



## Agenda

### Planning and Zoning Commission

February 19, 2013

6:30 PM

Council Chambers, City Hall, 200 West Fifth Street

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- I. CALL MEETING TO ORDER -
- II. INVOCATION - Godfrey Bell
- III. ROLL CALL
- IV. APPROVAL OF MINUTES - January 15, 2013
- V. NEW BUSINESS

#### REZONINGS

1. Ordinance requested by Amanda M. Garris to rezone 5.6878 acres located between Greenville Boulevard and Dickinson Avenue Extension and being 1,150+/- feet west of Williams Road from Neighborhood Commercial (CN) to General Commercial (CG)

#### LAND USE PLAN MAP AMENDMENTS

2. Ordinance requested by PIRHL Development, LLC to amend the Future Land Use Plan Map from a commercial (C) category to an office/institutional/multi-family (OIMF) category for the property located between Turnbury Drive and Smythewyck Drive and being 230+/- feet east of East Arlington Boulevard containing 4.3 acres.

- VI. ADJOURN

DRAFT OF MINUTES PROPOSED FOR ADOPTION BY THE GREENVILLE PLANNING  
AND ZONING COMMISSION  
January 15, 2013

The Greenville Planning and Zoning Commission met on the above date at 6:30 p.m. in the Council Chambers of City Hall.

Mr. Godfrey Bell –Chair-\*

Mr. Tony Parker - *	Ms. Shelly Basnight – *
Mr. Hap Maxwell – *	Ms. Ann Bellis – *
Ms. Linda Rich - *	Mr. Brian Smith - *
Mr. Doug Schrade - *	Mr. Jerry Weitz – *
Ms. Wanda Harrington-*	Mr. Torico Griffin -X
Dr. Kevin Burton- *	

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

**VOTING MEMBERS:** Parker, Maxwell, Basnight, Bellis, Rich, Weitz, Schrade, Smith

**PLANNING STAFF:** Chantae Gooby, Planner II and Elizabeth Blount, Staff Support Specialist II.

**OTHERS PRESENT:** Chris Padgett, Interim Assistant City Manager, Dave Holec, City Attorney, Merrill Flood, Community Development Director, Tim Corley, Engineer and Jonathan Edwards, Communications Technician.

**MINUTES:** Motion was made by Mr. Parker, seconded by Ms Basnight, to accept the November 20, 2012 minutes as presented. Motion carried unanimously.

**NEW BUSINESS**

**REZONING**

ORDINANCE REQUESTED BY INCOME INVESTMENTS, LLC TO REZONE 1.15 ACRES AT THE CORNER OF EVANS STREET AND 8<sup>TH</sup> STREET FROM DOWNTOWN COMMERCIAL FRINGE (CDF) TO DOWNTONW COMMERCIAL (CD)-APPROVED

Ms Chantae Gooby, Planner II, delineated the property. The property is located in the central section of the city and part of the central business district. Under the current zoning, the site could yield approximately 10,000 square feet of commercial/retail/restaurant space. The proposed zoning could yield 22,592 square feet of restaurant/office/multi-family space. Less traffic would be generated between the existing zoning and the proposed zoning; therefore, a traffic volume report was not generated. The proposed zoning is for CD (Downtown Commercial) which allows mixed use projects. This is part of a trend in the area to rezone property to CD. The adjacent properties are zoned CD. The Future Land Use Plan Map recommends commercial for the area bounded by Reade Circle, Cotanche Street, West 10<sup>th</sup>

Street and Evans Street. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan and the Center City Revitalization Plan.

Chairman Bell opened the public hearing.

Durk Tyson, River and Associates, spoke in favor of the request. He stated that the company requested the rezoning to match the surrounding properties.

No one spoke in opposition of the request.

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

Chairman Bell asked for the list of uses for the rezoning.

Ms Gooby displayed them on the projector.

