



Agenda

Planning and Zoning Commission

November 20, 2012

6:30 PM

Council Chambers, City Hall, 200 W. 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 - Shelley Basnight
- III. ROLL CALL
- IV. APPROVAL OF MINUTES - October 16, 2012
- V. NEW BUSINESS

REZONINGS

1. Ordinance requested by Greenville Auto Auction Site, LLC to rezone 22.775 acres located north of Brompton Lane and 1,520+/- feet west of Allen Road from GC (General Commercial - County's Jurisdiction) and OR (Office-Residential [High Density Multi-family]) to CH (Heavy Commercial).

**This request is in conjunction with an extra-territorial jurisdiction (ETJ) extension.
2. Ordinance requested by Third Street Community Center to rezone 14.30 acres located near the northeast corner of the intersection of West Third Street and Contentnea Street from R6 (Residential [High Density Multi-family]) and I (Industry) to CDF (Downtown Commercial Fringe).

PRELIMINARY PLATS

3. Request by Amanda Garris for a preliminary plat entitled "Manning Square, Lot 1". The property is located on the northern right-of-way of Greenville Boulevard approximately 1440 feet east of its intersection with Dickinson Avenue Extension. The property is bound by Manning property to the east and Manning and Pollard property to the west. The subject property is further identified as Pitt County Tax Parcel No. 14233.

4. Request by Amanda Garris for a sketch plan entitled "Manning Square, Lot 1". The property is located between Greenville Boulevard and Dickinson Avenue approximately 1,000 feet east of the intersection of Dickinson Avenue and Greenville Boulevard/Allen Road. The property is bound by Manning property to the east and Manning and Pollard property to the west. The subject property is further identified as Pitt County Tax Parcel No. 14233.

TEXT AMENDMENTS

5. Amendment to the zoning ordinance text defining and creating standards for internet sweepstakes businesses

OTHER

6. Request by Greenville Auto Auction, LLC to extend the City of Greenville's Extra-Territorial Jurisdiction (ETJ)

**This request is in conjunction with a rezoning request.

7. Request by Summer Green Apartments, LLC to change the street name of Brasswood Court, from Greenville Boulevard to its terminus, to Boardwalk Lane.

VI. ADJOURN

DRAFT OF MINUTES PROPOSED FOR ADOPTION BY THE GREENVILLE PLANNING
AND ZONING COMMISSION
October 16, 2012

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 – X
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, Rich, Bellis, Smith, Weitz, Schrade, Burton

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 and Jonathan Edwards, Communications Technician.

MINUTES: Motion was made by Mr. Smith, seconded by Dr. Burton, to accept the September 24, 2012 minutes as presented. Motion carried unanimously.

NEW BUSINESS

REZONINGS

ORDINANCE REQUESTED BY FLEMING ALLEN, LLC TO REZONE 1.30 ACRES
LOCATED NEAR THE NORTHEAST CORNER OF THE INTERSECTION OF W.H. SMITH
BOULEVARD AND DICKINSON AVENUE-APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. The property is located in the central portion of the city, 200+/- feet east of W.H. Smith Boulevard and 300 +/- feet north of Dickinson Avenue. The property is currently vacant. The rezoning could result in a decrease of 108 less trips per day. The property is currently zoned as CG (General Commercial) which yields the same square footage as MCG (Medical General Commercial) but offers more medical-related uses and limits non-medical uses. The Future Land Use Plan Map recommends commercial for the area bounded by W.H. Smith Boulevard, Dickinson Avenue and the Norfolk Southern Railroad. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan and the Medical District Land Use Plan. It is

specifically recommended in the text of Horizons “to increase the number of intensity of medical-related establishments” and promotes the desired urban form.

Mr. Bell asked for further explanation of the entire range of permitted and special uses.

Ms. Gooby stated that some non-medical uses in the general commercial zoning are not allowed in the medical general commercial zone such as, a photography studio or an appliance store.

Chairman Bell opened the public hearing.

Mr. Durk Tyson, representative of the applicant, spoke in favor of the application. He stated that he did not have anything to add to the presentation and would answer any questions.

Mr. Weitz asked why the applicant wanted to change to Medical General Commercial.

Mr. Tyson stated that a tenant needs the medical zoning for his proposed use.

No one spoke in opposition of the request.

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

No discussion from board members.

Motion made by Ms. Bellis, seconded by Mr. Maxwell, 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.

ORDINANCE REQUESTED BY MICHAEL GARRETT TO REZONE 0.15 ACRES
LOCATED ALONG THE WESTERN RIGHT-OF-WAY OF ALBEMARLE AVENUE
BETWEEN BONNERS LANE AND SOUTH ALLEY STREET - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. The property is located in the downtown area near the former location of the old Icehouse. The area contains a variety of uses. The rezoning could result in a small increase of traffic from 5 trips per day to 8. Since 1969, the property has been zoned IU (Unoffensive Industry). Both the current and the proposed zoning districts yield the same square footage, but the proposed zoning offers more neighborhood-friendly uses such as, retail and offices. The area is a part of the 45-Block Revitalization Plan. The Future Land Use Plan Map recommends commercial along either side of Albemarle Avenue. The property is considered a part of the Downtown Focus Area. Over the years, other rezonings in this area have resulted in CD zoning which is preferred over the CDF district. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future

Land Use Plan and the 45-Block Revitalization Plan. The request promotes the desired urban form.

Mr. Bell stated that the 45-Block Revitalization Plan shows this area as a business hub for the surrounding community.

Chairman Bell opened the public hearing.

Mr. Michael Garrett, applicant, spoke in favor of the application. He stated that the property was owned by his father for many years and that his tenants desire to use the building as a barber shop.

Mr. Weitz asked if the applicant consider any other rezoning classifications.

Mr. Garrett stated that he was shocked that the property would need to be rezoned due to barber shops being located in the area for many years. He said he did not consider any other classifications.

Mr. Weitz asked if the applicant relied on staff's recommendation.

Mr. Garrett stated yes and that he did not realize he had a choice.

No one spoke in opposition of the request.

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

Ms. Gooby stated that Mr. Garrett was informed that the current zoning did not allow barber shops and that he would need to rezone the property. Ms. Gooby consulted with Economic Development Staff for the recommended zoning. Downtown Commercial (CD) was recommended for the area. Based upon this information, Mr. Garrett chose to rezone his property.

Mr. Weitz stated that he also looked at the Center City Revitalization Plan along with the comprehensive plan and that the application is consistent with both plans. He was concerned that the CD zoning included unlimited residential density in the same area and recommended rezoning to General Commercial.

Mr. Bell stated that the 45-Block Revitalization Plan recommended Albemarle Avenue as commercial.

Mr. Weitz stated that the two plans contradict each other.

Ms Gooby stated over the years there have been other rezonings in the area that have resulted in the CD zoning and that it is preferred over the CDF zoning. Some uses in CDF are not desirable

in the Downtown area so CD zoning is recommended. One of the 2 downtown commercial zones should be used in this area.

Mr. Parker asked if CDF zoning will be eliminated in the long term.

Ms Gooby stated yes.

Motion made by Mr. Smith, seconded by Mr. Parker, 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.

Mr. Weitz stated that he was worried about unlimited residential density should another owner buy the property.

Motion passed unanimously.

TEXT AMENDMENTS

ZONING TEXT AMENDMENT APPLICATION SUBMITTED BY GREENVILLE COMMUNITY LIFE CENTER, INC. -APPROVED

Mr. Chris Padgett, Chief Planner, provided background information on the request to the Commission. He stated the City's current standards, that homeless shelters were permitted with a special use permit in the O&I district, but they had been omitted as an acceptable use when the OR district was formed in 1997. The proposed text amendment request that "shelter for homeless or abused" be permitted in the OR (Office Residential) district with the issuance of a special use permit subject to a minimum lot area requirement of two acres. The OR district is designed to be a transitional zoning district. To this end, it allows a range of duplex, multi-family, business and professional office uses. Staff listed the specific objectives in the Comprehensive Plan that may support or be adverse to the requested amendment. In staff's opinion, the proposed text amendment is in compliance with Horizons: Greenville's Community Plan.

Chairman Bell opened the public hearing.

Mr. Durk Tyson, representative of Greenville Homeless Shelter, spoke in favor of the application. He stated that the building for the Shelter is functionally obsolete and the Shelter started a fundraising program for a new building. The previously requested rezoning to CDF was thought to have the least impact, but neighbors opposed it. The applicant is now applying for a text amendment that would allow the shelter to obtain a special use permit in the OR district.

Lynn James, Executive Director of Homeless Shelter, spoke in favor of the application. She stated that the organization is pleased with the text amendment as an alternative option to rezoning and hopes to get the project moving forward.

Mr. Weitz asked was the two acre requirement on behalf of the applicant or staff.

Ms James stated that staff recommended the two acre requirement based on planning and land use purposes due to the nature of the operation.

Mr. Weitz asked the current lot size of the property.

Ms James stated she was not sure.

Mr. Padgett stated 2.3 acres.

No one spoke in opposition of the request.

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

Ms Bellis asked if the neighbors withdrew their objections.

Mr. Padgett stated that text amendments are not site-specific so there are no mailings to adjoining properties. The approval of the text amendment will allow the applicant to go before the Board of Adjustment and request a special use permit which will require notification of adjoining property owners.

Mr. Schrade stated that the complaints from the neighbors were not about the shelter but about rezoning the property to commercial.

Mr. Weitz stated the text amendment will open up more of the city to the homeless or abused uses as long as it is on a two acre lot.

Motion made by Mr. Weitz, 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.

OTHER ITEMS OF BUSINESS

ADOPTION OF THE DEVELOPMENT CODE REVIEW AND POLICY GAP ANALYSIS TO IMPROVE THE COMMUNITY'S HEALTH, DESIGN AND APPEARANCE

Ms Gooby introduced the consultants Walter Cole and Lee Smith from Clark Nexsen who worked on the project Communities Putting Prevention to Work. Mr. Cole and Mr. Clark presented their findings and recommendations for Pitt County.

Mr. Parker stated that being involved in the task force was an eye opening experience.

Chairman Bell thanked Mr. Parker for volunteering to serve on the task force.

Mr. Padgett stated that Mr. Parker's participation on the task force was valuable. He also explained the process for approval of the Communities Putting Prevention to Work findings and recommendations.

Motion made by Mr. Parker, seconded by Ms Bellis, to approve the development code review and policy gap analysis to improve the community's health, design, and appearance. Motion passed unanimously.

Mr. Parker thanked Mr. Thom Moton for his service as Assistant City Manager.

With no further business, motion made by Mr. Smith, seconded by everyone, to adjourn. Motion passed unanimously. Meeting adjourned at 7:33 p.m.

Respectfully Submitted,

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



City of Greenville, North Carolina

Meeting Date:
11/20/2012
Time: 6:30 PM

Title of Item: Ordinance requested by Greenville Auto Auction Site, LLC to rezone 22.775 acres located north of Brompton Lane and 1,520+/- feet west of Allen Road from GC (General Commercial - County's Jurisdiction) and OR (Office-Residential [High Density Multi-family]) to CH (Heavy Commercial).

**This request is in conjunction with an extra-territorial jurisdiction (ETJ) extension.

Explanation: **Abstract:** Ordinance requested by Greenville Auto Auction Site, LLC to rezone 22.775 acres located north of Brompton Lane and 1,520+/- feet west of Allen Road from GC (General Commercial - County's Jurisdiction) and OR (Office-Residential [High Density Multi-family]) to CH (Heavy Commercial).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on November 5, 2012.

On-site sign(s) posted on November 5, 2012.

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 area is located in Vision Area E.

The subject property is considered to be part of the regional focus area along Dickinson Avenue Extension, roughly between Greenville Boulevard/Allen Road and Frog Level Road. These nodes typically contain more than 400,000 square feet of conditioned floor space.

Dickinson Avenue Extension is considered a gateway corridor beginning at the Greenville Boulevard/ Allen Road intersection and continuing west. Gateway

corridors serve as primary entranceways into the City and help define community character.

The Future Land Use Plan Map recommends commercial (C) starting at the northwest corner of the intersection of Dickinson Avenue Extension and Greenville Boulevard/Allen Road continuing west and transitioning to office/institutional/multi-family (OIMF) to the north.

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

Based on the analysis comparing the existing zoning and requested rezoning, the proposed rezoning classification could generate 234 trips to and from the site on Dickinson Avenue, which is a net decrease of 573 less trips per day. Since the traffic analysis for the requested rezoning indicates that the proposal would generate less traffic than the existing zoning, a traffic volume report was not generated.

History/Background:

In 1993, the OR-zoned portion of the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned RA20.

The portion of the subject property proposed for CH zoning is associated with an extra-territorial jurisdiction (ETJ) extension.

Present Land Use:

Vacant

Water/Sewer:

Water and sanitary sewer are available to the property.

Historic Sites:

There are no known effect on historic sites.

Environmental Conditions/Constraints:

There are no known environmental conditions/constraints.

Surrounding Land Uses and Zoning:

North: RA20 and RR (County's Jurisdiction) - Vacant

South: CH - Greenville Auto Auction (common ownership as applicant); GC (County's Jurisdiction) - Select Auto Sales

East: CH - farmland

West: GC (County's Jurisdiction) - Ferguson Enterprises, Mt. Carmel Christian Church and farmland

Density Estimates:

Tract 1:

Acreage: 15.784 acres

Current Zoning: GC (General Commercial - County's Jurisdiction)

Requested Zoning : CH (Heavy Commercial)

Under the current zoning (GC) and proposed zoning (CH), staff would anticipate the site to yield the same square footage (64,714+/-) of auto sales/rental/repair or mini-storage.

Tract 2:

Acreage: 6.991 acres

Current Zoning: OR (Office-Residential [High Density Multi-family])

Requested Zoning: CH (Heavy Commercial)

Under the current zoning (OR), staff would anticipate the site to yield 97 multi-family units (1, 2 and 3 bedrooms).

Under the proposed zoning (CH), staff would anticipate the site to yield 28,663+/- square footage of auto sales/rental/repair or mini-storage.

The anticipated build-out time is within 1-2 years.

Fiscal Note:

No cost to the City.

Recommendation:

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

"General compliance with the comprehensive plan" should be construed as meaning the requested rezoning is recognized as being located in a transition area and that the requested rezoning (i) is currently contiguous or is reasonably anticipated to be contiguous in the future, to specifically recommended and desirable zoning of like type, character or compatibility, (ii) is complementary with objectives specifically recommended in the Horizons Plan (iii) is not anticipated to create or have an unacceptable impact on adjacent area properties or travel ways, and (iv) preserves the desired urban form. It is recognized that in the absence of more detailed plans, subjective decisions must be made concerning the scale, dimension, configuration, and location of the requested zoning in the particular case. Staff is not recommending approval of the requested zoning; however staff does not have any specific objection to the requested zoning.

