



Agenda

Greenville City Council

February 11, 2016
6:00 PM
City Council Chambers
200 West Fifth Street

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

I. Call Meeting To Order

II. Invocation - Council Member Calvin Mercer

III. Pledge of Allegiance

IV. Roll Call

V. Approval of Agenda

- **Public Comment Period**

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

VI. Appointments

1. Appointments to Boards and Commissions

VII. New Business

Public Hearings

2. Ordinance requested by Beacon Investments, LLC to rezone 1.412 acres located along the northern right-of-way of Old Fire Tower Road and 550± feet east of County Home Road from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family])

3. Ordinance requested by Greenville Utilities Commission to rezone 1.041+/- acres located at the northwest corner of the intersection of West 5th Street and South Pitt Street from CDF (Downtown Commercial Fringe) to CD (Downtown Commercial)
4. Ordinance requested by Taft-Ward Investments, LLC ETAL to add an Urban Core (UC) Overlay District for 4.22+/- acres located south of East 10th Street, west of Charles Street, and east of Charles Boulevard, currently zoned as CDF (Downtown Commercial Fringe)
5. Ordinance to amend the Zoning Ordinance by adding a Dormitory Development as an allowed land use within the CDF (Downtown Commercial Fringe) zoning district - UC (Urban Core Overlay), subject to an approved special use permit, and establishing specific criteria

Other Items of Business

6. Resolution approving the issuance of up to \$73,500,000 Greenville Utilities Commission Combined Enterprise System Revenue and Refunding Bonds, Series 2016
7. Ordinance Amending the Penalty for Overtime Parking in the Downtown Area and Ordinance Eliminating the Two-Hour Parking Limit in the Fourth Street Parking Garage

VIII. Comments from Mayor and City Council

IX. City Manager's Report

X. Adjournment



City of Greenville, North Carolina

Meeting Date: 2/11/2016
Time: 6:00 PM

Title of Item: Appointments to Boards and Commissions

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

Explanation: City Council appointments need to be made to the Affordable Housing Loan Committee, Environmental Advisory Commission, Historic Preservation Commission, Housing Authority, Human Relations Council, Public Transportation & Parking Commission, and Youth Council.

Fiscal Note: No direct fiscal impact.

Recommendation: Make appointments to the Affordable Housing Loan Committee, Environmental Advisory Commission, Historic Preservation Commission, Housing Authority, Human Relations Council, Public Transportation & Parking Commission, and Youth Council.

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[Muni_Report_2015_Appointments_to_Boards_and_Commissions_998631](#)

Appointments to Boards and Commissions

February 2016

Affordable Housing Loan Committee

Council Liaison: Council Member Calvin Mercer

Name	District #	Current Term	Reappointment Status	Expiration Date
Howard Conner	4	Second term	Ineligible	Feb. 2016
Melissa Grimes	1	Second term	Ineligible	April 2015

Environmental Advisory Commission

Council Liaison: Council Member McLean Godley

Name	District #	Current Term	Reappointment Status	Expiration Date
David Kimmel	5	First term	Resigned	April 2016

Historic Preservation Commission

Council Liaison: Mayor Pro Tem Kandie Smith

Name	District #	Current Term	Reappointment Status	Expiration Date
Alice Arnold	3	Unexpired term	Eligible	January 2016
Roger Kammerer	3	Second term	Ineligible	January 2016
Ryan Webb	5	Second term	Ineligible	January 2016
Brittany Whitney	5	Filling unexpired term	Resigned	January 2017

Housing Authority

Council Liaison: Mayor Pro Tem Kandie Smith

Name	District #	Current Term	Reappointment Status	Expiration Date
Gordon Darragh (Council Member McLean Godley)	4	Unexpired term	Resigned	May 2017

Human Relations Council

Council Liaison: Council Member Rose Glover

Name	District #	Current Term	Reappointment Status	Expiration Date
Inez Dudley	2	First term	Resigned	Sept. 2017
Robert Hudak	4	Second term	Ineligible	Sept. 2014
Maurice Whitehurst <i>(Pitt Community College)</i>	2	Second term	Did not meet attendance Requirement	Oct. 2015

Public Transportation & Parking Commission

Council Liaison: Council Member Rick Smiley

Name	District #	Current Term	Reappointment Status	Expiration Date
W. Scott Alford	4	Filling unexpired term	Resigned	January 2016

Youth Council

Council Liaison: Council Member Calvin Mercer

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

Applicants for Affordable Housing Loan Committee

Crystal M. Kuegel
1200 B Glen Arthur Avenue
Greenville, NC 28540

Application Date: 2/23/2015

Home Phone: (910) 258-3710

Business Phone: (252) 558-2887

Email: crystal.kuegel@gmail.com

District #: 4

Applicants for Environmental Advisory Commission

Orrin Allen Beasley
3601 Live Oak Lane
Greenville, NC 27858

District #: 5

Elaine U. Brestel
106 Christenbury Drive
Greenville, NC 27858

District #: 4

Sherryl Gregory
1303 E. 10th Street Apt N
Greenville, NC 27858

District #:

Wendy Klein
318 Rutledge Road
Greenville, NC 27858

District #: 4

Matthew Mellis
529 Spring Forest Road Apt. H
Greenville, NC

District #: 1

Application Date: 12/8/2015

Home Phone: (252) 216-6099
Business Phone: (252) 216-6099
Email: oab0119@gmail.com

Application Date: 1/21/2014

Home Phone: (252) 752-2255
Business Phone:
Email: ebrestel@suddenlink.net

Application Date: 2/3/2014

Home Phone: (252) 559-9049
Business Phone:
Email:

Application Date: 2/10/2014

Home Phone: (252) 329-7005
Business Phone: (252) 902-9005
Email: wakspg1@suddenlink.net

Application Date: 3/6/2014

Home Phone: (252) 702-3429
Business Phone: (252) 752-5938
Email: mellism@pitt.k12.nc.us

Applicants for Historic Preservation Commission

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

Application Date: 8/8/2014

District #: 3

Home Phone:
Business Phone:
Email: jamitressbowden@gmail.com

Jake Postma
108 S. Harding Street
Greenville, NC 27858

Application Date: 7/23/2015

District #: 3

Home Phone: (252) 439-2303
Business Phone:
Email: videoman9@yahoo.com

Tyrone O. Walston
2706 Webb Street
Greenville, NC 27834

Application Date: 6/6/2014

District #: 2

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

Applicants for Housing Authority

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

Application Date: 8/8/2014

District #: 3

Home Phone:
Business Phone:
Email: jamitressbowden@gmail.com

Bridget Moore
4128A Bridge Court
Winterville, NC 28590

Application Date: 8/28/2014

District #: 5

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

Applicants for Human Relations Council

Crystal M Kuegel
1200 B Glen Arthur Avenue
Greenville, NC 28540

Application Date: 2/23/2015

District #: 4

Home Phone: (252) 885-9245
Business Phone: (252) 885-9245
Email: crystal.kuegel@gmail.com

Deborah J. Monroe
1308 Old Village Road
Greenville, NC 27834

Application Date: 1/15/2015

District #: 1

Home Phone: (252) 714-0969
Business Phone:
Email: debj.monroe@gmail.com

Bridget Moore
4128A Bridge Court
Winterville, NC 28590

Application Date: 8/28/2014

District #: 5

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

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

Application Date:

District #: 5

Home Phone: (252) 412-4584
Business Phone:
Email:

Applicants for Public Transportation and Parking Commission

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

Application Date: 12/10/2014

Home Phone: (252) 752-5278

Business Phone:

Email: kiltedmile@aol.com

District #: 3

Youth Council

None.



City of Greenville, North Carolina

Meeting Date: 2/11/2016
Time: 6:00 PM

Title of Item: Ordinance requested by Beacon Investments, LLC to rezone 1.412 acres located along the northern right-of-way of Old Fire Tower Road and 550± feet east of County Home Road from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family])

Explanation: **Abstract:** The City has received a request from Beacon Investments, LLC to rezone 1.412 acres located along the northern right-of-way of Old Fire Tower Road and 550± feet east of County Home Road from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family]).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on January 4, 2016.

On-site sign(s) posted on January 4, 2016

City Council public hearing notice (property owner and adjoining property owner letter) mailed on January 26, 2016.

Public hearing legal advertisement published on February 1 and February 8, 2016.

Comprehensive Plan:

The subject area is located in Vision Area D.

The Future Land Use Plan Map recommends commercial (C) at the intersection of Arlington Boulevard and Fire Tower Road transitioning to office/institutional/multi-family (OIMF) as a buffer to the residential-only areas extending from this intersection.

There is a designated regional focus area at the intersection of Arlington Boulevard and Fire Tower Road. These areas are intended to contain 400,000+ square feet of conditioned floor space.

County Home Road is designated as a connector corridor at its intersection with Fire Tower Road and transitions to a residential corridor at intersection with Bells Chapel Road. Connector corridors are anticipated to contain a variety of higher intensity activities and uses, whereas residential corridors are preferred to accommodate lower intensity residential uses.

The Comprehensive Plan states: "Office/Institutional/Multi-family land uses should be developed along transportation thoroughfares to provide transition between commercial nodes and to preserve vehicle carrying capacity. Office/Institutional/Multi-family development should be used as a buffer between light industrial and commercial development and adjacent lower density residential land uses."

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

Based on possible use permitted by the requested rezoning, the proposed rezoning classification could generate 133 trips to and from the site via County Home Road, which is a net increase of 76 additional trips per day.

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

History/Background:

In 1972, the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned RA20 (Residential-Agricultural).

Present Land Use:

One (1) mobile home residence and one (1) vacant lot.

Water/Sewer:

Water and sanitary sewer are available.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

There are no known environmental constraints.

Surrounding Land Uses and Zoning:

North: CG - Fire Tower Junction
South: OR - One (1) single-family residence and one (1) vacant lot
East: OR - Vacant
West: RA20 - Vacant

Density Estimates:

Under the current zoning (RA20), staff would anticipate the site to yield no more than six (6) single-family lots.

Under proposed zoning (OR), staff would anticipate the site to yield 15-20 multi-family units (1, 2 and 3 bedroom units).

The anticipated build-out is 1-2 years.

Fiscal Note:

No cost to the City.

Recommendation:

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

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

The Planning and Zoning Commission voted to approve the request at its January 19, 2016 meeting.

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

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

Motion to deny the request to rezone and to make a finding and determination that the rezoning request is inconsistent with the adopted comprehensive plan including, but not limited to, Objective M1 to reduce existing traffic congestion and safety problems and Objective UF 10 to provide transitional zoning between focus areas, and further that the denial of the rezoning request is reasonable and in the public interest due to the rezoning request does not promote, in addition to the furtherance of other goals and objectives, the safety and general welfare of the community by locating office/institutional/multi-family uses along transportation thoroughfares to provide transition between commercial nodes and to preserve vehicle carry capacity.

Note: In addition to the other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the

existing and proposed zoning districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

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

Attachments / click to download

- [Attachments](#)
 - [Ordinance Beacon Investments LLC 1020158](#)
 - [Minutes Beacon Investments LLC 1020160](#)
 - [List of Uses RA20 to OR 966797](#)
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ORDINANCE NO. 16-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 11th day of February, 2016, at 6:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Objective M1 to reduce existing traffic congestion and safety problems and Objective UF 10 to provide transitional zoning between focus areas; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, promote the safety and general welfare of the community by locating office/institutional/multi-family uses along transportation thoroughfares to provide transition between commercial nodes and to preserve vehicle carry capacity; and

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

Section 1. That the following described territory is rezoned from RA20 (Residential-Agricultural) to OR (Office-Residential).

TO WIT: Beacon Investments, LLC Properties.

LOCATION: Located along the northern right-of-way of Old Fire Tower Road and 550+/- feet east of County Home Road.

DESCRIPTION: Beginning at an existing iron stake on the northern right-of-way of NCSR 2235 (Old Firetower Road), said iron stake being the southwestern corner of the Beacon Investments, LLC Property as described in Deed Book 3164, Page 280 of the Pitt County Register of Deeds, said iron stake being located N 01°50'00" W 29.93' from an existing PK Nail in the centerline of NCSR 2235 (Old Firetower Road), said PK Nail being located N 83°47'27" E 680.59' as measured along the centerline of NCSR 2235 (Old Firetower Road) from an existing PK Nail located in the centerline intersection of NCSR 1725 (County Home Road) and NCSR 2235 (Old Firetower Road). From the above described beginning, so located, running thence as follows:

With the northern right-of-way of NCSR 2235 (Old Firetower Road) S 83°24'10" W 109.75' to and existing iron pipe at the southeastern corner of the Wren Locke Sr. Estate, Bush Sadie Executrix, Etal Property as described in Deed Book 107, Page 660 of the Pitt County Register of Deeds, thence leaving the northern right-of-way of NCSR 2235 (Old Firetower Road) and with the eastern line of said Wren Locke Sr. Estate, Bush Sadie Executrix, Etal Property, N 01°52'26" W 562.30' to a point on the southern line of the Firetower, LLC Property as described in Deed Book 3376, Page 798 of the Pitt County Register of Deeds, thence with the southern line of said Firetower, LLC Property, N 84°27'35" E 110.00' to a point at the northwestern corner of the Beacon Investments, LLC Property as referenced above, thence leaving the southern line of the Firetower, LLC Property and with the western line of said Beacon Investments, LLC Property, S 01°50'00" E 560.30' to the point of beginning containing 1.412 acres.

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

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

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

ADOPTED this 11th day of February, 2016.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk
Doc. # 1020158

Excerpt from the DRAFT Planning & Zoning Commission Minutes (01/19/2016)

ORDINANCE REQUESTED BY BEACON INVESTMENTS, LLC TO REZONE 1.412 ACRES LOCATED ALONG THE NORTHERN RIGHT-OF-WAY OF OLD FIRE TOWER ROAD AND 550± FEET EAST OF COUNTY HOME ROAD FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO OR (OFFICE-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. It is located south of Fire Tower Road and east of County Home Road and contains two parcels. There is a mobile home on the front parcel and the other parcel is vacant. This area contains a variety of uses. The intersection of Fire Tower Road and Arlington Boulevard is designated as a regional focus area, which is where commercial is anticipated and encouraged. This rezoning could generate an increase of 76 trips per day. Under the current zoning, the property could accommodate less than five single-family lots. Under the proposed zoning, the property could accommodate 15-20 multi-family units. The Future Land Use Plan Map recommends commercial at the intersection of Fire Tower Road and Arlington Boulevard transitioning to office/institutional/multi-family (OIMF) as a buffer to the interior residential areas. There is OR zoning adjacent to the rezoning site. OR zoning is considered part of the office/institutional/multi-family (OIMF) land use category. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan the Future Land Use Plan Map.

Chairman Parker opened the public hearing.

Mike Baldwin, Baldwin Design Consultants, representative of the applicant, stated that the applicant also owns the adjacent property to the east. The intent is to combine the properties together in order to develop them. Water and sanitary sewer are already available. There is minimal traffic increase.

No one spoke in opposition.

Chairman Parker closed the public hearing.

Motion made by Ms. Reid, 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 passed unanimously.

EXISTING ZONING

RA20 (Residential-Agricultural)

Permitted Uses

(1) General:

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

(2) Residential:

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

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

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical: None*

(8) Services:

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

(9) Repair: None*

(10) Retail Trade: None*

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

(12) Construction:

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

(13) Transportation: None*

*(14) Manufacturing/ Warehousing: * None*

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

RA20 (Residential-Agricultural)

Special Uses

- (1) General:* None*

(2) Residential:

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

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

- b. Greenhouse or plant nursery; including accessory sales

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical: None*

(8) Services:

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

(9) Repair: None*

(10) Retail Trade: None*

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

(12) Construction: None*

(13) Transportation: None*

*(14) Manufacturing/ Warehousing: * None*

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

PROPOSED ZONING

OR (Office-Residential)

Permitted Uses

(1) General:

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

(2) Residential:

- b. Two-family attached dwelling (duplex)
- c. Multi-family development per Article 1
- k. Family care home (see also section 9-4-103)
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- p. Board or rooming house
- q. Room renting

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

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- b. Operational/processing center
- c. Office; customer service not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed

(8) Services:

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- j. College or other institutions of higher learning
- k. Business or trade school
- n. Auditorium
- o. Church or place of worship (see also section 9-4-103)
- p. Library
- q. Museum
- r. Art Gallery
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- x. Dance studio
- bb. Civic organizations
- cc. Trade or business organizations

(9) Repair: None*

(10) Retail Trade:

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

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

(12) Construction:

- a. Licensed contractor; general, electrical, plumbing, mechanical, etc. excluding outside storage
- c. Construction office; temporary, including modular office (see also section 9-4-103)

(13) Transportation. None*

*(14) Manufacturing/ Warehousing: * None*

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

**OR (Office-Residential)
Special Uses**

(1) General. None*

(2) Residential:

- d. Land use intensity multifamily (LUI) development rating 50 per Article K
- e. Land use intensity dormitory (LUI) development rating 67 per Article K
- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
- o.(1). Nursing, convalescent center or maternity home; minor care facility
- r. Fraternity or sorority house

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining. None*

(6) Recreational/ Entertainment:

- c.(1). Tennis club; indoor and outdoor facilities
- h. Commercial recreation; indoor only, not otherwise listed

(7) Office/ Financial/ Medical:

- f. Veterinary clinic or animal hospital (also see animal boarding; outside facility, kennel and stable)

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- l. Convention center; private
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- ff. Mental health, emotional or physical rehabilitation center

(9) Repair. None*

(10) Retail Trade:

- h. Restaurant; conventional
- j. Restaurant; regulated outdoor activities

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

*(12) Construction:** None

(13) Transportation:

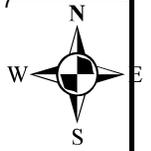
h. Parking lot or structure; principle use

(14) Manufacturing/ Warehousing: * None

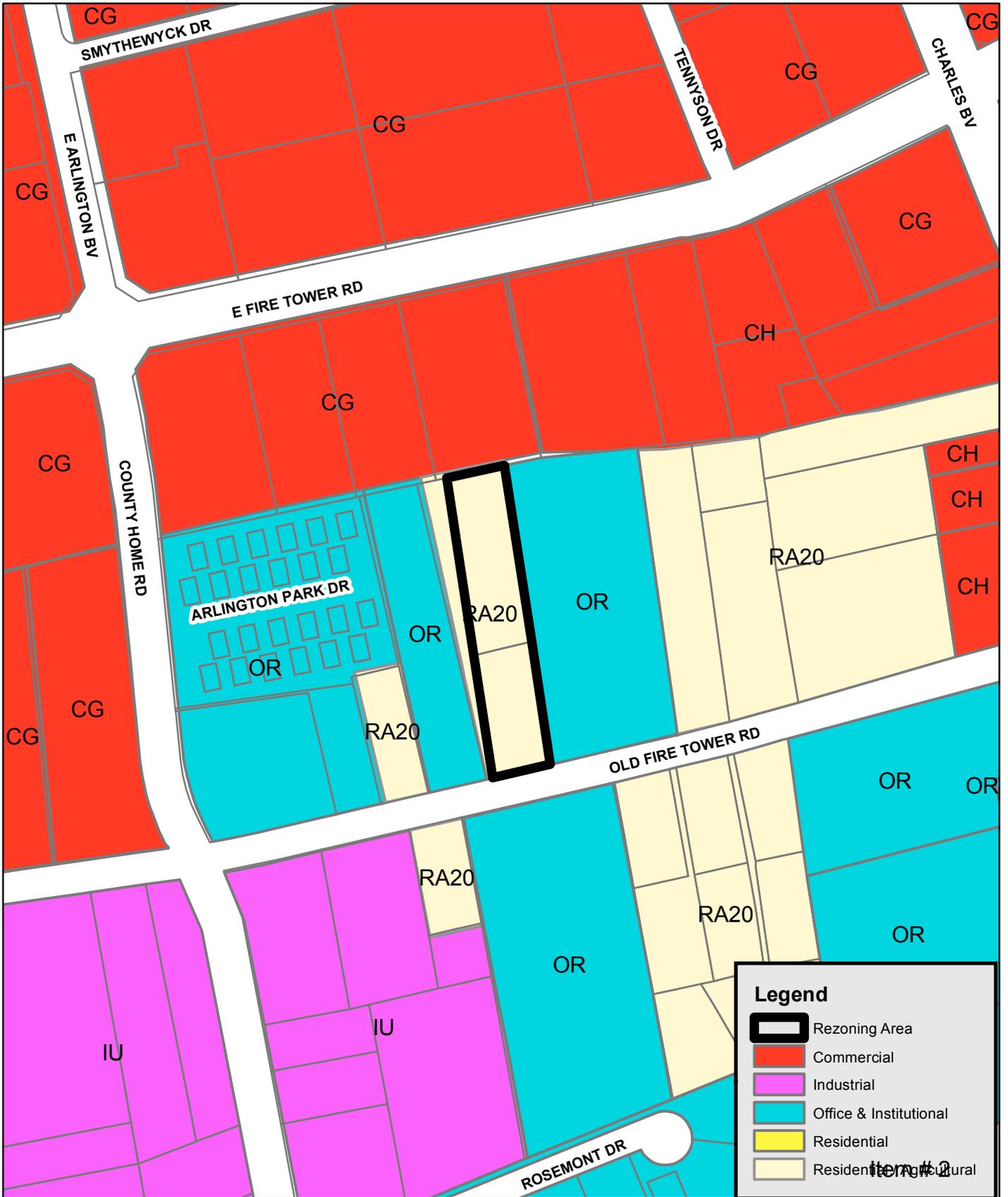
(15) Other Activities (not otherwise listed - all categories):

a. Other activities; personal services not otherwise listed

b. Other activities; professional services not otherwise listed

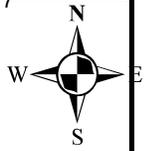


Beacon Investments, LLC
From: RA20 (Residential-Agricultural)
To: OR (Office-Residential)
1.412 acres
January 4, 2016