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

## **TEXT AMENDMENT**

### **ZONING TEXT AMENDMENT INITIATED BY THE GREENVILLE CITY COUNCIL CREATING STANDARDS FOR CONVENIENCE STORES, TOBACCO SHOPS, AND HOOKAH CAFES-APPROVED**

Mr. Chris Padgett, Interim Assistant City Manager, provided background information on the proposed text amendment. He presented that City Council initiated the text amendment due to new establishments being opened within the community and to ensure the appropriate location of these facilities within the City's jurisdiction. He provided the purpose of the report, a summary of the existing standards, inventory of existing establishments, inspection process and associated findings, survey of other communities and a list of proposed standards. Mr. Padgett stated the proposed standards for convenience stores, tobacco shops and hookah cafés include the following:

- Utilize five land use categories
  - Convenience Stores
  - Convenience Stores with fuel sales
  - Tobacco Shop (Class 1)
  - Tobacco Shop (Class 2)
  - Hookah Cafe

- No changes in how convenience stores are regulated except fresh vegetables and produce would be permitted;
- Definition of Tobacco Shop (Class 1) to include a substantial portion of the retail sales of tobacco products, 20% of the floor area to display and/or stock tobacco products, and/or 40% of the signage is dedicated to advertising tobacco products;
- Tobacco Shop (Class 1) would be permitted with a special use permit in the CH, CG, MCH, CD and CDF districts with a 500- foot separation from an existing or approved school and prohibited within any certified redevelopment area;
- Tobacco Shop (Class 2) to include the retail sales of any specified tobacco smoking apparatus;
- Tobacco Shop (Class 2) would be permitted with a special use permit in the CH and CG districts with the following separation requirements:
  - ½ mile separation for an existing or approved tobacco shop (Class 1 or 2)
  - 500 ft separation from a conforming use single family dwelling located in any district or any single family residential zoning district
  - 500 ft separation from an existing or approved school, church, park or multi-family use
  - Not permitted within any certified redevelopment area;
- Hookah Café to include any establishment that provides for the on-site consumption of shisha or similar flavored tobacco products;
- Hookah Café would be permitted with a special use permit in the CH, CG, CD and CDF districts and must have a ¼ mile separation from an existing or approved hookah café;

Mr. Weitz asked if the definition for Tobacco Shop Class 1 could remove the signage requirement because sign regulations should be content neutral.

Mr. Padgett stated that the sign ordinance is not being impacted in terms of remaining content neutral, but that how a business is presenting itself to the public via signage is being used as one criterion for differentiating a tobacco shop (class 1) from a convenience store.

Mr. Parker asked if hookah cafés are impacted by the same no smoking requirements as bars and restaurants.

Mr. Padgett stated that hookah cafes are not bars or restaurants so smoking within the facility is allowed.

Chairman Bell opened the public hearing.

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

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

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

## **OTHER**

### **REQUEST TO CLOSE TWO PORTIONS OF SEVENTH STREET BETWEEN EVANS STREET AND COTANCHE STREET-APPROVED**

Mr. Tim Corley, City Engineer, delineated the property. The area on Seventh Street is the existing right-of-way from Evans East and a small right-of-way on the Cotanche side. The City received a petition from Income Investments, LLC, Georgetown Apartments of Greenville, LLC and Ward Holdings, LLC. The petitioners are the adjoining property owners. There will be no cost to the city for the closing of the street. Budgeted funds for the maintenance of this street section will no longer be required. The city will no longer receive Powell Bill funds for these sections of Seventh Street. Staff has no objection to the request and recommend approval.

Mr. Weitz asked if the city is abandoning the title.

Mr. Corley stated the request is a street closing and abandonment of the existing right-of-way because the street is a part of the right-of-way it will no longer be a part of the city's street system.

Mr. Weitz asked if pedestrian access would need to be preserved.

Mr. Corley stated that the right-of-way does not extend all the way through the property so there is no need for pedestrian access. The utilities in the area as a result of the street closing will be abandoned as a part of the redevelopment of the property.

Mr. Parker asked if the two sections of Seventh Street dead ends.

Mr. Corley stated yes. There is a private owned parking lot between the two ends.

Mr. Weitz asked the Planning Staff if the Comprehensive Plan was considered during this decision and if the closing was based on a public purpose or the request of a private property owner.

Mr. Merrill Flood, Community Development Director, stated that the decision is consistent with the Horizon's plan because the street is a dead end stub and does not have access to the other side.

Mr. Parker asked if another process would be taken if connectivity was available.

Mr. Flood stated that the City looks for ways to have interconnectivity and to implement sidewalks.

Mr. Parker asked if private property was between the two stubs

Mr. Flood stated correct.

Attorney Dave Holec stated that the street closing process is a statutory process that is referred to as street closing in the statues. The street closing does amount to an abandonment of the right-of-way. The city's authority is to retain any utility easement or improvement that is located in the right-of-way. The city does not have any authority to retain a pedestrian easement. He then stated the procedures to fulfill the request.

