachment M).

The only way to seek approval of an elementary school in the IU zoning district is to apply for a text amendment to change the zoning provisions which Mr. Mattox's application received on 3/24/2015 seek to accomplish. Planning Division staff will resume review and processing of the text amendment application and will put it on the April 21, 2015 Planning and Zoning Commission agenda.

Sincerely,



Thomas Weitnauer, AICP, Chief Planner

Attachments

cc: Merrill Flood
Dave Holec
Fred Mattox

APPENDIX A- Illustrative List of Uses For Unoffensive Industry and Industry Zoning Districts

(Last updated on 3/12/08 For Official Table of Uses, See Section 9-4-78 of the City Code)

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

Doc. # 72878

1. To be used for comparative purposes only, not for official use.
2. Special Uses require special use permit approval of the Board of Adjustment with the exception of Land Use Intensity Multi-Family applications, which are considered by the Planning and Zoning Commission.
3. See Title 9, Chapter 4, Article D, Table of Uses, of the Greenville City Code for an official table of district uses.

A-1

- nn. Industrial laundries
- y. Television, and/or radio broadcast facilities including receiving and transmission equipment and towers or cellular telephone and wireless communication towers [unlimited height, except as provided by regulations]

(9) Repair:

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

(10) Retail Trade:

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

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

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

(12) Construction:

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

(13) Transportation:

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

(14) Manufacturing/ Warehousing:

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

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

* None

Doc. # 72878

1. To be used for comparative purposes only, not for official use.
2. Special Uses require special use permit approval of the Board of Adjustment with the exception of Land Use Intensity Multi-Family applications, which are considered by the Planning and Zoning Commission.
3. See Title 9, Chapter 4, Article D, Table of Uses, of the Greenville City Code for an official table of district uses.

A-2

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

Doc. # 72878

1. To be used for comparative purposes only, not for official use.
2. Special Uses require special use permit approval of the Board of Adjustment with the exception of Land Use Intensity Multi-Family applications, which are considered by the Planning and Zoning Commission.
3. See Title 9, Chapter 4, Article D, Table of Uses, of the Greenville City Code for an official table of district uses.

A-3

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:

Doc. # 72878

- 1. To be used for comparative purposes only, not for official use.
- 2. Special Uses require special use permit approval of the Board of Adjustment with the exception of Land Use Intensity Multi-Family applications, which are considered by the Planning and Zoning Commission.
- 3. See Title 9, Chapter 4, Article D, Table of Uses, of the Greenville City Code for an official table of district uses.

A-4

- 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

Doc. # 72878

1. To be used for comparative purposes only, not for official use.
2. Special Uses require special use permit approval of the Board of Adjustment with the exception of Land Use Intensity Multi-Family applications, which are considered by the Planning and Zoning Commission.
3. See Title 9, Chapter 4, Article D, Table of Uses, of the Greenville City Code for an official table of district uses.

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- 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

Doc. # 72878

A-6

1. To be used for comparative purposes only, not for official use.
2. Special Uses require special use permit approval of the Board of Adjustment with the exception of Land Use Intensity Multi-Family applications, which are considered by the Planning and Zoning Commission.
3. See Title 9, Chapter 4, Article D, Table of Uses, of the Greenville City Code for an official table of district uses.

Item # 2

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

Doc. # 72878

A-7

1. To be used for comparative purposes only, not for official use.

2. Special Uses require special use permit approval of the Board of Adjustment with the exception of Land Use Intensity Multi-Family applications, which are considered by the Planning and Zoning Commission.

3. See Title 9, Chapter 4, Article D, Table of Uses, of the Greenville City Code for an official table of district uses. **Item # 2**



City of Greenville, North Carolina

Meeting Date: 4/21/2015
Time: 6:30 PM

Title of Item: Ordinance requested by the North Carolina Department of Transportation to amend the Future Land Use Plan Map from an office/institutional/multi-family (OIMF) category to an industry (I) category for the property located at the northwest corner of the intersection of North Memorial Drive and West Belvoir Road containing 30 acres.

Explanation: **Abstract:** The City has received a request by the North Carolina Department of Transportation to amend the Future Land Use Plan Map from an office/institutional/multi-family (OIMF) category to an industry (I) category for the property located at the northwest corner of the intersection of North Memorial Drive and West Belvoir Road containing 30 acres.