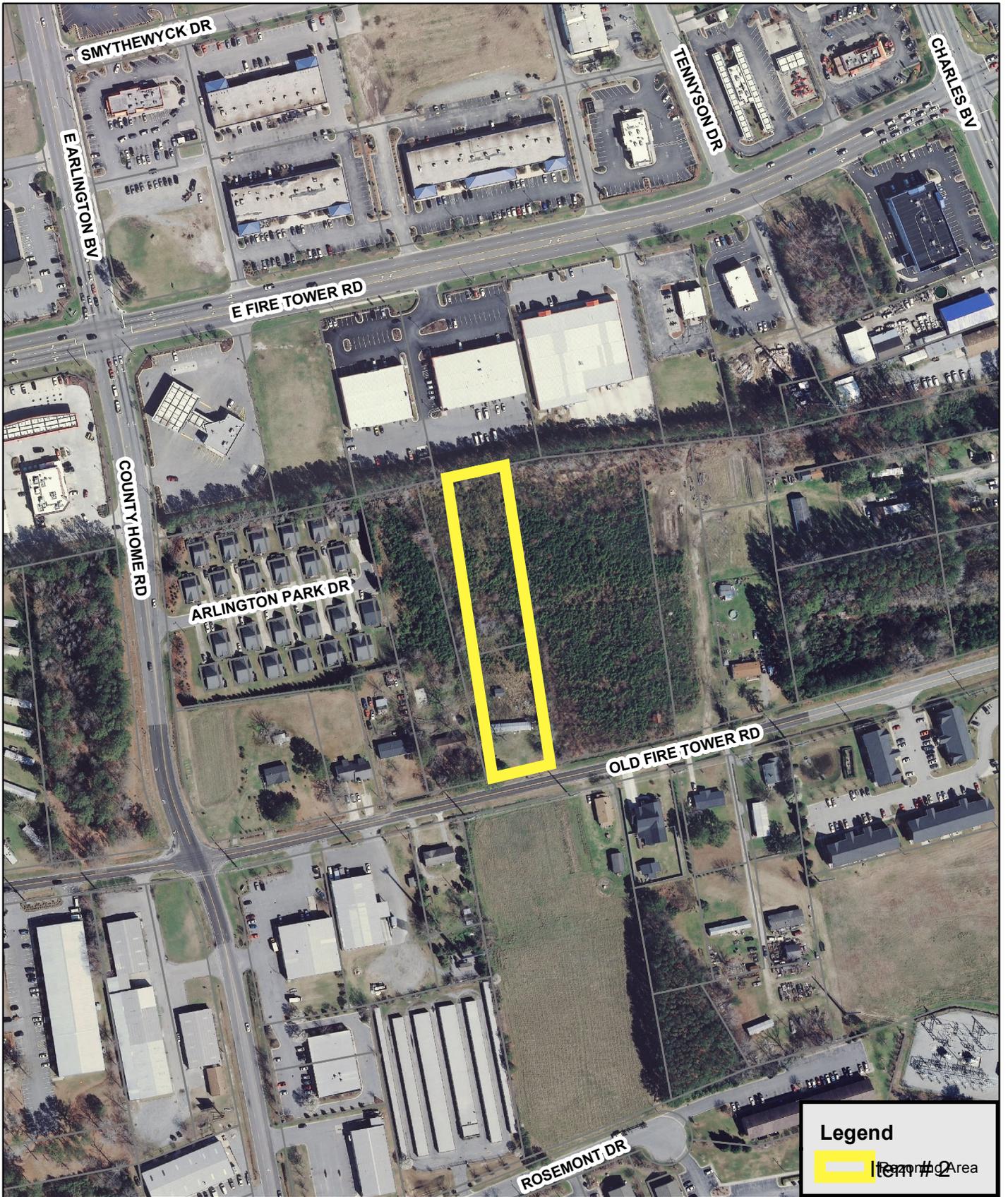


Legend

-  Rezoning Area
-  Commercial
-  Industrial
-  Office & Institutional
-  Residential
-  Residential-Agricultural



Beacon Investments, LLC
From: RA20 (Residential-Agricultural)
To: OR (Office-Residential)
1.412 acres
January 4, 2016





RETAIL SALES
CG
(7A)
**CHARLES D. SOUTHERLAND and
MICHAEL LEE ALDRIDGE and
JEFFREY SCOTT ALDRIDGE**
DB 3376, PG 666
MB 70, PG 153

RETAIL SALES
CG
(8)
FIRETOWER, LLC.
DB 3376, PG 798
MB 63, PG 132

RETAIL SALES
CH
(9)
**WILLIAM L. LUZADDER,
& wife JAN J. LUZADDER**
DB 2638, PG 452
MB 61, PG 85

WOODED
RA-20
(3)
**WREN LOCKE SR ESTATE
SADIE BUSH EXECUTRIX, ETAL**
DB 107, PG 660
ESTATE FILE 2006-20

RESIDENTIAL
OR
WLH DEVELOPMENT, LLC
DB 2596, PG 386

WOODED
OR
BEACON INVESTMENTS, LLC
DB 3164, PG 280
MB 3, PG 236

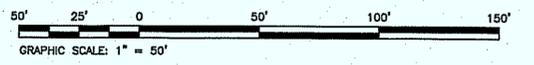
PROPOSED ZONING
OR
CURRENT ZONING
RA-20

TAX PARCEL 13926
TAX PARCEL 44206

ADJOINING PROPERTY OWNERS ADDRESSES

OLLIE MAYE, JR. AND WIFE MARY P. MAYE 1910 OLD FIRETOWER ROAD GREENVILLE, NC 27858	WREN LOCKE, SR. ESTATE SADIE BUSH, EXECUTRIX 1698 EAST ARLINGTON BOULEVARD GREENVILLE, NC 27858
OXFORD STREET, LLC 226 COMMERCE STREET GREENVILLE, NC 27858	WLH DEVELOPMENT, LLC 237 CHURCHILL DRIVE GREENVILLE, NC 27858
FIRETOWER, LLC. PO BOX 123 GREENVILLE, NC 27835	BEACON INVESTMENTS, LLC PO BOX 123 GREENVILLE, NC 27835
WILLIAM L. LUZADDER, AND WIFE JAN J. LUZADDER 509 US HIGHWAY 70 WEST HAVELOCK, NC 28532	CHARLES D. SOUTHERLAND MICHAEL LEE ALDRIDGE JEFFREY SCOTT ALDRIDGE PO BOX 123 GREENVILLE, NC 27835

AREA TO BE REZONED: 1.412 ACRES



SHEET 1 OF 1
REZONING MAP

PARCEL# 44206
TAX MAP# 4686-94-5142
PARCEL# 13926
TAX MAP# 4686-94-5309

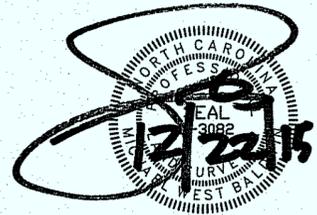
BEACON INVESTMENTS, LLC.

REFERENCE: DEED BOOK 3358, PAGE 255 & DEED BOOK 3358, PAGE 268 OF THE PITT COUNTY REGISTER OF DEEDS

WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER: **BEACON INVESTMENTS, LLC.**
ADDRESS: P.O. BOX 123
GREENVILLE, NC 27835
PHONE: (252) 756-3500

	LICENSE# C-3498 Baldwin Design Consultants, PA SITE & SUBDIVISION DESIGN - SURVEYING - PLANNING 1700-D EAST ARLINGTON BOULEVARD GREENVILLE, NC 27858 252.756.1390	SURVEYED: BW	APPROVED: MWB
		DRAWN: JGG	DATE: 12/15/2015
		CHECKED: MWB	SCALE: 1" = 50'



CLOSURE CHECK BOUNDARY	
CHECKED: JGG	DATE: 12/15/2015

- LEGEND**
- R/W = RIGHT-OF-WAY
 - EIP = EXISTING IRON PIPE
 - EIS = EXISTING IRON STAKE
 - SIP = SET IRON PIPE
 - C/L = CENTERLINE
 - DB = DEED BOOK
 - NPS = NO POINT SET
 - EPKN = EXISTING PARKER KALON NAIL
 - - - = NOT TO SCALE

Attachment number 4
Page 3 of 7

NCSR 1725-COUNTY HOME ROAD
(60' R/W) PAVT VARIES PUBLIC C/L

EXISTING PK NAIL LOCATED AT THE C/L INTERSECTION OF NCSR 1725 - COUNTY HOME ROAD AND NCSR 2235 - OLD FIRETOWER ROAD

RESIDENTIAL
RA-20
**OLLIE MAYE, JR.
and wife
MARY P. MAYE**
DB B-46, PG 525
Item # 2

RESIDENTIAL
OR
OXFORD STREET, LLC
DB 3212, PG 610

Case No: 16-03

Applicant: Beacon Investments, LLC

Property Information

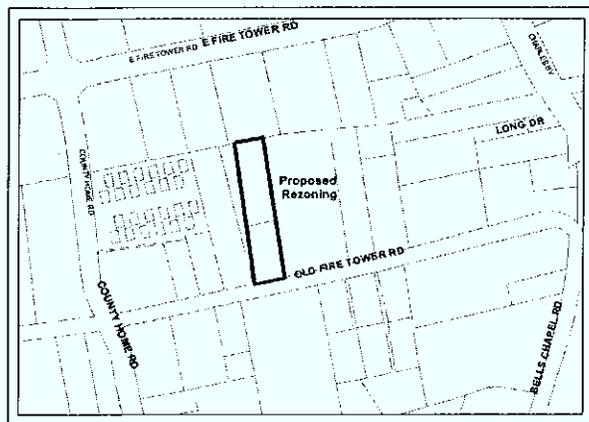
Current Zoning: RA20 (Residential-Agricultural)

Proposed Zoning: OR (Office-Residential)

Current Acreage: 1.412 acres

Location: Old Fire Tower Rd, west of County Home Road

Points of Access: County Home Rd via Old Fire Tower Rd



Location Map

Transportation Background Information

1.) County Home Road- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lanes, paved shoulder	5-lane, curb & gutter, wide outside lanes, sidewalk
Right of way width (ft)	80	no change
Speed Limit (mph)	45	
Current ADT:	15,920 (*)	Ultimate Design ADT: 33,500 vehicles/day (**)
Design ADT:	12,000 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	

Other Information: There are no sidewalks along County Home Road that service this property.

Notes: (*) 2010 NCDOT count adjusted with a 2% growth rate
(**) Traffic volume based on operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No projects planned.

Trips generated by proposed use/change

Current Zoning: 57 -vehicle trips/day (*) **Proposed Zoning:** 133 -vehicle trips/day (*)

Estimated Net Change: increase of 76 vehicle trips/day (assumes full-build out)
(* - These volumes are estimated and based on an average of the possible uses permitted by the current and proposed zoning.)

Impact on Existing Roads

The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on County Home Road are as follows:

1.) County Home Road , North of Site (70%): “No build” ADT of 15,920

Estimated ADT with Proposed Zoning (full build) –	16,013
Estimated ADT with Current Zoning (full build) –	15,960
Net ADT change =	53 (<1% increase)

Case No: 16-03

Applicant: Beacon Investments, LLC

2.) County Home Road , South of Site (30%):

“No build” ADT of 15,920

Estimated ADT with Proposed Zoning (full build) – 15,960

Estimated ADT with Current Zoning (full build) – 15,937

Net ADT change = 23 (<1% increase)

Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 133 trips to and from the site via County Home Road, which is a net increase of 76 additional trips per day.

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

04/30/07

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

Bufferyard B (no screen required)	
Lot Size	Width
Less than 25,000 sq.ft.	4'
25,000 to 175,000 sq.ft.	6'
Over 175,000 sq.ft.	10'

Bufferyard C (screen required)	
Width	For every 100 linear feet
10'	3 large evergreen trees 4 small evergreens 16 evergreen shrubs

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

Bufferyard D (screen required)	
Width	For every 100 linear feet
20'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs

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

Bufferyard E (screen required)	
Width	For every 100 linear feet
30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs

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

Bufferyard F (screen required)	
Width	For every 100 linear feet
50'	8 large evergreen trees 10 small evergreens 36 evergreen shrubs

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

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

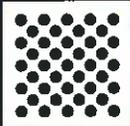
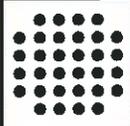
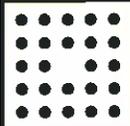
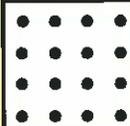
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date: 2/11/2016
Time: 6:00 PM

Title of Item: Ordinance requested by Greenville Utilities Commission to rezone 1.041+/- acres located at the northwest corner of the intersection of West 5th Street and South Pitt Street from CDF (Downtown Commercial Fringe) to CD (Downtown Commercial)

Explanation: **Abstract:** The City has received a request from the Greenville Utilities Commission (GUC) to rezone 1.041+/- acres located at the northwest corner of the intersection of West 5th Street and Pitt Street from CDF (Downtown Commercial Fringe) to CD (Downtown Commercial).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on January 4, 2016.
On-site sign(s) posted on January 4, 2016.
City Council public hearing notice (property owner and adjoining property owner letter) mailed on January 26, 2016.
Public hearing legal advertisement published on February 1 and February 8, 2016.

Comprehensive Plan:

The subject properties are located in Vision Area G.

The Future Land Use Plan Map recommends commercial (C) for the area bounded by South Pitt Street, West 5th Street, the CSX Railroad, and West 4th Street.

The subject properties are located in the designated regional focus area described as the central business district (Uptown area). These nodes typically contain 400,000 plus square feet of conditioned floor space.

A majority of the area is already zoned CD (Downtown Commercial), which is

the preferred zoning district. This has been accomplished via private rezoning requests and a rezoning request initiated by the Planning and Zoning Commission. The CD zoning district is preferred because it allows for more intensive and complementary uses for the Uptown District with zero-lot line setbacks, mixed use development, no vegetation requirements, and less restrictive parking standards.

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

Based on the possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 477 trips to and from the site via West 5th Street, which is a net increase of 367 additional trips per day.

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

History/Background:

In 1969, the properties were zoned CDF (Commercial Downtown Fringe).

Existing Land Uses:

Progress Center office building and associated parking and two (2) vacant lots.

Water/Sewer:

Water and sanitary sewer are available.

Historic Sites:

There are no known effects are on the designated properties.

Environmental Conditions/Constraints:

There are no known effects are on the designated properties.

Surrounding Land Uses and Zoning:

North: CDF - Two (2) single-family residences

South: CDF - Sprint

East: CD - Approved special use permit for 120 multi-family units and one (1) retail space

West: CDF - One (1) single-family residence

Density Estimates:

Under the current zoning (CDF), staff would anticipate the site to yield 9,935+/- square feet of office/institutional uses.

Under proposed zoning (CD), staff would anticipate the site to yield 43,300+/-

square feet of office/institutional uses.

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

Fiscal Note:

No cost to the City.

Recommendation:

In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map, and the West Greenville 45-Block Revitalization Plan.

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

The Planning and Zoning Commission voted to approve the request at its January 19, 2016 meeting.

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

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

Motion to deny the request to rezone and to make a finding and determination that the rezoning request is inconsistent with the adopted comprehensive plan including, but not limited to, Objective H5 to improve and revitalize existing neighborhoods and E12 to revitalize the downtown area, and further that the denial of the rezoning request is reasonable and in the public interest due to the rezoning request does not promote, in addition to the furtherance of other goals and objectives, the safety and general welfare of the community by bringing more retail and professional activities downtown and concentrating higher intensive uses in focus areas.

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

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

Attachments / click to download

- [Attachments](#)
 - [Ordinance GUC 1020157](#)
 - [Minutes GUC 1020159](#)
 - [List_of_Uses_CDF_to_CD_719111](#)
-

LOCATION: Located at the northwest corner of the intersection of West 5th and Pitt Streets.

DESCRIPTION: Lying and being in the City of Greenville, Pitt County, North Carolina on the north side of 5th Street and being more particularly described as follows: Beginning at an existing iron pipe, said point lying S 22°09'06" E 1,142.20 feet from N.C.G.S.M. "PLANT", said point having NAD 83/2011 grid coordinates N (Y) 682,826.34 E (X) 2,482,032.22; thence S 77°53'13" E 41.56 feet to a point; thence N 12°24'20" E 71.25 feet to an existing iron pipe; thence S 78°04'20" E 139.33 feet to a point in the western right-of-way of Pitt Street; thence along said right-of-way S 12°16'50" W 42.15 feet to an existing iron stake; thence S 12°16'50" W 100.13 feet to a in the intersection of the western right-of-way of Pitt Street and the northern right-of-way of 5th Street; thence along the northern right-of-way of 4th Street N 78°26'31" W 176.85 feet to a point; thence N 11°04'01" E 120.58 feet to an existing iron pipe; thence N 11°04'01" E 78.13 feet to the point and place of beginning containing 1.041 acres more or less.

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

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

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

ADOPTED this 11th day of February, 2016.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Doc. # 1020157

Excerpt from the DRAFT Planning & Zoning Commission Minutes (01/19/2016)

ORDINANCE REQUESTED BY THE GREENVILLE UTILITIES COMMISSION (GUC) TO REZONE 1.041+/- ACRES LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF WEST 5TH STREET AND SOUTH PITT STREET FROM CDF (DOWNTOWN COMMERCIAL FRINGE) TO CD (DOWNTOWN COMMERCIAL) - APPROVED

Ms. Gooby, Planner, delineated the property. It is located in the Uptown Area. Currently, there is an office building and associated parking and two vacant lots. The request consists of four lots total. There are single-family residences to the north and west of the subject property. The former location of Pugh's Tire and the bus station are located to the east. There is an approved special use permit for 120 multi-family units and retail space for the Pugh's/bus station block. The Uptown area is a regional focus area where commercial is anticipated and encouraged. This property is considered part of the focus area. This rezoning could generate an increase of 376 trips. There is a signalized intersection at West 5th Street and Pitt Street. The property is currently zoned CDF. The request is for CD. This is a similar pattern that is occurring in the Uptown area. The Planning and Zoning Commission initiated a rezoning request for property south of the Police Department. This request was approved by City Council in September, 2015. The Future Land Use Plan Map recommends commercial in the Uptown Area. This rezoning is also part of the Greenville 45-Block Revitalization area. The CD zoning is preferred because it allows a variety of uses and allows more intensive development. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map and the West Greenville 45-Block Revitalization Plan.