Chairman Bell asked if a public hearing was needed for the street closing.

Attorney Holec stated yes.

Chairman Bell opened the public hearing.

Durk Tyson, representative of River and Associates and Income Investments, spoke in favor of the request. He stated that the requested portion of Seventh Street does not extend to Cotanche St. Once the right-of-way is abandoned by the city, the property will revert to the two adjoining owners. The applicant is working with the utility companies to either abandon or relocate the existing lines.

No one spoke in opposition of the request.

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

Ms Bellis asked is there common ownership on both sides of the street.

Mr. Tyson stated that Ward Holdings own the Ham's property and Incoming Investments own the former Taff Office building.

Ms Bellis asked were the two companies related.

Mr. Tyson stated no and that both parties signed the petition to close the street.

Mr. Weitz stated that he did not see the public benefit for closing and abandoning the street. He stated that the city is giving valuable property away to private property owners. He stated that the decision to close the street is short sighted and that there could be some future public use for the area.

Dr. Burton agreed with Mr. Weitz in that the closing will not benefit the greater good of the city.

Mr. Smith stated that the city will benefit once the whole project is complete.

Mr. Schrade agreed with Mr. Smith in that the area needs to be developed. The area has been in its current state for a long time. Keeping the street in its current state is not benefitting the city but rather costing the city money to maintain them.

Mr. Parker stated that any road closing has to examine the pros and cons. The project affiliated with the current request is solid and good and the commission should allow the project to be developed.

Mr. Schrade stated the decision would be different if the street connected Evans and Cotanche.

Ms Basnight asked would the city have to pay the landowner if it wanted an easement.

Attorney Holec stated when subdivisions plats are involved the city does not have to pay and has to make the public improvements.

Chairman Bell asked if the developer had to pay.

Attorney Holec stated the developer would have to pay for the construction of the street.

Mr. Parker asked is there a fair market value for abandoned property.

**Motion made by Mr. Smith, seconded by Mr. Schrade, to approve the closing of the streets. Motion passed unanimously. Those voting in favor: Smith, Schrade, Bellis, Maxwell, Parker, Basnight and Rich. Those voting in opposition: Weitz. Motion passed.**

**With no further business, motion made by Mr. Smith, seconded by Ms Basnight, to adjourn. Motion passed unanimously. Meeting adjourned at 7:21p.m.**

Respectfully Submitted,

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



# City of Greenville, North Carolina

Meeting Date: 2/19/2013  
Time: 6:30 PM

**Title of Item:** Ordinance requested by Amanda M. Garris to rezone 5.6878 acres located between Greenville Boulevard and Dickinson Avenue Extension and being 1,150+/- feet west of Williams Road from Neighborhood Commercial (CN) to General Commercial (CG)

**Explanation:** **Abstract:** The City has received a request from Amanda M Garris to rezone 5.6878 acres located between Greenville Boulevard and Dickinson Avenue Extension and being 1,150+/- feet west of Williams Road from Neighborhood Commercial (CN) to General Commercial (CG).

### **Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on February 5, 2013.

On-site sign(s) posted on February 5, 2013.

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

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

### **Comprehensive Plan:**

The subject site is located in Vision Area E.

Greenville Boulevard, between Memorial Drive and Allen Road, is considered a connector corridor. Connector corridors are anticipated to contain a variety of higher intensity activities and uses.

The Future Land Use Plan Map recommends commercial (C) at the intersection of Greenville Boulevard/Allen Road and Dickinson Avenue Extension transitioning to office/institutional/ multi-family (OIMF), high density residential (HDR) and conservation/open space (COS) in the southeast corner of the intersection.

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

Based on the fact that the existing zoning and the requested rezoning can generate the same type and square footage of development, the traffic volumes generated would be the same regardless of the category. Therefore, a traffic report was not generated.

**History/Background:**

In 1972, the property was incorporated into the City's extra-territorial jurisdiction (ETJ). On the 1981 zoning series map, the property was zoned CN (Neighborhood Commercial).

**Present Land Use:**

Farmland

**Water/Sewer:**

Water is located in the right-of-way of Greenville Boulevard. Sanitary sewer is located on the adjacent property to the east.

**Historic Sites:**

There are no known effects on designated sites.