History/Background:

In 1969, the property was zoned IU (Unoffensive Industry). In 1979, as part of the Belvoir Highway Study, the property was rezoned to OR. A section of Belvoir Highway was abandoned and was incorporated into the airport property. This resulted in the current terminus of Belvoir Highway at Haw Drive.

The current Future Land Use Plan Map (FLUPM) was adopted in 2004.

Comprehensive Plan:

The subject property is located in Vision Area A. It is not located in the recognized Industrial Area.

The FLUPM recommends office/institutional/multifamily (OIMF) at the northwest corner of the intersection of North Memorial Drive and West Belvoir Road with commercial (C) and conservation/open space (COS) to the north, industry (I) to the south and low density residential (LDR) to the west.

The land use plan map supports the City's objective to locate the majority of industrial development north of the Tar River in the area designated at

Greenville's Industrial Area and in the southwest quadrant in the southwest loop corridor. Industries are encouraged to incorporate buffers into their zoning and development plans.

North Memorial Drive is designated as a gateway corridor from West Third Street continuing north. Gateway corridors serve as primary entranceways into the City and help define community character. These roads are designed to carry high volumes of traffic through and across the City.

Urban Form Objectives

UF 21. To provide transition buffers and/or zoning between incompatible land uses.

Land Use Implementation Strategies

2(d). Industrial development should be located to and/or direct access to major thoroughfares. Good neighbor industries will be permitted with property buffering and environmental mitigation. Industries that produce excessive noise, pollution, vibrations, light, or other public nuisances should not be located near residential areas.

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 adjacent non-residential land use where a zoning transition buffer such as office (O) and office-residential (OR) zoning is not a practical option.

The Horizons: Greenville's Community Plan 2010 Update provides criteria in determining if a change to the FLUPM is compatible.

The following are excerpts from the 2010 Update.

A FLUPM amendment request will be construed to be "compatible with the comprehensive plan" if:

(i) The proposed amendment is determined by Planning and Zoning Commission and City Council to be necessary as a result of changed conditions in the local development pattern, street pattern, environment or other major feature or plan, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the Current FLUPM; and

(ii) The location of the proposed classification(s) support the intent and objective of the current FLUPM, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan; and

(iii) The resulting anticipated land use is properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing land and future neighborhoods and businesses within and in proximity to the area of proposed amendment; and

(iv) The amendment is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.

Environmental Conditions/Constraints:

The subject property is impacted by the 500-year floodplain associated with the Tar River.

Surrounding Land Uses and Zoning:

North: CH and R6 - Vacant

South: OR - Pitt-Greenville Airport (runway) and NC Department of Corrections

East: RA20 - NC DOT facility

West: CN - One (1) single-family residence; R6MH - Three (3) single-family residences and two (2) mobile home residences

Thoroughfare/Traffic Volume (Summary):

Based on the analysis comparing the existing land use (2,793 daily trips) and requested land use, the proposed land use classification could generate 1,106 trips to and from the site on Memorial Drive, which is a net *decrease* of 1,687 less trips per day. Since the traffic analysis for the requested land use indicates that the proposal would generate less traffic than the existing land use, a traffic volume report was not generated.

Additional Staff Comments:

Of primary concern is the protection of the abutting residential neighborhood to the west. The current zoning of OR (office-residential [high density multi-family]) provides the intended buffer for the neighborhood.

The subject property is impacted by its proximity to one of the runways for Pitt-Greenville Airport located to the south. Due to the size (30+/- acres), location and mitigating factors associated with the subject property, the current zoning of OR could limit any potential development of the property.

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

The inclusion of transitional zoning or other private conditions of development

that are agreeable to the affected neighborhood may accomplish the intent of the plan to protect the neighborhood.

Fiscal Note: No cost to the City.

Recommendation: In consideration of the criteria listed in the 2010 Update regarding requests to amend the Future Land Use Plan Map and mitigating factors as previously mentioned, staff's opinion is that the request is **incompatible** with the comprehensive plan based on the following criteria listed in the 2010 Update. The proposed I category:

(i) is not necessary as a result of changed conditions in the local development pattern, street pattern, environment or other major feature or plan, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the Current FLUPM as determined by Planning and Zoning and City Council; and

(ii) does not support the intent and objective of the current FLUPM, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan; and

(iii) is not properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing land and future neighborhoods and businesses within and in proximity to the area of proposed amendment; and