Chairman Parker opened the public hearing.

Chris Padgett, Chief Administrative Officer of GUC, spoke in favor of the request. Mr. Padgett stated that GUC staff, The East Group and City staff have worked on this request. Various members of GUC staff and The East Group are present to answer questions.

Phil Dixon, General Counsel of GUC, spoke in favor of the request. He stated that Mr. Pugh allowed his vacant lots to be used for GUC employee parking which are being displaced by the anticipated multi-family project on the former Pugh's properties.

No one spoke in opposition.

Chairman Parker closed the public hearing.

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

EXISTING ZONING

CDF (Downtown Commercial Fringe)

Permitted Uses

(1) General:

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

(2) Residential:

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

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

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- g. Private noncommercial park or recreation facility
- o. Theater; movie or drama, including outdoor facility

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- c. Office; customer service not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed

(8) Services:

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- k. Business or trade school
- n. Auditorium
- o. Church or place of worship (see also section 9-4-103)
- p. Library

- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- 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)
- kk. Launderette; household users
- ll. Dry cleaners; household users
- mm. Commercial laundries; linen supply
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

(9) Repair:

- d. Upholsterer; furniture
- f. Appliance; household and office equipment repair
- g. Jewelry, watch, eyewear or other personal item repair

(10) Retail Trade:

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- h. Restaurant; conventional
- i. Restaurant; fast food
- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair
- m. Appliance; household use, sales and accessory repair, excluding outside storage
- n. Appliance; commercial use, sales and accessory repair, excluding outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales
- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

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

- c. Rental of cloths and accessories; formal wear, etc.
- f. Automobiles, truck, recreational vehicle, motorcycles and boat sales and service (see also major and minor repair)

(12) Construction:

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

(13) Transportation:

- b. Bus station; passenger and related freight
- c. Taxi or limousine service
- e. Parcel delivery service
- f. Ambulance service

(14) Manufacturing/ Warehousing:

- c. Bakery; production, storage and shipment facilities

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

CDF (Downtown Commercial Fringe)

Special Uses

(1) General: None*

(2) Residential:

- d. Land use intensity multifamily (LUI) development rating 50 per Article K
- e. Land use intensity multifamily (LUI) development rating 67 per Article K
- j. Residential quarters for resident manager, supervisor or caretaker; including mobile homes
- m. Shelter for homeless or abused
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- o.(1). Nursing, convalescent center or maternity home; minor care facility
- r. Fraternity or sorority house

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining: None*

(6) Recreational/ Entertainment:

- d. Game center
- i. Commercial recreation; indoor and outdoor not otherwise listed
- l. Billiard parlor or pool hall
- m. Public or private club

(7) Office/ Financial/ Medical: None*

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- l. Convention center; private
- x. Dance studio
- bb. Civic organizations
- cc. Trade or business organizations
- hh. Exercise and weight loss studios; indoor only

(9) Repair:

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

(10) Retail Trade:

- b. Gasoline or automotive fuel sales; accessory or principal use, retail
- g. Fish market; excluding processing or packing
- j. Restaurant; regulated outdoor activities
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facility)

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

(12) Construction:

- d. Building supply; lumber and materials sales, plumbing and/or electrical supply including outside storage

(13) Transportation:

- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

- g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholstery

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

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

IU (Unoffensive Industry)

Permitted Uses

(1) General:

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

(2) Residential: None*

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

(4) Governmental:

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

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)
- b. Greenhouse or plant nursery; including accessory sales
- d. Farmers market
- e. Kennel (see also section 9-4-103)
- f. Stable; horse only (see also section 9-4-103)
- g. Stable; per definition (see also section 9-4-103)

h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

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

(9) Repair:

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

(10) Retail Trade:

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

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

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

(12) Construction:

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

(13) Transportation:

- a. Railroad freight or distribution and/or passenger station
- d. Truck terminal or distribution center
- e. Parcel delivery service
- f. Ambulance service

- g. Airport and related activities; private
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

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

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

IU (Unoffensive Industry)

Special Uses

(1) General: None*

(2) Residential:

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

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

(4) Governmental: None*

(5) Agricultural/ Mining: None*

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

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

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

(9) Repair:

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

(10) Retail Trade:

- j. Restaurant; regulated outdoor activities

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

- g. Mobile home sales including accessory mobile home office

(12) Construction: None*

(13) Transportation:

- c. Taxi and limousine service

(14) Manufacturing/ Warehousing:

- z. Metallurgy, steel fabrication, welding

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

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

PROPOSED ZONING

CD (Downtown Commercial)

Permitted Uses

(1) General:

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

(2) Residential:

- c. Multi-family development per Article 1
- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- q. Room renting

*(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
- g. Liquor store, state ABC

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- g. Private noncommercial park or recreation facility
- h. Commercial recreation; indoor only, not otherwise listed
- j. Bowling alleys
- o. Theater; movie or drama, including outdoor facility
- s. Athletic club; indoor only

(7) Office/ Financial/ Medical:

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

(8) Services:

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

(9) Repair:

- f. Appliance; household and office equipment repair
- g. Jewelry, watch, eyewear or other personal item repair

(10) Retail Trade:

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- h. Restaurant; conventional
- i. Restaurant; fast food
- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair
- m. Appliance; household use, sales and accessory repair, excluding outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales
- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facilities)
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

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

- c. Rental of cloths and accessories; formal wear, etc.
- d. Rental of automobiles, noncommercial trucks or trailers, recreational vehicle, motorcycles and boats

(12) Construction:

- a. Licensed contractor; general, electrical, plumbing, mechanical, etc. excluding outside storage
- c. Construction office; temporary, including modular office (see also section 9-4-103)
- f. Hardware store

(13) Transportation:

- b. Bus station; passenger and related freight
- c. Taxi or limousine service
- e. Parcel delivery service
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

- g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholstery
- h. Engraving; metal, glass or wood

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

* None

CD (Downtown Commercial)

Special Uses

*(1) General:** None

(2) Residential:

e.(1) Dormitory development

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

(4) *Governmental*:* None

(5) *Agricultural/ Mining*:* None

(6) *Recreational/ Entertainment*:

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

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

(8) *Services*:

- a. Child day care facilities
- b. Adult day care facilities
- i. School; kindergarten or nursery (see also section 9-4-103)
- l. Convention center; private

(9) *Repair*:

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

(10) *Retail Trade*:

- b. Gasoline or automotive fuel sales; accessory or principal use, retail
- g. Fish market; excluding processing or packing
- j. Restaurant; regulated outdoor activities
- n. Appliance; commercial use, sales and accessory repair, excluding outside storage
- aa. Pawnbroker
- ii. Microbrewery

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

(12) *Construction*:* None

(13) *Transportation*:* None

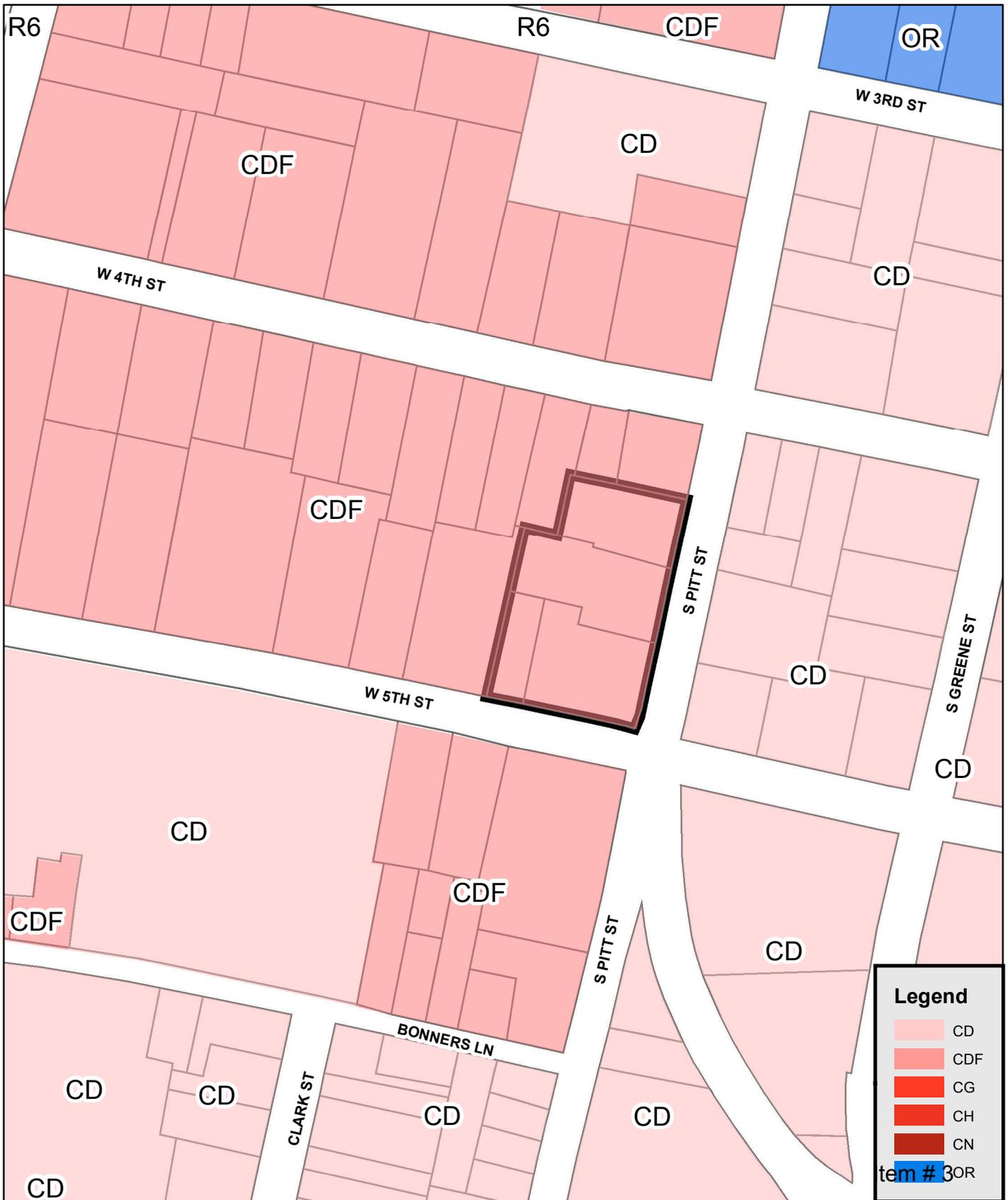
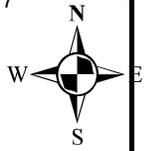
(14) *Manufacturing/ Warehousing*:

- y. Recycling collection station or facilities

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

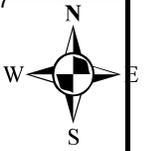
- a. Other activities; personal services not otherwise listed
- b. Other activities; professional activities not otherwise listed
- c. Other activities; commercial services not otherwise listed
- d. Other activities; retail sales not otherwise listed

Greenville Utilities Commission
From: CDF (Downtown Commercial Fringe)
To: CD (Downtown Commercial)
1.041+/- acres
January 4, 2016



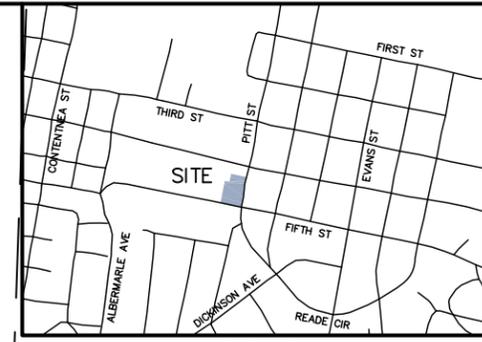
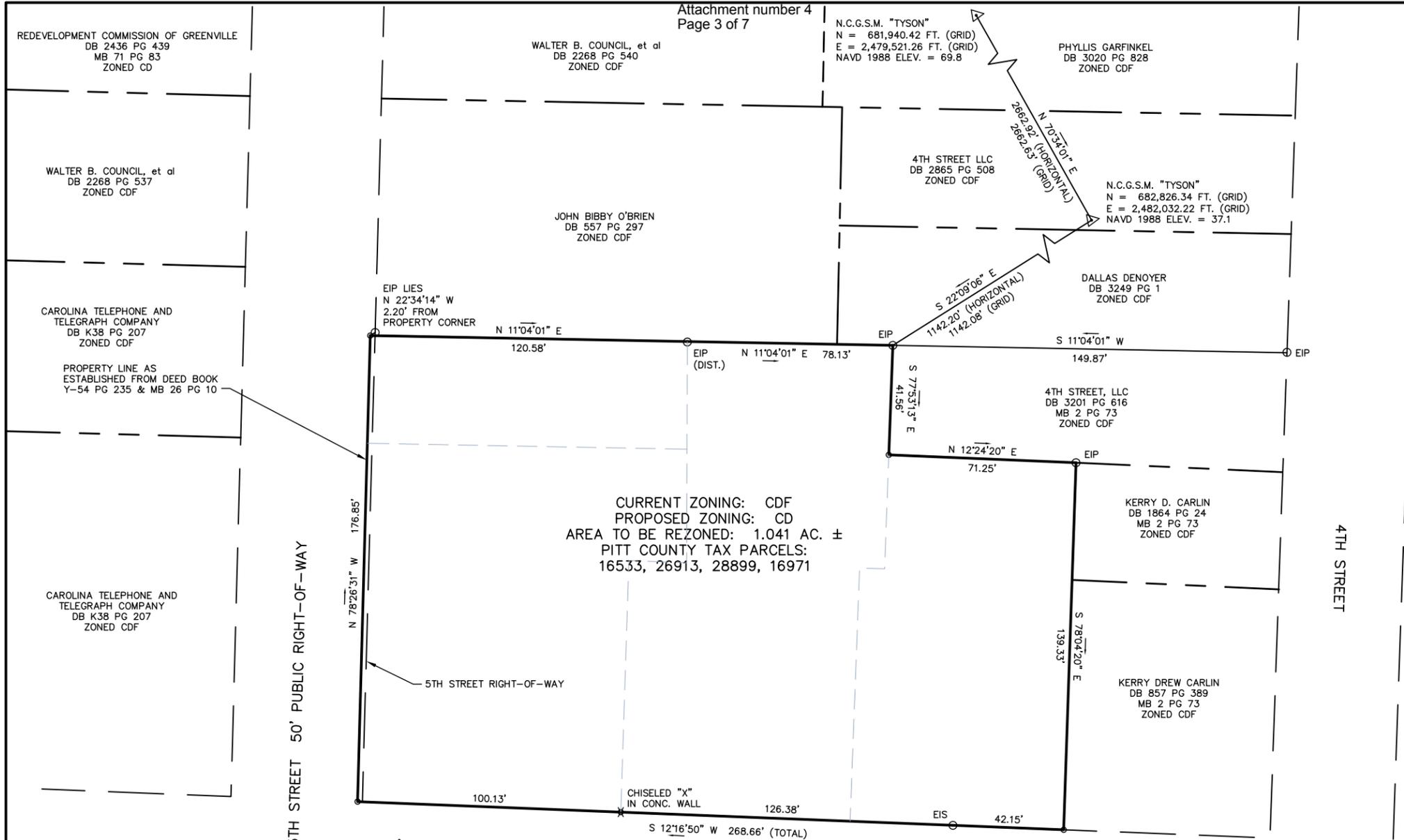
Legend

- CD
- CDF
- CG
- CH
- CN
- tem # 3 OR



Greenville Utilities Commission
From: CDF (Downtown Commercial Fringe)
To: CD (Downtown Commercial)
1.041+/- acres
January 4, 2016





NC GRID
NAD 83-2011

PRELIMINARY
NOT FOR RECORDATION
CONVEYANCE OR SALES

- I, WILLIAM B. HILLIARD, PROFESSIONAL LAND SURVEYOR NO. L-4509, CERTIFY TO ONE OR MORE OF THE FOLLOWING AS INDICATED THUS, OR :
- A. THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;
 - B. THAT THIS PLAT IS OF A SURVEY THAT IS LOCATED IN SUCH PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND;
 - C. ANY OF THE FOLLOWING:
 1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET;
 2. THAT THE SURVEY IS OF AN EXISTING BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE; OR
 3. THAT THE SURVEY IS A CONTROL SURVEY.
 - D. THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION;
 - E. THAT THE INFORMATION AVAILABLE TO THIS SURVEYOR IS SUCH THAT I AM UNABLE TO MAKE A DETERMINATION TO THE BEST OF MY PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

SURVEYOR _____ DATE _____

PRELIMINARY
NOT FOR RECORDATION
CONVEYANCE OR SALES

PITT STREET PUBLIC RIGHT-OF-WAY VARIES
(SEE N.C.D.O.T. PROJECT 8.2220601 FOR REFERENCE)

STATE OF NORTH CAROLINA PITT COUNTY

I, WILLIAM B. HILLIARD, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; (DEED DESCRIPTION RECORDED IN BOOK _____ PAGE _____) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK _____ PAGE _____; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THE GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS WERE PERFORMED TO GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2: STANDARDS FOR GEODETIC NETWORKS AT THE CLASS A ACCURACY CLASSIFICATION (95% CONFIDENCE) AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE GPS SURVEY:

POSITION ACCURACY: _____ < 0.10'

TYPE OF FIELD PROCEDURE: _____ RTK

DATE(S) OF SURVEY: _____ 12/08/15

DATUM/EPOCH _____ NAD 83 (2011)

PUBLISHED/FIELD CONTROL MONUMENTS USED: _____ PLANT & TYSON

GEOID MODEL: _____ GEOID99

COMBINED GRID FACTOR: _____ 0.99989171

UNITS: _____ U.S. SURVEY FEET

THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS DATE DAY OF MONTH, 2015.

PRELIMINARY
NOT FOR RECORDATION
CONVEYANCE OR SALES

I, _____ REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____

DATE _____

REZONING PLAT
FOR
GREENVILLE UTILITIES COMMISSION (GUC)
CITY OF GREENVILLE DATE
PITT COUNTY NORTH CAROLINA

OWNER : VEGESENA PRUDHVI RAJU & VEGESENA KRISHNA VENI RAJU
ADDRESS : 507 FINNBAR DRIVE CARY, NC 27519
PHONE : 252-355-0088 (STAN ARMSTRONG - OWNER'S AGENT)

THE EAST GROUP
324 S. EVANS ST. SUITE 311
GREENVILLE, NC 27834 RALEIGH, NC 27607
(252) 758-3746 (919) 784-9330
CORPORATE LICENSE NO. C0208 (919) 784-9330
Engineering Architecture Surveying Technology

SURVEYED : GDF	PROJECT # : 20140152
DRAWN BY : WBH	DATE : DATE
CHECKED : WBH	SCALE : 1" = 30'

SOURCE OF TITLE
THIS IS TO CERTIFY THAT THE LAST INSTRUMENT (S) IN THE CHAIN OF TITLE (S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:

DEED BOOK _____ SEE PAGE AT RIGHT _____
DEED BOOK _____ PAGE _____
DEED BOOK _____ PAGE _____
MAP BOOK _____ PAGE _____
MAP BOOK _____ PAGE _____

SOURCE OF TITLE:
DB T-34 PG 237
DB T-51 PG 663
DB Y-54 PG 235
DB 690 PG 149
MB 2 PG 73
MB 26 PG 10

N.C. REG. NO. L - 4509



- LEGEND
- ECM = EXISTING CONCRETE MONUMENT
 - EIP = EXISTING IRON PIPE
 - EIS = EXISTING IRON STAKE
 - CLF = CHAIN LINK FENCE
 - CSW = CONCRETE SIDEWALK
 - WDF = WOODEN FENCE
 - o = NO POINT SET
 - o = NOT TO SCALE

Case No: 16-01

Applicant: Greenville Utilities Commission

Property Information

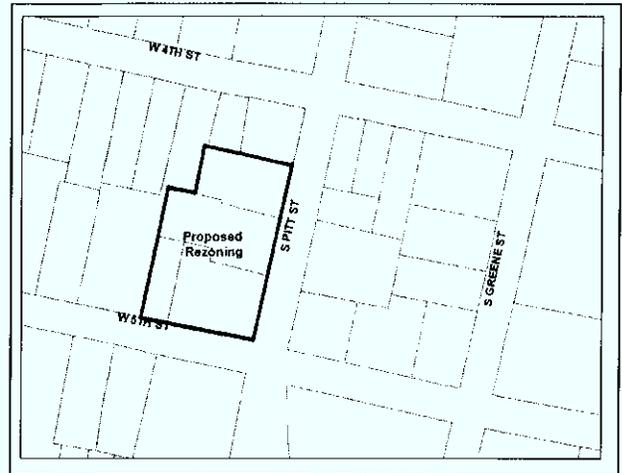
Current Zoning: CDF (Downtown Commercial Fringe)

Proposed Zoning: CD (Downtown Commercial)

Current Acreage: 1.041 acres

Location: Corner of Fifth Street & Pitt Street

Points of Access: Fifth Street



Location Map

Transportation Background Information

1.) W. Fifth Street- City maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lanes, curb & gutter	no change
Right of way width (ft)	50	no change
Speed Limit (mph)	25	
Current ADT:	6,900 (*)	
Design ADT:	10,000 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Minor Thoroughfare	

Other Information: There are sidewalks along W. Fifth Street that service this property.