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 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

- [Location Map](#)
 - [Survey](#)
 - [Bufferyard and Vegetation Standards and Residential Density](#)
 - [GC OR to CH 941081](#)
-

EXISTING ZONING

Pitt County Zoning GC (General Commercial) List of Uses

Agricultural Production
Fish Hatchery
Bed and Breakfast Inn
Boarding and Rooming House
Family Care Home
Group Care Facility
Homeless Shelter
Multi-family Dwelling
Planned Unit Development
Temporary Shelter
Accessory Uses and Structures
Caretaker Dwelling
Communication Towers
Emergency Shelter
Wind Energy Facility, Accessory
Amusement or Water Parks, Fairgrounds
Athletic Field
Auditorium, Coliseum or Stadium
Batting Cages,
Billiard Parlor
Bingo Games
Bowling Center
Civic, Social and Fraternal Associations
Coin-Operated Amusement, Except Adult Arcade
Country Club with Golf Course
Dance School, Music Instruction
Fortune Tellers, Astrologers
Go-Cart Raceway
Golf Course
Golf Course, Miniature
Golf Driving Range
Physical Fitness Center
Private Campground/RV Park
Private or Public Club or Recreational Facility, Other
Shooting Range, Indoor
Skating Rink
Sports and Recreation Club, Indoor
Swim and Tennis Club
Ambulance Service
Cemetery or Mausoleum

Church or other Place of Worship
College, University, Technical Institute (special use)
Miscellaneous Educational Services
Day Care Center, Adult and Child
Elementary or Secondary School
Fire Station/Emergency Medical Service
Government Office
Hospital
Library
Museum or Art Gallery
National Guard /Military Reserve Center
Nursing and Convalescent Home
Orphanage
Law Enforcement Substation
Post Office
Psychiatric Hospital
Retreat/Conference Center
School Administration Facility
Tutoring/Mentoring Center, less than 5 students
Accounting, Audit or Bookkeeping
Administrative or Management Service
Advertising, Outdoor Service
Automobile Parking (Commercial)
Automobile Rental or Leasing
Automobile Repair and Towing
Bank, Saving and Loan or Credit Union
Barber/Beauty Shop
Blacksmith
Boat Repair
Building Maintenance Services, No Outdoor Service
Car Wash
Clothing Alteration or Repair
Computer Repair and Repair
Crematorium
Employment Agency, Personnel Agency
Engineering, Architect or Survey Service
Equipment Rental or Leasing, No Outdoor Service
Equipment Repair, Light
Finance or Loan Office
Funeral Home
Furniture Refinishing
Furniture Repair Shop
Hotel, Motel, Except Adult Motel
Insurance Agency
Kennel or Pet Grooming
Landscape or Horticulture Service

Laundromat, Coin-Operated
Laundry or Dry Cleaning Plan
Law Office
Medical, Dental or Related Office
Medical or Dental Laboratory
Miscellaneous Services, Not Listed
Office Use Not Otherwise Classified
Pest or Termite Control Services
Pet Cemetery/Crematorium
Photocopying and Duplicating Services
Photography, Commercial Studio
Real Estate Office
Recording Studio
Refrigerator or Large Appliance Repair
Research, Development or Testing Services
Shoe Repair or Shoeshine Shop
Tattoo Parlor
Taxidermist
Television Radio or Electronic Repair
Theatre (indoor and outdoor), Except Adult Theatre
Tire Recapping
Welding Shop
Veterinary Clinic
Vocational, Business or Secretarial School
ABC Store
Antique Store
Appliance Store
Arts and Crafts
Auto Supply Sales
Bakery
Bar, Night Club, Tavern
Bookstore, except Adult Bookstore
Building Supply Sales
Computer Sales
Convenience Store
Department, Variety, General Merchandise
Drugstore
Fabric or Piece Goods Store
Farm Supplies and Equipment
Floor Covering, Drapery or Upholstery
Florist
Food Store
Fuel Oil Sales
Furniture Sales
Garden Center, Retail Nursery
Hardware Store

Home Furnishings, Miscellaneous
Miscellaneous Retail Sales
Motor Vehicle, Recreational Vehicle and Motorcycle Sales
Musical Instrument Sales
Newsstand
Office Machine Sales
Optical Goods Sales
Paint and Wallpaper Sales
Pawnshop or Used Merchandise Store
Pet Store
Record and Tape Store
Restaurant
Service station, Gasoline Sales
Sporting Goods Store, Bicycle Shop
Video Tape Rental and Sales, Except Adult Video Store
Apparel, Piece Goods, Notions
Books, Periodicals, Newspapers
Drugs and Sundries
Durable Goods, Other
Electrical Goods
Farm Supplies, Other
Flowers, Nursery Stock, and Florist Supplies
Furniture and Home Furnishings
Groceries and Related Products
Hardware
Jewelry, Watches, Precious Stones and Metals
Machinery Farm and Garden
Market Showroom
Paper and Paper Products
Professional and Commercial Equipment and Supplies
Sporting and Recreational Goods and Supplies
Tobacco and Tobacco Products
Toys and Hobby Goods and Supplies
Wallpaper and Paint Brushes
Bus Terminal
Communication or Broadcasting Facility
Courier Service
Marina
Sewage Treatment Center
Taxi Terminal
Utility Company Office
Utility Equipment and Storage yards
Utility Lines
Utility Service Facility (No Outside Storage)
Utility Related Appurtenances
Warehouse (General, Enclosed and Self-Storage)

Water Treatment Plant
Contractors (No Outside Storage)
Contractors, General Building and Special Trade
Manufacture of Ice
Print and Publishing
Arts and Crafts Shows
Automobile Parking on same lot as principal use
Billboards, Advertising Signs
Carnivals and Fairs
Christmas Tree Sales
Concerts, Stage Shows
Conventions, Trade shows
Emergency Shelter
Outdoor Flea Markets
Outdoor Fruit and Vegetable Markets
Outdoor Religious Events
Sexually Oriented Business
Shopping Center
Special Temporary Event
Subdivision
Temporary Construction, Storage or Office; Real Estate Sales or Rental Office
Temporary Emergency, Construction, and Repair Residence

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

PROPOSED ZONING

CH (Heavy Commercial)

Permitted Uses

(1) General:

- a. Accessory use or building
- b. Internal service facilities
- c. On- premise signs per Article N
- d. Off-premise signs per Article N

- e. Temporary uses; of listed district uses
- f. Retail sales; incidental
- g. Incidental assembly of products sold at retail or wholesale as an accessory to principle use

(2) Residential:

* None

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- b. Operation/processing center
- c. Office; customer service not otherwise listed, including accessory service delivery

- vehicle parking and indoor storage
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
- f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)
- g. Catalogue processing center

(8) Services:

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

(9) Repair:

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

(10) Retail Trade:

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- b. Gasoline or automotive fuel sale; accessory or principal use
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)

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

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

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

(12) Construction:

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

f. Hardware store

(13) Transportation:

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

(14) Manufacturing/ Warehousing:

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

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

* None

CH (Heavy Commercial)

Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

* None

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- d. Game center

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

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

(10) Retail Trade:

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

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

* None

(12) Construction:

* None

(13) Transportation:

* None

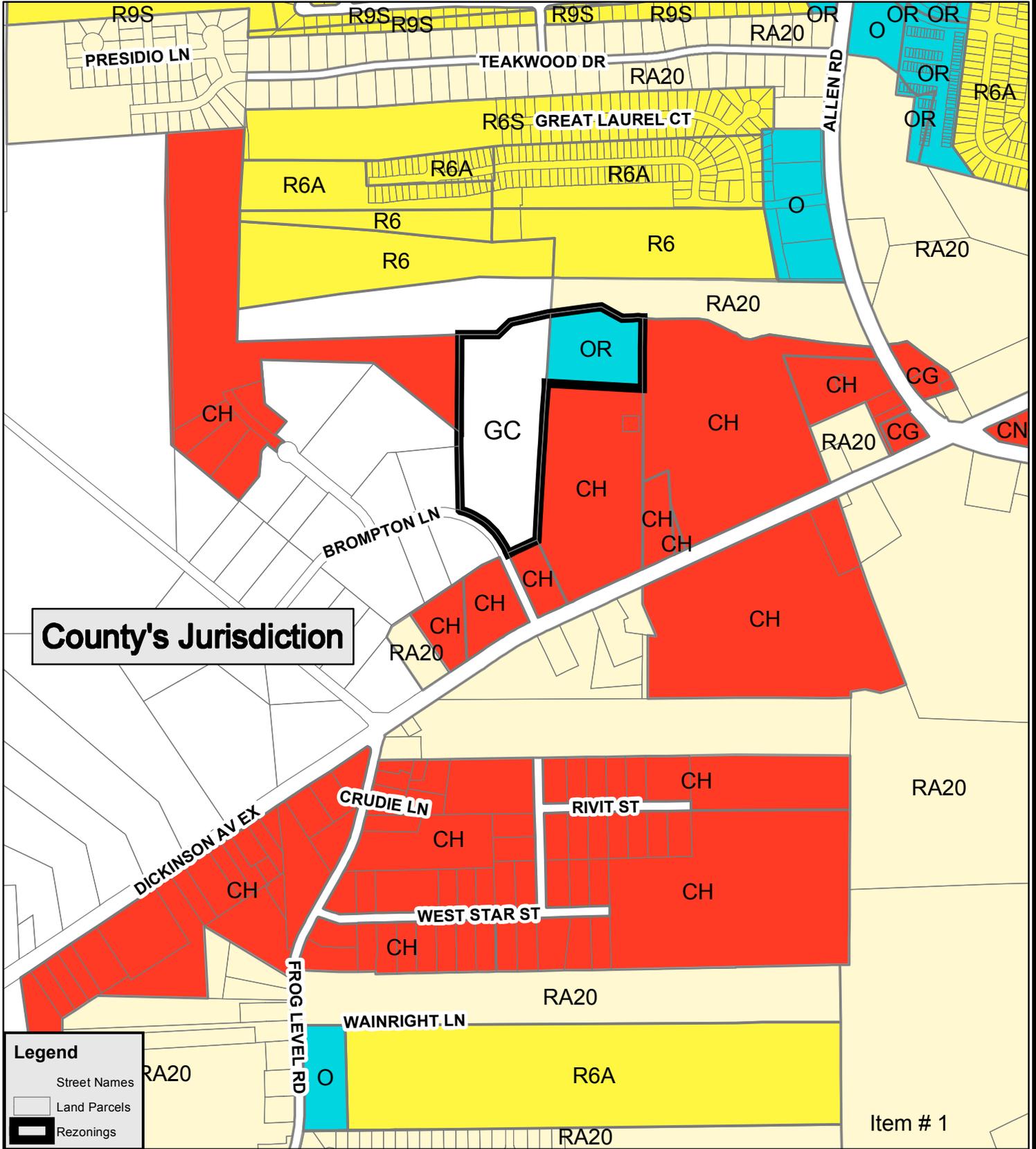
(14) Manufacturing/ Warehousing:

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

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

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

Greenville Auto Auction Site, LLC (12-13)
22.775 acres
From: GC (County's Jurisdiction) and OR
To: CH
November 1, 2012



County's Jurisdiction

Legend

- Street Names
- Land Parcels
- Rezoning

Item # 1

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.

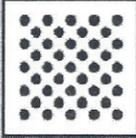
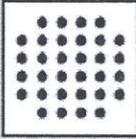
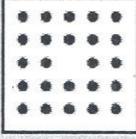
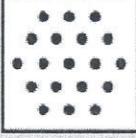
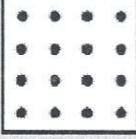
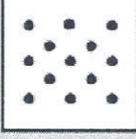
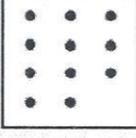
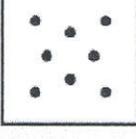
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons 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:
11/20/2012
Time: 6:30 PM

Title of Item: Ordinance requested by Third Street Community Center to rezone 14.30 acres located near the northeast corner of the intersection of West Third Street and Contentnea Street from R6 (Residential [High Density Multi-family]) and I (Industry) to CDF (Downtown Commercial Fringe).

Explanation: **Abstract:** Ordinance requested by Third Street Community Center to rezone 14.30 acres located near the northeast corner of the intersection of West Third Street and Contentnea Street from R6 (Residential [High Density Multi-family]) and I (Industry) to CDF (Downtown Commercial Fringe).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on November 5, 2012.

On-site sign(s) posted on November 5, 2012.

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 Plan recognizes and supports the goals of "smart growth". One of the goals of smart growth is: Protect community character and identity.

Plan Element: Community Character

Goal: To preserve, protect, promote and enhance the historic and cultural resources of the City.

Objectives:

CC 7. To encourage preservation of historic buildings and areas.

CC 9. To increase neighborhood livability and property values by preserving

and enhancing historic areas.

Plan Element: Urban Form

Objectives:

- UF 12. To preserve historic and cultural properties, landmarks and districts.
- UF 24. To encourage adaptive re-use of vacant non-residential buildings.

Implementation Strategies for Land Use

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

Implementation Strategies for Growth and Development

- 2(t). Preserve historic warehouses and older buildings through renovation and adaptive re-use.
- 2(x). Maintain neighborhood character and identity.
- 2(ee). Revitalize West Greenville.

The subject area is located in Vision Area G.

Vision Area G. Management Actions

- G1. Preserve the architectural and historical character of the Skinnerville, Higgs and Riverdale neighborhoods.

The Future Land Use Plan Map recommends commercial (C) for the downtown area transitioning to conservation/openspace (COS) and high density residential (HRD) to the west.

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

Based on the analysis comparing the existing zoning and requested rezoning, the proposed rezoning classification could generate 268 trips to and from the site on West Third Street, which is a net *increase* of 87 trips per day. The closest thoroughfare to this property is West Fifth Street, located three (3) blocks to the south. Given this separation, the additional trips will be dispersed in two (2) directions, and most of the traffic will be lost in the neighboring grid along Third and Fourth Streets. As such, a traffic volume report was not generated as the impact along West Fifth Street would be negligible.

History/Background:

In 1969, the subject property was R6 (Residential).

Present Land Use:

Former location of Third Street Elementary School

Water/Sewer:

Water and sanitary sewer are located on-site.

Historic Sites:

Third Street School is designated as a Local Landmark. Individual properties are designated as Local Landmarks by City Council because of their significance in terms of history, pre-history, cultural importance, and architecture. Any alterations to the structure or grounds of the property require review from the Greenville Historic Commission.

The Third Street School is also located in the Skinnerville/Greenville Heights National Register Historic District. This is an honorary designation and does not regulate the appearance of the structure.

Environmental Conditions/Constraints:

The northern edge of the property is impacted by the 100- and 500-year floodplains and the floodway associated with the Tar River.

Surrounding Land Uses and Zoning:

North: Tar River

South: R6 - five (5) single-family residences and one (1) multi-family building

East: I - Greenville Utilities Commission substation and the Seaboard Coastline Railroad

West: R6 - 13 single-family residences and two (2) multi-family buildings

Density Estimates:

The building contains 11,700+/- square feet of conditioned floor space. Under the proposed zoning (CDF), staff would anticipate the site to include recreation programs, afterschool programs, a community center (gardens) and health and wellness programs.

Additional Staff Comments:

The Third Street School was built in 1929 and is designated as a Local Landmark. The building is significant due to its architecture, as well as, being part of the community character in the West Greenville area. The preservation and adaptive re-use of this building is specifically recommended in Horizons. This furthers the objectives of Horizons by encouraging revitalization of older neighborhoods, maintaining neighborhood character and identity and revitalizing the West Greenville area. Adaptive re-use of this property is limited due to the age of construction and cost of modernizing the building required by state building code. Conversion to residential would most be likely more costly than to non-residential due to code requirements such as, fire suppression and energy efficiency.

On April 26, 2011, the Greenville Historic Preservation Commission passed a resolution to save and protect the Third Street School and find an appropriate use consistent with its historic significance.

While this request is not recommended by the Future Land Use Plan Map, this request is complementary with the objectives specifically recommended in the Horizons Plan and is not anticipated to create or have an unacceptable impact on adjacent area properties or travel ways. For these reasons, staff's opinion is the request is in general compliance with the comprehensive plan.

Fiscal Note: No cost to the City.

Recommendation: While this request is not recommended by the Future Land Use Plan Map, this request is complementary with the objectives specifically recommended in the Horizons Plan and is not anticipated to create or have an unacceptable impact on adjacent area properties or travel ways. For these reasons, staff's opinion is the request is in general compliance with the comprehensive plan.

"General compliance with the comprehensive plan" should be construed as meaning the requested rezoning is recognized as being located in a transition area and that the requested rezoning (i) is currently contiguous or is reasonably anticipated to be contiguous in the future, to specifically recommended and desirable zoning of like type, character or compatibility, (ii) is complementary with objectives specifically recommended in the Horizons Plan (iii) is not anticipated to create or have an unacceptable impact on adjacent area properties or travel ways, and (iv) preserves the desired urban form. It is recognized that in the absence of more detailed plans, subjective decisions must be made concerning the scale, dimension, configuration, and location of the requested zoning in the particular case. Staff is not recommending approval of the requested zoning; however staff does not have any specific objection to the requested zoning.