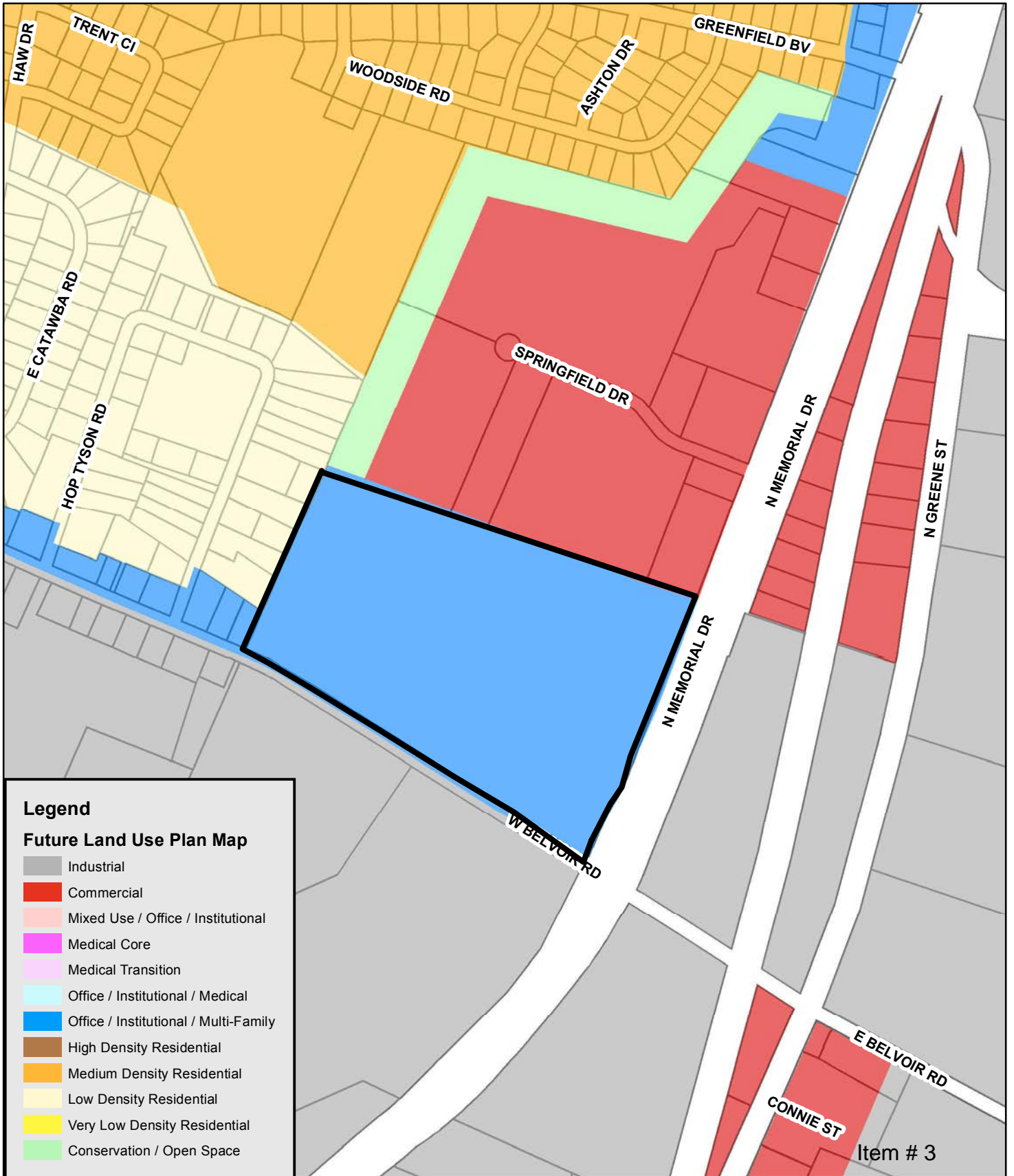
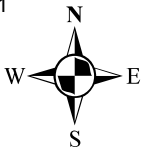
(iv) is not anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.

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

Attachments / click to download

 [Location Map](#)

North Carolina Department of Transportation
From: Office/institutional/multi-family (OIMF)
To: Industry (I)
30 acres
April 7, 2015



Legend

Future Land Use Plan Map

- Industrial
- Commercial
- Mixed Use / Office / Institutional
- Medical Core
- Medical Transition
- Office / Institutional / Medical
- Office / Institutional / Multi-Family
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Very Low Density Residential
- Conservation / Open Space

Item # 3