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

Transportation Improvement Program Status: No projects planned.

Trips generated by proposed use/change

Current Zoning: 110 -vehicle trips/day (*) **Proposed Zoning: 477** -vehicle trips/day (*)

Estimated Net Change: increase of 367 vehicle trips/day (assumes full-build out)

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

Impact on Existing Roads

The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on W. Fifth Street are as follows:

1.) W. Fifth Street , West of Site (30%): "No build" ADT of 6,900

Estimated ADT with Proposed Zoning (full build) - 7,043

Estimated ADT with Current Zoning (full build) - 6,933

Net ADT change = 110 (2% increase)

Case No: 16-01

Applicant: Greenville Utilities Commission

2.) W. Fifth Street , East of Site (70%):

“No build” ADT of 6,900

Estimated ADT with Proposed Zoning (full build) – 7,234

Estimated ADT with Current Zoning (full build) – 6,977

Net ADT change = 257 (4% increase)

Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 477 trips to and from the site via W. Fifth Street, which is a net increase of 367 additional trips per day.

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

04/30/07

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

Bufferyard B (no screen required)	
Lot Size	Width
Less than 25,000 sq.ft.	4'
25,000 to 175,000 sq.ft.	6'
Over 175,000 sq.ft.	10'

Bufferyard C (screen required)	
Width	For every 100 linear feet
10'	3 large evergreen trees 4 small evergreens 16 evergreen shrubs

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

Bufferyard D (screen required)	
Width	For every 100 linear feet
20'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs

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

Bufferyard E (screen required)	
Width	For every 100 linear feet
30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs

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

Bufferyard F (screen required)	
Width	For every 100 linear feet
50'	8 large evergreen trees 10 small evergreens 36 evergreen shrubs

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

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

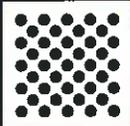
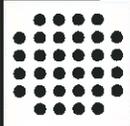
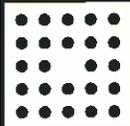
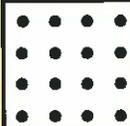
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date: 2/11/2016
Time: 6:00 PM

Title of Item: Ordinance requested by Taft-Ward Investments, LLC ETAL to add an Urban Core (UC) Overlay District for 4.22+/- acres located south of East 10th Street, west of Charles Street, and east of Charles Boulevard, currently zoned as CDF (Downtown Commercial Fringe)

Explanation: **Abstract:** The City has received a request from Taft-Ward Investments, LLC ETAL to add an Urban Core (UC) Overlay District for 4.22+/- acres located south of East 10th Street, west of Charles Street, and east of Charles Boulevard. The current zoning is CDF (Downtown Commercial Fringe) and the requested zoning is CDF-UC (Downtown Commercial Fringe - Urban Core Overlay District).

Please note this rezoning request is in conjunction with the Dormitory Development within the CDF-UC Overlay text amendment.

Required Notices:

Planning and Zoning meeting notice (adjoining property owner letters) mailed on January 4, 2016.

On-site sign(s) posted on January 4, 2016.

City Council public hearing notice (adjoining property owner letters) mailed on January 26, 2016.

Public hearing legal advertisement published on February 1 and February 8, 2016.

Comprehensive Plan:

The subject property is located in Vision Area I.

The Future Land Use Plan Map recommends mixed-use/office/institutional (MOI) at the southeast corner of the intersection of East 10th Street and Charles Boulevard transitioning to office/institutional/multi-family (OIMF) to the south and east.

Charles Boulevard is a "gateway corridor" from its beginning at East 10th Street and continuing south. Gateway corridors serve as primary entranceways into the City and help define community character. These corridors are also designed to carry large volumes of high-speed traffic. East 10th Street, between Memorial Drive and Greenville Boulevard, is considered a "connector corridor". Connector corridors are anticipated to contain a variety of higher intensive uses.

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

Based on the analysis comparing the existing zoning (5,971 daily trips) and requested rezoning, the proposed rezoning classification could generate approximately 2,000 trips to and from the site on East 10th Street, which is a net decrease of 3,971 less trips per day. Since the traffic analysis for the requested rezoning indicates that the proposal would generate less traffic than the existing zoning, a traffic volume report was not generated.

History/Background:

The subject tracts were zoned O&I (office and institutional) on the 1969 series zoning map. In 1985, they were rezoned to CDF.

Present Land Use:

Currently, the property contains a commercial center, Charles Street Townes Apartments, Holloman Apartments, seven (7) vacant lots, one (1) single-family residence, and Theta Chi Chapter House.

Water/Sewer:

Water and sanitary sewer are available.

Historic Sites:

There is no known effect on designated sites.

Environmental Conditions/Constraints:

There are no known environmental constraints.

Surrounding Land Uses and Zoning:

North: OR - ECU Parking and Traffic Services and three (3) vacant lots (owned by the State of NC); CDF - Fed Ex/Kinkos
South: CDF - State Farm Insurance Office
East: CDF - Arby's Restaurant; OR - one (1) single-family residence and Gamma Rho Chapter House
West: CDF - Krispy Kreme Doughnuts, Charles Boulevard Shoppes, G-Vegas Magazine Office, and Charles Pointe Apartments

Density Estimates:

Under the current zoning (CDF), the property could accommodate 40,000 +/- square feet of retail, fast food restaurant(s), and personal service uses.

Under the proposed zoning (CDF-UC), the property could accommodate 550-650 multi-family beds and 20,000+/- square feet of retail/personal service uses.

Additional Staff Comments:

The general purpose and intent of the Urban Core (UC) Overlay District is to allow modifications of specific site development standards of the OR and CDF underlying zoning districts which are designed to facilitate development and re-development of in-fill sites in the general area bounded by 10th Street, the CSX Railroad, 14th Street, and Green Mill Run.

Fiscal Note:

No cost to the City.

Recommendation:

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

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

The Planning and Zoning Commission voted to approve the request at its January 19, 2016 meeting.

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

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

Motion to deny the request to rezone and to make a finding and determination that the rezoning request is inconsistent with the adopted comprehensive plan including, but not limited to, Objective H1 to encourage a variety of housing choices through preservation, rehabilitation, code enforcement and new development and UF20 to concentrate higher intensive uses in employment and focus areas, and further that the denial of the rezoning request is reasonable and

in the public interest due to the rezoning request does not promote, in addition to the furtherance of other goals and objectives, the safety and general welfare of the community by creating walkable communities/neighborhoods and facilitating the development and redevelopment of in-fill sites in the urban core overlay district.

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

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

Attachments / click to download

- [Attachments](#)
 - [Ordinance Taft Ward Investments LLC 1020210](#)
 - [Minutes Taft Ward Investments LLC 1020161](#)
 - [List of Uses CDF 1013954](#)
-

ORDINANCE NO. 16-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 11th day of February, 2016, at 6:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Objective H1 to encourage a variety of housing choices through preservation, rehabilitation, code enforcement and new development and UF20 to concentrate higher intensive uses in employment and focus areas; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, promote the safety and general welfare of the community by creating walkable communities/neighborhoods and facilitating the development and redevelopment of in-fill sites in the urban core overlay district; and

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

Section 1. That the following described territory is zoned Urban Core Overlay (UC) District in conjunction with the existing underlying general purpose zoning district so that,

within the following described territory, the territory is zoned CDF-UC (Downtown Commercial Fringe) with an Urban Core Overlay.

TO WIT: Taft-Ward Investments, LLC, Taft-Ward Assemblage, LLC and
OMG Properties, LLC Properties.

LOCATION: Located south of East 10th Street, west of Charles Street, and east
of Charles Boulevard.

DESCRIPTION: Beginning at a point in the southern right-of-way of East 10th Street (N.C.S.R. 1598), said point also being the northeastern corner of the A.L. Tilley, III and wife, Judith S. Tilley property recorded in Deed Book 1257 Page 241; thence with the southern right-of-way of East 10th Street (N.C.S.R. 1598) S 78°55'55" E 290.49 feet to a point; thence S 34°35'12" E 13.99 feet to a point in the western right-of-way of Charles Street; thence with the western right-of-way of Charles Street S 10°40'08" W 119.06 feet to a point; thence S 10°32'05" W 40.12 feet to a point; thence S 10°38'06" W 140.48 feet to the point of intersection of the western right-of-way of Charles Street and the northern right-of-way of Eleventh Street; thence crossing Eleventh Street right-of-way S 10°38'06" W 70.00 feet to the point of intersection of the western right-of-way of Charles Street and southern right-of-way of Eleventh Street; thence continuing with the western right-of-way of Charles Street S 10°38'06" W 145.13 feet to a point ; thence cornering and running with the western right-of-way of Charles Street and the Viper F4 Ventures, LLC property recorded in Deed Book 3228 Page 158 N 79°07'51" W 60.71 feet to a point; thence N 79°07'51" W 59.75 feet to a point; thence N 78°39'51" W 179.74 feet to a point; thence N 78°24'20" W 22.85 feet to a point in the easterly right-of-way of Charles Boulevard (N.C.S.R. 1707); thence with the eastern right-of-way of Charles Boulevard (N.C.S.R. 1707) N 44°27'41" W 44.34 feet to a point; thence N 34°31'20" W 88.30 feet to a point; thence crossing the right-of-way of Charles Boulevard and Eleventh Street N 25°28'57" W 27.16 feet to a point; thence N 18°59'06" W 23.10 feet to a point; thence N 12°08'49" W 92.50 feet to the point of intersection of the eastern right-of-way of Charles Boulevard and northern right-of-way of Eleventh Street, said point also being the southwestern corner of the George N. Naoum and wife Mary J. Naoum property recorded in Deed Book 368 Page 10; thence with the southern property line of the George N. Naoum and wife Mary J. Naoum property S 79°01'26" E 185.16 feet to a point; thence cornering with the eastern property line of the aforementioned Naoum property N 10°34'37" E 139.91 feet to a point; thence N 10°34'37" E 40.18 feet to a point, the southeastern corner of the the A.L. Tilley, III and wife, Judith S. Tilley property recorded in Deed Book 1257 Page 241; thence with the A.L. Tilley, III and wife, Judith S. Tilley property N 10°34'37" E 129.84 feet to the POINT OF BEGINNING , being an area proposed to be rezoned from CDF to CDF-UC, containing 4.22 acres more or less and shown on a map by Rivers and Associates, Inc., dated December 9th, 2015, Drawing Z-2607 entitled REZONING MAP FOR: TAFT-WARD INCOME INVESTMENTS, LLC, ETAL which by reference is made a part hereof.

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

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

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

ADOPTED this 11th day of February, 2016.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Doc. # 1020210

Excerpt from the DRAFT Planning & Zoning Commission Minutes (01/19/2016)

ORDINANCE REQUESTED BY TAFT-WARD INVESTMENTS, LLC ETAL TO ADD AN URBAN CORE (UC) OVERLAY DISTRICT FOR 4.22+/- ACRES LOCATED SOUTH OF EAST 10TH STREET, WEST OF CHARLES STREET, AND EAST OF CHARLES BOULEVARD. THE CURRENT ZONING IS CDF (DOWNTOWN COMMERCIAL FRINGE) AND THE REQUESTED ZONING IS CDF-UC (DOWNTOWN COMMERCIAL FRINGE - URBAN CORE OVERLAY DISTRICT) - APPROVED

Ms. Chantae Gooby, Planner II, explained that the rezoning was to add the urban core overlay district to the underlying CDF district. The next item is a text amendment to the urban core overlay district which is in conjunction with this rezoning, however the purpose and intent is still the same which is to facilitate infill and redevelopment. The property is located south of East 10th Street between Charles Boulevard and Charles Street and bisected by 11th Street. This rezoning contains vacant lots, multi-family, single-family and commercial uses. The surrounding area contains a variety of uses. The urban core overlay area was established as a way to facilitate redevelopment and infill in the area bounded by East 10th Street, Green Mill Run, East 14th Street and the CSX Railroad. This area is the only place the urban core overlay can be added. Several years ago, The Province Apartments were developed under the UC Overlay District standards. The Future Land Use Plan Map recommends mixed-use/office/institutional (MOI) at the southeast corner of the intersection of East 10th Street and Charles Boulevard transitioning to office/institutional/multi-family (OIMF) to the south and east. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan the Future Land Use Plan Map.

Chairman Parker opened the public hearing.

Jim Walker, Rivers and Associates, representative of the applicant spoke in favor of the request. He stated that Rivers and Associates was involved with The Province Apartments.

Chairman Parker closed the public hearing.

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

EXISTING ZONING

CDF (Downtown Commercial Fringe)

Permitted Uses

(1) General:

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

(2) Residential:

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

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

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- g. Private noncommercial park or recreation facility
- o. Theater; movie or drama, including outdoor facility

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- c. Office; customer service not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed

(8) Services:

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- k. Business or trade school
- n. Auditorium
- o. Church or place of worship (see also section 9-4-103)
- p. Library

- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- 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)
- kk. Launderette; household users
- ll. Dry cleaners; household users
- mm. Commercial laundries; linen supply
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

(9) Repair:

- d. Upholsterer; furniture
- f. Appliance; household and office equipment repair
- g. Jewelry, watch, eyewear or other personal item repair

(10) Retail Trade:

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- h. Restaurant; conventional
- i. Restaurant; fast food
- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair
- m. Appliance; household use, sales and accessory repair, excluding outside storage
- n. Appliance; commercial use, sales and accessory repair, excluding outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales
- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

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

- c. Rental of cloths and accessories; formal wear, etc.
- f. Automobiles, truck, recreational vehicle, motorcycles and boat sales and service (see also major and minor repair)

(12) Construction:

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

(13) Transportation:

- b. Bus station; passenger and related freight
- c. Taxi or limousine service
- e. Parcel delivery service
- f. Ambulance service

(14) Manufacturing/ Warehousing:

- c. Bakery; production, storage and shipment facilities

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

CDF (Downtown Commercial Fringe)

Special Uses

(1) General: None*

(2) Residential:

- d. Land use intensity multifamily (LUI) development rating 50 per Article K
- e. Land use intensity multifamily (LUI) development rating 67 per Article K
- j. Residential quarters for resident manager, supervisor or caretaker; including mobile homes
- m. Shelter for homeless or abused
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- o.(1). Nursing, convalescent center or maternity home; minor care facility
- r. Fraternity or sorority house

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining: None*

(6) Recreational/ Entertainment:

- d. Game center
- i. Commercial recreation; indoor and outdoor not otherwise listed
- l. Billiard parlor or pool hall
- m. Public or private club

(7) Office/ Financial/ Medical: None*

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- l. Convention center; private
- x. Dance studio
- bb. Civic organizations
- cc. Trade or business organizations
- hh. Exercise and weight loss studios; indoor only

(9) Repair:

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

(10) Retail Trade:

- b. Gasoline or automotive fuel sales; accessory or principal use, retail
- g. Fish market; excluding processing or packing
- j. Restaurant; regulated outdoor activities
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facility)

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

(12) Construction:

- d. Building supply; lumber and materials sales, plumbing and/or electrical supply including outside storage

(13) Transportation:

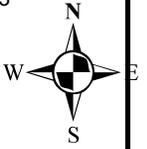
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

- g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholstery

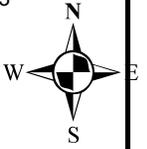
(15) Other Activities (not otherwise listed - all categories):

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

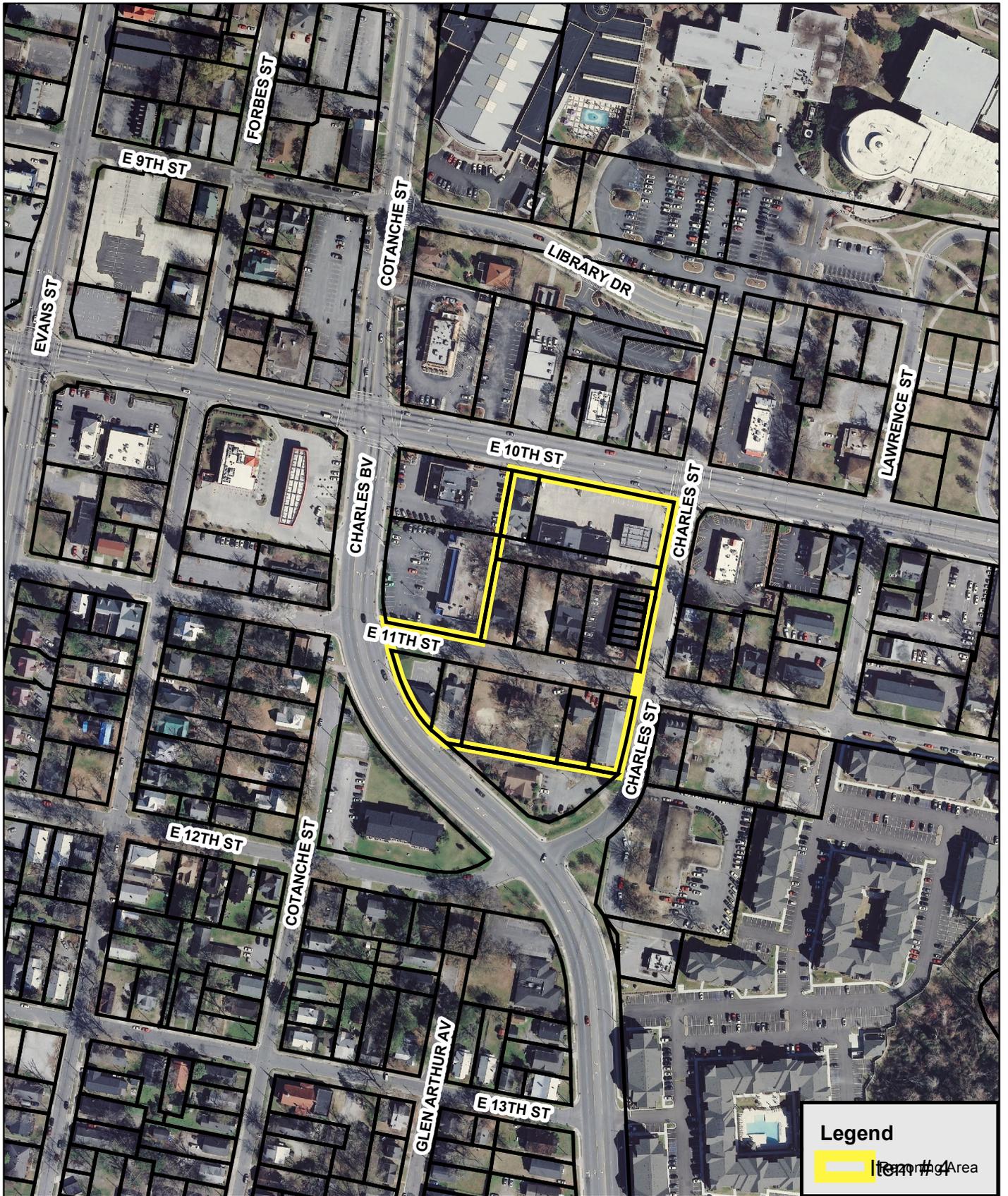


Taft-Ward Investments, LLC ETAL
From: CDF (Downtown Commercial Fringe)
To: CDF-UC (Downtown Commercial Fringe-Urban Core Overlay)
4.22+/- acres
January 4, 2016