**Environmental Conditions/Constraints:**

There are no known environmental conditions/constraints.

**Surrounding Land Uses and Zoning:**

North: RA20 - Two (2) single-family residences (under common ownership of applicant)

South: RA20 - One (1) single-family residence

East: RA20 - Farmland; CH - The Modular Headquarters (modular home sales)

West: RA20 - One (1) single-family residence

**Density Estimates:**

Under the current zoning (CN), and the proposed zoning (CG), the site could yield 54,507+/- square feet of commercial/retail/restaurant space.

The anticipated build-out time is within 2-5 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.

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.

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

**Attachments / click to download**

- [Location Map](#)
- [Survey](#)
- [Bufferyard and Vegetation Standards](#)
- [List\\_of\\_Uses\\_CN\\_R6MH\\_to\\_CG\\_911650](#)

## **EXISTING ZONING**

### **CN (Neighborhood Commercial)**

#### ***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:*

\* None

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

\*None

*(4) Governmental:*

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

*(5) Agricultural/ Mining:*

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

*(6) Recreational/ Entertainment:*

- f. Public park or recreational facility
- s. Athletic club; indoor only

*(7) Office/ Financial/ Medical:*

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

*(8) Services:*

- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- o. Church or place of worship (see also section 9-4-103)
- x. Dance studio
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users

*(9) Repair:*

\* None

*(10) Retail Trade:*

- 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)
- h. Restaurant; conventional

*(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

**CN (Neighborhood Commercial)**

***Special Uses***

*(1) General:*

\* None

*(2) Residential:*

\* None

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

\* None

*(4) Governmental:*

a. Public utility building or use

*(5) Agricultural/ Mining:*

\* None

*(6) Recreational/ Entertainment:*

t. Athletic club; indoor and outdoor facilities

*(7) Office/ Financial/ Medical:*

\* None

*(8) Services:*

a. Child day care facilities

b. Adult day care facilities

aa. Catering service including food preparation (see also restaurant; conventional and fast food)

*(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

i. Restaurant; fast food

j. Restaurant; regulated outdoor activities

u. Pet shop (see also animal boarding; outside facility)