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 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

- [Location Map](#)
- [Bufferyard and Vegetation Standards and Residential Density](#)
- [List_of_Uses_R6_I_to_CDF_940928](#)

EXISTING ZONING

R6 (Residential)

Permitted Uses

(1) General:

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

(2) Residential:

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

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

R6 (Residential)

Special Uses

(1) General:

* None

(2) Residential:

d. Land use intensity multifamily (LUI) development rating 50 per Article K

e. Land use intensity dormitory (LUI) development rating 67 per Article K

l. Group care facility

n. Retirement center or home

p. Board or rooming house

r. Fraternity or sorority house

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

(3) Home Occupations (see all categories):

a. Home occupation; including barber and beauty shops

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

(4) Governmental:

a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

a. Golf course; regulation

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

a. Child day care facilities

b. Adult day care facilities

d. Cemetery

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

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

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

m. Multi-purpose center

t. Guest house for a college and other institutions of higher learning

(9) Repair:

* None

*(10) Retail Trade:** None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

I (Industry)

Permitted Uses

(1) General:

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

(2) Residential:

* None

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)
- b. Greenhouse or plant nursery; including accessory sales
- e. Kennel (see also section 9-4-103)
- f. Stable; horse only (see also section 9-4-103)
- g. Stable; per definition (see also section 9-4-103)
- h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use
- i. Livestock sales pavilion, auditorium, yard, distribution or transshipment facility
- j. Quarry, mining, excavation and works including material storage and distribution;

sand, stone, gravel

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

- b. Operation/processing center
- c. Office; customer service not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- g. Catalogue processing center

(8) Services:

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

(9) Repair:

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

(10) Retail Trade:

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

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

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

(12) Construction:

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

(13) Transportation:

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

(14) Manufacturing/ Warehousing:

- a. Ice plant and freezer lockers
- b. Dairy; production, storage and shipment facilities
- c. Bakery; production, storage and shipment facilities
- d. Stone or monument cutting, engraving
- e. Mobile home repair or rework facility; no sales allowed
- g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholster
- h. Engraving; metal, glass or wood
- j. Moving and storage; including outside storage
- k. Mini-storage warehouse, household; excluding outside storage
- l. Warehouse or mini-storage warehouse, commercial or industrial; including outside storage
- m. Warehouse; accessory to approved commercial or industrial uses within the district; excluding outside storage
- n. Petroleum (bulk) storage facility; excluding retail sales
- o. Feed and grain elevator, mixing, redrying, storage or sales facility
- p. Tobacco redrying or processing plant
- q. Fertilizer or lime manufacture or bulk storage
- r. Manufacturing of acid, toxic chemicals or other hazardous materials or explosive products not otherwise listed
- s. Manufacture of nonhazardous products; general, including nonhazardous and nontoxic chemicals and/or materials not otherwise listed
- t. Manufacture of nonhazardous medical supplies or medical products, including distribution
- u. Tire recapping or retreading plant
- v. Bottling or packing plant for nonhazardous materials or products
- w. Bottling or packing plant for hazardous, flammable or explosive materials or products
- y. Recycling collection station of facilities
- z. Metallurgy, steel fabrication, welding
- aa. Meat, poultry or fish processing or packing plant
- bb. Slaughterhouse
- cc. Manufacture of pharmaceutical, biological, botanical, medical, and cosmetic products, and related materials

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

I (Industry)
Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

- f. Correctional facility

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- l. Convention center; private
- s.(1). Hotel, motel, bed and breakfast inn; extended stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)

(9) Repair:

* None

(10) Retail Trade:

- j. Restaurant; regulated outdoor activities

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

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

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

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

PROPOSED 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):

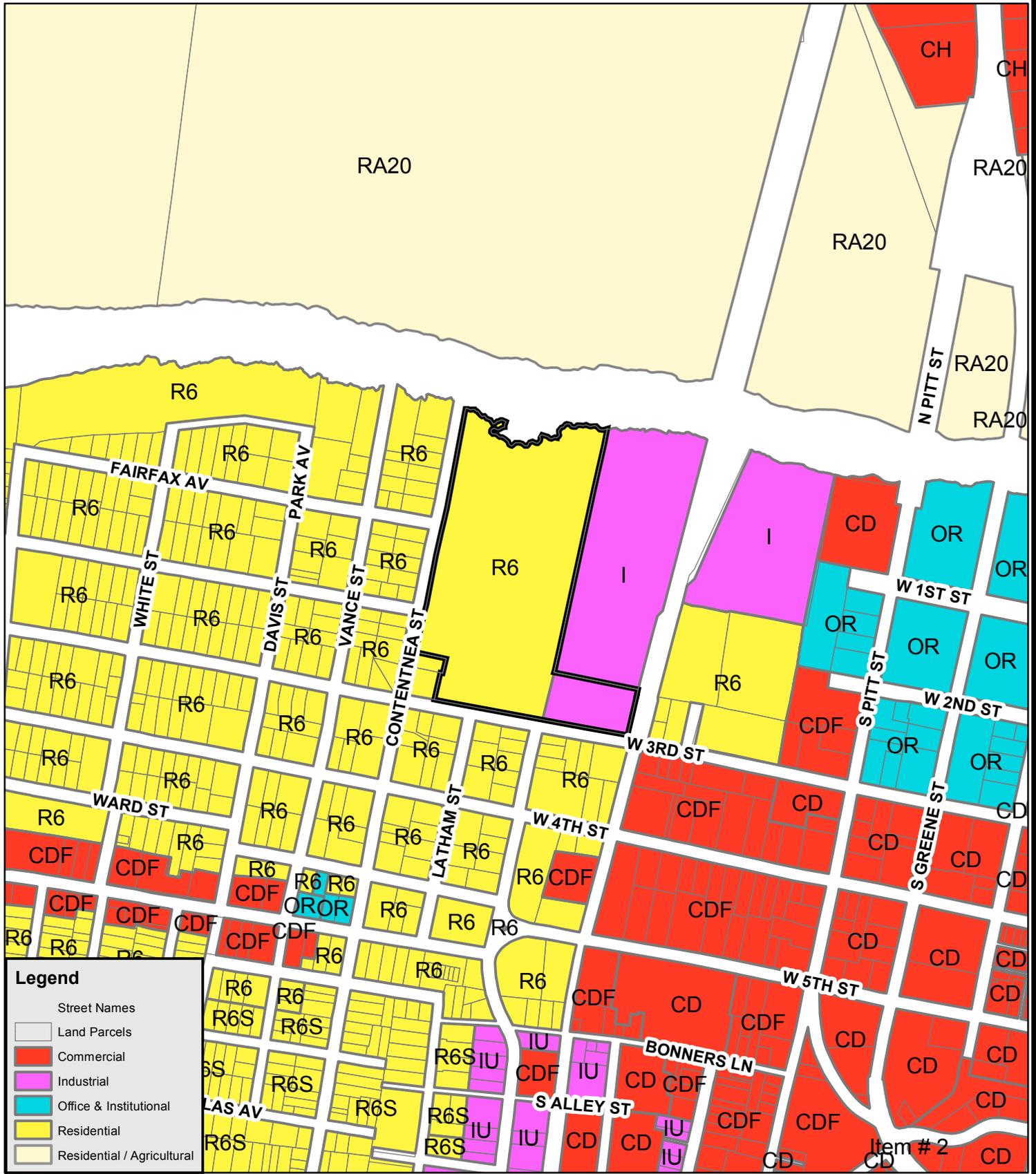
a. Other activities; personal services not otherwise listed

b. Other activities; professional activities not otherwise listed

c. Other activities; commercial services not otherwise listed

d. Other activities; retail sales not otherwise listed

Third Street Community Center (12-12)
14.3 acres
From: R6 To: CDF
October 24, 2012



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.

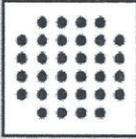
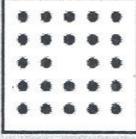
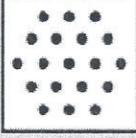
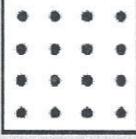
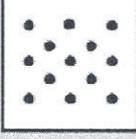
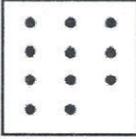
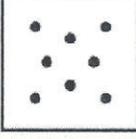
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons 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:
11/20/2012
Time: 6:30 PM

Title of Item: Request by Amanda Garris for a preliminary plat entitled "Manning Square, Lot 1". The property is located on the northern right-of-way of Greenville Boulevard approximately 1440 feet east of its intersection with Dickinson Avenue Extension. The property is bound by Manning property to the east and Manning and Pollard property to the west. The subject property is further identified as Pitt County Tax Parcel No. 14233.

Explanation: This lot is being presented in accordance with the sketch plan that has been filed.

The property contains a watercourse on the eastern side of the property. A riparian buffer will be dedicated with the recordation of the final plat.

The property will be served by a drive on the adjacent lot with an ingress-egress easement. There is a 15-foot non-access easement along Greenville Boulevard.

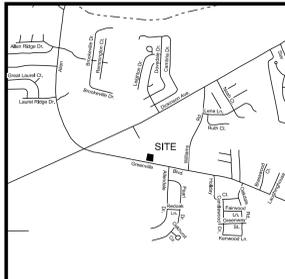
Fiscal Note: There will be no costs to the City of Greenville associated with this subdivision other than routine costs to provide public services.

Recommendation: The City's Subdivision Review Committee has reviewed the preliminary plat and has determined that it meets all technical requirements.

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

Attachments / click to download

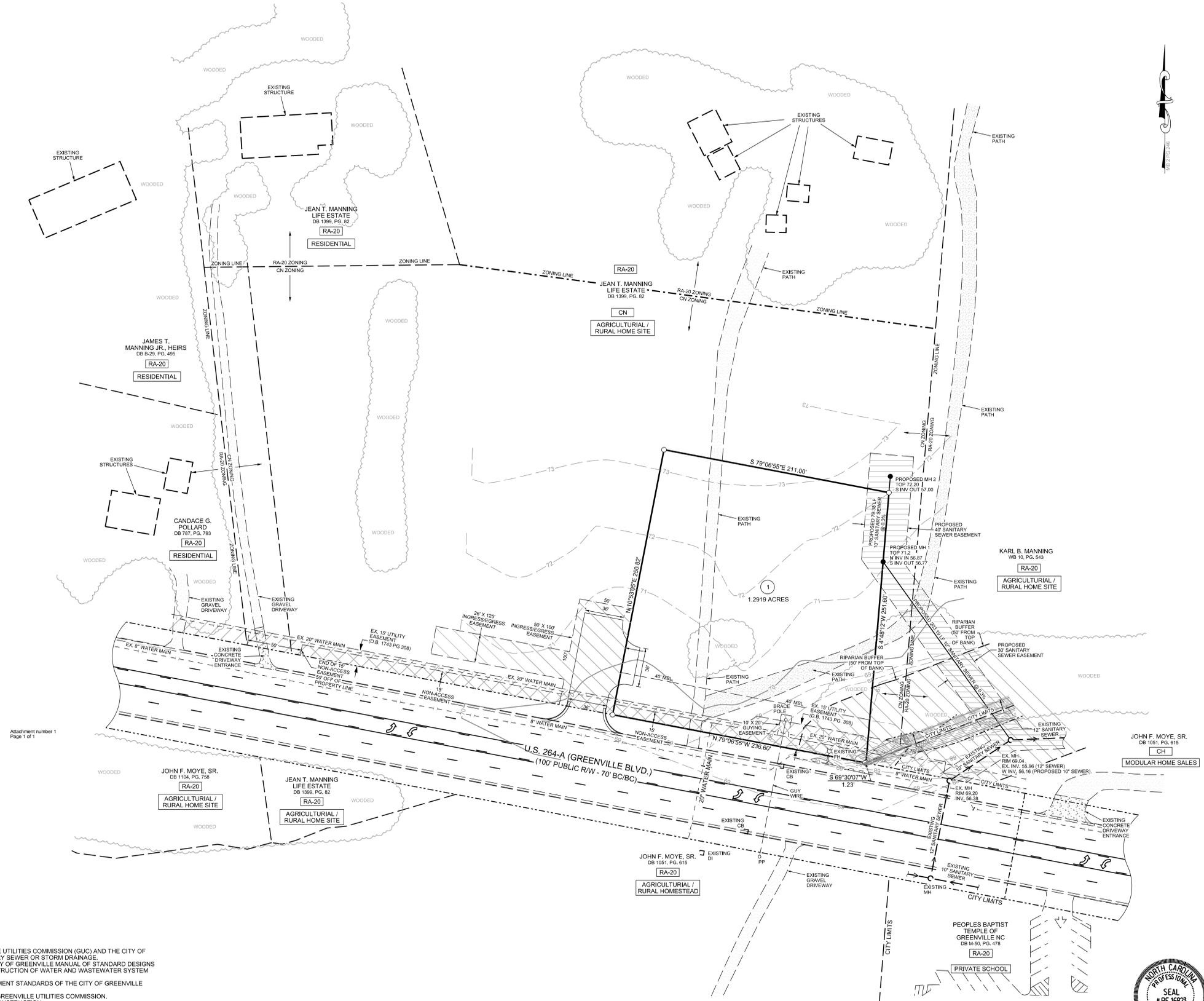
 [Manning Square, Lot 1 - Preliminary Plat](#)



VICINITY MAP
1" = 1000'

SITE DATA

TOTAL AREA	1.2919 AC
PARCEL	A PORTION OF 14223
ZONING	CN
NUMBER OF LOTS	1
LINEAR FEET IN STREETS	0000 FT
AREA IN STREETS	0.00 AC
AREA IN OPEN SPACES, RECREATION, ETC	0.00 AC



Attachment number 1
Page 1 of 1

- NOTES:
- 1) CONSTRUCTION PLANS SHALL BE APPROVED BY GREENVILLE UTILITIES COMMISSION (GUC) AND THE CITY OF GREENVILLE PRIOR TO THE CONSTRUCTION OF ANY SANITARY SEWER OR STORM DRAINAGE.
 - 2) ALL REQUIRED IMPROVEMENTS SHALL CONFORM TO THE CITY OF GREENVILLE MANUAL OF STANDARD DESIGNS AND DETAILS AND THE MANUAL FOR THE DESIGN AND CONSTRUCTION OF WATER AND WASTEWATER SYSTEM EXTENSIONS FOR GUC.
 - 3) ALL LOTS SHALL EQUAL OR EXCEED THE MINIMUM DEVELOPMENT STANDARDS OF THE CITY OF GREENVILLE ZONING ORDINANCE.
 - 4) SANITARY SEWER AND ELECTRICAL SERVICE PROVIDED BY GREENVILLE UTILITIES COMMISSION.
 - 5) EROSION CONTROL PLAN APPROVAL REQUIRED PRIOR TO CONSTRUCTION.
 - 6) ALL UTILITIES SHALL BE UNDERGROUND.
 - 7) BOUNDARY AND TOPOGRAPHIC SURVEY BY PARKER AND ASSOCIATES LAND SURVEYING.
 - 8) STORM DRAINAGE PIPE SIZES ARE APPROXIMATE. SIZES WILL BE FINALIZED ON THE CONSTRUCTION PLANS.
 - 9) HYDRAULIC ANALYSIS OF THE WATER MAIN IS REQUIRED TO EVALUATE FIRE FLOW.
 - 10) ANNEXATION REQUIRED PRIOR TO RECORDATION OF THE FINAL PLAT.
 - 11) SEWER MAIN AND OUTFALL ACREAGE FEES ARE DUE TO GREENVILLE UTILITIES COMMISSION.
 - 12) NO SEWER SERVICE SHALL BE PROVIDED FOR LOTS WITHIN THIS PROJECT UNTIL ALL THE NECESSARY SEWER FACILITIES TO SERVE THIS PROPERTY HAVE BEEN INSTALLED, PLACED IN SERVICE AND ACCEPTED FOR MAINTENANCE BY GREENVILLE UTILITIES COMMISSION.
 - 13) ALL DITCHES WHICH REQUIRE LESS THAN OR EQUAL TO 48" RCP SHALL BE PIPED.
 - 14) A SURETY SHALL BE PROVIDED FOR ALL SANITARY IMPROVEMENTS WHICH ARE NOT COMPLETED AND ACCEPTED BY GUC PRIOR TO RECORDATION OF THE FINAL PLAT.
 - 15) GUC GAS/UTILITY EASEMENT IS 10' IN WIDTH AND CENTERED OVER GAS LINES AS INSTALLED.
 - 16) APPROVAL OF PLAT DOES NOT CONSTITUTE APPROVAL OF PROPOSED DRIVEWAY LOCATIONS. APPROVED DRIVEWAY LOCATIONS OTHER THAN PROPOSED STREET CUTS ARE CONTINGENT ON SITE PLAN APPROVAL.
 - 17) SUBDIVISION SIGNAGE SHALL NOT BE LOCATED WITHIN THE SANITARY SEWER OR DRAINAGE EASEMENT.
 - 18) OPEN SPACE (COMMON AREA) SHALL BE MAINTAINED BY THE HOME OWNER'S ASSOCIATION.
 - 19) ALL STREAM CROSSINGS & RIPARIAN BUFFERS MUST BE APPROVED BY DWQ.
 - 20) THIS PROPERTY IS LOCATED IN ZONE "X" AS SHOWN ON FIRM PANEL NUMBER 3720 4666 00J, COMMUNITY NUMBER 370191, DATED JUNE 8, 2011 (PRELIMINARY).