Taft-Ward Investments, LLC ETAL
From: CDF (Downtown Commercial Fringe)
To: CDF-UC (Downtown Commercial Fringe-Urban Core Overlay)
4.22+/- acres
January 4, 2016



NC GRID (NAD83/2011)

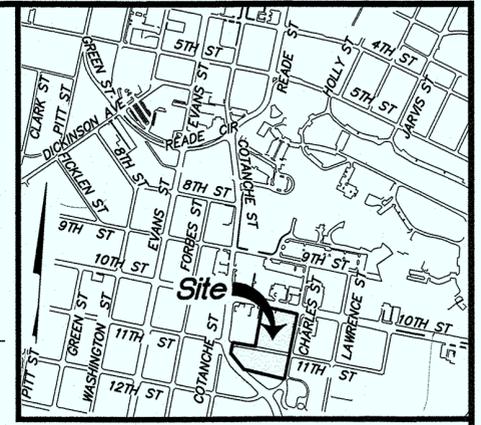
N/F
STATE OF NORTH CAROLINA
D.B. 3213 PG. 703
P.N. 19275
ZONING: OR

N/F
U10 PROPERTIES, LLC
D.B. 2154 PG. 424
M.B. 66 PG. 24
P.N. 15596
ZONING: CDF & OR

N/F
JEFFREY A. TANT
D.B. 1879 PG. 450
M.B. 27 PG. 124
P.N. 11200
ZONING: OR

N/F
GAMMA RHO HOUSING CORP.
D.B. 270 PG. 578
P.N. 15584
ZONING: OR

N/F
GREENVILLE MASONIC LODGE #284
AKA GREENVILLE MASONIC TEMPLE
D.B. V 32 PG. 516
D.B. 615 PG. 254
D.B. D 33 PG. 662
D.B. Y 33 PG. 258
D.B. Y 33 PG. 245
M.B. 73 PG. 107
P.N. 80026
ZONING: OR-UC



Vicinity Map
SCALE: 1" = 1,000'

LEGEND:

UC ZONING = URBAN CORE
CD ZONING = COMMERCIAL DEVELOPMENT
N/F = NOW OR FORMERLY
R/W = RIGHT OF WAY
B/B = BACK TO BACK
P.N. = PARCEL NUMBER
D.B. = DEED BOOK
M.B. = MAP BOOK
PG. = PAGE

REZONING LINE - - - - -
ADJACENT OWNER LINE - - - - -
RIGHT OF WAY LINE - - - - -
PLATTED LOT NUMBER (5)

REZONED AREA:

TOTAL = 184,024 S.F. ±
4.22 ACRES ±

REFERENCES:

D.B. 2801, PG. 10
D.B. 3308, PG. 133
D.B. 3361, PG. 142
D.B. 3383, PG. 613
D.B. 3376 PG. 792
P.N. 03801, 15575, 07170, 38390, 38391, 38392,
38393, 38394, 15585, 15600, 12125, 02025, 03712,
40248, 15601, 21808

OWNER:

TAFT-WARD INVESTMENTS, LLC, ETAL
P.O. BOX 566
GREENVILLE, N.C. 27835
PHONE: (252) 752-7101

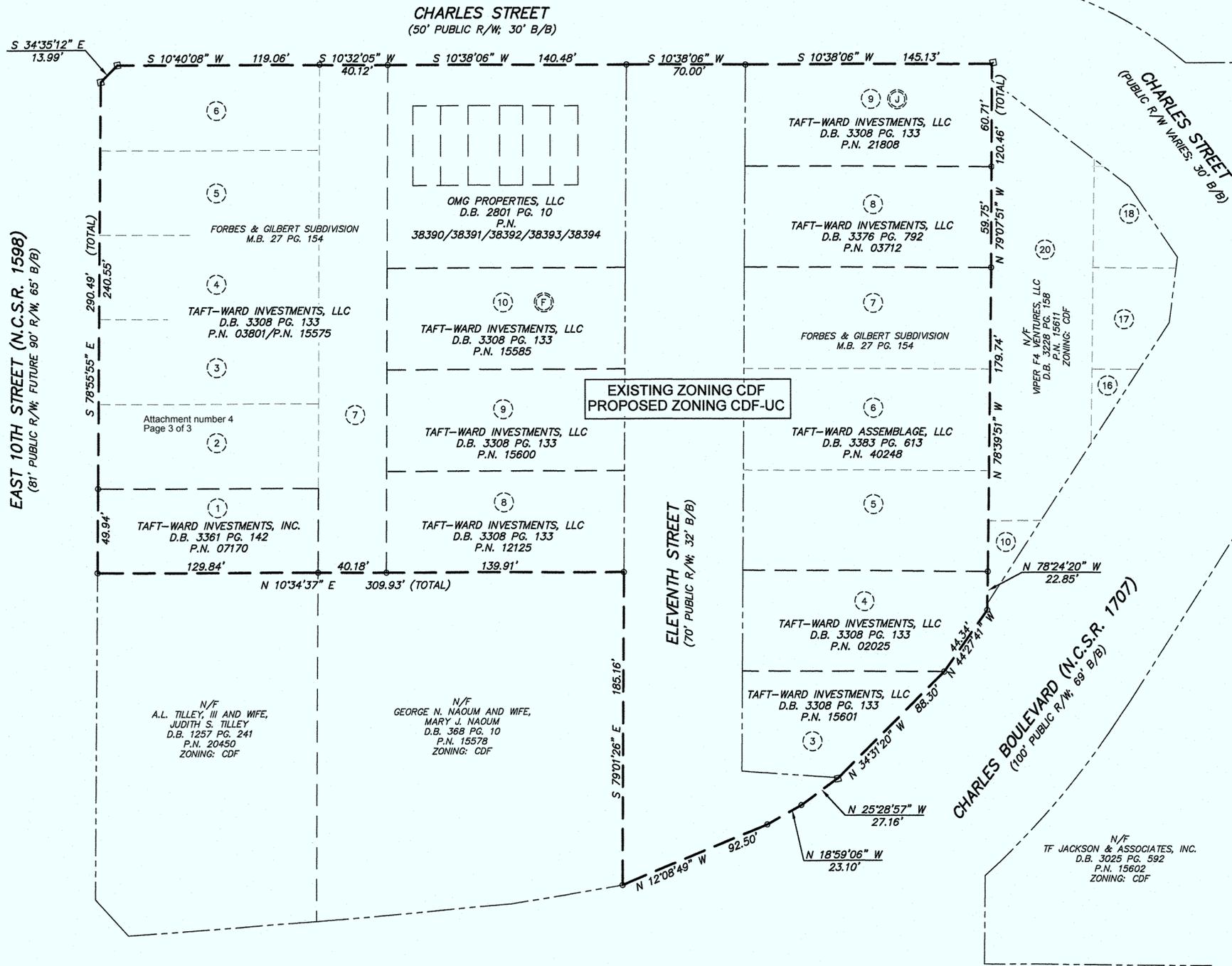
CERTIFICATION

NORTH CAROLINA PITT COUNTY
I, PATRICK W. HARTMAN, PROFESSIONAL LAND SURVEYOR CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM DEEDS AND OR MAPS AS REFERENCED HEREON, AND DOES NOT REPRESENT A FIELD BOUNDARY SURVEY BY MYSELF OR RIVERS AND ASSOCIATES, INC.; I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (F)(11)D., THAT THIS SURVEY IS OF ANOTHER CATEGORY, REZONING MAP. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 9th DAY OF DECEMBER, 2015.

SIGNED: *Patrick W. Hartman*
PROFESSIONAL LAND SURVEYOR

REGISTRATION NUMBER L - 4262

REVISED DEC 28th, 2015 PER CITY COMMENTS



N/F
JOSEPH KADANE
D.B. 295 PG. 797
P.N. 04253
ZONING: CDF

N/F
JOSEPH KADANE
D.B. 295 PG. 797
P.N. 14473
ZONING: CDF

N/F
STATE OF NORTH CAROLINA
D.B. 3213 PG. 698
P.N. 20456
ZONING: OR

N/F
STATE OF NORTH CAROLINA
D.B. 3213 PG. 698
P.N. 20453
ZONING: OR

N/F
STATE OF NORTH CAROLINA
D.B. 3213 PG. 698
P.N. 11975
ZONING: OR

N/F
STATE OF NORTH CAROLINA
D.B. 320 PG. 590
P.N. 32975
ZONING: OR

N/F
DAVID RALPH MORGAN
ESTATE FILE 03E PG. 685
P.N. 32977
ZONING: CDF

N/F
A.L. TILLEY, III AND WIFE,
JUDITH S. TILLEY
D.B. 1257 PG. 241
P.N. 20450
ZONING: CDF

N/F
GEORGE N. NAQUM AND WIFE,
MARY J. NAQUM
D.B. 368 PG. 10
P.N. 15578
ZONING: CDF

N/F
TF JACKSON & ASSOCIATES, INC.
D.B. 3025 PG. 592
P.N. 15602
ZONING: CDF

N/F
ROBERT F. HOWARD
& BELINDA B. HOWARD, ETAL
D.B. 3425 PG. 745
P.N. 25079
ZONING: CDF

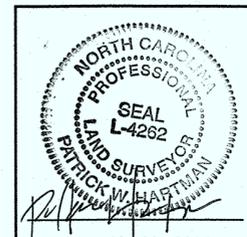
N/F
TENTH STREET PROPERTIES, LLC
D.B. 2047 PG. 787
P.N. 74017
ZONING: CDF

N/F
SOUTH CHARLES PROPERTIES, LLC
D.B. 2047 PG. 797
P.N. 21041
ZONING: CDF

N/F
SOUTH CHARLES PROPERTIES, LLC
D.B. 2047 PG. 797
P.N. 21041
ZONING: CDF

NOTES:

- 1) AREA DETERMINED BY COORDINATES.
- 2) ALL DISTANCES ARE HORIZONTAL MEASUREMENTS.
- 3) NO POINT SET AT ANY CORNER UNLESS OTHERWISE NOTED.
- 4) THIS MAP WAS PREPARED FOR REZONING PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON.
- 5) EXISTING ZONING WAS TAKEN FROM THE OFFICIAL ZONING MAP, THE CITY OF GREENVILLE, DATED APRIL 22, 2005 AND THE CITY OF GREENVILLE SPATIAL DATA EXPLORER WEB SITE.
- 6) BOUNDARY INFORMATION SHOWN HEREON WAS DRAWN, IN PART, FROM A FIELD SURVEY PERFORMED BY RIVERS AND ASSOCIATES, INC. BASED ON FROM DEEDS AND MAPS REFERENCED HEREON.
- 7) STREET SECTION WIDTHS WERE TAKEN FROM THE GREENVILLE URBAN AREA THOROUGHFARE STREET INVENTORY.
- 8) ADJOINING PROPERTY DATA WAS TAKEN FROM THE PITT COUNTY ONLINE PARCEL INFORMATION WEB SITE AND HAS NOT BEEN VERIFIED FOR ACCURACY OR CORRECTNESS.



DATE: 12-09-2015

SURVEY: RB DRAFT: KB SCALE: 1" = 50'
DESIGN: CHECK: PH JOB NO. 2015184

NC License: F-0334
Rivers
& ASSOCIATES, INC.
riversandassociates.com Since 1918
Engineers
Planners
Surveyors
Landscape Architects
107 East Second Street
Greenville, NC 27858
(252) 752-4135

REZONING MAP FOR
TAFT-WARD INCOME INVESTMENTS, LLC, ETAL
CITY OF GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA
DRAWING NO. Z - 2607 SHEET 1 OF 1

Scanned 12/24/15
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City of Greenville, North Carolina

Meeting Date: 2/11/2016
Time: 6:00 PM

Title of Item: Ordinance to amend the Zoning Ordinance by adding a Dormitory Development as an allowed land use within the CDF (Downtown Commercial Fringe) zoning district - UC (Urban Core Overlay), subject to an approved special use permit, and establishing specific criteria

Explanation: **Abstract:** The City of Greenville received an application from Mr. James Walker, Rivers and Associates, Inc., for a text amendment that proposes the addition of regulations to allow Dormitory Development as an allowed land use within the CDF (Downtown Commercial Fringe) zoning district - UC (Urban Core Overlay), subject to an approved special use permit, and establishing specific criteria.

Explanation: Greenville's Zoning Ordinance does not allow Dormitory Development within the CDF (Downtown Commercial Fringe) zoning district.

In order to amend the Zoning Ordinance to add a dormitory development land use and allow them to operate in the CDF-UC zoning district with approval of a special use permit, text amendments must be adopted. This text amendment application requires a public hearing before City Council.

The text amendment proposes Dormitory Developments in the Downtown Commercial Fringe Zoning District-Urban Core Overlay District (CDF-UC) with approval of a special use permit, and proposes development criteria for such development, including that such development must be rezoned to add an Urban Core (UC) Overlay District. Map 1 in the attached report illustrates locations of the CDF zoning district and the boundary of where the Urban Core Overlay District is eligible to be added under a rezoning process to show where Dormitory Developments would be allowed under the proposed text amendment. This text application was submitted concurrent with a rezoning application to add the Urban Core Overlay District to the property.

If this ordinance is adopted, applicants seeking to construct dormitory developments in the CDF (Downtown Commercial Fringe) Zoning District will

be required to rezone their property to add the Urban Core (UC) Overlay District, apply to the Board of Adjustment to seek approval of a special use permit, and submit a proposed site plan for review.

The attached staff report provides additional details regarding this text amendment. The applicant's full application submittal is attached to the staff report in Exhibit B. The application includes Mr. Walker's initial application and revised application based on revisions made to address staff comments.

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.

The Planning and Zoning Commission voted to recommend approval of the request at its February 16, 2016 meeting. (Exhibit C)

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

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

"Motion to deny the requested text amendment, to make a finding and determination that the requested text amendment is inconsistent with the comprehensive plan or other applicable plans, including but not limited to the following; Horizons: Greenville's Community Plan 2004, Implementation, Section 1 - Land Use, Implementation Strategy 2(b) to provide for the mixed use district"

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

Attachments / click to download

 [1-29-2016 Staff Report with Attachments](#)

 [Ordinance Dorm Development in CDF UC 1020025](#)

ORDINANCE NO. 16-
AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on February 11, 2016, at 6:00 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, Section 4, Implementation, Section 1, Land Use, Implementation Strategy 2(b) to provide for the Mixed Use District;

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 mixed use development in the CDF (Downtown Commercial Fringe) zoning district;

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)(2) of the City Code is hereby amended by rewriting the column labeled "Use" on the row numbered e(1) to read as follows:

Dormitory development (see also Sec. 9-4-86(MM), *Only allowed in CDF district with an Urban Core Overlay District (see also Sec. 9-4-86(MM)-1)

Section 2: That Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A)(C)(2) of the City Code is hereby amended to add "S*" under the column labeled "CDF" on the row numbered e(1) in order to add the use entitled "Dormitory development" as a special use in the CDF

(Downtown Commercial Fringe) District.

Section 3: That Title 9, Chapter 4, Article E, Section 9-4-86 of the City Code is hereby amended by adding the following subsection (MM)-1:

(MM)-1 Dormitory development within the CDF-UC District.

- (1) Maximum single and double occupancy limits shall comply with the following minimum habitable (mechanically conditioned) floor area per each bedroom. For purposes of these requirements, the term "floor area" shall include private living spaces and any connected common living spaces associated with subject bedroom, provided however the common living space allocation devoted to a bedroom shall not qualify for or count toward the minimum floor area requirement of any other bedrooms:
 - (a) Single residential occupancy within dormitory units shall be limited to one bed per each bedroom and one person per each bedroom having a minimum floor area of 200 square feet.
 - (b) Double residential occupancy within dormitory units shall be limited to two beds per each bedroom and two persons per each bedroom having a minimum floor area of 400 square feet.
- (2) Dormitory development within the CDF-UC District shall provide retail sales and/or other non-residential uses with a minimum floor area of 10,000 square feet. For purposes of this requirement, the term "floor area" shall mean non-storage floor area which is used as retail sales, or other non-residential uses. Where architectural layouts are not available for consideration, the "floor area" will be calculated by multiplying 80 percent times the gross area designated as non-residential use until such time architectural layouts are available for consideration or occupancy has commenced, whichever is earlier.
- (3) Minimum lot area: 2.0 Acres
- (4) Minimum lot width: 100 feet
- (5) Minimum street setback: five feet
- (6) Minimum side and rear setbacks:
 - (a) When adjacent to single-family use: ten feet
 - (b) When adjacent to any use other than single-family: per Article G, Bufferyard setback
- (7) Maximum height (above grade): none
- (8) Maximum lot coverage (excluding drives and parking): none
- (9) Minimum parking requirements:
 - (a) Single residential occupancy: Seventy-five hundredths (0.75) space per bed.

- (b) Double residential occupancy: One and one-half space per bedroom.
 - (c) Non-residential uses: The required number of parking spaces for non-residential uses shall be provided in accordance with Article O, except as modified herein. The parking requirements set forth in Article O for non-residential uses may be reduced by twenty-five percent (25%) where combined parking is available for the non-residential user. For purposes of this section, the term “combined parking” shall be that parking which is part of the required residential parking that is available and accessible to the non-residential user.
- (10) Parking location requirements: Each required parking space shall be located on the lot containing the associated use.
 - (11) Parking spaces adjacent to principal or other structures including accessory structures per Section 9-4-251(B)(9): The minimum separation requirement may be reduced at the option of the Owner to not less than five (5) feet.
 - (12) Off-street parking: All off-street parking areas designed for three or more spaces shall be in accordance with Article O-Parking except as modified in Sec. 9-4-200.1(B)(6).
 - (13) Site vegetation location requirements per Section 9-4-268(J)(1) may be modified for dormitory developments whereby, with the exception of street yard trees, site vegetation shall not be located within two feet of a principal and/or accessory structure in order to meet vegetation requirements.
 - (14) Signage: All signs shall be erected in accordance with Article N of this chapter.
 - (15) Residential and nonresidential uses allowed: Subject to district standards, and requirements, development allowed under this section may include both residential and nonresidential use.
 - (16) Nothing in this subsection shall supersede applicable North Carolina State Building Code Requirements.

Section 4: That Title 9, Chapter 4, Article L, Section 9-4-200.1 of the City Code is hereby amended by rewriting subsection (B)(5) to read as follows:

- (5) Within any Urban Core (UC) Overlay District multi-family development, land use intensity multi-family (LUI) development rating 50, land use intensity dormitory (LUI) development rating 67, and dormitory development, as listed under Article D and Appendix A table of permitted uses, shall be subject to modified standards as listed under subsection (6) below, unless otherwise provided. All other standards, requirements and conditions of the underlying general purpose district not included under and modified by subsection (6) shall continue to apply.

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 11th day of February, 2016.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

#1020025

Staff Report to City Council Dormitory Development in CDF-UC – Text Amendment

Applicant: James (Jim) Walker, Rivers and Associates, Inc

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**City of Greenville
Community Development Department - Planning Division
January 29, 2016**

Background

Greenville's Zoning Ordinance does not allow Dormitory Development in the Downtown Commercial Fringe zoning district. The City of Greenville received an application for a text amendment from Mr. James Walker that proposes the addition of regulations to allow Dormitory Development in the Downtown Commercial Fringe zoning district - Urban Core Overlay District (CDF-UC) as a special use with proposed development criteria. (Exhibit B: Application Submittal Documents).