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

\* None

*(12) Construction:*

\* None

(13) *Transportation:*

\* None

(14) *Manufacturing/ Warehousing:*

\* None

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

\* None

**PROPOSED ZONING**  
**CG (General Commercial)**  
***Permitted Uses***

(1) *General:*

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

(2) *Residential:* \* None

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

\*None

(4) *Governmental:*

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

(5) *Agricultural/ Mining:*

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

(6) *Recreational/ Entertainment:*

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

(7) *Office/ Financial/ Medical:*

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

(8) *Services:*

- c. Funeral home

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

*(9) Repair:*

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

*(10) Retail Trade:*

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

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

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

*(12) Construction:*

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

*(13) Transportation:*

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

*(14) Manufacturing/ Warehousing:*

\* None

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

\* None

**CG (General Commercial)**

***Special Uses***

*(1) General:*

\* None

*(2) Residential:*

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

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

\* None

*(4) Governmental:*

- a. Public utility building or use

*(5) Agricultural/ Mining:*

\* None

*(6) Recreational/ Entertainment:*

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

*(7) Office/ Financial/ Medical:*

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

*(8) Services:*

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

*(9) Repair:*

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

*(10) Retail Trade:*

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

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

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

*(12) Construction:*

\* None

*(13) Transportation:*

\* None

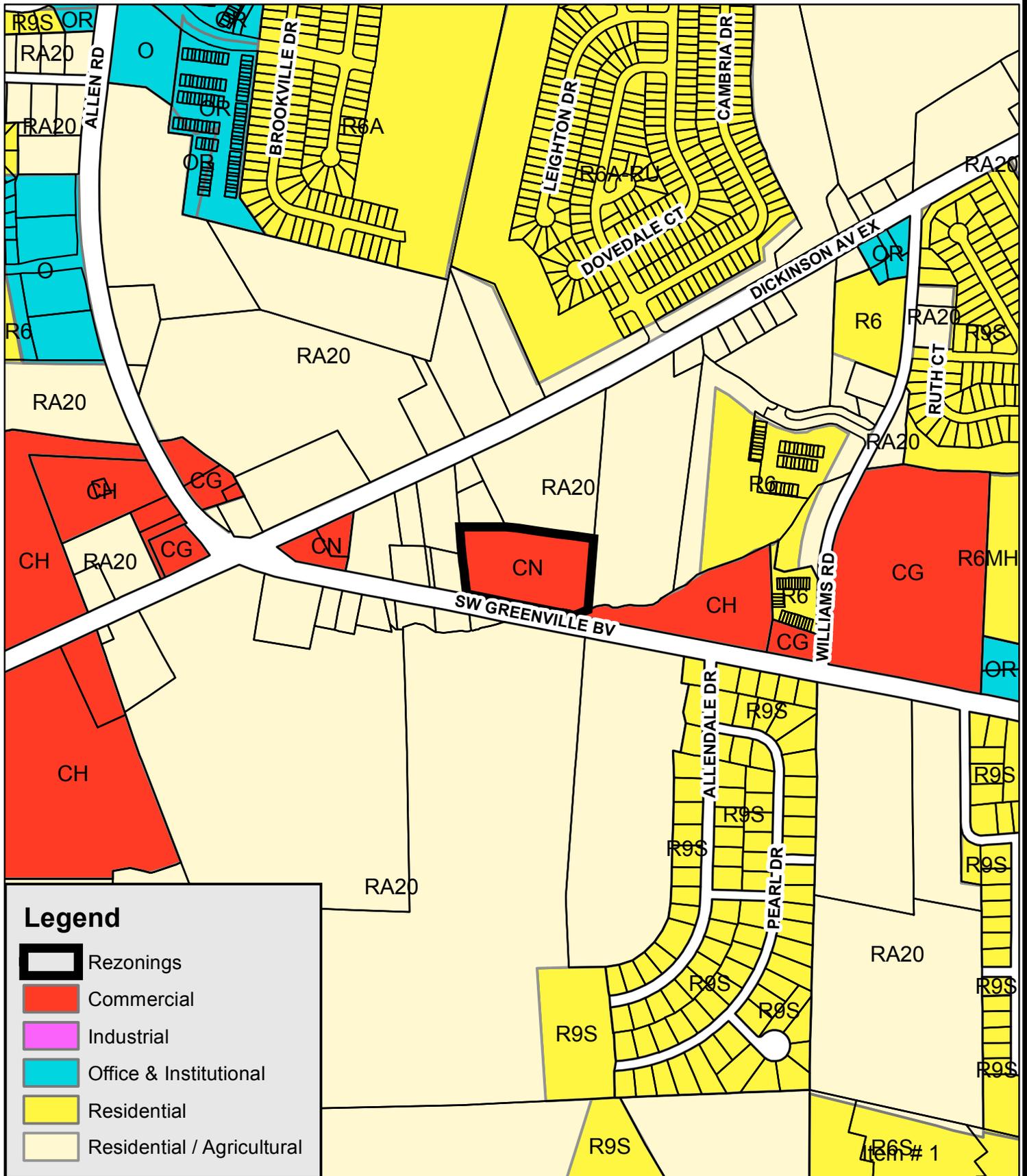
*(14) Manufacturing/ Warehousing:*

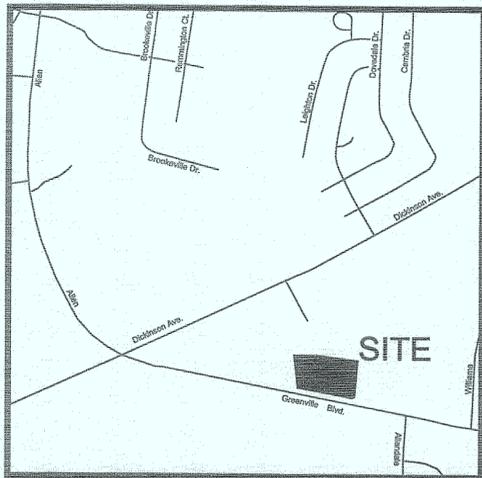
- k. Mini-storage warehouse, household; excluding outside storage