A PORTION OF PARCEL NUMBER 14223

PRELIMINARY PLAT
MANNING SQUARE - LOT 1

APPROVAL
THIS PRELIMINARY PLAT NO. 12-07
AND STREET NAMES SHOWN HEREON WERE
APPROVED BY THE GREENVILLE PLANNING AND
ZONING COMMISSION AT A MEETING HELD THE
____ DAY OF _____, 2012.
CHAIRMAN _____
CITY PLANNER _____

GREENVILLE TOWNSHIP PITT COUNTY NORTH CAROLINA
OWNER/ DEVELOPER: JEAN T. MANNING LIFE ESTATE
ADDRESS: 1802 S.W. GREENVILLE BLVD.
GREENVILLE, NC 27834
(252) 756-3820
MALPASS & ASSOCIATES
NC LICENSE NO. C-1289
1645 EAST ARLINGTON BLVD., SUITE D
GREENVILLE, N.C. 27858
(252) 756-1780
DESIGNED: WKM
DRAWN: WCO
APPROVED: WKM
DATE: 10/16/12
SCALE: 1" = 40'
SHEET 1 OF 1

REVISIONS

BY	NO.	DATE	DESCRIPTION



City of Greenville, North Carolina

Meeting Date:
11/20/2012
Time: 6:30 PM

Title of Item: Request by Amanda Garris for a sketch plan entitled "Manning Square, Lot 1". The property is located between Greenville Boulevard and Dickinson Avenue approximately 1,000 feet east of the intersection of Dickinson Avenue and Greenville Boulevard/Allen Road. The property is bound by Manning property to the east and Manning and Pollard property to the west. The subject property is further identified as Pitt County Tax Parcel No. 14233.

Explanation: Originally, the developer wanted to divide one lot from the entire tract. The Planning Staff requested a sketch plan to provide a more comprehensive view of how the property would be developed in its entirety. This was important since the property fronts on two throughfares.

The property has commercial zoning along Greenville Boulevard and residential zoning along Dickinson Avenue.

The street network offers a stub to the east. Sidewalks are not required because of the short street length. There is a pedestrian access between the residential and commercial property.

The stormwater facility is sized to accommodate the entire development.

This property will be served by two driveways along Greenville Boulevard with cross access easements. There is a 15-foot non-access easement along Greenville Boulevard. There is one entrance along Dickinson Avenue and a landscaping berm which will prevent any additional driveways.

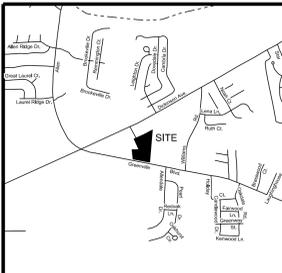
Fiscal Note: There will be no costs to the City of Greenville associated with this subdivision other than routine costs to provide public services.

Recommendation: The City's Subdivision Review Committee has reviewed the sketch plan and has determined that it meets all technical requirements.

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

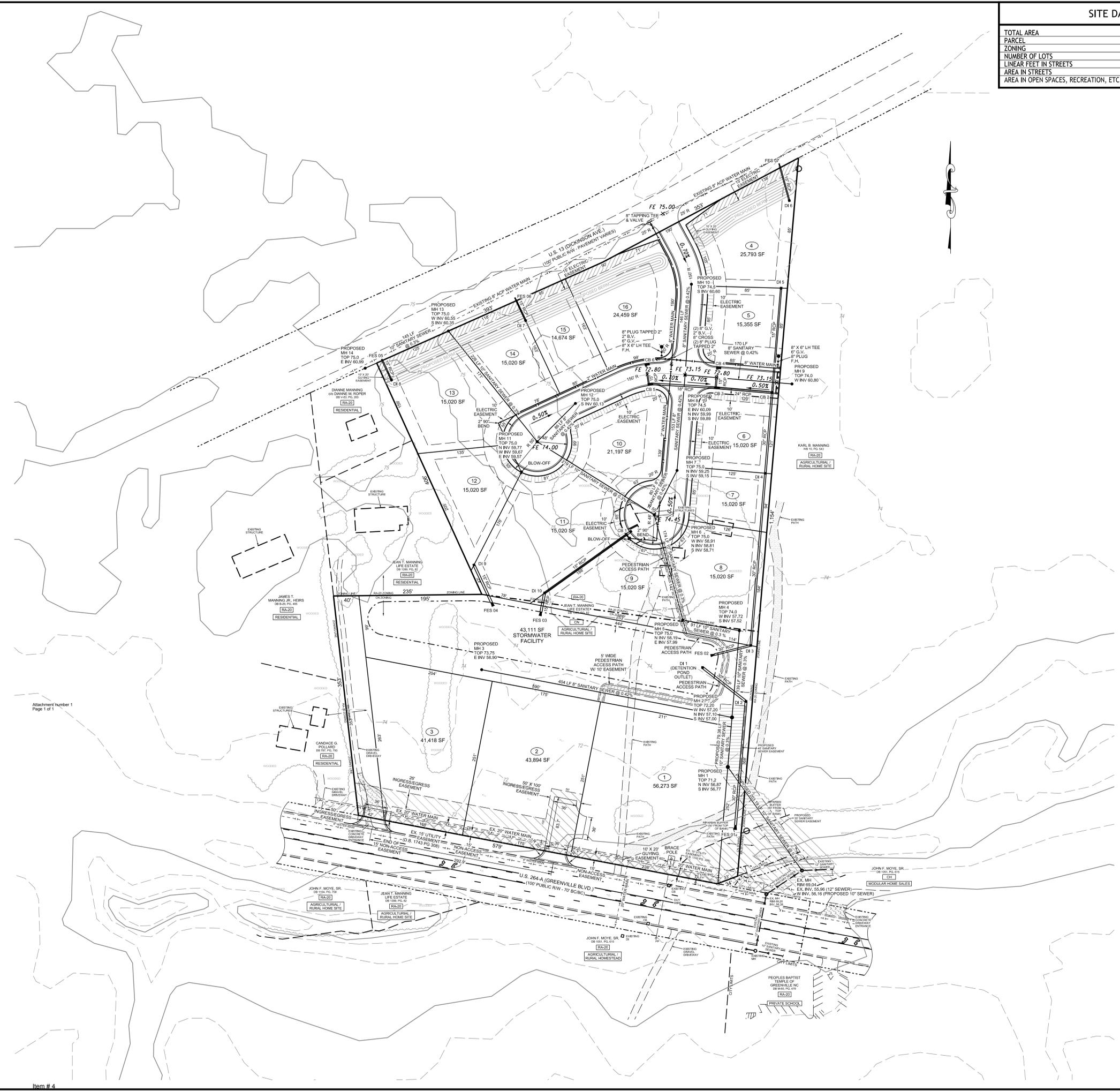
Attachments / click to download

 [Manning Square Sketch Plan](#)



VICINITY MAP
1" = 1000'

SITE DATA	
TOTAL AREA	12.94 AC
PARCEL	14223
ZONING	CN & RA-20
NUMBER OF LOTS	16
LINEAR FEET IN STREETS	942 LF
AREA IN STREETS	1.33 AC
AREA IN OPEN SPACES, RECREATION, ETC	0.00 AC



Attachment number 1
Page 1 of 1

REVISIONS

NO.	DATE	DESCRIPTION



DESIGNED: WMM
DRAWN: WCO
APPROVED: WMM
DATE: 10/22/12
SCALE: 1" = 60'

ENGINEER:
MALPASS & ASSOCIATES
ENGINEERING & PLANNING
1645 EAST KARNETT BLVD., SUITE 200
GREENVILLE, NC 27608
PHONE: (252) 756-3820
FAX: (252) 756-3828

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



City of Greenville, North Carolina

Meeting Date:
11/20/2012
Time: 6:30 PM

Title of Item: Amendment to the zoning ordinance text defining and creating standards for internet sweepstakes businesses

Explanation: **Abstract:** The number of internet sweepstakes businesses operating within the City's jurisdiction has increased significantly in recent years. Recognizing that the City's zoning ordinance lacks specific standards to provide for the appropriate location of these facilities, City Council adopted a moratorium on the establishment of new facilities to allow the City the opportunity to develop and adopt such standards. Staff presented reports that included potential standards for these establishments to City Council at their September 10, 2012, and October 8, 2012, regular meetings. City Council initiated the proposed text amendment defining internet sweepstakes businesses and creating standards for the same at their October 8, 2012, meeting.

Background

At the June 11, 2012, meeting, City Council voted to direct staff to develop a report on the City's standards for internet sweepstakes businesses. This request was initiated by Council Member Smith, who stated that she was interested in refining the standards to ensure appropriate separation from residential areas. This item was continued by City Council on August 9, 2012, to the September City Council agenda.

Staff presented the report to City Council at the September 10, 2012, City Council meeting. The report presented potential standards that included separation requirements from existing internet sweepstakes businesses, single-family residential districts and uses, and schools. City Council directed staff to revise the draft to include additional separation requirements including multi-family developments, churches and playgrounds, among other suggestions. Staff presented a revised report to City Council at their October 8, 2012, meeting at which time City Council initiated the proposed text amendment defining internet sweepstakes businesses and creating standards for the same.

Proposed Standards

The standards proposed by this text amendment are outlined below:

1. Define Internet Sweepstakes Business as follows: Any business enterprise, whether as a principal or an accessory use, where persons utilize electronic machines, including but not limited to computers and gaming terminals, to conduct games, including but not limited to sweepstakes and video poker, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. This use does not include any lottery approved by the State of North Carolina.
2. Allow internet sweepstakes businesses, subject to the issuance of a Special Use Permit, within the Heavy Commercial (CH) and General Commercial (CG) zoning districts.
3. Specific Criteria.
 - ¼ mile separation of a proposed internet sweepstakes business from an existing or approved internet sweepstakes business;
 - 500-foot separation of a proposed internet sweepstakes business from (i) a conforming use single-family dwelling located in any district, (ii) any single-family residential zoning district;
 - 500-foot separation of a proposed internet sweepstakes business from an existing or approved school, church, park, or multi-family use;
 - Not permitted within any certified redevelopment area (i.e. West Greenville, Center City and 45-Block redevelopment areas);
 - Use shall be conducted within a completely enclosed building, and no outside congregation of customers is permitted for any purpose;

Staff Comments

In staff's opinion, the proposed definition and standards for internet sweepstakes businesses are needed to ensure the appropriate location and permitting process for these land uses. It is staff's further opinion that the proposed text amendment is in compliance with **Horizons: Greenville's Community Plan** and, if adopted, would benefit plan objectives related to preserving neighborhood livability.

Fiscal Note:

No fiscal impact anticipated with this action.

Recommendation:

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

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

"Motion to recommend approval of the proposed text amendment, to advise that

it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters."

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

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

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

Attachments / click to download

[Report on Standards for Internet Sweepstakes Businesses 931958](#)

[Internet Sweepstakes Business Ordinance 941177](#)

Report on Standards for Internet Sweepstakes Businesses

Contents:

- Section I. City Council Directive – Page 1
- Section II. Description of Internet Sweepstakes Businesses – Page 1
- Section III. Legal Authority for Local Land Use Regulation – Page 4
- Section IV. Background and Summary of Existing Standards – Page 5
- Section V. Identification of Existing and Approved Internet Sweepstakes
Businesses – Page 6
- Section VI. Survey of Other Communities – Page 8
- Section VII. Potential Standards – Page 10
- Section VIII. Analysis of Potential Standards – Page 11



**Report Developed by the City of Greenville
Community Development Department - Planning Division
Originally Created July 20, 2012
Updated August 24, 2012 and September 21, 2012**

SECTION I – City Council Directive

City Council voted to direct staff to develop a report on the City's standards for internet sweepstakes businesses at their June 11, 2012, meeting. This request was initiated by Council Member Smith, who stated that she was interested in refining the standards to ensure appropriate separation from residential areas. Council Member Joyner added that the City of Rocky Mount had developed standards to address these land uses and that staff should review these standards as part of the proposed report. Council Member Mitchell stated that he had never visited this type of business and was not familiar with how they operate. As such, he requested that the report include a general description of how these establishments operate.

Staff presented the report to City Council at their September 10, 2012, meeting. The report presented included potential standards that included separation requirements from existing internet sweepstakes businesses, single family districts and uses, and schools. City Council directed staff to revise the draft to include additional separation requirements including multi-family developments, churches and playgrounds, among other suggestions.

SECTION II – Description of Internet Sweepstakes Businesses

Planning Division staff visited five of the 15 local internet sweepstakes businesses in an effort to better understand how they operate. The following facility descriptions are based upon information provided by business employees and staff's observations during the site visits.

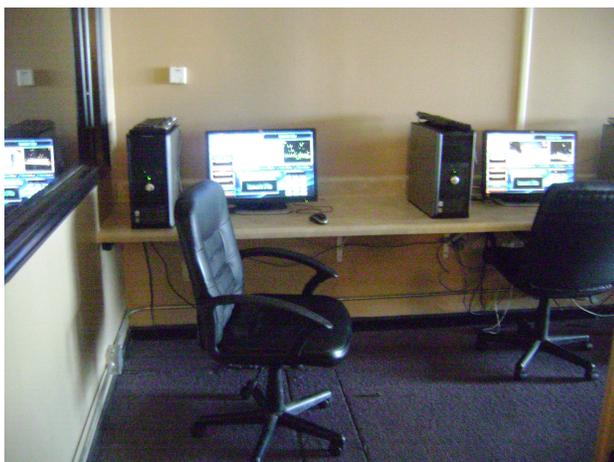
Internet sweepstakes operations contain computer/gaming terminals where customers pay for internet time. While regular internet service and some limited programs are generally available on these terminals, most use them to play a sweepstakes (estimated between 70% - 90%). Sweepstakes come in the form of traditional "Las Vegas style" gambling games, but winning is not based on random chance or skill, it is based on predetermined odds.

When customers enter these facilities, they have to see an attendant located behind a counter or in a booth. They pay the attendant for "internet time", with a typical rate being \$.20 per minute. The attendant gives the customer a log-in number, and the customer chooses which terminal to use and logs in. At this point the customer can begin playing the sweepstakes games or using the

terminal for other purposes. If a customer wins, they can receive their cash prize from the attendant. At least one establishment allowed cash pay-outs up to \$600 at one time.

Other characteristics of these facilities include:

- Most offer refreshments (water, soft drinks, coffee, chips, candy, etc.). Some of these refreshments are complimentary as long as you are “playing”, while others are sold.
- Some are open 24 hours a day, while others do close in the early morning hours (i.e. closed between 2:00 a.m. and 9:00 a.m.).
- Some limit entrance to those 18 years of age or older. Others allow minors, but prohibit them from playing sweepstakes games.
- All of the facilities visited provided smoking and non-smoking areas. Several provided a small area designated non-smoking, while the vast majority of the facility allowed smoking.
- Many offer ancillary office services such as access to fax machines, copiers, and ATM’s. Some also have limited inventories of basic office supplies available for sale.
- Based upon police records, these establishments generate few calls for service.



Example of Terminal



Lounge Area within Establishment



Example of Layout

Services we offer:	
❖ Full Internet Access	❖ Internet Phone Use (select locations)
❖ Google docs (similar to Microsoft Word & Excel)	❖ E-mail
❖ On-line Fun Games	❖ IIT Home Dial-up Internet

Pricing	
❖ Prepaid Internet & Computer usage	\$ 0.20 / min
❖ Printing	\$ 0.08 / page
❖ Copying	\$ 0.08 / page
❖ Faxing	\$ 1.00 / page
❖ IIT Home Dial-Up Internet	\$5.00 unlimited 1 month
(Must ask attendant for installation CD)	

Example of Services / Pricing

SECTION III – Legal Authority for Local Land Use Regulationⁱ

Gaming machines have a colorful and largely illegal history in North Carolina. Most forms of gambling have been illegal since the Depression era. In the 1990's, the question arose as to whether video game technology could be adapted to avoid the criminal ban. Initial video gaming restrictions were created by S.L. 2000-151. That law was enacted after South Carolina outlawed video poker gambling, prompting concern by North Carolina officials that this might result in an influx of video gaming machines in North Carolina. In 2001, the General Assembly adopted G.S. 14-306.1 which banned all video gaming machines except those lawfully in operation within the state at that time. This State law provided restrictions on the location, age of players, hours of operation, and advertisement.