History and Nomenclature to Reference Regarding this Proposed Text Amendment

Currently, the City of Greenville only allows dormitory development, without the Land Use Intensity (LUI) method in the CD (Downtown Commercial) zoning district with an approved special use permit. The framework of how the City currently allows dormitory development in the CD (Downtown Commercial) zoning district is already fairly complex even before trying to understand how this text amendment application proposes to allow dormitory development in a second zone, the CDF (Downtown Commercial Fringe).

To help offer insight into the history of existing regulations and nomenclature used regarding this proposed text amendment, this section of the staff report provides:

- Definition of the CDF Zoning District;
- List of land uses allowed in the CDF Zoning District, by right;
- List of land uses allowed in the CDF Zoning District, with a special use permit;
- Purpose and definition of Urban Core (UC) Overlay District; and
- Definition of Dormitory.

Definition of CDF (Downtown Commercial Fringe). The CDF (Downtown Commercial Fringe) zoning district is defined in the Zoning Ordinance, Sec. 9-4-66 as follows:

The purpose of the CDF District is to provide commercial and service designed to enhance the downtown commercial area, stimulate redevelopment and encourage a compatible mix of commercial and high density residential development.

Land Uses Allowed in the CDF Zoning District, by Right. Land uses currently allowed, by right, in the CDF district are set forth in the Greenville City Code, Title 9, Chapter 4, Article F, Section 9-4-78 (Appendix A) Table of Uses and listed below for quick reference:

- (1) *General:*
- a. Accessory use or building
 - b. Internal service facilities
 - c. On-premise signs per Article N
 - e. Temporary uses; of listed district uses
 - f. Retail sales; incidental

- g. Incidental assembly of products sold at retail or wholesale as an accessory to principle use

(2) *Residential:*

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

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

(4) *Governmental:*

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

(5) *Agricultural/ Mining:*

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

(6) *Recreational/ Entertainment:*

- f. Public park or recreational facility
- g. Private noncommercial park or recreation facility
- o. Theater; movie or drama, including outdoor facility

(7) *Office/ Financial/ Medical:*

- a. Office; professional and business, not otherwise listed
- c. Office; customer service not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed

(8) *Services:*

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- k. Business or trade school
- n. Auditorium
- o. Church or place of worship (see also section 9-4-103)
- p. Library
- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales

- v. Photography studio including photo and supply sales
- w. Recording studio
- 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)
- kk. Launderette; household users
- ll. Dry cleaners; household users
- mm. Commercial laundries; linen supply
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

(9) Repair:

- d. Upholsterer; furniture
- f. Appliance; household and office equipment repair
- g. Jewelry, watch, eyewear or other personal item repair

(10) Retail Trade:

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- h. Restaurant; conventional
- i. Restaurant; fast food
- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair
- m. Appliance; household use, sales and accessory repair, excluding outside storage
- n. Appliance; commercial use, sales and accessory repair, excluding outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales
- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

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

- c. Rental of cloths and accessories; formal wear, etc.
- f. Automobiles, truck, recreational vehicle, motorcycles and boat sales and service (see also major and minor repair)

(12) Construction:

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

- f. Hardware store

(13)Transportation:

- b. Bus station; passenger and related freight
- c. Taxi or limousine service
- e. Parcel delivery service
- f. Ambulance service

(14)Manufacturing/ Warehousing:

- c. Bakery; production, storage and shipment facilities

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

Land Uses Allowed in the CDF Zoning District, with a Special Use Permit. Land uses currently allowed in the CDF district, with approval of a special use permit, are set forth in the Greenville City Code, Title 9, Chapter 4, Article F, Section 9-4-78 (Appendix A) Table of Uses and listed below for quick reference:

(1) General: None*

(2) Residential:

- d. Land use intensity multifamily (LUI) development rating 50 per Article K
- e. Land use intensity multifamily (LUI) development rating 67 per Article K
- j. Residential quarters for resident manager, supervisor or caretaker; including mobile homes
- m. Shelter for homeless or abused
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- o.(1). Nursing, convalescent center or maternity home; minor care facility
- r. Fraternity or sorority house

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining: None*

(6) Recreational/ Entertainment:

- d. Game center
- i. Commercial recreation; indoor and outdoor not otherwise listed
- l. Billiard parlor or pool hall
- m. Public or private club

(7) Office/ Financial/ Medical: None*

(8) Services:

- a. Child day care facilities

- b. Adult day care facilities
- l. Convention center; private
- x. Dance studio
- bb. Civic organizations
- cc. Trade or business organizations
- hh. Exercise and weight loss studios; indoor only

(9) Repair:

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

(10) Retail Trade:

- b. Gasoline or automotive fuel sales; accessory or principal use, retail
- g. Fish market; excluding processing or packing
- j. Restaurant; regulated outdoor activities
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facility)

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

(12) Construction:

- d. Building supply; lumber and materials sales, plumbing and/or electrical supply including outside storage

(13) Transportation:

- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

- g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholstery

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

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

Purpose and Definition of Urban Core (UC) Overlay District. The City of Greenville uses overlay districts which are special zoning districts that apply development standards in addition to the requirements of the conventional or underlying zoning districts. The City currently has six overlay districts which are composed of Water Supply Watershed Overlay District, Historic District Overlay District, Conservation Area Overlay District, R-6A Residential Use Overlay District, Urban Core Overlay District and University Neighborhood Revitalization Initiative Overlay District.

The City's Zoning Ordinance provides direction of how overlay districts shall be regulated in relation to the underlying zoning district and how to manage regulatory conflicts between overlay standards and underlying zoning district standards. Sec. 9-4-79 provides the following:

Where any lands are located within any overlay district(s) the applicable standards, uses, conditions and restrictions specified under Article L shall be in addition to the standards, uses, conditions and restrictions of the [underlying] zoning standards, uses, conditions and restrictions, the more restrictive shall apply.

On March 4, 2010, City Council adopted Ordinance #10-19 that established the Urban Core (UC) Overlay District. Map 1 illustrates the boundary of the UC Overlay District. The ordinance was adopted in response to a zoning ordinance text request by the Edwards Community Group. The purpose and intent, definition, designated area and standards of the Urban Core (UC) Overlay District Standards are provided in the Zoning Ordinance, Sec. 9-4-76 and Sec. 9-4-200.1 as follows:

SEC. 9-4-76 URBAN CORE OVERLAY DISTRICT.

The purpose of the UC Urban Core Overlay District is to allow modification of residential development standards of the underlying zoning district(s) which are designed to facilitate development and redevelopment of in-fill sites.

SEC. 9-4-200.1 URBAN CORE (UC) OVERLAY DISTRICT STANDARDS.

(A) Purpose and intent; definition; designated area.

- (1) Purpose and intent. The purpose and intent of the Urban Core (UC) Overlay District and requirements set forth under this section is to allow modification of specific site development standards of the underlying zoning district(s) which are designed to facilitate development and redevelopment of in-fill sites in the designated area specified under subsection (3) below.*
- (2) Definition. An Urban Core (UC) Overlay District is defined as an overlay zoning district adopted in conjunction with an OR, and/or CDF underlying general purpose district as listed under Article D, Part 2, sections 9-4-62 and 9-4-66 wherein the zoning rights, standards, restrictions and requirements as set forth for the common general purpose district shall extend to the Urban Core (UC) Overlay District zoned area in accordance with subsection (B) below.*
- (3) Designated area. All Urban Core (UC) Overlay District(s) shall be restricted to the land area located within the following boundary: south of Tenth Street, east of the CSXT Railroad, north of Fourteenth Street, west of Green Mill Run and ECU Easement (tax parcel 73545, DB 2215 - PG 597 (as existing on March 4, 2010. No Urban Core (UC) Overlay District shall be located outside of the designated area described by this subsection. An Urban Core (UC) Overlay District shall be established within the designated area upon City Council adoption of an individual zoning ordinance which defines the*

boundary of the specific Urban Core (UC) Overlay District located within the designated area boundary.

(B) Standards.

- (1) Initiation of a petition for an Urban Core (UC) Overlay District zoning map amendment shall be made in accordance with section 9-4-331.*
- (2) If any portion of a lot, parcel or tract is zoned as Urban Core (UC) Overlay the entire lot, parcel or tract shall be included in the Urban Core (UC) Overlay.*
- (3) All Urban Core (UC) Overlay Districts shall be delineated upon the official zoning map as both the underlying general purpose district and UC Overlay District. The general purpose district title shall be followed by “-UC” in all areas zoned Urban Core (UC) Overlay District.*
- (4) The zoning rights, standards, restrictions and requirements of the underlying general purpose district shall extend to the Urban Core (UC) Overlay District, except as provided herein.*
- (5) Within any Urban Core (UC) Overlay District multi-family development, land use intensity multi-family (LUI) development rating 50, and land use intensity dormitory (LUI) development rating 67, as listed under Article D and Appendix A table of permitted and special uses, shall be subject to modified standards as listed under subsection (6) below. All other standards, requirements and conditions of the underlying general purpose district not included under and modified by subsection (6) shall continue to apply.*
- (6) Modified standards. The following standards specified in this subsection are hereby adopted as substitute minimum requirements within the Urban Core (UC) Overlay District for the uses listed under subsection (5) above.*
 - (a) Principal and accessory structure public street right-of-way setback per section 9-4-145(B)(1): The minimum setback may be reduced at the option of the owner to not less than five feet.*
 - (b) Principal and accessory structure private street easement setback per section 9-4-145(B)(2): The minimum setback may be reduced at the option of the owner to not less than five feet.*
 - (c) Principal and accessory structure public street right-of-way and private street easement setback per section 9-4-181(A): The minimum setback may be reduced at the option of the owner to not less than five feet.*
 - (d) Bufferyard A per section 9-4-119(A): The applicable six-foot and/or ten-foot bufferyard width may be reduced at the option of the owner to not less than five feet regardless of lot*

size. Bufferyard with modification shall not exempt or reduce any vegetation requirement applicable to any Bufferyard A, as required prior to the application of this subsection.

- (e) Parking space to dwelling structure separation per section 9-4-251(B)(9): The minimum separation requirement may be reduced at the option of the owner to not less than five feet.*

Definition of Dormitory. The Zoning Ordinance, Sec. 9-4-22, Words and Terms Defined, provides the following definition for dormitory:

Dormitory. A building or group of buildings where group sleeping accommodations are provided with or without meals for persons not members of the same family group, in one room or in a series of closely associated rooms under joint occupancy and single management, such as a college dormitory or privately owned dormitory intended for use by college students.

Proposed Text Amendment

In order to amend the Zoning Ordinance to add a dormitory development land use and allow them to operate in the CDF-UC zoning district with approval of a special use permit, text amendments must be adopted. This text amendment application requires a public hearing before City Council.

The text amendment proposes Dormitory Developments in the Downtown Commercial Fringe Zoning District-Urban Core Overlay District (CDF-UC) with approval of a special use permit, and proposes development criteria for such development, including that such development must be rezoned to add an Urban Core (UC) Overlay District. Maps 1 illustrates locations of the CDF zoning district and the boundary of where the Urban Core Overlay District is eligible to be added under a rezoning process to show where Dormitory Developments would be allowed under the proposed text amendment. This text application was submitted concurrent with a rezoning application to add the Urban Core Overlay District to the property.

If this ordinance is adopted, applicants seeking to construct dormitory developments in the CDF (Downtown Commercial Fringe) Zoning District will be required to rezone their property to add the Urban Core (UC) Overlay District, apply to the Board of Adjustment to seek approval of a special use permit and submit a proposed site plan for review.

The application submittal documents are attached (Exhibit B). The application includes Mr. Walker's proposed language and justification for his proposed text amendment. Staff reviewed the initial December 15, 2015 application and provided review comments that were addressed during two supplemental revisions submitted on January 8 and January 14, included in Exhibit B. Proposed text amendments to add Dormitory Development are illustrated below using underlined text to denote regulations to be added in four areas of the Zoning Ordinance. An ordinance has been prepared for this text amendment to propose amendments illustrated below using underlined text to

denote additions and stricken text to denote deletions to existing regulations in the zoning ordinance.

1. In Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A)(C)(2), the Table of Uses would be amended by rewriting the column labeled "Use" on the row numbered e(1) to read as follows:

*Dormitory development (see also Sec. 9-4-86(MM), *Only allowed in CDF district with an Urban Core Overlay District (see also Sec. 9-4-86(MM)-1)*

Exhibit A, Excerpt of the Table of Uses Showing Proposed Amendments, presents how the proposed Table of Uses would be changed to incorporate this amendment.

2. In Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A)(C)(2), the Table of Uses would be amended by adding, "S*" under the column labeled "CDF" on the row numbered e(1) in order to add the use entitled "Dormitory development" as a special use in the CDF (Downtown Commercial Fringe) District.

Exhibit A, Excerpt of the Table of Uses Showing Proposed Amendments, presents how the proposed Table of Uses would be changed to incorporate this amendment.

3. This text amendment application proposes to amend Title 9, Chapter 4, Article E, Section 9-4-86 listed Uses; Specific Criteria, by adding the following new subsection (MM)-1.

“(MM)-1 Dormitory development within the CDF-UC District.

(1) Maximum single and double occupancy limits shall comply with the following minimum habitable (mechanically conditioned) floor area per each bedroom. For purposes of these requirements, the term “floor area” shall include private living spaces and any connected common living spaces associated with subject bedroom, provided however the common living space allocation devoted to a bedroom shall not qualify for or count toward the minimum floor area requirement of any other bedrooms:

(a) Single residential occupancy within dormitory units shall be limited to one bed per each bedroom and one person per each bedroom having a minimum floor area of 200 square feet.

(b) Double residential occupancy within dormitory units shall be limited to two beds per each bedroom and two

- persons per each bedroom having a minimum floor area of 400 square feet.
- (2) Dormitory development within the CDF-UC District shall provide retail sales and/or other non-residential uses with a minimum floor area of 10,000 square feet. For purposes of this requirement, the term "floor area" shall mean non-storage floor area which is used as retail sales, or other non-residential uses. Where architectural layouts are not available for consideration, the "floor area" will be calculated by multiplying 80 percent times the gross area designated as non-residential use until such time architectural layouts are available for consideration or occupancy has commenced, whichever is earlier.
- (3) Minimum lot area: 2.0 Acres
- (4) Minimum lot width: 100 feet
- (5) Minimum street setback: five feet
- (6) Minimum side and rear setbacks:
- (a) When adjacent to single-family use: ten feet
- (b) When adjacent to any use other than single-family: per Article G, Bufferyard Setback
- (7) Maximum height (above grade): none
- (8) Maximum lot coverage (excluding drives and parking): none
- (9) Minimum parking requirements:
- (a) Single residential occupancy: Seventy-five hundredths (0.75) space per bed.
- (b) Double residential occupancy: One and one-half space per bedroom.
- (c) Non-residential uses: The required number of parking spaces for non-residential uses shall be provided in accordance with Article O, except as modified herein. The parking requirements set forth in Article O for non-residential uses may be reduced by twenty five percent (25%) where combined parking is available for the non-residential user. For purposes of this section, the term "combined parking" shall be that parking which is part of the required residential parking that is available and accessible to the non-residential user.
- (10) Parking location requirements: Each required parking space shall be located on the lot containing the associated use.

- (11) Parking spaces adjacent to principal or other structures including accessory structures per Section 9-4-251(B)(9): The minimum separation requirement may be reduced at the option of the Owner to not less than five (5) feet.
- (12) Off-street parking: All off-street parking areas designed for three or more spaces shall be in accordance with Article 0-Parking except as modified in Sec. 9-4-200.1(B)(6).
- (13) Site vegetation location requirements per Section 9-4-268(J)(1) may be modified for dormitory developments whereby, with the exception of street yard trees, site vegetation shall not be located within two feet of a principal and/or accessory structure in order to meet vegetation requirements.
- (14) Signage: All signs shall be erected in accordance with Article N of this chapter.
- (15) Residential and nonresidential uses allowed Subject to district standards, and requirements, development allowed under this section may include both residential and nonresidential use.
- (16) Nothing in this subsection shall supersede applicable North Carolina State Building Code Requirements.”

4. This text amendment application proposes to amend Title 9, Chapter 4, Article L, Section 9-4-200.1 by rewriting subsection (B)(5) to add “dormitory development” among the list of development types that may be constructed in the Urban Core (UC) Overlay District, subject to modified standards to read as follows:

- (5) Within any Urban Core (UC) Overlay District multi-family development, land use intensity multi-family (LUI) development rating 50, ~~and~~ land use intensity dormitory (LUI) development rating 67, and dormitory development, as listed under Article D and Appendix A table of permitted uses, shall be subject to modified standards as listed under subsection (6) below, unless otherwise provided. All other standards, requirements and conditions of the underlying general purpose district not included under and modified by subsection (6) shall continue to apply.*

Compliance with the Comprehensive Plan

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

Greenville's comprehensive plan, Horizons: Greenville's Community Plan, 2004, and the 2009/2010 update contains adopted goals, policy statements and objectives that should be reviewed and considered to ensure that the proposed text amendments are in compliance with the Plan, and effectively with the community's values.

Staff reviewed the Plan and provides the following findings regarding consistency between the proposed text amendment and the Plan. In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan.

Following is a relevant excerpt from Horizons: Greenville's Community Plan, 2004

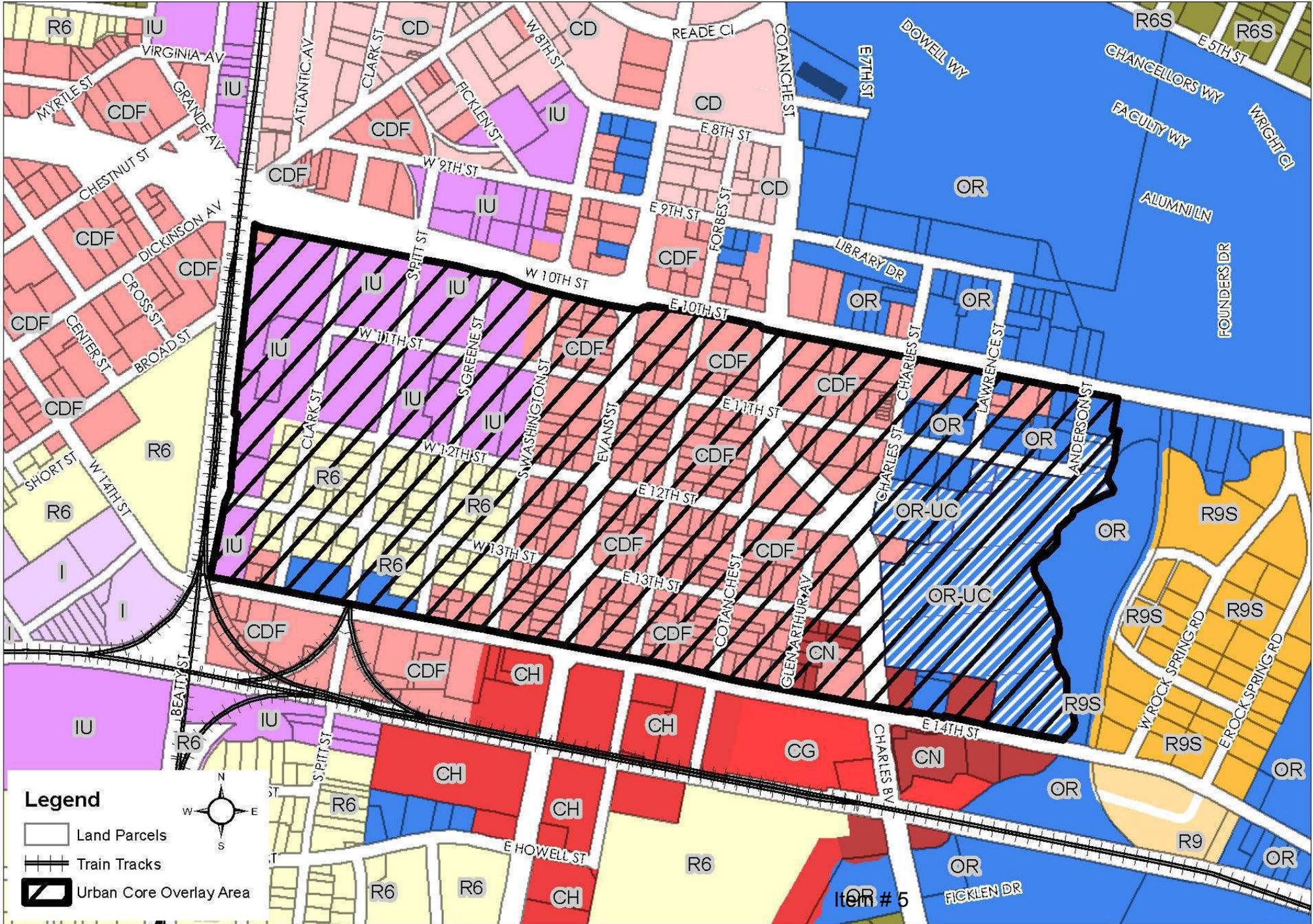
Section 4 - Implementation, Section 1 - Land Use

Implementation Strategy 2(b). Provide for the Mixed Use District. A Mixed Use District is intended to provide for the coordinated development of office, commercial, and residential uses and their necessary support functions in the vicinity of key highway intersections in Greenville. They should be designed to facilitate stated public policies to encourage design which emphasizes people-oriented environments and compatible, visually interesting development. This district provides areas where moderate scale, mixed use centers can locate, with an emphasis on development of a balance of residential, office, and commercial uses.