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

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

Amanda M. Garris  
5.6878 acres  
From: CN To: CG  
February 4, 2013



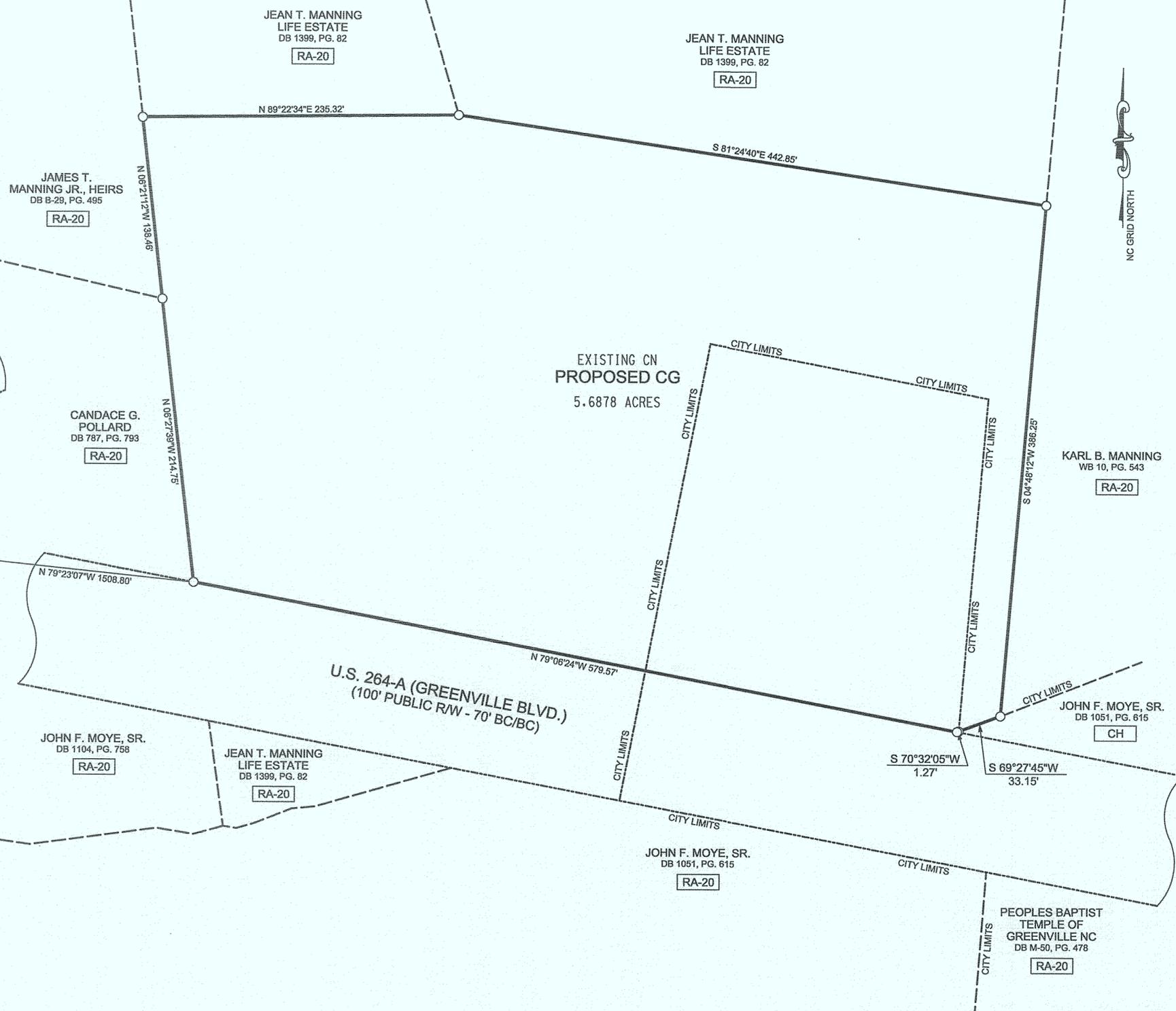


VICINITY MAP  
1" = 1000'

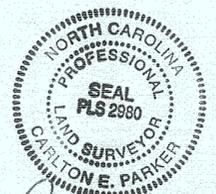
U.S. HWY 13 (DICKINSON AVE.)  
(100' PUBLIC R/W - PAVEMENT VARIES)

Attachment number 3  
Page 1 of 1

CENTERLINE INTERSECTION



Item # 1



CARLTON E. PARKER, PLS 2980

REZONING MAP FOR  
**AMANDA M. GARRIS**

REFERENCE DEED BOOK 1399, PAGE 82,  
OF THE PITT COUNTY REGISTRY

GREENVILLE TOWNSHIP PITT COUNTY NORTH CAROLINA

OWNER: JEAN T. MANNING LIFE ESTATE  
c/o MRS. AMANDA GARRIS  
ADDRESS: 1802 S.W. GREENVILLE BLVD.  
GREENVILLE, NC 27834  
PHONE: (252) 756-3820

DESIGNED: CEP  
DRAWN: WCD  
APPROVED: CEP  
DATE: 01/23/13  
SCALE: 1" = 60'  
SHEET 1 OF 1

**MALPASS & ASSOCIATES**  
NC LICENSE NO. C-1289  
1645 EAST ARLINGTON BLVD., SUITE D  
GREENVILLE, N.C. 27858  
(252) 756-1780

## BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

### Bufferyard A (street yard)

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

Street trees may count toward the minimum acreage.

### Bufferyard B (no screen required)

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

### Bufferyard C (screen required)

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

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

### Bufferyard D (screen required)

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

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

### Bufferyard E (screen required)

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

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

### Bufferyard F (screen required)

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

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

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



# City of Greenville, North Carolina

Meeting Date: 2/19/2013  
Time: 6:30 PM

**Title of Item:** Ordinance requested by PIRHL Development, LLC to amend the Future Land Use Plan Map from a commercial (C) category to an office/institutional/multi-family (OIMF) category for the property located between Turnbury Drive and Smythewyck Drive and being 230+/- feet east of East Arlington Boulevard containing 4.3 acres.

**Explanation:** **Abstract:** The City has received a request PIRHL Development, LLC to amend the Future Land Use Plan Map from a commercial (C) category to an office/institutional/multi-family (OIMF) category for the property located between Turnbury Drive and Smythewyck Drive and being 230+/- feet east of East Arlington Boulevard containing 4.3 acres.

### **History/Background:**

In 1989, the subject property was part of a series of large-scale rezonings in anticipation of the extension of Arlington Boulevard and re-location of Fire Tower Road. At that time, the zoning pattern established commercial at the northeast corner of the proposed intersection of Charles Boulevard and Fire Tower Road.

The current Future Land Use Plan Map (FLUPM) was adopted on February 12, 2004.

### **Comprehensive Plan:**

The subject area is located in Vision Area D.

The FLUPM 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 more than

400,000 square feet of conditioned floor space.

Arlington Boulevard is designated as a connector corridor. Connector corridors are anticipated to contain a variety of higher intensity activities and 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."

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

The following are excerpts from the 2010 Update.

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

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

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

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

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

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

In determining whether a FLUPM amendment is compatible with the comprehensive plan, the Planning and Zoning Commission and City Council should take into consideration the following planning principles or concepts:

Functionality: the proposed use category serves a necessary function and does not interrupt or interfere with other proximate compatible uses; or the proposed use enhances desirable transition or buffers between potentially incompatible

uses;

Integration: the proposed use category should be evaluated in terms of the Horizons plan's long-term goals, not merely in terms of its individual, short-term impacts.

**Environmental Conditions/Constraints:**

There are no known environmental constraints.

**Surrounding Land Uses and Zoning:**

North: OR - Sidus Financial, McCall and Warren Orthodontics, and Greenville Pitt County Home Builder's Association

South: CG - Tie Breaker's Restaurant Strip Center

East: CG - Turnbury Shopping Center

West: CG - Wendy's Restaurant and vacant property (under common ownership of applicant)

**Thoroughfare/Traffic Volume (Summary):**

Based on the analysis comparing the existing land use (943 daily trips) and requested land use, the proposed land use classification could generate 399 trips to and from the site on Turnbury Drive, which is a net *decrease* of 544 less trips per day. Since the traffic analysis for the requested land use indicates that the proposal would generate less traffic than the existing land use, a traffic volume report was not generated.

**Fiscal Note:**

No cost to the city.

**Recommendation:**

In staff's opinion, the request is **not compatible** with the comprehensive plan based on the following criteria listed in the 2010 Update. The proposed OIMF category:

- is not necessary as a result of changed conditions in the local development pattern, street pattern, environment or other major feature or plan, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the Current FLUPM; and
- does not support the intent and objective of the current FLUPM and other contextual considerations of the comprehensive plan for location of land use categories (Horizons states the OIMF category should be used between commercial nodes and/or incompatible uses.); and
- is not properly located with respect to existing and future adjoining land uses and may cause undue negative impacts on existing and future businesses within and in proximity to the area ; and
- is not anticipated to result in a desirable and sustainable land use pattern

to an equal or greater degree than existed under the previous plan recommendation

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

Attachments / click to download

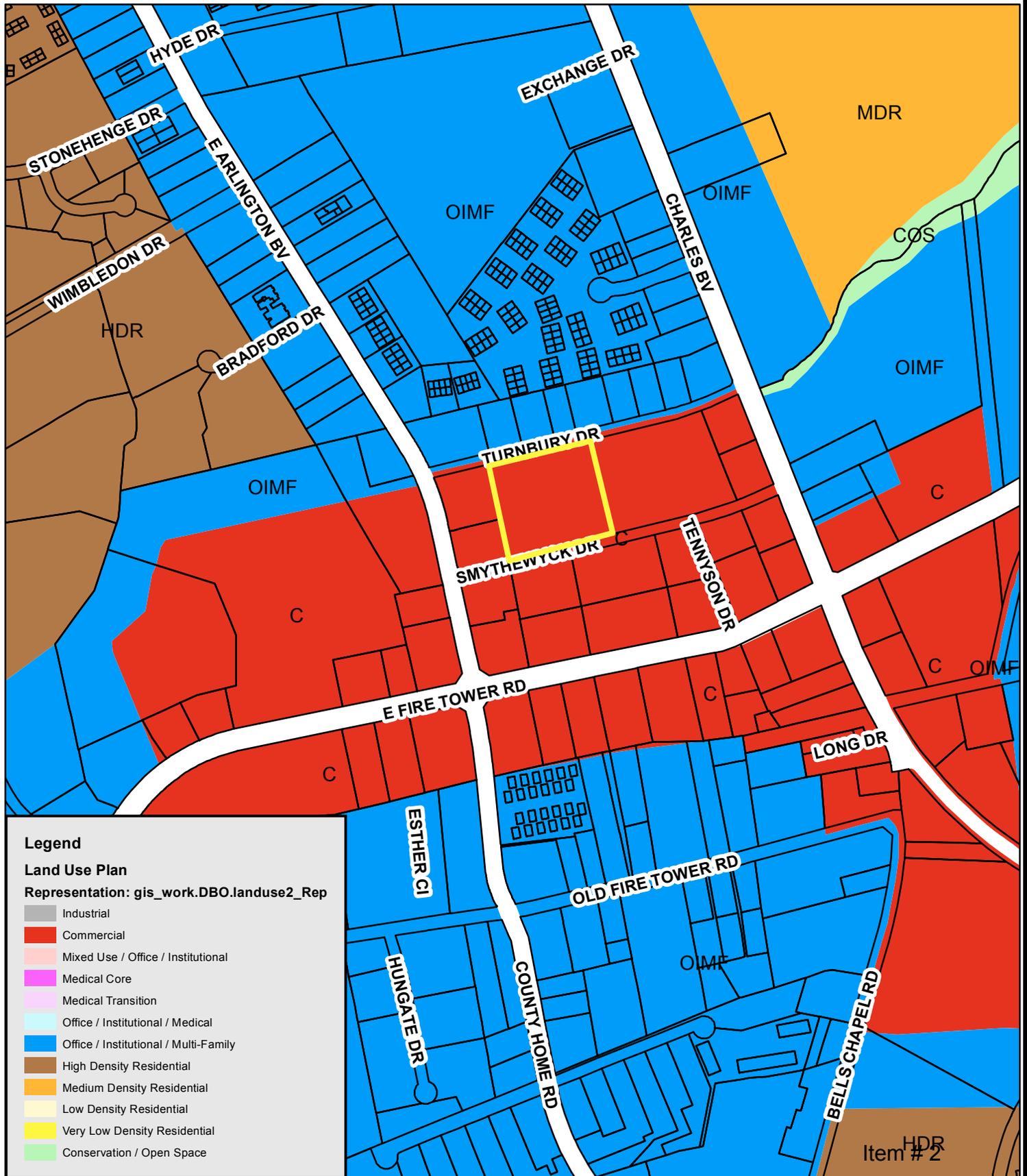
 [Location Map](#)

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PIRHL Development, LLC  
4.3 acres  
February 4, 2013



From: C (Commercial) To: OIMF (Office/Institutional/Multi-family)



**Legend**

**Land Use Plan**

Representation: gis\_work.DBO.landuse2\_Rep

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