In 2006, the General Assembly shifted from regulation to an attempt to ban video gambling. S.L. 2006-6 repealed the limits on video poker and banned them effective July 1, 2007. The industry responded to the ban with a shift from video poker machines to video sweepstakes machines. As a result, the General Assembly expanded the prohibition in 2010 (S.L. 2010-103) to include video sweepstakes and similar devices. The ban includes any use of electronic machines for real or simulated video poker, bingo, craps, keno, lotto, pot-of-gold, eight liner, and similar video games.

This 2010 law is the subject of a recent North Carolina court opinion. On March 6, 2012, the State Court of Appeals held that the ban was unconstitutional in *Hest Technologies, Inc. v. North Carolina* and *Sandhill Amusements v. North Carolina*. More specifically, the court held that the restriction on displaying sweepstakes results through an “entertaining display” was an overly broad restriction of free speech. Further appeals of the case have been filed, but the result is that internet sweepstakes businesses are currently legal in North Carolina.

It should be noted that the State law that was invalidated only addresses a narrow issue and does not preclude local land use regulation. G.S. 160A-381 grants to cities zoning authority. This authority authorizes cities to regulate and restrict the location and use of buildings, structures, and land for trade, industry, residence, or other purposes. This authority may be exercised in connection with internet sweepstakes businesses.

SECTION IV – Background and Summary of Existing Standards

Internet sweepstakes businesses were first established in Greenville in 2008. These first establishments presented themselves as “business centers” because they offered computers with internet access, fax machines and similar business support services. These facilities were originally classified as “Miscellaneous Retail” which is permitted by right in six commercial zoning districts (MCH, MCG, CH, CG, CDF and CD).

In the fall of 2011, after developing a better understanding of what these businesses were and how they operate, it was determined that they should be classified as “Game Centers”. Game Centers are permitted in fewer commercial districts and require a special use permit from the Board of Adjustment; thus, this change in classification yielded greater restrictions. Since that change in classification, the City has received six special use permit applications related to these land uses. Four of these applications were approved, one was denied and the other was withdrawn.

The standards applicable to “Game Centers” are as follows:

Definition.

Any establishment that has more than five coin/token operated or other amusement devices or whose principal purpose is the operation of a “game center” regardless of the total number of amusement devices. For purposes of this definition, the term “amusement devices” shall include electronic games and similar machines, and any other game table or device. Bingo parlors shall be considered as “game centers” regardless of the number of participants. See also definition of billiard parlor; pool room.

Table of Uses

Game Centers are permitted with a special use permit in the following zoning districts:

- CH (Heavy Commercial)
- CG (General Commercial)
- CDF (Downtown Commercial Fringe)
- CD (Downtown Commercial)

Parking Requirements

The parking requirement for Game Centers is one space per 200 square feet of activity area. This is the standard for Indoor Commercial Recreation.

There are no additional standards specifically developed for, or applicable to, these facilities.

SECTION V. Identification of Existing and Approved
Internet Sweepstakes Businesses

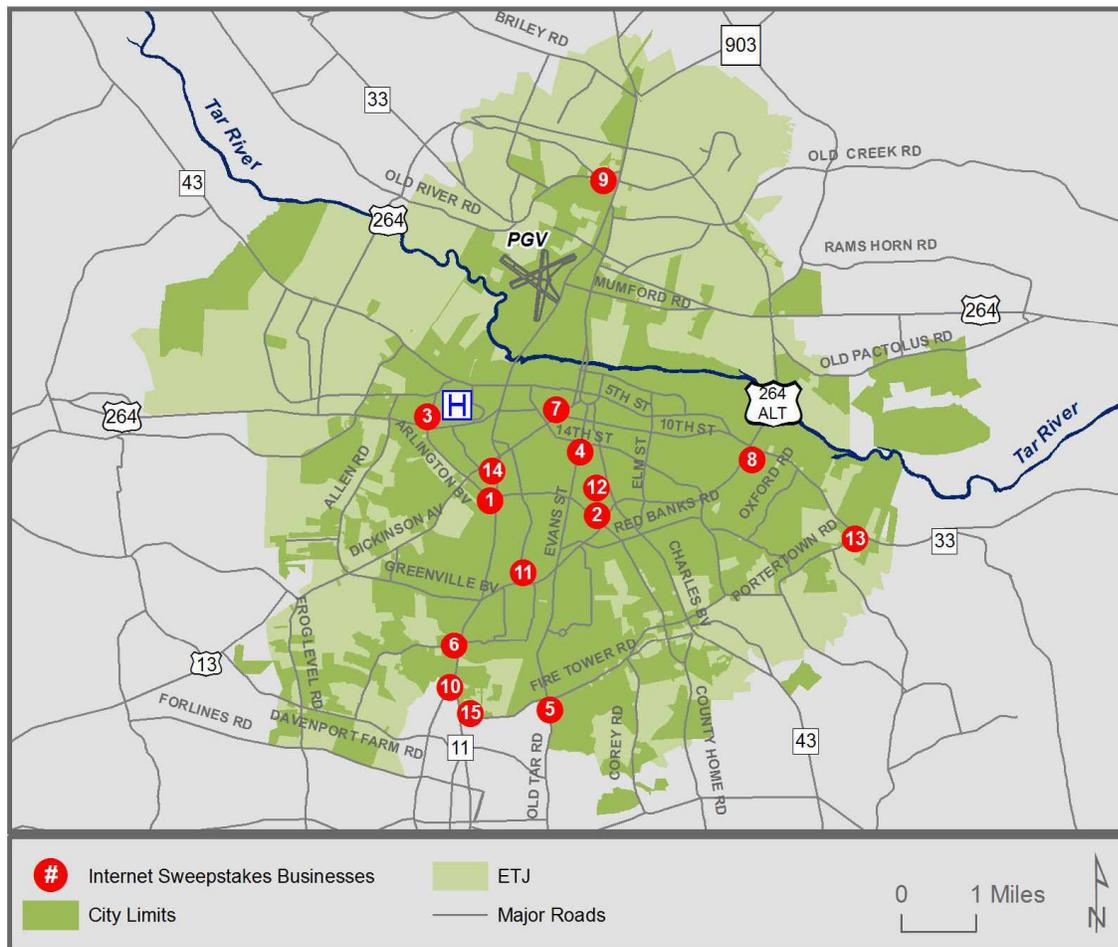
Table 1, below, identifies all of the internet sweepstakes businesses operating within the City's planning and zoning jurisdiction, or approved to do so, as of August 23, 2012. The Map I.D. Number provided for each establishment corresponds to the establishment's location on the Map 1 that follows.

**Table 1: Inventory of Internet Sweepstakes Businesses Located
Within the City of Greenville**

Map I.D. Number	Name	Address	Parcel Number	Zoning	Type
1	Express of NC	1311 W. Arlington Blvd., Ste. 102	14287	CH	Existing Nonconforming
2	Emerald City Business Center	703 SE Greenville Blvd.	31669	CG	Existing Nonconforming
3	Sweepstakes Internet Cafe	2462 Stantonsburg Road	32243	MCG	Existing Nonconforming
4	H&L Enterprises, Inc.	1501-B Evans Street	17909	CH	Existing Nonconforming
5	Carolina Cyber Center	4125-D Old Tar Road	31595	CG	Existing Nonconforming
6	Black Beards Treasure	3700 S. Memorial Drive	06399	CG	Existing Nonconforming
7	RLC Business Center	1012-B Dickinson Ave.	07586	CDF	Existing Nonconforming
8	Purple and Gold Sweepstakes	3140-G Moseley Drive	41837	CG	Existing Nonconforming
9	Emerald City Business Services II	250-E Easy Street	60440	CH	Existing Nonconforming
10	Pirate's Loot	4052-B S. Memorial Drive	62278	CG	Special Use Permit
11	Sweepstakes & GVL Business Center	240-B SW Greenville Blvd.	63737	CG	Special Use Permit

Map I.D. Number	Name	Address	Parcel Number	Zoning	Type
12	Stephen Kozikowski (Unnamed)	703-D SE Greenville Blvd.	32694	CG	Special Use Permit
13	Cory Scott (Unnamed)	4320-J E. Tenth Street	60442	CG	Special Use Permit
14	Tim Hogge and Duke Davenport (Unnamed)	2400 S. Memorial Drive, Unit 14	70163	CG	Special Use Permit
15	H&L Enterprises, Inc.	740 W. Fire Tower Road, Suite 115	80764	CG	Special Use Permit

Map 1: Location of Internet Sweepstakes Businesses



SECTION VI – Survey of Other Communities

Staff contacted numerous other communities to obtain information regarding how they classify and regulate internet sweepstakes businesses. Table 2, below, summarizes the findings of these inquiries.

**Table 2: Survey Results - Internet Sweepstakes Business Standards
From Other Communities**

City	Land Use Category	Permitted Zoning Districts	Permitted By Right or SUP/CUP	Separation Standards	Special Standards
Asheville	Electronic Gaming Operation	Commercial Districts	By Right	None	None
Concord	Electronic Gaming Operation	General Commercial only	By right	1650' from other gaming centers, 500' from residential, 1000' from gateway corridors, daycares, schools.	None
Durham	Retail	Industrial, Light and Heavy Commercial, Downtown	By right	None	None
Gastonia	Electronic Gaming Operation	Heavy Commercial only	By right	1000' from other gaming centers. 500' from residential, parks, churches, schools, historic districts, day cares, libraries.	None
Goldsboro	Place of entertainment having games	Industrial, Commercial: similar to retail uses. Not permitted	CUP	200' from: Residential, church, school, other gaming centers.	None

City	Land Use Category	Permitted Zoning Districts	Permitted By Right or SUP/CUP	Separation Standards	Special Standards
		downtown.			
Greenville	Game Centers	All commercial districts except Neighborhood Commercial.	SUP	None	None
High Point	Use Bingo classification	Commercial	By right	None	None
Mooreville	Electronic gaming establishments.	Commercial/ mixed use/ neighborhood commercial	By right	1,600 feet from any residential use.	No more than 5 machines per establishment. Restrict hours of operation to between 9:00 am and 6:00 pm.
Monroe	Electronic gaming establishments.	General business/ commercial only.	By right, principal use only.	400' from: residential, churches, schools, other gaming centers.	None
Rocky Mount	Internet Cafe	Commercial only	By right	500' from: residential, church, school, other gaming centers.	Not permitted in locally designated Historic District. Not more than one facility per building.

SECTION VII – Potential Standards

It is the intent of these standards is to establish reasonable regulations to protect the health, safety and general welfare of the public by preventing the concentration of internet sweepstakes businesses within the City’s planning and zoning jurisdiction; by providing a separation between said land uses and other specified land uses; and by providing operational requirements that will ensure compatibility with adjacent and nearby land uses.

Potential standards include the following:

1. Create and define a new land use titled Internet Sweepstakes Business as follows:

Internet Sweepstakes Business. Any business enterprise, whether as a principal or an accessory use, where persons utilize electronic machines, including but not limited to computers and gaming terminals, to conduct games, including but not limited to sweepstakes and video poker, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. This use does not include any lottery approved by the State of North Carolina.

2. Allow internet sweepstakes businesses, subject to the issuance of a Special Use Permit, within the Heavy Commercial (CH) and General Commercial (CG) zoning districts.

3. Specific Criteria.

- ¼ mile separation of a proposed internet sweepstakes business from an existing or approved internet sweepstakes business;
- 500-foot separation of a proposed internet sweepstakes business from (i) a conforming use single-family dwelling located in any district, (ii) any single-family residential zoning district;
- Not permitted within any certified redevelopment area (i.e. West Greenville, Center City and 45-Block redevelopment areas);
- Use shall be conducted within a completely enclosed building, and no outside congregation of customers is permitted for any purpose;
- 500-foot separation of a proposed internet sweepstakes business from an existing or approved school, church, park, or multi-family use;

4. Parking Requirement.

One parking space per computer / gaming terminal plus one parking space per employee on largest shift.

5. Other Standards that May be Considered:

A. Limitations on hours of operation.

B. Limitation on the number of computer / gaming terminals.

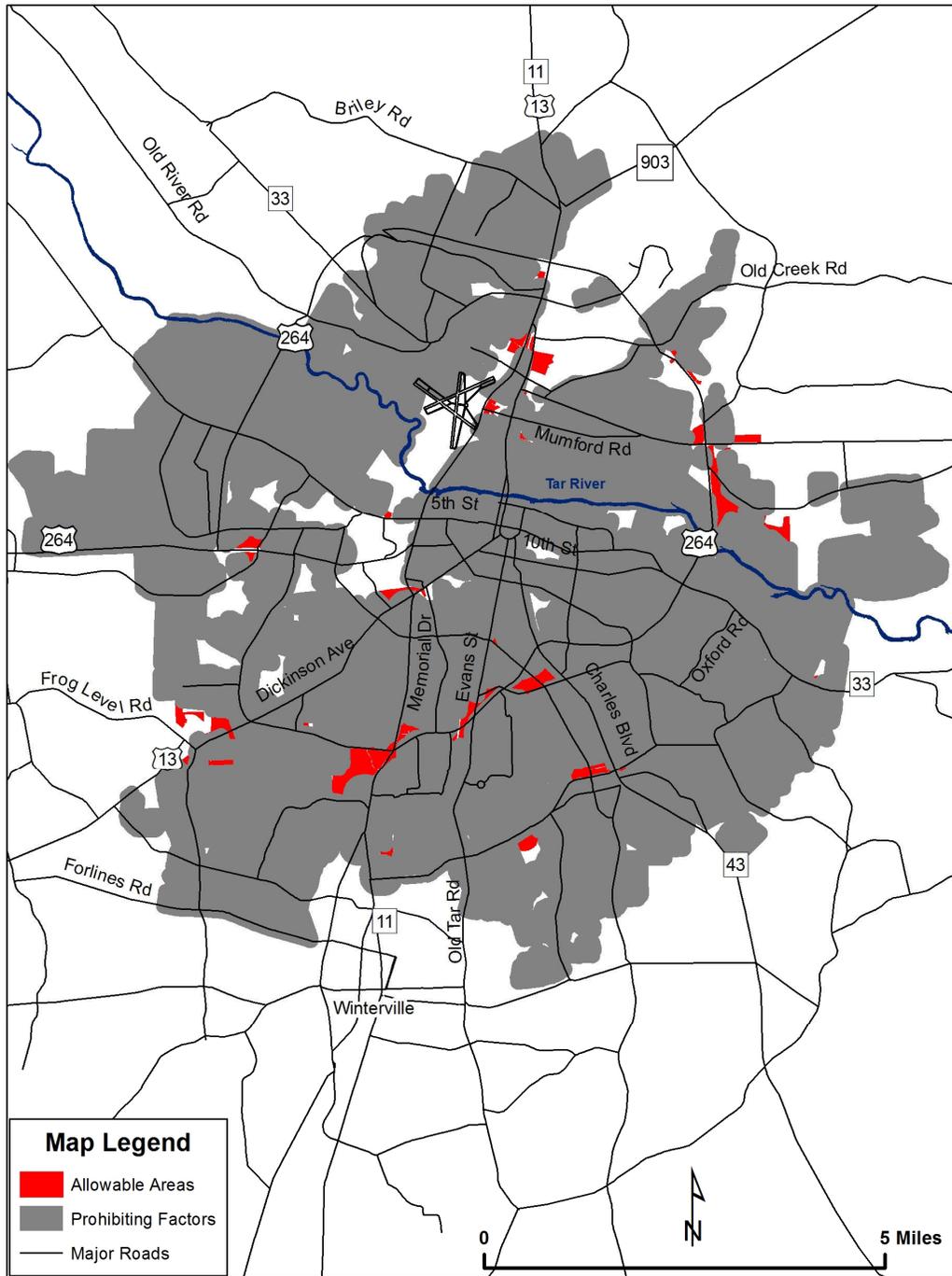
It should be noted that one of the potential standards requested by a member of City Council was to prohibit minors from patronizing internet sweepstakes businesses. There are Court decisions on both the federal and the state level which have determined that video games and internet sweepstakes displays are a form of speech which have First Amendment constitutional protection. This means that a complete prohibition would not be legally permissible. With that said, there is the possibility of a time, place and manner restriction provided that there is a rational relationship to promoting the safety and general welfare of the community. The City's Youth Protection ordinance addresses this issue by establishing a curfew for minors (under the age of 16) so that they cannot be in a public place (including business establishments) during curfew hours (12:01 a.m. to 6:00 a.m. on Friday and Saturday and 11:00 p.m. until 6 a.m. on other days).

SECTION VIII – Analysis of Potential Standards

An analysis of the potential standards prescribed in Section VII, subsections 2 and 3, of this report results in:

587 acres (1.4%) of the property located within the City's planning and zoning jurisdiction would be available for the establishment of a new internet sweepstakes business. Map 2, below, depicts the locations of these acceptable areas. These areas are primary located along the community's primary corridors (Greenville Boulevard / HWY 264, Memorial Drive / NC 11, Fire Tower Road and Dickinson Avenue).

**Map 2: Acceptable Locations for Internet Sweepstakes Businesses
Based on Potential Standards (see Section VII)**



ⁱ Owens, D. (2012, April 17). *Land Use Regulation of Internet Sweepstakes Cafes*.

Retrieved from NC Local Government Law Blog: <http://canons.sog.unc.edu/?p=6577>

ORDINANCE NO. 12-
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 December 13, 2012 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the ordinance involving the text amendment is consistent with the adopted comprehensive plan and is reasonable and in the public interest.

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

Section 1: That Title 9, Chapter 4, Article B, Section 9-4-22 of the City Code is hereby amended by adding a new definition as follows:

Internet sweepstakes business. Any business enterprise, whether as a principal or an accessory use, where persons utilize electronic machines, including but not limited to computers and gaming terminals, to conduct games, including but not limited to sweepstakes and video poker, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. This use does not include any lottery approved by the State of North Carolina.

That Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A), of the City Code, is hereby amended by adding a new land use identified as (6) u. "*Internet sweepstakes business*"; by adding a note as follows "*(see also §9-4-103)*", by allowing this land use with a special use permit in the CH (Heavy Commercial) and CG (General Commercial) districts, and by assigning a LUC 4 to the land use.

Section 2: That Title 9, Chapter 4, Article F, Section 9-4-103, of the City Code, is hereby amended by adding a new subsection (W) as follows:

(W) *Internet sweepstakes business (see also section 9-4-22)*

1. No internet sweepstakes business shall be located within a one-fourth mile (1,320 foot) radius of an existing or approved internet sweepstakes business.
2. No internet sweepstakes business shall be located within a 500-foot radius of the following:

- (i) an existing conforming use single-family dwelling located in any district;
 - (ii) any single-family residential zoning district; and
 - (iii) an existing or approved school, church, park or multi-family use.
3. The measurements associated with subsections 1 and 2 above shall be made from the exterior wall of the proposed internet sweepstakes business to the nearest exterior wall of any existing or approved internet sweepstakes business, existing conforming use single-family dwelling located in any district, or existing or approved school, church or multi-family use. The measurement shall be made from the exterior wall of the proposed internet sweepstakes business to the nearest property line of any single-family residential zoning district or park.
 4. No internet sweepstakes business shall be located within any certified redevelopment area;
 5. The use shall be conducted within a completely enclosed building with no outside congregation of customers permitted for any purpose.

Section 3. 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 4. That this ordinance shall become effective immediately upon adoption.

Adopted this 13th day of December, 2012.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk



City of Greenville, North Carolina

Meeting Date:
11/20/2012
Time: 6:30 PM

Title of Item: Request by Greenville Auto Auction, LLC to extend the City of Greenville's Extra-Territorial Jurisdiction (ETJ)

**This request is in conjunction with a rezoning request.

Explanation: **Abstract:** Request by Greenville Auto Auction, LLC to extend the City of Greenville's Extra-Territorial Jurisdiction (ETJ)

Greenville Auto Auction, LLC owns properties that are split between the City's and the County's Jurisdictions. The property located in the City's Jurisdiction is partially developed as Greenville Auto Auction. The owner desires to expand the existing business to the adjacent property, totalling 15.78 acres, located in the County's Jurisdiction. This expansion includes increasing the amount of impervious area (pavement) on the site, thus, stormwater regulations apply. Since both properties are under common ownership and being improved as one development, the owner is requesting to extend the City's Jurisdiction so both the properties are subject to the same regulations.

On June 18, 2012, the Greenville City Council adopted a resolution asking the Pitt County Commissioners for approval of the proposed ETJ extension.

On July 18, 2012, the Pitt County Planning Board recommended approval in extending the City's ETJ.

On September 19, 2012, the Pitt County Commissioners approved the request.

This request is the last step in extending the City's ETJ for the subject property.

Fiscal Note: No costs to the City of Greenville associated with this request.

Recommendation: Conduct a public hearing and offer a recommendation on the proposed ETJ extension request.

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

Attachments / click to download

 [Greenville Auto Auction Applicant Report](#)

 [Greenville Auto Auction Map](#)



Greenville Auto Auction Site, LLC – Proposed ETJ Expansion

Greenville Auto Auction Site, LLC hereby requests that the City of Greenville's ETJ be extended to include the property described as; Pitt County parcel number 56551, containing 15.78 acres located on the Northern side of Brompton Lane as shown on the attached maps. The property is currently vacant and is used as an access point for adjacent property owned by Greenville Auto Auction Site, LLC.

The property is situated adjacent to two other parcels, numbers 48380 and 48242, owned by Greenville Auto Auction Site, LLC that are currently within the City of Greenville ETJ. The two adjacent parcels are currently zoned CH and OR. The subject property's current Pitt County zoning is CG. Greenville Auto Auction Site, LLC requests that the subject property be zoned CH by the City of Greenville upon being included into the ETJ.

Inclusion of parcel 56551 into the ETJ will provide opportunities for Greenville Auto Auction Site, LLC to utilize the property in combination with their adjacent property for future expansion or improvements. One current and immediate benefit to Greenville Auto Auction Site, LLC will be use of the subject property to mitigate stormwater requirements for improvements made on the adjacent property already within the ETJ.

Considerations for Greenville ETJ extension

The following items address considerations as noted by the Pitt County Board of Commissioners Draft Policy for Expansions of Municipal ETJ:

1. The City of Greenville currently has subdivision and zoning regulations in place that are administered by a planning board and city staff.
2. The subject property is adjacent to property currently within Greenville City limits and the ETJ. The property is well defined by parcel lines and adjacent roadways, as shown on the attached maps.
3. Water service is currently available from Bell Arthur Water Corporation. Electric service is currently available from Greenville Utilities Commission. Sewer service would currently be an on-site system; however, Greenville Utilities Commission has participated with other property owners in the area to install sewer outfall lines that may be of future benefit to the subject property.
4. The subject property is not located within two miles of any other planning jurisdiction's corporate limits. The property's location being adjacent to the existing Greenville City Limits and ETJ would imply there will be no impact to neighboring municipalities.
5. Greenville Auto Auction is continuing to expand operations and the addition of this adjacent property into the ETJ will allow a uniform controlled expansion of this facility.

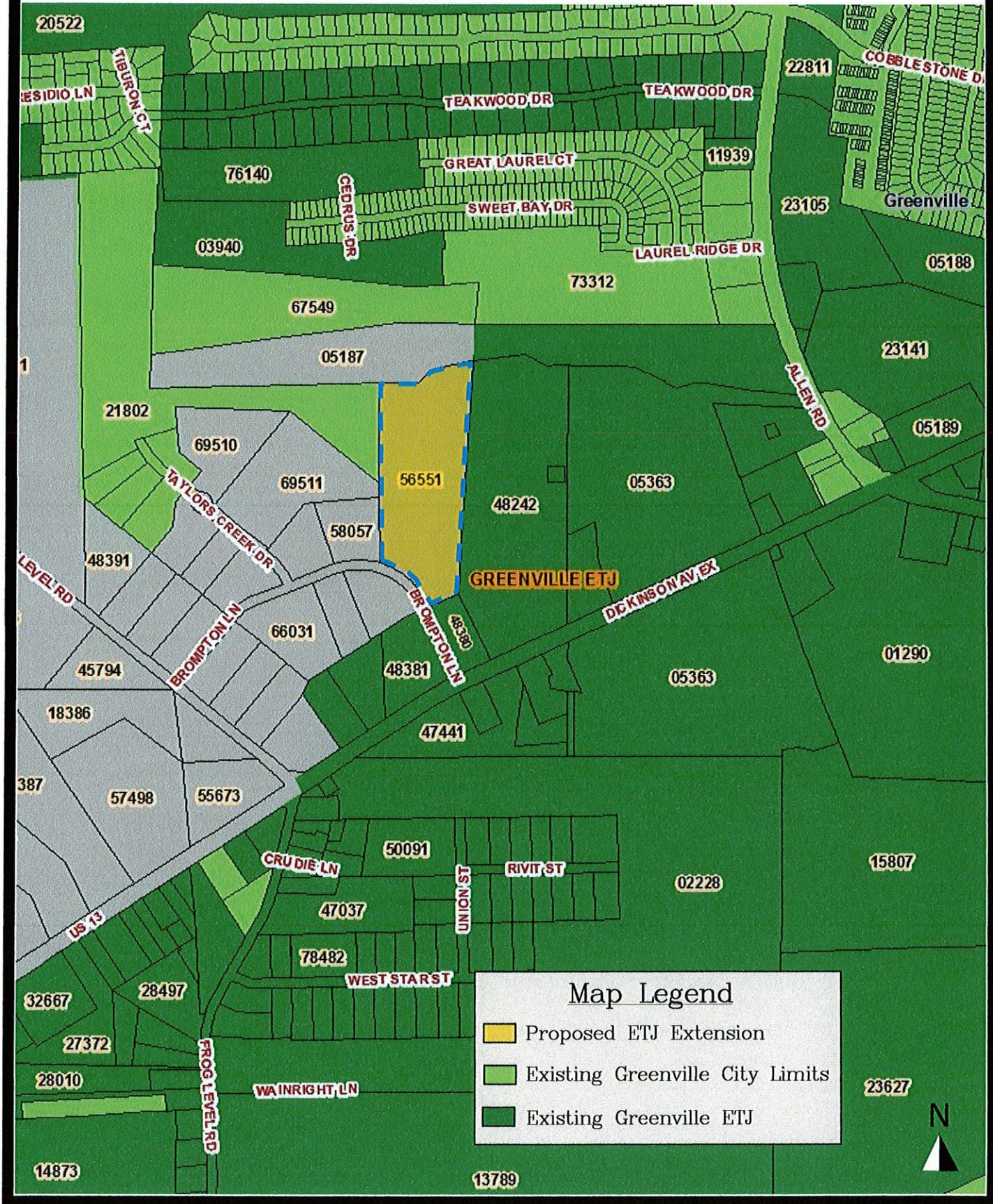
This formal request and its attachments were prepared by J.S. Janowski Engineering, P.A. as a representative of Greenville Auto Auction Site, LLC.

Respectfully submitted by:

J. Stephen Janowski, PE – President of
J.S. Janowski Engineering, P.A.

Clark Stallings, Managing Member of
Greenville Auto Auction Site, LLC

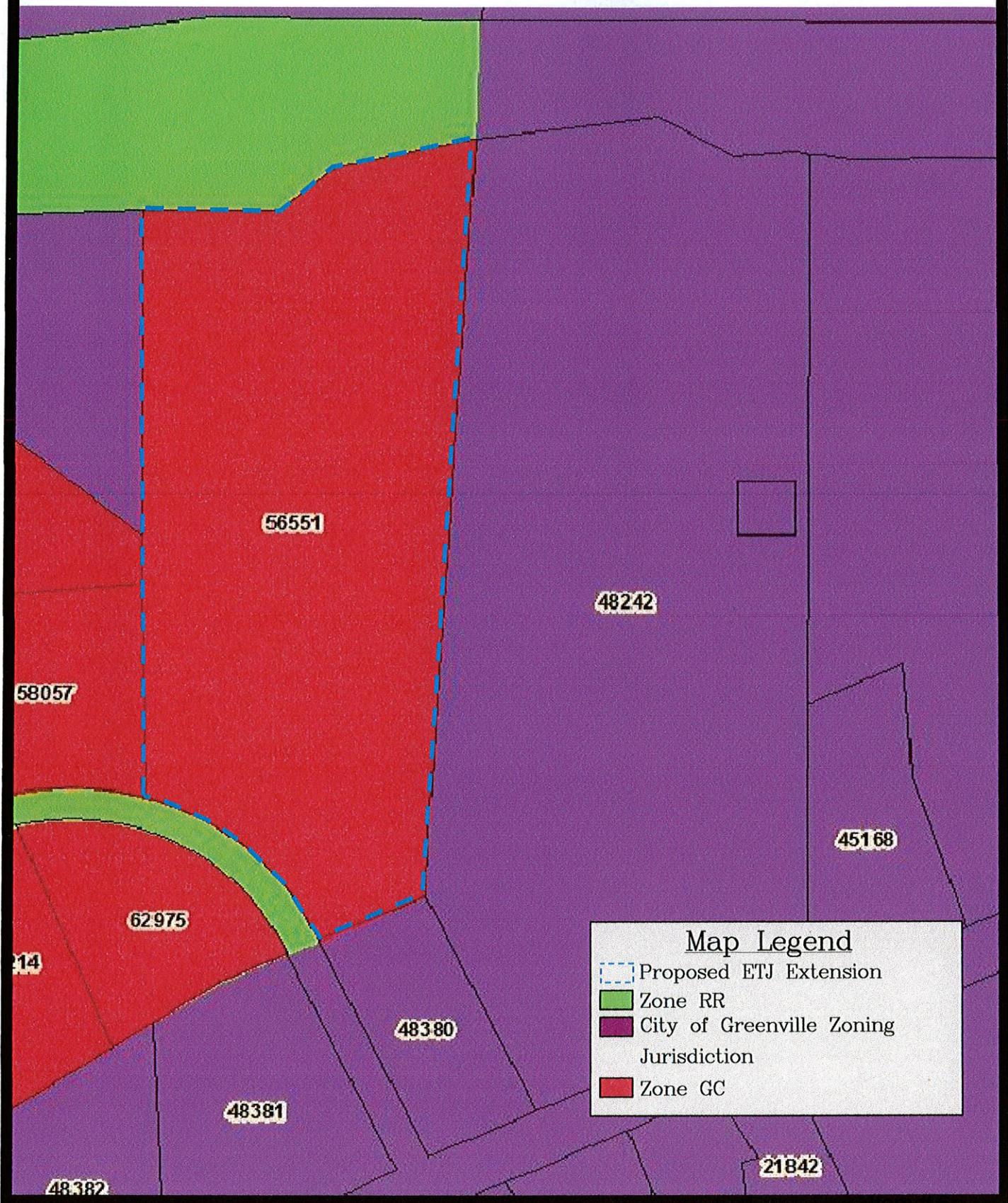
Proposed Municipal Extraterritorial Jurisdiction Extension