Recommendation

The Planning and Zoning Commission approved a motion to recommend approval of the proposed text amendment. An excerpt from the draft Planning and Zoning Commission's January 19, 2016 meeting minutes is attached (Exhibit C).

Map 1 - Urban Core Overlay Area



0 0.075 0.15 0.3 Miles

EXHIBIT A: Excerpt of the Table of Uses Showing Proposed Amendments

The proposed text amendment to this Table of Uses is to add dormitory development as an allowed use with a special use permit in the CDF (Downtown Commercial Fringe) zoning district and requiring an Urban Core (UC) Overlay as shown below in red text.

(2) Residential.

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. Single-family dwelling	1	P	P	P	P	P	P	P	P	P					P		P				P							
b. Two-family attached dwelling (duplex)	1	S				P	P	P	P	P					P			P			P							
b(1). Master Plan Community per Article J		P			P		P	P	P																			
c. Multi-family development per Article I	2						P		P	P	P				P			P		P	P							
d. Land use intensity multi-family (LUI) development rating 50 per Article K	2								S	S					S			S			S							
e. Land use intensity dormitory (LUI) development rating 67 per Article K	2								S	S		S						S			S							
e(1). Dormitory development <i>(see also § 9-4-86(MM), *Only allowed in CDF district with an Urban Core Overlay District (see also § 9-4-86(MM)-1)</i>	2																			S	<i>S*</i>							
f. Residential cluster development per Article M	1	P			P	P		P	P	P					P		P											
g. Mobile home (see also § 9-4-103)	1	S								P																		
h. Mobile home park	2									P																		
i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home	*										S	S	S	S		S		S	S	P	S	S		S	S	S	S	S
j. Residential quarters for resident manager, supervisor or caretaker; including mobile homes	*																							S	S	S	S	S
k. Family care home (see also § 9-4-103)	1	P	P	P	P	P	P	P	P	P					P		P	P			P							
l. Group care facility	3								S	S		P	P	P	S													
m. Shelter for homeless or abused (see also § 9-4-103)	3																	S			S							
n. Retirement center or home	3	S							S	S		P	P	P	S			P		P	S							
o(1). Nursing, convalescent or maternity home; minor care facility	2	S						S	S	S											S							

Item # 5



EXHIBIT B: Application Submittal Documents

Date Received 12/15/15 *[Signature]*

**CITY OF GREENVILLE
ZONING ORDINANCE TEXT AMENDMENT APPLICATION**

Applicant Name(s) James (Jim) Walker, 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: Title 9, Chapter 4, Article D, Section 9-4-78 and Article E – Standards and Criteria for Special Uses, Section 9-4-86

Reason for Request: To update Greenville's Zoning Ordinances and Development Standards to conform to today's market place, development standards and proposed development

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

James M. Walker
Print Name

[Handwritten Signature]
Signature of Applicant

12/15/15
Date

Proposed Language of Text Amendment

Item 1. Under Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A: Table of Uses) 2, Residential, Amend Line e (1) as follows: *ADD under CDF zoning district the letter "S" with an asterisk so noted that dormitory development is only allowed within the Urban Core (UC) Overlay District.*

Item 2. Title 9, Chapter 4, Article E, Section 9-4-86 Listed Uses; Specific Criteria, ADD Line (MM)-1 as follows:

(MM)-1 Dormitory development within the CDF-UC District.

- (1) Minimum habitable (mechanically conditioned) floor area per each bedroom: 200 square feet. For purposes of this requirement, the term "floor area" shall include private living spaces and any connected common living spaces associated with the subject bedroom, provided however the common living space allocation devoted to a bedroom shall not qualify for or count toward the minimum floor area requirement of any other bedrooms.*
- (2) Dormitory development within the CDF-UC District shall provide retail sales and/or other non-residential uses with a minimum floor area of 10,000 square feet. For purposes of this requirement, the term "floor area" shall mean non-storage floor area which is used as retail sales, or other non-residential uses. Where architectural layouts are not available for consideration, the "floor area" will be calculated by multiplying 80 percent times the gross area designated as non-residential use, whichever is greater.*
- (3) Minimum lot area: 2.0 Acres*
- (4) Minimum lot width: 100 feet*
- (5) Minimum street setback: five feet*
- (6) Minimum side and rear setback:*
 - (a) Single-family: eight feet, per Article G - Bufferyard*
 - (b) All other uses: five feet, per Article G - Bufferyard*
- (7) Maximum height (above grade): none*
- (8) Maximum lot coverage (excluding drives and parking): none*
- (9) Minimum parking requirement: Seventy-five hundredths (0.75) space per bed including residential and non-residential uses.*

- (10) *Parking location requirements:*
- (a) *Each required parking space shall be located:*
1. *On the lot containing the associated use.*
 2. *Within a remote parking facility located within 800 feet of the use it is intended to serve, as measured with and along an improved pedestrian path from most distant parking space to the building entrance.*
 3. *Within a remote parking facility located in a CDF-UC District.*
 4. *Such remote parking facility shall be in accordance with the applicable provisions of Article O-Parking.*
 5. *Parking spaces to principle or other structures including accessory structures per Section 9-4-251(B) (9): The minimum separation requirement may be reduced at the option of the Owner to not less than five (5) feet.*
- (11) *Off-street parking: All off-street parking areas designed for three or more spaces shall be in accordance with Article O-Parking except as modified in Sec. 9-4-200.1(B) (6).*
- (12) *Site Vegetation location per Section 9-4-268(J) (1): Street, yard and site vegetation may be located at any point within the boundary of the subject lot in order to meet vegetative requirements.*
- (13) *Signage: All signs shall be erected in accordance with Article N of this chapter.*
- (14) *Residential and nonresidential uses allowed. Subject to district standards, and requirements, development allowed under this section may include both residential and nonresidential use.*
- (15) *Nothing in this subsection shall supersede applicable North Carolina State Building Code Requirements.*

Revised 1-8-16
Proposed Language of Text Amendment

Item 1. Under Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A: Table of Uses) 2, Residential, Amend Line e (1) as follows: *ADD under CDF zoning district the letter “S” with an asterisk so noted that dormitory development is only allowed within the Urban Core (UC) Overlay District.*

Item 2. Title 9, Chapter 4, Article E, Section 9-4-86 Listed Uses; Specific Criteria, ADD Line (MM)-1 as follows:

(MM)-1 Dormitory development within the CDF-UC District.

- (1) Minimum habitable (mechanically conditioned) floor area per each bedroom: 200 square feet. Bedrooms that have or propose to have double occupancy shall have a minimum habitable (mechanically conditioned) floor area of 400 square feet. For purposes of this requirement, the term “floor area” shall include private living spaces and any connected common living spaces associated with the subject bedroom, provided however the common living space allocation devoted to a bedroom shall not qualify for or count toward the minimum floor area requirement of any other bedrooms.*
- (2) Dormitory development within the CDF-UC District shall provide retail sales and/or other non-residential uses with a minimum floor area of 10,000 square feet. For purposes of this requirement, the term “floor area” shall mean non-storage floor area which is used as retail sales, or other non-residential uses. Where architectural layouts are not available for consideration, the “floor area” will be calculated by multiplying 80 percent times the gross area designated as non-residential use, whichever is greater.*
- (3) Minimum lot area: 2.0 Acres*
- (4) Minimum lot width: 100 feet*
- (5) Minimum street setback: five feet*
- (6) Minimum side and rear setback:*
 - (a) Single-family: ten feet, per Article G – Bufferyard*
 - (b) All other uses: five feet, per Article G - Bufferyard*
- (7) Maximum height (above grade): none*
- (8) Maximum lot coverage (excluding drives and parking): none*

- (9) *Minimum parking requirement: Seventy-five hundredths (0.75) space per bed. ~~including residential and non-residential uses. Bedrooms that meet the requirements under this section for double occupancy will be treated as having two (2) beds. All other uses per Article O. Parking, except as modified herein.~~*

The Parking requirements set forth in Article O. Parking for non-residential uses may be reduced by twenty five percent (25%) where cross over parking is available for the non-residential user. For purposes of this section the term "cross over" parking shall mean that parking which is part of the required residential parking that is available and accessible to the non-residential user.

- (10) *Parking location requirements: Each required parking space shall be located on the lot containing the associated use.*

~~(a) Each required parking space shall be located:~~

~~1. On the lot containing the associated use.~~

~~2. Within a remote parking facility located within 800 feet of the use it is intended to serve, as measured with and along an improved pedestrian path from most distant parking space to the building entrance.~~

~~3. Within a remote parking facility located in a CDF UC District.~~

~~4. Such remote parking facility shall be in accordance with the applicable provisions of Article O-Parking.~~

- (11) *Parking spaces adjacent to ~~principle~~ principal or other structures including accessory structures per Section 9-4-251(B) (9): The minimum separation requirement may be reduced at the option of the Owner to not less than five (5) feet.*

- (12) *Off-street parking: All off-street parking areas designed for three or more spaces shall be in accordance with Article O-Parking except as modified in Sec. 9-4 200.1(B) (6).*

- (13) *Site Vegetation location per Section 9-4-268(J) (1): ~~is modified as follows: With the exception of street yard trees, site vegetation may be located within two feet of a principal and/or accessory structure at any point within the boundary of the subject lot~~ in order to meet vegetative requirements.*

- (14) *Signage: All signs shall be erected in accordance with Article N of this chapter.*

- (15) *Residential and nonresidential uses allowed. Subject to district standards, and requirements, development allowed under this section may include both residential and nonresidential use.*
- (16) *Nothing in this subsection shall supersede applicable North Carolina State Building Code Requirements.*

Thomas Weitnauer

From: Jim Walker [jwalker@riversandassociates.com]
Sent: Thursday, January 14, 2016 12:06 PM
To: Thomas Weitnauer
Cc: Michael Dail
Subject: Re: Greenville - Text Amendment - Side and Rear Setback

Tom, as we discussed earlier, yes, replace 5 feet with "per Article G Bufferyard Setback". Does this bring us together on the remaining comments on the text amendment.

>>> Thomas Weitnauer <TWeitnauer@greenvillenc.gov> 1/14/2016 11:34 AM

>>>

Good morning Jim,

Will you reply back to this e-mail by the end of today to tell me whether you want me to either:

- 1) Keep the side and rear setbacks between your dormitory development to other land uses, (not single family which I will leave at 10 feet), as 5 feet; or
- 2) Replace 5 feet with "per article G, Bufferyard Setbacks" - which in your case would be a setback of 10 feet (see my long analysis of references below that leads to 10 feet).

Staff's preference is to replace your "5 feet" with a reference "per Article G, Bufferyard Setbacks".

EXHIBIT C: DRAFT, Planning & Zoning Commission Meeting Minutes, 1/19/2016

TEXT AMENDMENT

ORDINANCE TO AMEND THE ZONING ORDINANCE BY ADDING A DORMITORY DEVELOPMENT AS AN ALLOWED LAND USE WITHIN THE CDF (DOWNTOWN COMMERCIAL FRINGE) ZONING DISTRICT – UC (URBAN CORE OVERLAY), SUBJECT TO AN APPROVED SPECIAL USE PERMIT, AND ESTABLISHING SPECIFIC CRITERIA. - APPROVED

Mr. Thomas Weitnauer, Chief Planner, presented the text amendment. He stated the City of Greenville received this application for a text amendment from Jim Walker, Rivers and Associates, Inc., that proposes the addition of a definition and regulations to allow dormitory developments in the CDF (Downtown Commercial Fringe) zoning district – UC (Urban Core Overlay) through special use permits and proposed review criteria. Mr. Weitnauer stated Mr. Walker submitted the initial application and staff provided comments resulting in an amended application staff could support. Mr. Weitnauer provided handouts that reflect final changes to the amendment application that address rear and side building setbacks when dormitory developments are constructed adjacent to any use other than single family.

Mr. Weitnauer presented Mr. Walker's proposed text amendment. In Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A)(C)(2), the Table of Uses would be amended by rewriting the column labeled "Use" on the row numbered e(1) to read as follows: Dormitory development (see also Sec. 9-4-86(MM), *Only allowed in CDF district with an Urban Core Overlay District (see also Sec. 9-4-86(MM)-1). In Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A)(C)(2), the Table of Uses would be amended by adding, "S*" under the column labeled "CDF" on the row numbered e(1) in order to add the use entitled "Dormitory development" as a special use in the CDF (Downtown Commercial Fringe). He presented a slide showing an excerpt of the Table of Uses to depict how the proposed amendments would revise the Table of Uses to incorporate this amendment.

Mr. Weitnauer stated this text amendment application proposes to amend Title 9, Chapter 4, Article E, Section 9-4-86 listed Uses; Specific Criteria, by adding the following new subsection (MM)-1 to read as follows. (MM)-1 Dormitory development within the CDF-UC District. (1) Maximum single and double occupancy limits shall comply with the following minimum habitable (mechanically conditioned) floor area per each bedroom. For purposes of these requirements, the term "floor area" shall include private living spaces and any connected common living spaces associated with subject bedroom, provided however the common living space allocation devoted to a bedroom shall not qualify for or count toward the minimum floor area requirement of any other bedrooms: (a) Single residential occupancy within dormitory units shall be limited to one bed per each bedroom and one person per each bedroom having a minimum floor area of 200 square feet. (b) Double residential occupancy within dormitory units shall be limited to two beds per each bedroom and two persons per each bedroom having a minimum floor area of 400 square feet. (2) Dormitory development within the CDF-UC District shall provide retail sales and/or other non-residential uses with a minimum floor area of 10,000 square feet. For purposes of this requirement, the term "floor area" shall mean non-storage floor area which is used as retail sales, or other non-residential uses. Where architectural layouts are not available for consideration, the "floor area" will be calculated by multiplying 80 percent times

the gross area designated as non-residential use until such time architectural layouts are available for consideration or occupancy has commenced, whichever is earlier. (3) Minimum lot area: 2.0 Acres (4) Minimum lot width: 100 feet (5) Minimum street setback: five feet (6) Minimum side and rear setbacks: (a) When adjacent to single-family use: ten feet (b) When adjacent to any use other than single-family: per Article G, Bufferyard Setback (7) Maximum height (above grade): none (8) Maximum lot coverage (excluding drives and parking): none (9) Minimum parking requirements: (a) Single residential occupancy: Seventy-five hundredths (0.75) space per bed. (b) Double residential occupancy: One and one-half space per bedroom. (c) Non-residential uses: The required number of parking spaces for non-residential uses shall be provided in accordance with Article O, except as modified herein. The parking requirements set forth in Article O for non-residential uses may be reduced by twenty five percent (25%) where combined parking is available for the non-residential user. For purposes of this section, the term “combined parking” shall be that parking which is part of the required residential parking that is available and accessible to the non-residential user. (10) Parking location requirements: Each required parking space shall be located on the lot containing the associated use. (11) Parking spaces adjacent to principal or other structures including accessory structures per Section 9-4-251(B)(9): The minimum separation requirement may be reduced at the option of the Owner to not less than five (5) feet. (12) Off-street parking: All off-street parking areas designed for three or more spaces shall be in accordance with Article O-Parking except as modified in Sec. 9-4-200.1(B)(6). (13) Site vegetation location requirements per Section 9-4-268(J)(1) may be modified for dormitory developments whereby, with the exception of street yard trees, site vegetation shall not be located within two feet of a principal and/or accessory structure in order to meet vegetation requirements. (14) Signage: All signs shall be erected in accordance with Article N of this chapter. (15) Residential and nonresidential uses allowed subject to district standards, and requirements, development allowed under this section may include both residential and nonresidential use. (16) Nothing in this subsection shall supersede applicable North Carolina State Building Code Requirements.

Mr. Weitnauer stated this text amendment application proposes to amend Title 9, Chapter 4, Article L, Section 9-4-200.1 by rewriting subsection (B)(5) to add “dormitory development” among the list of development types that may be constructed in the Urban Core (UC) Overlay District, subject to modified standards to read as follows: (5) Within any Urban Core (UC) Overlay District multi-family development, land use intensity multi-family (LUI) development rating 50, land use intensity dormitory (LUI) development rating 67, and dormitory development, as listed under Article D and Appendix A table of permitted uses, shall be subject to modified standards as listed under subsection (6) below, unless otherwise provided. All other standards, requirements and conditions of the underlying general purpose district not included under and modified by subsection (6) shall continue to apply.

Mr. Weitnauer presented a map that illustrates the location of the UC (Urban Core) Overlay and the underlying CDF (Downtown Commercial Fringe) zoning district in the City where dormitory developments could be allowed under the proposed text amendment, pending special use permit review and compliance with proposed criteria in the text amendment.

Mr. Weitnauer stated he reviewed the Horizons: Greenville's Community Plan, 2004 and said, in staff's opinion; the proposed Zoning Ordinance Text Amendment is in compliance with Section 4 - Implementation, Section 1 - Land Use, Implementation Strategy 2(b) that reads as follows: Provide for the Mixed Use District. A Mixed Use District is intended to provide for the coordinated development of office, commercial, and residential uses and their necessary support functions in the vicinity of key highway intersections in Greenville. They should be designed to facilitate stated public policies to encourage design which emphasizes people-oriented environments and compatible, visually interesting development. This district provides areas where moderate scale, mixed use centers can locate, with an emphasis on development of a balance of residential, office, and commercial uses.

Mr. Collins asked about the definition of dormitory development and who could reside in the dormitory.

Mr. Weitnauer replied that the dormitory definition is already in the zoning ordinance.

Assistant City Manager Merrill Flood responded that Fair Housing laws prevent the developer and owner from dictating that only university students could live in the dormitory.

Ms. Leech referenced the 25% parking reduction for nonresidential uses and asked what parking will do to surrounding residences.

Mr. Weitnauer stated that if everyone who lives in the dormitory owns cars and are all home at the same time and there is a heavy population of nonresidential customers with cars on the property all at the same time, it could have some impact on the area. He added that the 25% reduction for the nonresidential uses was supported by staff because that type of parking demand should not be expected to be likely.

Chairman Parker opened the public hearing.

Mr. Jim Walker, applicant with Rivers and Associates, spoke in favor of the request. He stated the proposed parking requirement of .75 is higher than the existing dormitory parking requirements of .5 so there will be more parking per bedroom than in The Boundary project and in the proposed apartment project in the Pugh's former property. He stated the Urban Core and the dormitory development regulations proposed allow flexibility.