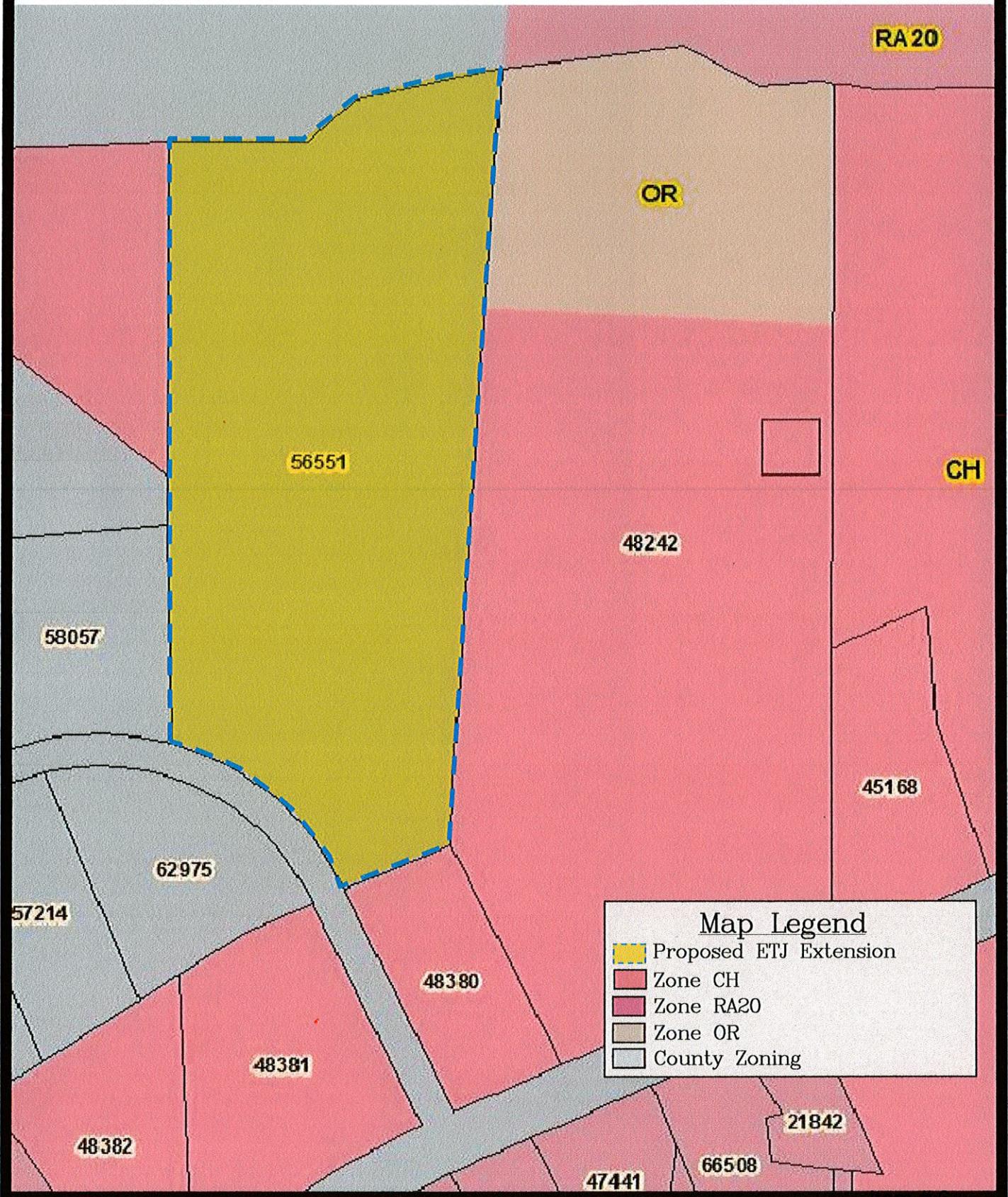
Proposed Municipal Extraterritorial Jurisdiction Extension Aerial Photo (2010)



Existing Pitt County Land Uses



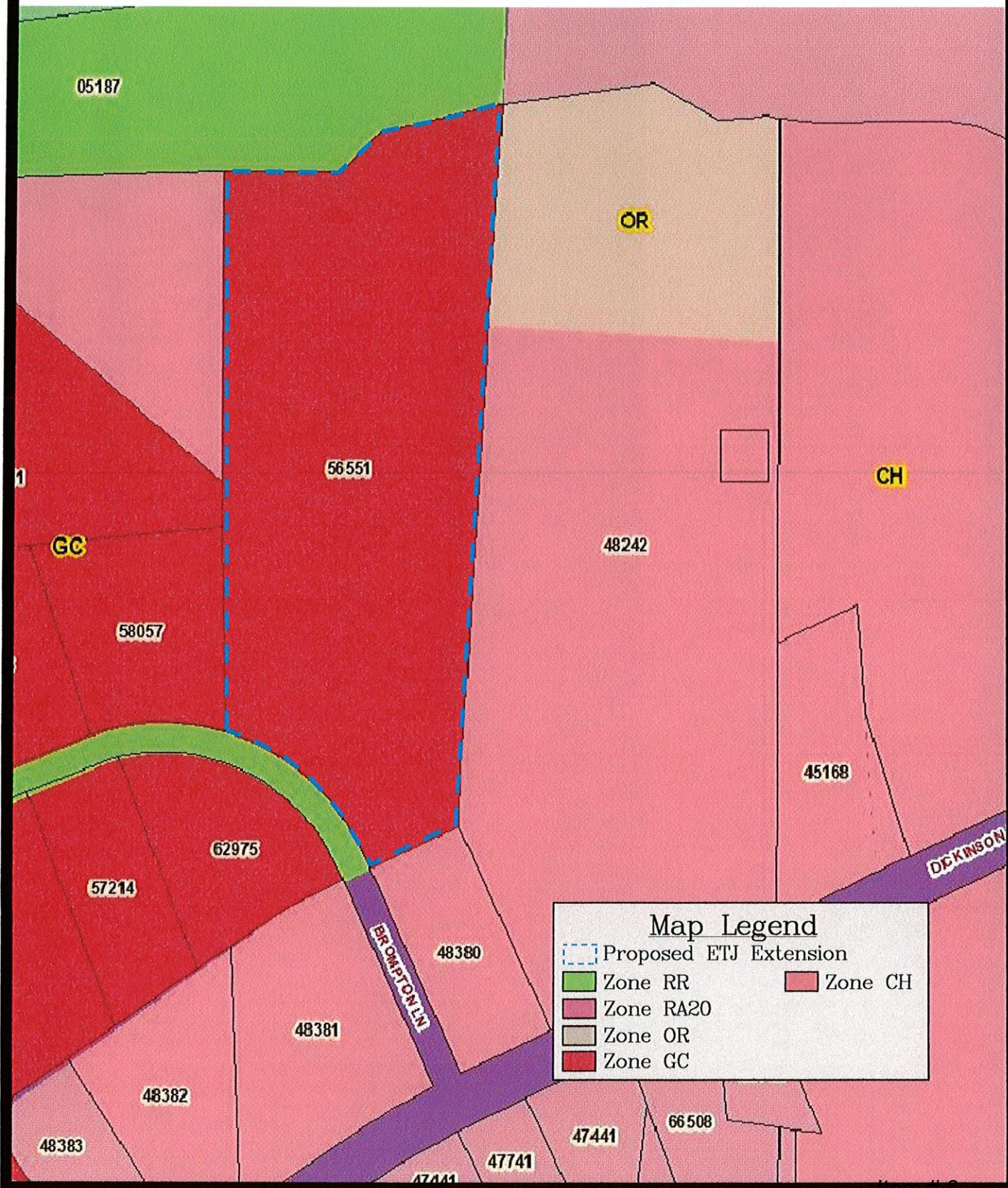
Existing City of Greenville Land Uses



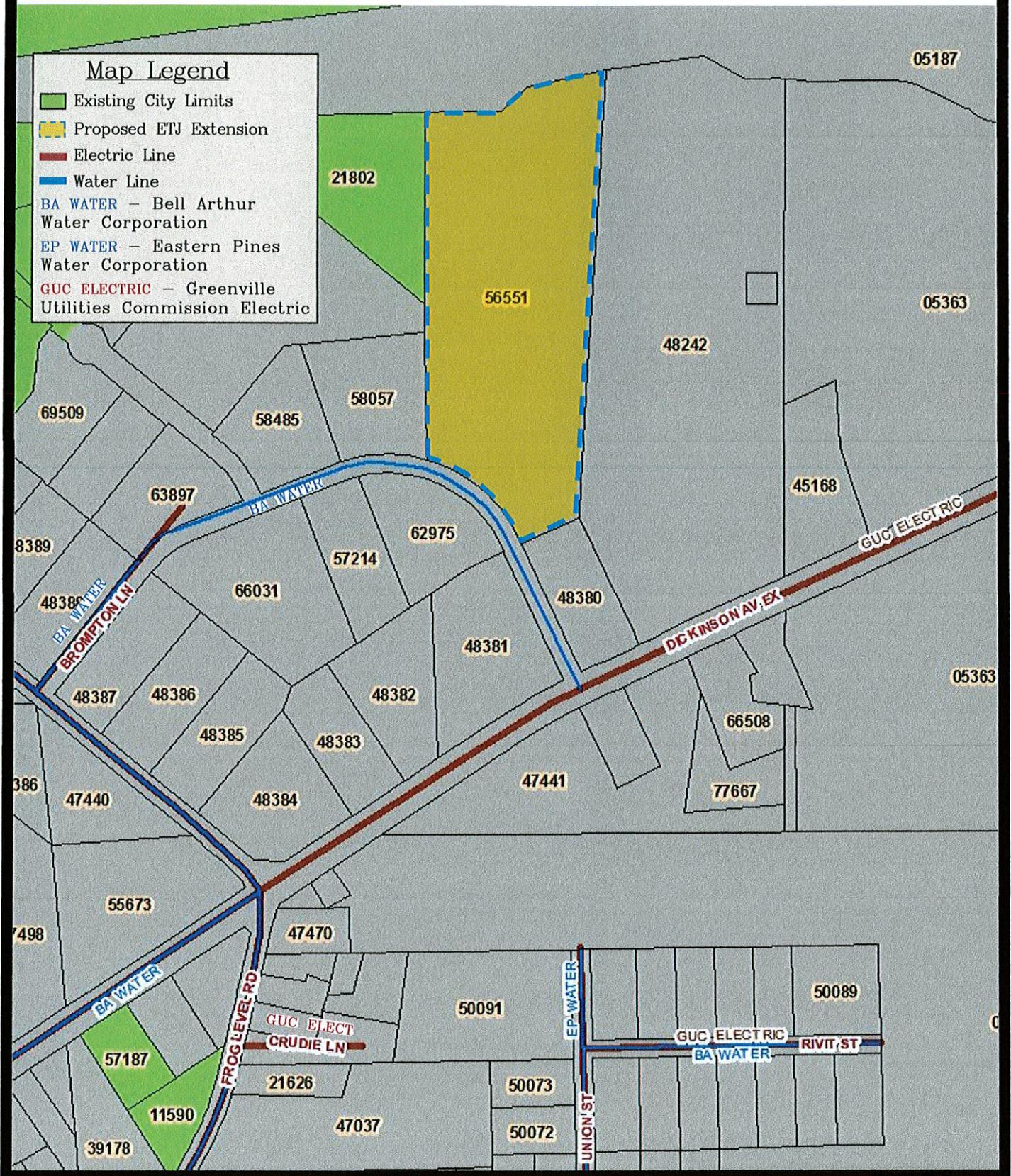
Map Legend

- Proposed ETJ Extension
- Zone CH
- Zone RA20
- Zone OR
- County Zoning

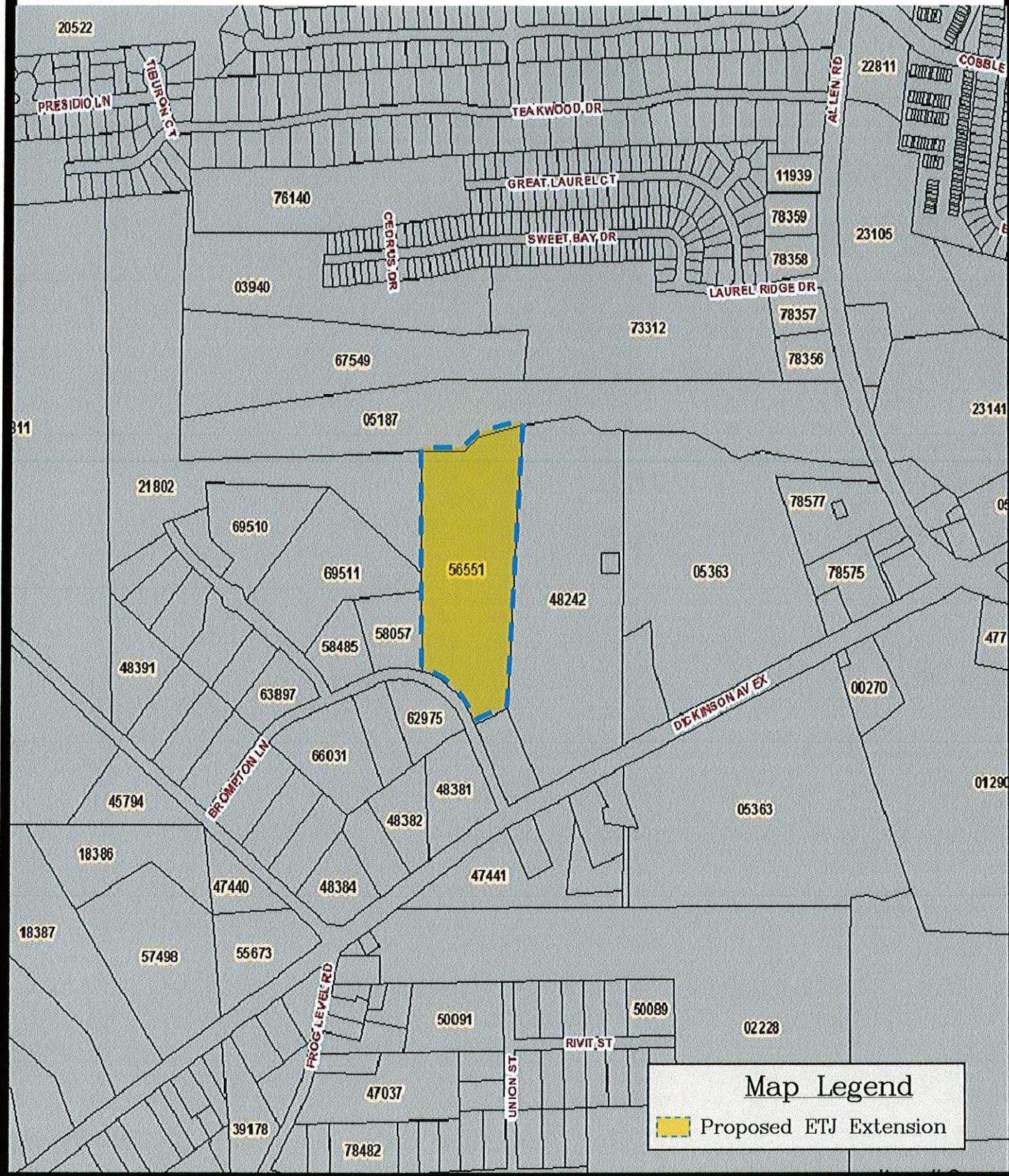
Combined Pitt County and City of Greenville Existing Land Uses



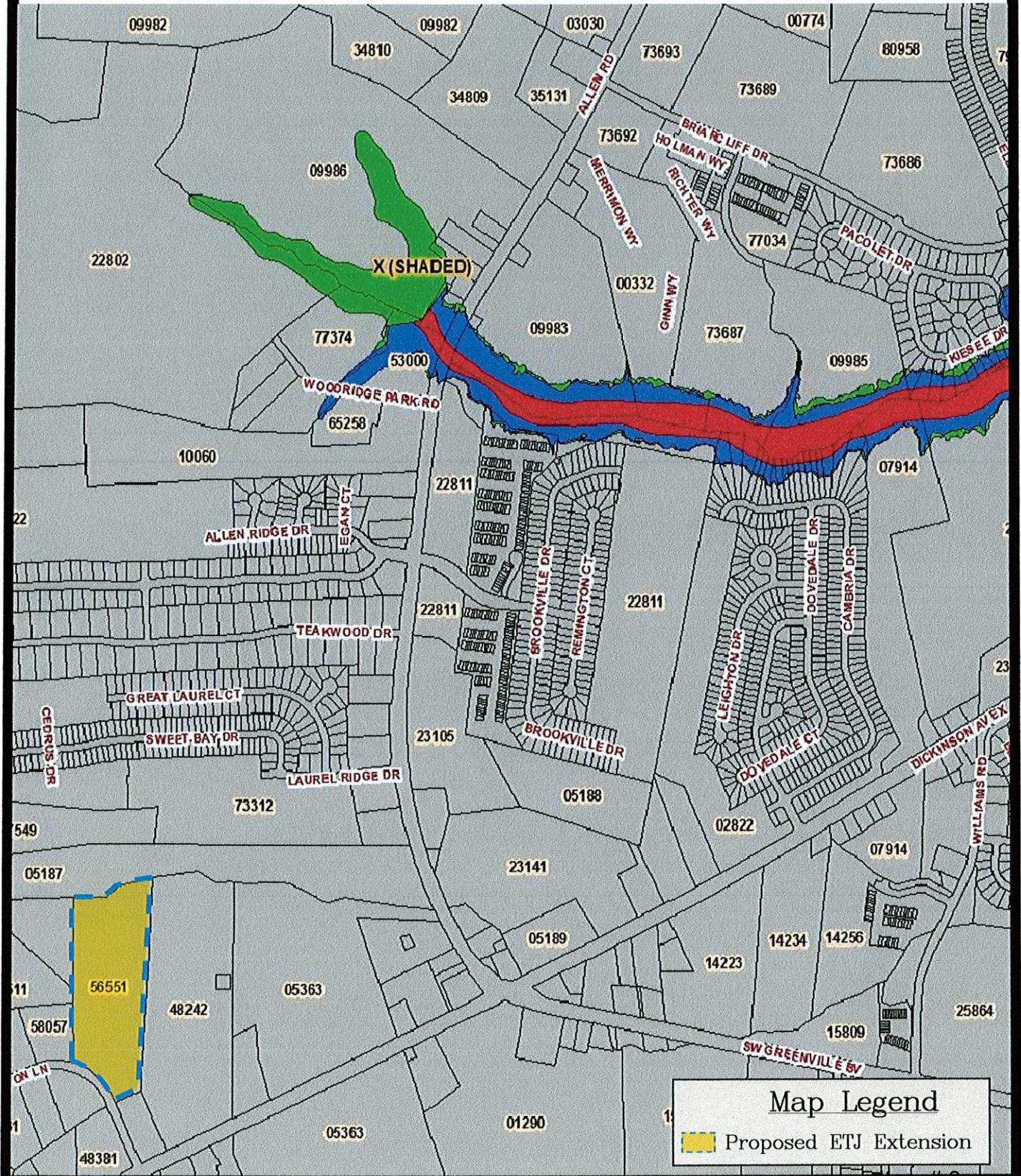
Existing Utility Services



Existing Thoroughfares



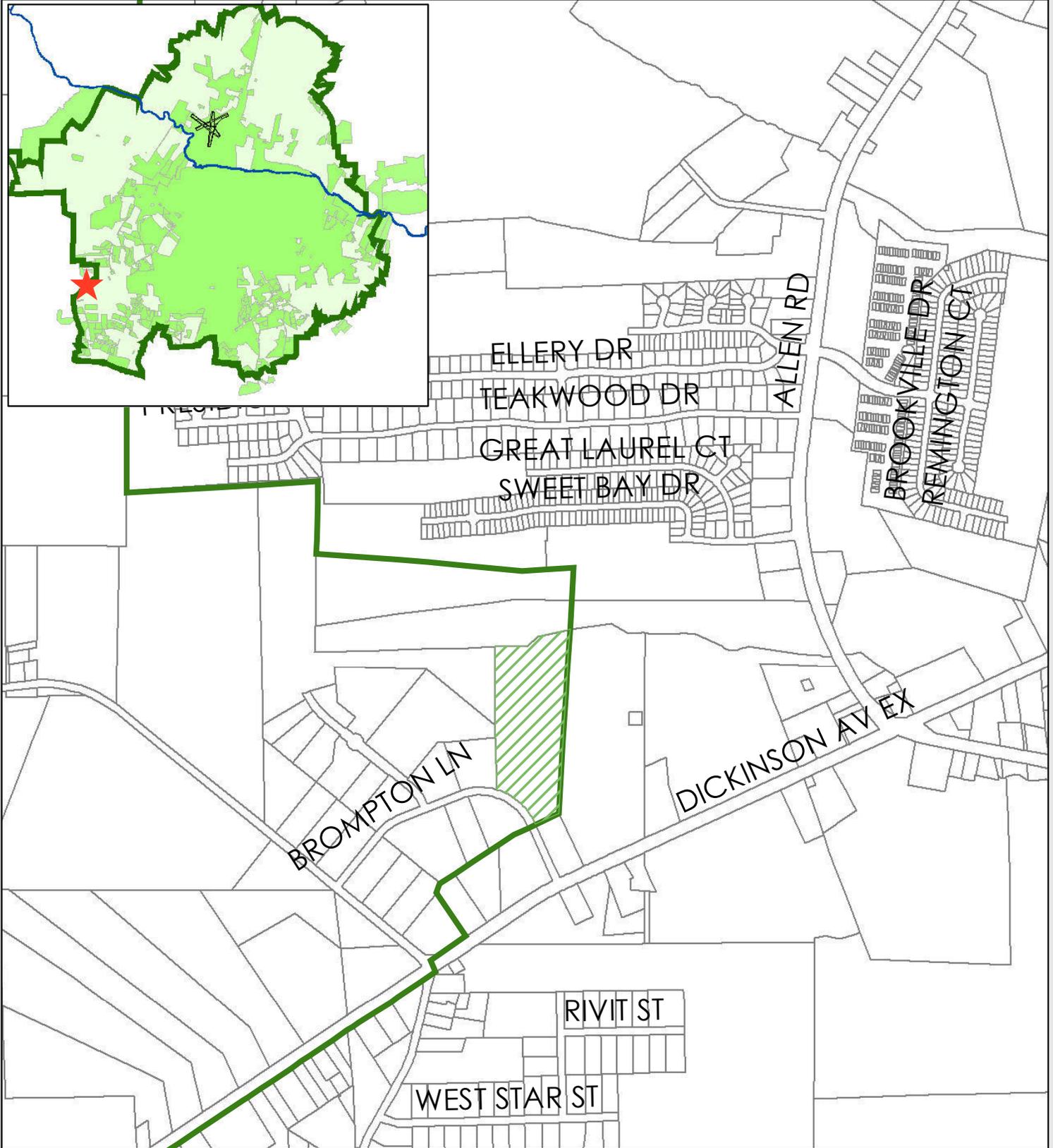
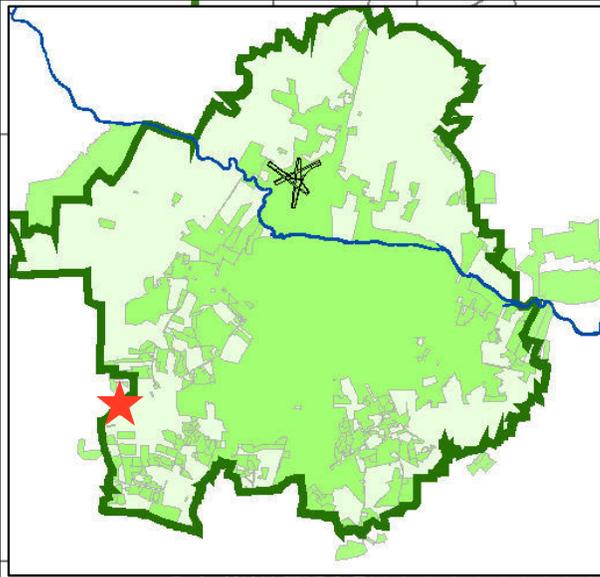
Proximity To Existing Floodway



Map Legend
[Yellow box with dashed blue border] Proposed ETJ Extension



City of Greenville ETJ Extension Request Greenville Auto Auction LLC



Legend

 Land Parcels



Map Composed by the Planning
Division on November 14th 2012

Item # 6





City of Greenville, North Carolina

Meeting Date:
11/20/2012
Time: 6:30 PM

Title of Item: Request by Summer Green Apartments, LLC to change the street name of Brasswood Court, from Greenville Boulevard to its terminus, to Boardwalk Lane.

Explanation: The Planning Staff has received a request by Summer Green Apartments to change the street name of Brasswood Court (from Greenville Boulevard northward to its terminus) to Boardwalk Lane. Summer Green Apartments owns 100% of the property on this street.

A street name change may be considered in accordance with the following - Sec. 6-2-13(c):

- (1) When there is duplication of names or other conditions which tend to confuse the traveling public or delivery of mail, orders, messages or emergency services;
- (2) When it is found that a change may simplify making or giving directions to persons seeking to locate addresses; or
- (3) Upon other good and just reason.

Evaluation criteria. The planning and zoning commission and/or city council shall consider the following criteria when evaluating any resolution for a street name change under their respective authority:

- (1) The delivery of personal, public and emergency services;
- (2) The similarity to existing street names;
- (3) Any condition which may confuse the traveling public;
- (4) Ease of giving directions;
- (5) Place, name association or history;
- (6) Pronunciation and spelling;
- (7) The expense to abutting property owners; and
- (8) The expense to effected governmental agencies, including but not limited to the City of Greenville, The County of Pitt, N.C. Department of Transportation, Greenville Utilities Commission and U.S. Postal Service.

The Planning and Zoning Commission will have final approval authority on this

request. The proposed name change will not be forwarded to City Council. The street name change does not exceeds 14 characters and it is not an honorarium.

Fiscal Note:

There will be some costs associated with changing signage for the street name change.

Recommendation:

Conduct a public hearing on the proposed street name change and act on the proposed street name change.

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

Attachments / click to download

[📄 Location Map](#)

[📄 Brasswood_Court_to_Boardwalk_Lane_Resolution_940416](#)

RESOLUTION NO. 12-01

A RESOLUTION RENAMING BRASSWOOD COURT TO BOARDWALK LANE

WHEREAS, the Planning and Zoning Commission of the City of Greenville, North Carolina in accordance with the provisions of Section 6-2-13 of the Greenville City Code, caused a notice of public hearing to be published once a week for two successive weeks in The Daily Reflector setting forth that the Planning and Zoning Commission would on November 20, 2012 at 6:30 p.m. in the Council Chambers of City Hall in the City of Greenville, North Carolina conduct a public hearing on the consideration of a resolution to change the name of a street;

WHEREAS, the owners of property along Brasswood Court were notified by certified mail of the proposed street name change and the public hearing date; and

WHEREAS, a public hearing was held this date to consider changing the name of Tobacco Road;

WHEREAS, those persons wishing to speak for and against the requested name change were given an opportunity to express their opinion at such hearing; and

WHEREAS, the Planning and Zoning Commission is authorized by Section 6-2-13 of the Greenville City Code, to change the name of this street located within the City of Greenville;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF GREENVILLE:

Section 1. The Planning and Zoning Commission finds, by the placement of an X in the blank prior to the finding, that:

_____ There is a duplication of name on two streets which tends to confuse the traveling public or the delivery of mail, orders, messages or emergency services.

_____ There are conditions which tend to confuse the traveling public or the delivery of mail, orders, messages or emergency services.

_____ A change in the name of Brasswood Court may simplify making or giving directions to persons seeking to locate addresses.

_____ Upon other good or just reason, specifically:

Section 2. The name of Brasswood Court is hereby renamed Boardwalk Lane:

Section 3. From and after the passage of this resolution, the public street name changed herein shall be and shall be known only by the name as provided in this resolution.

Section 4. The Director of Community Development shall cause a copy of this resolution to be recorded in the office of the Pitt County Register of Deeds.

Section 5. The City Engineer shall amend the Official Maps of the City of Greenville in accordance with this resolution.

Attachment number 1
Page 2 of 2

Section 6. The Public Works Department is authorized to change street signs in accordance with this resolution.

ADOPTED this the 20th day of November, 2012.

CHAIRMAN

ATTEST:

SECRETARY

NORTH CAROLINA
PITT COUNTY

I, _____, a Notary Public in and for said County and State, do hereby certify that Merrill P. Flood, Director of Community Development of the City of Greenville, North Carolina, and, by virtue of his office, Secretary of the Planning and Zoning Commission, personally appeared before me this day who, being by me duly sworn, says that the foregoing Resolution was adopted by the Planning and Zoning Commission of the City of Greenville, North Carolina on the 20th day of November, 2012 and that said Resolution was thereafter duly signed by _____ Chairman of the Planning and Zoning Commission, and was attested by himself as Secretary of the Planning and Zoning Commission.

Witness my hand and official seal this _____ day of _____,
_____.

NOTARY PUBLIC

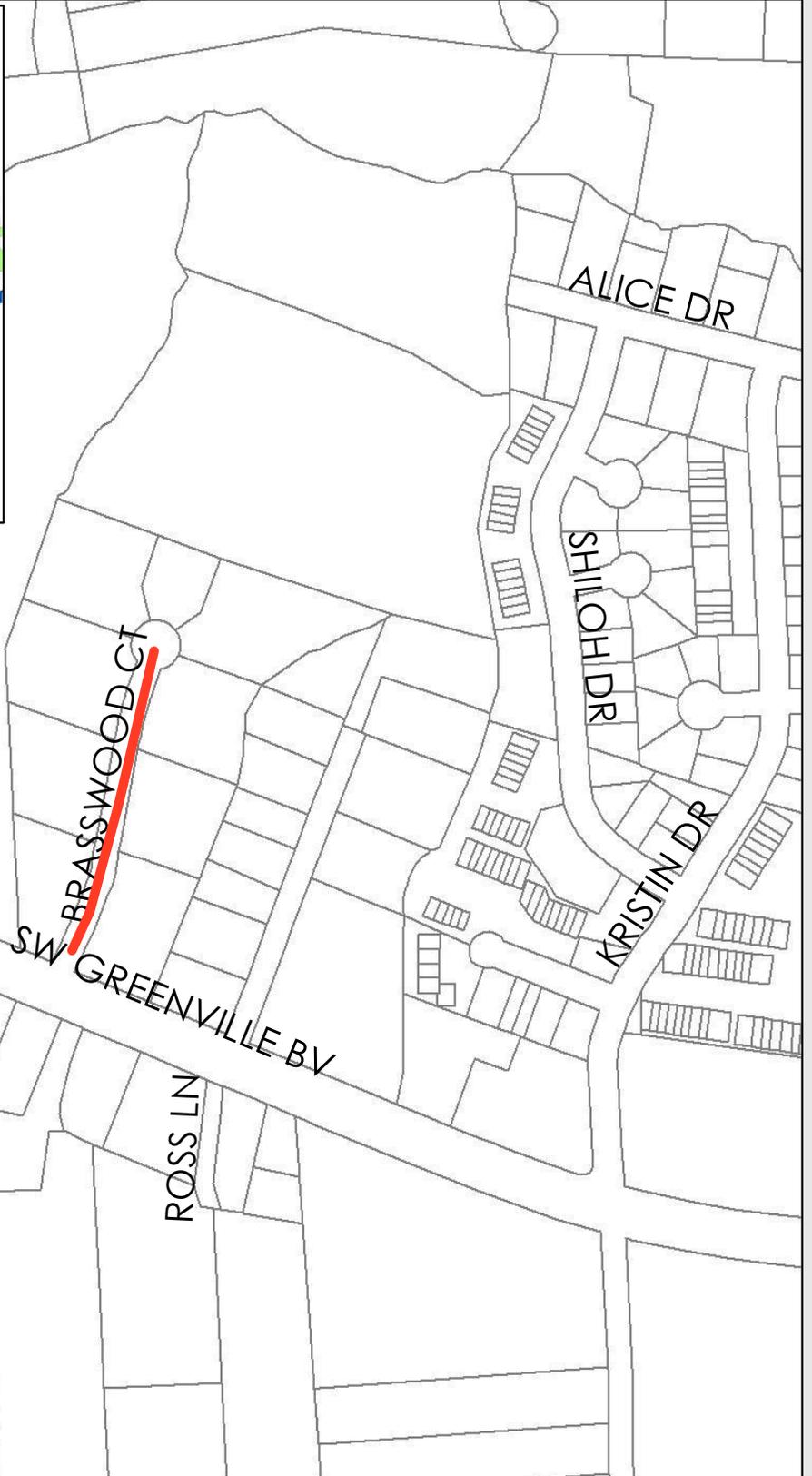
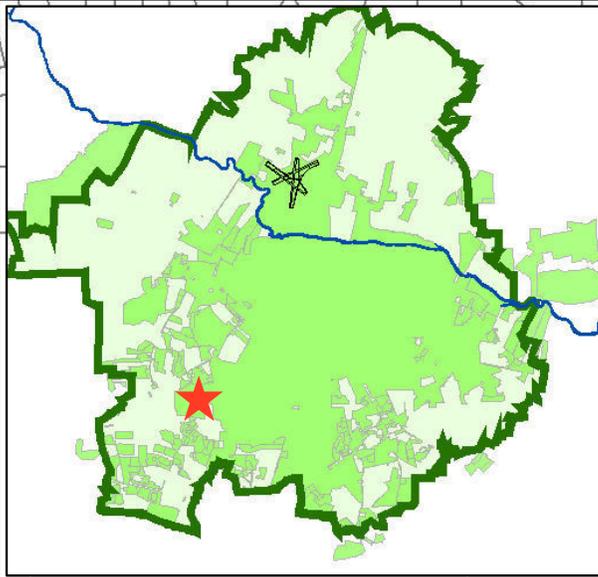
MY COMMISSION EXPIRES: _____



City of Greenville

Street Name Change Request

Brasswood Court to Boardwalk Lane



Legend

 Land Parcels



Map Composed by the Planning
Division on October 2nd 2012



Item # 7