Ms. Darden asked what the hours of operation for the nonresidential uses would be.

Mr. Walker responded that he does not know at this time.

Mr. Alexander Naoum, son of an adjacent property owner, George Naoum, spoke in opposition to the request. He stated he previously understood the development would be like The Boundary. He said this amendment raises a lot of questions and said parking is a concern if this takes away on-street parking. He also asked who can live in the development and he would like time to study the amendment and believes it avoids standard density regulations. He said his questions are like those asked by the Commissioners.

Mr. George Naoum, adjacent property owner, spoke in opposition of the request. He stated he has unanswered questions about density of the property, parking issues and who could live at the development. He said he already has to absorb a lot of students in his parking lot and would really like to take another look at what is proposed.

Mr. Walker spoke in rebuttal and said his proposed regulations exceed dormitory standards in the (CD) Downtown Commercial zoning district.

Ms. Darden asked if 11th Street is to be closed.

Mr. Walker stated they are looking into it and need to follow up with the City and GUC.

Mr. George Naoum spoke in rebuttal and said with the possible closure of 11th street, it would create even more pressure on parking.

Chairman Parker closed the public hearing and opened for board discussion.

Ms. Reid stated her concerns about parking.

Chairman Parker interjected that the parking requirement will be higher than The Boundary and good infill mixed use project could encourage students to walk.

Ms. Leech stated the parking impact on surrounding areas may be a concern and it may be useful to evaluate parking.

Mr. Flood stated the evaluation of this text amendment should not be site-specific since the adoption of the amendment would apply to more than just the property being discussed. He stated the applicant will be required to show plans during a public hearing the Board of Adjustment will hold to evaluate the project impact to the area, including parking.

Motion made by Mr. Collins, seconded by Ms. Reid, 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: Collins, Reid, Herring, Robinson, Darden. Oppose: King and Leech. Motion carried.



City of Greenville, North Carolina

Meeting Date: 2/11/2016
Time: 6:00 PM

Title of Item: Resolution approving the issuance of up to \$73,500,000 Greenville Utilities Commission Combined Enterprise System Revenue and Refunding Bonds, Series 2016

Explanation: **Abstract:** Greenville Utilities Commission (GUC) seeks adoption of a resolution for the issuance of up to \$73,500,000 Combined Enterprise System Revenue and Refunding Bonds, Series 2016. Proceeds from the bonds would finance up to \$43.5 million worth of projects in GUC's capital improvement plan and refinance up to \$30 million in existing bond debt to save customers money.

Explanation: In order to provide funding for projects associated with its capital improvement plan, the Greenville Utilities Commission (GUC) needs to move forward with the issuance of up to \$43,500,000 in revenue bonds. If market conditions are favorable, the Commission will also refund existing bonds of up to \$30,000,000 to obtain lower interest rates and savings for its customers.

On January 21, 2016, the GUC Board of Commissioners approved the attached resolution that authorizes and directs the officers, agents and employees of the Commission to do all acts and things required of them by the provisions of this resolution and recommends City Council adopt a resolution:

- Appointing the professionals to work with the City and the Commission in connection with the issuance and sale of the Series 2016 Bonds, FirstSouthwest, a division of Hilltop Securities Inc., as Financial Advisor; Sidley Austin LLP, as Bond Counsel; Womble Carlyle Sandridge & Rice, LLP, as underwriters' counsel; The Bank of New York Mellon Trust Company, N.A, as Trustee, Bond Registrar and if applicable Escrow Agent; and Black and Veatch International Company and Raftelis Financial Consultants, Inc, as Consulting Engineers and making the findings and determinations required by the Local Government Commission (LGC) in connection with the authorization and issuance of the Series 2016 Bonds.

- Approving the Commission's selection of Wells Fargo Securities and

FTN Financial as underwriters of the Series 2016 Bonds.

Fiscal Note: No costs to the City

Recommendation: Adopt the attached resolution

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

Attachments / click to download

-  [GUC Resolution](#)
 -  [City Resolution for GUC Bond Issue](#)
-

GUC

RESOLUTION APPROVING AND RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA THE ADOPTION OF A RESOLUTION APPROVING THE FINANCING TEAM FOR AND MAKING THE FINDINGS AND DETERMINATIONS REQUIRED BY THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION WITH RESPECT TO THE ISSUANCE OF UP TO \$73,500,000 GREENVILLE UTILITIES COMMISSION COMBINED ENTERPRISE SYSTEM REVENUE AND REFUNDING BONDS, SERIES 2016 OF THE CITY.

WHEREAS, in accordance with Chapter 861 of the 1992 Session Laws of North Carolina, the Greenville Utilities Commission, of the City of Greenville, North Carolina, a body politic duly chartered by the State of North Carolina, in Pitt County, North Carolina, (the "Commission") has been created for the proper management of the public utilities of the City of Greenville, North Carolina (the "City"), which shall include an electric system, a natural gas system, a sanitary sewer system, and a water system (collectively, the "Combined Enterprise System") within and without the corporate limits of the City, with responsibility for the entire supervision and control of the management, operation, maintenance, improvement and extension of the public utilities; and

WHEREAS, the City Council of the City (the "City Council") adopted, on August 11, 1994, amended and restated as of April 13, 2000, a bond order authorizing and securing Greenville Utilities Commission Combined Enterprise System Revenue Bonds of the City (the "Order"); and

WHEREAS, Section 210 of the Order authorizes the issuance of additional revenue bonds of the City in one or more series from time to time for the purposes, among other authorized purposes, of providing funds to (a) pay all or any part of the cost of any Additional Improvements (as defined in the Order) and pay any remaining part of the cost of completing any Additional Improvements and (b) pay expenses incidental and necessary or convenient thereto; and

WHEREAS, Section 211 of the Order authorizes the issuance of refunding revenue bonds of the City in one or more series from time to time for the purposes, among other authorized purposes, of (a) redeeming prior to maturity all or any part of the revenue bonds or other indebtedness outstanding under the Order and paying the interest to accrue thereon to the date fixed for redemption and (b) paying any expenses in connection with such refunding; and

WHEREAS, the Commission has determined that it is necessary to acquire and construct certain additional improvements to the Combined Enterprise System, which improvements are described in Appendix A to this resolution and constitute Additional Improvements, and to pay the cost of such Additional Improvements by issuing an additional series of revenue bonds (the "Series 2016 New Money Bonds") and using any other available funds as authorized by Section 210 of the Order; and

GUC

WHEREAS, the Commission has determined, if financial markets, are favorable to issue revenue refunding bonds (the "Series 2016 Refunding Bonds" and together with the Series 2016 New Money Bonds, the "Series 2016 Bonds") to refund certain revenue bonds and additional indebtedness outstanding under the Order for purposes of reduced interest costs for the Commission; and

WHEREAS, the Commission wishes to advise the City Council of the Commission's recommendations of the financing team for the authorization and issuance of the Series 2016 Bonds and recommends to the City Council that the City Council adopt a resolution approving such team and making application to the North Carolina Local Government Commission (the "LGC") for approval of the Series 2016 Bonds;

NOW, THEREFORE, THE GREENVILLE UTILITIES COMMISSION DOES HEREBY DETERMINE AND RESOLVE, as follows:

Section 1. The Commission hereby recommends to the City Council that the City Council adopt a resolution (i) appointing the professionals to work with the City and the Commission in connection with the issuance and sale of the Series 2016 Bonds, FirstSouthwest, a division of Hilltop Securities Inc., as Financial Advisor, Sidley Austin LLP, as Bond Counsel, Womble Carlyle Sandridge & Rice, LLP, as underwriters' counsel, The Bank of New York Mellon Trust Company, N.A, as Trustee, Bond Registrar and if applicable Escrow Agent, and Black and Veatch International Company and Raftelis Financial Consultants, Inc., as Consulting Engineers and (ii) making the findings and determinations required by the LGC in connection with the authorization and issuance of the Series 2016 Bonds.

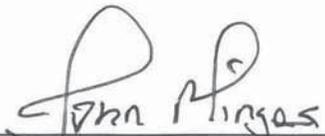
Section 2. The Commission recommends to the City Council that the City Council approve the Commission's selection of Wells Fargo Securities and FTN Financial as underwriters of the Series 2016 Bonds.

Section 3. The officers, agents and employees of the Commission are hereby authorized and directed to do all acts and things required of them by the provisions of this resolution for the full, punctual and complete performance of the terms and provisions hereof.

Section 4. This resolution shall take effect immediately upon its adoption.

Adopted this the 21st day of January, 2016.





John Mingos
Chair

ATTEST:

GUC



Dennis Mitchell
Secretary

APPROVED AS TO FORM:



Phillip R. Dixon
General Counsel

APPENDIX A

The Improvements

The Improvements referenced in the resolution include, but are not limited to, the following projects:

Number	Project Description
1	Substation Modernization - Electric
2	Greenville 230 kV South Point of Delivery (POD) Substation
3	Bells Fork to Point of Delivery (POD) South 115 kV
4	Dyneema Peaking Generator
5	New Operations Center Phase I
6	Downtown Facilities Development
7	GUC -PNG Multiple Gas Facilities Upgrade Project
8	Western Loop High Pressure Main Extension - Gas
9	Liquefied Natural Gas (LNG) FACILITY EXPANSION PHASE IIB
10	Sewer Biosolids Processing Upgrade
11	Harris Mill Interceptor - Sewer
12	Town Creek Culvert Replacement (COG) - PH1 - Sewer
13	Water Treatment Plant Impoundment Dredging
14	Sedimentation Basin Upgrade
15	Town Creek Culvert (COG) PH1 - Water

A regular meeting of the City Council of the City of Greenville, North Carolina was held in the City Council Chamber at the City Hall in Greenville, North Carolina, the regular place of meeting, on February 11, 2016 at _____.

Present: Mayor Allen M. Thomas, presiding, and Council members _____

Absent: _____

* * * * *

Mayor Thomas introduced the following resolution, a copy of which had been provided to each Council member, and which was read by its title:

RESOLUTION NO. 2016 - __

RESOLUTION APPROVING THE FINANCING TEAM FOR AND MAKING THE FINDING AND DETERMINATIONS REQUIRED BY THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION WITH RESPECT TO THE ISSUANCE OF UP TO \$73,500,000 GREENVILLE UTILITIES COMMISSION COMBINED ENTERPRISE SYSTEM REVENUE AND REFUNDING BONDS, SERIES 2016

WHEREAS, the City of Greenville, North Carolina (the "City") is considering the acquisition and construction of certain improvements to its combined enterprise system (collectively, the "Additional Improvements"), which certain additional improvements will be approved by the City Council in a subsequent resolution; and

WHEREAS, the City desires to proceed with the Additional Improvements and to proceed with the authorization and issuance, pursuant to the provisions of a bond order authorizing and securing such indebtedness adopted, on August 11, 1994, amended and restated as of April 13, 2000 (the "Order") by the City Council of the City of The State and the Local Government Revenue Bond Act (the "Act"), of revenue bonds of the City in the amount of approximately \$43,500,000 for the purpose of providing funds, together with any other available funds, for paying the cost of acquiring and constructing the Additional Improvements (the "New Money Bonds"); and

WHEREAS, the City is considering refunding outstanding Greenville Utilities Commission Combined Enterprise System Revenue Bonds (collectively, the “Refunding Candidates”) to be approved by the City Council in a subsequent resolution, incurred under a bond order authorizing and securing such indebtedness adopted, on August 11, 1994, amended and restated as of April 13, 2000 (the “Order”) by the City Council of the City, to provide interest rate savings;

WHEREAS, the City desires to proceed with the refunding and to proceed with the authorization and issuance, pursuant to the provisions of the Act, of revenue refunding bonds of the City in an aggregate principal amount not to exceed \$30,000,000 for the purpose of providing funds, together with any other available funds, for refunding all or a portion of the Refunding Candidates (the “Refunding Bonds”); provided however that such revenue refunding bonds shall be issued only if and to the extent that the General Manager/CEO or Chief Financial Officer of the Greenville Utilities Commission (“GUC”) shall determine, in accordance with the provisions set forth in the Series Resolution to be adopted by the City Council, that the criteria relating to the level of debt service savings have been satisfied.

WHEREAS, the New Money Bonds and the Refunding Bonds (collectively, the “Series 2016 Bonds”) may be combined into a single series of bonds or multiple series of bonds as shall be determined pursuant to the Series Resolution to be adopted by the City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE:

Section 1. The Chief Financial Officer of GUC and such other officers of the City and GUC as may be appropriate are hereby authorized to apply to the Local Government Commission of North Carolina (the “LGC”) for the approval of the issuance of the Series 2016 Bonds and otherwise to participate in the development of such financing.

Section 2. The City Council recommends the selection of the following professionals to assist the City and GUC in connection with such financing and requests the LGC to approve such selection:

Financial Advisor	--	FirstSouthwest, a division of Hilltop Securities Inc.
Bond Counsel	-	Sidley Austin LLP
Underwriters’ Counsel	–	Womble Carlyle Sandridge & Rice LLP
Trustee, Bond Registrar and Escrow Agent	--	The Bank of New York Mellon Trust Company, N.A.
Consulting Engineers	--	Black and Veatch International Company and Raftelis Financial Consultants, Inc.

Section 3. The City Council recommends the selection of Wells Fargo Securities and FTN Financial as underwriters of the Series 2016 Bonds.

Section 4. The City Council hereby finds and determines in connection with the issuance of the Series 2016 Bonds that (i) the issuance of the Series 2016 Bonds is necessary or expedient for the City, (ii) the proposed principal amounts of the Series 2016 Bonds is adequate and not excessive for the proposed purpose of such issue, (iii) the Refunding Candidates to be refunded with the proceeds of the Series 2016 Bonds and any other available funds are feasible and the net present value savings of such refunded bonds will exceed 3.0%, (iv) the City's debt management procedures and policies are good and are managed in strict compliance with law, (v) the Net Revenues of the GUC will be sufficient to make the necessary payments on the Series 2016 Bonds and (vi) under current economic conditions, the Series 2016 Bonds can be marketed at a reasonable interest cost to the City.

Section 5. This resolution shall take effect immediately upon its passage.

Adopted this the 11th day of February, 2016.

Allen M. Thomas

Mayor

ATTEST:

Carol L. Barwick
City Clerk

After consideration of the foregoing resolution, Council member _____
moved for the passage thereof, which motion was duly seconded by Council member
_____, and the foregoing resolution was passed by the following vote:

Ayes: _____

Noes: _____

* * * * *

I, Carol L. Barwick, Clerk of the City of Greenville, North Carolina DO HEREBY
CERTIFY that the foregoing accurately reflects the proceedings as recorded in the minutes of the
City Council of said City at a meeting held on February 11, 2016 and contains the verbatim text
of Resolution No. __-16 which was duly adopted by said City Council at said meeting.

WITNESS my hand and the official seal of said City, this ___ day of February, 2016.

City Clerk

[SEAL]



City of Greenville, North Carolina

Meeting Date: 2/11/2016
Time: 6:00 PM

Title of Item: Ordinance Amending the Penalty for Overtime Parking in the Downtown Area and Ordinance Eliminating the Two-Hour Parking Limit in the Fourth Street Parking Garage

Explanation: **Abstract:** At the City Council Planning Session, two changes were discussed regarding parking in the downtown area. One was increasing the penalty for overtime parking in the downtown area. The second was eliminating the two-hour parking limit in the Fourth Street Parking Garage so that the two-hour limit would not apply to paid public parking. Ordinances to implement these changes are presented for consideration.

Explanation: At the City Council Planning Session, two changes were recommended regarding parking in the uptown area: Overtime Fee Increase and Extended Public Parking in the Deck.

Overtime Fee Increase

As presented at the December City Council meeting, the Public Transportation and Parking Commission unanimously approved a recommendation to increase the ‘over-time’ parking fee from \$5 to \$20. Council discussion in December recommended a graduated fee schedule if possible using our current parking system program. Our current vendor, Hectronics, indicates the system can support a graduated fee schedule. Therefore, the following fee schedule is being proposed for City Council approval.

For parking in the downtown area at any of the current “Free 2-Hour Parking” locations, the fine/fee for staying beyond the 2-hour period, also known as an “Over-Time Fee,” shall be administered as follows:

Current	Late Payment Fees	Proposed	Late Payment Fees
1 st Violation \$5	\$10, \$15	\$5	\$10, \$15
2 nd Violation \$5	\$10, \$15	\$10	\$20, \$30
3 rd Violation \$5	\$10, \$15	\$20	\$35, \$50

Extended Public Parking

In order to encourage parking in the Fourth Street Parking Garage, an ordinance change is proposed which would eliminate the current 2-hour parking maximum for paid public parking. Currently, paid public parking in the deck is restricted to two hours with use of the new pay stations. This ordinance change will allow all-day parking for the public in the parking garage and provide an alternative for visitors to downtown wishing to stay longer than two hours. Note, the change does NOT provide for free two-hour parking as located on the street but does provide for normal payment for public parking ranging from 1 hour to all-day.

Fiscal Note: The adoption of these ordinances may result in an increase in revenue; however, compliance with the parking time limitation is the goal.

Recommendation: It is recommended that City Council approve the Ordinance Amending the Penalty for Overtime Parking in the Downtown Area and the Ordinance Eliminating the Two-Hour Parking Limit in the Fourth Street Parking Garage.

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

Attachments / click to download

[📄 Ordinance Amending Manual of Fees -Overtime Parking](#)

[📄 Ordinance Eliminating 2-Hour Limit in Parking Garage](#)

**ORDINANCE NO. 16-
ORDINANCE AMENDING THE MANUAL OF FEES RELATING TO THE PENALTY
FOR OVERTIME PARKING IN THE DOWNTOWN AREA**

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

Section 1. That the Manual of Fees of the City of Greenville, North Carolina, be and is hereby amended by rewriting the portion of the list contained in the Parking Fees - Penalties section relating to the penalties for overtime parking downtown so that it shall read as follows:

Account Number	Code	Service	Fee
Parking Penalties			
010-01-00-00-000-000-452000	PB	Overtime Parking Downtown - 1st Violation	
		If paid within 10 calendar days	\$ 5.00
010-01-00-00-000-000-452000	PB	If paid between the 11 th calendar day after issuance and the 30 th day	\$10.00
010-01-00-00-000-000-452000	PB	If paid after 30 days	\$15.00
Overtime Parking Downtown - 2ND Violation			
010-01-00-00-000-000-452000	PB	If paid within 10 calendar days	\$10.00
010-01-00-00-000-000-452000	PB	If paid between the 11 th calendar day after issuance and the 30 th day	\$20.00
010-01-00-00-000-000-452000	PB	If paid after 30 days	\$30.00
Overtime Parking Downtown - 3RD and Subsequent Violations -			
010-01-00-00-000-000-452000	PB	If paid within 10 calendar days	\$20.00
010-01-00-00-000-000-452000	PB	If paid between the 11 th calendar day after issuance and the 30 th day	\$35.00
010-01-00-00-000-000-452000	PB	If paid after 30 days	\$50.00

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. 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 4. This ordinance shall become effective upon its adoption.

This the 11th day of February, 2016.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

ORDINANCE NO. 16-
ORDINANCE AMENDING SECTION 10-2-174 OF THE GREENVILLE CITY CODE
RELATING TO THE ELIMINATION OF THE TWO-HOUR PARKING LIMIT
IN THE FOURTH STREET PARKING GARAGE

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

Section 1. That Section 10-2-174 of the Code of Ordinances, City of Greenville is hereby amended by the addition of subsection (D) to read as follows:

(D) Parking spaces may be designated as being within a parking meter zone. When a parking space in the Fourth Street Parking Garage is designated as being within a parking meter zone, the time limits imposed in the limited time parking zones shall not apply to those spaces when the vehicle occupies the space during the period of time for which payment has been made as prescribed by the parking meter zone.

Section 2 All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. 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 4. This ordinance shall become effective upon its adoption.

This the 11th day of February, 2016.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk