



# Agenda

## Planning And Zoning Commission

April 20, 2010  
6:30 PM  
Council Chambers

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- I. INVOCATION - Shelley Basnight
- II. ROLL CALL
- III. APPROVAL OF MINUTES - March 16, 2010
- IV. NEW BUSINESS

### REZONINGS

1. Ordinance requested by Brown Family Investments, LLC to rezone 0.997 acres located at southeast corner of the intersection of Greenville Boulevard and Crestline Boulevard from O (Office) to CH (Heavy Commercial).

### TEXT AMENDMENTS

2. Request by the Redevelopment Commission to amend the sign regulations to allow wall projection signs within the CD (downtown commercial) district subject to ordinance requirements and standards.

### OTHER

3. Request for a special use permit for a Land Use Intensity Dormitory 67, residential development consisting of 30 - one (1) bedroom units, 30 - two (2) bedroom units, 57 - three (3) bedroom units, and 117 - four (4) bedroom units (234 total units with 729 beds).
4. Request to close portions of Twelfth Street, Lawrence Street, and a portion of the public right-of-way at the intersection of Anderson Street and Eleventh Street.
5. Comprehensive Plan Review: Future Land Use Plan Map consideration of Area of Interest #5

(Old Pactolus Road), continued from the March 16, 2010 meeting

6. Comprehensive Plan Review: Future Land Use Plan Map consideration of Area of Interest #6  
– SW Greenville Boulevard
7. Comprehensive Plan Review: Future Land Use Plan Map consideration of Area of Interest #7  
– Hwy 264/Martin Luther King, Jr. Hwy/Old Stantonsburg Road (Medical Foundation of ECU)
8. Comprehensive Plan Review: Future Land Use Plan Map consideration of Area of Interest #8  
– S. Memorial Drive
9. Public and Commission Comment Period and Request for Changes and/or additions to the Horizons Plan text or the 2009 - 2010 Horizons Plan Review Report.
10. City Council Action - March and April, 2010

V. ADJOURN



# City of Greenville, North Carolina

Meeting Date: 4/20/2010  
Time: 6:30 PM

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**Title of Item:** March 16, 2010

**Explanation:** Minutes from the March 16, 2010 Planning and Zoning Commission

**Fiscal Note:** N/A

**Recommendation:** Review and approval

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**Attachments / click to download**

 [March 16, 2010 P and Z minutes](#)

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

March 16, 2010

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

Mr. Bill Lehman - *	
Mr. Bob Ramey - *	Mr. Dave Gordon - *
Mr. Tony Parker - *	Mr. Tim Randall - X
Mr. Len Tozer - *	Mr. Godfrey Bell, Sr. - *
Ms. Shelley Basnight - *	Mr. Hap Maxwell - *
Mr. Allen Thomas - *	Ms. Linda Rich - X

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

**VOTING MEMBERS:** Lehman, Ramey, Gordon, Parker, Tozer, Bell, Basnight, Maxwell, Thomas

**PLANNING STAFF:** Chantae Gooby, Planner; Tom Wisemiller, Planner; Harry Hamilton, Chief Planner; Merrill Flood, Director of Community Development; and Sarah Radcliff, Secretary

**OTHERS PRESENT:** Dave Holec, City Attorney; Daryl Vreeland, Transportation Planner; Tim Corley, Engineer; Ken Jackson, Public Works Operations Manager; Delbert Bryant, Sanitation Superintendent; Calvin Mercer, City Council Representative; and Marion Blackburn, City Council Representative

**MINUTES:** Motion was made by Mr. Ramey, seconded by Mr. Tozer, to accept the February 3, 2010 minutes and the February 16, 2010 minutes as presented. Motion carried unanimously.

**NEW BUSINESS**

**Rezoning**

*Ordinance requested by Adrian Wike to rezone 5.46 acres located at the northeast corner of the intersection of Belvoir Highway and Sunnybrook Road from RA20 (Residential-Agricultural) and CG (General Commercial) to CH (Heavy Commercial)*

Ms. Chantae Gooby stated this rezoning is located in the northwest section of the city at the intersection of Belvoir Highway (Highway 33) and Sunnybrook Road. The property is currently zoned residential-agricultural with a small area of general commercial along Highway 33. The requested zoning is heavy commercial. Ms. Gooby said the property currently contains one outbuilding. The area contains mostly residential properties and a large portion being vacant. The property is located within the 500-year floodplain associated with the Tar River. There is a neighborhood focus area located at the intersection of Belvoir Highway and Sunnybrook Road where commercial is anticipated and encouraged. Ms. Gooby said this rezoning could generate a net increase of over 2,100 trips. The Future Land Use Plan Map recommends commercial. In staff's opinion, this request is in compliance with Horizon's: Greenville's Community Plan and the Future Land Use Plan Map.

Mr. Adrian Wike, applicant, spoke in favor of his request.

No one spoke in opposition.

Motion was made by Mr. Ramey, seconded by Mr. Gordon to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. Motion carried unanimously. **Item # 1**

### Rezoning

*Ordinance requested by Edwards Communities Development Co., LLC to rezone 0.25 acres located at the southeast corner of the intersection of Lawrence and 11<sup>th</sup> Streets OR (Office-Residential [High Density Multi-family]) to OR-UC (Office-Residential [High Density Multi-family]) with an urban core overlay*

Ms. Chantae Gooby stated this rezoning is centrally located in the city. She said the areas surrounding this property were just rezoned to OR-UC by City Council recently. The property is currently zoned office and multi-family and the requested rezoning is to add an urban core overlay, which does not affect density. Ms. Gooby said the property currently contains the Real Crisis Center Intervention office. The area contains a variety of uses – mostly multi-family. The property is not impacted by the floodway or floodplain. There is an intermediate focus area located at the intersection of 14<sup>th</sup> Street and Charles Boulevard. Due to the size of the property, no traffic report was generated. There is similar zoning in this area. The Future Land Use Plan Map recommends office and multi-family in the area. In staff's opinion, this request is in compliance with Horizon's: Greenville's Community Plan and the Future Land Use Plan Map.

Mr. Ramey asked if this property was left out of the first rezoning.

Ms. Gooby said it was not part of the plan at that time of the first rezoning.

Mr. Tommy Stoughton spoke in favor of the request on behalf of the applicant. He said the applicant felt the need to have this extra property to allow more flexibility to meet the concerns of the Rock Springs residents.

No one spoke in opposition.

Motion was made by Mr. Bell, 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. All but Ms. Basnight voted in favor. Motion passed.

### Rezoning

*Ordinance requested by the Redevelopment Commission of Greenville to rezone 0.59 acres located between Vance and Contentnea Streets and north of West 5<sup>th</sup> Street from CDF (Downtown Commercial Fringe) and R6 (Residential [High Density Multi-family]) to OR (Office-Residential [High Density Multi-family])*

Ms. Chantae Gooby stated this rezoning is centrally located in the city along West 5<sup>th</sup> Street between Vance and Contentnea Streets. The property is currently zoned downtown commercial fringe and multi-family. The requested zoning is office and multi-family. The rezoning consists of four parcels, two of which are owned by the Redevelopment Commission (former Chaser's Club and a vacant lot) and the remaining two parcels (single-family and an office building) owned by a private individual. Both parties have signed the rezoning application. The area contains a variety of uses. The property is not impacted by the floodplain associated with the Tar River. There is a focus area located at the intersection of West 5<sup>th</sup> Street/Tyson Street/West 14<sup>th</sup> Avenue. Because there was no change in density, no traffic report was generated. Ms. Gooby said the Future Land Use Plan Map recommends mixed use along West 5<sup>th</sup> Street. In staff's opinion, this request is in compliance with Horizon's: Greenville's Community Plan, the Future Land Use Plan Map and the West Greenville Redevelopment Plan.

Mr. Bell asked if this would impact the duplexes behind the property.

Ms. Gooby said she did not know what was planned. She did not feel they would be impacted by any additional traffic.

Mr. Merrill Flood spoke on behalf of the Redevelopment Commission. He said they had considered this at their last meeting and recommended moving forward with the request. He told Mr. Bell while you have to consider all of the uses allowed in the proposed zoning, at this point in time, the requested action would not rezone the corner parcel where the duplexes are located.

No one spoke in opposition.

Motion was made by Mr. Thomas, seconded by Mr. Ramey to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. Motion carried unanimously.

#### Text Amendments

*Request by the Community Development Department to amend the zoning regulations to include additional Land Use Intensity (LUI) special use permit application submission standards, required findings, and Planning and Zoning Commission consideration criteria*

Mr. Harry Hamilton said this amendment will provide some additional submission requirements and additional guidance for the Commission. He said the criterion included in this ordinance is the same criteria used by the Board of Adjustment. Mr. Hamilton said Land Use Intensity (LUI) development is a Multi-family option that is subject to P&Z Commission special use permit approval. A public hearing is required as well as first class mail notice and advertisement in the newspaper. The Commission may attach reasonable conditions to the plan to insure compatibility. LUI developments may include both LUI 50, traditional multi-family units (not more than 3 unrelated occupants per dwelling), and LUI 67, which allows dormitory units (no ordinance limit on number of unrelated occupants – suite style configuration with 4 private bed/bath rooms sharing a central living room and kitchen has been the typical arrangement). He said no one to date has proposed more than four bedrooms in a LUI development. The proposed ordinance does not affect the current LUI development standards or the table of uses. The purpose of the proposed ordinance is to provide additional application information and criteria to assist the Planning and Zoning Commission in the Commission's evaluation of the impact of future LUI developments. Mr. Hamilton read the proposed special use permit application requirements.

Mr. Hamilton stated the site geometry requirements include location of all proposed and existing buildings, structures, streets, drives, parking, screening, berms, landscaping, open spaces, active recreation areas and facilities, storm water structures facilities, regulated wetlands, flood hazard areas, environmental limitations, utilities and other improvements per the Land Development Manual, and the appearance related requirements include typical building and unit facade illustrations including balconies, porches, patios, decorative and/or functional walls and fences.

Mr. Hamilton said the ordinance also includes additional special use permit consideration criteria. The purpose is to assist the P&Z Commission in the evaluation of health and safety, public welfare and nuisance or hazard conditions effecting and/or resulting from a proposed LUI development. There are eleven considerations that have been added to the ordinance text. Health and safety, nuisance and other considerations include:

- The number of persons who can reasonably be expected to live within or frequent the development at any one time
- The intensity of the proposed development in relation to the intensity of adjoining and area uses
- The visual impact of the proposed development as viewed from adjacent properties and public street rights-of way
- The location and extent of exterior physical activities of the proposed use including common recreation areas and facilities, and common and/or private patios, porches, balconies and open spaces
- The reasonably anticipated noise or other objectionable characteristics that will result from the proposed use, or as a result of any element of project design
- The safe and convenient location of all on-site parking and drives
- The existing vehicular traffic on area streets

- The reasonably anticipated increase in vehicular traffic generated by the proposed development
- The condition and capacity of area street(s) which will provide access to the proposed development
- The visibility afforded to both pedestrians and operators of motor vehicles both on-site and off-site
- The anticipated, existing and designed vehicular and pedestrian movements both on-site and off-site

Mr. Hamilton said the Planning and Zoning Commission may, in its discretion, attach reasonable conditions to the special use permit and plan that exceed the minimum standards when it is found that such conditions are necessary to insure that the proposed development will be compatible with adjacent areas. In staff's opinion the request is in compliance with Horizon's: Greenville's Community Plan.

Mr. Tozer asked if the commission would set the criteria for what the appearance would be.

Mr. Hamilton said that was one of the things the commission would take into consideration.

No one spoke in opposition to the request.

Motion was made by Mr. Ramey, seconded by Mr. Thomas to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. Motion carried unanimously.

#### Text Amendments

*Request by the Community Development Department to amend various zoning ordinance provisions to include screening, safety barrier, and dwelling unit separation standards for recycling centers and compactors for both multi-family residential and nonresidential development*

Mr. Harry Hamilton said this Title 9 zoning ordinance amendment is associated with a proposed amendment to Title 6, Garbage and Refuse Collection and Disposal, proposed by the Recycling Committee. He said the Recycling Committee recommended ordinance (Title 6) is a separate issue, not requiring P&Z review or recommendation. The recycling ordinance is anticipated to be considered by the City Council in the near future. Mr. Hamilton said Delbert Bryant, Sanitation Superintendent from the Public Works Department, would give a brief explanation of the proposed recycling ordinance.

Mr. Delbert Bryant said he would be sharing information about the plan for recycling. He said part of the 2009 City Council Goals and Objectives was to involve all citizens in recycling. In May of 2009, staff presented options for increasing residential recycling to City Council. City Council then directed staff to develop an Education and Promotion Plan and to work with a committee of stakeholders to explore methods to increase multi-family recycling and develop a committee recommendation. Mr. Bryant said currently recycling is the option of each complex and is not required during construction. He said sixty-seven out of two hundred twenty-five multi-family complexes presently have recycling centers. Fifty of the sixty-seven complexes constructed their centers with grant funds they obtained from the city. The Recycling Committee is composed of eight members including two multi-family property owners, two from multi-family homeowner's associations, two multi-family property managers, one from the Environmental Advisory Commission, and one from Keep Greenville Beautiful, Inc. Mr. Bryant said the proposed ordinance states that all existing complexes must provide location(s) for the city to install Recycling Center(s). It states all new complexes must install Recycling Centers during construction. They must have a minimum of one 96 gallon city approved roll-out container per each 20 units for recycling. He said complexes with less than 20 units must have a minimum of one city approved roll-out cart for recycling. Mr. Bryant said the city would install Recycling Centers for existing multi-family complexes within two years and the city will maintain those centers. He said the developer or builder must install Recycling Centers during construction for any new multi-family complex.

approved for construction after July 1, 2010. The city will maintain the centers after construction. Mr. Bryant said the funding for construction at existing complexes is through a \$.42 per month per unit surcharge on multi-family refuse fee. The multi-family refuse fee surcharge is proposed to begin on July 1, 2010 and continue for four years. After four years the surcharge will be reduced to \$.09 per month per household to cover the maintenance of the centers. Mr. Bryant said installation will include site preparation, concrete pad, Recycling Center signage, fencing around the center (4' Wood Fencing), roll-out containers and site repair. Maintenance will include roll-out containers, signage and fencing. Maintenance does not include vegetation or turf around the recycling center, masonry or specialty fencing enclosures. He said the amendments required would be to Title 6 Chapter 3 of the City Solid Waste Code of Ordinances and to Title 9 Chapter 4 of the Zoning Regulations. Mr. Bryant said the presentation to the stakeholders took place between January and February of this year. A public meeting was held in the Public Works building in February and for the Multi-family Recycling Committee Meeting earlier this month. He said following tonight's presentation, he would present the proposal to City Council in April and have an Education and Awareness program throughout May and June. The proposed date of effectiveness is July 1, 2010.

Mr. Tozer said the multi-family projects in the city would fall under the federal handicap code and asked if the federal accessibility codes for handicapped people were taken into consideration when the access to and the size of the container for recycling was developed.

Mr. Bryant said there were handicapped access consideration.

Mr. Tozer said there were some specific details that require handicapped accessibility and wondered if they had been followed.

Mr. Bryant said handicapped accessibility could be incorporated into the design.

Mr. Bell asked if multi-family consisted of four or more units in a building.

Mr. Bryant said, with respect to the recycling ordinance ten units in a building would constitute multi-family use.

Mr. Bell asked if the cost of the containers would be on the owners or if the city would provide them.

Mr. Bryant said they would be provided through the \$.42 surcharge.

Mr. Thomas asked about the grant funding that Mr. Bryant mentioned earlier that was provided by the city.

Mr. Bryant said that came through the state.

Ms. Basnight asked if the surcharge was for all units or just occupied units.

Mr. Bryant said it was for occupied units only.

Mr. Hamilton said garbage dumpsters are currently required, pursuant to Title 6, to service certain multi-family and non-residential uses. He wanted to clarify that multi-family under the garbage regulations is ten units, but under the zoning regulations it is three. Where dumpsters are required, visual screening, dwelling unit separation, and accessibility standards apply – per the zoning regulations (Title 9). He said the proposed zoning ordinance will not change the current dumpster requirements (either Title 6 or Title 9). Mr. Hamilton said garbage compactors are also often used by non-residential uses and compactors will be an option in the future for multi-family development. Recycling centers as described by the Public Works Department will also be utilized in the future. Mr. Hamilton said the proposed zoning amendment will insure that compactors and recycling centers are screened and/or separated from residential uses in the same or similar manner as required for dumpsters. The purposes of the zoning ordinance amendment is to provide screening requirements

for future recycling centers, screening and safety barrier requirements for compactors, and dwelling unit separation between recycling centers or compactors and multi-family dwellings.

No one spoke in opposition to the request.

Motion was made by Mr. Ramey, seconded by Mr. Tozer to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. Motion carried unanimously.

## **OTHER ITEMS OF BUSINESS**

### *Comprehensive Plan Review: Future Land Use Plan Map Consideration for Area of Interest #4 (SE Greenville Boulevard & 14<sup>th</sup> Street)*

Mr. Wisemiller gave some background on the Comprehensive Plan review process. He said the Commission had agreed to review Area of Interest #4 at their last meeting. He asked the Commission to come up with a deadline for receiving and reviewing new requests in order to wrap up the review process.

Mr. Lehman asked what staff's deadline was.

Mr. Wisemiller said staff didn't have a specific deadline set. He said in order to complete the review process in a timely manner, staff would recommend completion by early summer or late spring.

Mr. Bell said he felt one more month would be sufficient to receive new requests.

Mr. Wisemiller said staff would recommend tonight's public comment period be the last opportunity for new requests.

Mr. Holec said they would need to make a motion based on their decision; however, he suggested they wait until the public comment period to do so.

Mr. Wisemiller said Area of Interest #4 started at the intersection of SE Greenville Boulevard and E. 14<sup>th</sup> Street and continued to Adams Boulevard. He said the P&Z Commission and City Council denied requests to rezone 8 lots along Greenville Boulevard between 14<sup>th</sup> Street and Adams Boulevard from R9 to O. In 2004 the Future Land Use Plan Map of the Comprehensive Plan recommended OIMF for that corridor. In 2006 the Neighborhood Task Force rezoned the neighborhood to R9S. Mr. Wisemiller said in 2007 and 2008, City Council denied requests to amend the FLUPM from OIMF to C for three parcels at the corner of SE Greenville Boulevard and 14<sup>th</sup> Street, which are included in the primary area. He said the Commission would need to determine if none, all, or some of the primary and secondary areas should be changed from OIMF to C. The area is located in Vision Area C of the Comprehensive Plan. The FLUPM recommends OIMF for the primary & additional areas. He said there are neighborhood focus areas at the intersections of SE Greenville Boulevard & 14th Street and SE Greenville Boulevard & Eastbrook Drive. This intersection is a connector corridor. Mr. Wisemiller said OIMF on transportation thoroughfares provides transition between commercial nodes and preserves vehicular carrying capacity and acts as a buffer. He said location & size of commercial nodes are not static and the exact size of the buffer is not predetermined. He said the width should be determined when ultimate extent of commercial node is known. No traffic report was generated since the size of the area has not been determined. He said the property is not affected by the floodplain or floodway. Mr. Wisemiller said expansion of commercial adjacent to Eastwood Subdivision is not recommended given current policies & conditions. He said OIMF designation affords reuse of properties fronting SE Greenville Boulevard corridor while minimizing negative impacts on the interior neighborhood. Any change to the FLUPM in the subject area should be supported by the neighborhood. Mr. Wisemiller said the primary/additional area(s) has not experienced changed conditions that impacted the site in a manner or to a degree not previously anticipated; therefore, no change is warranted. He said changing the FLUPM from OIMF to C for the primary/additional

area(s) would not satisfy the other evaluation criteria, either.

Mr. Ramey asked why the area went all the way to Adams Boulevard. He asked if it could be stopped at David Drive.

Mr. Wisemiller said the property owner had requested they look at the primary area, which included the first nine parcels. He said the property in the secondary area was likely to be affected by any change in the primary area.

Mr. Parker asked how many times this proposal had been denied by City Council.

Mr. Wisemiller said it had been denied twice; once in 2007 and once in 2008.

Mr. Tozer said it was approved by P&Z twice in a 6-2 vote.

Mr. Wisemiller said that was correct.

Mr. Jim Ward spoke on behalf of the request. He said his interest relates to the area at the intersection and asked the Commission to allow enough space for reasonable ingress and egress to the property. He said he was really asking for a neighborhood retail use for this area that would complement the neighborhood and give him some flexibility. He said the Commission should consider the change because the traffic at that intersection is synonymous with commercial development. He said there has also been a change in the nature of the neighborhood in that many of the properties were rentals and others were vacant or abandoned. He felt a new retail center would help to reestablish the neighborhood. He said he had spoken to many of the neighbors and many were in support of the change.

Mr. Bell asked Mr. Ward if he had been in contact with the Homeowner's Association for the neighborhood.

Mr. Ward said the Hardee Circle area did not have a formal neighborhood association. He said he had sent out 33 letters to surrounding property owners and established a meeting place for them to come and discuss the matter. He said he felt he had made himself available and done all he could to communicate with the neighbors.

Mr. Thomas asked if there was anything in Greenville that compared to what he had in mind for the proposed site.

Mr. Ward said he would like to see something like the McAlister's area, with a restaurant and some retail uses.

Mr. Parker asked Mr. Ward if he saw the same scenario at the intersection of Elm Street and Greenville Boulevard.

Mr. Ward said there was no commercial on Elm and 10<sup>th</sup> or Elm and 264. He said there were 11 intersections with four-way stops from Memorial Drive to 10<sup>th</sup> Street and every intersection except for this one and Elm Street had commercial on all four corners.

Ms. Basnight asked which lots were owned by Mr. Ward.

Mr. Ward said he owned the three on the corner and had options to purchase the next two lots. He also owns the lot behind the fifth lot.

Mr. Parker asked if the lot on he owned on Hardee Road was going to be used eventually to allow access to the front properties.

Mr. Ward said he had no intentions of using it for that. He said he purchased it because he had the option to purchase the adjoining lot and the owner really wanted to sell it. He said he had proposed to make that lot available for the use of neighborhood.

No one else spoke in favor of the request.

Mr. Raymond Parker of 106 Hardee Road spoke in opposition to the request. He said he had lived at this address for 36 years and this was the third time he had appeared before P&Z about the rezoning of this tract of land. He said their neighborhood was not in the midst of deterioration as has been told to the commission in a previous meeting. Mr. Parker said he was opposed to changing the FLUPM to commercial and believed the current designation was appropriate and consistent with the Comprehensive Plan.

Ms. Chris Voss of 102 Adams Boulevard spoke in opposition to the request. She said when she bought her property there she assumed it would remain residential, as it always has been. She felt changing the area to commercial would negatively impact her neighborhood.

Mr. Dan Bellitiere of 1605 Muirfield Drive spoke in opposition to the request. He said he had lived in the Eastwood area for 21 years and asked the board to oppose the change because of the negative impacts to traffic and noise.

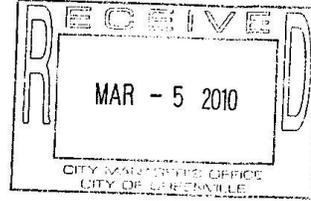
Mr. Thomas asked if he was a resident of the neighborhood.

Mr. Bellitiere said he lived at 1605 Muirfield Drive.

Ms. Elizabeth Paton of 103 Wilkshire Drive spoke in opposition to the request. She said she would be directly impacted by this request. She said there was almost no crime in the neighborhood and everyone looks out for each other. She said she took offense to Mr. Ward saying they have run down houses. Ms. Paton said she was directly impacted by the request; however she did not receive a letter from Mr. Ward.

The following attachments were sent in via email opposing the request.

STALLINGS OIL COMPANY  
300 S. WESLEYAN BLVD.  
ROCKY MOUNT, NC 27804  
MARCH 3, 2010



Mr. Wayne Bowers  
City Manager  
City of Greenville  
P.O. Box 7207  
Greenville, NC 27835

Dear Mr. Bowers:

I am writing with regard to the proposed amendment to the City of Greenville Land Use Map requested by Ward Holdings, LLC for the property located at the southeast quadrant of the intersection of Greenville Boulevard and Fourteenth Street in Greenville. Stallings Oil Company owns the property at 1531 SE Greenville Boulevard located in the northwest quadrant of the intersection of Greenville Boulevard and Fourteenth Street. Attached is a copy of the letter from the City of Greenville Planning Department dated December 26, 2007, advising of the requested amendment.

Stallings Oil Company strongly opposes the amendment to the Land Use Map requested by Ward Holdings, LLC, and I am writing to make you aware of our objection.

Thank you for any consideration given to our position on this matter.

Sincerely,

Stallings Oil Company

Boyd M. Tolman

Vice President

Cc: Thomas G. Wisemiller-Planner II

Telephone (252) 937-6184 - Fax (252) 443-443-7997



# City of Greenville

## North Carolina

P.O. Box 7207 - Greenville, NC 27835-7207

March 1, 2010

STALLINGS OIL CO  
300 S WESLEYAN BLVD  
ROCKY MOUNT NC 27804

Dear Greenville Area Property Owner:

The City of Greenville wishes to inform you that the City of Greenville Planning and Zoning Commission is undergoing its five-year *Horizons* plan review process and will hold a public hearing on March 16, 2010. At the behest of a property owner or his/her representative, the commission will consider whether to recommend that the Greenville City Council amend the Future Land Use Plan Map for the area located on the south side of the SE Greenville Boulevard corridor from E. 14<sup>th</sup> Street to (across the street from) the Wachovia Bank building, containing 4.7+/- acres. The commission will also evaluate an additional area adjacent to the primary area, extending to Adams Boulevard, which contains 1.7+/- acres. The owner or representative of a portion of the primary area has proposed the Future Land Use Plan Map be amended from Office/Institutional/Multi-family to Commercial.

**Current Land Use Plan Category:** Office/Institutional/Multi-Family

**Land-owner Suggested Land Use Plan Category:** Commercial

Your property is located within close proximity or contained within the area requested for amendment. The Planning and Zoning Commission identified the area indicated above as warranting further study. After evaluating the area, and as they deem necessary, the commission may decide to recommend changes to the Future Land Use Plan Map.

The public hearing for the above item will be included as part of the Planning and Zoning Commission's regularly scheduled March 16, 2010 meeting at 6:30 PM in the Council Chambers on the third floor of City Hall, located at 200 West Fifth Street. The meeting is open to the public. You are welcome to attend.

If you have any questions concerning this matter, please do not hesitate to call the Planning Office at (252) 329-4514.

Sincerely,

*Thomas G. Wisemiller*

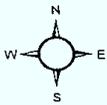
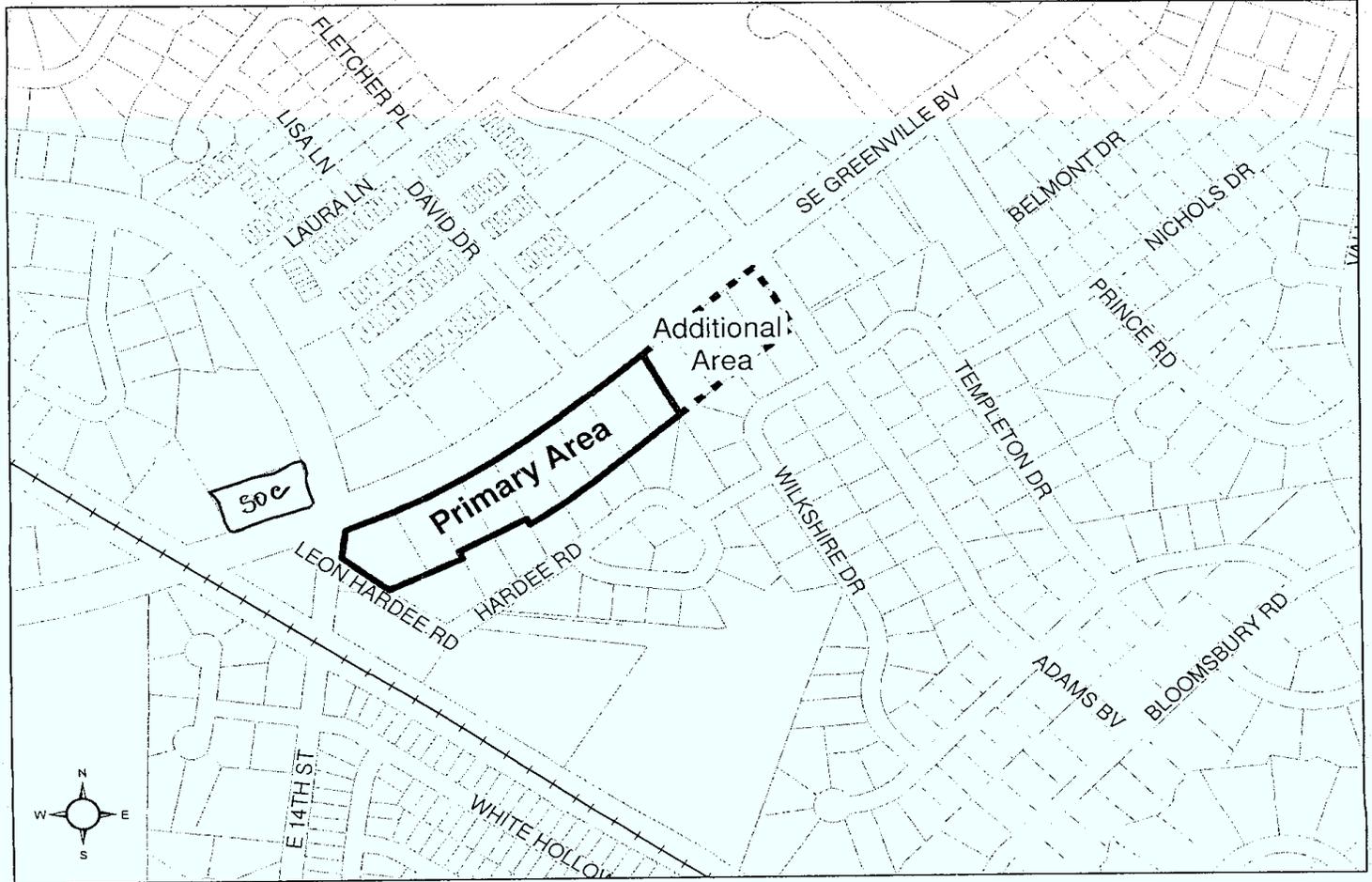
Thomas G. Wisemiller  
Planner II

Attachment: Future Land Use Plan Map

857933



# Area of Interest #4: Greenville Blvd and 14th Street



Dear Mr. Wisemiller & Greenville Planning & Zoning Commission,

Changing the land use plan to commercial is fine because there is already an large amount of land already zoned Very Low Density, Conservation/Open Space in the area.

We can look at this area and along 264 East as being the Commercial Recreational district of Greenville. You have the Bradford Creek Soccer Complex and Golf Course and the ECU North Campus Recreational Complex. I think we should look at the way North Campus Crossing, ECU Complex, and Wilco/Wendy's/Bojangles were done. If we plan ahead now then we can have good growth.

If you change the land use use plan or not the City of Greenville MPO /NCDOT needs to look at widen and resurfacing Old Pactolus Road (mainly between Old Pactolus/Sunnyside intersection and Old PactolusNE Greenville Blvd. intersection) because of the additional traffic increase. This road is in very bad shape and has to be repaired continuously. The road was built on a sand base and not rock base and cannot handle the amount of traffic that it has today. It already gets a high amount because of the Bradford Creek Golf Course, Bradford Creek Soccer Complex, Greenville Utilities Commission Wastewater Plant, Santree MHP, Vandemere MHP, Seasons MHP, Deveron/Sunnyside Road residents and the commercial area at the intersection where National Welders is located (Old Pactolus Road and NE Greenville Blvd).

Also, the intersection of Old Pactolus Road and NE Greenville Blvd. needs to be redone like the one at Whichard Road and MLK near the Pitt County Fair Grounds. The NCDOT had the funds about five years ago to change it and may it safer, but pulled the funds at the last minute. The NCDOT crews had already marked where to cut the asphalt and were getting ready to do it. The project reference number is 36283.2.7. For the safety of people who live and travel along Old Pactolus Road the intersection needs to be changed.

If you have any questions I can be contacted at 252-341-0723.  
Thank you for your consideration.

Sincerely,

Jason D. Briley

No one else spoke in opposition.

Mr. Ward spoke in favor in rebuttal. He said he sent letters to everyone on Hardee Circle and to property owners whose property backed up and adjoined this request. He said he never said the houses were run down. He said there were some rentals and some transition in the neighborhood and the area that seemed to be most affected were the properties that front on Greenville Boulevard, three of which he removed. He said none of the property owners who would be most drastically impacted, had spoke in opposition to the request. Mr. Ward said he never intended to offend anyone and wanted to work with the neighborhood. He said the property will develop regardless of what occurs tonight and he asked the board to consider something that would give him a little more flexibility than OIMF.

Mr. Stewart Laneave of 104 Hardee Road spoke in opposition in rebuttal. He said he had lived there since the fall of 1976. He said they were concerned about their property values and the possible decrease in them. He asked everyone opposed to the request to please stand (several audience members stood up).

Mr. Lehman closed the public hearing and called for board discussion.

Mr. Ramey said if the property was rezoned to commercial someone could go in and put a gasoline station at the corner of Adams Boulevard and Greenville Boulevard. He said that would decrease property values and he was against that. He said he supported the development of commercial property but wanted to stop it seven lots from 14<sup>th</sup> Street.

Mr. Bell said he believed the current zoning would be adequate and as Mr. Ward said, whether they changed the Plan or not, it would still allow him to put some type of retail or restaurant in that location.

Mr. Wisemiller said the OIMF recommendation would allow O or OR and staff would recommend O given the conditions. He said under O zoning, office uses would be allowed as well as small scale retail stores and barber/beauty shops. He said restaurants were not allowed under O.

Mr. Parker wanted to advise the board that his father was one of the speakers this evening and that he had spoken with Mr. Holec and it was determined that he did not need to recuse himself. He said he agreed with Mr. Bell, that the Land Use Plan Map was appropriate.

Mr. Ramey said he felt Mr. Parker had a conflict of interest and felt Mr. Holec was wrong if he said differently.

Mr. Holec said he had reviewed the rules and in order to have a conflict of interest there has to be a personal or financial interest of the member himself.

Mr. Thomas said whatever happened with this vote would not open it up for the property owner to do whatever he wanted. He said they would have to come back before P&Z and City Council and submit a request for rezoning.

Mr. Wisemiller said that was correct. He said once the property was rezoned, the property owner could do anything that was an allowed use for that particular zoning, subject to site plan approval. Mr. Wisemiller said this request as well as subsequent requests for rezoning would also have to go before City Council for their approval.

Mr. Tozer said Neighborhood Commercial might be an option for Mr. Ward. He asked if there was a way to change the Future Land Use Plan Map to something a little more restrictive than Commercial.

Mr. Wisemiller said that would have to be done at the rezoning stage.

Mr. Ramey asked if they voted to change it to commercial if they could stop it wherever they wanted to.

Mr. Wisemiller said they could.

Mr. Lehman said he was concerned that Mr. Ward would sell the property to someone who might put a gas station or something of that nature there.

Mr. Parker said they also needed to consider that they might not be sitting on the board two years from now to challenge any of these issues.

Mr. Lehman said someone would be there, it just might not be them.

Mr. Gordon asked how long the property had been zoned the way it is currently.

Mr. Wisemiller said it was rezoned to R9S in 2006.

Mr. Gordon asked how long it had been on the Land Use Plan Map as currently shown.

Ms. Gooby said she believed it had been that way since 1997. She said no changes were made to this area in 2004.

Mr. Gordon asked if the Land Use Plan had always shown the commercial on the other side of the street.

Ms. Gooby said it had.

Mr. Bell said commercial always scares people. He said the reason staff had shown the area all the way to

Adams Boulevard is because it will directly affect those properties.

Mr. Ramey said stopping the change to commercial at David Drive would protect Wilkshire Drive and the road into Hardee Circle.

Mr. Maxwell said you would still have commercial right beside a house.

Mr. Ramey said that was correct but you would have to have a buffer between them.

Mr. Bell asked if this was kept at the current zoning, could Mr. Ward get a special use permit to build a restaurant or retail entity.

Mr. Wisemiller said it would be a special use if the property were rezoned to OR.

Mr. Tozer said it appeared that the commercial would line up with the commercial across the street. He said he would like to come to a compromise in order to recommend approval to City Council.

Mr. Bell asked if the depth and buffers that currently exist on the property allowed room for commercial zoning.

Mr. Flood said it would be more limited because of the depth.

Mr. Thomas said the buffers would be more extensive if the property was rezoned to commercial than if it were O or OR.

Mr. Flood said the buffers were determined by the actual land use, not the zoning.

Motion was made by Mr. Ramey, seconded by Mr. Thomas, to approve the change to the Future Land Use Plan Map to commercial for the first seven lots, deleting the remaining primary and secondary areas. Mr. Ramey, Mr. Thomas, Ms. Basnight, Mr. Tozer and Mr. Gordon voted in favor. Mr. Bell, Mr. Parker and Mr. Maxwell voted in opposition. Motion passes.

*Comprehensive Plan Review: Future Land Use Plan Map consideration of Area of Interest #5 (Old Pactolus Road)*

Mr. Wisemiller said the primary area is located on the south side of Old Pactolus Road corridor containing approximately 107+/- acres. The additional area is to the north and east of the primary area, on both sides of Old Pactolus Road. He said Greenville's Extraterritorial Jurisdiction (ETJ) was last extended in 2001. The property is located in Vision Area B of the Comprehensive Plan, which was seriously impacted by Hurricane Floyd in 1999 by damage to residential areas located within and/or adjacent to primary and additional areas. Mr. Wisemiller said the commission needed to decide whether they needed to change some or all of the OIMF (office/institutional/multi-family), very low Residential, conservation/open space categories to C (commercial) category. The area is located around a residential corridor and if the FLUPM is changed, corridor designation might need to be amended to "connector corridor". He said the FLUPM recommends OIMF, very low-density residential, conservation/open space for the subject property. There is a regional focus area at the intersection of NE Greenville Boulevard/MLK Hwy and Pactolus Highway/264-E. Mr. Wisemiller said the principal intent of the FLUPM configuration for Vision Area B is to discourage residential development in the floodplain, except for very low-density residential. The plan for Vision Area B also seeks to encourage new industry & support businesses in recognized industrial areas. He said the FLUPM recommends a large concentration of commercial to support the Regional Focus Area. He said commercial development in the floodplain exposes personal property and public safety to lower risk than residential development. Low to moderate-intensity commercial uses are preferable to residential/mobile home uses and provide transition between existing residential neighborhoods and the NE Greenville Blvd corridor. Mr. Wisemiller said there were changes

conditions in the local development pattern which impacted the site in a manner and to a degree not previously anticipated, being the development of North Campus Crossing and 93 acres being rezoned from C to OR on the opposite corner. He said commercial development in the primary/additional area, provided that it is contiguous with the recommended Regional Focus Area, and is limited in scope, would result in a land use pattern that is more desirable and sustainable than would be accommodated by additional residential development on Old Pactolus Road. Mr. Wisemiller said given the changes that have been made and the current situation, a change to the FLUPM might be warranted if other criteria are met. He said due to the reduction of land area recommended for commercial in Vision Area B, additional commercial could be consistent with the intent and objective of the FLUPM and the Focus Area Map. He said economically feasible commercial uses in the subject area, if limited in scope, are unlikely to cause significantly negative traffic impacts. Low to moderate-intensity commercial uses are preferable to residential/mobile home uses and provide transition between existing residential neighborhoods and the NE Greenville Blvd corridor. Commercial development in the primary/additional area, provided that it is contiguous with the recommended Regional Focus Area, and is limited in scope, would result in a land use pattern that is more desirable and sustainable than would be accommodated by additional residential development on Old Pactolus Road.

Mr. Parker asked if there would be any impact to the Sewer Treatment Plant.

Mr. Wisemiller said if commercial was chosen for all of the proposed additional area, there could be some issues. Otherwise, the mobile home park should be enough of a buffer to protect that area.

Mr. Jim Hoff, attorney, spoke in favor of the request on behalf of the applicants. He said this change would be consistent with other classifications in the area. He said there were flooding issues in the area, discouraging residential development. Mr. Hoff said they were interested in outdoor commercial recreation that would be low to medium intensity.

No one else spoke in favor of the request.

Ms. Sue Holland spoke in opposition to the request. She said she was concerned with property located in the proposed additional area that contained a farm that had been in her family for years. She said they intend to keep farming the land and was opposed to changing the property to commercial.

Mr. Tozer asked where her parcel was located.

She said it was right next to the developing area.

Mr. Jim Holland spoke in opposition to the request. He said he had heard the applicants wanted to build a pro-shop for the activities they are having at the pond. He said there were several wild animals in the area and changes to the environment could damage those species. He said he had also heard rumors that they wanted to dig a canal from the ponds to the river, which he was opposed to as well.

Mr. James Crozier spoke in opposition to the request. He said he helps the family keep an eye on the farm and the property. He had concerns with the property flooding.

Mr. Tozer said if the land was changed to commercial, it could still be farmed and would have higher value.

Mr. Crozier said if what they did caused their area to flood more easily, it would be worth a lot less.

Mr. Maxwell asked if they would have to build above the existing property because of it being in the floodplain.

Mr. Hamilton said any development within the 100 year floodplain would have to be elevated. He said anything that would discourage further residential development would be recommended.

Mr. Maxwell asked what type of elevation.

Mr. Hamilton said it would depend on the lay of the land. He said areas in the 500 year floodplain require no elevation.

Mr. Gordon asked if he understood correctly that staff recommended commercial only down to the narrow point of the primary area.

Mr. Hamilton said if they were going to change the Land Use Plan, staff recommended stopping the commercial, as far as the street frontage is concerned, right before you get to Santree Mobile Home Park, and not including the mobile home park.

Mr. Ramey asked why staff added the additional area.

Mr. Hamilton said the broken line area is likely to be impacted by whatever is done in the primary area.

Mr. Richard Hill spoke in opposition to the request. He said his property was located outside of the existing ETJ. He said when he developed his property he went before City Council to make sure the property would not be considered for city property anytime in the foreseeable future. He asked that the area where his property is located be excluded from the request.

Mr. Tozer asked if it was the property north of Pactolus.

Mr. Hill said it was.

Mr. Darnell May spoke in opposition to the request. He said his property was also located in the dotted area in the ETJ and he would not like his property changed to commercial.

Ms. Donna Hemby spoke in opposition to the request on behalf of Curtis Rasnake. She said they owned Santree Mobile Home Park that housed 133 families. She said she had received several phone calls and complaints about the noise and traffic in the pond area. She said they are totally opposed to the request.

Mr. Bruce Tripp spoke in opposition to the request. He said he lived on US 264 but used Old Pactolus Highway. He said the commission should first address the highway. He said the road was currently in disrepair.

Ms. Ann Briley, also a resident of Highway 264, spoke in opposition to the request. She said she would like to be notified as a homeowner that lives about a mile from the property if there would be changes in the Horizons Plan or any of the land uses. She said this would impact the publicly owned golf course and residential properties and felt the use of this property as commercial was not in the best interest of anything residential.

Mr. Hoff spoke in favor in rebuttal. He showed the commission where his area of interest was located and said his interest was in the ponds. He said there had been no digging of the ponds and his clients had no intention of digging a canal to the river. He confirmed that the ponds are currently used recreationally and that is what is being explored. He said he couldn't think of a better area than a flood prone area for a water based use. He said there were very few areas around for this type of activity. Mr. Hoff said his clients were also concerned with the wildlife in the area and would not do anything to harm them. He said he did not think this would be a real invasive or offensive use for the property.

Ms. Ann Briley spoke in opposition in rebuttal. Ms. Briley said recreation does not include drunken activity into the night and that is what the surrounding property owners are experiencing. She felt there were several issues trying to go under one request. She said there was a request of the property owner, a request for rezoning of the primary area and a request for an additional area. Ms. Briley asked for continuation of all items before

they are voted on so that they could become better informed.

Mr. Lehman closed the public hearing and called for board discussion.

Mr. Ramey made a motion to delete the dotted line area from the request.

Mr. Bell said he didn't believe there was a need for that motion because staff is not recommending anything in the dotted line.

Mr. Hamilton said if the commission believes commercial is appropriate for this area, staff recommends the commercial frontage along Old Pactolus Road not go any further than the Santree Mobile Home Park. He said there were two different maps, the zoning map, which is very specific, and the land use plan map, which is more general. He said the board was looking for something more specific than what is provided in the land use plan map. Mr. Hamilton said the land use plan map covers a sixty-five square mile area, where rezoning involves parcel specific locations. He said the specifics of the zoning area would be dealt with at the time the rezoning is requested.

Mr. Tozer asked if the land had to be zoned commercial for them to use the ponds recreationally.

Mr. Hamilton said as long as they were doing it as private recreation on land that they have access to or ownership of and are not charging a fee, they could do that.

Mr. Tozer asked Mr. Hoff if he needed the entire primary area to be commercial, including the ponds.

Mr. Hoff answered yes.

Mr. Gordon said one of those opposing to the request had suggested postponing or tabling the request in order to get better educated about it.

Mr. Tozer said the individual that made the request did not live adjacent to the property.

Mr. Maxwell said she was speaking on behalf of all those opposing the request.

Mr. Bell said he agreed that they needed more time to discuss the matter and to try to come to an agreement.

Mr. Maxwell said there were already some issues with surrounding neighbors that probably needed to be addressed.

Motion was made by Mr. Bell, seconded by Mr. Parker, to table the request to allow the petitioner and the residents to meet and come to an agreement before it is brought back to the commission at their next meeting. Motion carried unanimously.

*Public and commission Comment Period and Request for Changes and/or Additions to the Horizons Plan text, the 2009-2010 Horizons Plan Review Report, or maps not previously discussed.*

Motion was made by Mr. Tozer, seconded by Mr. Gordon that this be the last meeting for the commission to accept new requests for changes to the Horizons Plan. Motion carried unanimously.

Mr. Jon Day, on behalf of John Moye, Sr., asked the commission to consider a tract of land located 800 feet east of the intersection of Dickinson Avenue, Allen Road and SW Greenville Boulevard. He asked that the Land Use Plan Map be changed from OIMF to Commercial. Mr. Day said he felt that would be in better keeping with the adjacent Red Oak neighborhood.

Motion was made by Mr. Thomas, seconded by Mr. Tozer, to study this request and bring it back before the commission at their next meeting. Motion carried unanimously.

Mr. Jerry Williams asked the commission to consider the property located at the northeast corner of S. Memorial Drive and W. Arlington Boulevard. He requested the property be changed from Office/Institutional/Multi-family to Commercial.

Motion was made by Mr. Tozer, seconded by Mr. Gordon, to study this request and bring it back before the commission at their next meeting. Motion carried unanimously.

Mr. Jon Day requested the commission look at the property located at the southwest corner of the intersection of Hwy-264 and Martin Luther King, Jr. Hwy, containing 104.5+/- acres. He requested the property be changed from Conservation/Open Space to Commercial.

Motion was made by Mr. Tozer, seconded by Mr. Bell, to study this request and bring it back before the commission at their next meeting. Motion carried unanimously.

*Planning and Zoning Commission discussion and recommendations for fiscal year 2010/11 and 2011/12 City Council budget consideration*

Mr. Merrill Flood, Director of Community Development, said City Council requested that the boards and commissions be surveyed to see if they would like any items included in the budget.

Mr. Bell said he would like to them to look into getting some paper and ink for printing packets. He said it would also be nice to have refreshments available for late night meetings.

Motion was made by Mr. Tozer, seconded by Mr. Parker, to take a look at those items. Motion carried unanimously.

There being no other business the meeting adjourned at 9:20p.m.

Respectfully submitted,

Merrill Flood  
Secretary



# City of Greenville, North Carolina

Meeting Date: 4/20/2010  
Time: 6:30 PM

**Title of Item:** Ordinance requested by Brown Family Investments, LLC to rezone 0.997 acres located at southeast corner of the intersection of Greenville Boulevard and Crestline Boulevard from O (Office) to CH (Heavy Commercial).

**Explanation:**

**Required Notice:**

Planning and Zoning Commission meeting notice (property owner and adjoining property owner(s) letters) mailed on April 6, 2010.

On-site sign(s) posted on April 6, 2010.

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

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

**Comprehensive Plan:**

The subject property is located in Vision Area E.

Greenville Boulevard is designated as a connector corridor from its intersection with Charles Boulevard to its intersection at Dickinson Avenue. Connector corridors are anticipated to contain a variety of higher intensity land uses.

Crestline Boulevard is a standard residential collector street that provides access to Greenville Boulevard.

The Future Land Use Plan Map recommends office/institutional/multi-family (OIMF) along the southern right-of-way of Greenville Boulevard from Hooker Road to the western (Greenville Boulevard) entrance of Belvedere Subdivision, transitioning to medium density residential (MDR) in the interior areas to the south. Office development is preferred in lieu of multi-family in the areas abutting single-family neighborhoods.

The Comprehensive Plan states that, "office/institutional/multi-family development should be used as a buffer between light industrial and commercial

development and adjacent lower density residential land uses."

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 4,740 trips to and from the site on Greenville Boulevard, which is a net increase of 4,634 additional trips per day.

During the review process, measures to mitigate the traffic will be determined. Access to the tract from Greenville Boulevard will be reviewed. Access will be maintained from the existing adjacent lot on Greenville Boulevard since it has the same property owner and same zoning as the lot directly fronting Greenville Boulevard.

**History/Background:**

In 1969, the property was zoned R9 (residential). In 1985, the subject tract was rezoned from R9 to O (office).

In 1995, there was a similar request to rezone property from O (Office) to CH (Heavy Commercial) at this same location. This request created the current office buffer (100 feet wide) along Crestline Boulevard with additional commercial property along Greenville Boulevard. In addition, by private agreement with the neighborhood, certain improvements including a landscape berm and plantings were subsequently installed. This resulted in the current zoning pattern and situation as it exists today.

In 2009, there was a similar rezoning request that was withdrawn prior to Planning and Zoning Commission consideration.

**Present Land Use:**

Brown and Wood Automotive Dealership and vegetative buffer for the Bevedere Subdivision.

**Water/Sewer:**

Water and sanitary sewer are available in the right-of-way of Greenville Boulevard.

**Historic Sites:**

There is no known effect on designated sites.

**Environmental Conditions/Constraints:**

There are no known environmental constraints.

**Surrounding Land Uses and Zoning:**

North: CH - Former Lone Star Restaurant and a convenience store  
South: O - vacant (10-foot wide strip of property under common ownership as applicant) between the proposed CH zoning and R9S zoning  
East: CH - Brown and Wood Dealership (under common ownership as applicant)  
West: R9S - University Church of Christ

**Density Estimates:**

Under the current zoning (O), the site could yield 9,554 square feet of office space.

Under the proposed zoning (CH), the site could yield 9,554 square feet of retail/conventional restaurant/fast food restaurant.

**Additional Staff Comments:**

Of primary concern is the protection of the Belvedere Subdivision entrance. The intersection of Greenville Boulevard and Crestline Boulevard serves as a primary entrance into a substantial single-family neighborhood.

A similar zoning pattern has been established at the intersection of Greenville Boulevard and Belvedere Drive, which is another entrance into the neighborhood, with office zoning on both corner lots.

The proposed rezoning will eliminate the office buffer along Crestline Boulevard that was established by the previous rezoning in 1995.

At minimum, staff would recommend that the applicant retain an office buffer in lieu of commercial along Crestline Boulevard to protect the interest of the neighborhood.

The existing office zoning contains a compatible mix of business and office uses and serves as a transition between the commercial activities on Greenville Boulevard and the residential dwellings in the interior. Office zoning is the most restrictive non-residential zoning district. There is no residential option under the office zone.

This specific property has been the subject of a past rezoning request and continuing neighborhood concerns have resulted in the current zoning. Office zoning is the preferred zoning for this location due to the intersection's function as a primary entrance into the neighborhood.

Under Article O. Parking, the proposed office zoning allows for cross-district parking for uses in the proposed CH district.

Any specific improvements above minimum bufferyard and street tree requirements, including additional plantings and the like, which the applicant may voluntarily offer, would be by private agreement. The City cannot

participate in the development of, or in the enforcement of, any private agreements associated with any rezoning.

**Fiscal Note:** No cost to the City.

**Recommendation:** In staff's opinion, the request is not in compliance with Horizons: Greenville's CommunityPlan and the Future Land Use Plan Map due to the absence of an adequate buffer or other conditions(s) determined sufficient to protect the interest of the neighborhood. The inclusion of transitional zoning or other private conditions of development that are agreeable to the affected neighborhood residents, may accomplish the intent of the Plan.

The Plan recommends that buffers to commercial development be provided to minimize negative impacts on low density residential developments in proximity. Accomplishment of that objective is the primary concern.

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

Note: In addition to 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.

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

**Attachments / click to download**

- [📄 Location Map](#)
- [📄 Survey](#)
- [📄 Bufferyard and Vegetation Chart](#)
- [📄 Rezoning Case 10 05 Brown Family Investments](#)
- [📄 List of Uses R9S to O CH](#)

# REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

**Case No:** 10-05

**Applicant:** Brown Family Investments, LLC

**Property Information**

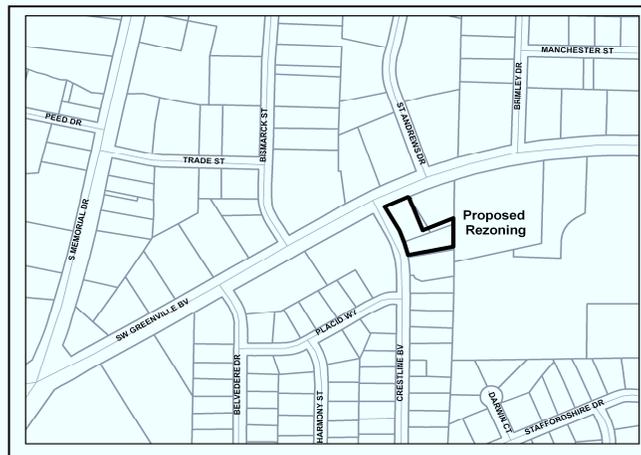
**Current Zoning:** Tract: 1 O (Office)

**Proposed Zoning:** Tract: 1 CH (Heavy Commercial)

**Current Acreage:** Tract: 1 0.997 acres

**Location:** Greenville Blvd

**Points of Access:** Greenville Blvd, Crestline Blvd



**Location Map**

**Transportation Background Information**

**1.) Greenville Blvd.- State maintained**

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4 lanes	6 lanes
Right of way width (ft)	100	110
Speed Limit (mph)	45	45
<b>Current ADT:</b>	39,000 (*)	Ultimate Design ADT: 45,000 vehicles/day (**)
<b>Design ADT:</b>	33,500 vehicles/day (**)	
<b>Controlled Access</b>	<b>No</b>	
<b>Thoroughfare Plan Status:</b>	Major Thoroughfare	
<b>Other Information:</b> There are no sidewalks along Greenville Blvd. that service this property.		

**Notes:** (\*) 2008 NCDOT count adjusted for a 2% annual growth rate  
 (\*\*) Traffic volume based on an operating Level of Service D for existing geometric conditions  
 ADT – Average Daily Traffic volume

**Transportation Improvement Program Status:** (from priority list; unfunded) Greenville Blvd- widen to 6 travel lanes and improve intersections from NC 11 to Tenth St.

**Trips generated by proposed use/change**

**Current Zoning: 106** -vehicle trips/day (\*)                      **Proposed Zoning: 4,740** -vehicle trips/day (\*)

**Estimated Net Change: increase of 4634 vehicle trips/day (assumes full-build out)**

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

**Impact on Existing Roads**

**The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on Greenville Blvd. are as follows:**

**1.) Greenville Blvd. , East of Site:**                      **“No build” ADT of 39,000**

Estimated ADT with Proposed Zoning (full build) – 41,370

Estimated ADT with Current Zoning (full build) – 39,053

**Net ADT change = 2,317 (6% increase)**

Case No: 10-05

Applicant: Brown Family Investments, LLC

**2.) Greenville Blvd. , West of Site:****“No build” ADT of 39,000**

Estimated ADT with Proposed Zoning (full build) – 41,370

Estimated ADT with Current Zoning (full build) – 39,053**Net ADT change = 2,317 (6% increase)****Staff Findings/Recommendations**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 4740 trips to and from the site on Greenville Blvd., which is a net increase of 4634 additional trips per day.

During the review process, measures to mitigate the traffic will be determined. Access to the tract from Greenville Blvd. will be reviewed. Access will be maintained from the existing adjacent lot on Greenville Blvd. since it has the same property owner and same zoning as the lot directly fronting Greenville Blvd.

## **EXISTING ZONING**

### **O (Office)**

#### ***Permitted Uses***

##### *(1) General:*

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

##### *(2) Residential:*

\* None

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

\*None

##### *(4) Governmental:*

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

##### *(5) Agricultural/ Mining:*

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

##### *(6) Recreational/ Entertainment:*

- f. Public park or recreational facility

##### *(7) Office/ Financial/ Medical:*

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

##### *(8) Services:*

- c. Funeral home
- e. Barber or beauty shop
- 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)
- 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

##### *(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:*

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

**O (Office)**  
***Special Uses***

*(1) General:*

\* None

*(2) Residential:*

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

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

\* None

*(4) Governmental:*

a. Public utility building or use

*(5) Agricultural/ Mining:*

\* None

*(6) Recreational/ Entertainment:*

\* None

*(7) Office/ Financial/ Medical:*

\* None

*(8) Services:*

a. Child day care facilities

b. Adult day care facilities

j. College and other institutions of higher learning

l. Convention center; private

bb. Civic organizations

cc. Trade and business organizations

*(9) Repair:*

\* None

*(10) Retail Trade:*

\* None

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

\* None

(12) Construction:

\* None

(13) Transportation:

\* None

(14) Manufacturing/ Warehousing:

\* None

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

\* None

## **PROPOSED ZONING**

### **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 upholster
- 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

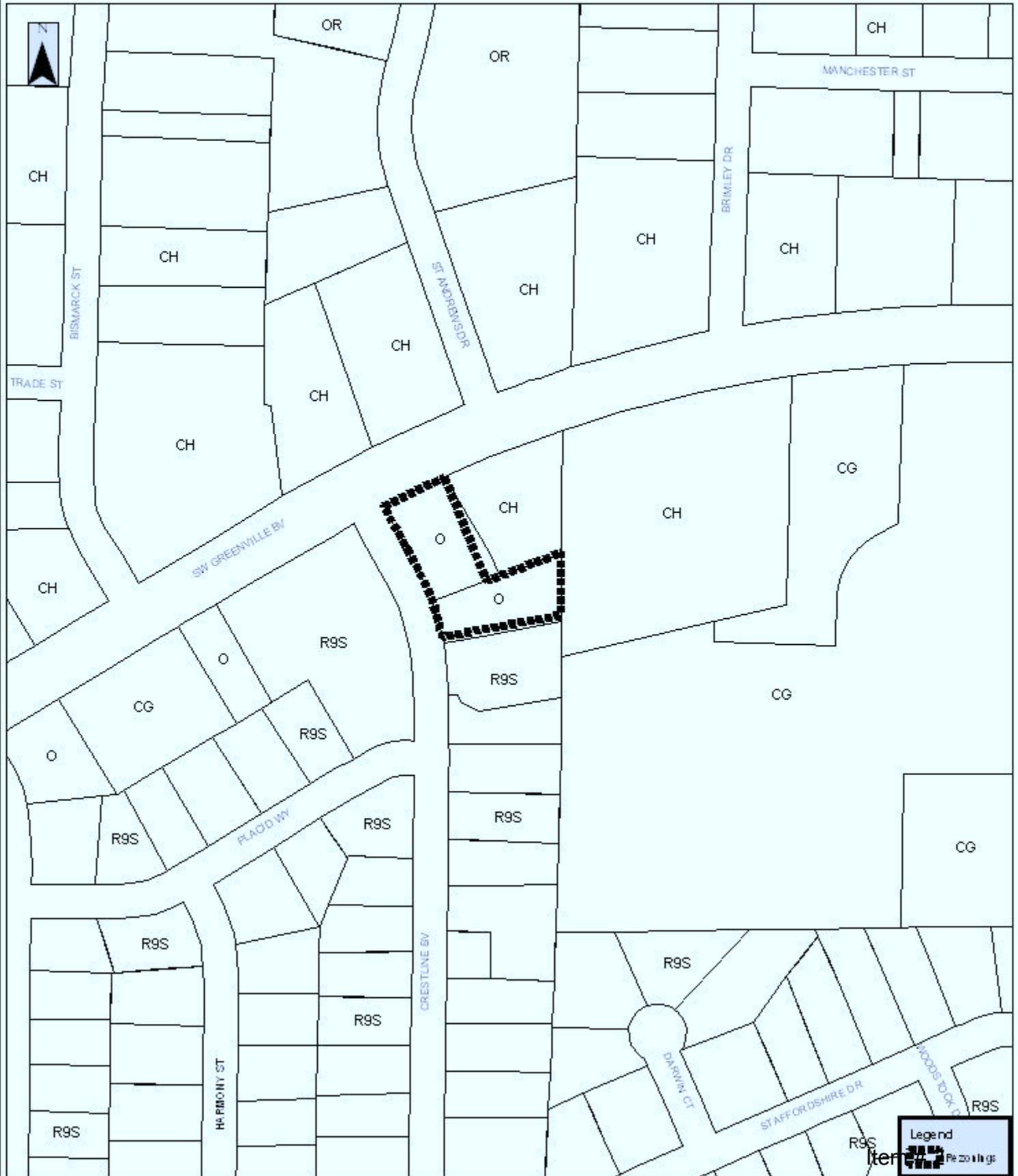
c. Other activities; commercial services not otherwise listed

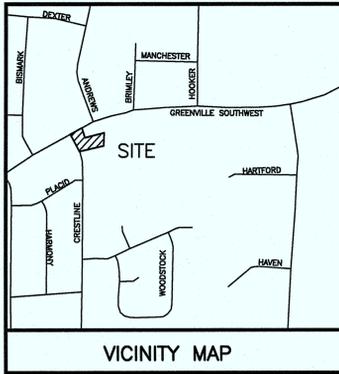
d. Other activities; retail sales not otherwise listed

# Brown Family Investments, LLC

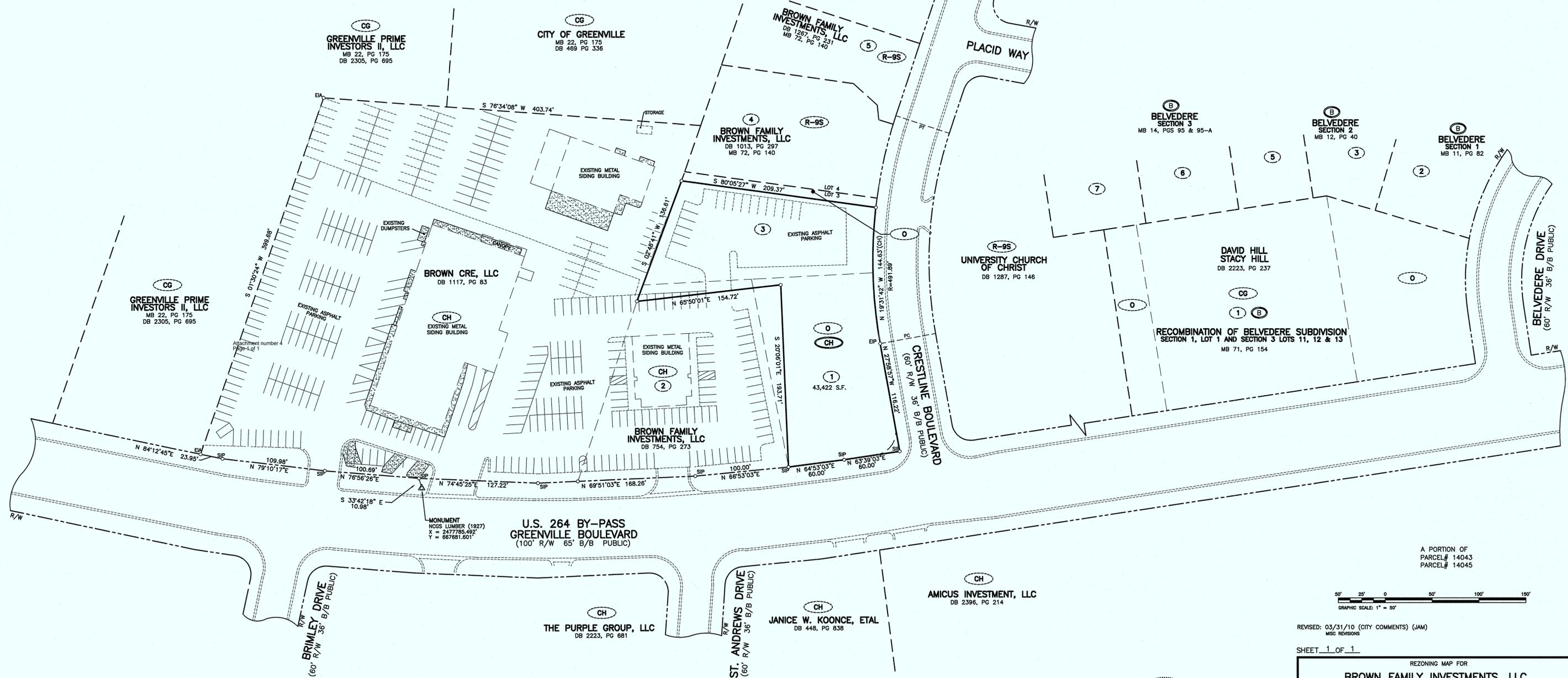
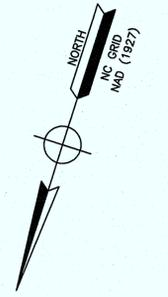
## From O to CH (0.997 acres)

### March 29, 2010

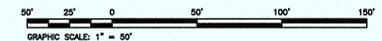




- NOTES**
1. THIS SURVEY IS OF ANOTHER CATEGORY.
  2. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
  3. REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 754, PAGE 273 OF THE PITT COUNTY REGISTRY.



- LEGEND**
- R/W = RIGHT-OF-WAY
  - ( ) = EXISTING ZONING
  - ( ) = PROPOSED ZONING
  - EIP = EXISTING IRON PIPE
  - SIP = SET IRON PIPE
  - EIA = EXISTING IRON AXLE



REVISED: 03/31/10 (CITY COMMENTS) (JAM)  
MISC REVISIONS

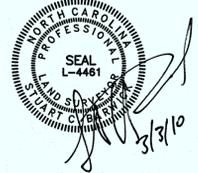
SHEET 1 OF 1

REZONING MAP FOR  
**BROWN FAMILY INVESTMENTS, LLC**

LOT 3 BLOCK F AND A PORTION OF LOTS 1 & 2 BLOCK F  
BELVEDERE SUBDIVISION, SECTION III

REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN MAP BOOK 14,  
PAGES 95-95A AND MAP BOOK 18, PG 48 OF THE PITT COUNTY REGISTRY.  
GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: BROWN FAMILY INVESTMENTS, LLC  
ADDRESS: 329 GREENVILLE BLVD.  
GREENVILLE, NC 27858  
PHONE: (252) 355-6080



TOTAL AREA TO BE REZONED = 0.997 ACRE

**Baldwin Design Consultants, PA**  
DESIGN - LAND PLANNING - SURVEYING  
708-D CROMWELL DRIVE  
GREENVILLE, NC 27858 252.756.1390

LICENSE# C-3498	SURVEYED: JP	APPROVED: SCB
	DRAWN: SCB	DATE: 03/22/2010
	CHECKED: SCB	SCALE: 1" = 50'

## BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

### Bufferyard A (street yard)

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

Street trees may count toward the minimum acreage.

### Bufferyard B (no screen required)

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

### Bufferyard C (screen required)

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

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

### Bufferyard D (screen required)

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

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

### Bufferyard E (screen required)

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

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

### Bufferyard F (screen required)

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

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

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



# City of Greenville, North Carolina

Meeting Date: 4/20/2010  
Time: 6:30 PM

**Title of Item:** Request by the Redevelopment Commission to amend the sign regulations to allow wall projection signs within the CD (downtown commercial) district subject to ordinance requirements and standards.

**Explanation:** Currently, no wall sign in any district may project more than 12 inches from the building wall. This requirement was designed to restrict wall signs to flush mount displays. A wall sign requirement of this type is appropriate in areas where buildings are set back from the travel way an adequate distance to afford acute angle visibility of flush mount displays. In areas such as the downtown, where most buildings are located close to or on the right-of-way line, the 12 inch projection rule substantially restricts sign visibility at even modest distances.

The Redevelopment Commission has studied this issue over the last several months and has determined that an increase in the wall sign projection standard is necessary to afford reasonable wall sign visibility in the CD (downtown commercial) district, and that this proposed amendment is in support of the goals and objectives of the Center City Revitalization Plan.

The proposed ordinance does not affect or change the total amount of wall signage currently allowed. The ordinance only allows additional wall sign projection at the option of the owner.

The Redevelopment Commission recommended amendment is as follows:

Wall projection signs shall be allowed only in the CD (downtown commercial) district and such signs shall be subject to compliance with all of the following requirements:

- (a) Shall be permanently attached to an exterior wall of a building in a manner approved by the Building Inspector.
- (b) Shall not be attached to the outside edge of a canopy or extend beyond any outside edge of a canopy.

- (c) May project horizontally from the building wall not more than three (3) feet, or two-thirds (2/3) the distance from the building wall to the inside edge of the street curb line as located at the time of sign permit approval; whichever is less.
- (d) The message portion of the sign, including any letters and/or graphics, shall be perpendicular in orientation to the building wall.
- (e) The bottom edge of a projection wall sign shall be parallel to the finished floor of the building.
- (f) There shall not be more than twelve (12) inches between the sign display areas (faces) of a double sided sign. Three-dimensional projection wall signs not composed of flat sign display surfaces shall not be permitted.
- (g) Projection wall signs shall be located on private property, provided however, a projection wall sign may encroach into the street right-of-way in accordance with an encroachment agreement approved by the City, and where applicable, the State Department of Transportation.
- (h) Buildings with two (2) or more stories shall not have projecting signs located higher than the inside finished ceiling of the second story or twenty-four (24) feet, as measured from the finished grade directly below the sign to the highest point of the sign, whichever is less.
- (i) Not more than one (1) projection wall sign shall be allowed per each individual principal use establishment.
- (j) Projection wall signs for individual principal use establishments located in a common building shall not be located closer than eight (8) feet from any other projection wall sign located on the same building.
- (k) All projection wall signs for individual principal use establishments located on a common building facade shall be of equal dimension, including but not limited to, individual sign display area, width, height, horizontal projection. Sign height above grade may vary provided compliance with subsection (m) below.
- (l) Projection wall signs shall be considered part of the total wall sign allowance, provided however, no projecting wall sign shall exceed ten (10) total square feet in sign display surface area. A single side of a double face sign shall be utilized for the sign surface area calculation.
- (m) Minimum height of a projection wall sign, as measured from the finished grade directly below the sign to the lowest point of the sign, shall be not less than eight (8) feet, except as further provided. Projection wall signs subject to street right-of-way encroachment agreement approval shall have a minimum height of not less than ten (10) feet, or per encroachment agreement condition; whichever is greater.

(n) If required, all right-of-way encroachment agreement(s) must be granted by the approval authority prior to sign permit application. A copy of any encroachment agreement and any conditions shall be attached to the sign permit application.

**Fiscal Note:** No cost to the City.

**Recommendation:** In staff's opinion the request is in compliance with Horizons: Greenville's Community Plan.

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

Motion to approve 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.

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Attachments / click to download

 [Redevelopment Commission propped projection sign ordinance](#)

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ORDINANCE NO. 10 - \_\_\_  
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 North Carolina General Statutes, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on May 13, 2010 at 7:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance 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 that the adoption of the ordinance involving the text amendment is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

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

Section 1: That Title 9, Chapter 4, Article N, Section 9-4-234(A), of the Code of Ordinances, City of Greenville, North Carolina, is hereby amended by deleting said section in its entirety and substituting the following:

“(A) Except as further provided, no portion of any sign shall extend beyond any property boundary line or street right-of-way line.”

Section 2: That Title 9, Chapter 4, Article N, Section 9-4-234(B)(3), of the Code of Ordinances, City of Greenville, North Carolina, is hereby amended by deleting said section in its entirety and substituting the following:

“(3) No wall sign shall project more than 12 inches from the building, except as provided under subsection (B)(4) and (5) below.”

Section 3: That Title 9, Chapter 4, Article N, Section 9-4-234(B)(5), of the Code of Ordinances, City of Greenville, North Carolina, is hereby amended by renumbering subsection (5) as “(6)”.

Section 4: That Title 9, Chapter 4, Article N, Section 9-4-234(B), of the Code of Ordinances, City of Greenville, North Carolina, is hereby amended to include a new subsection (5) to read as follows:

“(5) Wall projection signs.

1. For purposes of this section, wall projection signs shall be any wall sign that projects more than 12 inches from the building and does not qualify under subsection (4).
2. Wall projection signs shall be allowed only in the CD (downtown commercial) district and such signs shall be subject to compliance with all of the following requirements:
  - (a) Shall be permanently attached to an exterior wall of a building in a manner approved by the Building Inspector.
  - (b) Shall not be attached to the outside edge of a canopy or extend beyond any outside edge of a canopy.
  - (c) May project horizontally from the building wall not more than three (3) feet, or two-thirds (2/3) the distance from the building wall to the inside edge of the street curb line as located at the time of sign permit approval; whichever is less.
  - (d) The message portion of the sign, including any letters and/or graphics, shall be perpendicular in orientation to the building wall.
  - (e) The bottom edge of a projection wall sign shall be parallel to the finished floor of the building.
  - (f) There shall not be more than twelve (12) inches between the sign display areas (faces) of a double sided sign. Three-dimensional projection wall signs not composed of flat sign display surfaces shall not be permitted.
  - (g) Projection wall signs shall be located on private property, provided however, a projection wall sign may encroach into the street right-of-way in accordance with an encroachment agreement approved by the City, and where applicable, the State Department of Transportation.
  - (h) Buildings with two (2) or more stories shall not have projecting signs located higher than the inside finished ceiling of the second story or twenty-four (24) feet, as measured from the finished grade directly below the sign to the highest point of the sign, whichever is less.
  - (i) Not more than one (1) projection wall sign shall be allowed per each individual principal use establishment.
  - (j) Projection wall signs for individual principal use establishments located in a common building shall not be located closer than eight (8) feet from any other projection wall sign located on the same building.
  - (k) All projection wall signs for individual principal use establishments located on a common building facade shall be of equal dimension, including but not limited to,

individual sign display area, width, height, horizontal projection. Sign height above grade may vary provided compliance with subsection (m) below.

- (l) Projection wall signs shall be considered part of the total wall sign allowance, provided however, no projecting wall sign shall exceed ten (10) total square feet in sign display surface area. A single side of a double face sign shall be utilized for the sign surface area calculation.
- (m) Minimum height of a projection wall sign, as measured from the finished grade directly below the sign to the lowest point of the sign, shall be not less than eight (8) feet, except as further provided. Projection wall signs subject to street right-of-way encroachment agreement approval shall have a minimum height of not less than ten (10) feet, or per encroachment agreement condition; whichever is greater.
- (n) If required, all right-of-way encroachment agreement(s) must be granted by the approval authority prior to sign permit application. A copy of any encroachment agreement and any conditions shall be attached to the sign permit application.”

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. 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 7. This ordinance shall become effective May 13, 2010.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_, City Clerk



# City of Greenville, North Carolina

Meeting Date: 4/20/2010  
Time: 6:30 PM

**Title of Item:** Request for a special use permit for a Land Use Intensity Dormitory 67, residential development consisting of 30 - one (1) bedroom units, 30 - two (2) bedroom units, 57 - three (3) bedroom units, and 117 - four (4) bedroom units (234 total units with 729 beds).

**Explanation:**

**Location:**

Located between East 10th Street and East 14th Street, west of Green Mill Run and Rock Spring Subdivision. The property is further identified as Tax Parcel Numbers 01428, 01661, 19412, 19730, 24471, 32776 and a portion of 29048.

**Zoning:**

OR-UC (office-residential with an urban core overlay)

**Surrounding Land Uses and Zoning:**

North: OR - three (3) greek housing facilities, three (3) apartment complexes, one (1) single-family residence; OR-UC - one (1) single-family residence

South: CN - convenience store, two (2) ECU facilities, and parking lot; OR - car wash and one (1) ECU facility

East: State of NC property (wooded)

West: CDF - convenience store/bus station, two (2) offices, two (2) duplex buildings, three (3) single-family residences, ECU facility, Domino's Pizza, Masonic Lodge

**Description:**

The property contains 15.81 gross acres. The eastern portion of the property is in the 100-year floodplain and contains some wetlands (see attached flood hazard boundary map and wetland map). Currently located on the property are Green Mill Run Apartments, King's Arm Apartments, three (3) single-family residences and the Real Crisis Center. The property will be served by driveways located on

Charles Boulevard and 11th Street.

Proposed construction includes nine (9) apartment buildings, a clubhouse located within one of the apartment structures, a maintenance building, swimming pool, and associated parking areas. There are 631 parking spaces proposed (547 spaces required at the rate of seven-fifths of a space per bed).

**Comprehensive Plan:**

The Future Land Use Plan Map recommends commercial (C) at the northeast corner of the intersection of Charles Boulevard and East 14th Street with office/institutional/multi-family (OIMF) in the interior areas. Further, the Land Use Plan Map recommends conservation/ open space (COS) along Green Mill Run, which is the eastern boundary. The multi-family component of the OIMF category is considered high density residential.

The proposed density of 14.81 units per net acre is within the high density residential category, which is a maximum of 17 units per net acre.

**Required Notice:**

Planning and Zoning Commission public hearing notice (adjoining property owners) mailed on April 6, 2010.

On-site signs posted on April 6, 2010.

Public hearing legal advertisement published on April 5 and 12, 2010.

**Staff Comments:**

The proposed development meets the specific development requirements for consideration by the Planning and Zoning Commission. If approved, the project must undergo an additional administrative site plan process for approval of engineering, utility and other specific requirements. Administrative site plan approval shall be subject to special use permit approval and any condition thereof.

**Density Comparison (OR zoning)**

1. Maximum Per Article I (By-right multi-family development)

No special use permit required.

237 - 3 bedroom units (711 bedrooms)

2. Per LUI 67 Standards (proposed)

Special use permit required.

30 - 1 bedroom units

30 - 2 bedroom units

57 - 3 bedroom units  
117 - 4 bedroom units  
234 total units (729 bedrooms)

18 more bedrooms than the maximum allowed under standard by-right high density multi-family development

A copy of the permitted and special uses for the OR district is attached for your reference.

Both LUI dormitory development and standard by-right multi-family development are a considered land use classification 2 for the purpose of bufferyard setback and screening requirements.

Site, parking lot, and street frontage vegetation requirements are the same for the LUI and the standard by-right development.

**Conditions.** The Planning and Zoning Commission may in its discretion attach conditions to the plan that exceed the minimum standards when it is found that such conditions are necessary to insure that the proposed development will be compatible with adjacent areas. Such conditions may include, but not be limited to setbacks, parking, screening, landscaping, bufferyards, density or other requirements.

**Fiscal Note:** No cost to the city.

**Recommendation:** If the Commission finds the petition satisfies all required criteria, staff recommends the following conditions be included in the motion to approve:

1. Occupancy limited to one (1) bed and one (1) person per bedroom.
2. Outside recreation equipment shall be restricted to the designated recreation area.
3. There shall be 24-hour on-site professional management "on-call" at a phone number available to any interested party. Phone calls to such number shall be answered by a live person at all hours.
4. The owner/management shall request East Carolina University student transit service and shall cooperate fully with the University in the provision of such service.
5. The project design shall accomodate buses used in public transportation.

**Commission Action:**

A simple majority vote of a quorum of those members present and eligible to vote in favor of the request is required on each Finding to approve the request.

A copy of the required Findings and the Conduct of Hearing Process is attached.

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**Attachments / click to download**

- [📄 Conduct of Hearing Outline](#)
- [📄 Land Use Intensity Description](#)
- [📄 Aerial Map](#)
- [📄 Current Zoning](#)
- [📄 Floodplain Map](#)
- [📄 Wetland Map](#)
- [📄 Applicant Notice](#)
- [📄 Adjoining Property Owner List](#)
- [📄 LUI Application](#)
- [📄 Lease Agreement](#)
- [📄 Site Plan](#)
- [📄 Building Elevations](#)
- [📄 Recreation Area](#)
- [📄 Bufferyard and Vegetation Chart](#)
- [📄 Certificate of Mailed Notices](#)
- [📄 Adjoining Property Owner Notice](#)
- [📄 Conduct of Hearing Specifically 32585](#)
- [📄 Finding of Facts The Province of Greenville 863122](#)
- [📄 List of Uses OR 687929](#)

Conduct of Hearing (Specifically) 3/30/10  
LUI Special Use Permit

1. Following the reading of the agenda item the Chairman asks the City Attorney to explain the procedure.
2. The secretary shall swear in all persons wishing to speak, testify or enter facts into the record.
3. A representative of the City shall give the preliminary statement of the case and proposed Findings of Fact.
4. Chairman declares the public hearing open. The applicant and those persons who wish to speak in favor of the request shall present arguments in support of the application. Those persons opposing the request shall present arguments against the application. Both sides will then be permitted to present rebuttals to opposing testimony. The Commission members may ask the applicant, those persons in support of the petition, those persons in opposition of the petition and representatives of the City for additional and/or clarified information. Rebuttal testimony shall be permitted. Note: All documents, photographs, diagrams, maps, petitions or other exhibits shown to the Commission shall become a part of the record in the case and will not be returned to the parties.
5. Once all testimony has been received the Chairman shall declare the public hearing closed.
6. Chairman asks the City Attorney to explain the voting procedure. The Commission shall then consider all proposed Findings of Fact. A majority vote in the affirmative of the Commission shall be necessary to approve each required Finding of Fact. Failure to approve any one (1) required Finding of Fact shall constitute denial of the application.
  - The Chairman shall read each summarized Finding of Fact (see attached). By each members silence on the individual subject it is established that the Commission finds unanimously in favor of the applicant. If any voting member desires a role call vote on the finding when read, such member shall indicate by stating - VOTE.
  - The Chairman shall, upon such request for a vote, call for a discussion on the subject.
  - Following discussion the Chairman shall call for a vote.
  - The Chairman shall poll each voting member for their vote on the subject finding. Any negative vote must be supported by additional findings of fact which specify, in objectively measurable ways, the reasons the subject application fails to meet the criteria. If a negative vote is sustained, those members voting no shall state for the record, their reasons for denial.
7. The sequence listed under (6) above shall be repeated for each required finding.

8. The Chairman shall then call for a motion to adopt the Findings of Fact.
9. If favorable on all required findings: Once all required Findings of Fact have been considered by the Commission and no individual Finding of Fact has failed by recorded vote the Chairman shall call for a motion to approve the application with the conditions recommended.
  - The Commission may in its discretion attach conditions to the plan that exceed the minimum standards set forth under Article K. Land Use Intensity when it is found that such conditions are necessary to insure that the proposed development will be compatible with adjacent areas.
  - The request shall be approved by a majority vote of the Commission.
10. If any individual Finding of Fact has failed by recorded vote the Chairman shall declare the application denied.
11. The Chairman shall advise the applicant and interested parties in attendance that appeal of this decision may be made in accordance with law to Pitt County Superior Court.

# Land Use Intensity Development

## Special Use Permit

### Required Findings

1. Ownership. That the applicant for a special use permit to develop the Land Use Intensity Development, filed as Request # 10-01, is the legal owner of the subject property as evidenced by Deed Book 2656, Page 113, Deed Book 596, Page 203, Deed Book 2182, Page 863, Deed Book 2592, Page 683, Deed Book 1650, Page 820, Deed Book 900, Page 809 and Deed Book 615, Page 254 of the Pitt County Registry.
2. Notice. That those persons owning property within one hundred (100) feet of the proposed development, as listed on the current county tax records, were served notice of the public hearing by first class mail in accordance with applicable requirements; and that notice of a public hearing to consider the special use permit was published on April 5, 2010 and April 12, 2010 in the Daily Reflector, a newspaper having general circulation in the area, as required by law.
3. Utility Service. The Planning and Zoning Commission must find that the use has existing or proposed utility services which are adequate for the population densities as proposed.
4. Traffic. The Planning and Zoning Commission must find that the use is properly located in relation to arterial and collector streets and is designed so as to provide direct access without creating traffic which exceeds acceptable capacity as determined by the city engineer on streets in adjacent areas outside the development.
5. Health and Safety, Public Welfare, Nuisance or Hazard. The Planning and Zoning Commission must find that the use (i) will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use, (ii) will not be detrimental to the public welfare, and (iii) will not constitute a nuisance or hazard, if located and developed according to the plan as submitted and approved. Such health and safety, public welfare and nuisance or hazard considerations include but are not limited to the following:
  - (a) The number of persons who can reasonably be expected to live within or frequent the development at any one time.
  - (d) The intensity of the proposed development in relation to the intensity of adjoining and area uses.
  - (c) The visual impact of the proposed development as viewed from adjacent properties and public street rights-of way.
  - (d) The location and extent of exterior physical activities of the proposed use including common recreation areas and facilities, and common and/or private patios, porches, balconies and open spaces.
  - (e) The reasonably anticipated noise or other objectionable characteristics that will result from the proposed use, or as a result of any element of project design.
  - (f) The safe and convenient location of all on-site parking and drives.
  - (g) The existing vehicular traffic on area streets.
  - (h) The reasonably anticipated increase in vehicular traffic generated by the proposed development.

- (i) The condition and capacity of area street(s) which will provide access to the proposed development.
  - (j) The visibility afforded to both pedestrians and operators of motor vehicles both on-site and off-site.
  - (k) The anticipated, existing and designed vehicular and pedestrian movements both on-site and off-site.
6. Conditions and Specifications. The Planning and Zoning Commission must find that the use meets all required conditions and specifications.
  7. Injury to Property or Improvements. The Planning and Zoning Commission must find that the use will not injure, by value or otherwise, adjoining or abutting property or public improvements in the neighborhood or in the alternative, that the use is a public necessity.
  8. Location and Character. The Planning and Zoning Commission must find that the location and character of the use if developed according to the plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Land Use Plan of the City of Greenville and its extraterritorial jurisdiction.

## **PERMITTED AND SPECIAL USES FOR THE OR DISTRICT**

### **OR (Office-Residential)**

#### ***Permitted Uses***

##### *(1) General:*

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

##### *(2) Residential:*

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

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

\*None

##### *(4) Governmental:*

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

##### *(5) Agricultural/ Mining:*

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

##### *(6) Recreational/ Entertainment:*

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

##### *(7) Office/ Financial/ Medical:*

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

##### *(8) Services:*

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

- p. Library
- q. Museum
- r. Art Gallery
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- x. Dance studio
- bb. Civic organizations
- cc. Trade or business organizations

*(9) Repair:*

\* None

*(10) Retail Trade:*

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

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

\* None

*(12) Construction:*

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

*(13) Transportation:*

\* None

*(14) Manufacturing/ Warehousing:*

\* None

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

\* None

**OR (Office-Residential)**

***Special Uses***

*(1) General:*

\* None

*(2) Residential:*

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

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

\* None

*(4) Governmental:*

- a. Public utility building or use

*(5) Agricultural/ Mining:*

\* None

*(6) Recreational/ Entertainment:*

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

*(7) Office/ Financial/ Medical:*

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

*(8) Services:*

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

*(9) Repair:*

\* None

*(10) Retail Trade:*

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

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

\* None

*(12) Construction:*

\* None

*(13) Transportation:*

- h. Parking lot or structure; principle use

*(14) Manufacturing/ Warehousing:*

\* None

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

- a. Other activities; personal services not otherwise listed
- b. Other activities; professional services not otherwise listed

Steps

1. Chairman – reads agenda item.
2. City Attorney explains procedure.
3. Secretary - swears in all persons wishing to testify.
4. City Planner - preliminary statement; proposed findings of fact.
5. Chairman declares public hearing open.
6. Applicant - arguments in support.
7. Interested Person(s) - arguments in support.
8. Interested Person(s) - arguments in opposition.
9. Rebuttals - supporters/opponent.
10. Commission Member(s) - questions; clarification; additional information.
11. Rebuttals - supporters/opponents.
12. Chairman - declares public hearing closed.
13. City Attorney - instructs Commission Members on voting requirements and finding of fact consideration procedure.
14. Chairman - reads each summarized finding of fact (see attached).
  - If Commission Member(s) - request for individual vote;
  - Chairman - calls for discussion on individual finding of fact;
  - Chairman - calls for vote on individual finding of fact;
  - Chairman - If a negative vote is sustained on a finding, polls each Commission member who voted no, to record each member's reasons for denial.
15. Repeat sequence as necessary.
16. Chairman - calls for motion to adopt the Findings of Fact.
17. Chairman - recaps findings of fact consideration  
  
(i.e.) the Commission has voted in favor of the Applicant on each required finding of fact, or the Commission has failed to pass finding(s) number (# \_\_\_ # \_\_\_ # \_\_\_ # \_\_\_ # \_\_\_) by the required majority vote.
18. Chairman – (1) declares the application denied for failure to pass on all required findings, or  
(2) calls for a motion to approve the application (with conditions); Commission votes.
19. Chairman - advised the applicant and interested parties that appeal of this decision may be made in accordance with law to Pitt County Superior Court.

## Chapter 29. LAND USE INTENSITY (LUI) DEVELOPMENT (Multi-family Option)

The land use intensity (LUI) system is a **development option allowed pursuant to special use permit approval of the Planning and Zoning Commission** and designed with the intent to:

- (a) Provide an organized and comprehensive system for determining and controlling the intensity with which land is developed;
- (b) Replace conventional fixed yard, height, spacing, and density (minimum lot size) standards with floor area, open space, recreation space and livability space ratios which widen development options while maintaining public benefits;
- (c) Allow and encourage a variety of horizontal and vertical building configurations;
- (d) Encourage innovations in residential development so that the growing demands of population may be met while insuring the livability of such development; and
- (e) Provide a procedure that can evaluate a specific development on a particular site to the particular demand for housing at the time of development in a manner consistent with the preservation of property values within established or future residential areas.

**There are two (2) LUI ratings – 50 and 67. LUI 50 is limited to 1, 2 and 3 bedroom multi-family developments. LUI 67 allows an unspecified number of bedrooms (typically 4 per unit) in a dormitory or apartment suite structure.**

LUI developments are **limited to specific zoning districts**, all of which allow conventional multi-family development, with the exception of the MS (medical services) district.

The applicant must present to the Commission a detailed plan of development including total number of units/bedrooms, building and individual unit configurations, recreation areas, parking areas, driveways, buffers, landscape areas and other proposed amenities.

Prior to approval of a special use permit, **the Planning and Zoning Commission shall make appropriate findings to insure that:**

- (1) The use has existing or proposed utility services which are adequate for the population densities as proposed.
- (2) The use is properly located in relation to arterial and collector streets and is designed so as to provide direct access without creating traffic which exceeds acceptable capacity as determined by the city engineer on streets in adjacent areas outside the development.
- (3) The use will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use and will not be detrimental to the public welfare if located and developed according to the plan as submitted and approved.
- (4) The use meets all [ordinance] required conditions and specifications.
- (5) The use will not injure, by value or otherwise, adjoining or abutting property, or public improvements in the neighborhood or in the alternative, that the use is a public necessity.
- (6) The location and character of the use if developed according to the plan submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Land Use Plan.

**The Commission may attach reasonable conditions to the permit to insure compliance with items 1 thru 6 listed above.**

**The Commission acts in a quasi-judicial capacity in the conduct of LUI special use permit public hearings. Ex-parte contact should not occur (ie Planning Commission Members should not discuss the case with anyone prior to the public hearing).** If there is ex-parte contact or discussion the content of those discussions must be disclosed with the full Commission during the public hearing. A majority vote shall be necessary too approve any special use permit



# Proposed: The Province At Greenville Greenville, NC



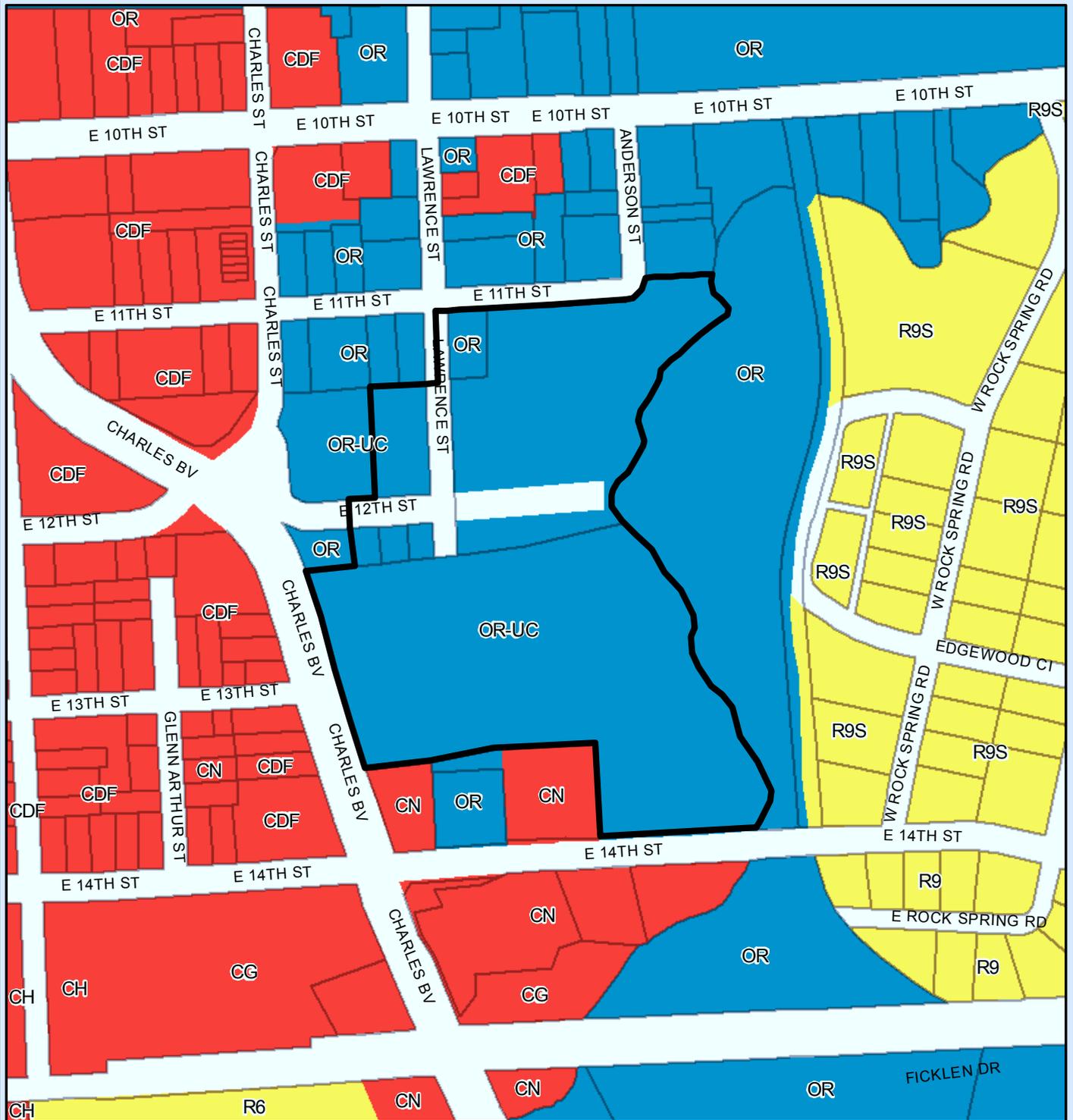
## Legend

-  Land Parcels
-  Greenville Province Boundary





# Proposed: The Province At Greenville Greenville, NC



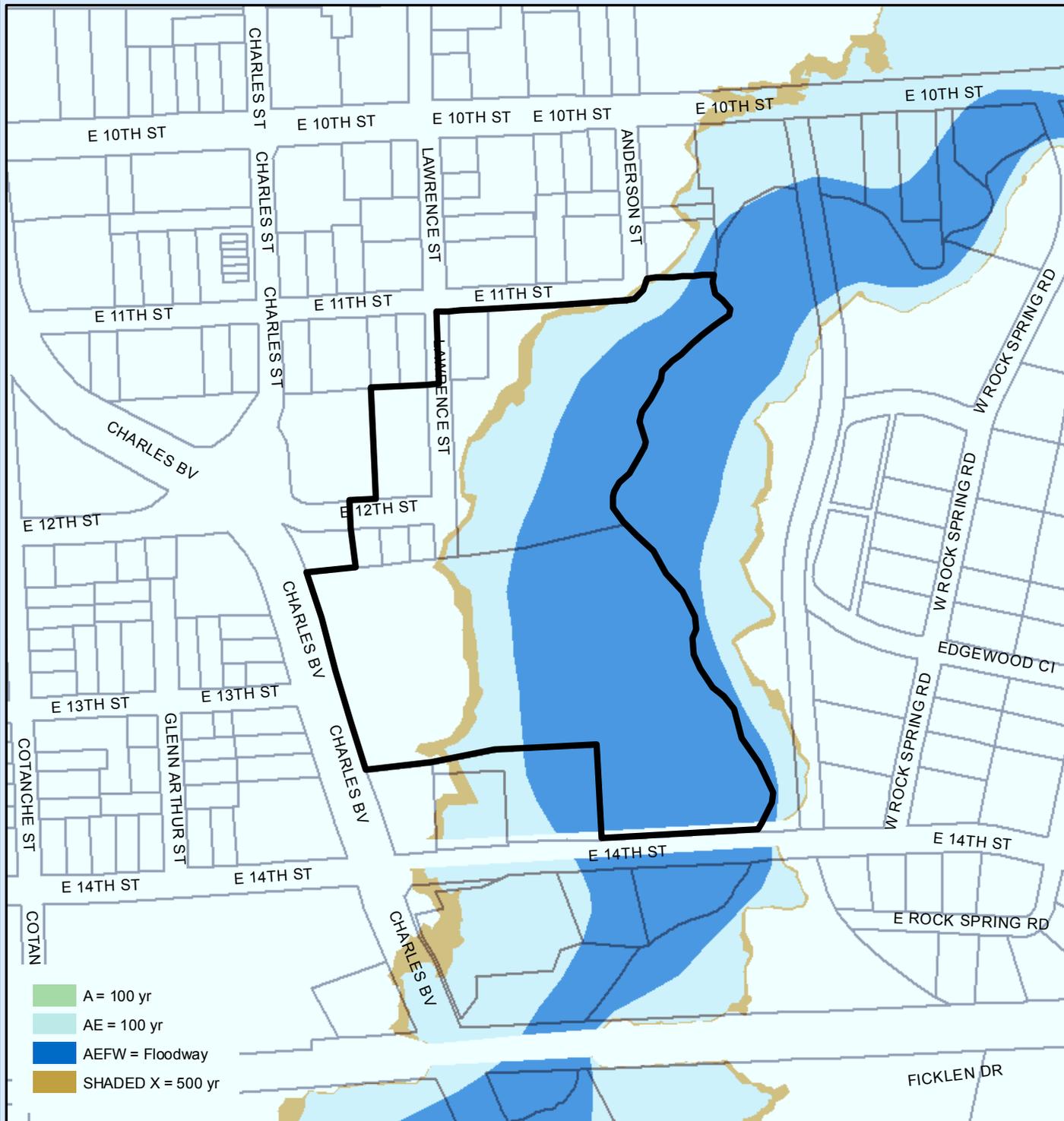
## Legend

-  Land Parcels
-  Greenville Province Boundary





# Proposed: The Province At Greenville Greenville, NC



- A = 100 yr
- AE = 100 yr
- AEFW = Floodway
- SHADED X = 500 yr

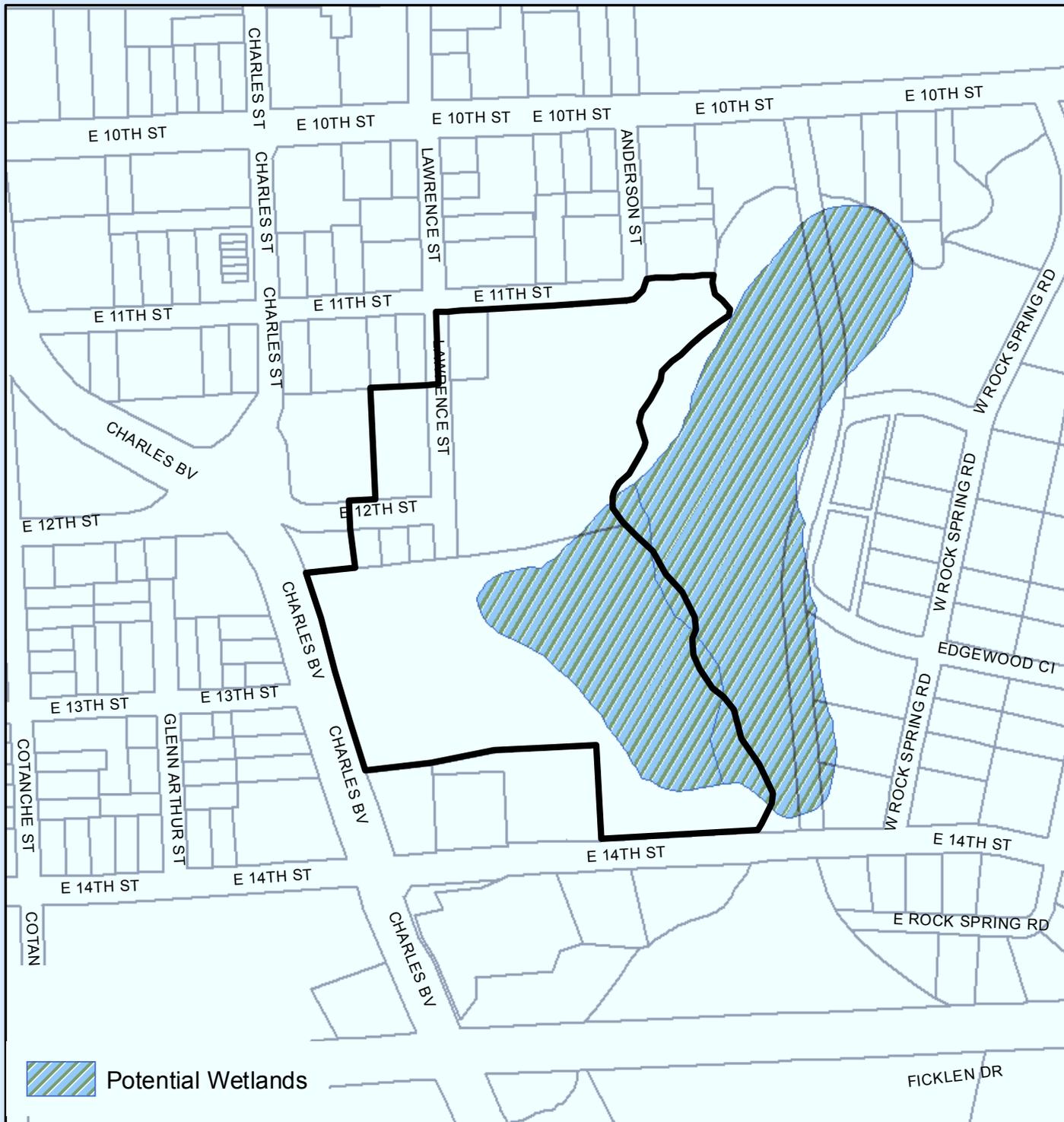


## Legend

- Land Parcels
- Greenville Province Boundary



# Proposed: The Province At Greenville Greenville, NC



 Potential Wetlands

## Legend

 Land Parcels

 Greenville Province Boundary

0 175 350 700 Feet





# City of Greenville

## North Carolina

P.O. Box 7207 - Greenville, NC 27835-7207

April 6, 2010

Edwards Communities Development Company, Agent  
495 S. High Street  
Suite 150  
Columbus, Ohio 43215

Dear Petitioner:

This is to inform you that your request for a special use permit has been placed on the Planning and Zoning Commission agenda for Tuesday, April 20, 2010. The Commission will meet at 6:30 PM in the Council Chambers of City Hall located at 200 West Fifth Street.

Your presence (or that of your authorized representative) is required at this meeting to answer any questions which may arise concerning your request. If you have any further questions regarding this matter or if you would like a copy of the staff findings of fact concerning your request, please call me at (252) 329-4506.

Sincerely,

Wayne Harrison  
Planner

SWR

Enclosure

## Adjacent Property Owners of The Province at Greenville

OWNERNAME	OWNERADDRESS1	OWNERADDRESS2	CITYSTATEZIP
ACM INVESTMENTS LLC		586 WHITE HORSE DR	GREENVILLE NC 27834
ALPHA XI DELTA BUILDING CORP		2855 CHARLES BLVD	GREENVILLE NC 27858
BIENH DONALD E		1042 W ROCK SPRINGS RD	GREENVILLE NC 27858
BLOUNT JAN D	BLOUNT JAN D CO-EXECUTRICE FBO MARVIN K BOUNT JR ESTATE	1024 W ROCK SPRING RD	GREENVILLE NC 27858
BRODY PROPERTIES LLC		530 SE GREENVILLE BLVD STE 200	GREENVILLE NC 27858
BURZYNSKI PHILIP A	ROBERTS EVA L	102 MIDDLETON PL	GREENVILLE NC 27858
CAREY MICHAEL J	CAREY MIRIAM	313 STANWOOD DRIVE	GREENVILLE NC 27858
COUNTRY FARMS LLC		144 LONG MEADOW RD	GREENVILLE NC 27858
DAVIS GEORGE EDWARD	DAVIS CAMILLA L	1020 W ROCK SPRING RD	GREENVILLE NC 27858
DUNCAN ELIZABETH C ESTATE	DUNCAN HUGO C HEIR	1038 W ROCKSPRINGS RD	GREENVILLE NC 27858
EAST CAROLINA UNIVERSITY		901 E FIFTH ST	GREENVILLE NC 27834
EDMUNDSON ALBERT EARL	EDMUNDSON FRANCES	3355 N GEORGE ST	FARMVILLE NC 27828
EDWARDS RAYMOND WARDELL		2507 SURREY LN	GREENVILLE NC 27858
ELLIOTT GEORGE PROPERTIES LLP		701 MCCARTHY BLVD	NEW BERN NC 28563
FERRE WALTER FRANKLIN		1900 DUFFY ST UNIT B1	NORTH MYRTLE BEACH SC 29582
FINCH JOHN S	FINCH PAMELA T	1722 KNOLLWOOD DRIVE	GREENVILLE NC 27858
GAMMA RHO HOUSING CORP		P O BOX 979	GREENVILLE NC 27835
HARRIS NICHOLAS		102 COMMERCE ST	GREENVILLE NC 27858
HIGH LINDA KAYE ROCKWELL		1105 W ROCK SPRING RD	GREENVILLE NC 27858
JENKINS TODD PERRIN	JENKINS MICHELLE PUCKETT	1100 WEST ROCK SPRINGS RD	GREENVILLE NC 27858
JERNIGAN PROPERTIES INC	126 PHUE ST	PO BOX 688	AHOSKIE NC 27910
JOVNER MAX RAY JR	FULCHER ROY LEE JR	605-B LYNDALD CT	GREENVILLE NC 27858
MASONIC LODGE		1104 CHARLES ST	GREENVILLE NC 27834
MCPhaul JOHN PRESTON	MCPhaul LYNN MAY	1041 W ROCK SPRING RD	GREENVILLE NC 27858
MEASAMER WESLEY M TRUSTEE		115 REGENCY BLVD.	GREENVILLE NC 27834
MILLS JARVIS J	MILLS DORIS B	1602 N OVERLOOK DR	GREENVILLE NC 27858
MORGAN ASHLIN BRETT	MASSENGILL ALANI I	1106 W ROCK SPRING RD	GREENVILLE NC 27858
MURAD JOSEPH LOUIS DR	MURAD JUDITH WINSTEAD	2420 KING RICHARD CT UNIT D	GREENVILLE NC 27858
NEAL DONALD WADE		1043 W ROCK SPRING RD	GREENVILLE NC 27858
NORTH CAROLINA STATE OF	PO BOX 629	116 W JONES ST	RALEIGH NC 27602
OVERBY DANIEL A	OVERBY MICHELLE L	1309 E 1ST ST	GREENVILLE NC 27858
PARROTT ROBERT DONALD TRUSTEE	FRANK HART TRUST	1003 RED BANKS RD	GREENVILLE NC 27858
PAUL MICHAEL A	PAUL PENELOPE P	PO BOX 278	WASHINGTON NC 27889
PERCE JEFFREY N	GILLIS RITAJ	1044 W. ROCK SPRINGS ROAD	GREENVILLE NC 27858
RAUB ERIC S JR	ROBBINS CAMILLESMITH	1107 W ROCK SPRING RD	GREENVILLE NC 27858
ROBBINS JAMES L		PO BOX 8092	GREENVILLE NC 27835
ROSS LEDYARD		448 FORREST PARK	GREENVILLE NC 27858
SHULMAN MATTHEW H	SHULMAN ALINE C	1000 EDGEWOOD CI	GREENVILLE NC 27858
SMITH CORBITT ENTERPRISE INC		608 S OAK ST	GREENVILLE NC 27858
STASAVICH MARY HELEN	STASAVICH REBECCA ANN	1101 W ROCK SPRING RD	GREENVILLE NC 27858
STATE OF NORTH CAROLINA		116 W JONES ST	RALEIGH NC 27603
SUTTON LEONARD FRANKLIN JR		118 KING GEORGE RD	GREENVILLE NC 27858
THETA PI OF KAPPA SIGMA ALUMNI ASSOC INC		101 HIDDEN HILLS DR	GREENVILLE NC 27858
VISCARDI JEFFREY JOSEPH	VISCARDI AMY AVELLONE	1010 ROCK SPRINGS RD.	GREENVILLE NC 27858
WIGENT DONALD E	WIGENT CAROL A	1035 W. ROCK SPRINGS RD.	GREENVILLE NC 27858
WILSON JOHNNY ELMO	WILSON LOU ELLEN	2341 KAY ROAD	GREENVILLE NC 27858
STATE OF NORTH CAROLINA		1321 MAIL SERVICE CENTER	RALEIGH NC 27699
BERKSHIRE HUDSON CAPITAL I LLC		3735 BEAM ROAD SUITE B	CHARLOTTE NC 28217

Request No. 10.01

PLANNING STAFF USE ONLY

Date Received 2 / 16 / 2010

Signature W. J. Harrison

APPLICATION FOR A SPECIAL USE PERMIT  
PURSUANT TO TITLE 9, CHAPTER 4, ARTICLE K  
LAND USE INTENSITY (LUI) DEVELOPMENT  
GREENVILLE CITY CODE (Pages 1 – 5)

OWNERSHIP INFORMATION

Property Owner (s) Name(s): Edwards Communities Development Company, agent

Mailing Address : 495 S. High Street  
Suite 150  
Columbus, Ohio 43215

Phone Number : (614) 241-2070

Engineer/Surveyor : Evans, Mechwart, Hambleton & Tilton, Inc.  
5500 New Albany Road  
Columbus, Ohio 43054

Phone Number : (614) 775-4500

Attorney : Phillip R. Dixon

Phone Number : (252) 355-8100

PROPERTY DESCRIPTION

32581

Page 1

PROPERTY DESCRIPTION

Location: The subject property is located in the City of Greenville, Pitt County, North Carolina  
on the east side of Charles Boulevard and is generally bounded by Twelfth Street,  
Lawrence Street, Eleventh Street and Green Mill Run. The proposed development  
consists of all or portions of Pitt County Tax Parcels 01428, 01661, 19412, 19730,  
24471, 29048 and 32776.

Acreage: 15.81 Acres

SOURCE OF TITLE

Deed book and page number(s) showing fee simple title of all property within the proposed LUI development as listed in the Pitt County Register of Deeds:

<u>Book</u>	<u>2656</u>	<u>,</u>	<u>Page</u>	<u>113</u>	<u>(Parcel 01661)</u>
<u>Book</u>	<u>596</u>	<u>,</u>	<u>Page</u>	<u>203</u>	<u>(Parcel 24471)</u>
<u>Book</u>	<u>2182</u>	<u>,</u>	<u>Page</u>	<u>863</u>	<u>(Parcel 19730)</u>
<u>Book</u>	<u>2592</u>	<u>,</u>	<u>Page</u>	<u>683</u>	<u>(Parcel 01428)</u>
<u>Book</u>	<u>1650</u>	<u>,</u>	<u>Page</u>	<u>820</u>	<u>(Parcel 32776)</u>
<u>Book</u>	<u>900</u>	<u>,</u>	<u>Page</u>	<u>809</u>	<u>(Parcel 19412)</u>
<u>Book</u>	<u>615</u>	<u>,</u>	<u>Page</u>	<u>254</u>	<u>(Parcel 29048)</u>

Prior to approval of a special use permit the Planning and Zoning Commission shall make appropriate findings to insure that the requirements set out under Title 9, Chapter 4, Article K, Section 9-4-186 of the City Code are met.

In the spaces following each required finding or by attachment please enter for the record any information or comment you believe should be considered by the Planning and Zoning Commission.

- (1) Utility Service. The Planning and Zoning Commission must find that the use has existing or proposed utility services which are adequate for the population densities as proposed.

The property is served by existing water mains along Charles Boulevard and  
Eleventh Street. Sewer service is provided by an existing sanitary sewer outfall  
located along the western side of Green Mill Run. Natural gas and electric  
service is also available in the adjacent public street right of ways.

- (2) Traffic. The Planning and Zoning Commission must find that the use is properly located in relation to arterial and collector streets and is designed so as to provide direct access without creating traffic which exceeds acceptable capacity as determined by the city engineer on streets in adjacent areas outside the development.

The proposed development is located on Charles Boulevard, a five lane major  
thoroughfare, and has access to Tenth Street, another five lane major thoroughfare  
via Lawrence Street and Anderson Street. The property is within walking distance  
of East Carolina University campus, and is located along City of Greenville and  
East Carolina University bus routes.

- (3) Health and Safety, Public Welfare, Nuisance or Hazard. The Planning and Zoning Commission must find that the use (i) will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use, (ii) will not be detrimental to the public welfare, and (iii) will not constitute a nuisance or hazard, if located and developed according to the plan as submitted and approved. Such health and safety, public welfare and nuisance or hazard considerations include but are not limited to the following:
- (a) The number of persons who can reasonably be expected to live within or frequent the development at any one time.
  - (d) The intensity of the proposed development in relation to the intensity of adjoining and area uses.
  - (c) The visual impact of the proposed development as viewed from adjacent properties and public street rights-of way.
  - (d) The location and extent of exterior physical activities of the proposed use including common recreation areas and facilities, and common and/or private patios, porches, balconies and open spaces.
  - (e) The reasonably anticipated noise or other objectionable characteristics that will result from the proposed use, or as a result of any element of project design.
  - (f) The safe and convenient location of all on-site parking and drives.
  - (g) The existing vehicular traffic on area streets.
  - (h) The reasonably anticipated increase in vehicular traffic generated by the proposed development.
  - (i) The condition and capacity of area street(s) which will provide access to the proposed development.
  - (j) The visibility afforded to both pedestrians and operators of motor vehicles both on-site and off-site.
  - (k) The anticipated, existing and designed vehicular and pedestrian movements both on-site and off-site.

The proposed development is a multi-family (student housing ) development which is permitted within the OR zoning district and is compatible with the surrounding properties. Currently there are a mixture of residential, institutional and commercial uses adjacent to this property. The project is in compliance with existing zoning, and the future land use plan (Horizons Plan). The proposed site plan shows a natural area ranging from 500 feet to 600 feet between the proposed buildings and the single family residences in the Rock Springs neighborhood.

- (4) Conditions and Specifications. The Planning and Zoning Commission must find that the use meets all required conditions and specifications.

The proposed development has been designed in accordance with the Building, Planning, and Development Regulations for the City of Greenville and will meet all required conditions and specifications. Concurrent with the Special Use Permit application, the developer is working with the City to develop guidelines for the use of compactors for use in-lieu of standard dumpsters. Also concurrent with this permit, the developers have submitted street closing petitions of portions of Twelfth Street, Lawrence Street and Eleventh/ Anderson Street.

- (5) Injury to Property or Improvements. The Planning and Zoning Commission must find that the use will not injure, by value or otherwise, adjoining or abutting property or public improvements in the neighborhood or in the alternative, that the use is a public necessity.

This project will be a student housing development replacing existing apartment developments currently located on this property. The project will be buffered from the Rock Springs neighborhood by existing natural area along Green Mill Run along the eastern portion of the property. The proposed development will be owned and managed by an experienced student housing owner. There will be rules and regulations (copy attached), as well as on site management agents to oversee the day to day operations. The property will be run as an upscale student apartment community. All tenants will go through a qualification process and must sign written leases. There is a formal rules and regulations policy with enforcement if rules are broken. The development will also help to meet the demand for student housing as the population of East Carolina University continues to grow.

- (6) Location and Character. The Planning and Zoning Commission must find that the location and character of the use if developed according to the plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Land Use Plan of the City of Greenville and its extraterritorial jurisdiction.

This property is the site of the current Green Mill Run Apartments and the Kings  
Arm Apartments. The site is surrounded by a mixture of residential (single family,  
apartments and fraternities), non-residential uses (Masonic Lodge and office uses),  
commercial uses (convenience store and car wash) and East Carolina University.  
The subject property is bounded on the east by Green Mill Run. Therefore, the  
proposed development will be in harmony with the area in which it is to be located.

PROPERTY OWNER(S) MAKING REQUEST

<u>Signature(s)</u>	<u>Date</u>
<u>Edwards Communities Development Company, LLC,</u> <u>an Ohio limited liability company, Agent</u>	<u>03/31/10</u>
by: <u></u> <u>Peter H. Edwards, CEO</u>	

# The Province - Louisville Lease

THIS LEASE (hereinafter the "Lease") has been made and entered into at Louisville, Kentucky, effective the \_\_\_\_ (day) of \_\_\_\_ (month), 20\_\_ (year), by and between University Residences - Louisville, L.L.C. dba. The Province at Louisville (hereinafter the "Landlord" and sometimes the "Owner"), and \_\_\_\_\_ (hereinafter, whether one or more, the "Tenant").

WITNESSETH that, in consideration of the covenants and agreements hereinafter set out, the said parties do hereby covenant and agree with each other as follows:

1. **PREMISES LEASED:** Landlord leases to Tenant and Tenant leases from Landlord, \_\_\_\_\_ (Building-Unit-Bed) (hereinafter the "Apartment" and sometimes the "Premises") located at The Province at Louisville, in the City of Louisville, Kentucky. A private bedroom ("Bedroom") accommodation in a \_\_\_\_ bedroom, \_\_\_\_ bathroom apartment ("Apartment"), within an apartment building ("Building") within the Apartment Community, as more specifically described below. The Owner is the owner of the building (hereinafter the "Building") of which the bedroom is a part; the Owner's address for purposes of the Lease is 600 Ruggles Place, Louisville, KY 40208.

Description: The "Premises" is defined as including each of the following:

- a. Tenant's sole (Bedroom is Private) use of a Bedroom in an Apartment in the Apartment Community. Tenant's specific Building, Apartment and Bedroom will be assigned by the Manager prior to the move-in date. Attachment Number 13  
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- b. Together with the other residents of the Apartment, Tenant's shared use of the Common Areas in the Apartment and the Apartment Community (for the purpose of this Lease, "Common Areas" are those areas within the Apartment to which Tenant has access without going into another Bedroom and within the Apartment Community, those areas to which all residents have general access).
- c. Tenant's sole (Bedroom is Private) use of furniture within the Bedroom; and Tenant's shared use of all appliances and furniture within the Common Areas of the Apartment.
- d. Tenant's shared use of the mail box assigned by Manager.

**LEASE TERM:** The Landlord hereby leases to the Tenant and Tenant hereby rents from the Landlord, for a term commencing at noon on the 19th day of August in the year 2010 (hereinafter the "Commencement Date") and ending at noon on the 4th day of August in the year 2011 (hereinafter the "Expiration Date") (from the Commencement Date to the Expiration Date hereinafter the "Lease Term"). It is expressly understood that this Lease is for the entire Term regardless of whether the Tenant is transferred, ceases to be enrolled in a college or university in Louisville, Kentucky, loses a co-tenant, becomes ill, marries, divorces, or for any other reason is unable to continue occupying the Premises. The fact that Tenant and Tenant's roommate may be in conflict with each other will not result in Tenant being able to terminate this Lease. Accordingly, the Tenant's obligations to pay rent hereunder (and the Guarantor(s) obligations to ensure payment of the same) shall continue for the entire Term of this Lease and until all sums due Landlord hereunder have been paid in full. Tenant may not occupy said Premises until this Lease and other required documents have been fully signed by all parties.

2. **CONTRACT PAYMENTS:** Tenant, in return for use of the Premises and in consideration of the covenants and agreements herein shall pay the Landlord the sum of \$ \_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_). The Tenant agrees to pay the Landlord said contract amount without offset or deduction. Tenant hereby acknowledges that the term of this lease is less than a full calendar year, and the contract amount has been allocated into twelve installments. Installments are due, in advance, in the amount of \$ \_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_) (hereinafter the "Installment"), commencing with **the first such full Installment on the first (1st) day of August** in the year 2010, and continuing on the first (1st) day of each succeeding calendar month with the final installment due on the first (1st) day of July in the year 2011.

**Financial Aid:** Landlord acknowledges that financial aid payments are issued on specific dates throughout the school year that coincide with the beginning of each semester. Landlord will waive all late fees associated with financial aid payments if Tenant submits payment in full according to the attached Financial Aid addendum within 3 business days after receiving disbursement(s) from grantor. Tenant must submit payment in full for 1st installment of rent prior to move in date. Tenant must provide written documentation of financial aid from grantor before the 1<sup>st</sup> payment is due. If Tenant fails to submit payment in full for entire scheduled payment within 3 business days of grantor's disbursement, Tenant will be charged all applicable late fees in accordance with Section 3 of the lease agreement and will be subject to any and all rights and remedies available under Kentucky Law.

**Electronic Payments:** If Tenant elects to place any rent check into rent payment drop box, Tenant is authorizing The Province at Louisville Apartments to convert Tenant's rent item into an electronic item. The electronic payment will be for the amount indicated on Tenant's check and may be withdrawn from Tenant's bank account as soon as the same day payment is received. Tenant's check will not be returned to Tenant's financial institution. This transaction will appear on Tenant's bank statement under "Electronic Items." If Tenant has any questions, or chooses not to have rent item processed electronically, please contact Manager.

**Partial Rental Payments** will not be accepted at any time. Rental payments that do not include the full balance of current charges will not be accepted. Only properly drawn checks will be accepted as Rental Payments; cash will never be accepted by the management office. Rent unpaid one (1) day after the due date is delinquent and will authorize all remedies in the Lease.

3. **LATE CHARGES:** If a Rental Payment is not paid in full by the first (1st) day of the month when it is due, Tenant shall pay a late charge of \$50.00 on the second (2nd) day of the month and an additional \$5.00 per day (late fee) thereafter. Personal checks will not be accepted after the tenth (10th) day of each month, as Rental Payments must be in the form of a cashier's check or money order if tendered after the tenth (10th) of the month. All Rental Payments received by the Landlord shall be applied first to the cost of repairs for any damages the Tenant (or his/her/their guests, invitees or those for whom Tenant is responsible) has caused to the Apartment, the Building or any portion of the community, next to return check charges, then to delinquent rental installments, then to outstanding court costs legally chargeable, then to late charges, then to outstanding utility bills, and finally to current Rent installments. Failure to demand Rent shall not be construed as a waiver by the Landlord, and the necessity of a demand for overdue Rent is hereby waived by the Tenant. Tenant further agrees if eviction proceedings are initiated due to the non payment of Rent, legal proceedings will not be halted by Landlord unless Tenant pays all amounts then due the Landlord and reimburses Landlord for administrative and processing costs incurred by Landlord in connection with such proceedings. Anything to the contrary notwithstanding, the Landlord shall not be required to accept said reinstatement and may proceed with the eviction at its discretion.

4. **ADMINISTRATIVE FEE:** The Tenant has paid the sum of \$ \_\_\_\_\_ as a nonrefundable administrative fee. This is a non-refundable administrative fee which will facilitate provision of certain services by Landlord, including but not limited to available staff during office hours in the rental office, and other services incident to the Landlord and Tenant relationship. This fee is not connected in any way to the provision of gratuitous amenities by Landlord at or about the common areas of the premises, and Landlord specifically reserves the right to discontinue any such gratuitous amenities at any time and for any reason.

5. **SECURITY DEPOSIT:** The Tenant has deposited with Landlord the sum of \$ \_\_\_\_\_ as a security deposit for the faithful performance of the conditions stipulated in this Lease and Kentucky law. The Tenant agrees the deposit is not an advance payment of rent and does not relieve the obligation to pay rent including rent for the last month of occupancy. The Landlord, at the expiration of the Lease or hold-over tenancy, may apply the security deposit for past due rent, fees, utilities, re-keying of the premises, replacement of keys, replacement of appliances or mechanicals, removing of Tenant's discarded items, and/or for the cost of repairing damages beyond reasonable wear and tear to the Premises caused by the Tenant, his/her guests, family or invitees. Also, abandonment or vacating of

## The Province - Louisville Lease

the Premises by the Tenant before the end of the term shall result in the Landlord deducting damages he has incurred from the security deposit.

Each of the aforementioned tenants shall be jointly and severally responsible for all losses incurred by the Landlord occasioned by the tenancy, including negligence.

The Tenant agrees to provide the Landlord, in writing, a forwarding address upon vacating the Premises. The Landlord agrees to return to the Tenant the security deposit, or whatever part has not been applied in payment of any tenant obligations under the Lease, within thirty (30) days after the expiration or any renewal of the Lease and delivery of possession of the Premises to the Landlord, whichever is last to occur. Any deductions from the security deposit shall be itemized and identified in writing by the Landlord during this same time period. This provision does not waive rights of the Landlord to seek damages in excess of the security deposit. The Tenant agrees to reimburse the Landlord for any rent, fees, utilities due and/or damages exceeding the security deposit. Initial \_\_\_\_\_

6. **OCCUPANTS:** Tenant may not permit another person to live in the Premises or in the Apartment or in the Bedroom. The Apartment may be occupied only by those persons approved by Landlord. If the Apartment at any time is occupied on a non-transient basis by any person or persons not approved in writing by Landlord, Tenant shall be in default of this Lease and Landlord may avail itself of those remedies provided under Paragraph (16) hereof, including the right to terminate this Lease. Tenant covenants and agrees that Tenant will not allow anyone else to occupy the Apartment, nor assign this Lease or sublet the Apartment, or any part thereof, without the Landlord's consent in writing. Whether or not Landlord grants its consent, Tenant shall remain primarily liable for all obligations of the Tenant as provided in this Lease. Initial \_\_\_\_\_

a. **Guests:** Although Tenant may have visitors from time to time, it is understood that occupancy of the Premises is expressly reserved for Tenant only, and any persons occupying the Premises as a guest for more than seven (7) days during the Term shall be treated as guests only if the Manager is notified in writing by Tenant and consents thereto. Otherwise, the occupancy of the Premises by an unauthorized guest in excess of said seven (7) day period shall be deemed a breach of this Lease, and Landlord shall be entitled to recover from the Tenant and guest (whose liability shall be joint and solido) an amount of rent equal to that being paid by Tenant, in addition to the right of Landlord to declare the Lease in default and pursue any of Landlord's other remedies hereunder or by law.

b. **Vacant Bed:** If the Apartment consists of more than one bedroom, Landlord has the right, when any bed within the Apartment is unoccupied, to place a new resident in the unoccupied Bedroom unless you and all other residents in the Apartment agree to pay Landlord, as part of Tenant's respective Rent, the rent due and other charges due for such unoccupied Bedroom. Tenant is not allowed to use any vacant room or bed in the apartment for any purpose whatsoever unless Tenant is paying rent for the room. If Landlord discovers that Tenant is using a room or bed in the Apartment that should be vacant, Landlord has the right to charge an amount equal to 30 days rent for use of that room or bed plus the cost of refurbishment. If this situation is discovered and none of the Tenants of the Apartment claim responsibility, then the charges will be divided evenly among the leaseholders of the Apartment. Multiple violations will result in multiple charges both for illegal use of the room and for refurbishment of the room.

c. **Transfers:** It is understood that the Apartment Unit in which the Premises are located contains other bedrooms in which another Tenant may reside. For purposes of operating efficiency, Landlord reserves the right, upon five (5) days advance written notice when possible, to relocate Tenant to another Apartment unit at The Province. Landlord shall assist Tenant in moving Tenant's personal property to such new unit. Landlord retains the right to assign tenants to other bedrooms in the Apartment unit in which the Premises are located. Landlord, to the extent practical, will honor tenant's requests for the sharing of a particular apartment unit. Upon Tenant's request for relocation, Tenant agrees to pay a transfer fee of \$250.00 and a new security deposit may be required. Initial \_\_\_\_\_

7. **ROOMMATE POLICY:** To secure a three bedroom apartment, two individuals must complete all paperwork and pay all fees. Those two individuals then have one week to bring in their third roommate and then, in the case of a four-bedroom lease agreement, one additional week to bring in the fourth and final roommate. In the event that roommates are not brought in during this time, Landlord reserves the right to place roommates into the un-leased bedrooms, relocate Tenant to another unit or cancel the Lease. If Tenant notifies Landlord that Tenant does not have roommates, Landlord will work with Tenant to assist in finding roommates if at all possible. Initial \_\_\_\_\_

**COED POLICY:** Coed living is permitted at UNIVERSITY RESIDENCES – LOUISVILLE, LLC. Landlord must be made aware of your interest to reside in a coed Apartment prior to your signing any lease documents. In addition, all roommates of a coed Apartment are required to sign leases and pay all fees at the same time. Coed agreements must be signed by each Tenant and the Guarantors of your lease prior to Landlord officially accepting you as a resident. Subleases must be approved by all Tenants and Guarantors of the Apartments. Initial \_\_\_\_\_

8. **BAD OR DISHONORED CHECKS:** If any check used by Tenant to pay Rent is returned by the bank because of insufficient funds or otherwise not paid by the bank, Tenant shall pay Landlord a \$40.00 fee in addition to late charges as provided above. Any NSF check must be replaced by an official bank check or money order, which shall include all additional fees and late charges. If two or more checks are returned by the bank during any twelve (12) month period, Landlord may require Tenant to pay all future Rent by official bank check or money order, and failure of Tenant to do so will be considered default by Tenant under this Lease. Initial \_\_\_\_\_

9. **RELEASE OF RIGHTS:** If Tenant intends to leave the Premises permanently prior to the Expiration Date, Tenant must provide the Manager with a 30 Day advance written notice of the specific date of move-out. Verbal notice without delivering a written notice is not sufficient and will not be accepted. Tenant is not released from liability under this Lease and Tenant's Security Deposit will be held unless all payments through the Expiration Date have been made.

Tenant moves out prior to the Expiration Date, rent for the remainder of the Lease Term is still payable by Tenant. A buy-out clause or cancellation fee is not applicable. You may be able to release your rights under this Lease for the same terms and conditions to another person provided the Manager gives approval. Consent is at the sole discretion of the Manager. The Manager must approve the new applicant and if the new applicant is of a different gender than the others in the apartment, all occupants and guarantors must approve in writing of coed living arrangement. Tenant's obligations will be terminated under this lease contract once the new applicant has been approved and a new lease has been executed. Should Tenant's request to transfer rights under this Lease be approved, Tenant also agrees to pay a re-lease charge equal to \$250.00, which charge will serve to partially defray our costs in making the Premises available for re-lease of the Premises. The re-lease charge is not a cancellation fee, buy-out fee or a limitation of damages collectable.

10. **TEMPORARY REMOVAL:** Tenant agrees and understands that this Lease pertains to university housing. As such, the move-in move-out procedure for this Premises occurs within a short period of time each year. Additionally, there are circumstances during the course of the tenancy where Landlord is required, due to damages to the structure of the premises, to enter the premises and undertake substantial renovations thereto. Tenant further understands that, should either Landlord or Tenant elect not to renew this Lease, another Tenant will move-in and occupy this Premises shortly from the designated end date of this Lease Agreement. As a result, in the event that this Lease terminates for any reason, or in the event there is a necessity to repair any portion of the premises or any tenement in the building which contains the premises, Tenant agrees that Landlord shall be entitled to temporarily remove Tenant, including Tenant's belongings from the premises. If Tenant is removed during the lease term Tenant will be transferred to an apartment in the community, if Tenant's belongings are removed after the lease term and Tenant no longer resides at the Premises, Tenant's belongings will be removed in accordance with the License Addendum attached hereto and incorporated herein. Initial \_\_\_\_\_

## The Province - Louisville Lease

11. **FACILITIES:** Said rules and regulations may be amended by Landlord at any time. Failure of Tenant to comply with rules and regulations may result in a termination of Tenant's privileges to utilize any part or all of the Facilities. Landlord reserves the right to add to, eliminate or modify the Facilities without prior notice to Tenant.
12. **POSSESSION:** Landlord shall endeavor to deliver possession of the Apartment to Tenant on the Commencement Date. However, if Landlord is unable to do so, the Lease shall remain in full force and effect, but the Rent shall be abated on a per diem basis until possession of the Apartment is delivered to Tenant. Abatement of Rent as provided above is Tenant's sole remedy for Landlord's failure to deliver possession of the Apartment on the Commencement Date, and under no circumstances may Landlord be held liable for any costs or liabilities Tenant may incur because of Landlord's failure to deliver possession of the Apartment on the Commencement Date.
13. **ACCEPTANCE OF THE APARTMENT:** Tenant covenants and agrees that Tenant has viewed or will view the Apartment and that all representations as to the condition at move-in or work or repairs yet to be completed by Landlord have been listed on the Move-in/Move-out Condition Report made a part of this Lease. Tenant agrees that the Move-in/Move-out Condition Report will be completed and returned to the office within 24 hours of move-in. Otherwise, Tenant acknowledges the Apartment is in good condition and ready for occupancy. It is understood that unit may be occupied by other resident(s) prior to the Tenant's scheduled occupancy date. In the event that Tenant moves into an occupied unit, Landlord assumes no responsibility for the condition of the common areas. Initial \_\_\_\_\_
14. **USE OF PREMISES: COMPLIANCE WITH LAWS AND SCHOOL REGULATIONS:** Tenant shall use and occupy the Premises as a private dwelling and for no other purposes. Tenant shall not conduct or permit any sales or auctions of any kind around or from the Apartment. Tenant will not sell or permit to be sold liquor, whether spirituous, vinous, or fermented, at or from the Apartment. Tenant will not sell, use or permit any controlled substance to be sold or used in violation of law at or from the Apartment or otherwise allow the Apartment to be used for any purpose in violation of any federal, state or municipal statute ordinance, regulation, order or directive, or take any action that will injure the reputation of, or disturb or endanger, the community, the Landlord and/or other tenants of the community. Tenant agrees to abide by all governmental laws, orders and regulations and to avoid disruptive behavior or conduct. Additionally, if Tenant is a full or part-time student at a university or college, then Tenant also agrees to obey the rules and regulations outlined in that particular institution's Student Code of Conduct or similar instrument(s), and failure to do so may, at Landlord's sole discretion, be deemed to be a breach of this Lease by Tenant. Attachment number 13 Page 13 of 14
15. **KEYS AND LOCKS:** Keys shall not be duplicated at any time. Locks may not be changed, altered or added without prior written permission of Landlord. Keys, including mail box keys, must be returned to the office upon vacating the Premises. After two (2) lock out services during normal business hours, a fee of \$25.00 will be assessed per occurrence. After hours lock out service will be assessed a fee at the rate of \$50.00 per occurrence beginning with the first (1<sup>st</sup>) such request.
16. **DEFAULT:** If Tenant fails to pay Rent when due, or perform any provision of this Lease, the Landlord, at its option, may terminate all rights of Tenant under this Lease. If Tenant abandons or vacates the Apartment while in default of the payment of Rent, Landlord may consider any property left by Tenant to be abandoned and may dispose of the same in any manner allowed by law. In the event the Landlord reasonably believes that such abandoned property has no value, it may be discarded. All property left by Tenant, including property left in the Apartment will be subject to a lien for the benefit of Landlord securing the payment of all sums due, to the maximum extent allowed by law.
- In the event Tenant is in default of any of the terms or obligations of the Lease, violates and/or fails to comply with any of the covenants, terms or conditions of the Lease, or any of The Community policies herein or hereafter adopted by the Landlord, said default shall constitute grounds for termination of the Lease and/or eviction by the Landlord. Landlord may, in addition to any other rights and remedies it may have pursuant to Kentucky law, elect to: (a) continue the Lease in effect and enforce all Landlord's rights and remedies, including the right to recover the Rent as it becomes due; or (b) at any time, terminate the Lease and recover from Tenant all damages, including Attorney's fees as allowed by Kentucky law, Landlord may incur by reason of the breach of the Lease. In any event, the Tenant shall be and remain liable for any expense incidental to re-letting, cleaning and restoration costs beyond normal wear and tear, trash removal, painting costs, utilities, or any other damages and costs which the Landlord has sustained by virtue of the Tenant's use and occupancy of the Apartment or default under the Lease.
17. **LIABILITY:** The Landlord shall not be liable for any personal conflict of Tenant with co-tenants, Tenant's guest or invitees, or with any other tenants that reside at The Province at Louisville. A conflict between Tenants does not constitute grounds for termination of the Lease. The Landlord shall not be liable for any personal injury to Tenant, or damage or loss to Tenant's property, including but not limited to any injury, loss or damage caused by burglary, assault, vandalism, theft or any other crimes. All personal property placed or kept in the Premises, or in any space, or anywhere on the adjacent property of Landlord shall be at Tenant's sole risk and Landlord shall not be liable for any damage to, or loss of, such property.
18. **TENANT'S PERSONAL PROPERTY:** Tenant, at Tenant's sole cost and expense, should obtain and maintain during the term of this Lease insurance sufficient to cover potential loss or damage to Tenant's personal property, including without limitation any loss to Tenant's automobile or personal property in the Apartment or on or about the Community. Tenant agrees to look to that insurance, rather than to Landlord, to pay for any loss or damage to Tenant's automobile or other personal property. Moreover, to the extent permitted by law, Tenant releases Landlord, its agents and employees, from all claims and liability commonly insurable by that insurance, irrespective of whether the loss is actually insured.
19. **LIABILITY INSURANCE:** Tenant, at Tenant's sole cost and expense, will obtain and maintain in full force and effect during the term of this Lease, a comprehensive general liability renter's insurance policy which would insure Tenant and Landlord (and their respective agents, employees and invitees) against liability or claims for personal injury, wrongful death or a property damage for which Tenant is responsible under this Lease or by law. Said policy should have limits of not less than \$100,000.00 for personal injury to or death to any number of persons arising out of any one occurrence. Tenant acknowledges that he/she/they has provided Landlord with proof of insurance, and that continued maintenance of the aforementioned policy of insurance is a condition of this Lease Agreement. Initial \_\_\_\_\_
20. **ALTERATIONS:** Tenant shall not make any alterations or additions to the Apartment, including installation of contact paper and/or wall coverings or painting of any portion of the Apartment, without the prior written consent of Landlord. All such "approved" additions or alterations to the Apartment shall become the property of Landlord. If Landlord consents to contact paper, colored paint or wall covering then Tenant shall, prior to the termination of this Lease, restore the wall(s), cabinets, etc. to their original condition. If Tenant fails to remove any alterations prior to vacating the Apartment, Landlord may charge Tenant for the cost of such removal and restoration.
21. **RULES AND REGULATIONS:** A copy of the presently existing rules and regulations is made a part hereof by reference. The Landlord may amend the rules and regulations from time to time as the Landlord deems necessary. Additional rules and regulations may also be posted at various locations around the community. Any amendments shall be deemed effective when presented to the Tenant by the Landlord.
22. **SECURITY:** Landlord, at its sole option, may elect to install certain security devices or measures that are not required by law, including video recording devices. In addition, each apartment unit may be equipped with a switch which when activated, will sound an alarm indicating an emergency within that particular apartment unit. Landlord shall not construe the installation of such an alert or alarm

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system as an undertaking or representation that it will monitor such system or that it will provide personnel to respond when an alarm has been activated. It is further understood that the Landlord may elect to discontinue this service at any time with or without notice to Tenant. Tenant agrees to comply with the security procedures and response actions set forth by Landlord. Tenant agrees that local law enforcement agencies, rather than Landlord, are responsible for security.

From time to time, pictures may be taken of Tenants or Tenant's guests at community sponsored activities and may be used for promotional purposes posted on property website. Initial \_\_\_\_\_

23. **UTILITIES:** Electric and water charges will be paid directly to the Landlord and allocated based on the attached utility addendum. Utility charges are considered a part of your rent. Failure to pay any utility bill is a material and substantial breach of the lease and Landlord may exercise all remedies available under the lease, up to and including eviction for non-payment. The Tenant agrees to pay all other utilities, related deposits and charges on the Tenant's utility bills. The Tenant shall not allow utilities to be disconnected by and mean (including non-payment of bill) until the end of the Lease term or renewal period. The Tenant agrees to reimburse the Landlord for any utility bills paid by the Landlord during the Tenant's responsibility to the Lease within two (2) working days of receiving demand for payment from the Landlord. Utilities shall be used only for normal household purposes and not wasted.

Tenant will be charged for the full period of time that Tenant was living in, occupying, or responsible for payment of rent or utility charges on the apartment. If Tenant breaches the Lease, Tenant will be responsible for utility charges for the time period Tenant was obligated to pay the charges under the lease, subject to our mitigation of damages. In the event Tenant fails to timely establish utility services, we may charge Tenant for any utility service billed to us for your apartment and may charge a reasonable administration fee for billing for the utility service in the amount of \$50.00.

When Tenant moves out, Tenant will receive a final bill which may be estimated based on your prior electric, water, sewage & storm water usage. This bill must be paid at the time Tenant moves out or it will be deducted from the security deposit.

We are not liable for any losses or damages Tenant incurs as a result of outages, interruptions, or fluctuations in utility services provided to the apartment unless such loss or damage was the direct result of negligence by us or our employees. Tenant releases us from any and all such claims and waives any claims for offset or reduction of rent or diminished rental value of the apartment due to such outages, interruptions, or fluctuations.

Tenant agrees not to tamper with, adjust, or disconnect any sub-metering system or device. Violation of this provision is a material breach of your Lease and may subject Tenant to eviction or other remedies available to us under your Lease. Initial \_\_\_\_\_

24. **INTERNET:** Tenant acknowledges that if a network is provided that the network is a shared network. The Provider, Landlord, or Manager does not edit, censor, review or take responsibility for any information Resident or Resident's guest may create, place on the Internet or view. Resident may not use the shared network to engage in any criminal / illegal / unauthorized activity. Such violation constitutes a default by Resident under this lease. Resident shall not attempt to degrade the performance of the network or hamper the ability of others to use the network. Manager is not responsible for outages due to natural causes or third party damages. Tenant also agrees not to engage in any activity that requires or utilizes large portions of the bandwidth allocated to the facility, or would cause less than generally acceptable usage speeds for others.

Excessive data transfer may interfere with the experiences of other users of the System. Owner, Agent and Provider shall have the right to monitor the bandwidth utilization arising out of the System at any time and on an ongoing basis. Owner, Agent and Provider may limit Tenant's bandwidth utilization from time to time, if Owner, in its sole discretion, determines such utilization is excessive.

25. **MAINTENANCE AND REPAIRS:** Tenant shall keep the Apartment in a clean, slightly, and healthy condition and maintain all appliances and fixtures in good working order and condition and perform all other obligations required on the part of Tenant. Upon the expiration or earlier mutual termination of this Lease, Tenant shall return the Apartment back to the Landlord in the same condition of cleanliness and repair as it was at the move-in date, reasonable wear and tear accepted. Tenant may be charged for all necessary repairs and restoration of balcony, patio, walls, windows, ceilings, floors, carpeting, tile, tub, sinks, woodwork, paint, plastering, plumbing, pipes, appliances, fixtures and furnishings in or upon the Apartment or public areas damaged by Tenant, Tenant's agents, guests, or other persons for whom Tenant is responsible. Tenant likewise may be charged for replacement of missing, broken or worn-out parts of kitchen appliances or appurtenances thereto when the same shall have been lost or broken or misused by Tenant, Tenant's agents, guests, or other persons for whom Tenant is responsible. If the Apartment is not kept in the condition required by this Lease or Landlord reasonably believes that Tenant is compromising the safety of other tenants in the Building, Landlord may enter the Apartment without causing a termination of this Lease or an interference with Tenant's possession of the Apartment, and place the Apartment in the same condition as existed at the move-in date, and in such event, Tenant agrees to pay Landlord, on demand, and in addition to the Rent, the expenses of Landlord in restoring the Apartment to that condition.

26. **ACCESS:** Landlord shall have access to the Apartment for all purposes permitted by Kentucky law with reasonable notice, except in the case of an emergency, where no notice shall be required. If the Tenant (or co-tenant) requests Landlord perform service on the Apartment, such request for service shall be deemed permission for Landlord to enter the Apartment for the requested service.
27. **PETS:** Pets, whether brought to the Apartment by Tenant or by Tenant's guests or invitees, are not permitted in the apartment. Violation of this clause gives the Landlord the option to terminate this Lease and collect all rents due hereunder, plus any charges necessary for the extermination, refurbishment and re-leasing of the Premises in accordance with Kentucky Landlord Tenant laws.

28. **PARKING AND VEHICLES:** Regardless of the number of permitted occupants of the Apartment, subject to availability of space, no more than one motor vehicles per Bed may be parked on Landlord's property. Except as otherwise approved by Landlord in writing: (a) no vehicles other than properly licensed automobiles, motorcycles or trucks used as passenger vehicles may be operated or stored on Landlord's property by Tenant, Tenant's guests, or other persons for whom Tenant is responsible; (b) no parking is permitted in any unauthorized areas, including without limitations parking spaces assigned to other persons, fire lanes, and service areas; (c) parking for motorcycles may be restricted to certain areas in order to minimize damage to pavement from kickstands; (d) car repairs are not permitted anywhere within The Community; (e) washing of vehicles is strictly prohibited on premises; (f) no guest parking exceeding twenty-four (24) hours is permitted, unless the guest's vehicle is first registered with Landlord (Landlord reserves the right to limit the number of guest parking spaces) (all guests are required to have parking pass issued from office); and (g) no abandoned vehicle, inoperable vehicle (unless Tenant has made arrangements to tow or move such vehicle to a repair shop) or other unauthorized vehicle may be parked on Landlord's property. Any vehicle in violation of these provisions may be towed at Tenant's sole risk and expense. The Landlord may immediately remove any vehicle owned by Tenant remaining on the property after the termination of this Lease with full immunity from damages for such removal.

Use of parking areas or garages shall at all times be at the risk of Tenant and Landlord assumes no liability for any vehicle or the contents thereof or for any damage caused to or by any vehicle or its contents, whether by theft or any other cause.

29. **DAMAGE TO PREMISES:** If, during the term of this Lease, the Apartment is rendered untenable by fire or other casualty, the elements, acts of God, unavoidable accident or a public enemy, and, in Landlord's reasonable judgment, said Apartment can not be repaired within sixty (60) days from the happening of such event, then, in such case, this Lease shall cease upon the date of such unavoidable damage

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and the then Monthly Installment of Rent due shall be prorated to the time of such damage. If, in Landlord's reasonable judgment, such injury can be repaired within sixty (60) days thereafter, Landlord may enter and repair the Apartment and this Lease shall not be terminated; however, Rent shall be prorated during the repair period based upon the extent of the damage. Tenant hereby acknowledges and understands that Tenant shall be personally, jointly and severally liable for any and all damages caused by Tenant's negligence or the negligence of individuals under Tenant's custody and control in and around the apartment. Tenant hereby expressly agrees to indemnify Landlord and hold Landlord harmless from any and all damages sustained by Landlord, Landlord's Apartments, or the common areas in and around Tenant's Apartment that emanate from Tenant's negligence.

30. **STATUTORY REQUIREMENTS:** The Tenant further agrees to obey, observe and promptly comply with all present and future laws, ordinances, rules, regulations, orders and requirements of all governmental authorities or agencies, respecting the use and occupancy of the Apartment and not to use or permit the Apartment to be used for any unlawful or immoral purpose or in such manner as to create a nuisance or disturb other tenants or occupants of the Building or neighboring building or property, or to injure the reputation of said Building, or The Community, or to suffer anything to be done within the Apartment which will increase the rate of fire insurance on the Building.
31. **EMINENT DOMAIN:** Should the Apartment, or the Building or any substantial part thereof be acquired or condemned resulting from the power of eminent domain for any public or quasi-public use or purpose, then the term of this Lease shall cease and terminate as of the date of possession required by the condemning authority. Tenant agrees to make no claim against Landlord or the condemning authority for the value of the unexpired term of this Lease or otherwise. Attachment number  
Page 5 of 9
32. **MOVE-OUT:** Upon any move-out, Tenant agrees to return the Apartment to at least a broom-clean condition and return all keys and card access keys to the leasing office. Unless Tenant secures a written receipt for such items from a representative of Landlord, the Landlord may deem such items lost and charge Tenant the cost to replace such items. Initial \_\_\_\_\_
33. **INDEMNIFICATION:** Tenant acknowledges that Landlord may provide certain amenities to Tenant from time to time, including, but not limited to, the use of a community room, home theatre and fitness center (hereinafter, collectively, the "Amenities"). Tenant agrees that Tenant shall at all times strictly comply with all applicable rules and regulations pertaining to use of the Amenities. Tenant further agrees that (a) the use of any of the Amenities shall be at the user's sole risk; (b) Landlord shall not be held responsible for any loss, theft or damage to personal property or for any personal injury or wrongful death sustained by persons utilizing the Amenities (including Tenant, Tenant's guests, invitees and family members) and said users of the Amenities shall hold the Landlord, its agents and employees, harmless from any and all liabilities arising from such loss or injury, including attorneys' fees and costs of defense of such claims.
34. **GUARANTOR:** For those Tenants who do not meet Landlord's independent financial means criteria, the Landlord may require, as a condition of this Lease, a binding Guarantor, the "Guaranty". Unless explicitly waived below, Landlord reserves the right to cancel this Lease in the event such Guaranty is not fully executed, notarized, and returned to the Landlord within 14 days from the date of execution of this Lease by Tenant, or if Guaranty is not fully executed, notarized and returned to the Landlord prior to occupancy, whichever time period is shorter. Tenant understands that the Guaranty must be obtained directly from the Guarantor and that Landlord reserves all rights, both civil and criminal, for any false execution or forgery of the Guaranty. The execution of the Guaranty constitutes an additional assurance to Landlord as to the performance of the covenants of this Lease and shall not be construed as a release of Tenant's responsibilities and obligations hereunder.
- It is understood by Tenant that failure to return the Parental Guaranty document (page 8) does not release Tenant from his/her responsibilities and obligation for the entire Term of the Lease. Initial \_\_\_\_\_
35. **TENANT OBJECTION NOTIFICATION:** Tenant shall, within five (5) days after occurrence, notify Landlord in writing, of any alleged violation by Landlord of any of its obligations arising under this Lease or otherwise. Any notices or demands to Landlord whether pursuant to this Lease or otherwise, must be in writing and must be delivered by hand delivery or certified mail, Return Receipt Requested, to: 600 Ruggles Place, Louisville, KY 40208. The failure of Tenant to make such notification in writing, within the time prescribed shall constitute a total and complete waiver of said objection, and shall not be alleged by Tenant as any grounds for non-performance of any provision of this lease in a court of law or otherwise.
36. **BILLING RIGHTS:** Landlord, at its sole discretion, and as a service to Tenant may bill resident in the form of an invoice for rent and other charges due. The absence of a statement does not negate the amounts due. It is further understood that the Landlord may elect to discontinue this service. If Tenant feels an invoice is incorrect the following procedure should be followed: Write the management office on a separate sheet of paper at the address referred to in this lease agreement within 5 days after error or problem appeared. The Tenant may telephone but doing so will not preserve Tenant's rights. In the letter, give the following information: Name, Apt. # and Bed #, the dollar amount of the suspected error, describe the error and explain why Tenant feels there is an error. Tenant is still obligated to pay all amounts due until which time the questions are resolved.
37. **ERRORS AND OMISSIONS:** During the course of business, the Landlord, Agent for the Owner, reserves the right to require the resident to cooperate when making corrections and/or obtaining information not collected at the time the lease was executed and signed between the two parties. Notwithstanding any other provisions of this lease, this provision grants the gathering of additional information for collection purposes and updating changes in the Rules and Regulations, utility provisions and company policies. The Landlord agrees to provide a 30 day notice for any changes that will affect a lease contract 6 months and greater, and the resident agrees to cooperate with the information requested and changes to maintain business as usual.
38. **JOINT LIABILITY IN ISSUES OF CONTRACT AND NEGLIGENCE:** The covenants and conditions stated in the Lease shall bind all tenants jointly and severally in issues of contract and negligence.

### GENERAL PROVISIONS:

- 2. HEADINGS AND USE OF TERMS:** The terms "Landlord" and "Tenant" whenever used in this Lease shall include the singular or plural of either when applicable. The use of captioned headings is solely for the ready identification of various provisions. As such, they are in no way a part of said Lease, nor do they add to or distract from the provisions contained therein.
- 3. ORAL STATEMENTS:** This Lease shall contain the sole agreement between the Landlord and Tenant. No oral statement between the Landlord and the Tenant, or between the Tenant and any agent or employee of the Landlord, unless committed to writing and executed by the Landlord or agent on behalf of the Landlord, shall be construed as a binding agreement between the Landlord and the Tenant.
- 4. PARTIES BOUND:** This Lease shall inure to, and be binding upon the heirs, executors, administrators, and assigns of the parties hereof subject to the provisions of paragraph (14) above.
- 5. PRELIMINARY DOCUMENT:** Tenant agrees that all information contained in the rental application signed by Tenant prior to signing this Lease is true and correct. Tenant understands and acknowledges that Landlord relied upon the information contained in the rental application in making this Lease and that if any information contained in the rental application proves untrue or incorrect in any material respect, then Landlord may terminate Tenant's right to possession of the Apartment, with the same force and effect as if such untrue statements constituted failure of Tenant to perform any covenant of this Lease.

**The Province - Louisville Lease**

**ATTACHMENTS:** In addition to Rules and Regulations attached to this Lease, the following checked attachments, if any, are made a part of this Lease and incorporated in this Lease by reference (if none, state "None"):

- |                                     |                             |
|-------------------------------------|-----------------------------|
| (X) Facility Access Addendum        | (X) Smoke Detector Addendum |
| (X) Equal Housing Commitment        | (X) Bed Bug Addendum        |
| (X) Moisture, Mildew, Mold Addendum | (X) Parental Guaranty       |
| (X) Community Rules and Regulations |                             |

**THIS LEASE is effective on the date first written above.**

**TENANT:**

**DATE OF EXECUTION:**

\_\_\_\_\_  
 (Sign name) (Print name) (Date)

Attachment number 13  
Page 6 of 9

**LANDLORD:** UNIVERSITY RESIDENCES - LOUISVILLE, LLC by: Edwards Student Housing Management Company, LLC,  
 Its Managing Agent

by: \_\_\_\_\_  
 An Authorized Manager Authorized Witness

**Addendums**

<b>FACILITY ACCESS ADDENDUM</b>			
Each resident is provided one complimentary Facility access card. Resident acknowledges receipt of 1 facility access cards. Access cards shall be returned to the landlord in good condition upon termination of the lease. Replacements for lost or damaged access cards can be purchased for \$25.00 each. Access cards shall not be given to any person, other than the Resident, at any time. Lost or stolen access cards should be reported to the rental office immediately.			
TENANT:		LANDLORD: UNIVERSITY RESIDENCES - LOUISVILLE, LLC	
_____	_____	_____	_____
Signature	Date of Execution	Signature	Date of Execution

<b>SMOKE DETECTOR ADDENDUM</b>			
The Tenant acknowledges that a UL listed smoke detector has been installed in the Apartment. Tenant will test the smoke detector and determine that it is operating upon move in. Tenant agrees to inspect and test the smoke detector once each month. Tenant shall not tamper with, remove, or replace any parts or equipment of the smoke detector except "dead" or missing batteries, if applicable. The Tenant will notify Landlord or Landlord's agent of an inoperative smoke detector by certified letter. Landlord will not be responsible or liable for replacing or repairing an inoperable smoke detector until after Tenant properly delivers such written notice. Landlord shall not be responsible for any injury or damage to persons or property occurring in the premises that in any manner arises from Tenant's failure to test, inspect or maintain the smoke detector as provided by this addendum or from Tenant's failure to comply with the Louisville City Code; and Tenant shall indemnify Landlord from such damage or liability.			
Tenant and Tenant's guests or invitees shall abide by all smoke detector rules. Each Tenant shall be jointly and severally liable for damages and all other obligations set forth herein.			
TENANT:		LANDLORD: UNIVERSITY RESIDENCES - LOUISVILLE, LLC	
_____	_____	_____	_____
Signature	Date of Execution	Signature	Date of Execution

The Province - Louisville Lease

**EQUAL HOUSING COMMITMENT**

University Residences - Louisville, LLC. has gone to extraordinary lengths to make our community available and accessible to everyone regardless of race, creed, color, sex, national origin, handicap, familial status, or sexual orientation. If there is any area where you feel that we have failed to serve you as a result of your membership in one or more of these protected classes, please bring it to our attention.

TENANT:

LANDLORD: UNIVERSITY RESIDENCES - LOUISVILLE, LLC

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date of Execution

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date of Execution

Attachment number 13  
Page 7 of 9

**MOISTURE, MILDEW, AND MOLD NOTIFICATION ADDENDUM**

It is the goal of the Landlord to maintain the highest quality living environment for the Tenant. The Landlord has inspected the apartment prior to move in and knows of no damp or wet building materials, and knows of no mold or mildew contamination. New Tenant is hereby notified that mold, however, can grow if the apartment is not properly maintained or ventilated. If moisture is allowed to accumulate in the apartment, it can cause mildew and mold to grow. It is important that Tenant regularly allow air to circulate in the apartment. It is also important that the Tenant keeps the interior of the apartment clean and that they promptly notify the Landlord of any leaks, moisture problems, and/or mold growth.

Tenant agrees to maintain the apartment in a manner that prevents the occurrence of mold or mildew in the apartment. Tenant agrees to uphold this responsibility in part by complying with the following list of responsibilities.

1. Tenant agrees to keep the apartment dry. Excessive moisture buildup can result in the growth of Mold.
2. Tenant agrees to immediately report to Landlord any water intrusion, such as plumbing leaks.
3. Tenant agrees to report to the Landlord any significant mold growth on surfaces inside the apartment.
4. Tenant agrees to allow the Landlord to enter the apartment to inspect and make any necessary repairs.
5. Tenant agrees to indemnify and hold harmless the Landlord from any actions, claims, losses, damages and expenses, including but not limited to, attorney's fees that Landlord may sustain or incur as a result of negligence of the Tenant.

TENANT:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date of Execution

**BED BUG ADDENDUM**

Your apartment has been thoroughly inspected prior to your occupancy and found to bed bug free. Upon signing a new lease or renewal, you will be requested to make a thorough inspection of your current home and all personal belongings. You will also certify to your Landlord that after a good faith inspection of your personal property and current residence, that you do not have a bed bug infestation. Since bed bugs are brought into a building by "hitchhiking" on the belongings of residents, our Bed Bug Policy requires that all residents take an active role in preventing bed bugs from entering the premises, including, but not limited to, the following:

- Learn to identify bed bugs. There are many good resources on bed bugs, one is <http://ohioline.osu.edu/hyg-fact/2000/2105.html>
- If you discover or suspect bed bugs, immediately contact your manager. Do not attempt to eradicate them yourself.
- Periodically inspect in and around your bed.
- Periodically inspect your couches and recliners.
- Inspect baseboards, night stands, dressers, molding and shelving.
- Inspect backpacks and suitcases.
- Don't bring second hand furniture items into your home unless the item has been thoroughly inspected by a knowledgeable person or certified as bed bug free.
- Run the vacuum on all carpet areas.
- Clean and reduce the clutter in your bedroom to eliminate places for bed bugs to hide.
- Wash clothes and linens frequently in hot water and dry in a hot dryer.
- Get plastic or vinyl bed covers and seal zippers with tape.
- Notify Landlord: Tenants shall report any infestation or suspicion of infestation immediately upon discovery to the Landlord. Tenant understands that the cost of extermination, and possibly the invasiveness of extermination, will be greatly reduced if the infestation is reported as early as possible.

TENANT:

LANDLORD: UNIVERSITY RESIDENCES - LOUISVILLE, LLC

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date of Execution

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date of Execution

The Province - Louisville Lease

**GUARANTY**

The undersigned, as evidenced by my/our signature(s) below, fully understand that I/we unconditionally guaranty and am/are JOINTLY AND SEVERALLY responsible for all of the Tenant's obligations under this Lease, including the punctual payment in accordance with the terms hereof, of the Rent, chargeable damages and all other sums payable, or stated to be payable, with respect to this Lease. It is understood that this is a guaranty of payment and that I/we am/are liable for the Tenant's failure as though I/we signed the Lease as Tenant. It is further understood that I/we shall remain responsible for all obligations of Tenant under the Lease throughout the original term and any renewal term or holdover. The undersigned Guarantor(s) will promptly pay to Landlord, any such amounts owed pursuant to the Lease, and all damages that may arise in consequence of any default by Tenant under the Lease, upon receipt of written notice of such default from Landlord. Landlord shall not be obligated to pursue Tenant for any damages prior to requiring Guarantor(s) to pay all amounts owed pursuant to this Guaranty. Notice shall be deemed received by Guarantor(s) upon mailing first class, U.S. Mail, postage prepaid said notice to the address(es) below.

By signing below, I/we authorize the use of any credit reporting/screening agencies to verify credit. I understand that a credit check will appear on my credit report as an inquiry. Further, my signature authorizes the management and credit reporting/screening agencies to later exchange credit information and access my credit report in the event of a default, for collection or skip tracing purposes.

Students Name \_\_\_\_\_ Relationship \_\_\_\_\_ Attachment number 13  
 Page 8 of 9  
 (parent, grandparent, guardian, aunt, uncle or specify other)

**GUARANTOR:**

**GUARANTOR:**

Print name \_\_\_\_\_ Print name \_\_\_\_\_  
 Social Security Number \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Social Security Number \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
 Street address \_\_\_\_\_ Street address \_\_\_\_\_  
 City, state and zip code \_\_\_\_\_ City, state and zip code \_\_\_\_\_  
 Phone Number \_\_\_\_\_ Phone Number \_\_\_\_\_  
 Email address \_\_\_\_\_ Email address \_\_\_\_\_  
 Date \_\_\_\_\_ Date \_\_\_\_\_  
 Guarantor signature \_\_\_\_\_ Guarantor signature \_\_\_\_\_

Apartment Address: \_\_\_\_\_  
 Lease Dates: \_\_\_\_\_ to \_\_\_\_\_  
 Lease Amount: \_\_\_\_\_ (\$ \_\_\_\_\_ )  
 Employee Witness Signature \_\_\_\_\_ Date: \_\_\_\_\_  
 Guarantor ID \_\_\_\_\_ ID # \_\_\_\_\_ State Issued \_\_\_\_\_

**Coed Addendum for Residents**  
 In reference to Section Number 7 of the Agreement of Lease, we hereby forfeit our right to release without the written consent of all parties residing in the apartment, all guarantors of the leases, and the Management of The Province.  
 Guarantor signature \_\_\_\_\_ Guarantor signature \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ By \_\_\_\_\_  
 Print Name of Guarantor

\_\_\_\_\_  
 Notary Signature Commission Expires

**LANDLORD:**

UNIVERSITY RESIDENCES - LOUISVILLE, LLC

\_\_\_\_\_  
 An Authorized Manager Date of Execution

**THIS DOCUMENT MUST BE NOTORIZED**

The Province - Louisville Lease

**COMMUNITY RULES AND REGULATIONS**

Edwards Companies develops the finest apartment communities and we take pride keeping them clean for all residents. In order to maintain a high quality of living we must establish rules and regulations so that all residents understand our expectations and always have a great place to call home.

Our customers agree to comply with the Rules and Regulations as set forth below. Please understand that violation of these Rules and Regulations constitutes a default in the Lease Agreement and The Province at Louisville may proceed with an eviction action. You may be charged for violations and they are due and payable with the succeeding month's rent.

1. Tenant shall keep the Apartment clean, safe and sanitary, both inside and outside, including common areas and breezeways.
2. Landlord shall routinely conduct preventive maintenance services and inspections of all apartments to maintain quality standards. During these routine preventative maintenance inspections if ANY abuse to the apartment or damages are found repairs will be made and the customer(s) will be billed for the cost of the repairs / cleaning. **Tenant Initial** \_\_\_\_\_ **Guarantor Initial** \_\_\_\_\_
3. Tenant must pay repair costs for damages by guests or invitees.
4. Shower curtains are required on all tubs and shower stalls.
5. Windows and doors shall not be obstructed. Landlord provides blinds on windows and such blinds will not be removed. Attachment number 13  
Page 11 of 19 Nothing may be visible from outside of the window except the blinds provided by Landlord.
6. After three (2) lock out services during normal business hours, a fee of \$25.00 will be assessed per occurrence. After hours lock out service will be assessed a fee at the rate of \$50.00 per occurrence beginning with the first (1st) such request.
7. Tenant shall be responsible for replacement of all interior light bulbs.
8. No animals are permitted.
9. No business enterprise may be conducted nor are signs permitted to be displayed in the Apartment Community.
10. No charcoal or gas grills are allowed on property. Grills are provided in designated areas by Management.
11. No incense, candles, hookahs or other combustible or odor producing items shall be burned in the Apartment.
12. The property will not be used to store bicycles, motorcycles and other vehicles for any purpose other than ingress and egress. Landlord reserves the right to remove vehicles and will not be held responsible for damage during the removal.
13. Limited guest parking is available. Tenant agrees to abide by all parking regulations and not park in fire lanes or obstruct the flow of traffic.
14. Parking decals are required. Tenant agrees to display such decal as instructed. Tenant's vehicle and the vehicle of Tenant's guest shall be subject to being towed at Tenant's or guest's expense if they do not follow the parking requirements.
15. Cars that are unsightly, inoperative (e.g. flat tires, broken glass), excessively leaking fluids will be towed at owner's expense. Washing vehicles and performing mechanical work thereon is strictly prohibited.
16. Tenant and guests shall at all times maintain order and will not make or permit any loud, improper conduct or disturb the comfort of other customers.
17. No guest shall be permitted in the business center or clubhouse facility except in the accompaniment of a Tenant.
18. Guests are not permitted to stay more than seven (7) days.
19. Solicitation shall not be permitted within apartment community.
20. Tenant must keep utilities (electricity, gas, etc.) turned on during the full lease term. From the date utilities are turned off by cancellation or otherwise, it is presumed that the Tenant has abandoned the apartment and the Landlord may enter and take possession.
21. Trash and refuse will be deposited directly into such dumpsters and not left in the units or in the common area, breezeways or similar places.
22. Extinguishing or disposal of cigarette butts outside of the Apartment is dangerous and is considered littering and is strictly prohibited. Smoking is not permitted in common areas, breezeways, the conference center, leasing office, or at the entrances to any buildings.
23. Storage of any flammable or explosive items is strictly prohibited on or about the Premises or Apartment complex.
24. No radio wires, television or other aerials, satellite dishes or any other objects whatsoever shall be attached to the roof or exterior of any building.
25. Waterbeds are prohibited.
26. Illegal drugs or other illegal activities are prohibited in the Apartment Community.
27. Tenant shall not make alterations or additions to the Apartment without the prior written consent of Landlord.
28. Recreation areas and the other Amenities may be used only during the posted hours. No glass bottles and/or glass cups will be permitted on or near any of the amenity areas on the property (pool, fitness center, movie theater, etc.)
29. All persons using the pool, spas, fitness facilities, tanning beds, conference center, club room or community room, or any of the other Amenities do so at their own risk and responsibility. The Landlord and its agents assume no responsibility for accidents or injury in connection with such use. Tenants will be responsible for all actions of their guests.
30. No swimming or recreation allowed in any of the retention ponds.
31. Landlord reserves the right at any time to make changes to these Rules and Regulations.

The following shall apply to complaints concerning a Tenant's violation (Pet violations are double the amounts of posted fees):

First: Upon a first complaint, a \$50.00 fee will be assessed against Tenant.

Second: A \$100.00 fee shall be assessed and the Lease can be declared in default and the Landlord may proceed with eviction of the Tenant in violation.

I have read the rules and regulation and I understand that the violation of any one is a default under this Lease and is grounds for eviction.

**TENANT:**

**GUARANTOR:**

Signature \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

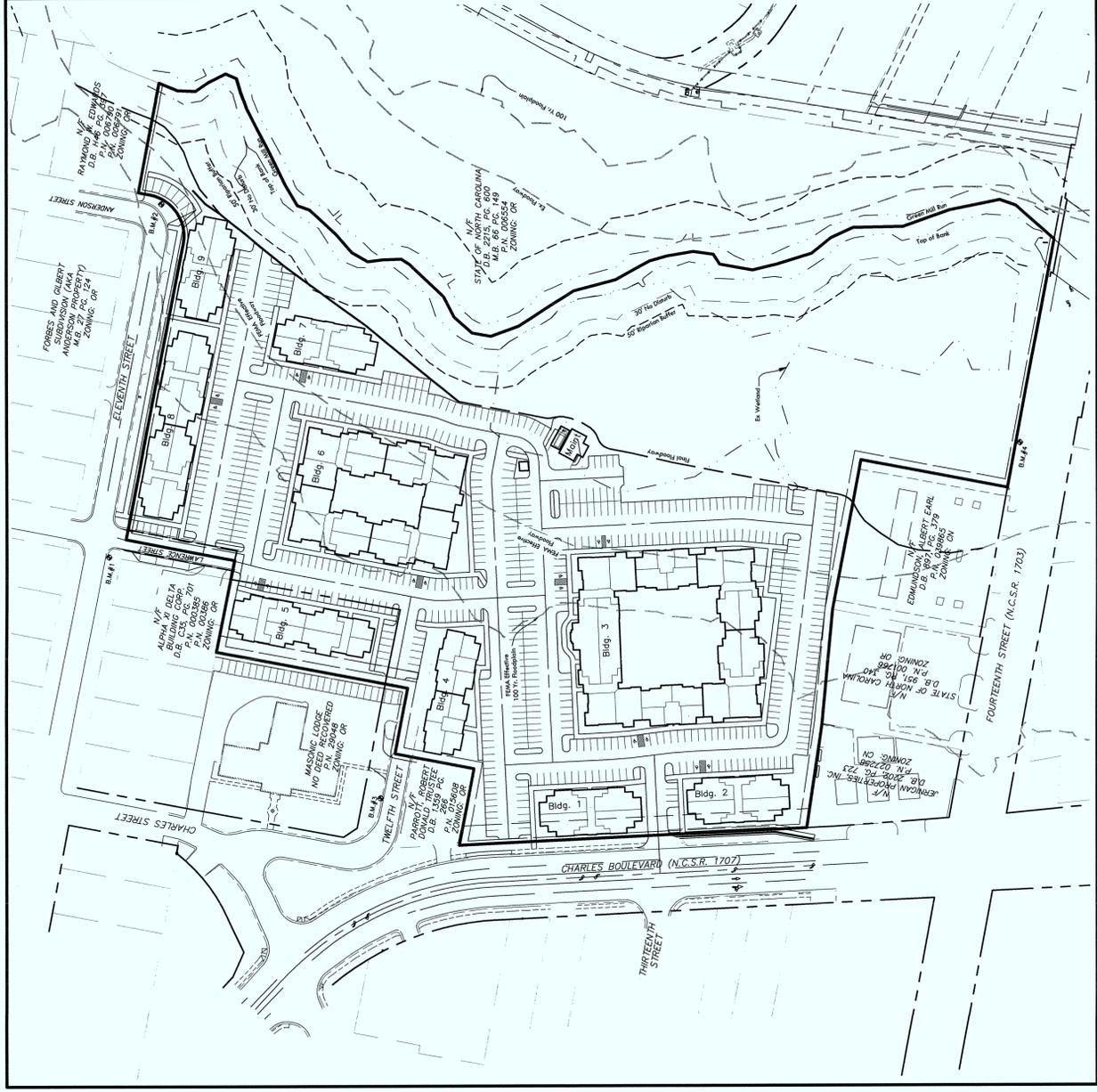
**LANDLORD:** UNIVERSITY RESIDENCES - LOUISVILLE, LLC by: Edwards Student Housing Management Company, LLC, Its Managing Agent

by: \_\_\_\_\_  
An Authorized Manager

\_\_\_\_\_ Date of Execution

# GREENVILLE, NORTH CAROLINA LAND USE INTENSITY DEVELOPMENT PLAN FOR THE PROVINCE AT GREENVILLE

2010



Attachment number 14  
Page 1 of 4

### BENCH MARKS VERTICAL CONTROL (NAVD 1988)

BM #1:	T.B.M. FIRE HYDRANT TOP (NAVD 1988)	Elev. 45.28
BM #2:	T.B.M. LAG SCREW IN POWER POLE.	Elev. 36.04
BM #3:	T.B.M. LAG SCREW IN POWER POLE.	Elev. 42.40
BM #4:	T.B.M. CHISELED "X" IN CONCRETE WALK.	Elev. 28.00

### HORIZONTAL CONTROL

Source Bench Mark #1  
 Horizontal: NCGS STADIUM (NAD 83/2007)  
 Northing (ft): 676,905.1783  
 Easting (ft): 2,485,840.5073  
 Elevation: 54.36

Source Bench Mark #2  
 Horizontal: NCGS HALL (NAD 83/2007)  
 Northing (ft): 677,330,912.4  
 Easting (ft): 2,466,267,061.5

### SITE DATA

TOTAL ACREAGE IN LOT: 15.81 AC. (688,871 SF)  
 SUBDIVISION AREA: 15.81 AC. (688,871 SF)  
 MAXIMUM FLOOR AREA (G.L.A. X 1.30): 947,887 SF  
 MINIMUM OPEN SPACE (G.L.A. X 0.07): 11.2 AC. (488,531 SF)  
 PROPOSED OPEN SPACE (G.L.A. X 0.20): 316,359 SF  
 PROPOSED LIABILITY SPACE (G.L.A. X 0.104): 1,74 AC. (75,832 SF)  
 MINIMUM RECREATION SPACE (G.L.A. X 0.104): 1.74 AC. (75,832 SF)  
 TOTAL OF UNITS/BEDROOMS: 234 UNITS/729 BEDROOMS  
 GROSS FLOOR AREA: 119,927 SF (PER FLOOR)  
 BUILDING LOT COVERAGE: 17%  
 BUILDING HEIGHT IN FEET AND STORES: 35' (3 STORES) (ADJACENT TO PUBLIC STREET)  
 REQUIRED PARKING: 567 SPACES (11 H.C. SPACES REQUIRED)  
 TOTAL SQUARE FEET FOR PROPOSED IMPERVIOUS AREA: 345,671 SF  
 IMPERVIOUS AREA FOR PARKING AREAS: 194,397 SF  
 PROPOSED ZONING: UC OVERLAY  
 TAX MAP: PARCELS 01428, 01861, 19412, 19730, 24471, 29048 and 32776.

### GENERAL NOTES

- CONTACT NORTH CAROLINA ONE-CALL CENTER, INC. (NC ONE CALL) AT 4-800-632-4949 TO HAVE ALL UNDERGROUND UTILITIES LOCATED PRIOR TO EXCAVATING OR TRENCHING.
- ELECTRIC AND TELEPHONE UTILITIES SHALL BE INSTALLED UNDERGROUND.
- ALL REQUIREMENTS SHALL COMPLY WITH THE CITY OF GREENVILLE MANUAL OF STANDARD DESIGNS AND DETAILS AND THE GREENVILLE WATER AND WASTEWATER SYSTEM EXTENSIONS FOR GREENVILLE UTILITIES COMMISSION.
- PORTIONS OF THIS PROPERTY ARE LOCATED IN A ZONE "AE" (AREA DETERMINED TO BE INSIDE THE 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD), ZONE "X" SHADED (AREA OF 0.2% ANNUAL CHANCE FLOOD); AREA OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1.0 FEET). THE PROPERTY IS LOCATED WITHIN THE 1% ANNUAL CHANCE FLOOD AS SHOWN ON THE FIRM FLOOD INSURANCE RATE MAP NUMBER 372048700J, PANEL 4887-J, EFFECTIVE JANUARY 2, 2004.
- SOIL EROSION AND SEDIMENTATION CONTROL PLAN APPROVAL BY THE CITY ENGINEER IS REQUIRED PRIOR TO THE INITIATION OF ANY LAND DISTURBING ACTIVITIES.
- THIS SITE DISTURBS GREATER THAN ONE-HALF ACRE FOR THE PURPOSE OF THE FEDERAL RESOURCES PLANNING ACT. EROSION CONTROL STRATEGIES/STABILIZATION MANAGEMENT SHALL BE PROVIDED ACCORDANCE WITH THE CITY OF GREENVILLE'S TARP-FAMILCO RIVER BASIN - NUTRIENT SENSITIVE WATER MANAGEMENT STRATEGY.
- THE PROJECT WILL MEET THE REQUIREMENTS OF THE CITY OF GREENVILLE WHICH REQUIRES MITIGATION OF ANY INCREASES IN PEAK FLOW RATE DURING A 1-YEAR STORM EVENT. THE MITIGATION WILL BE PROVIDED BY THE CITY OF GREENVILLE THROUGH THE PROPOSED STORM SEWER PIPE DETENTION BASIN, AND/OR OTHER MEANS TO MEET THE CITY OF GREENVILLE'S REQUIREMENTS.
- BUILDINGS MUST MEET ALL APPLICABLE BUILDING CODES.
- SITE SHALL MEET ALL RELATIVE NORTH CAROLINA ACCESSIBILITY CODE REQUIREMENTS.
- CITY OF GREENVILLE AND NCDOT DRIVEWAY PERMIT REQUIRED.
- ANY UNUSED DRIVEWAY SHALL BE CLOSED IN ACCORDANCE WITH CITY OF GREENVILLE'S DRIVEWAY ORDINANCE.
- FIRE PROTECTION PLAN TO BE SUBMITTED TO THE CITY OF GREENVILLE AND GREENVILLE UTILITIES FOR REVIEW AND APPROVAL.
- WATERLINE HYDRAULIC ANALYSIS REQUIRED
- PERMITTING OF PRIVATE WATERMANS 2" AND LARGER IS REQUIRED BY NCDENR. THE PERMIT SHALL BE IN THE NAME OF THE DEVELOPER. WATER WILL NOT BE PROVIDED TO THE PROJECT UNTIL GUC HAS BEEN PROVIDED VERIFICATION OF A FINAL APPROVAL BY ROBERN.
- SANITARY SEWER OUTFALL ACREAGE FEES ARE DUE.
- PROPOSED RELOCATED SANITARY SEWER MUST BE INSTALLED AND ACCEPTED FOR OPERATION AND MAINTENANCE BY GREENVILLE UTILITIES COMMISSION PRIOR TO ABANDONING PERMITS OVERHEAD. THE EASEMENTS HAVE BEEN ABANDONED.
- ALL SEWER STRUCTURES WITH TOPS BELOW THE 100 YR. FLOOD ELEVATION SHALL HAVE WATER-TIGHT COVERS AND BE VENTED IN ACCORDANCE WITH GUC STANDARDS.
- REFUSE COLLECTION SHALL BE PROVIDED BY THE CITY OF GREENVILLE.
- PROVIDE ALL NECESSARY SIGNAGE FOR HANDICAP PARKING.
- PARKING LOT SHALL BE STRIPPED IN ACCORDANCE WITH PLAN.
- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
- THE PROJECT WILL MEET AND OBTAIN PERMITS NECESSARY FROM GREENVILLE UTILITIES COMMISSION AND THE CITY OF GREENVILLE, NORTH CAROLINA, UNITED STATES ARMY CORP. OF ENGINEERS, FEMA, ETC.
- PROJECT SITE SHALL BE COMBINED INTO ONE PARCEL PRIOR TO ISSUANCE OF A BUILDING PERMIT.

### BUFFERYARD NOTES

- SITE DATA:  
 15.81 ACRES  
 REQUIRED VEGETATION FOR LOT:  
 LARGE TREES (5 PER ACRE): 79  
 MEDIUM TREES (10 PER ACRE): 158  
 SHRUBS (25 PER ACRE): 385
  - REQUIRED STREET VEGETATION:  
 CHARLES BOULEVARD (45' W): 10 LARGE TREES  
 CHARLES BOULEVARD (45' E): 10 LARGE TREES
  - EXISTING VEGETATION:  
 APPROXIMATELY 480 LARGE TREES TO REMAIN (1.5 ACRES)
- NOTES:  
 A. MINIMUM PLANT SIZES SHALL BE IN ACCORDANCE WITH THE ZONING REGULATIONS AS FOLLOWS:  
 PLANTING MATERIAL SIZE  
 1. LARGE TREE - SINGLE STEM 10" (HEIGHT) AND 2" CALIPER  
 2. SMALL TREE - MULTI-STEM 8" (HEIGHT) AND 1.5" CALIPER  
 3. SHRUB 18" (HEIGHT), EXCEPT AS PROVIDED UNDER SECTION 9-4-267(C)

- B. NO PORTION OF ANY PARKING AREA, INCLUDING ANY DRIVEWAY PARKING SPACE, DRIVE AISLE OR TURNING AREA, SHALL BE LOCATED MORE THAN THIRTY (30) FEET FROM AN ON-SITE LARGE TREE FOR PURPOSES OF THIS SECTION. THE MEASUREMENT SHALL BE FROM THE FARTHEST EDGE OF THE SUBJECT AREA TO THE CENTER OF THE BASE OF THE CLOSEST QUALIFYING TREE.
- C. SITE PLAN APPROVAL FROM THE RESPECTIVE EASEMENT HOLDER SHALL BE OBTAINED AND APPROVED PRIOR TO THE INITIATION OF ANY LAND DISTURBING ACTIVITIES. THE TOTAL PERCENTAGE OF THE TOTAL REQUIREMENT FOR THE SPECIFIC CATEGORY:

- D. THE FOLLOWING VEGETATION MATERIALS, AS LISTED BY COMMON NAME, SHALL BE USED TO MEET THE PERCENTAGE REQUIREMENT FOR THE SPECIFIC CATEGORY:
- LARGE TREE  
 RIVER BIRCH
  - SMALL TREE  
 ARISTOCAT PEAR  
 BRADFORD PEAR  
 CAPITOL PEAR, AND  
 CLEVELAND SELECT PEAR
  - EVERGREEN SHRUB  
 RED TIP PHOTINIA
  - DUMPSTER/COMPACTOR SHALL BE SCREENED ON 3 SIDES IN ACCORDANCE WITH SECTION 9-4-288 (h) OF THE CITY CODE.
  - EXISTING SUBSTITUTE VEGETATION MATERIALS HAVE BEEN NOTED INCLUDING THEIR SPECIFIC LOCATIONS(S), TYPE(S), AND SIZE(S).
  - EXISTING SUBSTITUTE VEGETATION MATERIAL SHALL BE PROTECTED FROM SITE DEVELOPMENT ACTIVITIES IN ACCORDANCE WITH SECTION 9-4-285 (f).
  - NO LARGE TREES TO BE PLANTED WITHIN SANITARY SEWER OR WATERLINE EASEMENTS.

### SHEET INDEX

TITLE SHEET	1
SURVEY & DEMOLITION PLAN	2
SITE PLAN	3
SITE PLAN	4

### BOUNDARY AND TOPOGRAPHIC SURVEY

PREPARED BY:  
**Rivers & Associates, Inc.**  
 Engineers  
 Planners  
 License No. F-0334  
 107 East Second Street  
 Greenville, NC 27838 (252) 782-4135  
 6131 Falls of Neuse Road, Suite 300  
 Raleigh, NC 27609 (919) 845-3347

### PREPARED BY:

**EMHIT**  
 Evans, Mechwart, Hambleton & Tilton, Inc.  
 Engineers • Surveyors • Planners • Scientists  
 5500 New Albany Road, Columbus, OH 43228  
 Phone: (614) 776-4500 Fax: (614) 776-3348  
 emhit.com



Registered Engineer No. David T. Family Date 3/16/10

### PARKING DATA

Required Parking:  
 729 Bedrooms (0.75/bed) 729 x 0.75 = 547  
 Leases Office (1/500 S.F. Office/Pool Space) 20  
 Total: 567

Provided Parking: 631  
 631 Provided Spaces includes 16 Handicap Spaces and does not include 23 Stacked Spaces.

### INDEX MAP



### OWNER/DEVELOPER

Edwards Communities  
 485 South High Street, Suite 150  
 Columbus Ohio 43215  
 Contact: David Tyndal  
 Phone: (614) 421-2080  
 Email: dave.tyndal@edwardscc.com

### North Carolina One-Call Center

2300 W. McDowell Road, Suite 277  
 Greensboro, North Carolina 27407  
 (810) 855-5780



CALL 1-800-632-4949

2 DAYS BEFORE DIGGING IN  
 NORTH CAROLINA  
 UNDERGROUND LOCATOR  
 CONTRACTOR SHALL CONTACT  
 THE UNDERGROUND LOCATOR  
 EXPERT TO VERIFY UTILITY  
 LOCATIONS.

Call BEFORE you DIG!  
 "It's The Law"

REVISIONS	DATE	DESCRIPTION

PREPARED FOR  
EDWARDS COMMUNITIES DEVELOPMENT COMPANY  
495 SOUTH HIGH STREET, SUITE 150  
COLUMBUS, OHIO 43215  
CONTACT: DAVE TYNDALE  
PH: (614) 421-2080  
FAX: (614) 421-2080  
dave.tyndal@edwardsdc.com

GREENVILLE, NORTH CAROLINA  
LAND USE INTENSITY DEVELOPMENT PLAN  
FOR  
**THE PROVINCE AT GREENVILLE**  
SURVEY AND DEMOLITION PLAN

**EMHT**  
EMHS, MECHANICAL, HAMBILTON & TILTON, INC.  
Engineers • Surveyors • Planners • Scientists  
5500 New Albany Road, Columbus, OH 43254  
Phone: 614.775.4500 Fax: 614.775.4500  
emht.com

DATE: **March, 2010**

SCALE: **As Noted**

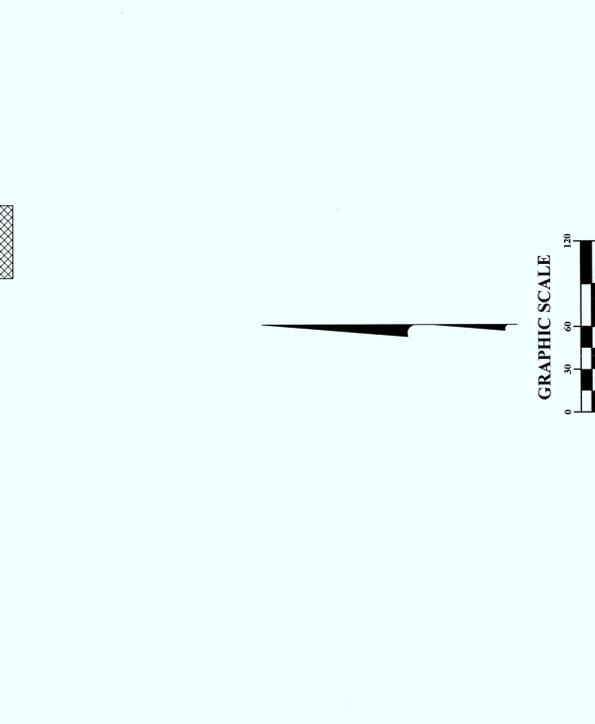
JOB NO.: **20091330**

SHEET: **2/4**

**LEGEND**

⊕	TELEPHONE PEDESTAL	⊕	PROPERTY LINE
⊙	LIGHT POLE	N	NORTH
⊙	SANITARY SEWER MANHOLE	S	SOUTH
⊙	WATER METER	F.P.	EXISTING IRON PIPE
⊙	WATER VALVE	E.I.P.	EXISTING IRON PIPE SET
⊙	WATER METER VAULT	I.P.S.	IRON PIPE SET
⊙	CATCH BASIN	N/F	NOW OR FORMERLY
⊙	STORM DRAINAGE MANHOLE	P.A.	PARCEL NUMBER
⊙	SIGN	M.B.	MAP BOOK
⊙	SATELLITE DISH	P.C.	PAGE
⊙	MONITORING WELL	D.B.	DEED BOOK
⊙	UTILITY POLE / UTILITY POLE	C.F.	CHAIN LINK FENCE
⊙	LIGHT POLE / UTILITY POLE	EX	EXISTING
⊙	EXISTING LOT NUMBER	E. AXLE	EXISTING AXLE
⊙	EXISTING BLOCK NUMBER	R/W	RIGHT OF WAY
⊙	WATER LINE	B/B	BACK TO BACK
⊙	UNDERGROUND ELECTRIC	A/A	ALSO KNOWN AS
⊙	OVERHEAD ELECTRIC	CO O	CLEAN OUT
⊙	STORM DRAINAGE LINES	CONC.	CONC.
⊙	SANITARY SEWER MAIN	C.P.P.	CORRUGATED PLASTIC PIPE
⊙	OVERHEAD TELEPHONE	C.P.	CONCRETE PIPE
⊙	UNDER GROUND GAS/SERVICE	FH	FIRE HYDRANT
⊙	WOODS LINE / VEGETATION	T	ELECTRIC TRANSFORMER
⊙		ESB	ELECTRIC SERVICE BOX
⊙		CATV/CTV	CABLE TV PEDESTAL
⊙		D.P.	DUMPSTER PAD
⊙		BBALL	BASKETBALL GOAL
⊙		W.P.	WOOD POST
⊙			PAVEMENT REMOVAL
⊙			BUILDING REMOVAL

⊕	TELEPHONE PEDESTAL	⊕	PROPERTY LINE
⊙	LIGHT POLE	N	NORTH
⊙	SANITARY SEWER MANHOLE	S	SOUTH
⊙	WATER METER	F.P.	EXISTING IRON PIPE
⊙	WATER VALVE	E.I.P.	EXISTING IRON PIPE SET
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⊙	CATCH BASIN	N/F	NOW OR FORMERLY
⊙	STORM DRAINAGE MANHOLE	P.A.	PARCEL NUMBER
⊙	SIGN	M.B.	MAP BOOK
⊙	SATELLITE DISH	P.C.	PAGE
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⊙	OVERHEAD ELECTRIC	CO O	CLEAN OUT
⊙	STORM DRAINAGE LINES	CONC.	CONC.
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⊙		BBALL	BASKETBALL GOAL
⊙		W.P.	WOOD POST
⊙			PAVEMENT REMOVAL
⊙			BUILDING REMOVAL



**BOUNDARY AND TOPOGRAPHIC SURVEY**  
PREPARED BY:

**Rivers**  
& ASSOCIATES  
107 East Second Street  
Greenville, NC 27608 (252) 752-4155

6131 Falls of Neuse Road, Suite 300  
Raleigh, NC 27609 (919) 846-3347

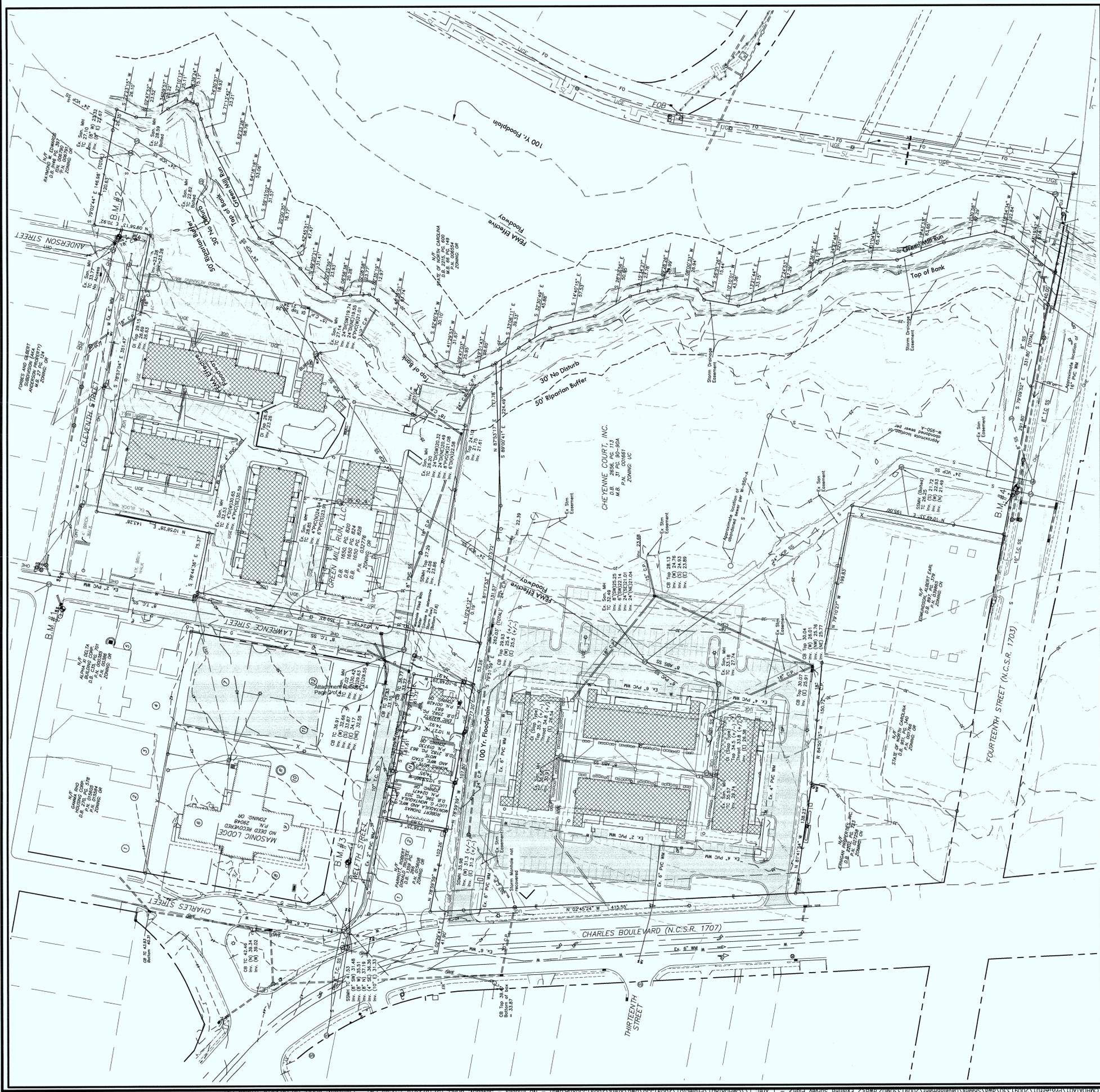
Engineers  
Surveyors  
License No. F-0334

**EMHT**  
EMHS, MECHANICAL, HAMBILTON & TILTON, INC.  
Engineers • Surveyors • Planners • Scientists  
5500 New Albany Road, Columbus, OH 43254  
Phone: 614.775.4500 Fax: 614.775.4500  
emht.com

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5500 New Albany Road, Columbus, OH 43254  
Phone: 614.775.4500 Fax: 614.775.4500  
emht.com

Registered Engineer No. **Doug Tanny**  
Date **3/16/10**



MARK	DATE	DESCRIPTION

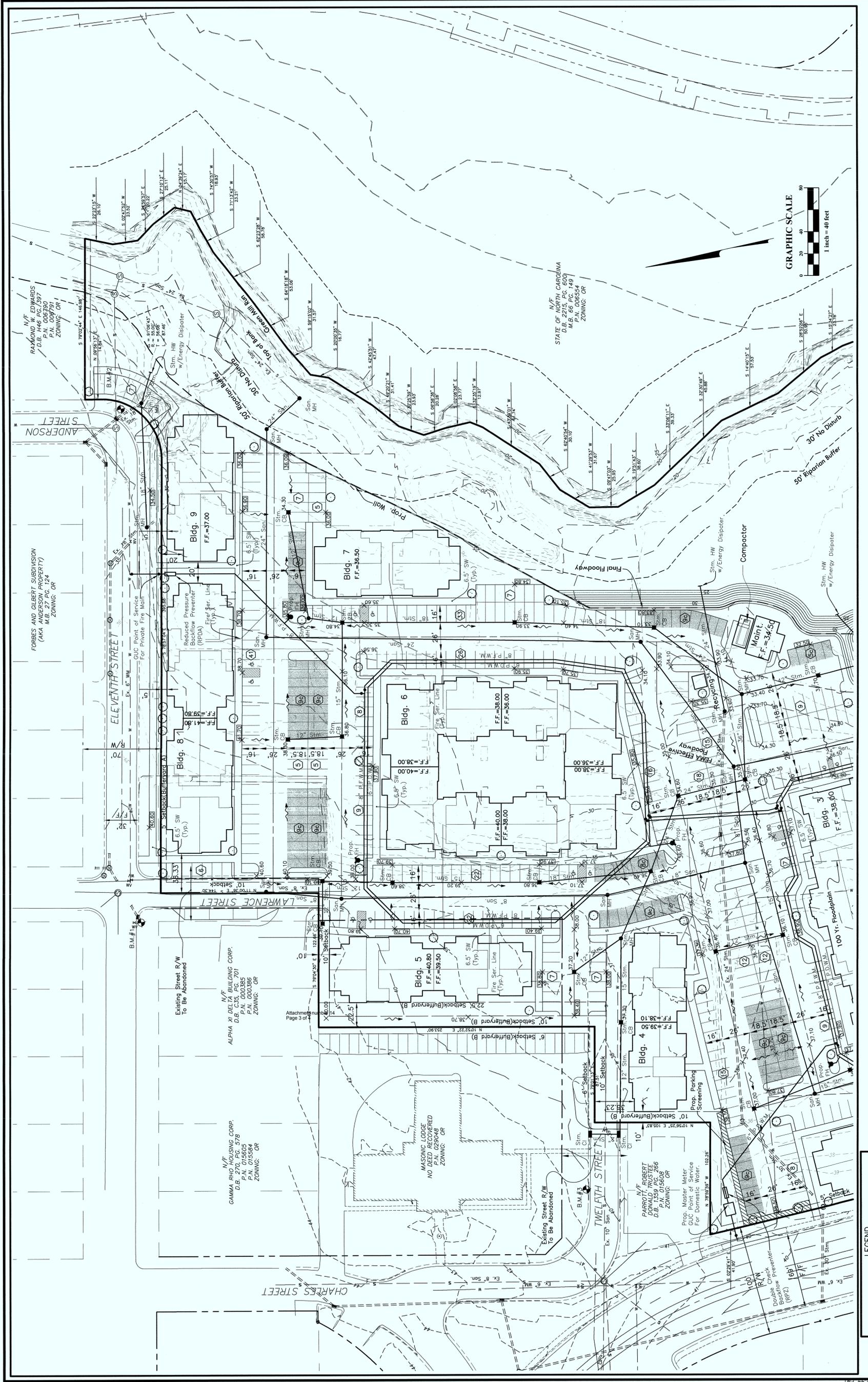
EDWARDS CONSULTANTS DEVELOPMENT COMPANY  
 495 SOUTH HIGH STREET, SUITE 150  
 COLUMBUS, OHIO 43215  
 CONTACT: DAVE TYNDALE  
 PH: (614) 421-2070  
 FAX: (614) 421-2080  
 dave.tyndal@edwardsdc.com

PREPARED FOR  
**THE PROVINCE AT GREENVILLE**  
 LAND USE INTENSITY DEVELOPMENT PLAN  
 FOR  
**GREENVILLE, NORTH CAROLINA**  
 SITE PLAN

**EMHT**  
 ENGINEERS, ARCHITECTS, PLANNERS & DESIGNERS  
 5500 New Albany Road, Columbus, OH 43254  
 Phone: 614.775.4500  
 Fax: 614.775.4501  
 emht.com

DATE: March, 2010

SCALE	As Noted
JOB NO.	20091330
SHEET	3/4



PREPARED BY:  
**EMHT**  
 ENGINEERS, ARCHITECTS, PLANNERS & DESIGNERS  
 5500 New Albany Road, Columbus, OH 43254  
 Phone: 614.775.4500  
 Fax: 614.775.4501  
 emht.com



FORBES AND GILBERT SUBDIVISION  
 (AKA ANDERSON PROPERTY)  
 M.B. 27 P.C. 124  
 ZONING: OR

RAYMOND W. EDWARDS  
 D.B. H46 P.C. 1397  
 P.N. 005780  
 P.N. 004781  
 ZONING: OR

ALPHA XI DELTA BUILDING CORP.  
 D.B. C35, P.C. 701  
 P.N. 000385  
 P.N. 000386  
 ZONING: OR

M/F PUSING CORP.  
 GAMMA PHU 2701 P.C. 578  
 P.N. 015605  
 P.N. 015594  
 ZONING: OR

MASONRY LODGE  
 NO DEED RECOVERED  
 M.B. 02 P.C. 020  
 ZONING: OR

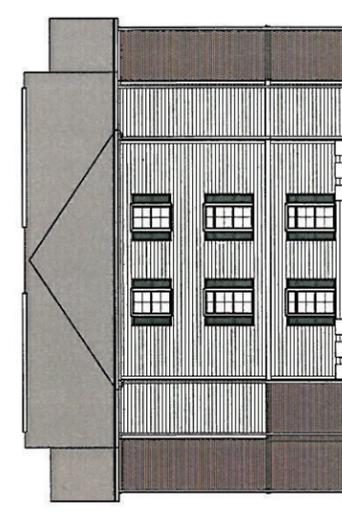
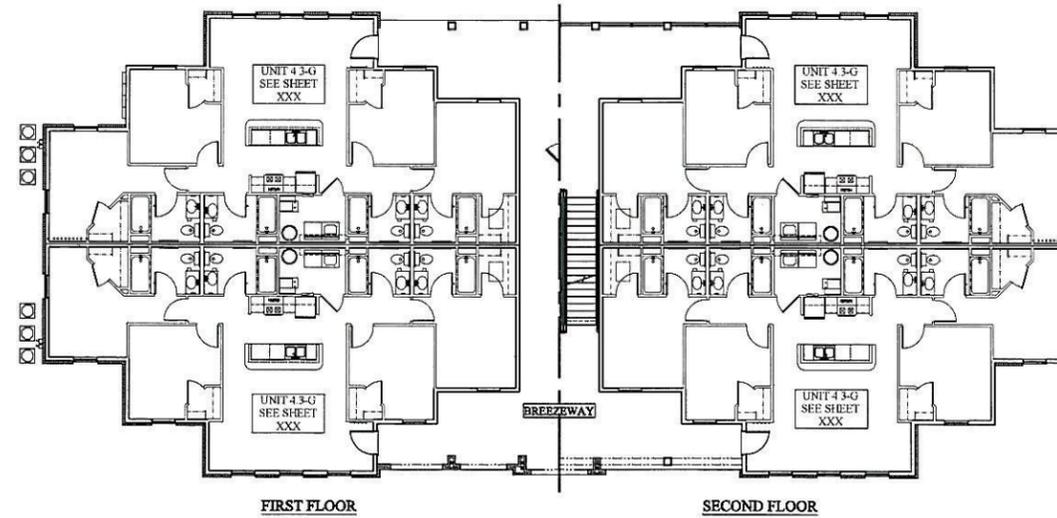
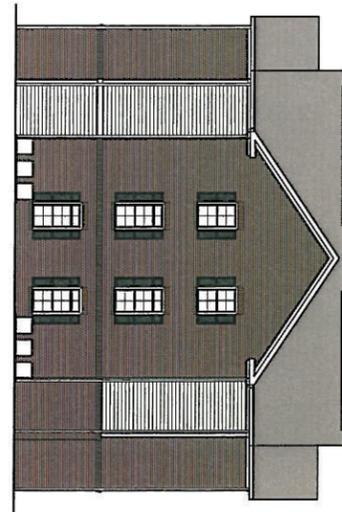
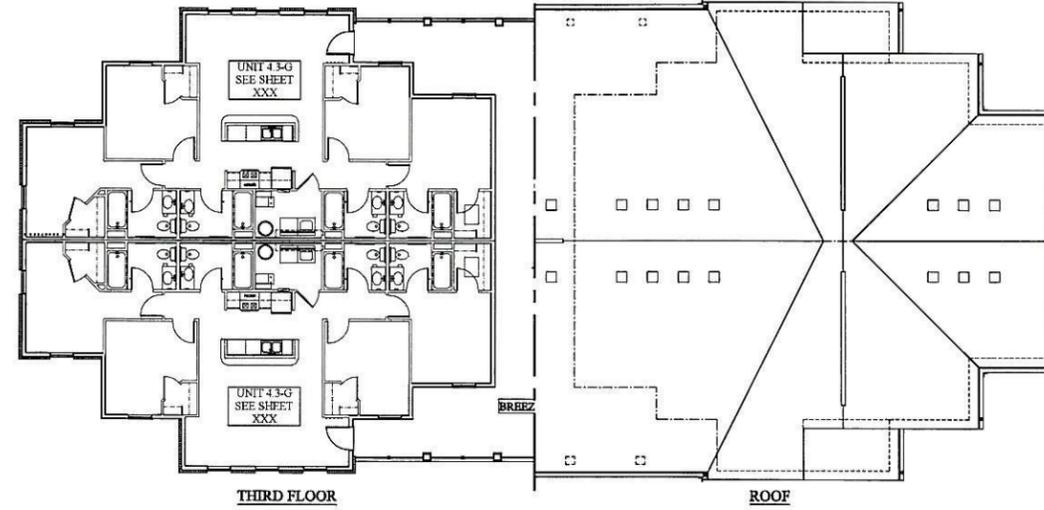
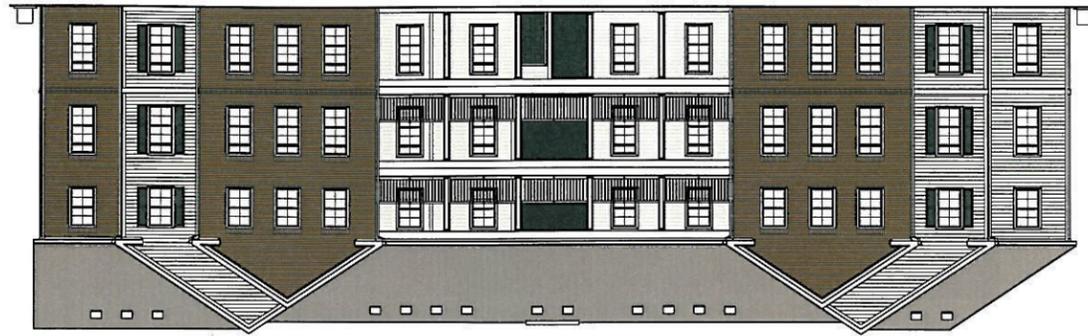
PARROTT, ROBERT  
 D.B. 1159 P.C. 256  
 P.N. 015608  
 ZONING: OR

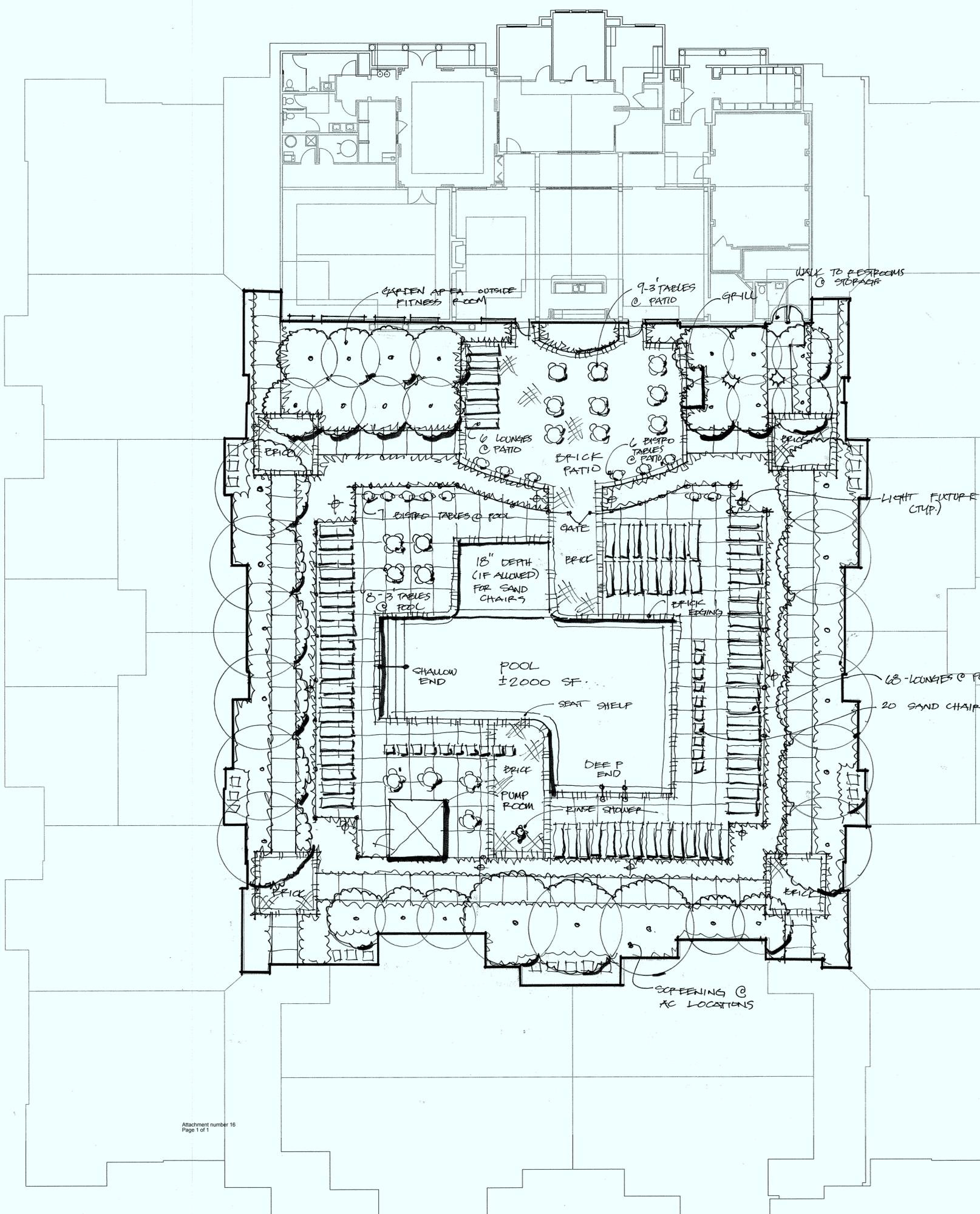
**LEGEND**

x B&E	Top of Curb Elevations
x S&E	Pavement/Ground Elevation
---	Existing Contours
---	P.D.W.M.
---	P.F.W.M.
---	Flow Direction Arrow
---	Compact Spaces
---	Prop. Parking Lot Screening
---	Private Domestic Water Main
---	Private Fire Water Main



# Building No 9





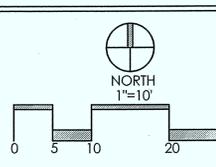
Attachment number 16  
Page 1 of 1

# COURTYARD CONCEPT

# THE PROVINCE AT GREENVILLE

PREPARED FOR EDWARDS COMMUNITIES  
DATE: 3.12.10 REV 3.24.10

Item # 4



## 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.

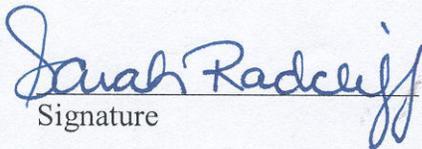
NORTH CAROLINA  
PITT COUNTY

CERTIFICATE OF MAILED NOTICES

The undersigned employee or employees of the City of Greenville, Planning and Community Development Department do hereby certify that the mailing requirements for notice of a special use permit pursuant to Title 9, Chapter 4, Article K, Section 9-4-186(f)(2) of the City Code has been complied with for the following request:

- 1 10-01 A request for a special use permit using the Land Use Intensity by Edwards Communities Development Company, Agent, to construct 30 one (1) bedroom units, 30 two (2) bedroom units, 57 three (3) bedroom units and 117 four (4) bedroom units (234 total units) on property totaling 15.81 acres using the Land Use Intensity Standards. The property is zoned OR-UC (office-residential with urban core overlay) and is located between 10<sup>th</sup> Street and E. 14<sup>th</sup> Street, west of Green Mill Run and Rock Spring Subdivision, being identified as Tax Parcel Numbers 01428, 01661, 19412, 19730, 24471, 32776 and a portion of 29048.

The person or persons mailing such notices and making this certificate are:

  
Signature

Sarah Radcliff  
Printed Name

04/06/2010  
Date



# City of Greenville

## North Carolina

P.O. Box 7207 - Greenville, NC 27835-7207

April 6, 2010

ACM INVESTMENTS LLC  
586 WHITE HORSE DR  
GREENVILLE NC 27834

Dear Greenville Area Property Owner:

The Community Development Department wishes to inform you that a request has been made to the City of Greenville to obtain a special use permit to construct 30 one (1) bedroom units, 30 two (2) bedroom units, 57 three (3) bedroom units and 117 four (4) bedroom units (234 total units) on property totaling 15.81 acres using the Land Use Intensity Standards. The property is zoned OR – UC (office-residential with urban core overlay) and is located between 10<sup>th</sup> Street and E. 14<sup>th</sup> Street west of Green Mill Run and Rock Spring subdivision, being identified as Tax Parcel Numbers 01428, 01661, 19412, 19730, 24471, 32776 and a portion of 29048.

The request is being made by Edwards Communities Development Company, agent.

A public hearing will be held by the Planning and Zoning Commission on Tuesday, April 20, 2010 at 6:30p.m. to consider the request. The meeting will be held in the third floor Council Chambers of City Hall located at 200 West Fifth Street. You are welcome to attend.

Attached is an information sheet about the Planning and Zoning Commission.

If you should have questions concerning this matter, please feel free to call me at (252) 329-4506.

Sincerely,

Wayne Harrison  
Planner

Enclosures



# City of Greenville, North Carolina

Meeting Date: 4/20/2010  
Time: 6:30 PM

**Title of Item:** Request to close portions of Twelfth Street, Lawrence Street, and a portion of the public right-of-way at the intersection of Anderson Street and Eleventh Street.

**Explanation:** The City received the attached petition from the Board of the Greenville Masonic Temple located at 1104 Charles Street requesting the closer and abandonment of the following segments of streets and public rights of way:

- Twelfth Street from Charles Street to Lawrence Street
- Lawrence Street from Eleventh Street to Twelfth Street
- Portion of the public right-of-way at the intersection of Anderson Street and Eleventh Street

The attached, proposed Street Closing Map prepared by Rivers & Associates presents the identified street segments and public rights of way.

The Edwards Communities Development Company of Columbus, Ohio is pursuing the development of a new student living complex in Greenville. The proposed site is located north of 14th Street, east of Charles Boulevard, south of Eleventh Street, and west of Green Mill Run. The developer has identified that it will be necessary to acquire various properties, portions of properties, and portions of street rights-of-way to facilitate the construction of this proposed development. The attached Vicinity Map identifies the parcels associated with this development. The developer is also in the process of pursuing the necessary permits for the project.

Based on the proposed site plans submitted for the development, staff does not have an objection to the request for closing the public rights of way associated with the identified street segments of Twelfth Street and Lawrence Street. However, the request to close the identified portion of the public right-of-way at the intersection of Anderson Street and Eleventh Street is not recommended by staff due to need to retain the public right-of-way for the existing utilizes' infrastructure. This matter has been discussed with the developer's representatives and they understand the necessity for retaining the area identified as Tract 2 on the attached Street Closing Map.

The Order closing the public rights of way for the identified street segments of Twelfth Street and Lawrence Street shall become effective when the following condition is met:

The recordation of a final plat in accordance with the Subdivision Regulations for Greenville, North Carolina, which combines the lots, as identified with the Pitt County Register of Deeds Office, consisting of Parcels 32776, 19412, 01661, 24471, 19730, 01428, and the eastern portion of Parcel 29048, so that said lots are one lot of record.

The final plat will include dedicated utility easements for all utilities to remain, as reflected on the Street Closing Map.

**Fiscal Note:**

Upon recordation of a final plat, the City will not be responsible for the maintenance of the identified street segments of Twelfth Street and Lawrence Street and will not receive Powell Bill funds for these street segments.

**Recommendation:**

The Planning & Zoning Commission recommend to the City Council to approve the closure of Twelfth Street from Charles Street to Lawrence Street and the closure of Lawrence Street from Eleventh Street to Twelfth Street and not to approve the closure of the portion of the public right-of-way at the intersection of Anderson Street and Eleventh Street.

---

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

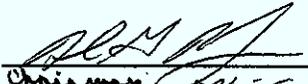
**Attachments / click to download**

-  [Street Closing Petition](#)
-  [Street Closing Map](#)
-  [Street Closure Map Model](#)

PETITION FOR PROPERTY OWNERS TO CLOSE  
A STREET

We the undersigned owner(s) of real property adjoining 500 block(s) of East Twelfth Street and 1100 block(s) of Lawrence Street and a portion of the Eleventh Street / Anderson Street intersection, do hereby petition the City Council of the City of Greenville, North Carolina to permanently close the street as described on Exhibit "A" attached.

Signatures of the person(s) requesting the street closing shall be as follows: Property owned by more than one individual shall be signed by all owners. Property owned by husband and wife (tenants in common) both shall sign the petition. Property owned by corporation shall be signed by president or vice president and secretary. Signatures of all remaining property owners should be listed on the attached sheet.

<u>Signature</u>	<u>Name</u>	<u>Address</u>	<u>PIN</u>
 Chairman <u>Alvis G. Roberson, Jr.</u>	Greenville Masonic Temple Board	1104 Charles Street Greenville, NC 27834	029048
 Secretary <u>Lawrence R. Garrett</u>			

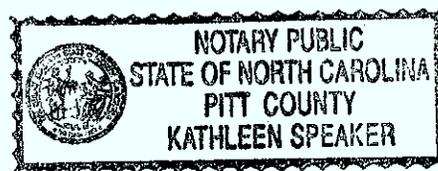
North Carolina  
Pitt County

I, Kathleen Speaker, a Notary Public in and for the aforesaid County and State, do hereby certify that Lawrence R. Garrett, Secretary & Alvis G. Roberson, Jr., Chairman of the Greenville Masonic Temple Board, appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal, this the 22<sup>nd</sup> day of March, 2010

MY COMMISSION EXPIRES 9-17-2011

NOTARY PUBLIC



Item # 5

Petition to Close the 500 block of East Twelfth Street  
and the 1100 block of Lawrence Street  
and a portion of Eleventh Street / Anderson Street

ADJACENT PROPERTY OWNER LIST

Listed below are the signatures of all property owners adjacent to the portion of the street to be closed as shown on tax records in the Pitt County Tax Supervisor's Office:

<u>Signature</u>	<u>Name</u>	<u>Address</u>	<u>PIN</u>
	Frank Hart Trust Donald Parrott, Trustee	1003 Red Banks Road Greenville, NC 27858	15608
<i>Robert T. Montaquila</i> <i>Lucy G. Montaquila</i>	Robert T. Montaquila and Lucy G. Montaquila	568 Whitehorse Drive Greenville, NC 27834	24471
	Morris Moye, Jr. and Staci Moye	PO Box 1704 Greenville, NC 27834	19730
<i>Eric Maertz</i>	Eric Maertz	510 East Twelfth Street Greenville, NC 27858	01428
	Green Mill Run, LLC	PO Box 9886 Greensboro, NC 27429	32776
	Alpha Xi Delta Building Corporation	2855 Charles Boulevard Greenville, NC 27858	00385
<i>Herbert M. Wilkerson by Christine Edwards, POA</i>	Peggy S. Corbitt and Herbert M. Wilkerson	306 Granville Drive Greenville, NC 27858	19412

Petition to Close the 500 block of East Twelfth Street  
and the 1100 block of Lawrence Street  
and a portion of Eleventh Street / Anderson Street

ADJACENT PROPERTY OWNER LIST

Listed below are the signatures of all property owners adjacent to the portion of the street to be closed as shown on tax records in the Pitt County Tax Supervisor's Office:

<u>Signature</u>	<u>Name</u>	<u>Address</u>	<u>PIN</u>
	Frank Hart Trust Donald Parrott, Trustee	1003 Red Banks Road Greenville, NC 27858	15608
	Robert T. Montaquila and Lucy G. Montaquila	568 Whitehorse Drive Greenville, NC 27834	24471
	Morris Moye, Jr. and Staci Moye	PO Box 1704 Greenville, NC 27834	19730
	Eric Maertz	510 East Twelfth Street Greenville, NC 27858	01428
	Green Mill Run, LLC	PO Box 9886 Greensboro, NC 27429	32776
	Alpha Xi Delta Building Corporation	2855 Charles Boulevard Greenville, NC 27858	00385
	Peggy S. Corbitt and Herbert M. Wilkerson	306 Granville Drive Greenville, NC 27858	19412

Petition to Close the 500 block of East Twelfth Street  
and the 1100 block of Lawrence Street  
and a portion of Eleventh Street / Anderson Street

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	Frank Hart Trust Donald Parrott, Trustee	1003 Red Banks Road Greenville, NC 27858	15608
	Robert T. Montaquila and Lucy G. Montaquila	568 Whitehorse Drive Greenville, NC 27834	24471
	Morris Moye, Jr. and Staci Moye	PO Box 1704 Greenville, NC 27834	19730
	Eric Maertz	510 East Twelfth Street Greenville, NC 27858	01428
<i>Joseph M. Brantley</i> <i>Manager Member</i>	Green Mill Run, LLC	PO Box 9886 Greensboro, NC 27429	32776
	Alpha Xi Delta Building Corporation	2855 Charles Boulevard Greenville, NC 27858	00385
	Peggy S. Corbitt and Herbert M. Wilkerson	306 Granville Drive Greenville, NC 27858	19412

Petition to Close the 500 block of East Twelfth Street  
and the 1100 block of Lawrence Street  
and a portion of Eleventh Street / Anderson Street

ADJACENT PROPERTY OWNER LIST

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<u>Signature</u>	<u>Name</u>	<u>Address</u>	<u>PIN</u>
	Frank Hart Trust Donald Parrott, Trustee	1003 Red Banks Road Greenville, NC 27858	15608
	Robert T. Montaquila and Lucy G. Montaquila	568 Whitehorse Drive Greenville, NC 27834	24471
	Morris Moye, Jr. and Staci Moye	PO Box 1704 Greenville, NC 27834	19730
	Eric Maertz	510 East Twelfth Street Greenville, NC 27858	01428
	Green Mill Run, LLC	PO Box 9886 Greensboro, NC 27429	32776
<i>Anna M. Weaver</i>	Alpha Xi Delta Building Corporation	2855 Charles Boulevard Greenville, NC 27858	00385
	Peggy S. Corbitt and Herbert M. Wilkerson	306 Granville Drive Greenville, NC 27858	19412

EXHIBIT "A"

To Wit: The 60 foot wide right of way of a portion of the 500 block of Twelfth Street, the 50 foot wide right of way of the 1100 block of Lawrence Street, and a portion of the right of way at the intersection of Eleventh Street and Anderson Street as shown on the plat entitled, "Street Closing Map For Edwards Communities Development Company", prepared by Rivers and Associates, Inc. Drawing No. Z-2527, dated February 26, 2010.

Location: Lying and being in the City of Greenville, Pitt County, North Carolina, south and east of Charles Street, generally bounded on the north and west by the Greenville Masonic Temple – no deed recovered and the Alpha Xi Delta Building Corporation property recorded Deed Book C 35, Page 701; and bounded generally on the east and south by the Green Mill Run, LLC property recorded in Deed Book 1650, Page 820; the Peggy S. Corbitt etal property recorded in Deed Book 900, Page 809; the Eric Maertz property recorded in Deed Book 2592, Page 683; the Morris Moye, Jr. etux property recorded in Deed Book 2182, Page 863; the Robert Montaquila etux property recorded in Deed Book 596, Page 203; and the Frank Hart Trust property recorded in Deed Book 1359, Page 266 and more accurately described as follows:

Tract 1

BEGINNING at a set iron pipe, said pipe being located in the eastern right of way of Twelfth Street said point further being the northwest corner of the Greenville Masonic Temple property and the southwest corner of the Gamma Rho Housing Corporation recorded in Deed Book 270 Page 578, thence from said POINT OF BEGINNING and with the right of way of Twelfth Street S 10°42'38" W 208.72 feet; thence running with a sight distance triangle S 34°09'17" E 21.26 feet to a point in the northern right of way Twelfth Street; thence continuing with the right of way S 79°01'13" E 292.22 feet to the intersection of the northern right of way of Twelfth Street and the western right of way of Lawrence Street; thence with the western right of way of Lawrence Street N 10°24'12" E 224.02 feet to the northeast corner of the Greenville Masonic Temple property, said point also being the southeast corner of the Alpha Xi Delta Building Corporation property; thence continuing with the western right of way of Lawrence Street N 11°01'37" E 146.18 feet to the intersection of the western right of way of Lawrence Street and the southern right of way of Eleventh Street, said point also being the northeast corner of the Alpha Xi Delta Building Corporation property; thence with a new line S 78°59'24" E 50.00 feet to the intersection of the southern right of way of Eleventh Street and the eastern right of way of Lawrence Street, said point also being the northwest corner of the Peggy S. Corbitt etal property; thence with the eastern right of way of Lawrence Street S 11°00'36" W 144.89 feet to an existing axle, said point being the common property corner between the Peggy S. Corbitt etal property and the Green Mill Run, LLC property; thence continuing with the eastern right of way of Lawrence Street S 10°24'12" W 359.25 feet to an existing iron pipe, said point being the southwest corner of the Green Mill Run, LLC property and being on the northern property line of the Cheyenne Court, Inc. property recorded in Deed Book 2656, Page

113; thence with the Cheyenne Court, Inc. property line N 79°51'59" W 53.26 feet to a point in the western right of way of Lawrence Street, said point also being the southeast corner of the Eric Maertz property; thence with the western right of way of Lawrence Street N 10°48'29" E 74.91 feet to the intersection with the southern right of way of Twelfth Street; thence cornering and running with the southern right of way of Twelfth Street N 79°11'31" W 61.73 feet to a point, said point being the common corner of the Eric Maertz property and the Morris Moye, Jr. etux property; thence continuing with the southern right of way of Twelfth Street N 79°01'13" W 123.09 feet to a point, said point being the common corner of the Robert Montaquila etux property and the Frank Hart Trust property; thence continuing with the southern right of way of Twelfth Street N 79°07'57" W 119.71 feet to a point, said point being northwest corner of the Frank Hart Trust property; thence with a new line N 35°53'01" W 69.29 feet to a point; thence continuing with a new line N 10°42'38" E 124.00 feet to a point in the eastern right of way of Charles Street; thence with a curve in a counter-clockwise direction, having a radius of 206.39 feet, a chord bearing of N 34°42'05" E, and a distance of 122.97 feet to the POINT OF BEGINNING; containing 1.227 acres more or less, and as shown on "A Street Closing Map For Edwards Communities Development Company", prepared by Rivers & Associates Inc., Drawing No. Z-2527 dated February 26, 2010.

Tract 2

BEGINNING at an existing iron pipe, said pipe being located in at the intersection of the eastern right of way of Anderson Street and the southern right of way of Eleventh Street, thence from said POINT OF BEGINNING and with the right of way of Eleventh Street N 78°57'04" E 72.29 feet; thence leaving the right of way of Eleventh Street and with a new curve in a counter-clockwise direction, having a radius of 70.91 feet, a chord bearing of N 56°02'56" E, and a chord distance of 100.28 feet to point in the eastern right of way of Anderson Street, said point also being the southwest corner of the Raymond W. Edwards property recorded in Deed Book H 46 Page 397; thence with the eastern right of way of Anderson Street S 09°56'13" W 70.92 feet to the POINT OF BEGINNING; containing 0.026 acres more or less, and as shown on "A Street Closing Map For Edwards Communities Development Company", prepared by Rivers & Associates Inc., Drawing No. Z-2527 dated February 26, 2010.

**LEGEND**

- TP ○ TELEPHONE PEDESTAL
- ☆ LIGHT POLE
- SANITARY SEWER MANHOLE
- WM ○ WATER METER
- WMV □ WATER VALVE
- WMV □ WATER METER VAULT
- ▣ CATCH BASIN
- SD STORM DRAINAGE MANHOLE
- SD SIGN
- SD SATELLITE DISH
- MW MONITORING WELL
- UTILITY POLE
- LIGHT POLE / UTILITY POLE
- EXISTING LOT NUMBER
- EXISTING BLOCK NUMBER
- W — WATER LINE
- UGE — UNDERGROUND ELECTRIC
- OHE — OVERHEAD ELECTRIC
- S — SANITARY SEWER MAIN
- OHT — OVERHEAD TELEPHONE
- G — UNDER GROUND GAS/SERVICE

- ▨ ASPHALT
- ▨ CONCRETE
- ▨ GRAVEL

- F.P. FLAG POLE
- E.I.P. EXISTING IRON PIPE
- I.P.S. IRON PIPE SET
- N.P.S. NO PIPE SET
- N/F NOW OR FORMERLY
- P.N. PARCEL NUMBER
- M.B. MAP BOOK
- P.G. PAGE
- D.B. DEED BOOK
- CLF CHAIN LINK FENCE
- EX. EXISTING
- E. AXLE EXISTING AXLE
- R/W RIGHT OF WAY
- B/B BACK TO BACK
- AKA ALSO KNOWN AS
- CO. CLEAN OUT
- CONC. CONC.
- C.P. CONCRETE PIPE
- FH FIRE HYDRANT
- T ELECTRIC TRANSFORMER
- ESB ELECTRIC SERVICE BOX
- D.P. DUMPSTER PAD
- W.P. WOOD POST

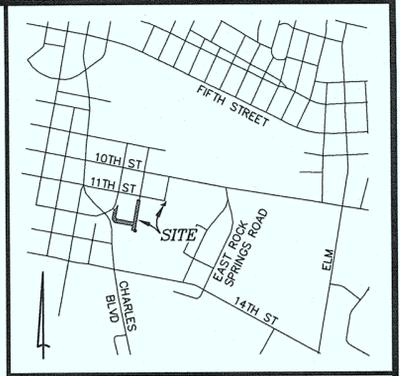
- ▨ 50' INGRESS/EGRESS & GENERAL UTILITY EASEMENT
- ▨ 30' SANITARY SEWER EASEMENT
- ▨ GENERAL UTILITY EASEMENT

**REFERENCES**

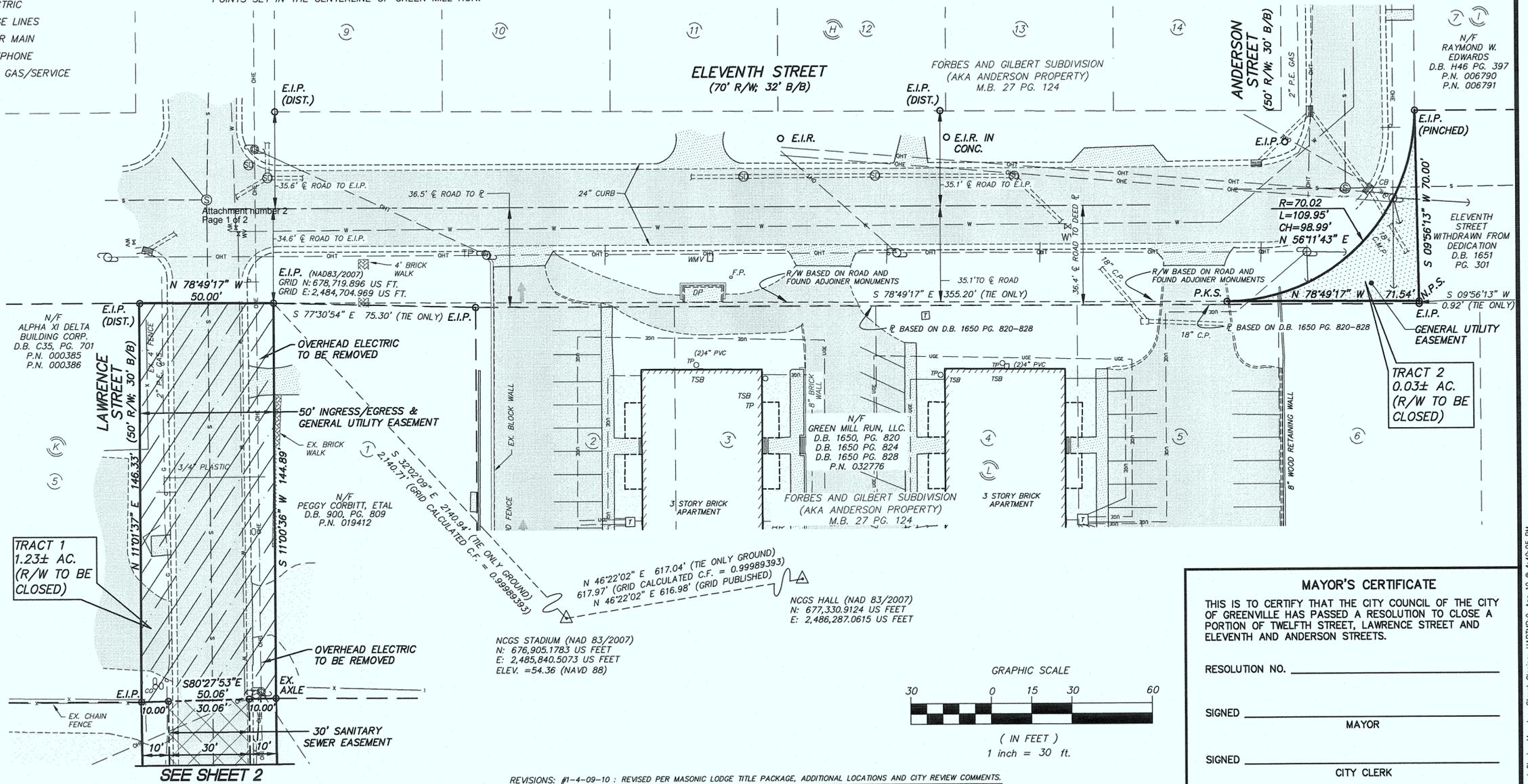
- D.B. 2656 PG. 113
- D.B. 1711 PG. 465
- D.B. 1650 PG. 820
- D.B. 1650 PG. 824
- D.B. 1650 PG. 828
- D.B. H46 PG. 397
- D.B. 2592 PG. 683
- D.B. 2182 PG. 863
- D.B. 596 PG. 203
- M.B. 31 PG. 90
- M.B. 27 PG. 124A
- D.B. V 32 PG. 516
- D.B. 615 PG. 254
- D.B. D 33 PG. 662
- D.B. Y 33 PG. 258
- D.B. Y 33 PG. 245
- M.B. 10 PG. 130
- STATE HIGHWAY BOOK 1 PAGE 17
- STATE HIGHWAY BOOK 2 PAGE 22-B
- RIVERS & ASSOCIATES DRAWING W-950-A
- RIVERS & ASSOCIATES DRAWING E-287-B

**NOTES:**

1. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS, IN FEET.
2. AREA DETERMINED BY COORDINATES.
3. PROPERTY SUBJECT TO ANY EASEMENTS, RESTRICTIVE COVENANTS, OR RIGHTS OF WAY WHICH MAY BE OF RECORD. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT OR RESEARCH.
4. PORTIONS OF THIS PROPERTY ARE LOCATED IN A ZONE "AE" (AREA DETERMINED TO BE INSIDE THE 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD), ZONE "X" SHADED (AREA OF 0.2% ANNUAL CHANCE FLOOD; AREA OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT), ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD) AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 3720468700J, PANEL 4687 J, EFFECTIVE JANUARY 2, 2004. FLOOD CROSS SECTION ELEVATIONS ARE NAVD 88.
5. THE LOCATION OF THE PROPERTY LINES ALONG CENTERLINES OF CREEKS OR STREAMS ARE SUBJECT TO CHANGE DUE TO NATURAL RIPARIAN CAUSES. (SURVEY LINES ARE FOR REFERENCE ONLY.) NO POINTS SET IN THE CENTERLINE OF GREEN MILL RUN.
6. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN ARE COMPRISED OF ALL SUCH UTILITIES IN THE AREA OF SURVEY EITHER IN SERVICE OR ABANDONED. THE SURVEY FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR DOES HEREBY CERTIFY THAT ALL UTILITIES ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY UNCOVERED AND LOCATED ANY UNDERGROUND UTILITIES).
7. THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS, OR ELECTRIC LINES ARE FOR THE PURPOSE OF ESTABLISHING WIDTH OF SAID EASEMENTS. THE EASEMENTS SHOWN ARE NOT EXCLUSIVE AND WILL PERMIT THE FUTURE INSTALLATION OF WATER, SANITARY SEWER, GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
8. NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS, AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERETO, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES, AND IMPERVIOUS SURFACES, SHALL ENCRUCH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.



**Vicinity Map**  
SCALE: 1" = 2000'



**MAYOR'S CERTIFICATE**

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF GREENVILLE HAS PASSED A RESOLUTION TO CLOSE A PORTION OF TWELFTH STREET, LAWRENCE STREET AND ELEVENTH AND ANDERSON STREETS.

RESOLUTION NO. \_\_\_\_\_

SIGNED \_\_\_\_\_ MAYOR

SIGNED \_\_\_\_\_ CITY CLERK

STATE OF NORTH CAROLINA  
COUNTY OF PITT

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

REVIEW OFFICER \_\_\_\_\_  
DATE \_\_\_\_\_

SOURCE OF TITLE

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

PROFESSIONAL LAND SURVEYOR  
REGISTRATION NO. L-4262

NORTH CAROLINA, PITT COUNTY

I, PATRICK W. HARTMAN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY CHAD HOLLAND AND JAMES E. WHITE FROM 12/23/09 - 1/12/10; THAT THE RATIO OF PRECISION IS 1:10,000+; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f) (11) THAT THIS SURVEY IS OF ANOTHER CATEGORY, BEING A SURVEY FOR A STREET CLOSING. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 18TH DAY OF MARCH, 2010.

PROFESSIONAL LAND SURVEYOR  
REGISTRATION NUMBER L-4262

**PROFESSIONAL LAND SURVEYOR SEAL**

NORTH CAROLINA  
PATRICK W. HARTMAN  
L-4262

DATE 03/18/10

SURVEY/JEW/CH DRAFT EW  
DESIGN FDT CHECK PWH

**Rivers & Associates, Inc.**  
Planners Surveyors  
N.C. LIC. NO. F-0334

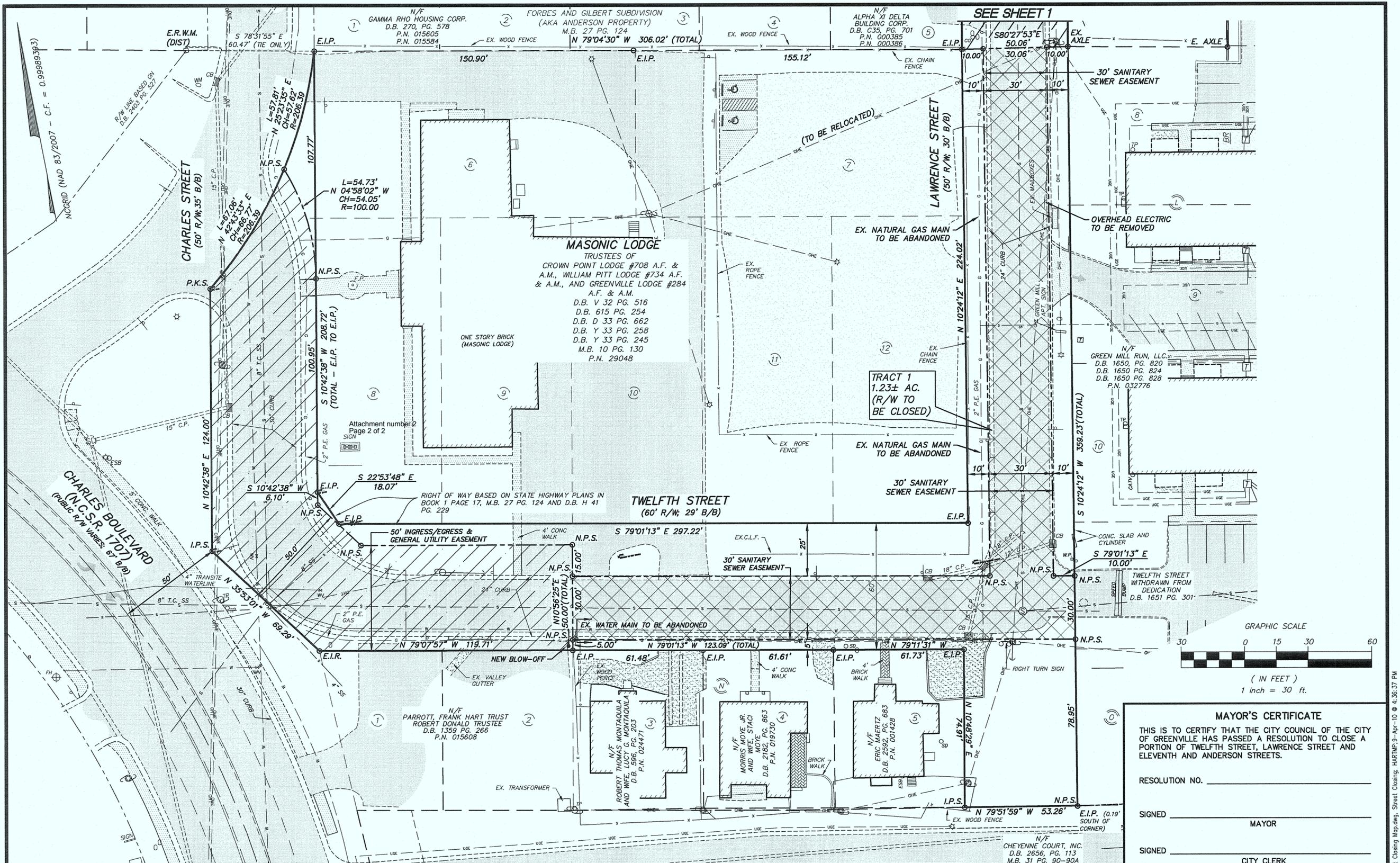
107 East Second Street  
Greenville, NC 27858 (252) 752-4135

6131 Falls of Neuse Road, Suite 300  
Raleigh, NC 27609 (919) 848-3347

**STREET CLOSING MAP FOR  
A PORTION OF ANDERSON STREET,  
ELEVENTH STREET, LAWRENCE STREET,  
TWELFTH STREET AND CHARLES STREET**

CITY OF GREENVILLE, GREENVILLE TOWNSHIP, PITT CO., N.C.

SCALE 1" = 30'  
DRAWING NO. Z-2527  
SHEET 1 OF 2



**MAYOR'S CERTIFICATE**

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF GREENVILLE HAS PASSED A RESOLUTION TO CLOSE A PORTION OF TWELFTH STREET, LAWRENCE STREET AND ELEVENTH AND ANDERSON STREETS.

RESOLUTION NO. \_\_\_\_\_

SIGNED \_\_\_\_\_ MAYOR

SIGNED \_\_\_\_\_ CITY CLERK

**LEGEND**  
SEE SHEET 1

**REFERENCES**  
SEE SHEET 1

**NOTES**  
SEE SHEET 1

STATE OF NORTH CAROLINA  
COUNTY OF PITT

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

REVIEW OFFICER  
DATE \_\_\_\_\_

**SOURCE OF TITLE**

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

PROFESSIONAL LAND SURVEYOR  
REGISTRATION NO. L-4262

NORTH CAROLINA, PITT COUNTY

I, PATRICK W. HARTMAN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY CHAD HOLLAND AND JAMES E. WHITE FROM 12/23/09 - 1/12/10; THAT THE RATIO OF PRECISION IS 1:10,000+; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f) (11) THAT THIS SURVEY IS OF ANOTHER CATEGORY, BEING A SURVEY FOR A STREET CLOSING. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 18TH DAY OF MARCH, 2010.

PROFESSIONAL LAND SURVEYOR  
REGISTRATION NUMBER L-4262

*Patrick W. Hartman*

**NORTH CAROLINA PROFESSIONAL LAND SURVEYOR SEAL**

DATE 03/18/10

SURVEY/JEW/CH DRAFT EW  
DESIGN FDT CHECK PWH

**Rivers & Associates, Inc.**  
107 East Second Street  
Greenville, NC 27858 (252) 752-4135

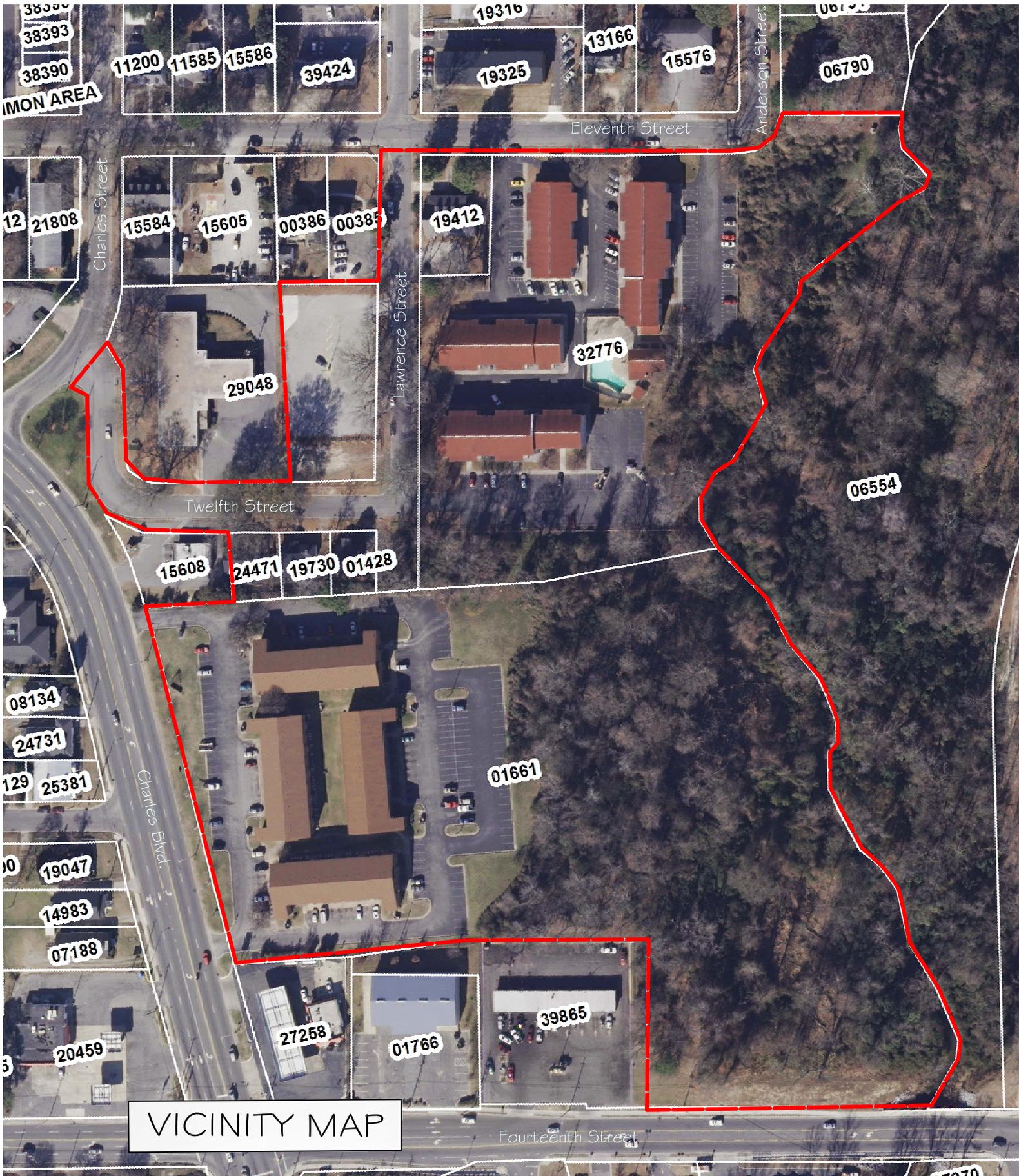
6131 Falls of Neuse Road, Suite 300  
Raleigh, NC 27609 (919) 848-3347

**STREET CLOSING MAP FOR A PORTION OF ANDERSON STREET, ELEVENTH STREET, LAWRENCE STREET, TWELFTH STREET AND CHARLES STREET**

CITY OF GREENVILLE, GREENVILLE TOWNSHIP, PITT CO., N.C.

SCALE 1" = 30'  
DRAWING NO. Z-2527  
SHEET 2 OF 2

N:\Edwards - Kings Arms - Green Mill Run - NC Grid\Map\Street Closing Map.dwg, Street Closing - HARTMAN-9-Apr-10 @ 4:36:37 PM





# City of Greenville, North Carolina

Meeting Date: 4/20/2010  
Time: 6:30 PM

**Title of Item:** Comprehensive Plan Review: Future Land Use Plan Map consideration of Area of Interest #5 (Old Pactolus Road), continued from the March 16, 2010 meeting

**Explanation:** As part of the City of Greenville's ongoing five-year Comprehensive Plan Review process, the Planning and Zoning Commission was asked by an area property owner to consider whether to recommend changes to the Future Land Use Plan Map for all, or a portion of, the area described as being located on the south side of Old Pactolus Road corridor, beginning approximately 1/3 mile SE of the intersection of NE Greenville Boulevard and Old Pactolus Road, and extending horizontally along Old Pactolus Road for about 1/2 mile containing 107+/- acres from OIMF (office/institutional/multi-family), Very Low Residential, and Conservation/Open Space categories to a C (commercial) category. In the process of evaluating the area requested, the Planning and Zoning Commission should evaluate an adjacent additional area, which shares similar conditions as the area described above, and would be impacted by changes to the Future Land Use Plan Map for the primary area. This additional area, which contains 262+/- acres, is described as being located adjacent to the primary area described above. See attached maps.

**History/Background:**

The current Future Land Use Plan Map was adopted on February 12, 2004. The City of Greenville's Extraterritorial Jurisdiction (ETJ) was last extended in 2001 (approximately one-half of the primary and additional areas are located within the ETJ). Vision Area B was seriously impacted by Hurricane Floyd in 1999. The resultant flood damage affected residential areas located within and/or adjacent to the primary and additional areas.

The Planning & Zoning Commission held a public hearing to discuss this item on March 16, 2010. The item was then continued to the April 20, 2010 meeting of the Planning & Zoning Commission.

**Comprehensive Plan:**

The subject site is located in Vision Area B.

Old Pactolus Road is designated as a residential corridor from the corner of Greenville NE Boulevard & Old Pactolus Highway to Pactolus Highway/264-E. It is expected that, along residential corridors, commercial uses will be confined to neighborhood-level intensities and located at nodes (street intersections). If the FLUPM is changed as proposed, the corridor designation for Old Pactolus Road should be amended to “connector corridor.”

The Future Land Use Plan Map recommends OIMF (office/institutional/multifamily), VLDR (very low density residential), and C/OS (conservation/open space) in the primary area, with a similar configuration in the additional area as well. That portion of the primary area that is designated OIMF includes 7.8+/- acres, while the additional area includes 13+/- acres of designated OIMF. The remainder of the primary and additional areas is designated either as VLDR or C/OS.

There is a recognized regional focus area across approximately less than ½ mile from the primary area, at the intersection of NE Greenville Boulevard and Pactolus Highway/264-E, within which commercial activity is encouraged.

**Environmental Conditions/Constraints:**

Approximately 13 acres of the primary area are located in the floodway. Small portions of the Primary and Additional areas include wetlands. Flood hazard area and wetland regulations as well as greenway plans may limit development in the primary and additional areas.

**Surrounding Zoning and Land Uses:**

North [including portions of the additional area]: RA20 (vacant, single family, mobile home, utility, and cemetery); R6MH (mobile home park); and County zoned land, including RA (vacant and Vail Estates - mobile/manufactured housing construction) and CG (vacant and commercial – manufactured housing sales lot).

South: CH parcels adjacent to NE Greenville Boulevard, which include areas in the floodway/wetlands, and RA20 (vacant, primarily floodway and wetlands).

East [including portions of the additional area]: directly adjacent to the primary area, on the south side of Old Pactolus Road, are County-zoned RA parcels (vacant); farther to the east are parcels within the Greenville City Limits that are zoned IU (Greenville Utilities Commission wastewater treatment); and still farther to the east are County-zoned RA parcels (vacant, single family residences, mobile homes), City-zoned RA20 (vacant, in the floodway), and Bradford Creek Golf Course. On the north side of Old Pactolus Road [east of the additional area], are County-zoned RA parcels (Vail Estates, Vandemere Mobile Home Park) and Bradford Creek Soccer Complex, which is also within the City Limits.

West [intersection of NE Greenville Boulevard and Tupper Drive]: primarily zoned commercial (some vacant land, existing commercial uses include wireless retailer, mini storage, and other warehouse-type commercial uses); OR (church), and RA20 (North Side Community Center).

**Thoroughfare/Traffic Volume Summary:**

No traffic report has been generated for this new area of interest, as the scope of

any possible changes has not yet been determined. However, based on recent area traffic reports, the average number of trips generated by office - high density residential is 1,678 average daily trips per acre, compared to 2,068 average daily trips per acre generated by commercial. Using the previous traffic analysis as a comparison, staff would estimate that the proposed change in land use category from the current OIMF to C could result in more than 400 additional daily trips per acre.

**Fiscal Note:** N/A.

**Recommendation:**

In staff's opinion, the Future Land Use Plan Map configuration for Vision Area B has as its principal goal to discourage residential development in the area, except for Very Low Density Residential. Almost the entire lower half of Vision Area B consists of lands in the floodway or in the 100 year or 500 year floodplain. The Horizons plan states, "It will be the policy of the City of Greenville to prohibit development within the floodway and to discourage development in undisturbed areas within the 100-year floodplain. The City should reserve undisturbed floodplain areas for low-intensity uses such as open space corridors, greenways, and wildlife habitat."

At the same time, the City's plan for Vision B seeks to, "encourage new industry and support businesses in the recognized industrial area." The FLUPM recommends industrial land uses for approximately 60 percent of the total area of Vision Area B, including the entire upper half of the area that mostly falls outside of the floodplain, but also including some additional lands in the floodplain. The City's comprehensive plan recognizes that the intersection of NE Greenville Boulevard and 264-E is a regional transportation junction. Commuters who live north or east of Greenville traverse this intersection while traveling in and out of the city; moreover, while the City has strived to relocate residents of flood prone areas, many Greenville residents still live in Vision Area B.

With all of these principles and prevailing conditions in mind, the plan designated a Regional Focus Area at the NE Greenville Blvd/264-E and the FLUPM recommended a relatively large concentration of commercial use in that vicinity, in part because commercial development in the floodplain—especially certain types of commercial development—would expose personal property and public safety to a lower risk than would residential development, but also to facilitate opportunities for limited commercial development on the north side of the Tar River. Subtracting the land that the FLUPM recommends for industrial as well as the land recommended for Conservation/Open Space and/or Very Low Density Residential, the approximate amount of land available for general (non-industrial) development purposes within Vision Area B appears to be less than 10 percent of the total area.

- *To recommend changes to the Future Land Use Plan Map for the subject area, the Planning and Zoning Commission should first establish that it is necessary as a result of changed conditions, in the local development*

*pattern, street system, environment, or other major feature or plan, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the current Future Land Use Plan Map.* Since the Horizons plan was last updated in 2004, the North Campus Crossing project was developed, which added 600 units (or 1,692 beds) of student housing in the general area. The project effectively removed approximately 24 acres of land as a potential site for commercial development. For two other contiguous sites, which lie diagonally (southwest) from the North Campus Crossing site, approximately 93 acres were rezoned from C to OR. Together, these two events have effectively removed 117 acres of potential commercial development area from the Regional Focus Area in Vision Area B. In the opinion of staff, the community did not anticipate these changes in the local development pattern when it created the Focus Area Map; therefore, a change to the FLUPM might be warranted as a means of reconciling the intents of the Focus Area Map (2004) and the current Future Land Use Plan Map (last amended in 2008), provided that the other criteria are satisfied.

- *The location of the proposed classification(s) supports the intent and objective of the current Future Land Use Plan Map, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan.* Given the reduction of land area recommended for commercial in Vision Area B, the inclusion of additional commercial in the subject area(s) would be consistent with the intent and objective of the FLUPM and Focus Area Map, provided that any commercial area added to Old Pactolus Road (residential corridor) is contiguous to the existing commercial Focus Area and is limited in scope.
- *The resulting anticipated land use is properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing and future neighborhoods and businesses within and in proximity to the area of proposed amendment.* Any change in the current Future Land Use Plan should protect the interests of adjacent/area neighborhoods and must account for current and future traffic management concerns related to this residential corridor. The primary and additional areas are unlikely to provide economically feasible locations for intensive commercial uses (retail, convenience store, restaurant, etc.); therefore, commercial uses (such as outdoor commercial recreation, or other land intensive commercial uses), as long as they are limited in scope, are unlikely to generate significant increases in traffic on Old Pactolus Road. Low to moderate-intensity commercial uses are preferable to residential/mobile home uses in terms of protecting personal property and public safety, while providing a transition between the existing residential neighborhoods and the NE Greenville Boulevard corridor. The current FLUPM recommends OIMF as a transitional use in the primary and additional areas. If these areas were developed as office, that would be a preferred transitional use; however, office development may be economically infeasible in the primary and/or additional areas and multifamily would be discouraged. The ideal environmental uses, Conservation/Open Space and Very Low Density Residential, are recommended for much of the developable, non-industrial areas of Vision

Area B. Note: the Blue Heron Landing greenway easement, which traverses the primary area, should be preserved as part of any reconfiguration of the FLUPM.

- *The amendment is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.* The inclusion of commercial in the primary and/or additional area, provided that it is contiguous with the recommended Regional Focus Area, and is limited in scope, would result in a land use pattern that is more desirable and sustainable than would be accommodated by additional residential development on Old Pactolus Road.

Note: In addition to 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 land use categories.

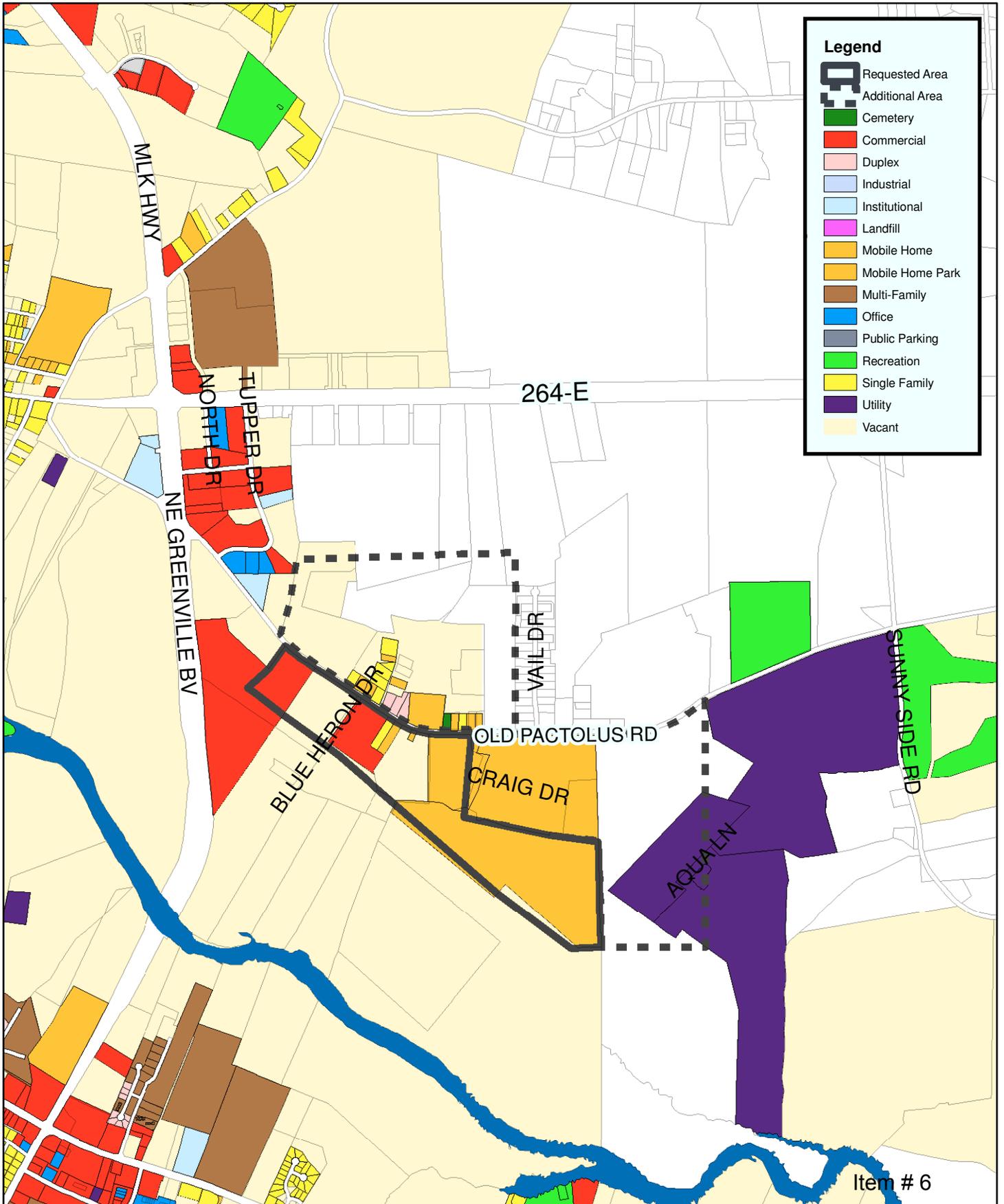
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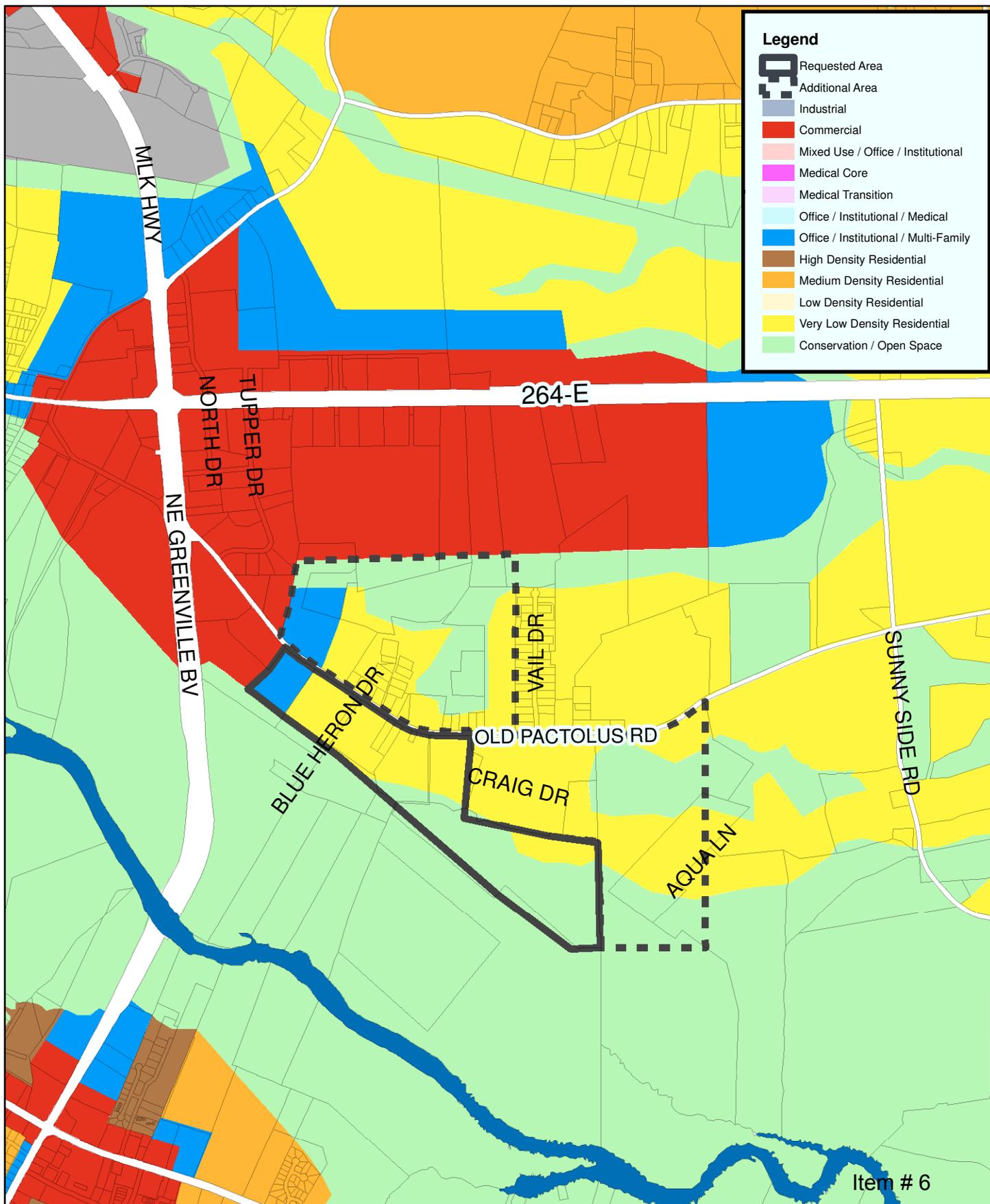
**Attachments / click to download**

- [Area 5, ELU](#)
  - [Area 5, FLUPM](#)
  - [Area 5, Zoning](#)
  - [FLUPM descriptions](#)
  - [Zoning District Descriptions](#)
-

# Area of Interest #5: Old Pactolus Road Existing Land Use Map



# Area of Interest #5: Old Pactolus Road (Current) Future Land Use Plan Map



## Future Land Use Plan Map (FLUPM) Classifications and Associated Zoning Districts

Land Use	Zoning Districts
Conservation / Open Space *	CA overlay
Residential, Very-Low Density	RA-20 (no sewer)
Residential, Low Density	RA-20, MRS, R-15S
Residential, Medium Density	R-6S, R-6A, R-9, R-9S, PUD **
Residential, High Density	R-6, R-6MH, MR
Office / Institutional / Multi-family	O, OR
Office / Institutional / Medical	MO
Medical Transition	MS
Medical Core	MI
Mixed Use / Office / Institutional	CDF
Commercial	CD, CG, CN, CH, MCG, MCH
Industrial	IU, PIU, I, PI

### \* Conservation / Open Space

Conservation/Open Space land uses are typically located in areas that contain existing parkland, exhibit potential for flooding, or are deemed inappropriate for development due to physical or environmental limitations. Conservation/Open Space lands are also as buffers to separate areas that may have the potential to become conflicting land uses.

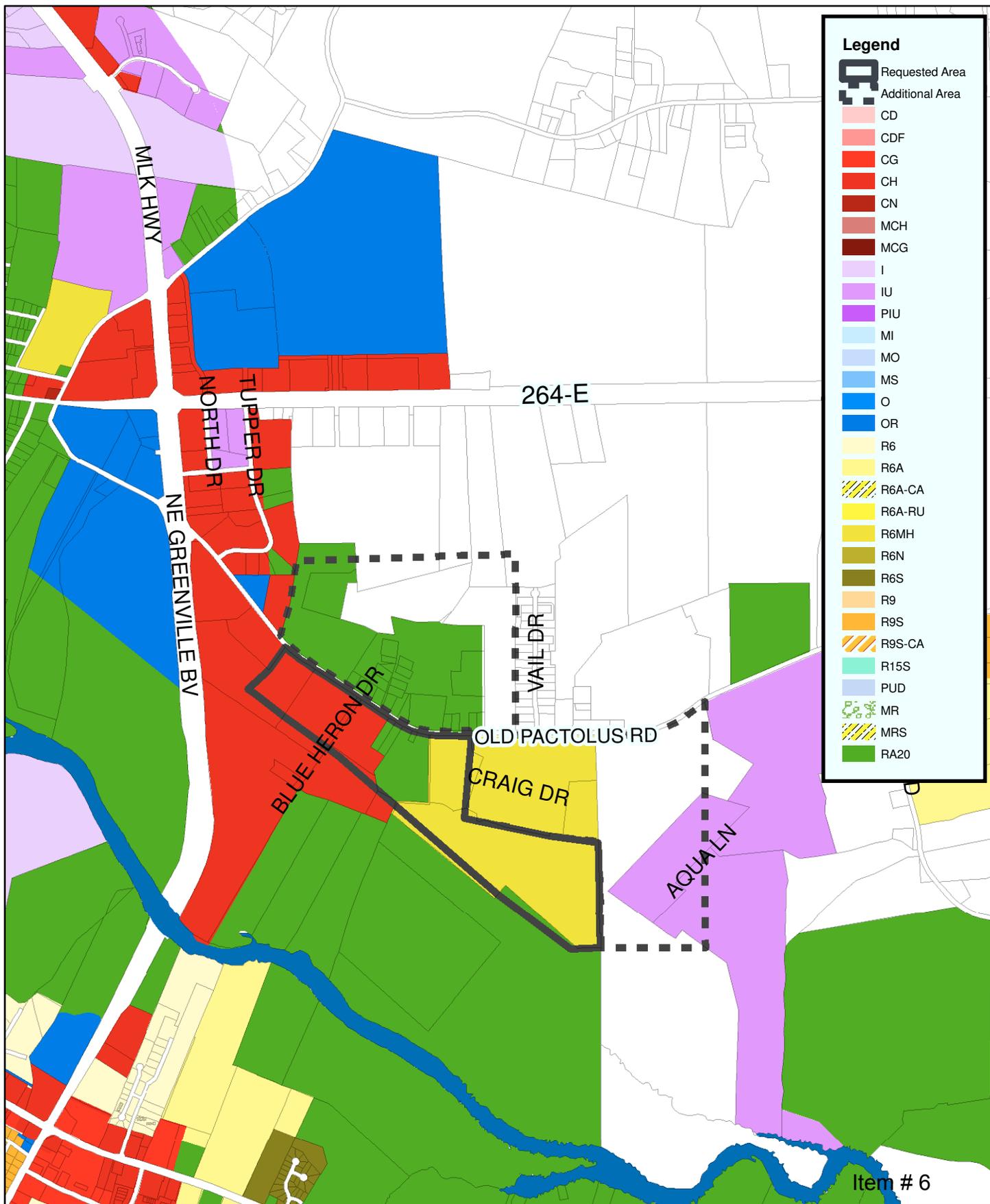
Conservation/Open Space buffers adjacent to industrial development should be maintained at a width based on the type of industry and its potential to create compatibility problems. Greenways and greenway connectors should be maintained to be consistent with the City's Greenway Comprehensive Plan.

The Future Land Use Map identifies certain areas for Conservation/Open Space uses. The map is not meant to be dimensionally specific, and may not correspond precisely with conditions on the ground. When considering rezoning requests or other development proposals, some areas classified as Conservation/Open Space may be determined not to contain anticipated development limitations. In such cases, the future preferred land use should be based on adjacent Land Use Plan designations, contextual considerations, and the general policies of the comprehensive plan.

### \*\* PUD (planned unit development)

The PUD zoning district and standards were deleted and replaced in December 2009 with the Master Planned Community (MPC) regulations. MPC development is a special use permit dependent option in a variety of residential districts and is not separate zoning district.

# Area of Interest #5: Old Pactolus Road Current Zoning Map



## ZONING DISTRICTS – PURPOSE

The Zoning Ordinance contains 33 separate zoning districts, each allowing a specific list of permitted and special uses. The following includes each districts official title and purpose statement [Emphasis and notations added].

### **RA20 residential-agricultural.**

The RA20 district is primarily designed to accommodate a compatible mixture of single family dwellings and agricultural uses at lower densities. These areas are generally found in areas without sewer services that are not yet appropriate for development at higher densities.

### **R15S residential-single family.**

The R15S district is primarily designed to accommodate single family uses [dwellings] at lower densities.

### **R9S residential-single family.**

The R9S district is primarily designed to accommodate single family dwellings at medium densities.

### **R9 residential.**

The R9 district is primarily designed to accommodate a compatible mixture of single family and two-family [duplex] dwellings at medium densities.

### **R6S residential-single family.**

The R6S district is primarily designed to accommodate single family dwellings at medium densities.

### **R6 residential.**

The R6 district is primarily designed to accommodate a compatible mixture of single family, two-family and multi-family [townhouse, condominium and apartment] dwellings at higher densities.

### **R6A residential.**

The R6A district is primarily designed to accommodate a compatible mixture of single family, two-family and multi-family dwellings at medium densities.

### **R6A restricted residential use (RU) overlay.**

The purpose of the R6A restricted residential use (RU) overlay district is to provide a residential development option designed to encourage single-family and/or two-family attached (duplex) development and to prohibit multi-family development within the underlying R6A district included within such overlay.

**R6N residential-neighborhood revitalization.**

The R6N district is primarily designed to accommodate single family dwellings and a limited number of two-family and multi-family dwellings at high densities.

**R6MH residential-mobile home.**

The R6MH district is primarily designed to accommodate a compatible mixture of single family (including mobile homes), two-family and multi-family dwellings at higher densities.

**PUD planned unit development.**

The PUD district is a special use residential zoning district that provides an alternative to traditional development standards and as further provided under Article J. [designed to accommodate a combination of all residential dwelling types at higher densities in conjunction with limited nonresidential uses].

**MI medical-institutional.**

The MI district is primarily designed to provide areas where the institutionalized care of physically and/or mentally ill people can be provided and where government or private agencies, offices, or institutions can provide services of a medical, para-medical, or social service nature. It shall also be the purpose of this district to provide for a healthful environmental that is conducive to the care and convalescing of ill people.

**MS medical - support.**

The MS district is primarily designed to create areas in which hospitals, rehabilitation centers, medical offices, and clinics may be compatibly mixed, in order that these related uses can be near each other for doctor and patient convenience. The district shall also allow a wider variety of medical support services. In addition, through its permitted uses, the district shall encourage a healthful environment in abutting residential areas, as well as within the health care delivery community.

**MO medical-office.**

The MO district is primarily designed to provide for general business [offices], professional offices and institutional uses, as well as to provide additional areas for medical offices and clinics to locate in a professional office environment. In addition, the district shall prohibit commercial and industrial land uses, which can generate large traffic volumes, and shall encourage the development of areas that will serve as a buffer for residential zoning district.

**MCG medical-general commercial.**

The MCG district is primarily designed to provide for the sale of convenience goods, for provision of personal services, and for other frequent needs of the trade area within the medical district community in a planned shopping center environment. In addition, it is the purpose of this section to require that development sites of less than four (4) acres be developed in conjunction with larger development sites in such a way that sites of less than four (4) acres are served by internal traffic circulation in conjunction with the larger development site.

**MR medical-residential.**

The MR district is primarily designed to accommodate a compatible mixture of single family, two-family and multi-family dwellings at higher densities.

**MCH medical-heavy commercial.**

The MCH district is primarily designed to accommodate commercial development that will best service the motoring public, as well as uses that will generate large traffic volumes in a development atmosphere that shall encourage compact, convenient shopping.

**MRS medical-residential single family.**

The MRS district is primarily designed to accommodate a compatible mixture of single family dwellings and agricultural uses at lower densities.

**OR office-residential.**

The OR district is primarily designed to accommodate a compatible mix of two (2) family attached [duplex] and multi-family dwellings [at higher densities] and business and professional uses in addition to providing a desirable buffer between commercial and high density residential uses.

**O office.**

The O district is primarily designed to accommodate a compatible mix of business, professional and institutional uses, in addition to providing a desirable buffer between commercial and low density residential uses.

**CN neighborhood commercial.**

The CN neighborhood commercial district is primarily designed to accommodate convenient shopping facilities consisting primarily of necessary goods and personal services required to serve a neighborhood.

**CD downtown commercial.**

The purpose of the CD district is to provide convenient shopping and service facilities by promoting compact development of commercial, office and service uses. High-density residential development is encouraged to be compatibly mixed with permitted nonresidential uses.

**CDF downtown commercial fringe.**

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

**CG general commercial.**

The purpose of the CG district is to accommodate a variety of commercial and service activities on an individual lot by lot basis and in a planned center setting.

**CH heavy commercial.**

The CH district is primarily designed to provide roadside uses which will best accommodate the needs of the motoring public and of businesses demanding high volume traffic.

**IU unoffensive industry.**

The IU district is primarily designed to accommodate those industrial and wholesale, and warehouse uses which, by their nature, do not create an excessive amount of noise, odor, smoke, dust, airborne debris or other objectionable impacts which might be detrimental to the health, safety or welfare of surrounding areas.

**PIU planned unoffensive industry.**

The purpose of the PIU district shall be to accomplish those purposes set forth under section 9-4-70 [IU district] while providing an alternative to traditional industrial development dimensional and subdivision standards designed to:

- (a) Promote economical and efficient use of lands;
- (b) Reduce initial development costs;
- (c) Encourage innovative industrial development design and layout of buildings;
- (d) Provide large lot developments which enhance the physical appearance of the area by preserving natural features, open space and existing vegetation; and
- (e) Allow ground absorption and filtration of street and site surface drainage thereby reducing negative impacts on downstream water quality.

**I industry.**

The I district is primarily designed to accommodate those industrial, wholesale, and warehouse uses which by their nature may create an excessive amount of noise, odor, smoke, dust, airborne debris or other objectionable impacts which may be detrimental to the health, safety or welfare of surrounding areas.

**PI planned industry.**

The purpose of the PI district shall be to accomplish those purposes set forth under section 9-4-72 [I district] while providing an alternative to traditional industrial development dimensional and subdivision standards designed to: (a) thru (e) same as PIU above.

**WS water supply watershed overlay.**

The purpose of the WS overlay district shall be to protect and manage surface water supply watersheds pursuant to the Water Supply Watershed Act of 1989 and N. C. G.S. 143-214.5 as amended. Such WS overlay district shall include both a (WS-C) critical area and (WS-P) protected area district as defined and regulated pursuant to Article L, Special Districts.

**HD historic district overlay.**

The purpose of the HD overlay district shall be to preserve, protect and manage locally designated historic landmarks pursuant to Article L, Special Districts.

**CA conservation district overlay.**

The purpose of the CA conservation area overlay district shall be to provide for permanent open space and desirable buffers between proposed uses and incompatible adjacent land uses, environmentally sensitive areas or hazardous areas in excess of minimum standards and to provide a method and means by which such open space and increased buffer areas may be utilized to fulfill zoning requirements applicable to individual lot development pursuant to Article L, Special Districts.

**UC urban core overlay.**

The purpose and intent of the urban core (UC) overlay district and requirements is to allow modification of specific site development standards of the underlying zoning district(s) which are designed to facilitate development and redevelopment of in-fill sites in the following designated area:

All urban core (UC) overlay district(s) shall be restricted to the land area located within the following boundary: south of Tenth Street, east of the CSXT Railroad, north of Fourteenth Street, west of Green Mill Run and ECU Easement (tax parcel 73545, DB 2215 – PG 597) as existing on the date of adoption of this ordinance. No urban core (UC) overlay district shall be located outside of the designated area described by this subsection. An urban core (UC) overlay district shall be established within the designated area upon City Council adoption of an individual zoning ordinance which defines the boundary of the specific urban core (UC) district located within the designated area boundary.



# City of Greenville, North Carolina

Meeting Date: 4/20/2010  
Time: 6:30 PM

**Title of Item:** Comprehensive Plan Review: Future Land Use Plan Map consideration of Area of Interest #6 – SW Greenville Boulevard

**Explanation:** As part of the City of Greenville's ongoing five-year Comprehensive Plan Review process, the Planning and Zoning Commission was asked by an area property owner to consider whether to recommend changes to the Future Land Use Plan Map for the primary area described as being located on the south side of SW Greenville Boulevard midway between the intersections of SW Greenville Boulevard/Dickinson Avenue and SW Greenville Boulevard/Allendale Drive, adjacent to (west of) Greenville Christian Academy/People's Baptist Church, extending for approximately 1,000 feet along the SW Greenville Boulevard corridor, and including additional land area to the south, containing 84.5+/-acres. The owner or representative of the primary area has proposed the Future Land Use Plan Map be amended to recommend additional commercial in a portion of the primary area, for which the map currently recommends Office/Institutional/Multi-family, Medium Density Residential, and Conservation/Open Space. In the process of evaluating the area requested, the commission should consider and/or evaluate an additional area adjacent to the primary area, which shares very similar conditions as the area described above, and would be impacted by changes to the Future Land Use Plan Map for the primary area. This additional area, which contains 48.1+/- acres, is described as being located adjacent to the primary area described above. See attached maps.

**History/Background:**

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

In June 1995, a request to rezone 32.6 acres of the Primary Area from RA20 to O&I (3.35 acres), CS (2.77 acres on SW Greenville Blvd), and R-6 (26.513) was denied. In April 1996, a request to rezone all of the Primary Area, excluding the three small parcels fronting SW Greenville Blvd, from RA20 to O&I (3.35 acres), CS (2.78 acres), and R-6 (86.2 acres) was withdrawn.

**Comprehensive Plan:**

The subject site is located in Vision Area E.

SW Greenville Blvd is designated as a connector corridor, beginning at the intersection of SW Greenville Blvd & Dickinson Avenue, and traveling eastward for approximately 4 miles to Charles Blvd. Connector corridors are anticipated to contain a variety of higher intensive uses.

The Future Land Use Plan Map recommends an approximately 1-mile long OIMF transitional/buffer strip on the south side of the SW Greenville Blvd corridor, including that section of the Primary Area which fronts the SW Greenville Blvd corridor, between two regional focus areas, within which commercial activity is encouraged. To the west of this OIMF transitional/buffer is the intersection of SW Greenville Blvd & Dickinson Avenue Extension, which is the northwest edge of one regional focus area. To the east is another regional focus area anchored by the intersection of SW Greenville Boulevard & Memorial Drive. On the north side of the SW Greenville Blvd corridor, approximately 0.25 miles from the Primary Area, is a designated intermediate focus area, which is currently lightly developed.

SW Greenville Blvd is a major thoroughfare.

**Environmental Conditions/Constraints:** None of the primary area is located in the floodway. The lower (southwest) section of the Primary Area includes potential wetlands.

**Surrounding Zoning and Land Uses:**

North: Corner of SW Greenville & Dickinson Avenue, CN (single family residential, mobile home), RA20 (single family residential), CN (vacant), CH/RA20 (vacant), CG (vacant). South: RA20 (vacant).

Southeast: R9S/R6S (single family residential – Langston Farms, vacant).

East [including additional area]: RA20 (Institutional – Greenville Christian Academy), R9S (single family residential – Red Oak).

West [including additional area]: on SW Greenville Blvd corridor, RA20 (vacant, single family residential, institutional – Red Oak Christian Church); in the interior of the Primary Area, RA20 & CG (vacant).

**Thoroughfare/Traffic Volume Summary:**

No traffic report has been generated for this new area of interest, as the scope of any possible changes has not yet been determined. However, based on recent area traffic reports, the average number of trips generated by office - high density residential is 1,678 average daily trips per acre, compared to 2,068 average daily trips per acre generated by commercial. Assuming that the FLUPM were amended to convert some or all of the existing OIMF area to Commercial within the Primary Area, and using previous traffic analyses as a comparison, staff would estimate that the proposed change in land use category from the current OIMF to C could result in more than 400 additional daily trips per acre.

**Fiscal Note:**

N/A.

**Recommendation:**

In staff's opinion, the purpose of the OIMF belt on the south side of SW Greenville Blvd is to provide transitional uses between the corridor and the interior residential neighborhoods; to help ensure that the road system can adequately service land uses in the vicinity of the corridor; and to separate the two Regional Focus Areas while helping to minimize potential "strip" commercial development between these two commercial nodes.

- *To recommend changes to the Future Land Use Plan Map for the subject area, the Planning and Zoning Commission should first establish that it is necessary as a result of changed conditions, in the local development pattern, street system, environment, or other major feature or plan, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the current Future Land Use Plan Map. Staff has not identified changed conditions that have impacted the Primary Area in a manner or to a degree not previously anticipated at the time of adoption of the current FLUPM; therefore, no change appears to be warranted.*

Proposed changes to the FLUPM should also meet the other following consideration criteria:

- *The location of the proposed classification(s) supports the intent and objective of the current Future Land Use Plan Map, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan.*
- *The resulting anticipated land use is properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing and future neighborhoods and businesses within and in proximity to the area of proposed amendment.*
- *The amendment is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.*

If the Planning and Zoning Commission recommends that the FLUPM be amended to include commercial in the Primary Area, staff recommends that any such changes to the FLUPM for the Primary and Additional areas correspond to the configuration illustrated in the attached map. Additional commercial uses within the Primary Area should physically connect to the regional focus area at SW Greenville Blvd & Dickinson Avenue Ext., which would require also adding commercial to the Additional Area that includes Red Oak Christian Church. Any new configuration should strive to meet the above described planning goals for the area as well as the above listed FLUPM amendment consideration criteria in the following ways:

- The inclusion of additional OIMF transitions, as necessary, between intensive commercial uses on the corridor and less intensive uses on adjacent properties and in interior neighborhoods
- An overall, long-term strategy to limit commercial uses in the regional focus area to an extent that can be effectively serviced by the street system

- The preservation of the above described OIMF “belt,” moderately reduced in scope, along the SW Greenville Blvd corridor, to provide future separation and transition between the two regional focus areas and as part of an effort to limit “strip” commercial development on this corridor. It is especially important to maintain the OIMF belt adjacent to existing residential neighborhoods, including Red Oak, Oakdale, and Woodland Apartments.

**Notes:**

- 1). If P&Z and the City Council recommend commercial as part of the subject areas, the depth of commercial would be determined at the rezoning stage; however, an amended FLUPM configuration for the areas should be consistent with the general intent of the Horizons plan for the area and be designed to facilitate a planned center approach to development in lieu of strip development.
- 2). The FLUPM recommends a significant concentration of commercial on both sides of Dickinson Ave Ext. (the adjacent regional focus area), extending for about 1.5 miles, including the intersection of SW Greenville Blvd & Dickinson Ave Ext, which represents the northeast edge of that commercial corridor. As part of its 5-year Horizons plan review process, the Planning and Zoning Commission has recommended that the FLUPM be amended to expand the commercial concentration on the opposite (southwestern) end of that extended commercial corridor (P&Z recommendation is pending). In making that recommendation, the P&Z took into consideration that the relocation of the SW Bypass right-of-way had largely eliminated another commercial area previously set aside for an additional intermediate focus area in that vicinity. At this stage, the Dickinson Avenue Ext. corridor has experienced modest development. The regional focus area is still very much a vision of the future, not yet a reality. As such, it is to be expected that the eventual land use configuration along the corridor will be in flux and subject to future, unknown events and trends. With that in mind, it might be appropriate for the community to make adjustments to the focus area, even now, as necessary. On the other hand, the community might need to set limits on the expansion of this commercial corridor, as it deems appropriate, and think proactively about strategies for minimizing future strip development. In the absence of such limits, there is a risk that the Dickinson Ave Ext. commercial corridor will gradually take on characteristics similar to other strip commercial streets - this evolution could happen on a piecemeal basis, often involving cases that, in isolation, are actually in “general compliance” with the Horizons plan, but which contribute to overexpansion of the commercial corridor and the absence of well defined nodes.
- 3). In addition to 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 land use categories. Any change in the current Future Land Use Plan should protect the interests of adjacent/area neighborhoods and must account for current and future traffic management concerns related to this residential corridor.

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**Attachments / click to download**

-  [Zoning District Descriptions](#)
  -  [FLUPM descriptions](#)
  -  [Area 6, ELU](#)
  -  [Area 6, FLUPM](#)
  -  [Area 6, Zoning](#)
  -  [Area 6, possible FLUPM configuration](#)
-

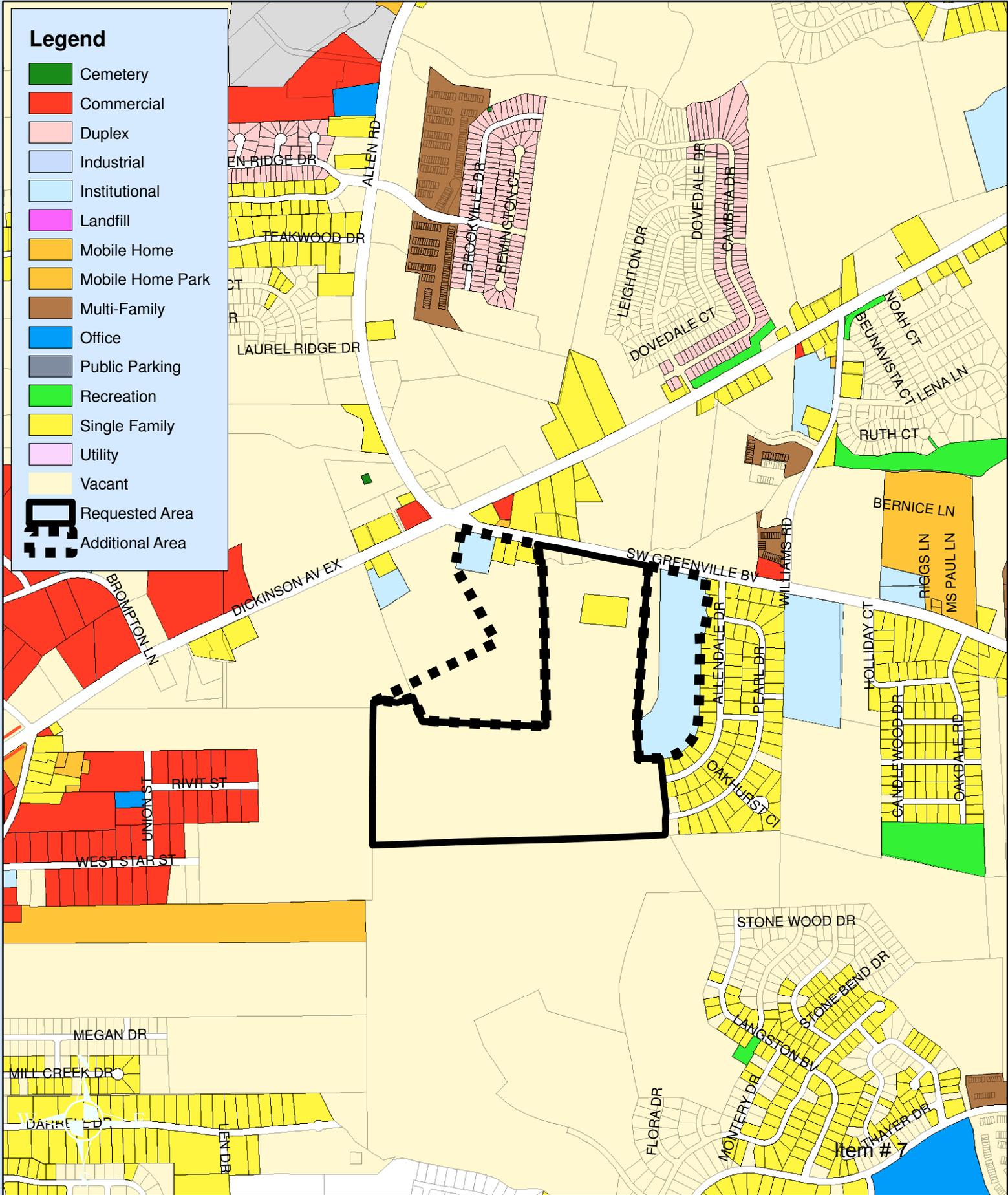


# Area of Interest #6 (Existing Land Use) SW Greenville Blvd



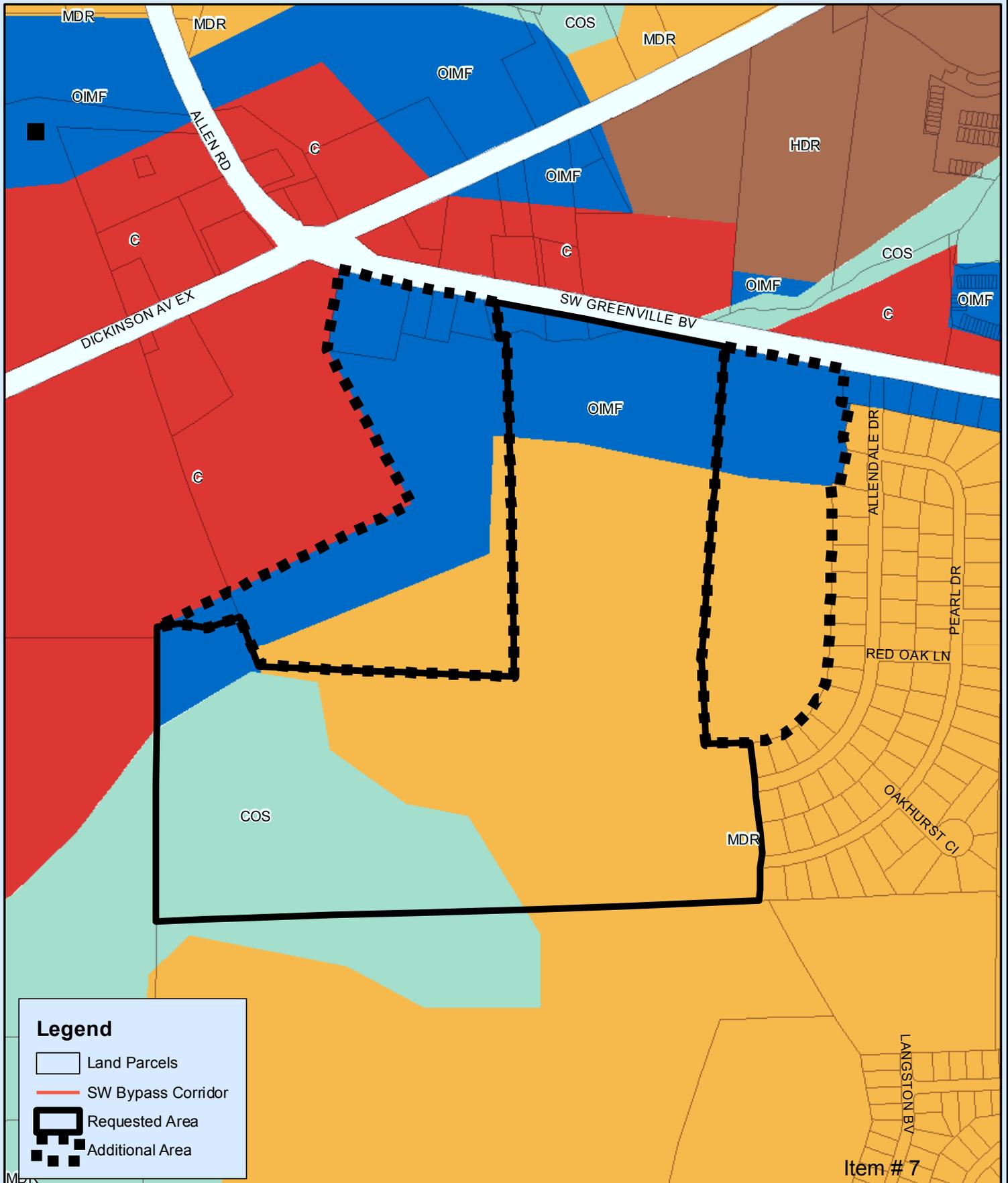
## Legend

- Cemetery
- Commercial
- Duplex
- Industrial
- Institutional
- Landfill
- Mobile Home
- Mobile Home Park
- Multi-Family
- Office
- Public Parking
- Recreation
- Single Family
- Utility
- Vacant
- Requested Area
- Additional Area





# Area of Interest #6 (FLUP Map) SW Greenville Blvd.



**Legend**

- Land Parcels
- SW Bypass Corridor
- Requested Area
- Additional Area

## Future Land Use Plan Map (FLUPM) Classifications and Associated Zoning Districts

Land Use	Zoning Districts
Conservation / Open Space *	CA overlay
Residential, Very-Low Density	RA-20 (no sewer)
Residential, Low Density	RA-20, MRS, R-15S
Residential, Medium Density	R-6S, R-6A, R-9, R-9S, PUD **
Residential, High Density	R-6, R-6MH, MR
Office / Institutional / Multi-family	O, OR
Office / Institutional / Medical	MO
Medical Transition	MS
Medical Core	MI
Mixed Use / Office / Institutional	CDF
Commercial	CD, CG, CN, CH, MCG, MCH
Industrial	IU, PIU, I, PI

### \* Conservation / Open Space

Conservation/Open Space land uses are typically located in areas that contain existing parkland, exhibit potential for flooding, or are deemed inappropriate for development due to physical or environmental limitations. Conservation/Open Space lands are also as buffers to separate areas that may have the potential to become conflicting land uses.

Conservation/Open Space buffers adjacent to industrial development should be maintained at a width based on the type of industry and its potential to create compatibility problems. Greenways and greenway connectors should be maintained to be consistent with the City's Greenway Comprehensive Plan.

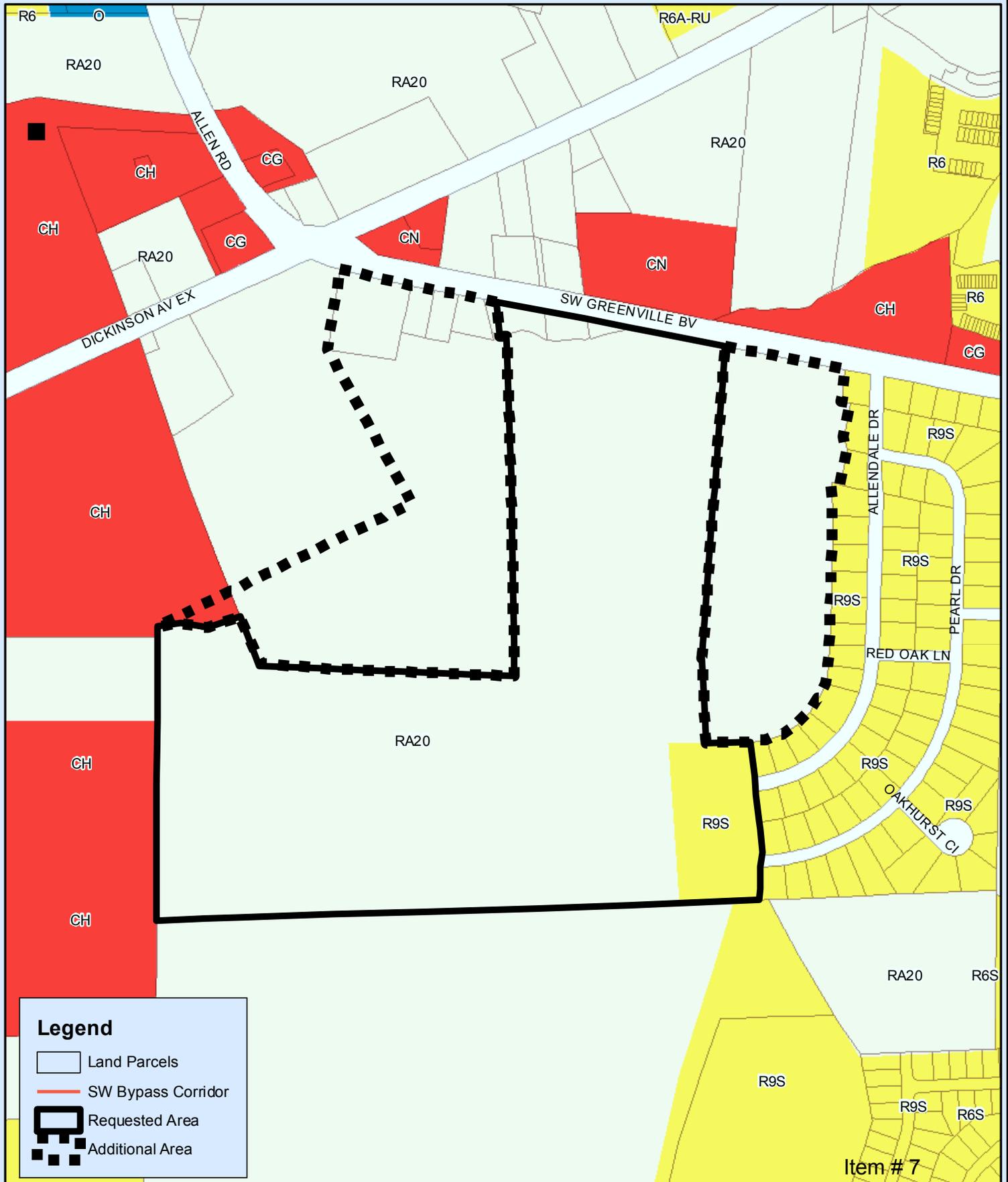
The Future Land Use Map identifies certain areas for Conservation/Open Space uses. The map is not meant to be dimensionally specific, and may not correspond precisely with conditions on the ground. When considering rezoning requests or other development proposals, some areas classified as Conservation/Open Space may be determined not to contain anticipated development limitations. In such cases, the future preferred land use should be based on adjacent Land Use Plan designations, contextual considerations, and the general policies of the comprehensive plan.

### \*\* PUD (planned unit development)

The PUD zoning district and standards were deleted and replaced in December 2009 with the Master Planned Community (MPC) regulations. MPC development is a special use permit dependent option in a variety of residential districts and is not separate zoning district.



# Area of Interest #6 (Zoning Map) SW Greenville Blvd.



**Legend**

- Land Parcels
- SW Bypass Corridor
- Requested Area
- Additional Area

## ZONING DISTRICTS – PURPOSE

The Zoning Ordinance contains 33 separate zoning districts, each allowing a specific list of permitted and special uses. The following includes each districts official title and purpose statement [Emphasis and notations added].

### **RA20 residential-agricultural.**

The RA20 district is primarily designed to accommodate a compatible mixture of single family dwellings and agricultural uses at lower densities. These areas are generally found in areas without sewer services that are not yet appropriate for development at higher densities.

### **R15S residential-single family.**

The R15S district is primarily designed to accommodate single family uses [dwellings] at lower densities.

### **R9S residential-single family.**

The R9S district is primarily designed to accommodate single family dwellings at medium densities.

### **R9 residential.**

The R9 district is primarily designed to accommodate a compatible mixture of single family and two-family [duplex] dwellings at medium densities.

### **R6S residential-single family.**

The R6S district is primarily designed to accommodate single family dwellings at medium densities.

### **R6 residential.**

The R6 district is primarily designed to accommodate a compatible mixture of single family, two-family and multi-family [townhouse, condominium and apartment] dwellings at higher densities.

### **R6A residential.**

The R6A district is primarily designed to accommodate a compatible mixture of single family, two-family and multi-family dwellings at medium densities.

### **R6A restricted residential use (RU) overlay.**

The purpose of the R6A restricted residential use (RU) overlay district is to provide a residential development option designed to encourage single-family and/or two-family attached (duplex) development and to prohibit multi-family development within the underlying R6A district included within such overlay.

**R6N residential-neighborhood revitalization.**

The R6N district is primarily designed to accommodate single family dwellings and a limited number of two-family and multi-family dwellings at high densities.

**R6MH residential-mobile home.**

The R6MH district is primarily designed to accommodate a compatible mixture of single family (including mobile homes), two-family and multi-family dwellings at higher densities.

**PUD planned unit development.**

The PUD district is a special use residential zoning district that provides an alternative to traditional development standards and as further provided under Article J. [designed to accommodate a combination of all residential dwelling types at higher densities in conjunction with limited nonresidential uses].

**MI medical-institutional.**

The MI district is primarily designed to provide areas where the institutionalized care of physically and/or mentally ill people can be provided and where government or private agencies, offices, or institutions can provide services of a medical, para-medical, or social service nature. It shall also be the purpose of this district to provide for a healthful environmental that is conducive to the care and convalescing of ill people.

**MS medical - support.**

The MS district is primarily designed to create areas in which hospitals, rehabilitation centers, medical offices, and clinics may be compatibly mixed, in order that these related uses can be near each other for doctor and patient convenience. The district shall also allow a wider variety of medical support services. In addition, through its permitted uses, the district shall encourage a healthful environment in abutting residential areas, as well as within the health care delivery community.

**MO medical-office.**

The MO district is primarily designed to provide for general business [offices], professional offices and institutional uses, as well as to provide additional areas for medical offices and clinics to locate in a professional office environment. In addition, the district shall prohibit commercial and industrial land uses, which can generate large traffic volumes, and shall encourage the development of areas that will serve as a buffer for residential zoning district.

**MCG medical-general commercial.**

The MCG district is primarily designed to provide for the sale of convenience goods, for provision of personal services, and for other frequent needs of the trade area within the medical district community in a planned shopping center environment. In addition, it is the purpose of this section to require that development sites of less than four (4) acres be developed in conjunction with larger development sites in such a way that sites of less than four (4) acres are served by internal traffic circulation in conjunction with the larger development site.

**MR medical-residential.**

The MR district is primarily designed to accommodate a compatible mixture of single family, two-family and multi-family dwellings at higher densities.

**MCH medical-heavy commercial.**

The MCH district is primarily designed to accommodate commercial development that will best service the motoring public, as well as uses that will generate large traffic volumes in a development atmosphere that shall encourage compact, convenient shopping.

**MRS medical-residential single family.**

The MRS district is primarily designed to accommodate a compatible mixture of single family dwellings and agricultural uses at lower densities.

**OR office-residential.**

The OR district is primarily designed to accommodate a compatible mix of two (2) family attached [duplex] and multi-family dwellings [at higher densities] and business and professional uses in addition to providing a desirable buffer between commercial and high density residential uses.

**O office.**

The O district is primarily designed to accommodate a compatible mix of business, professional and institutional uses, in addition to providing a desirable buffer between commercial and low density residential uses.

**CN neighborhood commercial.**

The CN neighborhood commercial district is primarily designed to accommodate convenient shopping facilities consisting primarily of necessary goods and personal services required to serve a neighborhood.

**CD downtown commercial.**

The purpose of the CD district is to provide convenient shopping and service facilities by promoting compact development of commercial, office and service uses. High-density residential development is encouraged to be compatibly mixed with permitted nonresidential uses.

**CDF downtown commercial fringe.**

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

**CG general commercial.**

The purpose of the CG district is to accommodate a variety of commercial and service activities on an individual lot by lot basis and in a planned center setting.

**CH heavy commercial.**

The CH district is primarily designed to provide roadside uses which will best accommodate the needs of the motoring public and of businesses demanding high volume traffic.

**IU unoffensive industry.**

The IU district is primarily designed to accommodate those industrial and wholesale, and warehouse uses which, by their nature, do not create an excessive amount of noise, odor, smoke, dust, airborne debris or other objectionable impacts which might be detrimental to the health, safety or welfare of surrounding areas.

**PIU planned unoffensive industry.**

The purpose of the PIU district shall be to accomplish those purposes set forth under section 9-4-70 [IU district] while providing an alternative to traditional industrial development dimensional and subdivision standards designed to:

- (a) Promote economical and efficient use of lands;
- (b) Reduce initial development costs;
- (c) Encourage innovative industrial development design and layout of buildings;
- (d) Provide large lot developments which enhance the physical appearance of the area by preserving natural features, open space and existing vegetation; and
- (e) Allow ground absorption and filtration of street and site surface drainage thereby reducing negative impacts on downstream water quality.

**I industry.**

The I district is primarily designed to accommodate those industrial, wholesale, and warehouse uses which by their nature may create an excessive amount of noise, odor, smoke, dust, airborne debris or other objectionable impacts which may be detrimental to the health, safety or welfare of surrounding areas.

**PI planned industry.**

The purpose of the PI district shall be to accomplish those purposes set forth under section 9-4-72 [I district] while providing an alternative to traditional industrial development dimensional and subdivision standards designed to: (a) thru (e) same as PIU above.

**WS water supply watershed overlay.**

The purpose of the WS overlay district shall be to protect and manage surface water supply watersheds pursuant to the Water Supply Watershed Act of 1989 and N. C. G.S. 143-214.5 as amended. Such WS overlay district shall include both a (WS-C) critical area and (WS-P) protected area district as defined and regulated pursuant to Article L, Special Districts.

**HD historic district overlay.**

The purpose of the HD overlay district shall be to preserve, protect and manage locally designated historic landmarks pursuant to Article L, Special Districts.

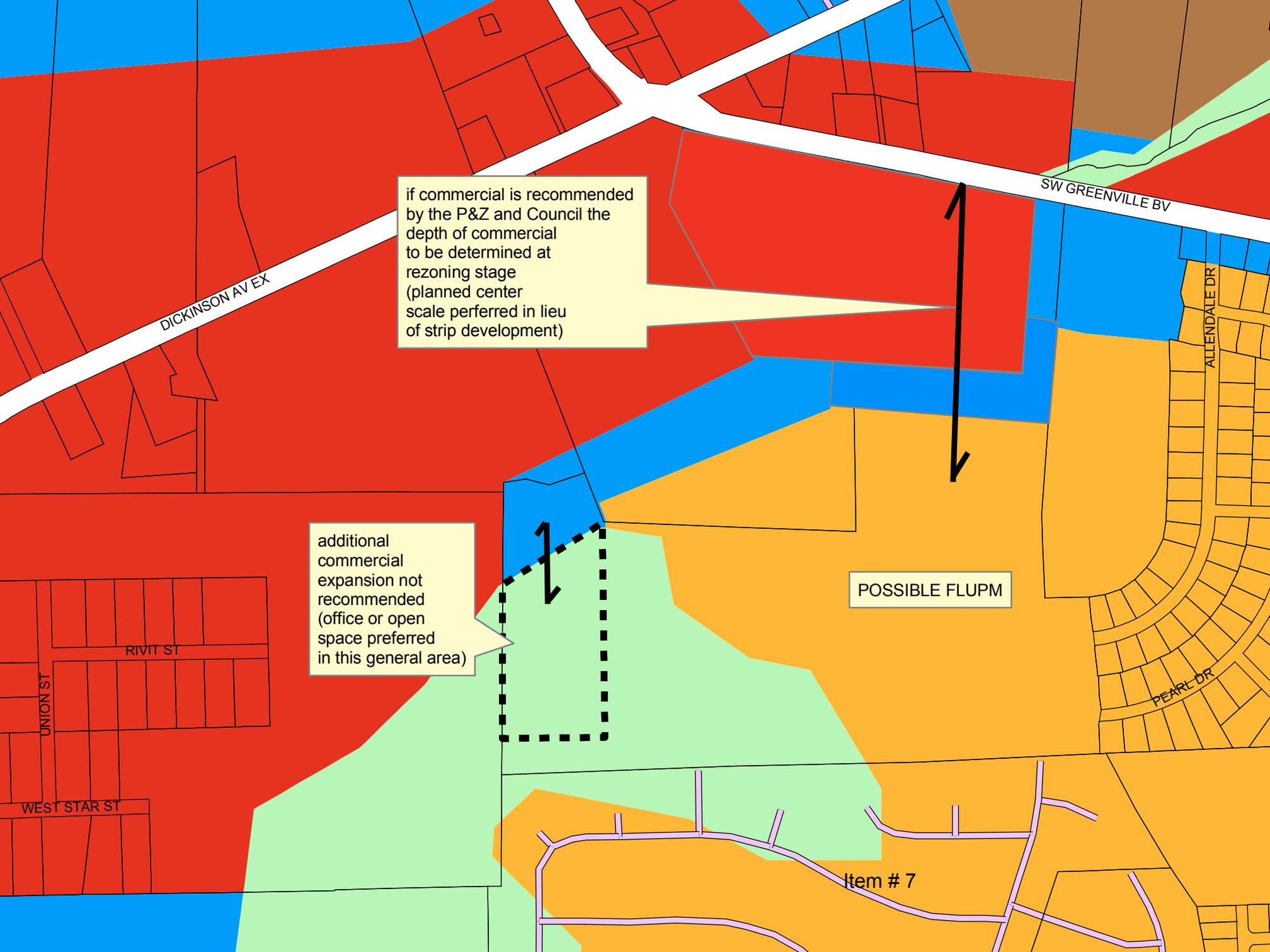
**CA conservation district overlay.**

The purpose of the CA conservation area overlay district shall be to provide for permanent open space and desirable buffers between proposed uses and incompatible adjacent land uses, environmentally sensitive areas or hazardous areas in excess of minimum standards and to provide a method and means by which such open space and increased buffer areas may be utilized to fulfill zoning requirements applicable to individual lot development pursuant to Article L, Special Districts.

**UC urban core overlay.**

The purpose and intent of the urban core (UC) overlay district and requirements is to allow modification of specific site development standards of the underlying zoning district(s) which are designed to facilitate development and redevelopment of in-fill sites in the following designated area:

All urban core (UC) overlay district(s) shall be restricted to the land area located within the following boundary: south of Tenth Street, east of the CSXT Railroad, north of Fourteenth Street, west of Green Mill Run and ECU Easement (tax parcel 73545, DB 2215 – PG 597) as existing on the date of adoption of this ordinance. No urban core (UC) overlay district shall be located outside of the designated area described by this subsection. An urban core (UC) overlay district shall be established within the designated area upon City Council adoption of an individual zoning ordinance which defines the boundary of the specific urban core (UC) district located within the designated area boundary.



if commercial is recommended by the P&Z and Council the depth of commercial to be determined at rezoning stage (planned center scale preferred in lieu of strip development)

additional commercial expansion not recommended (office or open space preferred in this general area)

POSSIBLE FLUPM

Item # 7



# City of Greenville, North Carolina

Meeting Date: 4/20/2010  
Time: 6:30 PM

**Title of Item:** Comprehensive Plan Review: Future Land Use Plan Map consideration of Area of Interest #7 – Hwy 264/Martin Luther King, Jr. Hwy/Old Stantonsburg Road (Medical Foundation of ECU)

**Explanation:** As part of the City of Greenville’s ongoing five-year Comprehensive Plan Review process, the Planning and Zoning Commission was asked by an area property owner to consider whether to recommend changes to the Future Land Use Plan Map for all, or a portion of, the primary area described as being located at the southwest corner of the intersection of Hwy-264 and Martin Luther King, Jr. Hwy, and also bordered by Old Stantonsburg Road (to the south) containing 97+/- acres from Conservation/Open Space and Office/Institutional/Multi-family to Commercial. In the process of evaluating the area requested, the Planning and Zoning Commission should evaluate an adjacent additional area, which shares very similar conditions as the area described above, and would be impacted by changes to the Future Land Use Plan Map for the primary area. This additional area, which contains 84+/- acres, is described as being located adjacent to the primary area described above. See attached maps.

**History/Background:**

The current Future Land Use Plan Map was adopted on February 12, 2004. Comprehensive Plan: The subject site is located in Vision Area F. Old Stantonsburg Road is designated as a connector corridor between 264/Stantonsburg Road and the future SW Bypass corridor, where it becomes a residential corridor from that point going westward. Thus the section of Old Stantonsburg Road that just to the south of the Primary Area is a residential corridor. It is expected that, along residential corridors, commercial uses will be confined to neighborhood-level intensities and located at nodes (street intersections). If the FLUPM is changed as proposed, the connector corridor designation on Old Stantonsburg Road should be extended farther to the west to accommodate the change, thereby amending a section of the “residential corridor” to “connector corridor.” Connector corridors are anticipated to contain a variety of higher intensive uses.

For the Primary Area, the Future Land Use Plan Map recommends a small area

of OIMF (office/institutional/multifamily) and extensive C/OS (conservation/open space) in the interior of the site. Although no portion of the Primary Area fronts Old Stantonsburg Road (those parcels are owned by other property owners), part of the Primary Area lies within approximately 250 feet of Old Stantonsburg Road. On the north side of Old Stantonsburg Road, the OIMF designated “corridor” is approximately 400 feet deep, whereas it is approximately 600 feet on the south side of the road. As such, the current Future Land Use Plan Map might already be interpreted to allow for a modest extent of OIMF use within the Primary Area. When the Horizons plan was updated in 2004, it was anticipated that much of the Primary Area is impacted by wetlands; hence the large area of designated C/OS. If the plan had not considered potential wetlands to be an issue, it is reasonable to expect that the OIMF designation on the north side of Old Stantonsburg Road would have extended farther north (perhaps approximately 600 feet, like on the south side of Old Stantonsburg road) into the interior of the Primary Area.

There is a recognized community focus area across approximately ½ mile from the primary area, at the intersection of 264/Stantonsburg Road and B’s Barbecue Road, within which commercial activity is encouraged. Old Stantonsburg Road is designated as a major thoroughfare. The Greenville Planning Area MPO draft comprehensive transportation plan identifies the thoroughfare as needing improvement.

**Environmental Conditions/Constraints:**

None of the primary area is located in the floodway. According to the property owners, an environmental analysis of the Primary Area concluded that there are no wetlands at that location. Small portions of the primary and additional areas include wetlands.

**Surrounding Zoning and Land Uses:**

North: Hwy 264 (approximately 250 feet wide right-of-way); RA20 (single family and vacant).

Northwest [at the corner of 264/Stantonsburg and B’s Barbecue Road]: MRS (single-family, mobile home, duplex, vacant) and CG (vacant).

South [including additional area]: future SW Bypass corridor, RA20 (primarily vacant and landfill, with a construction office on the north side of Old Stantonsburg Road).

East [including additional area]: RA20 (single family, mobile home, vacant).

West [including additional area]: future SW Bypass corridor, RA20 (vacant), OR (vacant, single family, duplex – Peyton Circle, multi-family – Park West).

Southwest: future SW Bypass corridor, IU (landfill), PUD (Westpointe, Westpointe Duplexes).

**Thoroughfare/Traffic Volume Summary:**

No traffic report has been generated for this new area of interest, as the scope of any possible changes has not yet been determined. However, based on recent area traffic reports, the average number of trips generated by office - high density residential is 1,678 average daily trips per acre, compared to 2,068 average daily trips per acre generated by commercial. Using the previous traffic analysis as a comparison, staff would estimate that the proposed change in land use category

from the current OIMF to C could result in more than 400 additional daily trips per acre.

**Fiscal Note:**

N/A.

**Recommendation:**

In staff's opinion, the Primary Area has limited development potential, given the lack of access to the site. Currently, the site has only approximately 80 feet of frontage on Old Stantonsburg Road, all of which would be eliminated by the future SW Bypass corridor. As limited access highways, neither Hwy-264, nor the future bypass will provide access to Primary Area. In essence, the Primary Area will become "landlocked." Due to the access and other physical limitations (e.g., potential wetlands) on developing either side of Old Stantonsburg Road, in this general area of Greenville, staff anticipate that the land use and economic impacts would likely be similar, whether the corridor remained OIMF or were amended to Commercial. Consequently, staff has no objection to the FLUPM being amended to allow for commercial in the Primary Area, provided that the change meets the FLUPM change consideration criteria:

- *To recommend changes to the Future Land Use Plan Map for the subject area, the Planning and Zoning Commission should first establish that it is necessary as a result of changed conditions, in the local development pattern, street system, environment, or other major feature or plan, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the current Future Land Use Plan Map. Since the Horizons plan was last updated in 2004, it has been determined, according to property owner, that the Primary Area does not contain any wetlands. In the opinion of staff, the community did not anticipate these environmental conditions (or lack thereof) when it created the Future Land Use Plan Map; therefore, a change to the FLUPM might be warranted, provided that the other criteria are satisfied.*
- *The location of the proposed classification(s) supports the intent and objective of the current Future Land Use Plan Map, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan. Given the site limitations, commercial development within the Primary Area would be unlikely to contribute to commercial overdevelopment of the relevant Community Focus Area (approximately 0.5 miles northwest of the Primary Area). The City's FLUPM and transportation maps anticipated - on both sides of Old Stantonsburg Road - the potential for office and/or multifamily development in this area; since office and multifamily developments typically are not quite as dependent on ease-of-access and traffic counts for marketing purposes as compared to commercial developments, the area under question might actually be able to support equal, or even higher, intensity OIMF uses than it would Commercial uses. Therefore, amending the FLUPM to allow for commercial on this section of the Old Stantonsburg road corridor might be seen as consistent with the intent of the Horizons plan, at least in terms of development intensities.*

- *The resulting anticipated land use is properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing and future neighborhoods and businesses within and in proximity to the area of proposed amendment.* The Primary Area is well buffered by highway corridors to the north (Hwy-264), east (future SW Bypass), and by City of Greenville open space to the west. The parcels to the south, which are “land locking the Primary Area, are likewise buffered by the future SW Bypass corridor. Given the likelihood that the subject area could not support intensive commercial development, potential traffic impacts from commercial development in this area is not anticipated to be any more intensive than would be generated by OIMF uses. Consequently, the FLUPM might be amended to allow for commercial in the subject area without causing undue impacts on surrounding land uses.
- *The amendment is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.* See above.

Note: In addition to 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 land use categories. Any change in the current Future Land Use Plan should protect the interests of adjacent/area neighborhoods and must account for current and future traffic management concerns related to this residential corridor.

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

**Attachments / click to download**

- [📄 Area 7, ELU](#)
  - [📄 Area 7, FLUPM](#)
  - [📄 Area 7, Zoning](#)
  - [📄 FLUPM descriptions](#)
  - [📄 Zoning District Descriptions](#)
-

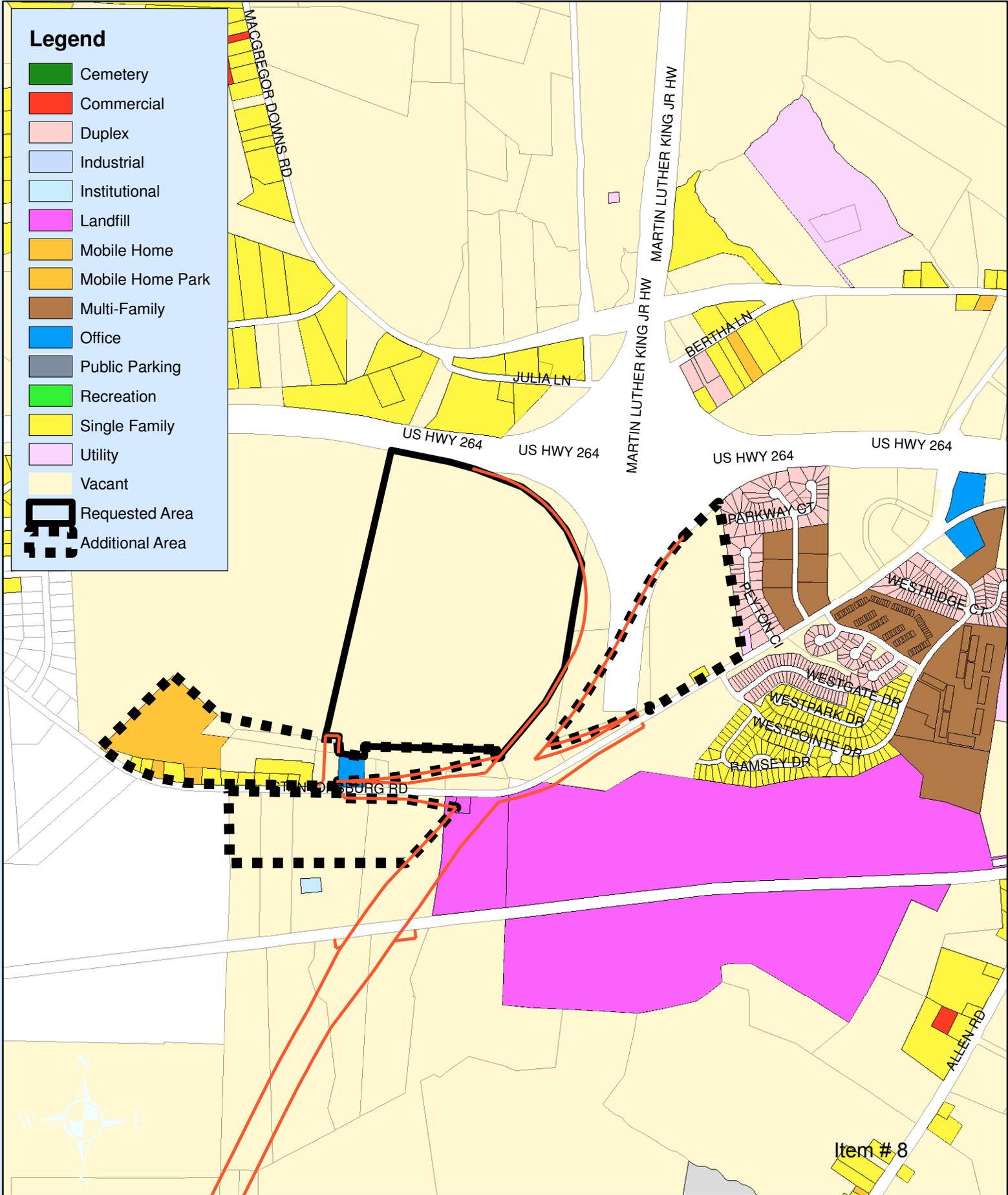


# Area of Interest #7 (Existing Land Use) Old Stantonsburg Road



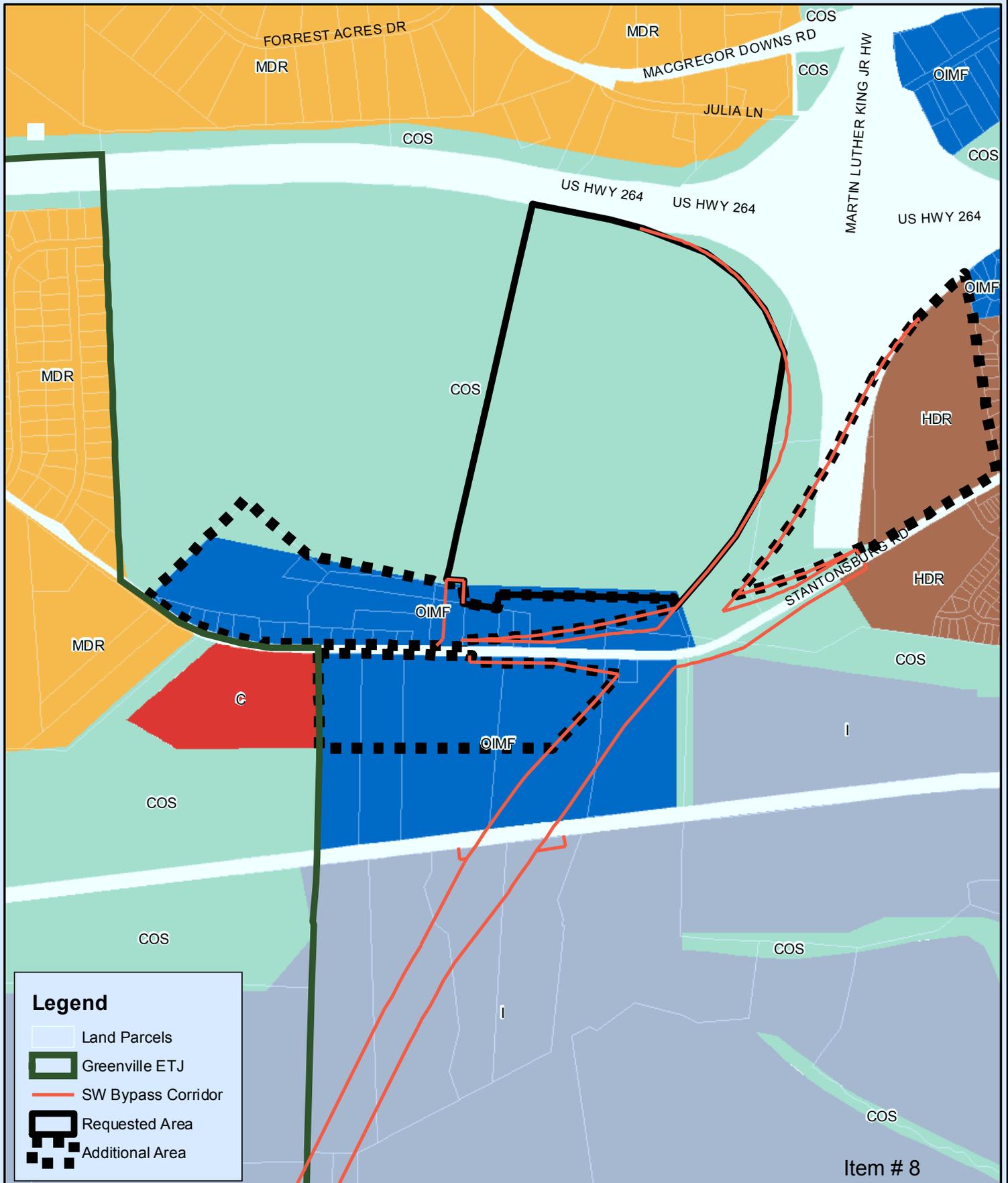
## Legend

- Cemetery
- Commercial
- Duplex
- Industrial
- Institutional
- Landfill
- Mobile Home
- Mobile Home Park
- Multi-Family
- Office
- Public Parking
- Recreation
- Single Family
- Utility
- Vacant
- Requested Area
- Additional Area





# Area of Interest #7 (FLUP Map) Old Stantonsburg Rd.



## Future Land Use Plan Map (FLUPM) Classifications and Associated Zoning Districts

Land Use	Zoning Districts
Conservation / Open Space *	CA overlay
Residential, Very-Low Density	RA-20 (no sewer)
Residential, Low Density	RA-20, MRS, R-15S
Residential, Medium Density	R-6S, R-6A, R-9, R-9S, PUD **
Residential, High Density	R-6, R-6MH, MR
Office / Institutional / Multi-family	O, OR
Office / Institutional / Medical	MO
Medical Transition	MS
Medical Core	MI
Mixed Use / Office / Institutional	CDF
Commercial	CD, CG, CN, CH, MCG, MCH
Industrial	IU, PIU, I, PI

### \* Conservation / Open Space

Conservation/Open Space land uses are typically located in areas that contain existing parkland, exhibit potential for flooding, or are deemed inappropriate for development due to physical or environmental limitations. Conservation/Open Space lands are also as buffers to separate areas that may have the potential to become conflicting land uses.

Conservation/Open Space buffers adjacent to industrial development should be maintained at a width based on the type of industry and its potential to create compatibility problems. Greenways and greenway connectors should be maintained to be consistent with the City's Greenway Comprehensive Plan.

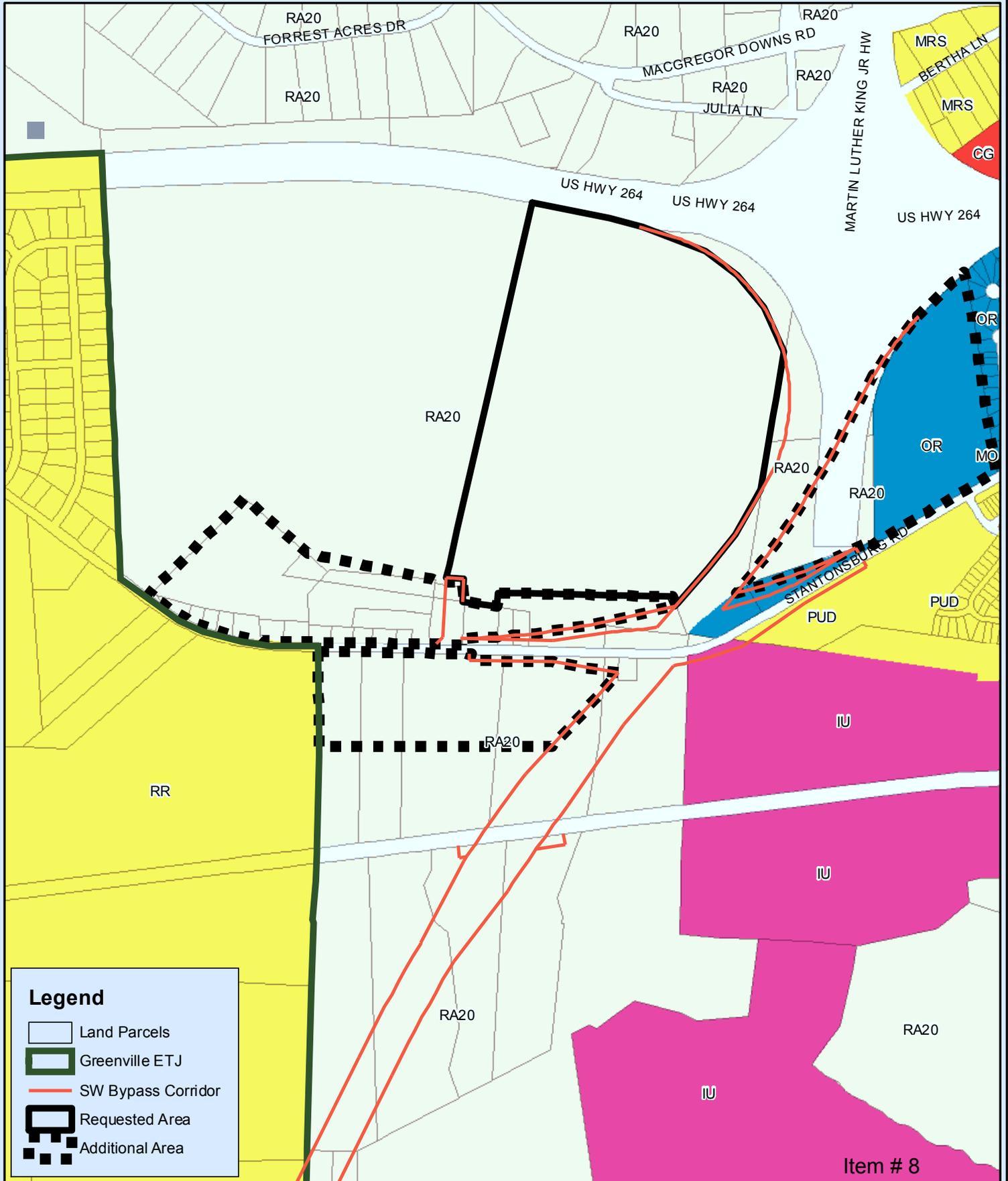
The Future Land Use Map identifies certain areas for Conservation/Open Space uses. The map is not meant to be dimensionally specific, and may not correspond precisely with conditions on the ground. When considering rezoning requests or other development proposals, some areas classified as Conservation/Open Space may be determined not to contain anticipated development limitations. In such cases, the future preferred land use should be based on adjacent Land Use Plan designations, contextual considerations, and the general policies of the comprehensive plan.

### \*\* PUD (planned unit development)

The PUD zoning district and standards were deleted and replaced in December 2009 with the Master Planned Community (MPC) regulations. MPC development is a special use permit dependent option in a variety of residential districts and is not separate zoning district.



# Area of Interest #7 (Zoning Map) Old Stantonsburg Rd.



Item # 8

## ZONING DISTRICTS – PURPOSE

The Zoning Ordinance contains 33 separate zoning districts, each allowing a specific list of permitted and special uses. The following includes each districts official title and purpose statement [Emphasis and notations added].

### **RA20 residential-agricultural.**

The RA20 district is primarily designed to accommodate a compatible mixture of single family dwellings and agricultural uses at lower densities. These areas are generally found in areas without sewer services that are not yet appropriate for development at higher densities.

### **R15S residential-single family.**

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### **R9S residential-single family.**

The R9S district is primarily designed to accommodate single family dwellings at medium densities.

### **R9 residential.**

The R9 district is primarily designed to accommodate a compatible mixture of single family and two-family [duplex] dwellings at medium densities.

### **R6S residential-single family.**

The R6S district is primarily designed to accommodate single family dwellings at medium densities.

### **R6 residential.**

The R6 district is primarily designed to accommodate a compatible mixture of single family, two-family and multi-family [townhouse, condominium and apartment] dwellings at higher densities.

### **R6A residential.**

The R6A district is primarily designed to accommodate a compatible mixture of single family, two-family and multi-family dwellings at medium densities.

### **R6A restricted residential use (RU) overlay.**

The purpose of the R6A restricted residential use (RU) overlay district is to provide a residential development option designed to encourage single-family and/or two-family attached (duplex) development and to prohibit multi-family development within the underlying R6A district included within such overlay.

**R6N residential-neighborhood revitalization.**

The R6N district is primarily designed to accommodate single family dwellings and a limited number of two-family and multi-family dwellings at high densities.

**R6MH residential-mobile home.**

The R6MH district is primarily designed to accommodate a compatible mixture of single family (including mobile homes), two-family and multi-family dwellings at higher densities.

**PUD planned unit development.**

The PUD district is a special use residential zoning district that provides an alternative to traditional development standards and as further provided under Article J. [designed to accommodate a combination of all residential dwelling types at higher densities in conjunction with limited nonresidential uses].

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The MI district is primarily designed to provide areas where the institutionalized care of physically and/or mentally ill people can be provided and where government or private agencies, offices, or institutions can provide services of a medical, para-medical, or social service nature. It shall also be the purpose of this district to provide for a healthful environmental that is conducive to the care and convalescing of ill people.

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**MCG medical-general commercial.**

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The MCH district is primarily designed to accommodate commercial development that will best service the motoring public, as well as uses that will generate large traffic volumes in a development atmosphere that shall encourage compact, convenient shopping.

**MRS medical-residential single family.**

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The OR district is primarily designed to accommodate a compatible mix of two (2) family attached [duplex] and multi-family dwellings [at higher densities] and business and professional uses in addition to providing a desirable buffer between commercial and high density residential uses.

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The O district is primarily designed to accommodate a compatible mix of business, professional and institutional uses, in addition to providing a desirable buffer between commercial and low density residential uses.

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The CN neighborhood commercial district is primarily designed to accommodate convenient shopping facilities consisting primarily of necessary goods and personal services required to serve a neighborhood.

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The purpose of the CD district is to provide convenient shopping and service facilities by promoting compact development of commercial, office and service uses. High-density residential development is encouraged to be compatibly mixed with permitted nonresidential uses.

**CDF downtown commercial fringe.**

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

**CG general commercial.**

The purpose of the CG district is to accommodate a variety of commercial and service activities on an individual lot by lot basis and in a planned center setting.

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**IU unoffensive industry.**

The IU district is primarily designed to accommodate those industrial and wholesale, and warehouse uses which, by their nature, do not create an excessive amount of noise, odor, smoke, dust, airborne debris or other objectionable impacts which might be detrimental to the health, safety or welfare of surrounding areas.

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The purpose of the PIU district shall be to accomplish those purposes set forth under section 9-4-70 [IU district] while providing an alternative to traditional industrial development dimensional and subdivision standards designed to:

- (a) Promote economical and efficient use of lands;
- (b) Reduce initial development costs;
- (c) Encourage innovative industrial development design and layout of buildings;
- (d) Provide large lot developments which enhance the physical appearance of the area by preserving natural features, open space and existing vegetation; and
- (e) Allow ground absorption and filtration of street and site surface drainage thereby reducing negative impacts on downstream water quality.

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The I district is primarily designed to accommodate those industrial, wholesale, and warehouse uses which by their nature may create an excessive amount of noise, odor, smoke, dust, airborne debris or other objectionable impacts which may be detrimental to the health, safety or welfare of surrounding areas.

**PI planned industry.**

The purpose of the PI district shall be to accomplish those purposes set forth under section 9-4-72 [I district] while providing an alternative to traditional industrial development dimensional and subdivision standards designed to: (a) thru (e) same as PIU above.

**WS water supply watershed overlay.**

The purpose of the WS overlay district shall be to protect and manage surface water supply watersheds pursuant to the Water Supply Watershed Act of 1989 and N. C. G.S. 143-214.5 as amended. Such WS overlay district shall include both a (WS-C) critical area and (WS-P) protected area district as defined and regulated pursuant to Article L, Special Districts.

**HD historic district overlay.**

The purpose of the HD overlay district shall be to preserve, protect and manage locally designated historic landmarks pursuant to Article L, Special Districts.

**CA conservation district overlay.**

The purpose of the CA conservation area overlay district shall be to provide for permanent open space and desirable buffers between proposed uses and incompatible adjacent land uses, environmentally sensitive areas or hazardous areas in excess of minimum standards and to provide a method and means by which such open space and increased buffer areas may be utilized to fulfill zoning requirements applicable to individual lot development pursuant to Article L, Special Districts.

**UC urban core overlay.**

The purpose and intent of the urban core (UC) overlay district and requirements is to allow modification of specific site development standards of the underlying zoning district(s) which are designed to facilitate development and redevelopment of in-fill sites in the following designated area:

All urban core (UC) overlay district(s) shall be restricted to the land area located within the following boundary: south of Tenth Street, east of the CSXT Railroad, north of Fourteenth Street, west of Green Mill Run and ECU Easement (tax parcel 73545, DB 2215 – PG 597) as existing on the date of adoption of this ordinance. No urban core (UC) overlay district shall be located outside of the designated area described by this subsection. An urban core (UC) overlay district shall be established within the designated area upon City Council adoption of an individual zoning ordinance which defines the boundary of the specific urban core (UC) district located within the designated area boundary.



# City of Greenville, North Carolina

Meeting Date: 4/20/2010  
Time: 6:30 PM

**Title of Item:** Comprehensive Plan Review: Future Land Use Plan Map consideration of Area of Interest #8 – S. Memorial Drive

**Explanation:** As part of the City of Greenville’s ongoing five-year Comprehensive Plan Review process, the Planning and Zoning Commission was asked by an area property owner to consider whether to recommend changes to the Future Land Use Plan Map for all, or a portion of, the primary area described as being located at the northeast corner of S. Memorial Drive and W. Arlington Boulevard, extending for approximately 290 feet along the S. Memorial corridor, containing .95+/- acres from Office/Institutional/Multi-family to Commercial. In the process of evaluating the area requested, the Planning and Zoning Commission should evaluate an adjacent additional area, which shares very similar conditions as the area described above, and would be impacted by changes to the Future Land Use Plan Map for the primary area. This additional area, which contains 2.4+/- acres, is described as being located adjacent to the primary area described above. See attached maps.

**History/Background:**

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

In January 2008, the planning staff completed a report to City Council, “Report Identifying Issues and Considerations Concerning City-initiated Rezoning of Lots Fronting the S. Memorial Drive Corridor” (see: attached PDF copy of the report). The report specifically evaluated 30 lots fronting the eastern right-of-way of S. Memorial Drive corridor, which were zoned either O, OR, or R6S and which were located between Sylvan Drive (to the north) and Millbrook Street (to the south). Incidentally, the scope of the report included all of the Primary and Additional areas (22 lots total), but also evaluated five lots to the north of Glenwood Avenue and five lots to south of Pine Street. Among other findings, the report noted that: “The Future Land Use Plan Map recommends OIMF (office/institutional/multifamily) for the subject lots, with O (office-only) preferred due to the multi-family restriction. Low intensity non-residential use is recommended due to the fact that the long-term livability of the single-family dwellings fronting Memorial Drive is expected to diminish over time as a result

of roadway impacts . . . Rezoning to O (office-only) would be recommended by staff, for both the existing OR and R6S properties.” However, the report also noted that: “Typical lot area of the subject (individual) lots is 10,000 + square feet. Minimum lot size of non-residential use lots is: 7,500 sq. ft. in the OR district and 12,000 sq. ft. in the O district. If an individual lot is rezoned to O and the dwelling is removed for redevelopment, the new building site must meet the minimum area requirement of 12,000 sq. ft. individually or in combination with other lots to qualify for zoning purposes. Adaptive reuse of an existing dwelling would be permitted on a substandard lot provided all other zoning requirements are met.”

**Comprehensive Plan:**

The subject site is located in Vision Area G.

S. Memorial Drive is designated as a connector corridor, which extends northward approximately 3 miles from the intersection of S. Memorial & Greenville Blvd (S. Memorial is a gateway corridor entering the city from the south). Connector corridors are anticipated to contain a variety of higher intensive uses, where appropriate.

The Future Land Use Plan Map recommends OIMF (office/institutional/multifamily) in the Primary and Additional areas, with O (office-only) preferred due to the multi-family restriction.

There is a recognized intermediate focus area less than 0.20 mile southwest of the primary area and a community focus area approximately 0.33 mile northwest of the Primary Area. Both of these focus areas, within which commercial activity is encouraged, are located on the west side of the S. Memorial Drive corridor, where the FLUPM recommends intensive commercial uses, especially at/near the intersection of S. Memorial Drive & Dickinson Avenue.

**Environmental Conditions/Constraints:**

No known environmental conditions affecting the Primary or Additional areas.

**Surrounding Zoning and Land Uses:**

North [including the northern portion of additional area]: R6S (single family residential - Hillsdale).

Northwest [west side of S. Memorial Drive]: CG (commercial – formerly Boss Hogs restaurant, vacant).

Northeast: [interior of neighborhood on east side of S. Memorial Drive]: R6S (single family residential - Hillsdale).

South: [including the southern portion of additional area]: R6S (single family residential – Hillsdale, two adjacent City of Greenville-owned vacant parcels at the corner of S. Memorial Drive & Arlington Blvd, and one parcel in the Additional Area that is listed as commercial use).

Southwest [west side of S. Memorial Drive]: CH (gas/convenience store, vacant, heavy commercial, hotel/motel).

Southeast [interior of the neighborhood on the east side of S. Memorial Drive]: R6S (single family residential - Hillsdale).

East: [interior of the neighborhood on the east side of S. Memorial Drive]: R6S

(single family residential – Hillsdale, City of Greenville park).  
West [west side of S. Memorial Drive]: CH (McDonalds restaurant, Millenia Community Bank, Family Dollar store).

**Thoroughfare/Traffic Volume Summary:**

No traffic report has been generated for this new area of interest, as the scope of any possible changes has not yet been determined. However, based on recent area traffic reports, the average number of trips generated by office - high density residential is 1,678 average daily trips per acre, compared to 2,068 average daily trips per acre generated by commercial. Using the previous traffic analysis as a comparison, staff would estimate that the proposed change in land use category from the current OIMF to C could result in more than 400 additional daily trips per acre.

**Fiscal Note:**

N/A.

**Recommendation:**

In staff's opinion, the Future Land Use Plan Map configuration for the S. Memorial Drive corridor, the general intent of the Horizons plan for the area, and the Task Force recommendations, all point to the following key land use recommendation for the Primary and Additional areas: that the plan should facilitate the conversion of single-family residences to office-only uses, while prohibiting conversions to multi-family dwellings. The Horizons plan, FLUPM, and other contextual considerations do not indicate that commercial is a preferred use in these areas.

- *To recommend changes to the Future Land Use Plan Map for the subject area, the Planning and Zoning Commission should first establish that it is necessary as a result of changed conditions, in the local development pattern, street system, environment, or other major feature or plan, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the current Future Land Use Plan Map. Staff has not identified changed conditions that have impacted the Primary Area in a manner or to a degree not previously anticipated at the time of adoption of the current FLUPM; therefore, no change is warranted.*
- *The location of the proposed classification(s) supports the intent and objective of the current Future Land Use Plan Map, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan.*
- *The resulting anticipated land use is properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing and future neighborhoods and businesses within and in proximity to the area of proposed amendment.*
- *The amendment is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.*

Note: In addition to 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 land use categories.

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**Attachments / click to download**

- [📄 Area 8, ELU](#)
  - [📄 Area 8, FLUPM](#)
  - [📄 Area 8, Zoning](#)
  - [📄 FLUPM descriptions](#)
  - [📄 Zoning District Descriptions](#)
-

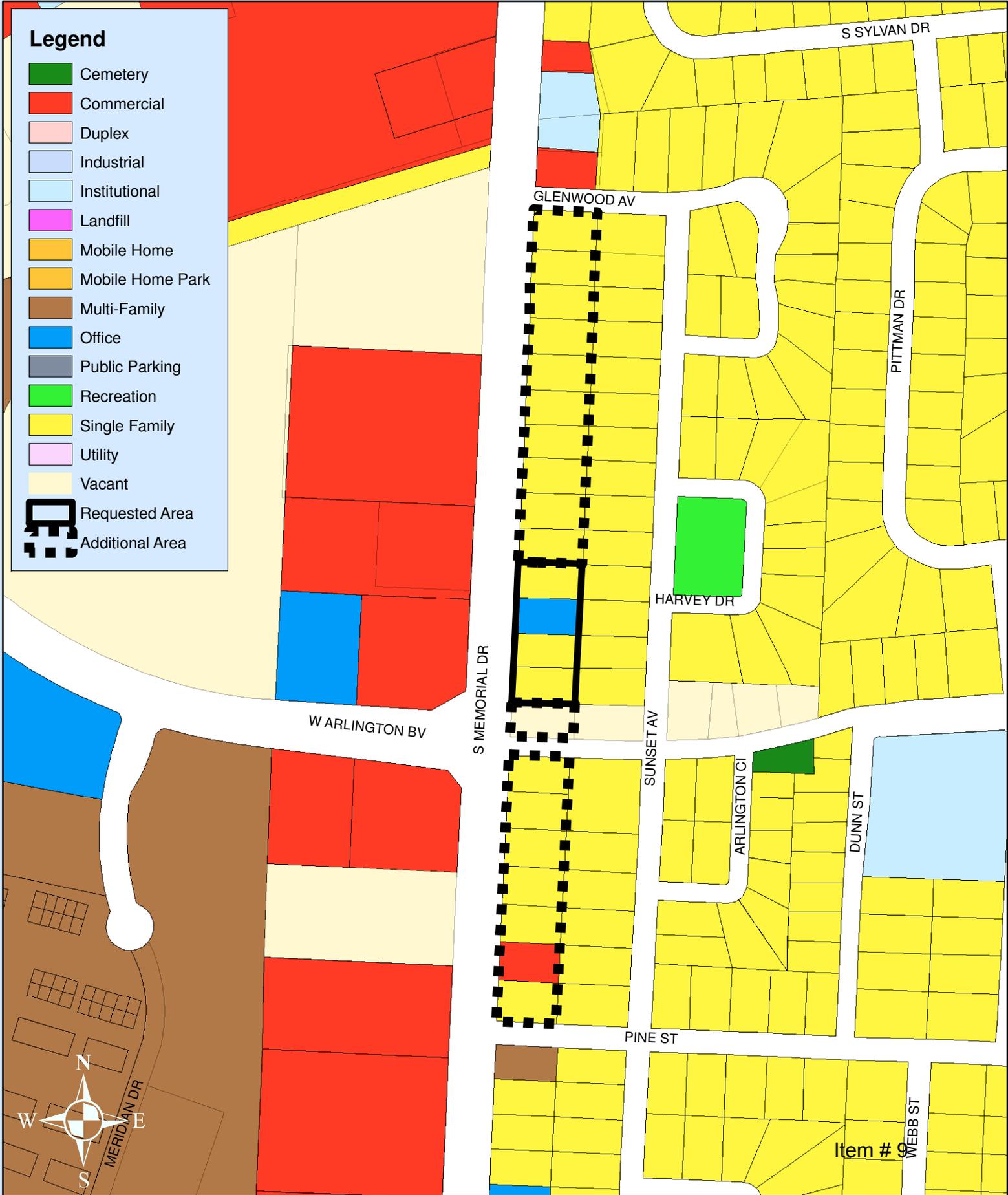


# Area of Interest #8 (Existing Land Use) S. Memorial Dr.



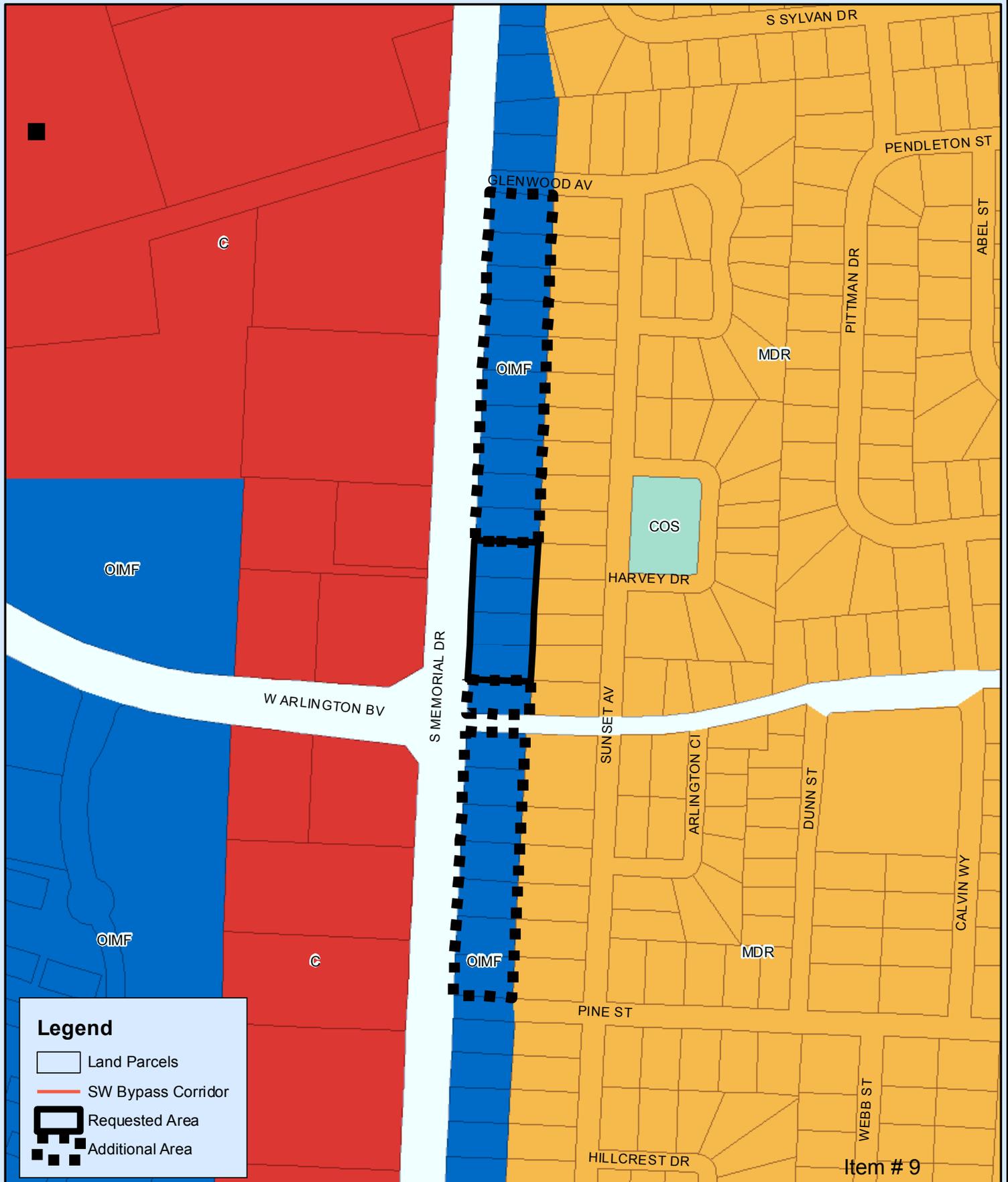
## Legend

- Cemetery
- Commercial
- Duplex
- Industrial
- Institutional
- Landfill
- Mobile Home
- Mobile Home Park
- Multi-Family
- Office
- Public Parking
- Recreation
- Single Family
- Utility
- Vacant
- Requested Area
- Additional Area





# Area of Interest #6 (FLUP Map) S. Memorial Dr.



## Future Land Use Plan Map (FLUPM) Classifications and Associated Zoning Districts

Land Use	Zoning Districts
Conservation / Open Space *	CA overlay
Residential, Very-Low Density	RA-20 (no sewer)
Residential, Low Density	RA-20, MRS, R-15S
Residential, Medium Density	R-6S, R-6A, R-9, R-9S, PUD **
Residential, High Density	R-6, R-6MH, MR
Office / Institutional / Multi-family	O, OR
Office / Institutional / Medical	MO
Medical Transition	MS
Medical Core	MI
Mixed Use / Office / Institutional	CDF
Commercial	CD, CG, CN, CH, MCG, MCH
Industrial	IU, PIU, I, PI

### \* Conservation / Open Space

Conservation/Open Space land uses are typically located in areas that contain existing parkland, exhibit potential for flooding, or are deemed inappropriate for development due to physical or environmental limitations. Conservation/Open Space lands are also as buffers to separate areas that may have the potential to become conflicting land uses.

Conservation/Open Space buffers adjacent to industrial development should be maintained at a width based on the type of industry and its potential to create compatibility problems. Greenways and greenway connectors should be maintained to be consistent with the City's Greenway Comprehensive Plan.

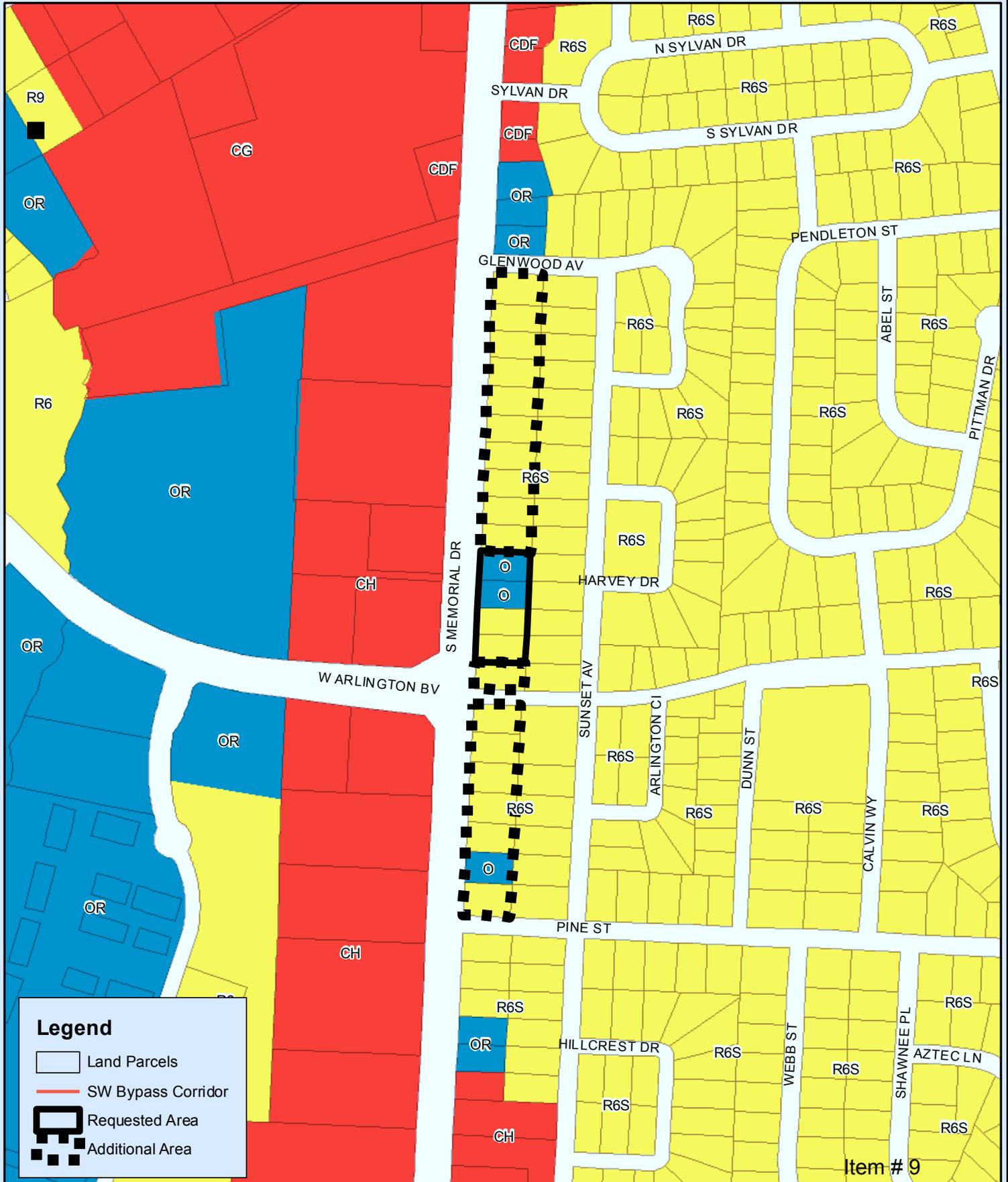
The Future Land Use Map identifies certain areas for Conservation/Open Space uses. The map is not meant to be dimensionally specific, and may not correspond precisely with conditions on the ground. When considering rezoning requests or other development proposals, some areas classified as Conservation/Open Space may be determined not to contain anticipated development limitations. In such cases, the future preferred land use should be based on adjacent Land Use Plan designations, contextual considerations, and the general policies of the comprehensive plan.

### \*\* PUD (planned unit development)

The PUD zoning district and standards were deleted and replaced in December 2009 with the Master Planned Community (MPC) regulations. MPC development is a special use permit dependent option in a variety of residential districts and is not separate zoning district.



# Area of Interest #8 (Zoning Map) S. Memorial Dr.



## ZONING DISTRICTS – PURPOSE

The Zoning Ordinance contains 33 separate zoning districts, each allowing a specific list of permitted and special uses. The following includes each districts official title and purpose statement [Emphasis and notations added].

### **RA20 residential-agricultural.**

The RA20 district is primarily designed to accommodate a compatible mixture of single family dwellings and agricultural uses at lower densities. These areas are generally found in areas without sewer services that are not yet appropriate for development at higher densities.

### **R15S residential-single family.**

The R15S district is primarily designed to accommodate single family uses [dwellings] at lower densities.

### **R9S residential-single family.**

The R9S district is primarily designed to accommodate single family dwellings at medium densities.

### **R9 residential.**

The R9 district is primarily designed to accommodate a compatible mixture of single family and two-family [duplex] dwellings at medium densities.

### **R6S residential-single family.**

The R6S district is primarily designed to accommodate single family dwellings at medium densities.

### **R6 residential.**

The R6 district is primarily designed to accommodate a compatible mixture of single family, two-family and multi-family [townhouse, condominium and apartment] dwellings at higher densities.

### **R6A residential.**

The R6A district is primarily designed to accommodate a compatible mixture of single family, two-family and multi-family dwellings at medium densities.

### **R6A restricted residential use (RU) overlay.**

The purpose of the R6A restricted residential use (RU) overlay district is to provide a residential development option designed to encourage single-family and/or two-family attached (duplex) development and to prohibit multi-family development within the underlying R6A district included within such overlay.

**R6N residential-neighborhood revitalization.**

The R6N district is primarily designed to accommodate single family dwellings and a limited number of two-family and multi-family dwellings at high densities.

**R6MH residential-mobile home.**

The R6MH district is primarily designed to accommodate a compatible mixture of single family (including mobile homes), two-family and multi-family dwellings at higher densities.

**PUD planned unit development.**

The PUD district is a special use residential zoning district that provides an alternative to traditional development standards and as further provided under Article J. [designed to accommodate a combination of all residential dwelling types at higher densities in conjunction with limited nonresidential uses].

**MI medical-institutional.**

The MI district is primarily designed to provide areas where the institutionalized care of physically and/or mentally ill people can be provided and where government or private agencies, offices, or institutions can provide services of a medical, para-medical, or social service nature. It shall also be the purpose of this district to provide for a healthful environmental that is conducive to the care and convalescing of ill people.

**MS medical - support.**

The MS district is primarily designed to create areas in which hospitals, rehabilitation centers, medical offices, and clinics may be compatibly mixed, in order that these related uses can be near each other for doctor and patient convenience. The district shall also allow a wider variety of medical support services. In addition, through its permitted uses, the district shall encourage a healthful environment in abutting residential areas, as well as within the health care delivery community.

**MO medical-office.**

The MO district is primarily designed to provide for general business [offices], professional offices and institutional uses, as well as to provide additional areas for medical offices and clinics to locate in a professional office environment. In addition, the district shall prohibit commercial and industrial land uses, which can generate large traffic volumes, and shall encourage the development of areas that will serve as a buffer for residential zoning district.

**MCG medical-general commercial.**

The MCG district is primarily designed to provide for the sale of convenience goods, for provision of personal services, and for other frequent needs of the trade area within the medical district community in a planned shopping center environment. In addition, it is the purpose of this section to require that development sites of less than four (4) acres be developed in conjunction with larger development sites in such a way that sites of less than four (4) acres are served by internal traffic circulation in conjunction with the larger development site.

**MR medical-residential.**

The MR district is primarily designed to accommodate a compatible mixture of single family, two-family and multi-family dwellings at higher densities.

**MCH medical-heavy commercial.**

The MCH district is primarily designed to accommodate commercial development that will best service the motoring public, as well as uses that will generate large traffic volumes in a development atmosphere that shall encourage compact, convenient shopping.

**MRS medical-residential single family.**

The MRS district is primarily designed to accommodate a compatible mixture of single family dwellings and agricultural uses at lower densities.

**OR office-residential.**

The OR district is primarily designed to accommodate a compatible mix of two (2) family attached [duplex] and multi-family dwellings [at higher densities] and business and professional uses in addition to providing a desirable buffer between commercial and high density residential uses.

**O office.**

The O district is primarily designed to accommodate a compatible mix of business, professional and institutional uses, in addition to providing a desirable buffer between commercial and low density residential uses.

**CN neighborhood commercial.**

The CN neighborhood commercial district is primarily designed to accommodate convenient shopping facilities consisting primarily of necessary goods and personal services required to serve a neighborhood.

**CD downtown commercial.**

The purpose of the CD district is to provide convenient shopping and service facilities by promoting compact development of commercial, office and service uses. High-density residential development is encouraged to be compatibly mixed with permitted nonresidential uses.

**CDF downtown commercial fringe.**

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

**CG general commercial.**

The purpose of the CG district is to accommodate a variety of commercial and service activities on an individual lot by lot basis and in a planned center setting.

**CH heavy commercial.**

The CH district is primarily designed to provide roadside uses which will best accommodate the needs of the motoring public and of businesses demanding high volume traffic.

**IU unoffensive industry.**

The IU district is primarily designed to accommodate those industrial and wholesale, and warehouse uses which, by their nature, do not create an excessive amount of noise, odor, smoke, dust, airborne debris or other objectionable impacts which might be detrimental to the health, safety or welfare of surrounding areas.

**PIU planned unoffensive industry.**

The purpose of the PIU district shall be to accomplish those purposes set forth under section 9-4-70 [IU district] while providing an alternative to traditional industrial development dimensional and subdivision standards designed to:

- (a) Promote economical and efficient use of lands;
- (b) Reduce initial development costs;
- (c) Encourage innovative industrial development design and layout of buildings;
- (d) Provide large lot developments which enhance the physical appearance of the area by preserving natural features, open space and existing vegetation; and
- (e) Allow ground absorption and filtration of street and site surface drainage thereby reducing negative impacts on downstream water quality.

**I industry.**

The I district is primarily designed to accommodate those industrial, wholesale, and warehouse uses which by their nature may create an excessive amount of noise, odor, smoke, dust, airborne debris or other objectionable impacts which may be detrimental to the health, safety or welfare of surrounding areas.

**PI planned industry.**

The purpose of the PI district shall be to accomplish those purposes set forth under section 9-4-72 [I district] while providing an alternative to traditional industrial development dimensional and subdivision standards designed to: (a) thru (e) same as PIU above.

**WS water supply watershed overlay.**

The purpose of the WS overlay district shall be to protect and manage surface water supply watersheds pursuant to the Water Supply Watershed Act of 1989 and N. C. G.S. 143-214.5 as amended. Such WS overlay district shall include both a (WS-C) critical area and (WS-P) protected area district as defined and regulated pursuant to Article L, Special Districts.

**HD historic district overlay.**

The purpose of the HD overlay district shall be to preserve, protect and manage locally designated historic landmarks pursuant to Article L, Special Districts.

**CA conservation district overlay.**

The purpose of the CA conservation area overlay district shall be to provide for permanent open space and desirable buffers between proposed uses and incompatible adjacent land uses, environmentally sensitive areas or hazardous areas in excess of minimum standards and to provide a method and means by which such open space and increased buffer areas may be utilized to fulfill zoning requirements applicable to individual lot development pursuant to Article L, Special Districts.

**UC urban core overlay.**

The purpose and intent of the urban core (UC) overlay district and requirements is to allow modification of specific site development standards of the underlying zoning district(s) which are designed to facilitate development and redevelopment of in-fill sites in the following designated area:

All urban core (UC) overlay district(s) shall be restricted to the land area located within the following boundary: south of Tenth Street, east of the CSXT Railroad, north of Fourteenth Street, west of Green Mill Run and ECU Easement (tax parcel 73545, DB 2215 – PG 597) as existing on the date of adoption of this ordinance. No urban core (UC) overlay district shall be located outside of the designated area described by this subsection. An urban core (UC) overlay district shall be established within the designated area upon City Council adoption of an individual zoning ordinance which defines the boundary of the specific urban core (UC) district located within the designated area boundary.



# City of Greenville, North Carolina

Meeting Date: 4/20/2010  
Time: 6:30 PM

---

**Title of Item:** Public and Commission Comment Period and Request for Changes and/or additions to the Horizons Plan text or the 2009 - 2010 Horizons Plan Review Report.

**Explanation:** This discussion item provides the public and commissioners an opportunity to make additional requests for changes and/or additions to the comprehensive plan text or (draft) 2009 – 2010 Horizons Plan Review Report, as part of the ongoing comprehensive plan review process. The Planning and Zoning Commission is no longer fielding additional requests to consider FLUPM areas of interest as part of the review process.

**Fiscal Note:** N/A.

**Recommendation:**

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[Comprehensive Plan Review Report \(Draft\)](#)

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# DRAFT

## Horizons: Greenville's Community Plan 2009 - 2010 Review: Preliminary Report



**Community Development Department,  
Planning Division  
January 27, 2009**

## **ACKNOWLEDGEMENTS**

### **Greenville City Council and Administrative Staff**

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Councilmember Marion Blackburn  
Councilmember Rose H. Glover  
Councilmember Bryant Kittrell  
Councilmember Max Joyner, Jr.  
Councilmember Calvin Mercer

Mr. Wayne Bowers, City Manager  
Mr. Thom Moton, Assistant City Manager  
Ms. Wanda Elks, City Clerk  
Mr. David Holec, City Attorney

### **Greenville Planning and Zoning Commission**

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Mr. David Gordon, Vice Chairman  
Mr. Len Tozer  
Mr. Tim Randall  
Mr. Godfrey B. Bell, Sr.  
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## INTRODUCTION

### 1 Purpose of the 2009 – 2010 Comprehensive Plan Review

A plan is only as good as the results that it achieves. The main objective of the 2009 - 2010 Comprehensive Plan Review process is to conduct a **five-year assessment** of *Horizons: Greenville's Community Plan*. Adopted in 2004, *Horizons* is Greenville's long-range (10+ years) planning vision. As such, it includes policy statements and implementation strategies that have established guidelines for making planning decisions and taking specific planning actions – regarding matters such as rezoning requests, site plan and subdivision plat reviews, zoning text amendments, and special use permits. The plan also guides long-range public investments in infrastructure, education, and economic development.

How is the comprehensive plan helping the Greenville community to meet its planning goals and objectives? What specific actions and accomplishments have proceeded from the plan?

A plan is also only as good as the timeliness and accuracy of the data that inform planning decisions and the ability of the community to respond effectively to new data. Thus, another objective of the 2009 Comprehensive Plan Review is to incorporate **new land use data** into the plan, making changes as necessary to the plan text and the Future Land Use Plan Map.

*Horizons* recognized that a comprehensive plan is not a static blueprint for the future. It recommended that the comprehensive plan be reviewed at least every five years to refine the community's vision, reflect changes in physical development patterns, respond to new information, react to emerging trends, and incorporate the findings and recommendations of new area and program plans.

The 2009 – 2010 Comprehensive Plan Review is not a rewrite or full update of the comprehensive plan; it is more a tune-up than an overhaul. Back in 2003 - 2004, the Comprehensive Plan Committee (CPC) led the public and elected officials in a two-year planning process that addressed every major aspect of planning policy; including land use, growth and development, transportation, public services and facilities, economic development, and natural environment. It is too soon to carefully assess how well the plan is shaping long-range growth and development pattern; and it would be premature to make broad changes to its policy goals and objectives at this time.

The timing is right, however, to evaluate the plan on its own merits. The 2009- 2010 Comprehensive Plan Review process is an opportunity to ensure that all aspects of the plan are working together to preserve and promote the community's planning vision. It also is an opportunity for the public and policy makers to **recommit to the plan**. What can we do in the next five years to make Greenville a better place?

The City of Greenville has posted notice of the initial draft review and public forum on the City's webpage and in the *Daily Reflector*.



## 2 How to Use This Report

The first section of this report provides **background and context** on *Horizons: Greenville's Community Plan*. It explains why it is important to have a comprehensive plan; it reviews how the *Horizons* plan was created and amended over the years; and it explains how the Future Land Use Plan Map, Zoning Map, and neighborhood and area plans relate to the comprehensive plan.

If you are unfamiliar with the comprehensive planning process, it is recommended that you first read this background and context section before proceeding with the main sections of the report, which assume that the reader has a working knowledge of land use planning terminology.

The four main sections of this report, which include pertinent **data, analysis, and recommendations**, are organized as follows:

- **Synopsis of Adopted or Pending Neighborhood and Area Plans:** brief summaries and maps of area and neighborhood plans completed in the five years since the *Horizons* plan was updated. It explains how these plans address particular needs in specific areas, while also furthering the goals and objectives of the citywide comprehensive plan. And it outlines the prioritization schedule for completing additional area and neighborhood plans in the next five years.
- **Review of *Horizons* Plan Implementation Strategies, Management Actions, and Vision Area Policies (2009 – 2010):** a five-year progress report on all 300+ implementation strategies, management actions, and vision area policies listed in *Horizons*, which are intended to further the goals and objectives of the community's long-range planning vision. This section of the report was compiled based on input from the departments, volunteer commissions, and public authorities that are primarily responsible for completing the various implementation tasks. The progress report is formatted as a direct response to the Implementation section of *Horizons*. On an item-by-item basis, it updates the status of every implementation strategy, management action, and vision area policy in the plan.

The progress report is divided into the same subject areas as the Implementation section of *Horizons*:

**1) Land Use, 2) Growth & Development, 3) Transportation, 4) Services & Facilities, 5) Economic Development, 6) Natural Environment, 7) Administration, 8) Vision Areas**

*The Horizons Plan text is in italics: goal statements, objectives, and strategies.*

The report indicates which City department, volunteer commission, agency (or combination thereof) is responsible for each implementation strategy, management action, or vision area policy, and then provides a five-year update on that item's status.

**1 Land Use**

**Goal Statement**

*Provide a land use form that optimizes resources by: allocating suitable use, avoiding conflicting land uses, preserving the City providing open space, vistas, and agricultural areas.*

*Provide safe, adequate, and affordable housing to meet the needs groups within the City's planning jurisdiction.*

**Objective 1**

*The residential integrity of existing established and developed residential areas is Established and developed residential areas are those areas in which the previous residential and the majority of lots and tracts have been created for residential uses.*

**Strategy**

**1(a).** *Discourage the re-zoning of existing residentially-developed or zoned residential classification unless such re-zoning would be consistent with plan.*

➤ **CDD Planning Division—Ongoing recommendation.**

**Objective 2**

*Preserve and enhance Greenville's land use form*

**Strategies**

**2(a).** *Conservation/open space land uses should be provided in areas when for flooding (100-year floodplain) or the need for buffering for incompat*

➤ **CDD Planning Division: Ongoing recommendation.**

- **Growth and Development Trends Since 2004:** this section summarizes recent population and land development trends. It looks at indicators like requests for permits, plat reviews, and rezonings to gauge the pace and manner of development demands. This data can help the community to understand the context in which land use decisions were made in the last five years and the challenges that the community will be facing in the next five years. The growth and development section also looks at the city's growth in urban-fringe areas:
  - A summary and analysis of annexation activity since 2004.
  - A discussion of the City of Greenville's Extra-Territorial Jurisdiction (ETJ) and the importance of inter-jurisdictional cooperation.
- **Review and Analysis of Requests to change the Future Land Use Plan:** this analysis of landowner/developer requests to change the Future Land Use Plan can help the community to assess large-scale land use trends and to identify critical urban growth areas that might need to be addressed in the next five years. This section provides a case-by-case summary of all requests to change the Future Land Use Plan since 2004.
- **Review and Analysis of Rezoning requests:** a summary review and analysis of rezoning requests—approvals, denials, and withdrawals since 2004.
- **Analysis of Discrepancies between Current Zoning Districts and the Future Land Use Plan Map:** this section uses tables and maps to illustrate the few remaining significant discrepancies between the City's current zoning districts and the Future Land Use Plan map.
- **New Recommended Plan amendments**
- **New Recommended Plan Initiatives**
- **Appendices**

### **3 Local Planning Resources**

As part of the City of Greenville's Community Development Department, the Planning Division serves as the administrative and technical coordinator for land development and zoning requests throughout the city's 66-square-mile planning jurisdiction.

The Planning Division provides administrative and technical support to the City Council, Planning and Zoning Commission, Board of Adjustment, and Historic Preservation Commission. The Division assists developers and general citizens in the submission, analysis, recommendation and approval of both citizen and administratively-initiated development proposals and plans. The Division includes a *Zoning Compliance/Enforcement Section*, a *Site Plan Section*, a *Subdivision Section*, an *Annexation/Environmental Services Section*, a *Zoning/Land Use Section*, an *Historic Preservation Section*, and a *Geographic Information System (GIS) Section*. In addition, the Division collects and interprets data related to future land use needs and prepares and maintains long-range planning studies, including the Horizons Comprehensive Plan.

The Department of Community Development also comprises three other divisions:

- The Administrative Division oversees and supervises all of the activities within the Community Development department.

- The Urban Development Division works with citizens, neighborhood groups, business and property owners, local commissions and organizations, and elected officials to revitalize and preserve Greenville's Center City and surrounding neighborhoods.
- The Housing Division administers and monitors programs to assist low and moderate-income citizens, including federal CDBG and HOME programs and local affordable housing initiatives.

The Code Enforcement Division was also part of the Community Development Department, until it was moved to the Police Department in 2008.

The Planning and Zoning Commission acts in an advisory capacity to conduct planning studies within the City and its extraterritorial areas and to prepare and adopt plans for achieving objectives for future development; to administer planning and zoning regulations. The commission meets the third Tuesday of each month.

# HORIZONS: GREENVILLE'S COMMUNITY PLAN

## 1 History

The current Comprehensive Plan (*Horizons: Greenville's Community Plan*) and revised Future Land Use Plan Map were adopted February 12, 2004 (Ord. 04-10).

A 24-member Comprehensive Plan Committee (CPC), appointed by City Council, was convened to study the 1992 *Horizons* Plan and recommend changes that resulted in a complete rewrite of the previous 1992 document text and approximately 200 amendments to the Future Land Use Plan Map as originally adopted in 1997. The Comprehensive Plan Committee met monthly with City staff and a consultant team over a two-year period and examined the text of the 1992 *Horizons Plan* and the 1997 Future Land Use Plan Map in detail prior to issuing a unanimous recommendation for the adoption of the revised 2004 Plan and Map.

While it was understood that the Comprehensive Plan is long range in nature (10 plus years), the CPC recognized that a Comprehensive Plan is not a static document and, therefore, included a implementation strategy recommendation that the Plan should be reviewed and updated to reflect current trends and conditions every 5 years from the date of adoption.

## 2 Definition and Purpose

### Definition (from the *Horizons Plan*):

A comprehensive plan is a statement by the community of what it is today, and what it would like to be in the future. A comprehensive plan is an official public document, adopted by the chief legislative body (i.e., City Council). Although Greenville uses the term comprehensive plan, phrases such as master plan, general plan, and long-range plan have the same meaning.

A comprehensive plan is a statement of policies. The policies of the plan, in effect, speak to the private sector and to elected officials and say, "when we encounter this situation, we will probably act this way for these reasons." This approach has the advantage of stating a position in advance of heated controversy. To deviate from a policy in the plan should require an argument as convincing as the one in the plan. Departing from the precepts of a plan should always be possible – although not necessarily easy.

A comprehensive plan is general, in that its recommendations are area-wide rather than site specific. A comprehensive plan is not a zoning plan, although it would likely contain recommendations that affect the zoning and subdivision ordinances.

A comprehensive plan focuses on the physical development of a city. It describes how, why, when, and where to build or rebuild the city. While a comprehensive plan is not a social service delivery plan or an economic development plan, it will encompass elements contained in each.

A comprehensive plan is comprehensive in that it includes all areas within a city and its extraterritorial planning jurisdiction. Moreover, the plan includes all elements that have a bearing on the physical development of the city (utilities, transportation, housing, etc.).

Finally, a comprehensive plan is long-range, in that it projects an image of a city sometime into the future, usually 20 years. In the past, many comprehensive plans merely gave snapshots of what cities should look like in the future without providing proper guidance on how to reach these goals. Successful plans of today not only establish long-range goals that challenge and inspire, they also include short-range (one to two years), and mid-range (three to five years) goals and objectives that help maintain a focus on the vision the community has created for the next 20 years.

### **Purpose (from the Horizons Plan):**

Comprehensive plans serve many functions. Comprehensive plans help cities answer questions about how to coordinate the development of land in order to serve the public interest. Elements affecting the public interest include: health and safety (i.e., what areas of the community can or cannot support higher concentrations of development); convenience (i.e., where should streets be located to improve circulation); efficiency (i.e., what land-use arrangement is the most efficient and least costly to the citizens and the city); and environmental quality (i.e., how should development be handled in flood-prone or other environmentally sensitive areas).

Comprehensive plans provide a policy guide to decision making. Elements affecting the public interest can sometimes overlap (e.g., environmental quality and amenities), and at other times may conflict (e.g., health and safety, and efficiency). By identifying community values and establishing goals and objectives based on those values, appointed and elected officials can use the comprehensive plan to guide their decision making on matters related to the physical development of the city.

Comprehensive plans provide a legal basis for decision making. Article 19, Chapter 160A-383 of the North Carolina Statutes states in part that “Zoning regulations shall be made in accordance with a comprehensive plan...” Literal interpretation of this language has been argued for decades, because zoning often occurred before the comprehensive plan (Greenville enacted zoning in 1947, whereas its first comprehensive plan was adopted in 1981). However, clear signals are being sent from the courts that when challenged, development codes stand a better chance of being upheld when they are based on a comprehensive plan, as opposed to evolving as a result of ad-hoc decisions as is the case in the absence of a comprehensive development document.

Finally, comprehensive plans are used by the public, developers, administrators, etc., to obtain facts about the city. For example, comprehensive plans often are used by existing businesses to guide them in making plans related to expansions, and by new businesses that wish to assess the desirability of locating in the urban area.

## **3 Future Land Use Plan Map**

A future land use plan map is a graphic representation of a community’s land use policies. It indicates where certain types and intensities of urban development are likely to occur in the future and, therefore, is an important public resource for households, developers, and businesses. It also provides decision makers with a diagnostic tool for identifying and interpreting the intent of a comprehensive plan, while giving them a valuable tool for communicating their rationales for making land use decisions to citizens.

The City of Greenville’s Future Land Use Plan Map (and supporting text) is an extension of the goals and objectives outlined in the *Horizons* plan. It is not intended to be a stand-alone document. Any amendment to the map is an amendment to the comprehensive plan. The map provides a general illustration of the Urban Form Policies set out in *Horizons*. Like the *Horizons* Plan, the map does not prescribe that specific types of development occur at specific sites – indeed the land use patterns depicted on the map are not site (dimensionally) specific.

The Future Land Use Plan Map depicts a preferred or optimum pattern of land use for vacant or developed land. For developed land, the existing land use may be inconsistent with the preferred land use. In cases where the *Horizons* planning process resulted in a preferred land use that deviated from the existing land use, the preferred land use pattern is indicated in the Future Land Use Plan Map. The preferred land use pattern was, at the time of plan adoption, considered more suitable and compatible with the long-range goals and objectives of the City.

- **Future Land Use Plan Map versus an Existing Land Use Map:** Whereas an existing land use map is an indifferent “snapshot” inventory of *actual* land use conditions as they exist *today*, the

future land use plan map conveys the community's *value judgments* about how and where different categories of land uses will be allowed *in the future*.

The Future Land Use Plan Map includes 12 separate, generalized land use categories:

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

The above *land use categories* are not the same as *zoning districts*. The City of Greenville has 32 official zoning districts, including 12 different types of residential zones alone. The City's zoning districts are defined in the City Code, while the land use categories depend on the Future Land Use Map as defined in the *Horizons* Plan. By necessity, zoning districts are more specialized than land use categories and may seem esoteric to laypersons. One of the benefits of a future land use plan map is that it classifies the essential types and subtypes of urban development using general, inclusive, easily discernable categories.

At the same time, those basic land use categories capture (or include) all of the different zoning districts, but they do so using descriptive (e.g., "low density residential") rather than technical (e.g., "RA20") terminology. The Future Land Use Plan Map, in many cases, represents a range of available land use (or rezoning) options for a given parcel or land area; specific rezoning requests are decided on a case-by-case basis.<sup>1</sup> A description of the allowable uses for each zoning district can be found in the Zoning Ordinance (Section 9-4-78. Table of Uses).

## 4 Zoning Map

A zoning map is the official visual record of a jurisdiction's zoning districts as they exist today. Whereas a future land use plan map reflects a community's *future* planning vision, a zoning map depicts its *current* zoning ordinances regulating the use and development of land parcels.<sup>2</sup> Because zoning codes and maps are regularly amended on a case-by-case basis, they tend to be provisionally revised over time, rather than replaced wholesale by entirely new zoning codes and maps.

Greenville's first zoning regulations were adopted in 1947. Since then, the City's official zoning map has been amended many times in response to changing urban conditions and planning trends. The zoning map itself has evolved from a hand-drawn mylar film reproducible to the computer-generated graphic information system (GIS) format in use today. The current "official zoning map" was adopted by City Council on February 13, 1997 per ordinance 97-17.<sup>3</sup> The zoning map applies to both those areas within

<sup>1</sup> The designation of an area with a particular land use category does not necessarily mean that the most intense zoning district described in the land use definitions is automatically recommended. A range of densities and intensities applies within each category, and the use of different zoning districts within each category should reinforce this range and be based on context, compatibility, and an understanding of development impacts. Multiple zoning districts should continue to be used to distinguish the different types of low- or moderate-density residential development that may occur within each area. Some zoning districts may be compatible with more than one comprehensive Plan Future Land Use Map designation.

<sup>2</sup> Zoning divides land into districts based on a zoning code that describes the intent and regulations of each particular zone category; a typical district will set forth regulations for permitted land uses, building height, density, setbacks, minimum lot sizes, etc.

<sup>3</sup> In 1997, the previous zoning map was digitized using the City's graphic information system (GIS) and the coverage was overlaid onto a county tax parcel (GIS formatted) base map. All of the district boundaries shown on the current map are either scaled from previously adopted maps or are based on legal descriptions included in zoning map amendment ordinances. The resulting map is more accurate than was possible in the past. Although the map can be viewed at virtually any scale due to the computer ability to zoom in/out the official map scale has been set at 1 inch equals 400 feet. For purposes of zoning district boundary interpretation the

the city limits and within the extraterritorial jurisdiction (ETJ), which may extend a mile or more beyond the city limits.

Like a future land use plan map, a zoning map provides predictability for residents and the development community. A zoning map, however, explicitly indicates the types and intensities of development that are *currently* allowed for a property *by prior right*. Property owners may request that a property be rezoned to another zoning district. Rezoning should be consistent with the vision, policy framework, and land use patterns described in the comprehensive plan [see: Rezoning Requests, page 41]. The districts can only be amended by City Council following review and recommendation of the Planning and Zoning Commission and City Council public hearing. Amendments to the Official Zoning Map are in fact an amendment to the Zoning Ordinance.

**Table I: Differences between a future land use plan map and a zoning map:**

	<i>Future Land Use Plan Map</i>	<i>Zoning Map</i>
<b>Scale</b>	Bird's eye view: displays broad categories representing generalized uses (e.g., low-density residential) over medium-to-large areas of land.	Ground level view: delineates between specialized zoning districts that apply to specific land parcels; adjacent parcels may share same general use categories (e.g., medium density residential) but require different standards (e.g., R6S v. R6A).
<b>Purpose</b>	Long-range vision (next 10+ years): land use policy framework; basis for extension of adequate public facilities and services.	Immediate effect: zoning directly regulates development of land parcels, indicating current detailed requirements for use, setbacks, parking, etc.
<b>Encourages</b>	Appropriate, efficient patterns of growth; desired urban form; development that contributes to the community's planning & economic development goals and perceived quality of life values.	Sound project-level planning; adequate on-site parking, setback, utilities, screening, drainage.
<b>Discourages</b>	Ad hoc decisions; projects that will adversely impact municipal service capacities & tax base.	Direct land use conflicts between adjacent properties.
<b>Predictability</b>	Signals to public and developers where future infrastructure & development is likely to occur; suggests what types of projects might be supported by land use policies and where rezonings might be appropriate.	Establishes present opportunities and constraints for all land parcels in the jurisdiction, conveying to land owners or purchasers what are the current permitted uses and development conditions at specific locations.
<b>Amendment process</b>	Amended in response to changes in the community's planning goals for an area; involves moderate-to-high levels of public input; changes do not directly alter zoning of properties.	Frequently updated in response to approved rezonings determined to be consistent with the comprehensive plan; may also involve moderate-to-high levels of public input.

1 to 400 ratio will be utilized. The current "GIS based zoning map" is officially a black line coverage printed on mylar film, however, color patterns representing the various districts have been added by staff for illustrative purposes.

## SMALL AREA AND SPECIALIZED PLANS: SINCE 2004

### 1 Purpose

By definition, a comprehensive plan is inclusive and wide-ranging. It attempts to address all major aspects of land use planning and policy under one integrated framework. Because it is a broad vision for the entire community, a comprehensive plan *document* like *Horizons* is not the best instrument for conducting a close-in examination of specific geographical areas or specialized subjects. Often, planners and policy makers must have at their disposal timely, localized data to address a public safety concern, build a new road, protect a water resource, mitigate potential impacts from flooding in a vulnerable area, etc. By themselves, then, specialized plans and studies are indispensable tools for managing everyday planning tasks, but they also help a community to realize its long-range planning goals and objectives. Once adopted, these plans and studies become part of the comprehensive plan, adding essential layers of detail and expertise to the plan. When all the different layers of the plan are working together, the best results can be achieved.

A number of smaller area plans and specialized plans and studies have been completed in the five years since *Horizons* was adopted in 2004. Once completed, these additional elements became part of the community's comprehensive plan.

To review electronic copies of the City's plans and studies, visit the City of Greenville's website: <http://www.greenvillenc.gov>.

All of the neighborhood/area plans and most of the specialized plans and studies can be found at the Community Development Department's webpage, "Adopted Plans and Studies":  
[http://www.greenvillenc.gov/departments/community\\_development/information/default.aspx?id=1090](http://www.greenvillenc.gov/departments/community_development/information/default.aspx?id=1090).

The Greenville MPO Comprehensive Transportation Plan is available at the Public Works Department website:  
[http://www.greenvillenc.gov/departments/public\\_works\\_dept/information/default.aspx?id=510](http://www.greenvillenc.gov/departments/public_works_dept/information/default.aspx?id=510).

The Comprehensive Recreation and Parks Master Plan is available at the Recreation & Parks website:  
[http://www.greenvillenc.gov/departments/rec\\_parks\\_dept/information/default.aspx?id=430](http://www.greenvillenc.gov/departments/rec_parks_dept/information/default.aspx?id=430).

### 2 Specialized Plans and Studies

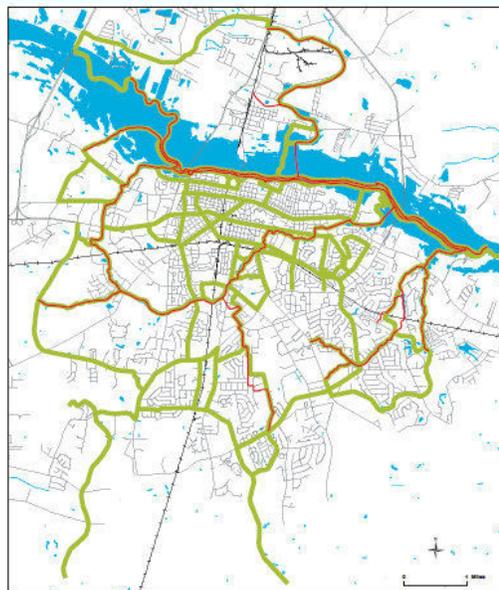
#### Flood Land Reuse Plan (January 2004)

The purpose of the Flood Land Reuse Plan was to inventory properties that the City of Greenville acquired under the Hazard Mitigation Grant Program as a result of flooding from Hurricane Floyd; identify potential reuses in accordance with buyout property restrictions of the Federal Emergency Management Agency (FEMA), which will benefit the City and general public; and to offer guidance to the City of Greenville and its citizens on proper reuse and maintenance of these properties to ensure a much lower threat of flood destruction in the future.

#### Greenway Master Plan (March 2004)

The 2004 Greenway Master Plan reevaluated the feasibility of the original 1991 greenway corridor proposals. It looked at the viability of previously planned greenway routes, offered alternatives where necessary, recommended new corridors in underserved areas of the community, and suggested strategies for funding projects.

Proposed Greenway System (1991 & 2004)



The map above shows the 1991 proposed system (red) and the 2004 proposed system (green) together. The light blue area includes the Tar River and the regularly inundated or consistently wet areas along the river.

The Greenway Master Plan aims to contribute to the community's long-range planning vision by helping to protect water quality; by preserving critical wildlife habitat and green spaces; by adding to Greenville's recreational, fitness, and educational resources; and by providing alternative transportation options. The overriding goals of the greenway plan are the same as the overriding goals of the comprehensive plan: to elevate the general quality of life in Greenville; spur economic development; and, in the process, strengthen the City's tax base.

### **Hazard Mitigation Plan (November 2004)**

Greenville's Local Hazard Mitigation Plan (LHMP) identified the different types of hazards and specified new actions that the City would take to reduce its vulnerability to natural hazards, and minimize the impact of hazardous events in the future. It identified hazard mitigation activities and methods the City has implemented and continues to support, and to speed recovery and redevelopment following future disaster events. Completion of the report qualified the City for additional grant funding and demonstrated a firm local commitment to hazard mitigation principles, as well as compliance with both State and Federal legislative requirements for local hazard mitigation plans. The revised draft of the plan was adopted by City Council on November 8, 2004.



### **Task Force on Preservation of Neighborhoods & Housing: Report and Recommended Improvement Strategies (December 2004)**

Established by City Council in February 2004, the Task Force on Preservation of Neighborhoods and Housing explored the link between rental housing and neighborhood livability. The Task Force examined conditions of neighborhoods with predominantly detached, single-family housing; determined the impact of rental properties on those neighborhoods; and recommended actions that would strengthen and enhance the viability and livability of those neighborhoods. The Task Force recommended 10 neighborhood improvement strategies. One of the strategies was to develop and adopt neighborhood plans to guide public policy and investment decisions in older, established neighborhoods. Another recommendation was that the Planning and Zoning Commission undertake a study to identify predominantly single-family neighborhoods that were zoned in a manner that permit intrusion of duplex and multi-family uses, and recommend compatible substitute single-family zoning where practicable [see: Zoning, Community Development Department Initiated Rezoning].

### **Greenville Urban Area Thoroughfare Plan (December 2004)**

The primarily aims of the thoroughfare plan are as follows:

- Establish a schedule for making street improvements that respond to changing traffic demands
- Avoid unnecessary improvements
- Maximize budget = efficiency + minimize land acquisition costs
- Maintain consistency with, and reinforce the goals and objectives of, the Horizons plan by encouraging good urban planning and efficient urban growth patterns; respond to the mobility needs of present and future population, commercial, and industrial enterprises, but do so without influencing the urban development pattern in negative ways
- Reduce travel and transportation costs
- Reduce the cost of major street improvements to the public through the coordination of the street system with private action
- Enable private interests to plan their actions, improvements, and development with full knowledge of public intent

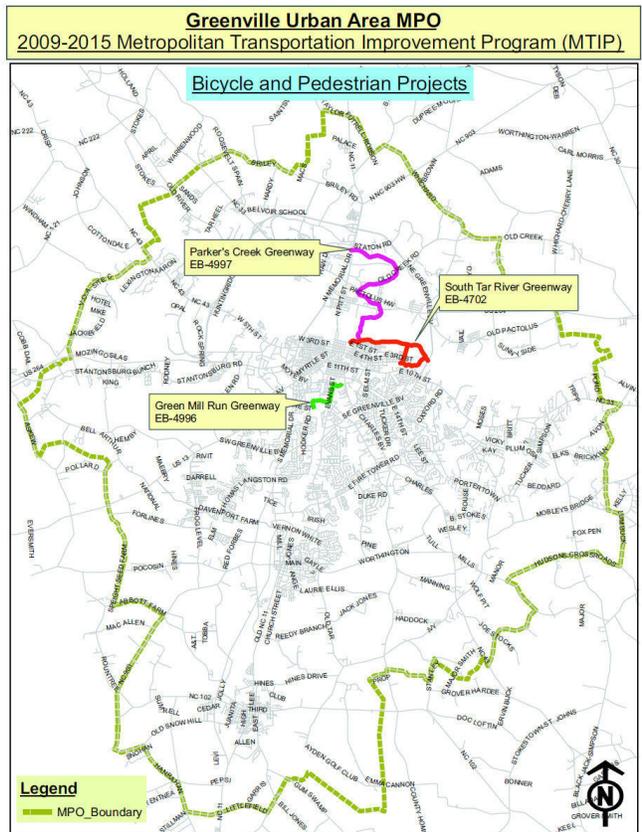
- Minimize disruption and displacement of people and businesses through long-range advance planning for major street improvements
- Reduce environmental impacts, such as air pollution, resulting from transportation
- Increase travel safety
- Provide opportunities for bicycles and pedestrians to safely share the right-of-way

**2009 – 2015 Metropolitan Transportation Improvement Program (August 2008)**

The Greenville Urban Area Metropolitan Transportation Organization (MPO) is responsible for coordinating the State Transportation Improvement Program (STIP) for the Greenville metro area. The STIP contains funding information and schedules for transportation divisions including: Highways, Aviation, Enhancements, Public Transportation, Rail, Bicycle and Pedestrians, and the Governor's Highway Safety Program. The STIP budget is based on the certified budget and projections developed by NCDOT and the Office of State Budget and Management.

The 2009 – 2015 transportation improvement program includes maps detailing scheduled improvements for the following types of projects:

- Bridge projects
- Road projects
- Bicycle and pedestrian projects [see: map on the right]



**Recreation and Parks Master Plan (Updated in November 2008)**

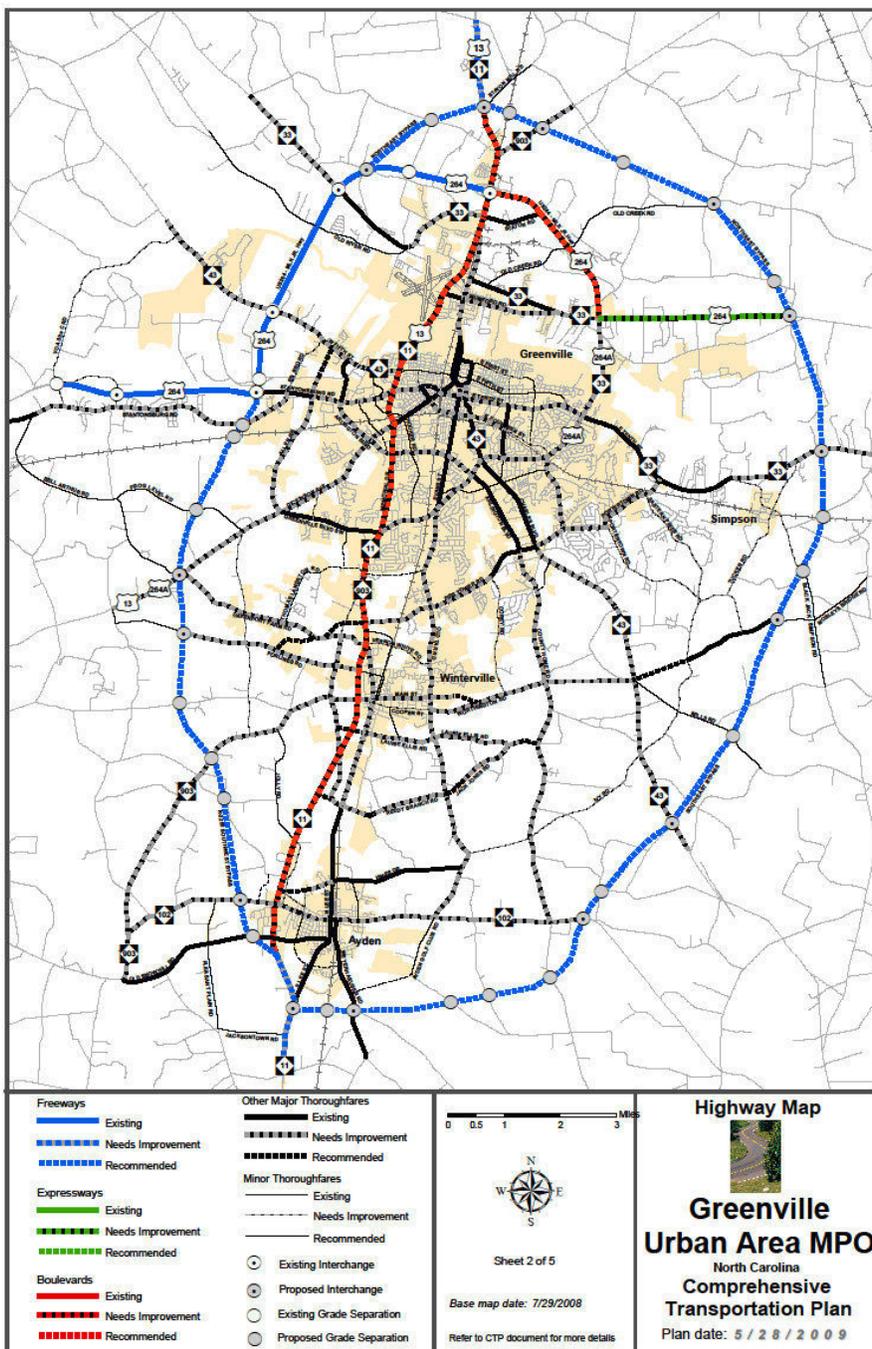
The City of Greenville Recreation and Parks Department update of the 2000 comprehensive parks and recreation plan assesses and takes into consideration changes that have taken place in Greenville in the last decade. The plan initiated a public discussion on future park needs and established standards for future park development. Utilizing these standards, the master plan proposes a Plan of Action for achieving current and future needs. The master plan document gives the Recreation and Parks Department a road map for the future development of its recreation and park system.

**Greenville MPO Comprehensive Transportation Plan (May 2009)**

In 2001, revisions were made to North Carolina General Statute 136-66.2 that was intended to expand current transportation planning in North Carolina to include consideration of non-roadway alternatives. The statute now calls for the development of a Coordinated Transportation Plan (CTP). The CTP is a long-term “wish-list” of recommended transportation improvements intended for an entire Metropolitan Planning Organization (MPO) planning area. It doesn't have a specific timeline, cost, or funding source. The plan is expected to be a living document that provides for inter-jurisdictional cooperation and planning to replace the previously used thoroughfare plans. The purpose of the Comprehensive Transportation Plan (CTP) is to update the official Thoroughfare Plan that is used by local, regional, state and federal decision-makers. The plan provides for land reservation for future transportation corridors and helps guide decisions on setbacks and transportation improvements as development occurs today and into the future.

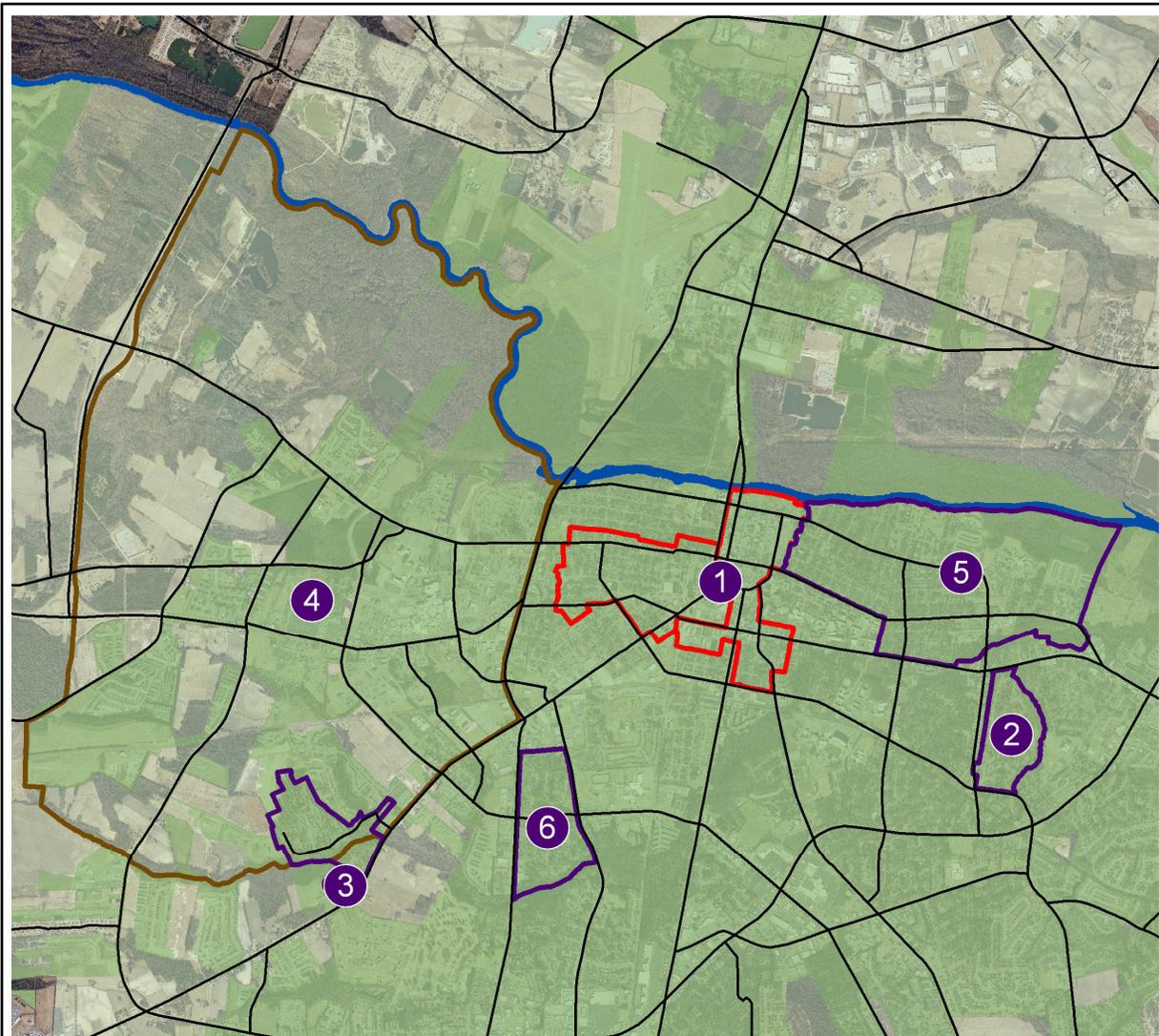
In the development of the CTP, consideration shall be given to all transportation modes including: street systems; transit alternatives; and bicycle, pedestrian, and operating strategies.

The MPO first adopted the CTP Highway Map on May 28, 2009:



### 3 Neighborhood and Area Plans

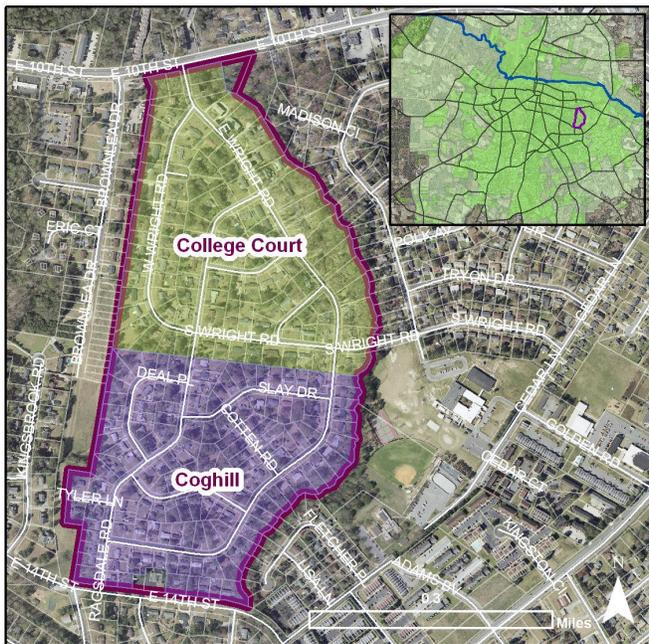
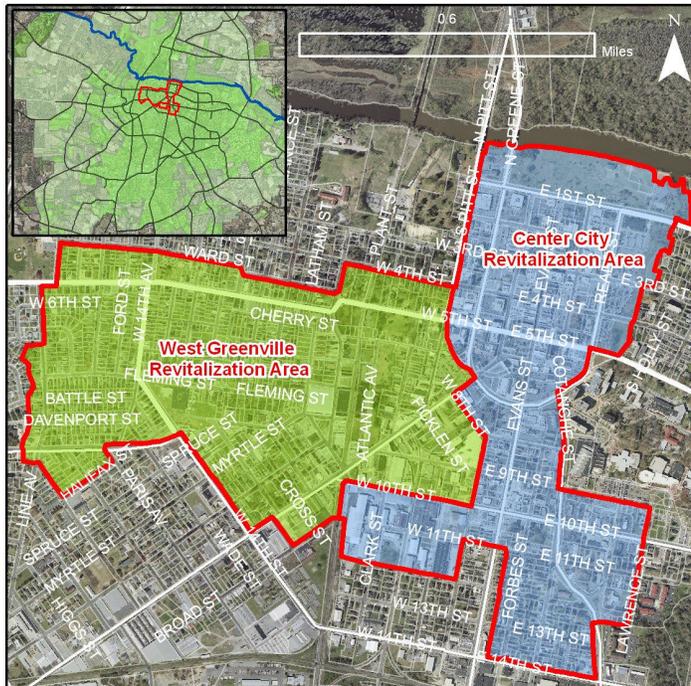
Neighborhood or area planning is a public participatory process, which engages neighborhood residents, business owners, and other stakeholders in strengthening and enhancing the viability and livability of Greenville's residential neighborhoods, employment and cultural centers, and historic areas. These plans recommend practical steps for addressing many day-to-day specific issues affecting neighborhood residents and stakeholders directly—such as traffic congestion, code enforcement, public safety, and floodplain management—but they also help to implement the community's long-term vision for all of Greenville. Since 2004, the City of Greenville has completed six neighborhood or area plans:



- 1 Center City - West Greenville Revitalization Plan (2006)
- 2 College Court & Coghill Subdivisions Neighborhood Rpt & Plan (2007)
- 3 Lake Ellsworth, Clark's Lake & Tripp Subdivisions Neighborhood Rpt & Plan
- 4 Medical District Land Use Plan Update (2007)
- 5 Tar River/University Neighborhood Rpt & Plan (2009)
- 6 Carolina Hts, Greenbrier, Hillsdale & Tucker Circle Neighborhood Rpt & Plan (In progress)

### 1. Center City – West Greenville Revitalization Plan (January 2006)

Developed through a collaborative process of citizens, business owners, local commissions, city staff, and elected officials, this plan established a policy framework for revitalizing the city's historic Center City commercial core and adjacent West Greenville residential neighborhoods. The plan assessed existing physical and market conditions in the Center City and West Greenville, respectively; and then it made recommendations for improving traffic flow, parking, land use patterns, development standards, interconnectivity, and overall quality of life in the urban core. The Redevelopment Commission is charged with implementing many of the programs, strategies, and policies recommended in the plan.



### 2. College Court & Coghill Subdivisions Neighborhood Report and Plan (April 2007)

The Greenville City Council established as one of its 2006-2007 Goals, "Emphasize the importance of neighborhood stabilization and revitalization". In pursuit of that goal, comprehensive neighborhood plans for older, established neighborhoods are presented to the Planning and Zoning Commission for review and recommendation, and to the City Council for adoption. The plans assess current conditions and create a comprehensive framework for stabilizing and revitalizing neighborhoods. They are developed as a collaboration between neighborhood residents/stakeholders and the City of Greenville. Once adopted, neighborhood plans become part of *Horizons* via amendment. The first neighborhood plan to be adopted was a plan for College Court & Coghill Subdivision Neighborhood.

**3. Lake Ellsworth, Clark's Lake & Tripp Subdivisions Neighborhood Report and Plan (November 2007)**

This was the second neighborhood for which a neighborhood plan was completed in pursuance of City Council's goal to stabilize and revitalize older, established neighborhoods. The planning process engaged residents in creating a plan for the neighborhood that took into consideration general factors such as land suitability, existing development, socioeconomic patterns, quality of life, code compliance, storm drainage, service delivery, transportation, and natural environment. When this plan was being created, there were two proposed development projects that had immediate implications to the neighborhood: Bent Creek Subdivision and Medford Point Subdivision.

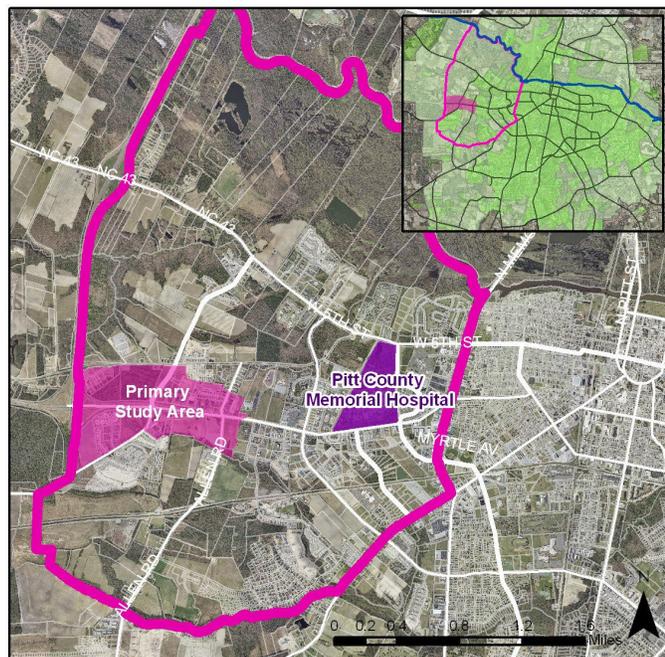


**4. Medical District Land Use Plan Update (December 2007)**

The objective of the Medical District Land Use Plan Update (within Vision Area F) is to ensure continued adherence to the goals established by the previous "Medical District Plans" and *Horizons*. The update recognized that evolving conditions in the growing Medical District necessitated appropriate changes in recommended land use patterns. It recommended that changes be made to the Focus Area Map and Future Land Use Plan Map to ensure an adequate distribution of services designed to promote a vibrant, efficient, and sustainable medical district.

The update built on previous plans for the district:

- *Medical District Development Plan* (October 1974)
- *East Carolina Medical Park, A Comprehensive Proposal for the Development of a Medical Park* (1986)
- *Medical Districts and Environs Land Use Plan* (1993)



### 5. Tar River/University Area Neighborhood Report and Plan (2009)

This mostly residential neighborhood, which lies to the north of the East Carolina University main campus, contains the College View Historic District (National Register and Local) and 3 Locally Designated Landmarks. The average year of construction of single-family dwellings in the neighborhood is 1945. The plan evaluates current conditions, natural environment, land suitability, transportation, public utilities, storm drainage, structures and building activity, socioeconomic conditions and trends, health and life safety, code compliance, current and/or pending planned public improvements; public services; information technology. It also reviews Future Land Use Plan Map Recommendations, current zoning classifications, *Horizons* plan recommendations, and City Council goals pertaining to the neighborhood. Finally, the plan records or summarizes public comments received during the public information meeting, Tar River/University Area Neighborhood Association Goals and Objectives, and resident survey results.



### 6. Carolina Heights, Greenbrier, Hillsdale and Tucker Circle Neighborhood Plan (2010)

A neighborhood plan is currently under development for this area, which is bordered by Memorial Drive (to the west), Harris Street (north), Hooker Road (east) and Greenmill Run (south). Similar to other neighborhood plans completed since 2004, the plan will evaluate current conditions in the neighborhood, land use and development trends, infrastructural needs, and other factors important to neighborhood livability, safety, and vitality. A neighborhood planning forum was held in the neighborhood in July of 2009. The draft plan is scheduled to be completed in spring of 2010.

## **4 Other Plans and Programs**

**A list of other plans and programs that contribute to the comprehensive plan:**

**Tar River Floodplain Redevelopment Plan**

Planning and Community Development

**All Hazard Mitigation Plan (Update in progress: Spring 2010)**

Planning and Community Development

**Capital Improvement Program**

Public Works Department

**Community Development Block Grant / HOME  
Consolidated Plan**

Planning and Community Development

**NPDES Phase II**

**Comprehensive Storm Water Plan**

Public Works Department

## IMPLEMENTATION REVIEW: A PROGRESS REPORT

### Implementation Strategies, Management Actions, and Vision Area Policies

If a plan is only as good as the results that it achieves, then implementation is the key to delivering results. For a community to be able to make its long-range vision a reality, it needs to have effective, feasible implementation tools and strategies.

It is now five years since the *Horizons* Plan was adopted. How are the implementation strategies being utilized? How many of the management actions have been completed? Which policies have been adopted? How effective have the implementation strategies, management actions, and vision area policies been in responding to Greenville’s planning and development challenges?

The *Horizons* Plan - Section 4 lists more than 300 different implementation strategies, management actions, and vision area policies designed to help the community realize its planning vision and respond to planning challenges. Those implementation steps generally relate to one of the following themes:

- Using “Smart Growth” principles to guide land use decision making and public investment
- Adopting or revising land use standards/guidelines to better promote the goals and objectives of the comprehensive plan
- Investing in public works, facilities, amenities in ways that reinforce the goals and objectives of the comprehensive plan
- Completing additional plans, studies, programs, inventories
- Enhancing public education & outreach
- Working with commissions, organizations, neighborhoods to implement the plan
- Improving quality of life indicators
- Promoting economic development that is consistent with “Smart Growth” principles
- Encouraging inter-departmental and inter-jurisdictional cooperation.

Some of the strategies, actions, and policies already have been accomplished (or adopted) and can be removed from the list or converted into “ongoing” tasks. Others are scheduled to be completed within the next few years. Many of the implementation steps are guiding principles - rather than defined projects – which will continue to inform community planning efforts for the life of the *Horizons* plan.

Implementation of the comprehensive plan is being managed and/or assisted by numerous City departments, volunteer commissions, and public authorities. One of the first steps in compiling the data for this report was to send a copy of Section 4 of the *Horizons* Plan to all parties who are responsible for implementing the plan. The objective was to compile a five-year **progress report** on every strategy, action, or policy listed in the comprehensive plan. In most cases, a particular party or parties was identified as being *primarily* responsible for implementing an item; in some cases, though, every department in the City is tasked with implementing an item.

Table II: Departments, Commissions, Authorities Responsible for Implementation Strategies, Actions, Vision Area Policies

<b>Community Development Department</b>	<b>CDD</b>
Planning	
Housing	
Urban Development	
Administrative	
<b>Public Works Department</b>	<b>PWD</b>
Engineering	
Inspections	
Transit	
Sanitation	
<b>Fire &amp; Rescue</b>	<b>FR</b>
<b>Police</b>	<b>PD</b>
Code Enforcement	
<b>Financial Services</b>	<b>FS</b>
<b>Recreation &amp; Parks</b>	<b>R&amp;PD</b>
<b>City Manager’s Office</b>	<b>CMO</b>
<b>Greenville Utilities Commission</b>	<b>GUC</b>
Water Resources	
Energy Services	
<b>Historic Preservation Commission</b>	<b>HPC</b>
<b>Pitt Greenville Airport Authority</b>	<b>PGAA</b>
<b>Pitt County Development Commission</b>	<b>PCDC</b>
<b>Community Appearance Commission</b>	<b>CAC</b>
<b>Environmental Advisory Committee</b>	<b>EAC</b>

The following progress report may suggest ways that the community's planning tools and strategies can be enhanced going forward in response to changing urban conditions and new challenges. How are the implementation strategies, management actions, and vision area policies helping Greenville to meet its planning goals and objectives? What specific actions and accomplishments have proceeded from the plan?

**On an ongoing basis, City departments and commissions will continue to keep track of, and provide updates to policymakers on, the progress of Implementation Items, Management Actions, and Vision Area Policies.** The final report will include tables summarizing the staff and commission input from the progress report in Appendix C.

## **1 Land Use**

### **Goal Statement**

*Provide a land use form that optimizes resources by: allocating land for its most suitable use, avoiding conflicting land uses, preserving the City's character, and providing open space, vistas, and agricultural areas.*

*Provide safe, adequate, and affordable housing to meet the needs of all population groups within the City's planning jurisdiction.*

### **Objective 1**

*The residential integrity of existing established and developed residential areas should be maintained. Established and developed residential areas are those areas in which the predominant land use is residential and the majority of lots and tracts have been created for residential uses.*

#### **Strategy**

- 1(a).** *Discourage the re-zoning of existing residentially-developed or zoned areas to a non-residential classification unless such re-zoning would be consistent with the future land use plan.*
- **CDD Planning Division—Ongoing recommendation.**

### **Objective 2**

*Preserve and enhance Greenville's land use form*

#### **Strategies**

- 2(a).** *Conservation/open space land uses should be provided in areas where there is the potential for flooding (100-year floodplain) or the need for buffering for incompatible land uses.*
- **CDD Planning Division: Ongoing recommendation.**

- 2(b).** *Provide for the Mixed Use District. A Mixed Use District is intended to provide for the coordinated development of office, commercial, and residential uses and their necessary support functions in the vicinity of key highway intersections in Greenville. They should be designed to facilitate stated public policies to encourage design which emphasizes people-oriented environments and compatible, visually interesting development. This district provides areas where moderate scale, mixed use centers can locate, with an emphasis on development of a balance of residential, office, and commercial uses.*
- **CDD Planning Division: Under Study and Development.**
- 2(c).** *It is further intended that the Mixed Use Districts shall encourage development within which, mutually supporting residential, commercial, and office uses are scaled, balanced, and located to reduce general traffic congestion by providing housing close to principal destinations, and convenient pedestrian circulation systems and mass transit to further reduce the need for private automobile usage. Mixed Use Districts are intended to encourage development that allows multiple destinations to be achieved with a single trip. When such districts adjoin residential development or residential zoning districts, it is intended that arrangement of buildings, uses, open space, and vehicular or pedestrian access shall provide appropriate transition and reduce potentially adverse effects.*
- **See 2(b) above.**
- 2(d).** *Industrial development should be located adjacent to and/or with direct access to major thoroughfares. Good neighbor industries will be permitted with proper buffering and environmental mitigation. Industries that produce excessive noise, pollution, vibrations, light, or other public nuisances should not be located near residential areas.*
- **CDD Planning Division: Ongoing recommendation.**
- 2(e).** *Concentrate commercial development in well-defined nodes.*
- **CDD Planning Division: Ongoing recommendation.**
- 2(f).** *Greater residential densities should be accommodated in areas that are accessible to public water and/or sewer service(s).*
- **CDD Planning Division: Ongoing recommendation.**
- 2(g).** *Agricultural and low density residential land uses should be located in areas that do not have public water or sewer service.*
- **CDD Planning Division: Ongoing recommendation.**
- 2(h).** *Office/Institutional/Multi-family land uses should be developed along transportation thoroughfares to provide transition between commercial nodes and to preserve vehicle carrying capacity.*
- **CDD Planning Division: Ongoing recommendation.**
- 2(i).** *Office/Institutional/Multi-family development should be used as a buffer between light industrial and commercial development and adjacent lower density residential land uses.*

- **CDD Planning Division: Ongoing recommendation.**
  
- 2(j). *Adequate conservation/open space buffers should be provided between areas designated for residential development, as indicated on the future land use map, and any adjacent non-residential land use where a zone transition buffer such as O or OR is not a practical option.*
  - **CDD Planning Division: Ongoing recommendation.**
  
- 2(k). *Develop a downtown district plan that emphasizes housing in the downtown area.*
  - **CDD Urban Development Division:** The Center City – West Greenville Revitalization Plan adopted March 2006, the CD (Downtown Commercial) district table of uses was amended to include a dormitory development special use permit option and to specifically allow mixed residential/commercial development in June 2007 (Ord. 07-74).
  
- 2(l). *Encourage public involvement in all activities of the Redevelopment Process.*
  - **CDD Urban Development Division, Housing Division: Ongoing.** The public has been heavily involved in all aspects of the redevelopment planning process. Specific examples include the visioning and selection process for a public art project in West Greenville, involvement by more than a dozen organizations and agencies in the design of the City's comprehensive wayfinding system, and the ongoing collaboration with the Uptown Greenville organization in the visioning process for a public plaza in the Uptown Commercial district. All of the previously listed activities continue, with additional public involvement on projects such as the West Greenville Brownfield grants, Five Points Plaza and the Town Common Master Plan.

### **Objective 3**

*Discourage strip commercial development on major and minor thoroughfares that allows each lot to have direct vehicular access to the highway.*

#### **Strategies**

- 3(a). *Require through zoning and subdivision regulation that an interior road system provide vehicular access to lots abutting major thoroughfares (Figure 9).*
  - **CDD Planning Division, PWD Engineering Division:** Required per sections 9-5-98 (Double frontage lots) and 9-5-99 (Driveways; condition of lot access) of the subdivision regulations.
  
- 3(b). *Existing design standards should be reviewed to ensure effective limitation of curb cuts.*
  - **PWD Engineering Division:** Evaluation of driveway access is an ongoing process. When possible, driveways are required to be a shared means of ingress/egress.
  
- 3(c). *Commercial development should be encouraged at the intersections of major roads (i.e., in a nodal fashion) consistent with the City's future land use map.*
  - **CDD Planning Division: Ongoing.**

**3(d).** *Develop a minimum commercial building code.*

- **PWD Inspections Division:** A minimum commercial building code was adopted in 2009 and is being enforced.

**Objective 4**

*Encourage a wide range of housing types and prices.*

**Strategies**

**4(a).** *Develop a public/private housing development corporation.*

- **CDD Housing Division: Future consideration.** The Housing Division is currently exploring options and requirements for the creation of a housing development corporation.

**4(b).** *The City of Greenville should continue to develop innovative and cost effective affordable housing of various styles and types.*

- **CDD Housing Division, Planning Division:** The City has developed 21 affordable homes in West Greenville and 105 affordable homes in Countryside Estates, and the City has partnered with a non-profit developer to build 48 affordable rental units.
- **CDD Planning Division:** Planned Unit Development (now entitled Master Plan Community) Ordinance - A revision of the City of Greenville's Planned Unit Development (PUD) ordinance was adopted in December 2009. The ordinance includes the following major changes:
  - Renaming PUD to Master Plan Community (MPC), which is more descriptive in purpose.
  - Includes MPC as a special use in a variety of residential districts.
  - Eliminates the PUD zoning district requirement.
  - Transfers special use permit approval authority from the Planning and Zoning Commission to the City Council
  - Reduces the base density to 4 dwellings per gross acre.
  - Includes various density bonus options including housing affordability.

**4(c).** *Encourage retirement facilities that have a community atmosphere.*

- **Nonspecific.**

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

- **CDD Housing Division, Urban Development Division, Planning Division: Ongoing.** The Center City - West Greenville Revitalization Plan adopted March 2006, Task Force on Preservation of Neighborhoods and Housing Report to City Council approved in December 2004, Neighborhood planning program ongoing. The City has developed 21 affordable and area compatible homes and rehabilitated numerous others in the West Greenville Area. The City has also constructed and staffed a new police substation in the West Greenville Area.

The City is in the final stages of planning for a streetscape project that will transform the entrance to the West Greenville neighborhoods at West Fifth Street through the

construction of a gateway and other improvements that will serve to define the historic neighborhoods.

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

- **CDD Housing Division: Ongoing.** The City has implemented various down payment assistance subsidy programs, developed a bimonthly housing ownership education workshop and housing counseling program. In 2006, the Homebuyer's Assistance in the University Area program was established with the purpose to increase home ownership in the area surrounding ECU. The program was designed to assist potential homebuyers with down payment and closing costs assistance in the purchase of existing or newly constructed houses. Qualified households are eligible for a grant up to 5% of purchase price, not to exceed \$10,000. Funds can be used for gap financing and closing costs secured with a 10-year soft second mortgage at 0% interest. No re-payment is required unless the house is sold, leased or rented within the 10 year period.

**Objective 5**

*Ensure that housing meets all health and safety codes.*

**Strategies**

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

- **CDD Code Enforcement Division, Housing Division:** Ongoing; Identified properties which the property owner will not repair are being submitted on an on-going basis to City Council for consideration for demolition. It is staff's goal to work with the property owner, to repair the property and bring it up to City Code to provide needed affordable housing. Staff prefers not to board-up properties but it is often necessary when the abandoned structures are being used for illegal activity, including drug usage. A preferred housing standards list has been developed and submitted to City Council for consideration. The preferred housing standards list will provide information to properties owners on standards that exceed the basic minimum housing codes.

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

- **CDD Housing Division: Ongoing.** The City has established a strong partnership with federal and state sources for funding programs.

## 2 Growth & Development

### **Goal Statement**

*Manage the physical development of Greenville to protect its resources and simultaneously promote responsible industrial and retail growth.*

### **Objective 1**

*Incorporate the principles of “smart growth” into the City’s land use regulatory scheme.*

- 1(a). *Consider adopting performance standards to encourage development at a rate that parallels the availability of infrastructure and services. This may be accomplished through the adoption of an adequate public facilities ordinance.*
  - **Future consideration.**
- 1(b). *When allowed by North Carolina legislation, consider adopting alternative revenue sources, including impact fees, which will place some responsibility on the developer to provide services.*
  - **Future consideration.**
- 1(c). *Support the ECU Campus Master Plan consistent with the policies of this plan and review development proposals to ensure compatibility with the plan.*
  - **Ongoing.**

### **Objective 2**

*Preserve open space, agricultural areas, historically significant structures, landmarks, and other features that reflect the City’s heritage.*

- 2(a). *Maintain and establish, where possible, wooded buffers along thoroughfares.*
  - **PWD Engineering Division, CDD Planning Division, City Attorney, Environmental Advisory Commission (EAC):** Adoption of perimeter buffer zone tree preservation/removal standards per House Bill 2570, March 2007 (Ord. 07-33).
- 2(b). *Implement the Greenway Master Plan.*
  - **CDD Planning Division, PWD Engineering Division, EAC:** Ongoing easement acquisition at the time of land subdivision and development; relocation of the Green Street Bridge and construction of the south Tar River Greenway 2008 (phase 1 construction contract awarded in December 2008); upgraded the Fork Swamp Greenway priority level designation from “future” to level “C” (Res. 05-83).

- 2(c).** *Develop a Historic Preservation Plan which sets out a comprehensive strategy for protecting the City's historic resources.*
- **CDD Planning Division: Ongoing;** seeking grant funding.
- 2(d).** *Develop and implement an education program publicizing the economic and environmental advantages of planting and preserving trees.*
- **PWD Engineering Division: Future project.**
- 2(e).** *Continue to nominate historic properties and districts to the National Register of Historic Places and continue to designate local historic properties and districts.*
- **CDD Planning Division, Historic Preservation Commission (HPC): Ongoing.**  
The City has sought and received approval from state and federal agencies to establish the Dickinson Avenue National Register Historic District. Additionally, the City has designated the recently renovated Blount Harvey building as a local historic landmark. Similar efforts are slated to continue in accordance with the work plan of the Historic Preservation Commission. The HPC has received a grant (Spring 2009) to conduct a GIX based index and survey (inventory) of the proposed East 5th Street National Register Historic District.
- 2(f).** *Promote and participate in National Historic Preservation Week.*
- **HPC, CDD Planning Division: Ongoing.**
- 2(g).** *Establish standards for appearance in the Central Business District.*
- **CDD Planning Division:** The Historic Preservation Commission is considering the establishment of a local historic overlay district in the Central Business District that if adopted would regulate new construction and renovation projects through the use of historic design guidelines.  
  
A group of volunteers including design professionals and other interested citizens have drafted a document titled "Greenville Center City Design Guidelines". This document is intended to serve as a guide to development in the Center City Revitalization Project Area. It is expected that this document will be presented to the Redevelopment Commission of Greenville and the Greenville City Council in the fall of 2009.
- 2(h).** *Consider developing and adopting appropriate design guidelines for downtown development and redevelopment.*
- CDD Urban Development Division:** City staff along with a volunteer group of design professionals are nearing completion of a design guideline booklet that will provide property owners and developers with guidance regarding desired urban form and design.  
  
A group of volunteers including design professionals and other interested citizens have drafted a document titled "Greenville Center City Design Guidelines". This document is intended to serve as a guide to development in the Center City Revitalization Project Area. It is expected that this document will be presented to the Redevelopment Commission of Greenville and the Greenville City Council in the fall of 2009.

- 2(i).** *Conduct a study for the preservation and revitalization of the downtown fringe including adaptive reuse of structures.*
- **CDD Urban Development Division: Ongoing.**
- 2(j).** *Include a downtown urban stroll way in the Greenway Master Plan.*
- **PWD Engineering Division, CDD Urban Development Division: Way Finding Study/Plan adopted.** A wayfinding system is being designed (Summer 2009) that will direct pedestrians to and from key destinations throughout the downtown area.
- 2(k).** *Encourage replacement planting and preservation of trees.*
- **CDD Planning Division, PWD Engineering Division, HPC, EAC:** Enforcement of bufferyard screening and site vegetation requirements, Adoption of perimeter buffer zone tree preservation/removal standards per House Bill 2570, March 2007 (Ord. 07-33).
- 2(l).** *Maintain an inventory of buildings having historical and architectural significance in the City.*
- **CDD Planning Division, HPC: Ongoing.**
- 2(m).** *Build a museum in an old building that highlights local history (e.g., past tobacco and cotton share cropping activities).*
- **Future consideration.**
- 2(n).** *Begin a City-wide campaign to develop [public R/W] tree canopies along all City roads and streets.*
- **PWD: Future consideration.**
- 2(o).** *Improve landscaping along all major road corridors.*
- **CDD Planning Division, EAC:** Adopted site development options including reduced setbacks and parking requirements for preservation of existing large trees in October 2005 (Ord. 05-123).
- 2(p).** *Construct tree-lined and landscaped medians within major road rights-of-way.*
- **PWD Engineering Division:** Ongoing as part of thoroughfare plan street construction – e.g. Fire Tower Road, NC Hwy 43 North, etc.
- 2(q).** *Improve public signage and way-finding.*
- **CDD Urban Development Division:** Design of a comprehensive wayfinding system was completed in 2008 with construction of the first two phases of the system scheduled for constructed in the winter of 2009-10.

- 2(r).** *Develop City-wide architectural and landscaping design standards.*
- **CDD Planning Division, Urban Development Division:** City Council goal 2008, request initiation of a Rural/Urban Design Team (R/UDAT) process
- 2(s).** *Support the Redevelopment Commission, established June 13, 2002.*
- **Ongoing.**
- 2(t).** *Preserve historic warehouses and older buildings through renovation and adaptive reuse.*
- **CDD Planning Division, HPC: Ongoing.**
- 2(u).** *Consider pursuing special legislation that will allow the City to regulate tree cutting on private property.*
- **CDD Planning Division, PWD Engineering Division, HPC:** Ongoing enforcement of bufferyard screening and site vegetation requirements, Adoption of perimeter buffer zone tree preservation/removal standards per House Bill 2570, March 2007 (Ord. 07-33).
- 2(v).** *Develop a strong, green industrial base.*
- **Future consideration.**
- 2(w).** *Seek stable and sufficient revenue sources to accomplish improvements.*
- **City Manager, FS Department: Ongoing.** New Bond Issuance for Road Improvements at 3.79% June 2009.
- 2(x).** *Maintain neighborhood character and identity.*
- **Task Force on Preservation of Neighborhoods and Housing Report to City Council** approved in December 2004; Rezoned 39 neighborhoods containing 5,669 lots on 2,459 acres from a multi-family option classification to a single-family only classification (2005 through 2007); Adopted 3 neighborhood plans - College Court & Coghill Subdivisions (2007) and Lake Ellsworth, Clark's Lake & Tripp Subdivision (2007), and the Tar River/University Area neighborhood report and plan (2009). A plan for Carolina Heights, Greenbrier, Hillsdale and Tucker Circle Neighborhood Plan is scheduled to be completed in spring of 2010. The neighborhood planning program is ongoing.
- 2(y).** *Create walkable communities/ neighborhoods.*
- **CDD Planning Division, PWD Engineering Division:** Ongoing enforcement of subdivision development ordinances including street interconnectivity requirements and sidewalk construction standards, adoption of terminal street standards February 2006 (Ord. 06-13).
- 2(z).** *Encourage citizen involvement within neighborhoods.*

- **Public Information Office, CDD Administrative Division: Ongoing.** Annual Citizens Academy started in 2007. In May of 2008 the City hired its first Neighborhood Liaison / Community Ombudsman (NLCO). One of the primary responsibilities of the NLCO is to serve as a liaison between the City of Greenville and its neighborhoods. Also, the City Council has established the Neighborhood Advisory Board (NAB). The NAB has developed a Land Use Committee; this committee is currently exploring ways to increase neighborhood participation in land use decisions. The Land Use Committee will also disseminate information of interest from the City to the neighborhoods and vice-versa.

**2(aa).** *Provide services to diverse groups.*

- **All City Departments:** Completed city staff and City Council diversity training 2007 – 2008. Erected Inclusive Community city entrance signs. Ongoing program. Substantially improved the M/WBE website and programs. Ongoing training opportunities facilitated for small businesses.

**2(bb).** *Encourage cultural diversity.*

- **All City Departments:** Completed city staff and City Council diversity training 2007 – 2008. Erected Inclusive Community city entrance signs. Ongoing program. Substantially improved the M/WBE website and programs. Ongoing training opportunities facilitated for small businesses.

**2(cc).** *Require neighborhood recreation parks.*

- **R&PD, CDD Planning Division:** Recreation and Parks Master Plan Update in 2008, consideration of related ordinances to require dedication of park/open space thereafter.

**2(dd).** *Create a safer environment.*

- **PD:** Neighborhood Policing program, establishment of IMPACT Team, West Greenville Police Substation – **Ongoing.**

**2(ee).** *Revitalize West Greenville.*

- **CDD Housing Division, Urban Development Division, Planning Division:** The Center City – West Greenville Revitalization Plan adopted March 2006 – Ongoing. The City has developed 21 affordable homes, demolished more than 100 substandard structures, rehabilitated numerous homes, and constructed and staffed a new police substation in the West Greenville Area. Established a community center.

**2(ff).** *Build a performing arts center downtown.*

- **CDD Urban Development Division:** The Center City – West Greenville Revitalization Plan adopted March 2006 – Discussions ongoing.

**2(gg).** *Support restaurants, shops, and boutiques in the downtown area. Establish safety standards for places of assembly.*

- **CDD Urban Development Division, PD, City Manager's Office, City Attorney's Office, Convention and Visitors Bureau (VCB):** The Center City – West Greenville Revitalization Plan adopted March 2006, draft safety standards for public clubs developed – held pending further study. The City Manager's Office and the Attorney's Office completed a report and legal analysis on Potential Actions to Address Downtown Crime Issues, which was presented to the City Council in August of 2009.

**2(hh).** *Bring more retail and professional activities downtown.*

- **CDD Urban Development Division:** The Center City – West Greenville Revitalization Plan adopted March 2006. City staff and the Uptown Greenville merchant's association are working jointly to retain existing business and to recruit new small business ventures to the center city area.

**2(ii).** *Establish a minimum commercial building code.*

- **PWD Inspections Division:** A minimum commercial building code was adopted in 2009 and is being enforced.

### **Objective 3**

*Encourage infill development in areas where infrastructure, such as roads, schools, and sewer and/or water service, is available, planned, or can be provided easily.*

**3(a).** *Amend the future land use map to reflect GUC's water and sewer extension projects as they are planned.*

- **CDD Planning Division, GUC W/S Department: Ongoing.**

**3(b).** *Review water and sewer extension policies to ensure that public/private cooperation in the provision of infrastructure to serve new development is encouraged.*

- **CDD Planning Division, GUC W/S Department: Ongoing.**

**3(c).** *Revitalize major corridors especially from Downtown along Dickinson Avenue to Memorial Drive and Martin Luther King, Jr., Drive [Fifth Street] to Memorial Drive to include rehabilitation of structures, acquisition, and demolition of dilapidated structures, relocation assistance, and new development through land assembly.*

- **CDD Urban Development Division, Housing Division:** The Center City – West Greenville Revitalization Plan adopted March 2006. Ongoing.

**3(d).** *Direct more intensive land uses to areas that have existing or planned infrastructure.*

- **CDD Urban Development Division, Planning Division:** The Center City – West Greenville Revitalization Plan adopted March 2006. **Ongoing.**

**3(e).** *Consult the future land use map when considering new public facilities and private development.*

- **CDD Planning Division, Urban Development Division: Ongoing.**

**3(f).** *Publicize the Horizons Plan Update land use and development policies among the development community.*

- **CDD Planning Division:** City's webpage, Citizens Academy Presentation, etc.

**3(g).** *Extend the City's planning jurisdiction as land is acquired through annexation.*

- **CDD Planning Division:** City Council priority project.

#### **Objective 4**

*Promote industrial and commercial development in areas with existing infrastructure that does not infringe on existing medium density residential areas.*

**4(a).** *Revise the City's zoning ordinance to identify all permitted industrial uses by the Standard Industrial Code (SIC) classification system. Such a system will better enable the City to identify the range of desirable industries that may be appropriate within the existing industrial zoning classifications.*

- **CDD Planning Division: Consideration in 2009 – 10.**

**4(b).** *Allow new heavy industrial development consistent with the future land use map.*

- **CDD Planning Division: Ongoing recommendation.**

**4(c).** *Rezone additional parcels for industrial and commercial use consistent with the future land use map. This will accommodate the future demand for additional industrial and commercial development in suitable areas.*

- **CDD Planning Division: Ongoing recommendation.**

### 3 Transportation

#### **Goal Statement**

*Achieve a system of safe, efficient, reliable, environmentally sound, and economically feasible transportation within Greenville.*

#### **Objective 1**

*Ensure that streets in new developments are properly designed, built, and maintained.*

- 1(b). *Encourage the development of joint or shared driveways.*
  - **PWD Engineering Division:** Ongoing enforcement of current driveway regulations. Evaluation of driveway access is an ongoing process. When possible, driveways are required to be a shared means of ingress/egress.
  
- 1(c). *Support implementation of Transportation Improvement Priorities projects and Greenville's Thoroughfare Plan.*
  - **PWD Engineering Division: Ongoing.** This is ongoing. The Engineering Division of the Public Works Department, as the support staff for the Greenville Urban Area Metropolitan Planning Organization (MPO), works with the other local jurisdictions in the MPO to identify and support the transportation improvement projects that have been established as a priority for the Greenville Urban Area.
  
- 1(d). *Establish an ad hoc committee to review the current Thoroughfare Policy with the objective of requiring City participation in the cost of thoroughfare construction.*
  - **PWD Engineering Division:** Although the committee has not been formed, the City, to move transportation construction projects forward, has participated in and is participating in projects for the betterment of the community.
  
- 1(e). *When consistent with State Department of Transportation road standards, incorporate the following transportation practices into the design of developments:*
  - *Design the street network with multiple connections and relatively direct routes.*
    - **Recommend** removing relatively direct routes as this leads to "cut-through" traffic and is not recommended as part of proactive traffic calming measures. Item one recommended to be rewritten to read "relatively indirect routes."
  
  - *Space through-streets no more than a half mile apart or the equivalent route density in a curvilinear network.*
  
  - *Use traffic calming measures liberally.*
  
  - *Keep speeds on local streets down to 20 mph*
    - **add** "during the development process."

- *Keep speeds on arterials and collectors down to 35 mph (at least inside communities).*
  - *Keep local streets as narrow as possible.*
  - *Avoid using traffic signals wherever possible and always space them for good traffic progression.*
  - *Provide pedestrians and bicyclists with shortcuts and alternatives to travel along high-volume streets.*
  - *Eliminate right turns on red lights in high pedestrian areas.*
    - **Recommend** deletion of this item. This decreases the efficiency of a signalized intersection and staff has not identified any areas where conflicts have been a common occurrence.
  - *Require interconnection of commercial parking lots.*
    - **PWD Engineering Division, CDD Planning Division:** General ongoing recommendations concerning preliminary subdivision plats (P&Z approvals); enforcement of current driveway regulations, included as part of the current development review process.
- 1(f).** *Continue to submit proposals for road improvements to DOT for funding.*
- **PWD Engineering Division: Ongoing.**
- 1(g).** *Update the Thoroughfare Plan on a regular basis, approximately every two years. Update the Future Land Use Plan Map as necessary to reflect changes in the Thoroughfare Plan.*
- **PWD Engineering Division, CDD Planning Division: Ongoing.** The Greenville Urban Area MPO is in the process of developing a Comprehensive Transportation Plan (CTP) that will take the place of the Greenville Urban Area Thoroughfare Plan. It will be completed in 2009. The purpose of the CTP is to address all forms of transportation, sidewalk, bicycle, transit, vehicular, and rail.
- 1(h).** *Participate in a county-wide transportation planning effort.*
- **PWD Engineering Division, CDD Planning Division:** The Comprehensive Transportation Plan (CTP) for the Greenville Urban Area will extend into the county. Pitt County will be responsible for extending this plan into the areas beyond the boundaries of the MPO.
- 1(i).** *Discuss Tenth Street corridor concept plan.*
- **CDD Urban Development Division, PWD Engineering Division:** The Center City – West Greenville Revitalization Plan adopted March 2006; Tenth Street connector corridor plan U-3315 is a funded project with construction anticipated to begin in the near future. This project is scheduled to begin right-of way acquisition in 2011 with construction to start in 2013.
- 1(j).** *Implement the following projects using local sources if state assistance is not available:*

- *Link Farmville Boulevard to Tenth Street.*
  - **Project study underway**
- *Lane and intersection improvements West 5<sup>th</sup> Street to NC 43 West.*
- *Construct Brownlea Drive from Fourteenth Street to Tenth Street.*
- *Purchase right-of-way in anticipation of widening Fourteenth Street and Evans Street.*  
State roads – DOT responsibility
- *Acquire property and participate in the design and construction of the Tenth Street/Farmville Boulevard connector between uptown, East Carolina University Core Campus, and medical area.*
- *Computerize and coordinate traffic signals through the signalization plan.*
  - **This project has been completed**
- *Construct a downtown parking garage.*
  - **CDD Urban Development Division, PWD Engineering Division:** The Center City – West Greenville Revitalization Plan adopted March 2006; Tenth Street connector corridor plan U-3315 is a funded project with construction anticipated to begin after 2013; parking garage discussion ongoing (private project dependent); Brownlea Drive R/W obtained by dedication and agreement, construction delayed pending funding.
  
- 1(k).** *Require major commercial development to provide areas for public transit stops and adequate sidewalks.*
  - **PWD Engineering Division:** For sidewalks, this is an ongoing process and included as part of the development review process. Public Transit Stops is for future consideration.
  
- 1(l).** *Promote existing City policy on sidewalk construction among neighborhood organizations, parks, and school systems.*
  - **PWD Engineering Division: Ongoing.**
  
- 1(m).** *Develop a sidewalk map of the City; consider adopting a sidewalk plan which assesses the need for sidewalks and describes specific sidewalk projects to be completed.*
  - **PWD Engineering Division:** This has been completed and is updated as new sidewalks are added.
  
- 1(n).** *Ensure that convenient pedestrian access is provided between adjacent new subdivisions.*
  - **PWD Engineering Division: Ongoing.** Included as part of the development review process.

- 1(o).** *Review the current Airport Land Use Plan. Update if necessary and evaluate action proposals. Implement proposals and develop new proposals determined to be consistent with the goals of the plan.*
- **Pitt – Greenville Airport Authority, CDD Planning Division: Future consideration.**
- 1(p).** *Encourage communication between commercial carriers and major businesses, the Pitt County Development Commission, and the Convention and Visitors' Bureau so that routing and scheduling of flights facilitates business travel.*
- **Pitt – Greenville Airport Authority, VCB, Pitt County Development Commission (PCDC): Ongoing.**
- 1(q).** *Explore possibilities for extending passenger service to Greenville when opportunities arise.*
- **Pitt – Greenville Airport Authority, VCB: Ongoing.**
- 1(r).** *Provide public transportation for senior citizens and handicapped.*
- **PWD Transit Division: Ongoing.** All GREAT bus are ADA accessible additionally PATS provides para-transit services. GREAT annually explores ability to expand service into additional areas. Expansion is based on available funding.
- 1(s).** *Improve rail service.*
- **PWD Engineering Division, City Manager's Office:** Relocation of the railroad switching yard to a remote location north of NC 903 per 2008 plan. The City has been working with NCDOT on projects to address this matter. Funding is included in the State Transportation Improvement Program for projects to relocate the railroad switching yard to a remote location north of NC 903 and the addition of a new Wye at the intersection of the CSXT and Carolina Coastal railroads. Greenville is included in the State's master plan for passenger rail service.
- 1(t).** *Investigate establishment of passenger rail service in Greenville.*
- **Manager's Office: Future consideration.**
- 

## **Objective 2**

*Coordinate highway planning and improvements to ensure that adequate transportation is provided to existing, developing, and proposed activity centers and residential areas.*

- 2(a).** *Develop a street classification system with design criteria and standards appropriate to each class. Develop and implement a collector street plan.*
- **PWD Engineering Division: Ongoing.** Included as part of the current development review process.

- 2(b). *Provide corridor protection for new roads.*
  - **PWD Engineering Division, CDD Planning Division: Ongoing.** Included as part of the current development review process.
  
- 2(c). *Encourage the construction and preservation/protection of limited access corridors.*
  - **PWD Engineering Division: Ongoing.** Included as part of the current development review process.
  
- 2(d). *Map sidewalks, greenways, and bikeways.*
  - **PWD Engineering Division, CDD Planning Division:** Mapping has been completed and is updated by PW as new sidewalks are added, greenway parcels mapped by CDD following final plat dedication of easements.

### **Objective 3**

*Reduce traffic congestion and safety problems.*

- 3(a). *Limit access from development along all roads and highways to provide safe ingress and egress.*
  - **PWD Engineering Division, CDD Planning Division:** General ongoing recommendations concerning preliminary subdivision plats (P&Z approvals); enforcement of current driveway regulations.
  
- 3(b). *Require reverse frontage lots within subdivisions to orient lots toward internal subdivision streets, not secondary roads and highways.*
  - **CDD Planning Division, PWD Engineering Division:** Required per sections 9-5-98 (Double frontage lots) and 9-5-99 (Driveways; condition of lot access) of the subdivision regulations; reliance on current driveway regulations.
  
- 3(c). *Where needed or necessary in commercially zoned areas, require the utilization of frontage roads or frontage service lanes along federal and state highways.*
  - **CDD Planning Division, PWD Engineering Division:** Required per sections 9-5-98 (Double frontage lots) and 9-5-99 (Driveways; condition of lot access) of the subdivision regulations; reliance on current driveway regulations.
  
- 3(d). *Require interconnected street systems for residential and non-residential development. Incorporate the connectivity requirements into the subdivision regulations.*
  - **CDD Planning Division:** Subdivision street standards amended to include revised cul-de-sac (terminal street standards) in February 2006 (Ord. 06-13).
  
- 3(e). *Require traffic impact studies for developments which generate large volumes of traffic.*

- **PWD Engineering Division: Ongoing.** Included as part of the current development review process.

**3(f).** *Concentrate amenities within and around neighborhoods.*

- **Nonspecific.**

**3(g).** *Require sidewalks and landscaping ([public] trees in particular) throughout the City and use sidewalks to connect all major activity centers within the City.*

- **PWD Engineering Division:** since 2000 the City has installed 11.2 miles of sidewalk. The City will apply for a grant to create a street tree master plan. Sidewalks required in conjunction with the extension of public streets in all subdivisions, provided however sidewalks are not required on short cul-de-sac and loop/connector streets.

**3(h).** *Support study of various transit systems in Greenville for possible consolidation.*

- **PWD Transit Division, PWD Engineering Division CDD Planning Division:** The transit system study was completed in 2003. ECU Transit and GREAT have formed a working group to improve coordination among the two systems. Intermodal Transportation Center properties identified and rezoned (to CD) to accommodate the proposed development in 2009.

## 4 Services & Facilities

### **Goal Statement**

*To provide adequate community services and facilities which meet the physical, economic, and environmental needs of Greenville's citizens, businesses, and industries.*

### **Objective 1**

*Encourage the provision of public recreational facilities and areas.*

- 1(a). *Continue to update the Parks and Recreation Master Plan which addresses active recreational facilities and passive recreation such as open space and greenways, and support future parks and recreation projects.*
  - **R&PD:** Plan preparation and scheduled for City Council consideration in 2008.
  
- 1(b). *Continually repair, replace, and upgrade existing recreational facilities and equipment.*
  - **R&PD: Ongoing**
  
- 1(c). *Coordinate the development of recreational facilities with the school system.*
  - **R&PD: Ongoing.** Parks and Recreation Master Plan adopted 2008.
  
- 1(d). *Revise the Greenville Subdivision Regulations to incorporate provisions to require the dedication of public park property and/or open space. This may include a provision for payment in lieu of dedication if approved by the City.*
  - **CDD Planning Division, R&PD:** Draft ordinance prepared (2005) and updated (2008) for consideration following City Council adoption of the 2008 Parks and Recreation Master Plan.
  
- 1(e). *Support recreational facilities development to the National Recreation Standards.*
  - **CDD Planning Division, R&PD:** Draft ordinance prepared (2005) and updated (2008) for consideration following City Council adoption of the 2008 Parks and Recreation Master Plan.
  
- 1(f). *Institute an urban forestry program within the park system.*
  - **R&PD, PWD:** The PWD Building and Grounds Division will be applying for a grant to develop a street tree and public property tree master plan. This plan will be executed as funding is available.
  
- 1(g). *Consider impact fees for financing parks and open space.*

- **CDD Planning Division, R&PD:** Draft ordinance prepared (2005) and updated (2008) for consideration following City Council adoption of the 2008 Parks and Recreation Master Plan.

**1(h).** *Cleanup old landfill and build a park on the site with a greenway system to connect to it.*

- **R&PD, PWD:** Recreation and Parks will need to determine if the old landfill's location supports the needs of the park system. If so then State and Federal regulations would have to be evaluated to see if would be feasible and permitted. The construction of the South Tar River Greenway which will run near the site is to begin in the Spring of 2009.

## **Objective 2**

*Provide for the safe disposal of solid wastes.*

**2(a).** *Support the concept of a statewide "bottle bill" (mandatory deposit law).*

- **PWD:** This is a city policy that must be considered, supported, and approved by the City Council.

**2(b).** *Greenville will support the following solid waste related actions:*

- *Establish an antifreeze collection site.*
  - **Future consideration**
- *Actively encourage grass cycling with compost display.*
  - **Future consideration**
- *Develop an office paper recycling program for all City-owned buildings.*
  - **Completed. Ongoing Project - All City offices have a recycling basket.**
- *Actively encourage recycling by residents, schools, government offices, and industry.*
  - **Keep Greenville Beautiful is focusing on educating children in school.**
- *Develop a "Swap Shop" area for used materials.*
  - **County had one but eliminated it due to problems**
- *Consider assessing fees for individuals and businesses that do not recycle.*
  - **Included in the recycling study that is presently under development for the City Council; PWD Sanitation Division: Ongoing.** City Council presentation in May and June 2009. Amounts included in 2009/10 budget for educating the public regarding recycling.

**2(c).** *Publicize the availability of free compost at the old City landfill.*

- **PWD:** The City does not provide free compost anymore.

**2(d).** *Encourage collection site for recycling of cell phones, computers, and other household hazardous waste.*

- **PWD:** Residents can drop off e-waste at County's Allen Road transfer station whenever it is open. Additionally the County runs an e-waste collection "drive" once a year. City and County participate in a household hazardous waste collection event once a year when there is funding available. The local agricultural extension office in conjunction with "spring clean up" holds a pesticide collection event.

### **Objective 3**

*To effectively manage Greenville's investment in existing and proposed community facilities and services.*

**3(a).** *Consider an adequate public facilities ordinance.*

- **PWD, GUC: Future consideration.**

**3(b).** *Develop a specific capital improvements plan (CIP) with emphasis placed on services and facilities which affect growth and development.*

- **FS: Ongoing.**

**3(c).** *Provide the Pitt County Board of Education with locational information on all residential development.*

- **CDD Planning Division, Information Technology Department (ITD): Ongoing.** In process (2007) of upgrading the e-mail capability in order to facilitate the transmission of electronic data (development data and maps) to the Board of Education, utilizing FTP system in the interim. All building Permit information is available via the City's web page. An addressing layer is available via the City's web page that shows all structure/lot addresses in the City.

### **Objective 4**

*Provide sufficient emergency services to all residents.*

**4(a).** *Continue to include representatives of all emergency service providers in the subdivision development review process.*

- **CDD Planning Division: Ongoing.**

**4(b).** *Require that all necessary firefighting infrastructure capability and capacity be provided in new subdivisions and developments.*

- **CDD Planning Division, GUC W/S Department: Ongoing per code requirements.**

- 4(c). *Provide sufficient emergency management personnel and facilities to adequately serve the projected population growth.*
  - **PD, FD: Ongoing, budget recommendations.**
  
- 4(d). *Coordinate City/County law enforcement activities in order to establish cost effective operations.*
  - **PD: Ongoing.**
  
- 4(e). *Continue to support the Police Department's crime prevention programs and Crime Stoppers program.*
  - **PD: Ongoing.**
  
- 4(f). *Continue to support the Police Department's Community Watch neighborhood programs.*
  - **PD: Ongoing.**

#### **Objective 5**

*Provide sufficient water, sewer, and electric service to promote economic development and to alleviate public health problems created by the absence of public water and sewer services.*

- 5(a). *To encourage industrial development, provide water and sewer services to identified industrial areas.*
  - **Pitt County Development Commission, GUC W/S Department, CDD Planning Division: Ongoing.**
  
- 5(b). *Utilize the master water and sewer plan(s) as a guide to establishing service and funding priorities for developing industrial areas.*
  - **Pitt County Development Commission, GUC W/S Department, CDD Planning Division: Ongoing.**
  
- 5(c). *In concert with this Comprehensive Plan, utilize the master water and sewer plan(s) to guide new industrial development.*
  - **Pitt County Development Commission, GUC W/S Department, CDD Planning Division: Ongoing.**
  
- 5(d). *Continue to work with GUC to review present, short-range, and long-range plans.*
  - **GUC W/S Department, CDD Planning Division: Ongoing.**
  
- 5(e). *Continue to support and participate in the Tar-Pamlico River Basin Association's study to protect water quality in the Tar River.*

- **PWD:** As part of its Stormwater Management Program, the City has adopted requirements that address this matter.

**5(f).** *Secure weatherization subsidies.*

- **CDD Housing Division, GUC Energy Services Division: Ongoing.**

**5(g).** *Promote energy conservation.*

- **CDD Housing Division, GUC:** The City incorporates energy efficient construction techniques and systems into newly developed affordable homes and rehabilitation projects. City and GUC sponsored 2008 Homeownership Education Series, Year Round Energy Savings Tips/Home Maintenance 101.

**5(h).** *Support the Neuse Basin-wide Water Quality Management Plan.*

- **PWD Engineering Division:** As part of its Stormwater Management Program, the City has adopted requirements that address that meet the requirements of the Tar-Pamlico River Basin Rules, which also address the Neuse River Basin Requirements.

## 5 Economic Development

### **Goal Statement**

*To provide a healthy, diversified, expanding economy that provides jobs for all of Greenville's residents in a truly livable setting.*

### **Objective 1**

*Create conditions favorable for healthy economic expansion in the area.*

- 1(a).** *Provide industrial sites with adequate utility services in competitive locations to service prospective industries.*
- **GUC: Ongoing.**

### **Objective 2**

*Attract new business and industry that strengthens Greenville's role as a regional center.*

- 2(a).** *Facilitate the preparation of a marketing strategy to entice new businesses, health care providers, and research and development activities; promote the public school systems as part of that strategy.*
- **CDD Urban Development Division: Ongoing.**
- 2(b).** *Encourage rehabilitation and reuse of commercial/industrial buildings.*
- **CDD Urban Development Division: Ongoing.** Redevelopment Commission and Historic Preservation Commission priority.
- 2(c).** *Market and promote historic areas as a part of Greenville's economic strategy.*
- **CDD Urban Development Division, HPC: Ongoing.** Redevelopment Commission and Historic Preservation Commission priority.
- 2(d).** *Centralize and consolidate parking in downtown so that convenient parking serves the short-term, non-employee market. Consider ways of financing a parking garage or deck downtown.*
- **PWD Engineering Division, CDD Urban Development Division:** The evaluation of available public parking in the downtown area is an ongoing process. A downtown parking study was completed in 2004 and identified that the downtown area had sufficient available public parking. The report also indicated that a parking deck may be needed to meet the future demands. Parking Decks have been included as part of the City's Capital Improvement Program, but have not been funded at this time.
- 2(e).** *Encourage expansion of medical capacity.*

- **Unspecified.** Adopted Medical District Area Plan 2008.

**2(f).** *Encourage development of broad-band infrastructure.*

- **Ongoing Project** - An Uptown free public wireless Wi-Fi system is in place. All City facilities have free public wireless Wi-Fi access.

## 6 Natural Environment

### Goal Statement

*To protect and preserve sensitive environmental areas and natural resources, including:*

- *Protecting water resources.*
- *Management of stormwater discharge.*
- *Preservation of wetlands and foodplains.*
- *Protection of air quality.*
- *Requiring environmentally sound disposal of solid waste including hazardous materials.*

### Objective 1

*Protect floodplains from undesirable development.*

- 1(a). *Adopt regulations to provide for conservation of open space, and encourage recreational, agricultural, or other low-intensity uses within the floodplain.*
  - **CDD Planning Division, R&PD:** Draft ordinance prepared (2005) and updated (2008) for consideration following City Council adoption of the 2008 Parks and Recreation Master Plan.
- 1(b). *Prohibit installation of underground storage tanks in the 100-year floodplain.*
  - **PWD Engineering Division:** The City has adopted regulations as part of its Flood Damage Prevention Ordinance that addresses this matter.
- 1(c). *Discourage improvements of any kind in undisturbed areas within the 100-year floodplain. These areas should be designated for open space corridors, greenways, and other low-intensity uses.*
  - **PWD Engineering Division:** In developments that may be affected by the 100-year floodplain and/or are located within area for a designated greenway, the developer typically identifies these areas for open space corridors, greenways, and other low-intensity uses.
- 1(d). *Prohibit the development of any industry within the 100-year floodplain that may pose a risk to public health and safety. Such industries may include but not be limited to: chemical refining and processing, petroleum refining and processing, hazardous material processing, or storage facilities.*
  - **PWD Engineering Division, CDD Planning Division:** The City has adopted regulations as part of its Flood Damage Prevention Ordinance that addresses this matter.

## **Objective 2**

*Preserve large wetland areas (greater than one acre) in a natural state to protect their environmental value.*

- 2(a).** *Coordinate all development review with the appropriate office of the U.S. Army Corps of Engineers and the Soil Conservation Service.*
  - **PWD Engineering Division:** When applicable, a development is required to coordinate matters with other governmental agencies. such as the U.S. Army Corps of Engineers.
  
- 2(b).** *Require that wetland areas be surveyed and delineated on all preliminary and final subdivision plats.*
  - **PWD Engineering Division, CDD Planning Division: Ongoing.** Included as part of the development review process.
  
- 2(c).** *Make wetlands acquisition a priority in future expansions of Greenville's parks and recreation areas.*
  - **R&PD:** Parks and Recreation Master Plan approved in 2008.
  
- 2(d).** *Encourage cluster development in order to protect sensitive natural areas.*
  - **CDD Planning Division: Ongoing recommendation.**

## **Objective 3**

*Reduce soil erosion, runoff, and sedimentation to reduce adverse effects on surface and subsurface water quality, natural river systems, and private property.*

- 3(a).** *Revise stormwater regulations so the stormwater runoff controls are required for projects draining to floodprone areas.*
  - **PWD Engineering Division: Ongoing.** Included as part of the development review process.
  
- 3(b).** *Greenville will support control of forestry runoff through implementation of "Forestry Best Management Practices" as provided by the North Carolina Division of Forest Resources.*
  - **PWD Engineering Division:** Parcels of land within the City's ETJ that are logged are also required to meet the requirements of all applicable state and federal requirements.
  
- 3(c).** *Greenville will support control of agricultural runoff through implementation of Natural Resources Conservation Service "Best Management Practices" program and the North Carolina Agricultural Cost Share Program.*

- **PWD Engineering Division:** Developments with the City's jurisdiction are required to meet the City's Stormwater Management Program, which include the utilization of the North Carolina Best Management Design Manual for addressing nutrient reduction and run-off control.
- 3(d).** *Revise the erosion and sedimentation control ordinance to prohibit grading on non-buildable areas of development sites.*
- **PWD Engineering Division:** The Sedimentation and Erosion Control Ordinance requires a developer or property owner to obtain a land disturbing permit prior to performing any grading. For areas that have been determined to non-buildable, such as riparian buffers, wetlands, and floodways, the developer cannot disturb these areas unless there is a specific that must be approved. These uses can include the installation of a sanitary sewer main or a stream crossing for a new road. These uses must be approved by the appropriate State and Federal agencies.
- 3(e).** *Greenville will pursue clean water grants.*
- **PWD Engineering Division: Ongoing.** The availability of grants and their uses have been limited in the recent years.
- 3(f).** *Encourage citizen water quality monitoring.*
- **PWD Engineering Division: Ongoing.** Public education and public involvement are two components of the City's Stormwater Management Program.

#### **Objective 4**

*Protect Greenville's surface and ground water resources.*

- 4(a).** *Greenville will coordinate the regulation of underground storage tanks with the North Carolina Division of Water Quality. Greenville will support 15A NCAC 2N, Sections .0100-.0800, which includes the criteria and standards applicable to underground storage tanks.*
- **PWD Engineering Division: Ongoing.** Matters regarding underground storage tanks (UST) are handled through the State.
- 4(b).** *Greenville will conserve its surficial groundwater resources by supporting NC Division of Water Quality stormwater run-off regulations and by coordinating local development activities involving chemical storage or underground storage tank installation/abandonment with Greenville Emergency Management personnel and the Groundwater Section of the North Carolina Division of Water Quality. The City will plan for an adequate long-range water supply. Public and private water conservation efforts will be encouraged.*
- **PWD Engineering Division: Ongoing.** The City's Flood Damage Prevention Ordinance and Stormwater Management Program address both of these matters. The Greenville Utility Commission is also looking at measures to plan for an adequate long-range water supply.

- 4(c).** *Greenville wishes to reduce the number of point source pollution discharges within the City. The City supports more effective monitoring of the operation of existing package treatment plants by the state. DENR should be encouraged to ensure proper operation. This policy shall not prohibit the discharge of waste into constructed wetlands. Package treatment plants serve smaller populations that are not connected to municipal water and sewer mains and are restricted to 100% domestic waste. If any sewage package plants are approved by the state, Greenville supports the requirement of a specific contingency plan specifying how ongoing private operation and maintenance of the plant will be provided, and detailing provisions for assumption of the plant into a public system should the private operation fail. Operational plans should also address elimination of package treatment plants when the system owner elects to connect to a central sewer system.*
- **GUC W/S Department: Ongoing.**
- 4(d).** *Greenville should consider policies supporting the use of gray water for irrigation.*
- **GUC W/S Department, PWD Engineering Division: Ongoing.**
- 4(e).** *Maintain an inventory of all large and small generators of hazardous waste.*
- **FD, PWD Sanitation Division: Ongoing.**
- 4(f).** *Conduct an annual household hazardous waste collection day.*
- **PWD Sanitation Division:** City and County participate in a household hazardous waste collection event once a year when there is funding available.
- 4(g).** *Develop a system for locating and mapping all commercial and residential underground storage tanks (USTs) within Greenville and the ETJ.*
- **FD, PWD Sanitation Division:** This is a matter that is handled by the State. The City does not have any direct jurisdiction of USTs.
- 4(h).** *Promote regulation of hazardous materials in floodplain areas.*
- **PWD Engineering Division:** The City's Flood Damage Prevention Ordinance includes requirements to address the storage of hazardous materials in floodplain areas.

## **Objective 5**

*Protect Greenville's fragile areas from inappropriate, unplanned, or poorly planned development.*

- 5(a).** *Through implementation of the Greenville Zoning Ordinance, limit land uses in the vicinity of historic sites and natural heritage areas to compatible land uses.*
- **CDD Planning Division: Ongoing recommendation**

- 5(b).** *Greenville will coordinate all housing code enforcement/redevelopment projects/public works projects with the NC Division of Archives and History to ensure the preservation and identification of significant historic structures and archeological sites.*
- **CDD Urban Development Division, CDD Planning Division, PWD Engineering Division: Ongoing.** As projects are developed, the identification of structures and sites of this nature are part of the project development and addressed accordingly.
- 5(c).** *Preserve threatened and endangered species habitats through preservation of significant wetlands and other sensitive areas.*
- **PWD Engineering Division: Ongoing.** As projects are developed, areas of this nature are part of the project development and addressed accordingly.

### **Objective 6**

*Protect the City's air quality.*

- 6(a).** *Assess air quality impacts of new and proposed developments that generate increased automobile activity, such as parking decks, shopping centers, and new thoroughfares.*
- **PWD Engineering Division: Ongoing.** As projects are developed, areas of this nature are part of the project development and addressed accordingly.
- 6(b).** *Implement programs to reduce automobile emissions through the encouragement of more efficient use of private vehicles, increased public transit and bicycle travel, and site planning to reduce automobile travel to housing, employment, and community centers.*
- **PWD Engineering Division: Ongoing.** As projects are developed, areas of this nature are part of the project development and addressed accordingly.
- 6(c).** *Support an increase in vehicle registration fees to be dedicated to state air quality programs.*
- **PWD Engineering Division:** This is a city policy that must be considered, supported, and approved by the City Council.
- 6(d).** *Support the inclusion of auto emissions testing into the motor vehicle licensing and inspections program.*
- **PWD Engineering Division:** This program has been adopted by the state and is in the process of being implemented.

## 7 Administration

### **Goal Statement**

*Accomplish effective implementation of the Comprehensive Plan.*

#### **Objective 1**

*Establish effective citizen/public participation in the Greenville planning process.*

- 1(a). *Advertise all meetings of the Greenville Planning and Zoning Commission and Board of Adjustment through newspaper advertisements and public service announcements.*
  - **CDD Planning Division: Ongoing.**
  
- 1(b). *Ensure that the membership of all planning related boards, commissions, and ad hoc/advisory committees is a broad cross section of Greenville's citizenry.*
  - **City Clerk, Manager's Office: Ongoing.**
  
- 1(c). *Conduct annual training sessions for the Greenville Planning and Zoning Commission and Board of Adjustment.*
  - **CDD Planning Division: Ongoing.**
  
- 1(d). *Establish and maintain Departmental web sites.*
  - **All Departments: Ongoing.** An Intranet has been established for all City Departments. The City's Internet site continues to be updated on a recurring basis.

#### **Objective 2**

*Improve rezoning actions/deliberations.*

- 2(a). *In considering rezoning requests, the City should not depart from the Future Land Use Map without first amending the map and considering the impact of such amendments to the entire map and comprehensive plan.*
  - **CDD Planning Division: Ongoing.**
  
- 2(b). *In deciding whether to approve an amendment to the official zoning map of the City of Greenville, the Planning and Zoning Commission and the City Council shall consider the following factors:*
  - *Conformance of the proposed map amendment with the City of Greenville Land Use Plan Map and the text of the comprehensive plan;*

- *Compatibility of the proposed map amendment with surrounding zoning patterns;*
- *Compatibility of the proposed map amendment and the range of uses permitted in the requested zoning classification with existing and future adjacent and area land uses;*
- *Impact of the proposed map amendment on area streets and thoroughfares; and*
- *Other factors which advance the public health, safety, and welfare and the specific purposes stated in Section 9-4-2 of the Greenville City Code.*
  - **CDD Planning Division: Ongoing**, zoning ordinance requirement per section 9-4-333.1 (Ord. 97-82).

### **Objective 3**

*Improve Greenville's internal planning capability.*

- 3(a).** *At a minimum, update the Horizons Plan and implementation process every five years or at any time that annual population growth exceeds five percent (5%) in two consecutive calendar years.*
  - **CDD Planning Division:** Scheduled five (5) year review/update process begun in with Fall 2008 - anticipated consideration by the P&Z in Fall 2009 and City Council in Spring 2010.
  
- 3(b).** *Maintain and improve an effective method of tracking permit approvals, subdivision approvals, and zoning changes.*
  - **CDD Planning Division, PWD Inspections Division:** Subdivision, rezoning, future land use plan map and special use permit approvals currently mapped into the city's GIS system, including case attributes.
  
- 3(d).** *In concert with the Planning and Zoning Commission, the Planning Division staff shall prepare an annual report assessing the effectiveness of plan implementation. This report shall be presented to the Planning and Zoning Commission and City Council.*
  - **CCD Planning Division:** Ongoing. Staff has compiled a record by year of future land use plan map and zoning map amendments to include a data field specifying staff's opinion of individual requests compliance with the comprehensive plan recommendation.
  
- 3(e).** *Review and revise the fee structure for planning and building inspections fees/permits.*
  - **CCD Planning Division, PWD Inspections Division:** Ongoing at the time of annual budget consideration.

## 8 Vision Areas

### A – Northwest

- A1.** Review the Airport Land Use Plan and implement appropriate land use recommendations.
- **Pitt – Greenville Airport Authority, CDD Planning Division: Future consideration.**
- A2.** Retain open space character along Northwest Loop, agricultural and recreational uses are appropriate. Develop additional vegetation and screening requirements for corridor.
- **CDD Planning Division: Ongoing recommendation. Future consideration** concerning additional vegetation and screening requirements.
- A3.** Prohibit additional commercial use of land within the “Greenville Industrial Area” on lots or tracts located outside of commercial zoning districts. Specifically, special use permits for mobile home sales shall not be permitted within the “Greenville Industrial Area” on lots or tracts which are zoned to an industrial classification.
- **CDD Planning Division: Ongoing recommendation.**
- A4.** Restrict additional mobile home park development to R6MH (mobile home) zones.
- **CDD Planning Division: Ongoing recommendation.**
- A5.** Prohibit additional commercial uses on tracts or lots located outside of commercial zoning districts everywhere in the planning region (example: no special use permits for fast food restaurants should be approved by the Board of Adjustment in OR zones).
- **CDD Planning Division: Ongoing recommendation.**
- A6.** Do not issue special use permits for office uses in the recognized industrial district as shown on the map entitled “Greenville Industrial Area” dated January 9, 1992, as amended.
- **CDD Planning Division: Ongoing recommendation.**
- A7.** Prohibit special uses which would further land use inconsistencies in areas where current zoning is not consistent with the Land Use Plan Map.
- **CDD Planning Division: Ongoing recommendation.**
- A8.** Consider adopting an airport overlay zone (i.e., areas within ½ mile of the 65 Ldn contour); require aviation easements as a condition of approval for all special use permits and subdivision plats; provide notice to all applicants for building permits that area may be subject to aircraft overflight; provide similar notice on all subdivision plats.
- **Pitt – Greenville Airport Authority, CDD Planning Division: Future consideration.**

- A9.** *Develop a community center on the north side of the Tar River.*
- **R&PD:** Greenfield Terrace Park Community Center completed 2005 on parcels 29683 and 68068 (25 acres) and Boys and Girls Club completed in 2007 on parcel 71720 (10 acres).
- A10.** *Provide an area for basketball play and other recreational activities which will not have negative impacts on adjacent residents.*
- **R&PD:** Greenfield Terrace Park Community Center completed 2005 on parcels 29683 and 68068 (25 acres) and Boys and Girls Club completed in 2007 on parcel 71720 (10 acres).
- A11.** *Devise a landscape plan for the Memorial Drive corridor.*
- **PWD Engineering Division:** The Public Works Department continues to work with NCDOT in the development and maintenance of a landscape plan for the Memorial Drive Corridor. Presently most areas available for landscaping are already landscaped.
- A12.** *Encourage improvements in mobile home parks including drainage improvements, street lights, street paving, and removal of abandoned vehicles.*
- **PWD Engineering Division: Future project.**
- A13.** *Continue to monitor transit needs of area residents; extend transit service when necessary; give special attention to concentrations of people where transit needs may be greatest.*
- **PWD Transit Division:** Transit service expansion occurs in areas of greatest needs as budget permits.
- A14.** *Facilitate transit service (public and private) to Airport.*
- **PWD Transit Division:** The Airport is presently served by GREAT's bus route 4.
- A15.** *Develop a greenway trail along the north side of the Tar River. Designate Parker Creek and Johnson's Mill Run as greenway corridors.*
- **PWD Engineering Division, CDD Planning Division: Future project.** Parkers Creek is designated as a greenway corridor on the 2004 Greenway Master Plan. Johnson's Mill Run under consideration for future designation.
- A16.** *Discourage tree clearance in the floodplain adjacent to the Airport except as required by Federal regulations.*
- **Pitt – Greenville Airport Authority: Ongoing.**
- A17.** *Acquire additional land for West Meadowbrook Park as opportunities arise.*
- **R&PD:** Parks and Recreation Master Plan adopted in 2008.

- A18.** *Develop additional facilities at West Meadowbrook Park as permitted by budget.*
- **R&PD:** Parks and Recreation Master Plan adopted in 2008.
- A19.** *Obtain open space and conservation areas in support of the water supply watershed overlay zone goals and objectives.*
- **CDD Planning Division:** Ongoing enforcement of water supply watershed overlay zone requirements; ongoing recommendation of single-family cluster development option.

## **B – Northeast**

- B1.** *Expand public transit between population centers and employment areas.*
- **PWD Transit Division:** Transit service expansion occurs in areas of greatest need as the budget permits.
- B2.** *Rebuild science and nature center to create additional recreation.*
- **R&PD: Completed.**
- B3.** *Link River Park North with other City park facilities via a greenway trail.*
- **PWD Engineering Division:** The Parker's Creek greenway has been included in the City's Capital Improvement Program. Parker's Creek Greenway improvements planned for in 2008.
- B4.** *Encourage new industry and support businesses in the recognized industrial area.*
- **Pitt County Development Commission: Ongoing.**
- B5.** *Develop a greenway along Parkers Creek.*
- **PWD Engineering Division:** The Parker's Creek Greenway has been included in the City's Capital Improvement Program. Parker's Creek Greenway improvements planned for in 2008.
- B6.** *Protect and preserve the swamp forest along the Tar River across from the Town Common.*
- **PWD Engineering Division, P&PD:** Parcel 28893 (297 acres) and parcel 19070 (114 acres) have been acquired by the City of Greenville which represents the majority of the north Tar River frontage between the Pitt Street bridge and the US 264A bridge.
- B7.** *Discourage mobile home development within and adjacent to industrial area sites.*
- **CDD Planning Division: Ongoing recommendation.**
- B8.** *Extend the ETJ along US 264 East to control development.*

- **CDD Planning Division:** ETJ extension report and request presented to the Pitt County Planning Board and Board of Commissioners per the Memorandum of Understanding, Bethel Sewer Project (Contract No. 916) 1997, and the Interlocal Agreement (Contract No. 978) in 2005 – denied by Pitt County. City of Greenville staff and Town of Winterville staff have met to discuss a mutual ETJ extension interest and future request to the County Commissioners.

**B9.** *Prohibit additional commercial use of land within the “Greenville Industrial Area” on lots or tracts located outside of commercial zoning districts. Specifically, special use permits for mobile home sales shall not be permitted within the “Greenville Industrial Area” on lots or tracts which are zoned to an industrial classification.*

- **CDD Planning Division: Ongoing recommendation.**

**B10.** *Implement Flood Land Reuse Plans.*

- **CDD Planning Division: Ongoing.**

### C – East

**C1.** *Develop additional educational and public recreational facilities and opportunities.*

- **R&PD:** Parks and Recreation Master Plan adopted in 2008.

**C2.** *Annex urbanized areas when feasible.*

- **CDD Planning Division:** The River Hill Subdivision and Area was annexed pursuant to the standards and services statute (involuntary petition) in 2007 with an effective date of July 2008; the City and GUC maintain a priority list and map of adjacent urbanized areas for future consideration of annexation – each area dependent on budgetary considerations including availability of sanitary sewer services. The map illustrating areas for future consideration of annexation is adopted by City Council every 2 years per State standards.

**C3.** *Develop a greenway along Bells Branch, Meetinghouse Branch, and Hardee Creek.*

- **PWD Engineering Division:** Future projects in accordance with the 2004 Greenway Master Plan.

**C4.** *Maintain open space and residential character of York Road; cluster development preferred as option for residential development to preserve open space vistas along road.*

- **CDD Planning Division: Ongoing recommendation.**

**C5.** *Develop additional vegetation and screening requirements along Highway 43 corridor.*

- **CDD Planning Division: Future consideration.**

- C6.** *Plant canopy trees along NC 43 as part of planned road widening project; include canopy trees as part of any future NC 43 improvement projects.*
- **PWD Engineering Division:** NC Hwy-43 improvement project construction began in 2009.
- C7.** *Restrict development north and south of Fire Tower Road to residential uses, outside focus areas.*
- **CDD Planning Division:** Ongoing recommendation.
- C8.** *Prohibit additional commercial zoning on NC 43 corridor between Oakmont Plaza and Turnbury Drive.*
- **CDD Planning Division:** Ongoing recommendation.
- C9.** *Prohibit additional commercial uses on tracts or lots located outside of commercial zoning districts in the NC 43, Arlington Boulevard, Fire Tower Road corridors (example: no special use permits for fast food restaurants should be approved by the Board of Adjustment in OR zones).*
- **CDD Planning Division:** Ongoing recommendation.
- C10.** *Develop sidewalks along both sides of NC 43 between Red Banks Road and Bells Fork Road; develop sidewalks along both sides of Arlington Boulevard between Red Banks Road and Fire Tower Road; add sidewalks on Fire Tower Road.*
- **PWD Engineering Division: Future projects.** The City is developing sidewalk construction projects to add sidewalk along the east side of Arlington Boulevard between Red Banks Road and Fire Tower Road. The City is participating in NCDOT's Fire Tower Road Widening Project that includes the addition of sidewalks along both sides from Corey Road to Memorial Drive. See also current sidewalk improvement plan.

## D – South

- D1.** *Expand the ETJ to encompass developing areas south of Fire Tower Road in accordance with joint Greenville-Winterville-County agreement. [Extended to include all areas]*
- **CDD Planning Division:** City Council goals 2008 – Staff has develop a parcel level map that illustrates the maximum extent of ETJ extension allowed by state statute for City Council evaluation – draft map completed June 2008; establishment of an ETJ Extension Committee; including 2 Greenville City Council Members, Greenville City Manager, GUC Manager, GUC Board Chair, 2 Winterville Town Council Members, and Winterville Town Manager, for the purpose of developing an ETJ extension priority list for both Greenville and Winterville; ETJ Extension Committee to present ETJ extension priorities and recommended action to the Greenville City Council and Winterville Town Council; ETJ Extension Committee to present ETJ extension requests to the Pitt County Board of Commissioners at a future date.

- D2.** *Discourage industrial expansion. Encourage relocation of existing industrial uses to industrial park area.*
- **Pitt County Development Commission: Ongoing.**
- D3.** *Establish a joint Winterville-Greenville-County land development plan/policy.*
- **CDD Planning Division:** Joint agreement between Greenville, Winterville and GUC concerning a utility service and annexation boundary was executed in December 2006 following 1 ½ years of by-monthly committee meetings. See: D1 above.
- D4.** *Encourage in-fill development, smart growth and redevelopment within existing commercial areas.*
- **CDD Planning Division, CDD Urban Development Division: Ongoing recommendation**
- D5.** *Plan for the development of a City park in the Arlington Boulevard extension area.*
- **R&PD:** Parks and Recreation Master Plan adopted in 2008.
- D6.** *Develop a greenway along Fork Swamp.*
- **PWD Engineering Division:** The Fork Swamp Greenway priority level designation was upgrade from “future” to level “C” (Res. 05-83) and is scheduled for improvement FY2008-09.
- D7.** *Encourage tree planting along Greenville Boulevard and in adjacent parking lots.*
- **CDD Planning Division, PWD Engineering Division: Ongoing.** Street tree planting and parking lot vegetation required at the time of site development per existing ordinance.
- D8.** *Restrict development north and south of Fire Tower Road to residential uses, outside focus areas.*
- **CDD Planning Division: Ongoing recommendation.**
- D9.** *Limit additional commercial zoning at Cannons Crossroads; allow additional office/institutional development at focus areas where appropriate.*
- **CDD Planning Division: Ongoing recommendation**
- D10.** *Maintain Evans Street as a residential corridor from Martinsborough Road south to Fire Tower Road.*
- **CDD Planning Division: Ongoing recommendation.**
- D11.** *Prohibit additional commercial zoning on NC 43 corridor between Oakmont Plaza and Turnbury Drive.*

- **CDD Planning Division: Ongoing recommendation.**
  
- D12.** *Prohibit additional commercial zoning on Arlington Boulevard corridor between Red Banks Road and Turnbury Drive.*
  - **CDD Planning Division: Ongoing recommendation.**
  
- D13.** *Prohibit additional commercial uses on tracts or lots located outside of commercial zoning districts in the NC 43, Arlington Boulevard, Fire Tower Road corridors (example: no special use permits for fast food restaurants should be approved by the Board of Adjustment in OR zones).*
  - **CDD Planning Division: Ongoing recommendation.**
  
- D14.** *Plant canopy trees along NC 43 as part of planned road widening project; include canopy trees as part of any future NC 43 improvement projects.*
  - **PWD Engineering Division:** Landscaping in the median is proposed as part of NCDOT's NC43 Improvement Project, Part A. Canopy Trees along the outer edges of the right-of way will be a future project.
  
- D15.** *Develop pedestrian connections between sites within the Arlington Boulevard/ Highway 43/Fire Tower Road focus area; it should not be necessary to drive between uses within the focus area.*
  - **PWD Engineering Division: Future projects.**
  
- D16.** *Develop pedestrian and bicycle connections between residential areas and between residential and nonresidential areas.*
  - **PWD Engineering Division: Ongoing.** Included as part of the development review process. The MPO is also developing a bike and pedestrian master plan.
  
- D17.** *Extend GREAT service to the focus areas as development warrants.*
  - **PWD Transit Division:** Transit service expansion occurs in areas of greatest needs as budget permits.
  
- D18.** *Plan for the development of one or more bus shelters at the major focus areas.*
  - **PWD Transit Division:** New bus shelters are planned for areas with high rider-ship.
  
- D19.** *Consider developing a park and ride facility within the southern portion of the planning region.*
  - **PWD Transit Division:** Park and ride facilities are considered during planning for expansion of the transit system. ECU currently provides a student park and ride lot on west Dickinson Avenue south of the Medical Area.

**E – Southwest**

- E1.** *Plan for the establishment of a public park.*
- **R&PD:** Parks and Recreation Master Plan adopted in 2008.
- E2.** *Coordinate joint Winterville-Greenville-County land development planning.*
- **CDD Planning Division:** Joint agreement between Greenville, Winterville and GUC concerning a utility service and annexation boundary was executed in December 2006 following 1 ½ years of by-monthly committee meetings. See D1 above.
- E3.** *Develop a greenway along Swift Creek and Gum Swamp.*
- **PWD Engineering Division:** Future project per the 2004 Greenway Master Plan.
- E4.** *Facilitate a connector/collector road between Memorial Drive and Evans Street in the area south of Westhaven Subdivision.*
- **PWD Engineering Division:** Thoroughfare Plan amended (2005) to include the proposed connector as a minor thoroughfare; R/W acquired and planned for construction in conjunction with approved subdivision development plans. In November of 2004, the citizens of Greenville approved a bond referendum that included funding for the Thomas Langston Road Extension Project, which will provide a connection between Memorial Drive and Evans Street. The design of this project is nearly complete. It will be constructed in two phases. The first phase constructing a segment beginning at a point located west of the CSXT railroad to Memorial Drive. The second phase will involve constructing the remaining portion to Evans Boulevard and the railroad crossing. The City is working with CSXT and NCDOT on the proposed railroad crossing.
- E5.** *Discourage industrial expansion. Encourage relocation of existing industrial uses to industrial park area.*
- **Pitt County Development Commission:** **Ongoing recommendation.**

## **F – West**

- F1.** *Protect the rural character of US 13 (Dickinson Avenue Extension) east of Allen Road to Arlington Boulevard.*
- **CDD Planning Division:** **Ongoing recommendation.**
- F2.** *Protect the green, low density residential character of NC 43 west of B's Barbecue Road.*
- **CDD Planning Division:** **Ongoing recommendation.**
- F3.** *Improve vehicular and transit access to and through the Medical District; link downtown and the University Medical Center via improved transit and vehicular access.*
- **CDD Urban Development Division, PWD Engineering Division:** The Center City – West Greenville Revitalization Plan adopted March 2006; Tenth Street connector

corridor plan U-3315 is a funded project with construction anticipated to begin after 2011. The City of Greenville, the East Carolina University, and the Pitt County Memorial Hospital have committed funds to the design and right-of-way acquisition for the Tenth Street Connector Project. This project will assist to address access to this area. It is scheduled to begin right-of way acquisition in 2011 with constructing to begin in 2013. NCDOT will be responsible for constructing the Tenth Street Connector Project. The Arlington Boulevard Extension Project has been completed, which has improved vehicular and transit access to and through the Medical District.

- F4.** *Increase the number and intensity of medical related establishments.*
- **CDD Planning Division: Ongoing recommendation;** Medical District Land Use Plan Update adopted 2008 (Ord. 08-14).
- F5.** *Develop a greenway along Green Mill Run, Harris Mill Run, and Forbes Run.*
- **PWD Engineering Division:** Future projects per the 2004 Greenway Master Plan. Phase I and Phase II, Part A of the Green Mill Run Greenway have been completed.
- F6.** *Strengthen/support medical district plan.*
- **CDD Planning Division:** Ongoing recommendation; Medical District Land Use Plan Update adopted 2008 (Ord. 08-14).
- F7.** *Prohibit additional commercial uses on tracts or lots outside of commercial zoning districts (example: no special use permits for fast food restaurants should be issued by the Board of Adjustment in the OR zones).*
- **CDD Planning Division: Ongoing recommendation.**
- F8.** *Develop sidewalks along Arlington Boulevard, Memorial Drive, and Dickinson Avenue.*
- **PWD Engineering Division: Future projects.**
- F9.** *Plant canopy trees on Arlington from Hwy. 264 to N.C. Hwy 43.*
- **PWD Engineering Division: Ongoing.** The Public Works Department continues to obtain adjacent property owners' permission to plant trees along this corridor.
- F10.** *Review transit needs of area as development occurs along Arlington Boulevard; consider new service and revision to existing routes as necessary.*
- **PWD Transit Division:** Future route and service expansions are planned as budget permits in areas with the highest potential of transit rider-ship. All areas are considered.
- F11.** *Remove communication towers as [special] use option in the MRS (Residential) district.*
- **CDD Planning Division: Future consideration.**
- F12.** *Facilitate ECU use and development of the VOA site property.*

- **Nonspecific.**

**F13.** *Obtain open space and conservation areas in support of water supply watershed overlay zone goals and objectives.*

- **CDD Planning Division:** Ongoing enforcement of water supply watershed overlay zone requirements; ongoing recommendation of single-family cluster development option.

## **G – West Central**

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

- **CDD Planning Division, HPC:** The City of Greenville sought and received recognition from state and federal agencies for large portions of these neighborhoods to become a national register historic district.

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

- **R&PD:** Parks and Recreation Master Plan adopted in 2008.

**G3.** *Develop a greenway along Green Mill Run.*

- **PWD Engineering Division:** Future project per the 2004 Greenway Master Plan. Phase I and Phase II, Part A of the Green Mill Run Greenway have been completed.

**G4.** *Link Farmville Boulevard with 10<sup>th</sup> Street.*

- **CDD Urban Development Division, PWD Engineering Division:** The Center City – West Greenville Revitalization Plan adopted March 2006; Tenth Street connector corridor plan U-3315 is a funded project with construction anticipated to begin after 2011. The Tenth Street Connector Project is scheduled to begin right-of way acquisition in 2011 with constructing to begin in 2013.

**G5.** *Revitalize mixed uses along Dickinson Avenue and West Fifth Street; continue a facade improvement plan and tree planting plan.*

- **CDD Urban Development Division, PWD Engineering Division:** The Center City – West Greenville Revitalization Plan adopted March 2006; The City is working on a project along a segment of W. 5<sup>th</sup> Street to implement the City's Streetscape Master Plan for this area. As new developments along these corridors are proposed, it will be recommended that they incorporate and follow the guidelines as presented in the Streetscape Master Plan.

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

- **CDD Housing Division, CDD Urban Development Division: Ongoing.** The Center City – West Greenville Revitalization Plan adopted March 2006; CDBG Program, Affordable Loan program.

- G7.** *Encourage the reuse and/or adaptive reuse of vacant warehouses in West Greenville.*
- **CDD Urban Development Division:** The Center City – West Greenville Revitalization Plan adopted March 2006. **Ongoing.**
- G8.** *Implement more police protection.*
- **PD:** Construction and staffing of the West Fifth Street police substation 2008. Creation of IMPACT program.
- G9.** *Encourage demolition of dilapidated houses.*
- **CDD Code Enforcement Division:** **Ongoing** inspection and code enforcement program.

## **H – Central**

- H1.** *Expand office uses.*
- **CDD Urban Development Division:** The Center City – West Greenville Revitalization Plan adopted March 2006. The City of Greenville is collaborating with the Uptown Greenville merchant's association to recruit office users and office developers to the center city area.
- H2.** *Encourage consolidated parking and study feasibility of building a parking garage. Consider opportunities near the Town Commons.*
- **CDD Urban Development Division:** The Center City – West Greenville Revitalization Plan adopted March 2006. Parking options for the center city area continue to be explored.
- H3.** *Develop more recreational opportunities at the Town Common; consider a pedestrian bridge to River Park North.*
- **R&PD:** Parks and Recreation Master Plan adopted in 2008.
- H4.** *Develop additional residential opportunities downtown.*
- **CDD Urban Development Division:** The Center City – West Greenville Revitalization Plan adopted March 2006; amended the CD district use table to include dormitory development June 2007 (Ord. 07-74).
- H5.** *Develop the downtown as the cultural, recreational, and entertainment center of the City.*
- **CDD Urban Development Division:** The Center City – West Greenville Revitalization Plan adopted March 2006. The Redevelopment Commission along with local arts partners are considering the purchase and revitalization of a downtown theatre. Design professionals are being hired to engage with the public in a design process that will lead to the creation of a public venue at the corner of 5th and Evans Streets along with improvements to the Town Common.

- H6.** *Preserve Cherry Hill Cemetery as an historical landmark.*
- **CDD Planning Division: Future consideration.**
- H7.** *Develop a streetscape project along Martin Luther King, Jr., Drive/5<sup>th</sup> Street.*
- **CDD Urban Development Division, PWD Engineering Division:** The Center City – West Greenville Revitalization Plan adopted March 2006. The City has developed a Streetscape Master Plan for this area. Implementation of this plan will be included in future projects. The West 5th Street Gateway Project will be bid for construction in the fall of 2009.
- H8.** *Plan for the development of an urban strollway connecting downtown to the Tar River.*
- **CDD Urban Development Division, PWD Engineering Division:** The Center City – West Greenville Revitalization Plan adopted March 2006. Sidewalks are in place in the downtown area that connects to the Town Common. The Town Common has various paved walkways that lead to the beginning of the South Tar River Greenway.
- H9.** *Protect the scenic viewscape on north bank of the Tar River across from the Town Common.*
- **PWD Engineering Division, P&PD:** Parcel 28893 (297 acres) and parcel 19070 (114 acres) have been acquired by the City of Greenville which represents the majority of the north Tar River frontage between the Pitt Street bridge and the US 264A bridge.
- H10.** *Improve streetscape in downtown.*
- **CDD Urban Development Division, PWD Engineering Division:** The Center City – West Greenville Revitalization Plan adopted March 2006. The City has developed a Streetscape Master Plan for this area. Implementation of this plan will be included in future projects. Construction of streetscape improvements along Reade and Cotanche Streets will be completed in the fall of 2009.
- H11.** *Provide additional parking in the downtown area and publicize the availability of parking.*
- **PWD Engineering Division:** The downtown area currently has adequate parking. Additional signage has been added at various areas identifying public parking lots. The City is also evaluating this matter as a component of its Way Finding Project.
- H12.** *Increase the security downtown.*
- **PD, City Attorney's Office: Ongoing.** The City Manager's Office and the Attorney's Office completed a report and legal analysis on Potential Actions to Address Downtown Crime Issues, which was presented to the City Council in August of 2009.
- H13.** *Strengthen the link between downtown and major activity nodes in the area.*
- **CDD Urban Development Division:** The Center City – West Greenville Revitalization Plan adopted March 2006. Installation of a comprehensive wayfinding

system will serve as a visual link between the center city and key destinations throughout the City of Greenville.

- H14.** *Restore the historic character of appropriate downtown buildings.*
- **CDD Urban Development Division, HPC:** Façade improvement grant program administration; 2008-09 budget allocation. The restoration of the Proctor Hotel, Blount Harvey building, Sycamore Hill church building and the Brody building serve as highly visible examples of local commitment to preserving the City's historic character.
- H15.** *Expand the Town Commons' role as an activity center within the Greenville area.*
- **CDD Urban Development Division:** The Center City – West Greenville Revitalization Plan adopted March 2006. The Community Development and Recreation and Parks Departments will lead a master planning process focused on the Town Common corridor. A final report is expected to be completed in mid-2009. Design professionals are being hired to engage with the public in a design process that will lead to the creation of a public venue at the corner of 5th and Evans Streets along with improvements to the Town Common.
- H16.** *Develop a landscape/urban design plan for the downtown area.*
- **CDD Urban Development Division:** The Center City – West Greenville Revitalization Plan adopted March 2006; The City has also developed a Streetscape Master Plan for this area. Implementation of this plan will be included in future projects.
- H17.** *Develop downtown into a center for cultural activities and events.*
- **CDD Urban Development Division:** The Center City – West Greenville Revitalization Plan adopted March 2006. **Ongoing.**
- H18.** *Increase the attractiveness of public and private parking lots in downtown.*
- **PWD Transit Division:** Improving Hodges parking lot is included in the Cotanche/Reade Circle Streetscape project. Crepe Myrtle planting is complete. Merchant's lot landscaping is scheduled for this fiscal year. The others will be scheduled as funding permits.
- H19.** *Continue the facade grant program.*
- **CDD Planning Division, HPC:** **Ongoing program; 2008-09 budget allocation.**
- H20.** *Enhance street lighting. The design of new street lights and the location of new lights should be done according to downtown urban design plan.*
- **CDD Urban Development Division:** The Center City – West Greenville Revitalization Plan adopted March 2006.
- H21.** *Consider creating a multi-module transportation center.*

- **PWD Engineering Division, City Manager's Office, CDD Urban Development Division:** This project is in process. The Feasibility Study and site selections been completed and land acquisition, and construction are the next phases of the project.
  
- H22.** *Continue strict enforcement of downtown parking regulations.*
  - **PD: Ongoing.**
  
- H23.** *Consider assigning a "beat cop" to downtown.*
  - **PD: Ongoing.**
  
- H24.** *Consider establishing a National Register Historic District in the downtown area.*
  - **CDD Planning Division, HPC: Under consideration.** Public education and comment period planned. Part of the 2009 work plan of the Historic Preservation Commission.
  
- H25.** *Make downtown the focus of special events in the City; includes festivals, parades, and appropriate sporting events.*
  - **CVB, Chamber of Commerce: Freeboot Friday during the fall, Christmas parade, etc.: Ongoing.**
  
- H26.** *Encourage development on edge of Town Commons.*
  - **CDD Urban Development Division: The Center City – West Greenville Revitalization Plan** adopted March 2006. See H-15 above.
  
- H27.** *Encourage ECU to build residential or other buildings on land currently used for parking along Reade Street.*
  - **CDD Urban Development Division: The Center City – West Greenville Revitalization Plan** adopted March 2006. Ongoing. Design professionals are being hired to engage with the public in a design process that will lead to the creation of a public venue at the corner of 5th and Evans Streets along with improvements to the Town Common.
  
- H28.** *Look for opportunities to renovate a historic building in the downtown core or the downtown fringe for use as a theater.*
  - **CDD Urban Development Division: The Center City – West Greenville Revitalization Plan** adopted March 2006; ongoing discussion of acquisition of the theater building (parcel 07085). The Redevelopment Commission of Greenville has purchased the historic State theatre on West 5th Street and are working with a local non profit organization to raise the funds required to renovate the building into a multipurpose theatre.
  
- H29.** *Prohibit "public and/or private clubs" within the downtown subdistricts overlay.*
  - **CDD Planning Division: Ongoing recommendation.**

## I – East Central

- I 1.** *Expand after-school recreational and educational opportunities at Elm Street and Jaycee Parks.*
- **R&PD:** Parks and Recreation Master Plan adopted in 2008.
- I 2.** *Preserve the historical, architectural, and single-family character of the College View and University neighborhood.*
- **CDD Planning Division:** Task Force on Preservation of Neighborhoods and Housing Report to City Council approved in December 2004, neighborhood rezoned from multi-family to single-family in 2005; completed the Tar River University Area neighborhood report and plan in 2009.
- I 3.** *Investigate alternative uses for the old City landfill.*
- **R&PD:** Parks and Recreation Master Plan adopted in 2008.
- I 4.** *Widen 14<sup>th</sup> Street from Charles Boulevard to Greenville Boulevard.*
- **PWD Engineering Division:** In accordance with Greenville Urban Area MPO Thoroughfare Plan, adopted in 2005, the proposed improvements identified for 14<sup>th</sup> Street consist of adding curb and gutter, bicycle lanes and sidewalks to this street segment. This is a future project.
- I 5.** *Develop and implement a tree planting plan – College View neighborhood, 10<sup>th</sup> Street, and Charles Boulevard.*
- **PWD Building and Grounds Division:** The City will be applying for a grant to develop a Street Tree Master Plan. This plan will be executed as funding is available.
- I 6.** *Extend Brownlea Drive to connect with 14<sup>th</sup> Street.*
- **PWD Engineering Division:** R/W obtained by dedication and agreement, construction delayed pending funding. The construction project to extend Brownlea Drive from Fourteenth Street to Tenth Street has not been funded. A portion of this roadway segment was completed as part of the Fornes Run Development Project.
- I 7.** *Investigate mechanisms for addressing parking problems in the Tar River neighborhood.*
- **PWD Engineering Division:** Revisions to address on-street parking concerns in this neighborhood have been implemented. Restricted Residential Parking Plan adopted 2008.
- I 8.** *Extend Green Mill Run greenway improvements to Tar River.*
- **PWD Engineering Division:** The South Tar River Greenway Project addresses this matter. Its terminus is located in the Green Springs Park, which is the beginning of the Green Mill Run Greenway.

**I 9.** *Preserve tree canopy appearance of Fifth Street.*

- **PWD Building and Grounds Division:** The City will be applying for a grant to develop a Street Tree Master Plan. This plan will be executed as funding is available.

## PLANNING FOR GROWTH AND DEVELOPMENT

### 1 Population Growth

**Greenville City Limits:** Greenville has grown steadily in recent decades. Between 1990 and 2000, the city’s population jumped from 44,972 to 60,476, an increase of 34.5 percent. By 2004, the U.S. Bureau of the Census estimated that Greenville’s population had reached 68,687, an additional 8,211 persons.

In the five years since the plan was adopted, the city’s population has continued to rise. According to the Census Bureau, the **July 1, 2008** population estimate for Greenville was 79,629, which reflects an increase of 3,349, or 4.4 percent, above the July 1, 2007 estimate of 76,280. Of the 10 largest cities in the state, only Cary at 6.8% had a higher percentage increase. Greenville’s population increased by 10,942 persons between July 1, 2004 and July 1, 2008 – a 15.93 percent increase.

**Table III: Greenville’s Estimated Population Growth 2004 – 2008**

Year	Population	Annual population increase	Annual % increase	5 year population increase	5 Year % Increase
2004	68,687	--	--	--	--
2005	69,312	625	0.91	--	--
2006	72,052	2,740	3.95	--	--
2007	76,280	4,228	5.87	--	--
2008	79,629	3,349	4.39	10,942	15.93

Note: the North Carolina Office of State Budget and Management (OSBM) certified that Greenville’s estimated 2008 population was 81,092. The OSBM compiles population estimates for both municipalities and counties, which are used for planning purposes and to distribute state-shared revenues.

**Pitt County:** The OSBM’s county estimates will be used in the remainder of this section to analyze per capita growth and development trends within the planning jurisdiction, for the following reasons: 1). the county estimates go back 15+ years, which allows comparisons between the last five years of activity – since the Comprehensive Plan was last updated – to previous periods of activity; 2. Greenville’s planning jurisdiction extends beyond the city boundaries; and 3). the State’s municipal estimates are not revised, so using the more accurate *revised* baseline numbers for the County will yield more accurate analysis.

The summary table to the right indicates that, between 2004 and 2008, Pitt County experienced even more robust growth than it did in the two previous five-year periods (1994 – 1998 and 1999 – 2003, respectively). The county’s population increased by more than 13,000 persons, or by 9.24 percent, since 2004, and in the last three years in particular, Pitt County’s estimated population increased by at least two percent annually.

**East Carolina University and other major population drivers:** The expansion of East Carolina University (ECU) has helped to drive Greenville’s robust growth. In

**Table IV: Pitt County Estimated Population 1994 - 2008**

Year	Population	Annual % increase	5 Year % Increase
1994	117,702	--	--
1995	119,426	1.46	--
1996	121,514	1.75	--
1997	124,326	2.31	--
1998	126,643	1.86	7.60
1999	130,639	3.16	--
2000	134,107	2.65	--
2001	135,484	1.03	--
2002	137,998	1.86	--
2003	139,413	1.03	6.72
<b>2004</b>	<b>142,043</b>	<b>1.89</b>	<b>--</b>
<b>2005</b>	<b>144,265</b>	<b>1.56</b>	<b>--</b>
<b>2006</b>	<b>147,826</b>	<b>2.47</b>	<b>--</b>
<b>2007</b>	<b>151,970</b>	<b>2.80</b>	<b>--</b>
<b>2008</b>	<b>155,162</b>	<b>2.10</b>	<b>9.24</b>

2004, ECU's enrollment was 22,767. Since that time, enrollment has climbed to 27,703 students, which was a dramatic increase of 21.7 percent since the comprehensive plan was last updated. The university projects that, by 2017, enrollment will surpass 36,000 students.<sup>4</sup> Because of ECU's commitment to distance learning, not all enrollment increases are experienced as local population growth. Nevertheless, the expansion of ECU continues to spur increased demand for student apartments and conversions of single-family dwellings into rental properties. Meanwhile, enrollment at Pitt Community College also has risen, jumping by 10 percent alone between 2007 and 2008. School enrollment for 2008-09 was 10,257 curriculum students.<sup>5</sup>

The growth of University Health Systems' Pitt County Memorial Hospital campus into a regional medical hub also has contributed to Greenville's dynamic growth.<sup>6</sup> This year, the \$160 million East Carolina Heart Institute was opened. It is a six-story cardiovascular bed tower supported by a 200,000+ square foot research, laboratory, and outpatient center.

Along with the increases in the student population, the *Horizons* plan anticipated that the percentage of persons over 65 years would increase. Together, these demographic segments were expected to fuel greater demand for multifamily units close to downtown and other service areas, as well as greater demand for public transportation. Moreover, the plan suggested that programs and facilities targeted to the senior population would become increasing more important during this decade. Increased diversity in housing options will be needed to accommodate population growth and anticipated demographics.

## 2 Development Trends: Building Permits, Site Plans, Plats, Other Permits

**Overall Trends:** Greenville has continued to attract a high rate of construction and land development activities in response to increased housing demands and retail consumer needs, as well as growth in the medical and academic sectors. These activities were particularly robust in the first four years after the Comprehensive Plan was updated, but have slowed down in the last 18 months due to the recession. The below table summarizes various types of planning and inspection requests received by the City of Greenville between 2004 and 2008.<sup>7</sup>

Table V - City of Greenville Development Requests: 2004 - 2008

Type of Planning Request/Inspection	2004	2005	2006	2007	2008	Total
Building Permits (Zoning Review)	2,034	2,127	1,865	1,852	1,174	<b>9,052</b>
Sign Permits (On/Off premise)	218	190	250	241	195	<b>1,094</b>
Site Plans	168	137	125	117	99	<b>646</b>
Privilege License	425	337	278	282	328	<b>1,650</b>
Special Use Permit Request (BOA)	42	47	34	24	30	<b>177</b>
Rezoning Request	44	46	41	55	18	<b>204</b>
Voluntary Annexation Petition	37	43	40	38	21	<b>179</b>
Preliminary Plats (New/Minor Alt)	46	25	32	34	25	<b>162</b>
Final Plats (New/Minor Alt)	113	134	135	132	87	<b>601</b>
Zoning/Subdivision./LUP Text Amendments	13	14	12	9	7	<b>55</b>
Home Occupations	73	57	61	63	69	<b>323</b>
Alcohol Permits	25	53	35	41	32	<b>186</b>

<sup>4</sup> Preliminary Report to the Faculty Senate. Strategic Enrollment Management Task Force, East Carolina University (fall 2008).

<sup>5</sup> 2008-09 PCC enrollment data: Pitt County Development Commission website, <http://www.locateincarolina.com/education.aspx?qryID=9>

<sup>6</sup> See: Medical District Land Use Plan Update (2007).

<sup>7</sup> The Inspections Division reviews requests for building permits and works with Planning Division to review site plans, plats, subdivision plans, and other planning elements such as home utilities and driveway construction or other features involving life safety and State building codes. The Planning Division reviews and makes recommendations to the Planning & Zoning Commission, City Council, and Board of Zoning Appeals regarding rezoning, subdivision, home occupation, and variance requests, requests to change the Future Land Use Plan Map, and annexation proposals. The division reviews sign permit requests. The State of NC reviews alcohol permit requests; however, the Planning Division determines whether current zoning will allow the permit at certain location.

**Mid-to-large scale development projects:** generally speaking, requests for **site plan, subdivision, and plat** reviews, **rezonings**, and **changes to the land use plan** precede efforts to develop mid-to-larger scale projects. Using those activities as a barometer, it appears that the city has accommodated a relatively high volume of new residential subdivisions, as well as commercial and institutional development projects. For example, there were 401 requests for final plats between 2005 and 2007 alone, or 133.7 per year. In the last 15 years, the average number of final plat requests per year is 109.4. Requests for final plats did drop down to 87 in 2008 – the lowest number since 2003, when there were 83 such requests. Also, there were 168 site plan requests in 2004 – the highest on record - but that number has been declining since then (a plat comes before a site plan). Even if we adjust for the fact that Greenville is a larger city than it was 10 – 15 years ago, the last five years have clearly been a period of intensive development (see: Table V).

**Table VI: City of Greenville Development Building Permits, Site Plans, Rezoning, Plat Requests per 1,000 Residents**

1994	14.86	1999	12.21	2004	17.25
1995	12.74	2000	12.05	2005	17.38
1996	9.55	2001	16.60	2006	15.24
1997	9.71	2002	15.78	2007	14.81
1998	10.87	2003	14.59	2008	9.23
<b>AVE</b>	<b>11.55</b>		<b>14.24</b>		<b>14.78</b>

**General construction and property improvement activities:** Not all planning and inspection requests necessarily correspond to major construction or development projects.

- Requests for **sign permits, privilege licenses, home occupations, and alcohol permits** are often generated by new or existing businesses that do not require new construction or land development. In the last five years, relatively high numbers of these activities reflect the strong business climate in Greenville, as well as the community’s efforts to encourage compatibility between adjacent land uses.
- Likewise, **zoning enforcement** actions – inspections, notices, citations – also typically apply to land uses on previously developed parcels. The Community Development Department is responsible for tracking and enforcing permit-dependent zoning infractions. Not surprisingly, there was intensive permit-dependent zoning enforcement activity in the first few years after the Comprehensive Plan was updated. Those efforts succeeded in correcting many violations.<sup>8</sup>
- The volume of **building permits** reflects not just new construction projects, but also repairs, improvements, and additions to existing structures. Since 2004, the number of building permit requests has been high, but gradually declining. In pursuance of the *Horizons* plan and the Center City – West Greenville Revitalization Plan, the community has been successful in encouraging renovations of existing building stock; however, these efforts might have been made more difficult by the recent real estate slump.

<sup>8</sup> The Code Enforcement Division, which was created in 2004, has kept track of and enforced non-permit-dependent zoning violations; that division became part of the Police Department in December 2008.

How Greenville plans for and reviews the smaller-scale planning and inspection activities is just as important to the local economy, urban form, and land use patterns as is planning for major development projects. For that reason, the *Horizons* plan includes a variety of strategies and policies designed to enhance individual businesses and properties, improve and protect neighborhood character, and promote incremental economic development.

**Long-range trends:** Even with the recent slowdown in construction and development, the five-year period since the Comprehensive Plan was updated still produced increased numbers of most types of development and inspection requests compared to the two previous five-year periods:

Table VII - Development Requests: 1994 - 98, 1999 - 03, 2004 - 08

Type of Planning Request/Inspection	1994 - 1998	1999 - 2003	2004 - 2008
Building Permits (Zoning Review)	5,634	7,983	9,052
Sign Permits (On/Off premise)	1,381	1,129	1,094
Site Plans	572	644	646
Privilege License	1,405	1,422	1,650
Special Use Permit Request (BOA)	234	219	177
Rezoning Request	201	247	204
Voluntary Annexation Petition	187	167	179
Preliminary Plats (New/Minor Alt)	99	92	162
Final Plats (New/Minor Alt)	509	531	601
Zoning/Subdivision./LUP Text Amendments	116	39	55
Home Occupations	352	340	323
Alcohol Permits	194	146	186

By tracking and analyzing how the plan is responding to all different types and scales of planning and inspection requests, the community will be better equipped to implement its long-range comprehensive planning goals, policies, and strategies. Altogether these activities also indicate the demands placed on the Comprehensive Plan and the City staff, commissions, and City Council responsible for implementing that plan.

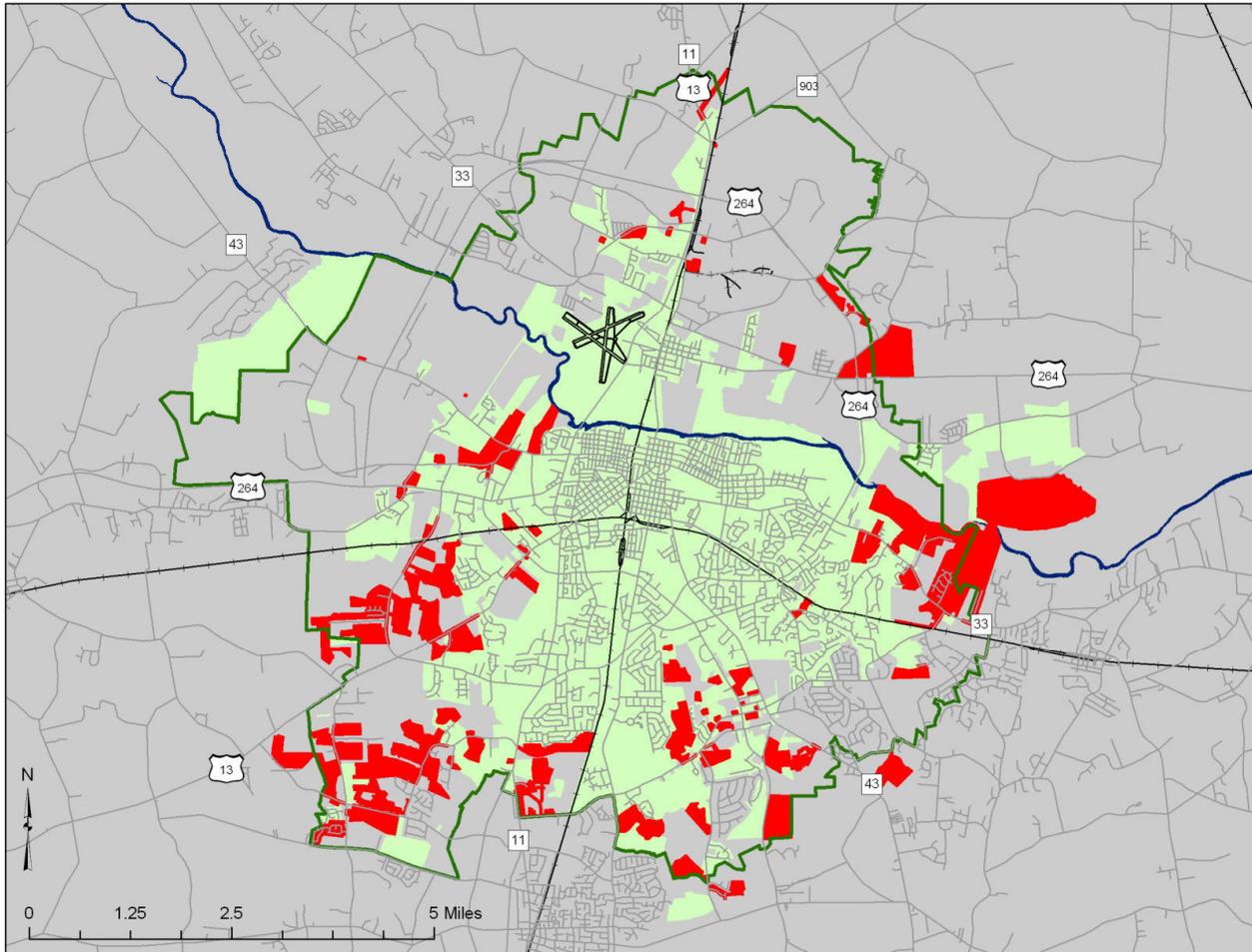
**2009 Development Report:** For a detailed analysis of more recent development activities, see the *2008 - 2009 City of Greenville Development Report*, which is in progress. The Planning Division now will be completing annual development reports, which will add to the community's planning data and analysis tools in the future.

### 3 Annexations

**Annexation Activity Since 2004:** The *Horizons* plan recognized that much of the city's growth over the past four decades was as a result of **annexation**. The plan noted that the Greenville city limits has more than quadrupled in area since 1960, and that between 1990 and 2002, the city's total area increased by 43.2% due to annexations.

Between June 30, 2004 and June 30, 2009, a total of 186 new areas were annexed by the City of Greenville, which added 3,824 acres to the city's land area. Many of the annexed areas included phased subareas of larger residential subdivisions and/or relatively smaller areas. The median size of the areas annexed since June 2004 is 10.8 acres. However, a 914.8 acre City-owned property was annexed in January 2007.

## City of Greenville Annexations, Since 2004 (Highlighted in Red)



Annexations occur in one of two ways: by petition of existing property owners (voluntary annexations), or by municipal ordinance (City-initiated annexations). The 2004 *Horizons* update noted that more than 88 percent of all annexations between 1990 and 2000 were voluntary, in large part due to the City's and Greenville Utilities Commission's joint policy agreement whereby persons requesting sanitary sewer service must petition for annexation. In the last five years, there has been only one City-initiated annexation—River Hills (approximately 84 acres).

Because most voluntary annexation petitions result from new subdivision development, newly annexed lands are often unpopulated at first. As the subdivisions are built out over time, these annexation areas continue to add population to the city. Consider the Charleston Village subdivision: Section 1 (16 acres) was annexed in December 2004; Sections 2 and 3 (41 acres) were annexed in December 2005; and Sections 4, 5, and 6 (37 acres) were annexed in December 2006. As of now, more than 180 houses have been built in Charleston Village.

Other major new residential areas that have been annexed since the Comprehensive Plan was updated in 2004, or that were significantly increased in size as a result of more recent annexations, include: Augusta Trails, Bristolmoor, Brook Hollow, and Cobblestone.<sup>9</sup>

<b>Table XIII - Annexed areas since June 2004 that now have 30+ occupied residential units</b>			
(Note: smaller annexations from larger subdivisions may be omitted)			
<b>Name of Area or Subdivision</b>	<b>Effective Date</b>	<b>Occupied Units</b>	<b>Acres</b>
43 Land Holdings	12/31/2004	288	23.0
Augusta Trails, Sec 3	12/31/2004	128	9.4
Bristolmoor, Sec 1	6/30/2004	46	17.2
Brook Hollow, Sec 1	12/31/2004	118	26.4
Brook Hollow, Section Two	12/31/2007	74	21.0
Charleston Village, Sec 1	12/31/2004	41	16.6
Charleston Village, Sec 2 & 3	12/31/2005	109	41.0
Charleston Village, Sections 4, 5 & 6	12/31/2006	37	37.7
Cobblestone, Ph 1	6/30/2004	219	35.0
Copper Beech Townhomes	12/31/2007	409	46.1
Hampton Creek, Sec 1	12/31/2005	60	13.0
North Campus Crossing	6/30/2004	300	25.4
North Campus Crossing	6/30/2004	300	28.1
South Pointe, Sec 1	12/31/2004	47	11.8
South Pointe, Sec 2 & 3	12/31/2004	70	24.5
Taberna, Sec 1	6/30/2004	38	18.2
The Bellamy	6/30/2007	308	36.6
Tyson Farms, Ph 1	12/31/2004	85	42.4
Vancroft, Sec 2	12/31/2004	90	21.7
Wimbledon Park, Lot 5	6/30/2006	224	3.1

Since 2004, there have been two major apartment developments in annexed areas: Wimbledon and North Campus Crossing. Altogether, these two developments now include more than 800 rental units.

In spite of the recent slowdown in the pace of development citywide, hundreds of new residential units have been added to newly annexed areas in the last year. For example, since summer of 2008, approximately 40 houses have been built in Charleston Village; during the same period, the number of rental units in Copper Beach Townhomes increased from 256 to 409.

Because some residents relocate from older areas of the city to newly annexed areas, some of the growth in annexed areas may be partially offset by declines in older areas of the city. Nevertheless, annexation will continue to help drive Greenville's population growth over the next five years, just as it did between 2004 and 2009 (and the five-year period prior to the last Comprehensive Plan update). How the community plans for annexation must take into consideration factors including public funds available for capital improvements, utility rate impact, the rate and location of new development, and public and emergency services.

<sup>9</sup> In July 2009, the City of Greenville submitted data to the North Carolina State Office of Budget and Management as part of the Annual Boundary and Annexation Survey, which OSBM uses to distribute municipal shared revenue.

**Areas Under Consideration for Future Annexation:** The *Horizons* plan stated that the City of Greenville should “annex urbanized areas when feasible.” The City of Greenville and Greenville Utilities Commission’s joint agreement requiring voluntary annexation prior to sanitary sewer extension has been successful; in some circumstances, however, the City and GUC may need to initiate annexation of existing areas. To keep their options open, the City and GUC maintain a priority list of areas eligible for City-initiated annexation. Every two years, the City adopts an updated resolution of consideration and map of “areas under consideration for future annexation.”

Adopting a resolution and map is one option that municipalities can use to initiate the annexation procedure in a manner that is consistent with North Carolina law.<sup>10</sup> A resolution of consideration does not annex areas identified or put them on a schedule for annexation. Instead, it identifies areas that could be considered for future annexation. At its March 5<sup>th</sup>, 2009 meeting, the Greenville City Council voted to approve another Resolution of Consideration and map identifying the areas under consideration, which were all areas in the ETJ not already within the City’s corporate limits.

**The Limits of Annexation:** In the next five years, Greenville’s geographical extent will continue to expand primarily through annexations. As long as there is demand for new development in urban fringe areas served by urban-level infrastructure and amenities, then additional annexations will continue to occur. Greenville has the statutory authority to annex both contiguous properties and satellite properties by voluntary petition within three miles of the primary city limits, including properties that are within Pitt County’s jurisdiction. Over time, as the city limits expand, the maximum (3 mile) extent of potential satellite city limits will automatically expand outward. Greenville may continue to annex properties, by voluntary petition, regardless of county jurisdiction. Municipal annexation authority by itself, however, does not necessarily ensure that planning and development in urban fringe areas will proceed in an orderly and efficient manner. Land development that takes place at the edge of an incorporated city can potentially fall within a planning gray area. For example, a new residential subdivision might be proposed for an urban-fringe area that is located within the County’s planning jurisdiction. Generally, the county would be responsible for enforcing land use regulations and building codes regulating development in unincorporated areas located outside the City’s ETJ. At the same time, development that occurs in an urban-fringe area is likely to benefit from its proximity to the city’s more intensive infrastructure, community facilities, economic assets, and amenities. Moreover, the manner in which the subdivision is developed might impact the city’s infrastructural capacity, urban form, physical character, and environment.

Due to proximity to such urban-fringe areas, the City is likely to eventually annex the “out-of-city” development; however, if the city cannot secure planning and regulatory jurisdiction until *after the site is developed* and urban densities are established, it will have no opportunity to influence how the development takes shape. For that reason, municipalities in North Carolina have been given additional statutory authority to ensure more orderly, efficient, and attractive development in urban-fringe areas: **extraterritorial jurisdiction (ETJ).**

## **4 Extraterritorial Jurisdiction (ETJ)/Growth Area Expansion**

**Background:** The purpose and intent of an Extraterritorial Jurisdiction (ETJ) is to protect activities on the edge of a community from being encroached on by incompatible adjacent activities. The area within the corporate limits can be characterized as urban in nature and the fringe areas can be expected to develop in a similar pattern by virtue of their proximity. Within these adjacent areas, facility extensions including streets and utilities, recreation, greenways and open spaces and the general pattern or spatial

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<sup>10</sup> Once adopted, a resolution of consideration remains effective for two (2) years. It must be renewed every two years to prevent expiration. A City must adopt a resolution of consideration at least one year prior to adopting a resolution of intent to annex a specific area. This requirement was first met in 2001 with the original resolution adopted May 10, 2001 for the areas shown on a map. To keep that original resolution valid – and to avoid having the “one year rule” be reactivated and thereby potentially delay a future annexation effort – the City Council must renew the resolution and map every two years.

relationship of development must be coordinated to ensure long-term livability. The areas contiguous to the corporate limits are an important part of the general community, and planned development is critical for both the city and the ETJ area itself.

The most frequent misconception concerning any ETJ extension is its relationship to Annexation and Taxes. The inclusion of an area within the ETJ does not indicate an increased degree or greater likelihood of annexation than may have existed prior to the ETJ extension action. A city's authority to annex lands by voluntary petition or standards and services (City-initiated petition) is not related to the location or extent of the city's ETJ area. The zoning for each ETJ area is established at the time of extension. In accordance with Article C. Zoning – Nonconforming Situations, all existing land uses that do not conform to the city's zoning regulations will be allowed to continue subject to specific expansion and discontinuance of use provisions. These regulations are generally referred to as the "grandfather clause." These provisions are designed to safeguard existing and recognized property rights where new or amended zoning regulations are applied to previously less restrictive situations.

**Greenville City Code:** "*Extraterritorial jurisdiction.* The area beyond the corporate limits within which the planning, zoning and building regulations of the city apply in accordance with state law. Such area is delineated on the official zoning map for the City of Greenville."

**Article 19, Planning and Regulation of Development, Chapter 160A-360 of the North Carolina General Statutes:** "(a) All of the powers [zoning, subdivision regulation, building inspection, etc.] granted by this Article may be exercised by a city within its corporate limits. In addition, any city may exercise these powers within a defined area extending not more than one mile beyond its limits [primary city limits]..." Cities with a population of 25,000 or more may extend an ETJ up to 3 miles with County approval.

**The City of Greenville's ETJ:** The City of Greenville's ETJ was last extended in October of 2001. Prior to Pitt County adopting its countywide zoning ordinance in fall 2003, the City of Greenville had the authority, per North Carolina General Statute 160A-360(a), to extend its ETJ up to 1-mile from its primary corporate limits. With County approval, Greenville also could extend its ETJ up to three miles beyond its city limits. In the decade prior to the last Comprehensive Plan update (2004), the City of Greenville frequently extended its ETJ up to one mile beyond its city limits and also received County approval to extend the City's ETJ up to three miles to support several large-scale developments. The City now needs County approval for *any* ETJ extension into unincorporated areas. G.S. 160A-360(e) requires that county agreement be secured for municipal ETJ extension into any area wherein the county is enforcing zoning, subdivision regulations, and the state building code.

All lands within the amended ETJ of the City are subject to all planning, development and related regulations of the City including but not limited to:

- a) Zoning Regulations;
- b) Subdivision Regulations;
- c) Building Inspection;
- d) Sedimentation and Erosion Control Regulations;
- e) Driveway Standards (city);
- f) Flood Hazard Regulations; and
- g) Water Supply Watershed Protection Regulations.

Greenville's subdivision regulations contain a section entitled "Transition regulations for developing property brought into the extraterritorial jurisdiction." This provision recognizes specific vested rights to continue development under county standards. The transitional development regulations allow the continuation of pre-approved "county standard" subdivisions where evidence of substantial investment in reliance on county-approved plats is documented.

<b>City Limits</b>	<b>Acreage</b>	<b>Sq. Miles</b>	<b>Percent</b>
<b>Primary City Limits</b> (the limits contiguous to the body of the City)	20,274.70	31.68	90.83%
<b>Non Contiguous City Limits</b> (all annexed areas separate from the main body of the city)	2,047.71	3.20	9.17%
<b>Entire City Limits</b> (includes Primary and Non Contiguous City Limits)	22,322.41	34.88	100.00%
<b>Extraterritorial Jurisdiction</b>	<b>Acreage</b>	<b>Sq. Miles</b>	<b>Percent</b>
<b>ETJ</b> (not including City Limits Area that are within the extent of the ETJ)	20,144.83	31.48	50.95%
<b>Entire ETJ</b> (represents the entire extent including areas that are within the City Limits)	39,538.74	61.78	N/A
<b>Total Jurisdiction</b>	<b>Acreage</b>	<b>Sq. Miles</b>	<b>Percent</b>
<b>ETJ</b> (represents total extent of ETJ)	39,538.74	61.78	92.70%
<b>City Limits outside of ETJ</b> (represents portion of contiguous & non-contiguous City Limits that are outside the extent of the ETJ)	3,113.32	4.86	7.30%
<b>Entire Jurisdiction</b> (represents the entire ETJ and portions of the City Limits that are outside the extent of the ETJ)	42,652.06	66.64	100.00%

The persons residing and/or owning property within the ETJ area are represented, in land development related matters, by County Commissioner appointment of members to the City’s Planning and Zoning Commission and the City’s Board of Adjustment. These county appointments are full voting members.

Greenville has adopted comprehensive development standards and regulations and a Future Land Use Plan Map for the existing city limits and ETJ, and in an expanded future planning area extending up to 2+ miles beyond the ETJ. The expanded planning area (2+ miles beyond the 2004 ETJ) is the area that is reasonably expected to be developed in an urban manner due to proximity to the “city”, and that may be annexed under state law at the time of sanitary sewer dependent development. These policies are designed to protect and facilitate desired community character and livability. Greenville Utilities Commission (GUC) is responsible for the provision of municipal utility services including sanitary sewer service within the City of Greenville and its ETJ.<sup>11</sup>

**The Importance of Greenville’s ETJ:** Coordinated development in the areas adjacent to cities is vitally important to the health and livability of the urban centers. The *Horizons* plan anticipates growth in urban fringe areas of the city—including a mix of low, medium and high-density residential development, office and commercial focus area and corridor development, and conservation open spaces in environmentally sensitive areas—while aiming to prevent strip development and urban sprawl.<sup>12</sup>

The City of Greenville often is dealing with a different range of planning and development challenges than is Pitt County or other neighboring jurisdictions. Pitt County’s zoning ordinance includes typical land use regulations; however, the development standards, permitted uses (by district) and other provisions are tailored to suburban and rural environments. The County’s land use plans and land development

<sup>11</sup> All requests for GUC sanitary sewer service are subject to the submission of a voluntary annexation petition, and subsequent annexation to the city, at the option of Council, as a prerequisite to sanitary sewer service. Absent a specific agreement, no GUC sanitary sewer extension or service may be provided outside the city’s ETJ without approval of the Greenville City Council.

<sup>12</sup> The City’s Planning and Zoning Commission reviews and approves subdivision plans. These plans often include proposals to develop and/or extend street networks, provide recreational and open space amenities, and utility and drainage schematics. Coordination of the urban street system (collector and standard streets), recreation facilities, fire station locations, drainage systems and the like requires the considerations of, and final approval of, the City/GUC Departments and boards/commissions, that have been vested by City Council with responsible for the provision and maintenance of those basic urban services.

ordinances (zoning/subdivision) are not designed or intended for urban level situations or conditions. Pitt County has adopted a land use plan (2002) and zoning (2003) in all unincorporated areas of the County located outside municipal ETJ areas.<sup>13</sup> In addition, other municipalities that abut the City of Greenville have their own planning, zoning, and development policies and priorities.

Although neighboring jurisdictions might deal with a different range of planning and development issues than is Greenville, they often share many of the same planning goals, including goals pertaining to urban fringe areas. The ETJ helps Greenville and other jurisdictions to better coordinate their efforts in dealing with a diversity of planning challenges:

- Pitt County's Comprehensive Plan shares the same goals with the *Horizons* plan of encouraging future development in areas nearest existing municipal corporate limits and other currently developed areas to yield a more compact development pattern and to reduce suburban sprawl. The ETJ enables Greenville to apply its more urban-intensive planning, zoning, and development policies to urban fringe areas most likely to be impacted by sprawling, inefficient development patterns.
- The County's land use regulatory program aims to control overgrowth and development in rural areas that are not ready for urbanization. By definition, the areas within the ETJ are expected to be ready for urbanization based on the general availability of municipal services, and their proximity to the Greenville city limits. By facilitating well-planned development within the ETJ, the City of Greenville can help to alleviate development pressures in rural areas of Pitt County.
- The County does not have the legal means or the responsibility to coordinate urban-level development and/or satisfy the public service demands of residents, developers, property and business owners, and other stakeholders in urbanizing areas. Property owners and current/future residents in these fringe areas expect a coordinated and sustainable urban environment including a well-managed and constructed transportation system, sidewalks, recreation facilities, and the like, and they look to the local authorities to meet those expectations. The exercise of jurisdiction and land management responsibilities in these areas enables Greenville to better meet these obligations.<sup>14</sup>



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<sup>13</sup> Per state law, no city may expand its ETJ to include any area that is subject to county zoning and county building inspection jurisdiction without specific approval of the County Commission.

<sup>14</sup> Pitt County does not provide public sanitary sewer services. In the areas surrounding Greenville, public water services are provided by GUC, Winterville and 2 rural water corporations (Bell Arthur and Eastern Pines) that exercise water provision rights within specific boundaries established by agreement, court settlement or federal charter. Political boundaries, such as city limits and city ETJ limits, may cross water service area boundaries. The extension of the city's ETJ or the annexation of properties to the city does not affect the water service rights of the rural water corporations. The City of Greenville provides, as required by law and customary operation, certain services that are not provided by Pitt County including: on-site residential garbage, recycling and trash collection, urban fire suppression and life rescue, urban police services, public sanitary sewer services, recreation and parks and the like.

Finally, where sanitary sewer service is requested or required (state plumbing code standards and/or septic system unsuitability) for a location outside the city's ETJ, the only options are to require upfront annexation of the entire predevelopment area prior to submission of the preliminary plat, or to allow sanitary sewer service outside the city without annexation. These options have several obvious shortcomings for both the developer and city.

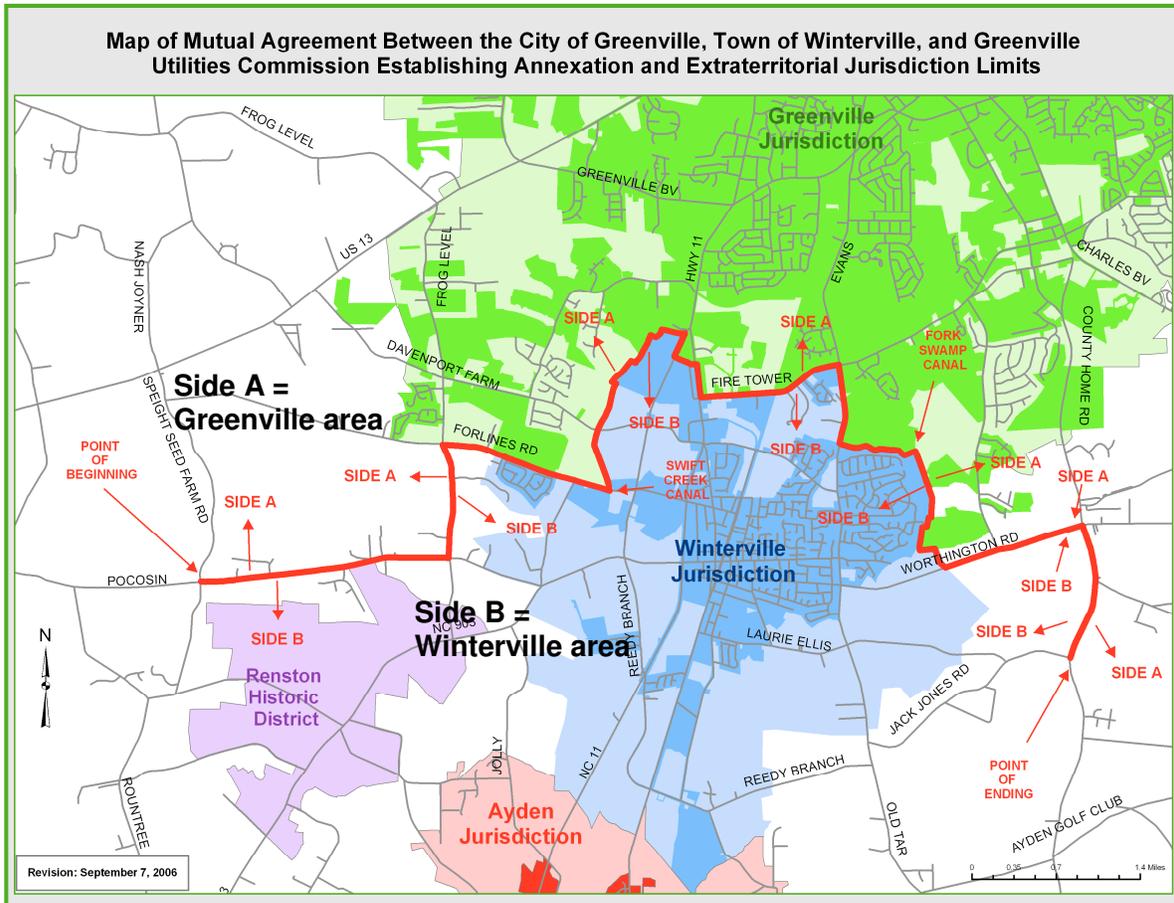
- First, most sewer-dependent subdivision development is not completed by the original landowner or by the subsequent developer in a single phase. Typically, a developer will prefer to acquire the property in tracts as phases are planned and platted, thereby delaying annexation to the time of development of each phase. This typical development method delays the tax liability for undeveloped phases of the development.
- Secondly, due to the fact that the city may, by statute, annex property out to three miles, the potential development sites often will be separated from the city by incompatible development (intervening uses allowed before or afterwards under county rules) or incompatible infrastructure (street systems and sidewalks or lack thereof, drainage systems, park and open spaces, etc.). The creation of separated islands of city limits surrounded by county jurisdiction is not in the best interest of the city.
- Waiver of annexation for outlying sewer dependent developments will contribute to the negative conditions associated with urban sprawl. Where annexation is waived for a satellite development, such areas may not qualify for future standards and services (City-initiated) annexation to the city. This pattern of separation also may create physical barriers for future outlying development. At minimum, an annexation agreement guaranteeing the City's right to annex the sanitary sewer dependent development should be required as a condition of sanitary sewer service.

**Inter-jurisdictional Coordination:** It is important for cities, counties, and school districts to work side-by-side and develop formal agreements to plan for development in areas of common-interest—such as those areas located within defined urban services areas. Greenville Utilities Commission (GUC) develops five-year plans for all utility services. These plans are updated annually and address three major areas: expanding the systems to serve new customers; providing service for customers in established areas; and maintaining and upgrading the current distribution systems. GUC's five-year plans are coordinated with the City's Comprehensive Plan. As the City grows, so does the demand for services provided by GUC. The *Horizons* plan recommends that new service extensions be designed to accommodate anticipated density and capacity demand.

The City of Greenville may adopt annexation, ETJ extension and utility service agreements with other municipalities. This is often necessary where jurisdictions (ETJs) abut and where proximity of respective existing city limits prohibit voluntary satellite annexation of sites that lay closer to the adjoining non-annexing city.

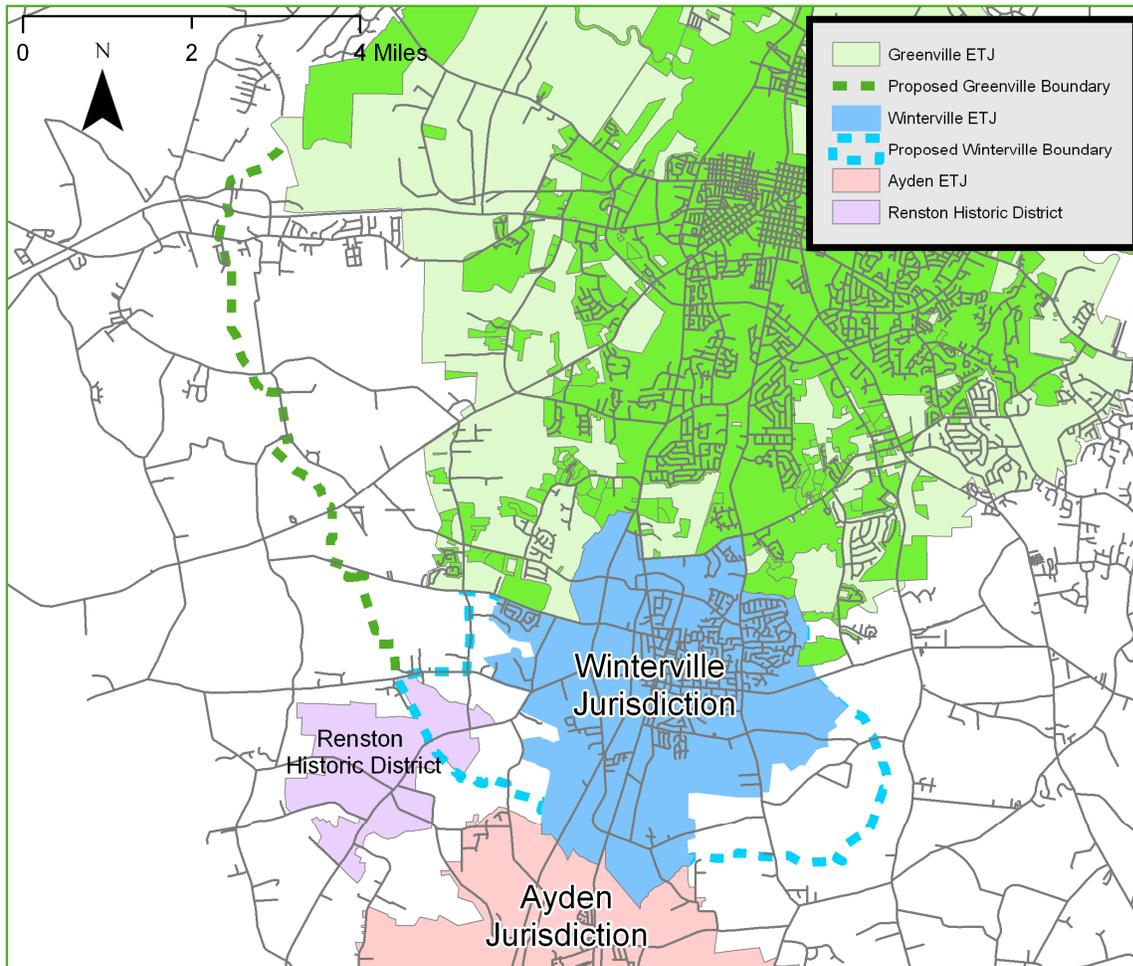
The City of Greenville and Town of Winterville have worked cooperatively on public utility extensions for more than three decades. The first utility service agreement between the two jurisdictions was adopted in 1971. The agreement set a water and sanitary sewer, and planning and zoning, boundary between the two jurisdictions. Subsequent agreements between Greenville and Winterville added an annexation boundary.

The City of Greenville and Town of Winterville also have adopted a growth boundary between the two jurisdictions. The most recent agreement between the City of Greenville and Town of Winterville was finalized in 2006. The agreement is illustrated in the form of a Map of Mutual Agreement between the City of Greenville, Town of Winterville, and Greenville Utilities Commission:



In 2005 - 2006, the City of Greenville and Town of Winterville also engaged in discussions with Pitt County to better coordinate among the respective planning jurisdictions regarding land use development proposals that are dependent on municipal services. The parties signed a memorandum of understanding that stipulated that Pitt County would agree to not approve or otherwise vest any public sanitary sewer subdivision plat, site plan, or lot development that lies outside the planning and zoning jurisdiction of the City of Greenville, Town of Winterville, or other municipality, without written approval of the public utility provider, which is intended to provide the service and the municipality under which the service is chartered and/or operated (Pitt County does not provide sanitary sewer services).

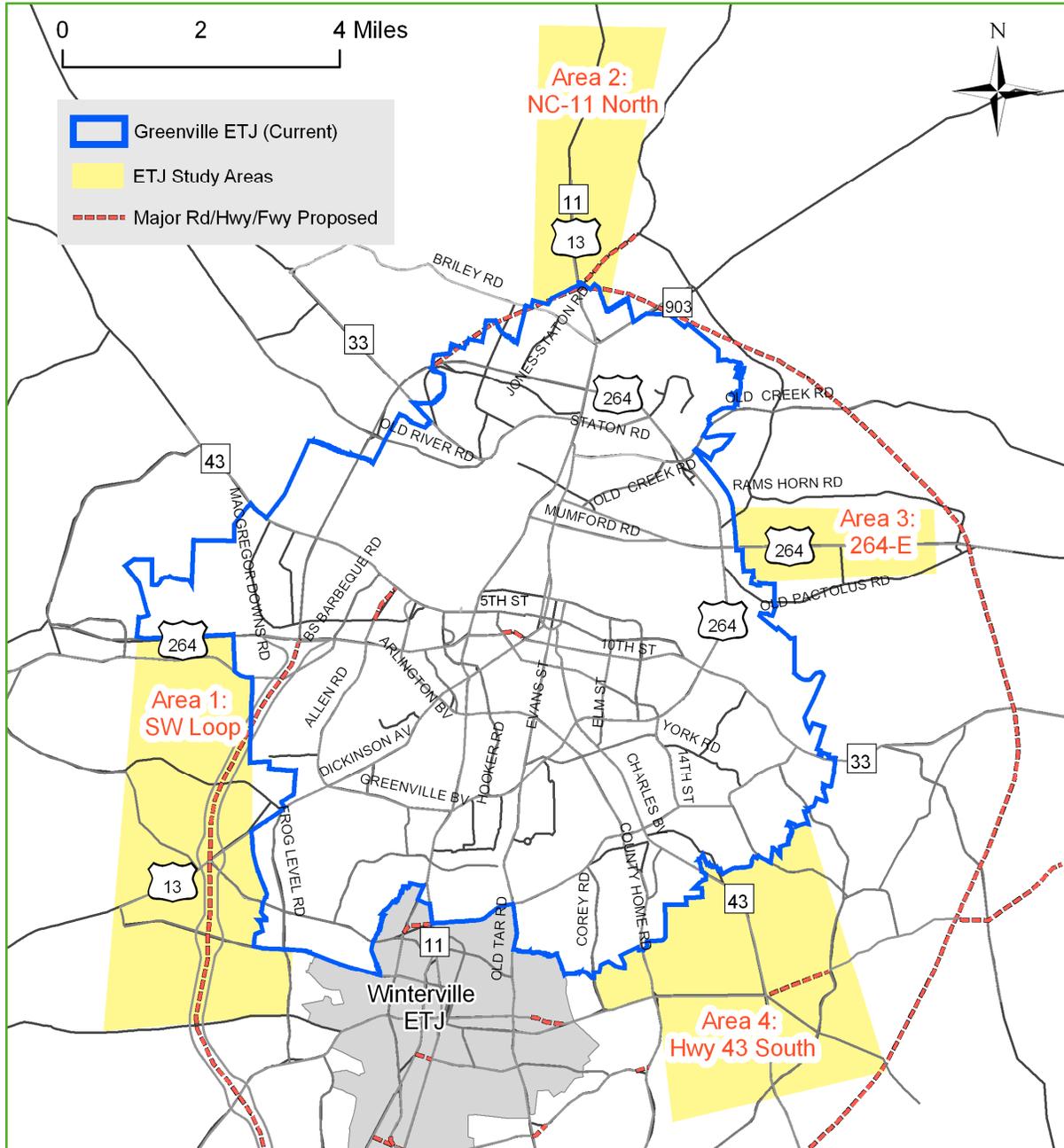
In 2005, the Greenville City Council passed a resolution approving urban growth areas for the City of Greenville and the Town of Winterville:



The two jurisdictions agreed that the proposed urban growth areas and boundaries between the two jurisdictions would be accepted as a basis for undertaking more detailed municipal service and utility extension feasibility studies under the direction of the joint committee. It also was resolved that the joint committee would be charged with developing future inter-local or annexation agreements between the City of Greenville, the Town of Winterville, and Greenville Utilities Commission for the provision of municipal and utility services within the urban growth areas. Greenville and Winterville proposed the growth areas in response to the Pitt County Board of Commissioners' Policy for the Expansion of Municipal Extraterritorial Jurisdictions. That policy suggested that municipalities would be expected to establish urban growth boundaries and be responsive to other considerations in order to satisfy the "burden of compliance" regarding ETJ extension requests to the County.

As part of the City Council's goal of **promoting effective partnerships**, the Council set the objective of addressing extraterritorial jurisdiction (ETJ) issues. City staff has been engaged in a new round of discussions with the Town of Winterville concerning future ETJ extension and annexation issues, which are ongoing.

**Future ETJ Extension Study Areas:** The map below identifies four anticipated future high-growth, urban-fringe areas of the city. The areas shaded in yellow are intended to represent non-specific areas within which new urban fringe development is likely to occur in the next 5 - 10 years. The study areas are not intended to represent specific boundaries of future ETJ extensions:



## 5 Planning in Context

The *Horizons* text recommended that the community review the Comprehensive Plan at least every five years. Given the high rate of growth and development since 2004, now is an especially important time for the community to assess how effective the plan and its support structure have been in responding to development demands.

- Did the high volume of planning activities between 2004 and 2007 point to any issues or plan amendments that should be addressed before embarking on the next five years of plan implementation?
- Did the more recent 2008 – 2009 slowdown in development point to other issues or plan amendments that should be considered going forward?
- Have the City's annexation and ETJ policies and inter-jurisdictional agreements been effective in promoting the community's long-range planning vision, especially as pertains to development patterns in urban-fringe areas of the city?

The next two sections of this report will look at how the Future Land Use Plan Map and Zoning ordinances have been amended to accommodate the growth of primary employment centers, as well as in response to developer, business owner, and citizen requests. Along with tracking the more routine permit requests, which do not require changes to the Comprehensive Plan, a review of land use plan and rezoning requests can help the community to accomplish the primary goals of the Comprehensive Plan review process:

- Refine the long-range planning vision;
- React to emerging trends;
- Update the plan data to reflect changes in physical development patterns; and
- Respond to new information.

## FUTURE LAND USE PLAN

How has the Future Land Use Plan responded to development demands since the comprehensive plan was adopted?

### 1 A Map to the Future

Everything that happens in an urban environment has some connection to land use. Any time that a new subdivision is built, a road is extended, or a new school is completed, a city's urban form is altered in some way. Maps can help us to visualize and understand the relationships between one set of spatial values – for example, how land is being used - and other spatial and non-spatial values.

Many of the strategies, implementation items, and management actions in *Horizons* do not explicitly address the use and development of land, especially those items dealing with things like housing affordability, mobility, economic development, and cultural amenities. How the community addresses these elements nevertheless can profoundly impact land use, urban form, and community character. Likewise, the manner in which the community plans for, and responds to, future land use patterns will shape the direction of housing, transportation, and economic patterns in Greenville. For that reason, the first main section of the *Horizons* plan is devoted to Future Land Use, which sets the policy foundation for the community's land use planning activities.

An extension of the goals and objectives outlined in the comprehensive plan, the Future Land Use Plan Map (and supporting text) is one of the most valuable tools that the Greenville community has to protect its physical character and environment, and promote good urban form, while accommodating growth. It is important to remember that the Future Land Use Plan Map is a general guide, not a rigid blueprint. The Future Land Use Plan map provides a *general* illustration of the Urban Form Policies set out in *Horizons*. It does not prescribe that specific types of development occur at specific sites – indeed the land use patterns depicted on the map are not site (dimensionally) specific.<sup>15</sup> Instead, the Future Land Use Plan Map depicts a preferred or optimum pattern of land use for vacant or developed land.

The community can use the map to promote its long-range, big picture planning vision. Yet many of the existing uses previously identified in the *Horizons* plan as undesirable will continue to persist for years to come. Meanwhile, other areas of the city might evolve in unexpected ways, possibly requiring the community to revisit how these areas will be addressed via the Future Land Use Plan Map, zoning, and other planning mechanisms.<sup>16</sup>

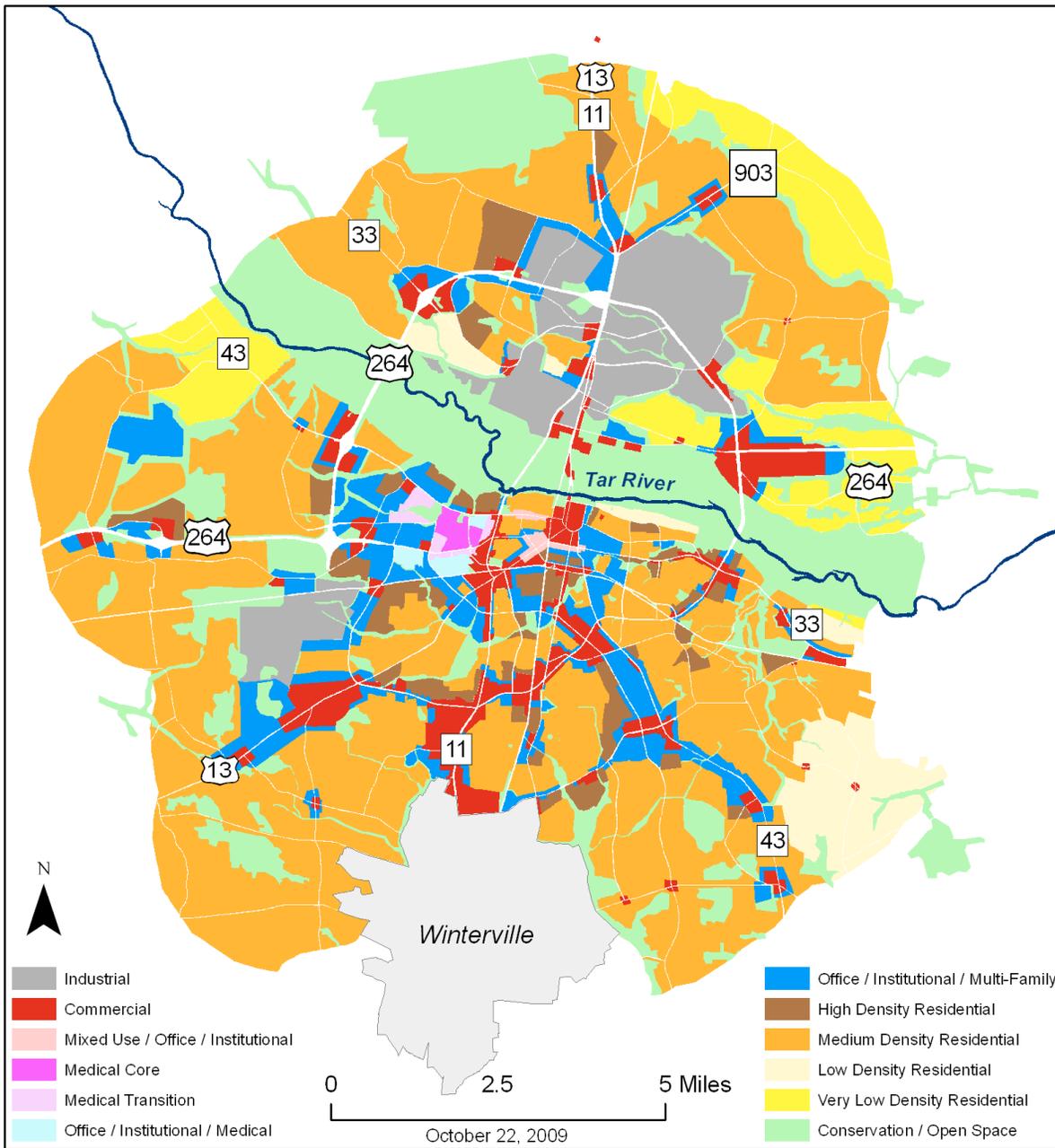


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<sup>15</sup> Where land use patterns appear to follow base map property lines, such description should be considered as general and the City's Urban Form Policies outlined in the *Horizons* plan will control. Unlike the zoning map where district boundaries are described by specific course and distance the Future Land Use Plan Map boundaries are general.

<sup>16</sup> A future land use map cannot and should not attempt to micromanage urban evolution. Many land parcels will continue to remain vacant, while others will continue to be used for purposes that are inconsistent with the community's plan. As long as landowners are not proposing to develop or redevelop their properties, the existing land uses can and will continue as they are. Similarly, an owner/developer has a right to continue using or develop his property in a manner that is consistent with the current allowable zoning code, but which may be inconsistent with the community's future vision for an area.

### Future Land Use Plan Map: October 2009



## 2 Amending the Land Use Plan

The *Horizons* plan recognized that, from time to time, it may be necessary to amend the plan to refine the community's vision, reflect changes in physical development patterns, respond to new information, or react to emerging trends. Indeed, this report is part of a five-year review process, as recommended in the *Horizons* plan, which is likely to generate important new amendments to the plan. To keep pace with

*The Horizons plan is a collection of policy statements meant to guide decision makers in the physical development of the community. To deviate from a policy in the plan should require an argument as convincing as the one in the plan. Departing from the precepts of the plan should always be possible—although not necessarily easy.*

growth and development demands, it might be necessary to amend the Future Land Use Plan Map more frequently than other components of the comprehensive plan. At the same time, the amendment process involves many of the same steps regardless of whether it is a request from a landowner/developer to change the Future Land Use Plan Map for a single site, or is a citywide policy amendment.

The process for amending the *Horizons* plan requires that the Planning & Zoning Commission hold a public meeting before making a recommendation to City Council. City Council must hold a public hearing and approve an ordinance to amend the Plan. The City of Greenville's Community Development facilitates and analyzes the requests and makes recommendations to the Planning & Zoning Commission and the City Council.<sup>17</sup>

Adopting or changing the Future Land Use Plan Map does not directly alter the zoning for any property. However, future changes to the zoning map are intended to be consistent with the uses shown on a future land use map.

## 3 City-Initiated Land Use Plan Amendments (Since 2004)

**Center City – West Greenville Revitalization Plan (2006):** *No changes to the Land Use Plan were necessary.* The planning process for the Revitalization Plan began in 2004 and continued until 2006, which partly coincided with the *Horizons* plan update process. In many respects, the revitalization plan followed the lead of the comprehensive plan, which was appropriate. The revitalization of Greenville's historic urban core neighborhoods is a vital part of the community's long-range planning vision. A vibrant Center City and West Greenville are fundamental to achieving goals like encouraging mixed-use and higher density development, supporting multimodal transportation and walkable neighborhoods, enhancing quality of life, and preserving the environment. The revitalization plan was developed to carry out *Horizons* plan elements, implementation strategies, management actions, and vision area policies that are focused on the Center City and West Greenville.

At the same time, West Greenville and Center City residents, business owners, community leaders, and other stakeholders provided essential input during the revitalization planning process, which helped inform the *Horizons* update, and in the process making for a more effective comprehensive plan (and Future Land Use Plan).

**The City of Greenville encourages infill residential development and redevelopment of underutilized sites in and around the urban core.**

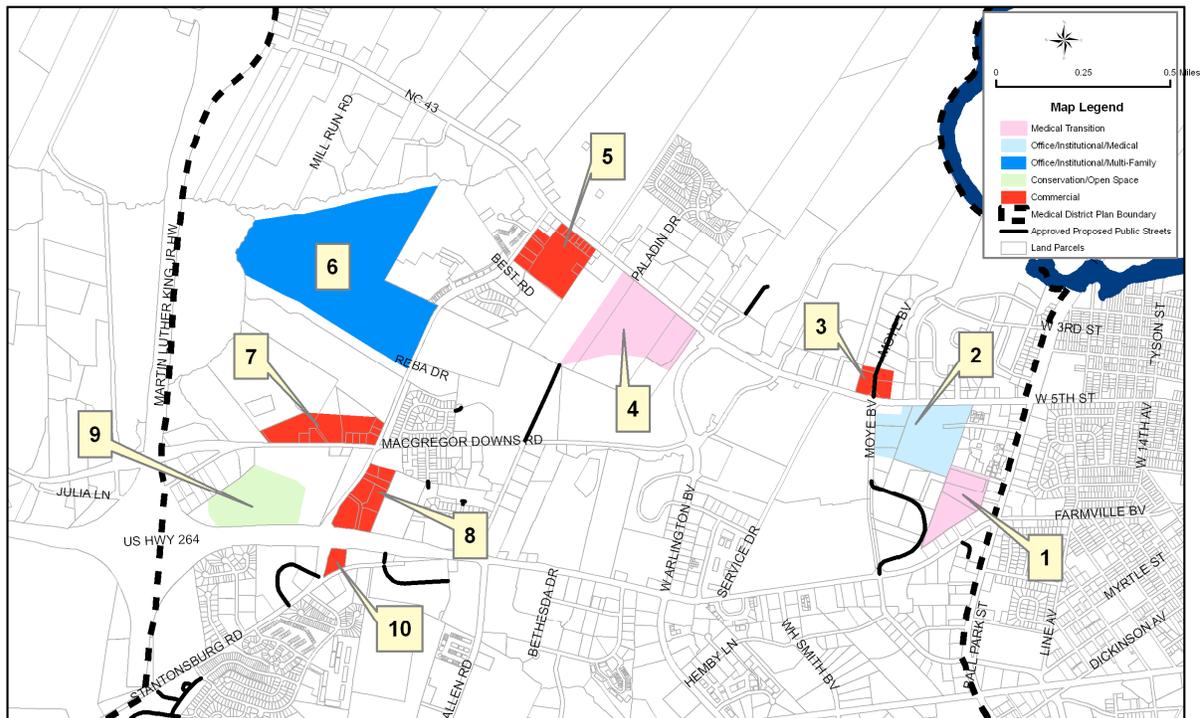
Because the *Horizons* plan update paid considerable attention to the Center City and West Greenville, it was not necessary, during the 2005-06 revitalization planning process, for the planning staff and

<sup>17</sup> It is also possible to amend the plan at other times by act of City Council. Plan amendments may be requested by the City Council, the Planning & Zoning Commission, City departments, or private citizens. The *Horizons* Plan may also be amended upon the adoption of more specific Master Plans, Area Plan, or Program Plans.

consultants to recommend additional changes to the Future Land Use Plan after 2004. The revitalization plan attempted to build on the land use, urban design, and community-based economic development recommendations addressed in the *Horizons* plan. However, after the City Council adopted the Center City – West Greenville Revitalization Plan, the City Council did rezone a 66.4 acre land tract in the West Greenville Redevelopment Area to help support the community’s revitalization goals and to implement a recommendation of the Neighborhood Task Force. For a breakdown of City of Greenville-initiated rezonings since 2004, see: Zoning Trends Since 2004.

**Medical District Land Use Plan Update (2007):** *Targeted changes to the Future Land Use Plan and Focus Areas were necessary.* Similar to the revitalization plan, the Medical District Land Use Plan Update is one vital component of the community’s citywide long-range planning vision and, therefore, the 2007 update for the district also attempted to build on the goals identified in the 2004 *Horizons* plan. In the case of the medical district, however, significant developments occurred after 2004, which necessitated appropriate changes to recommended land use patterns to support a sustainable and vibrant medical and residential environment: completion of the East Carolina Heart Institute in 2008 and the ECU Dental School in 2009, as well as future planned developments scheduled for completion in 2010 and beyond. The hospital district is Greenville’s primary employment center and a location of rapid growth and development.

Planning staff analysis indicated that the Medical District had an imbalance of existing and future allowable uses that would result in a shortage of service delivery and retail options in the area. Furthermore, the lack of accessible services might encourage employees, residents, and visitors to make unnecessary and frequent out-of-district trips, contributing to traffic congestion and reduced productivity. Planning staff recommended that the Future Land Use Plan Map be amended to re-categorize 10 sites within the district:



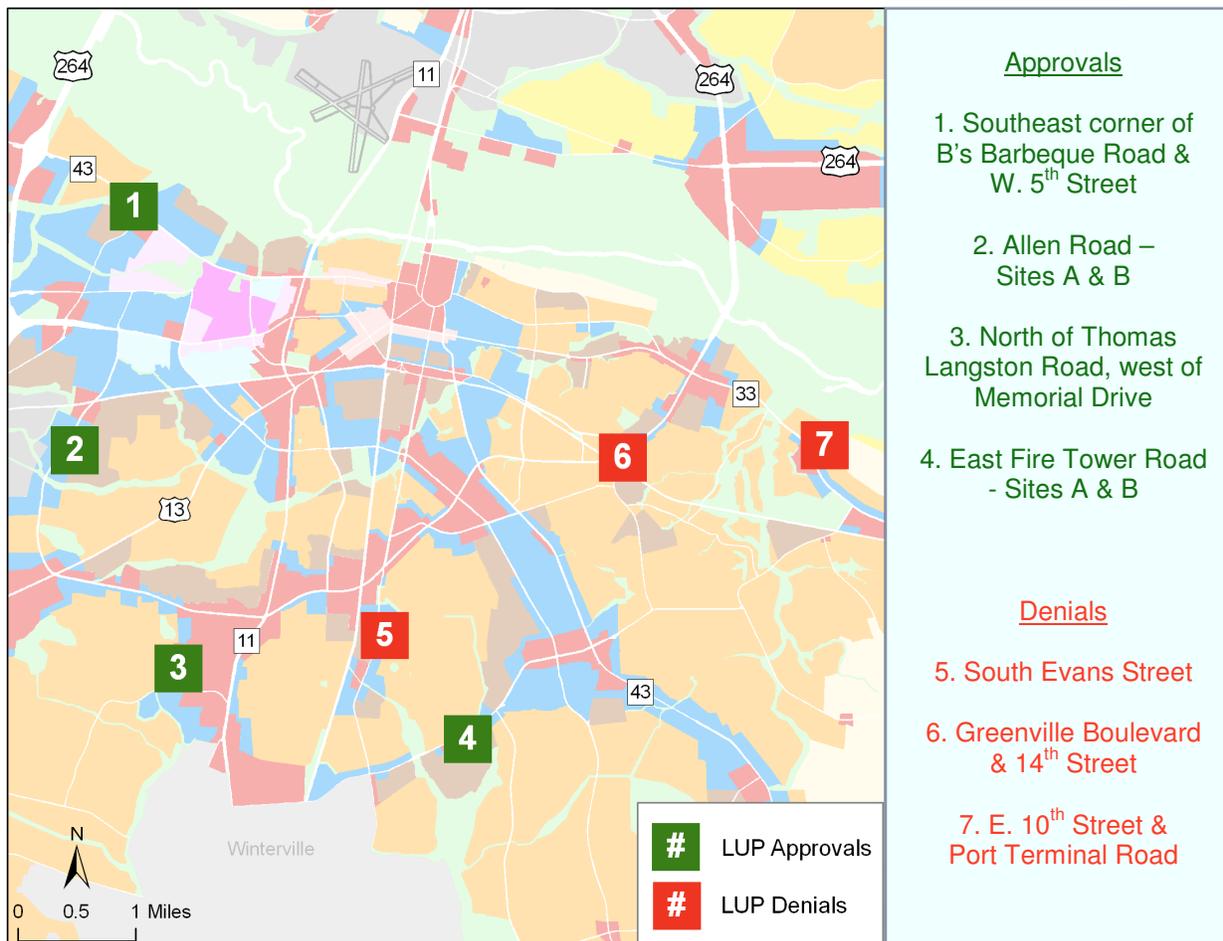
The plan also recommended the addition of two new Focus Areas on Highway-43. A draft of the plan was sent to PCMH and East Carolina University for review and input. The updated plan was adopted by the City Council in January of 2008. Approval of the plan effectively amended the Future Land Use Plan and Focus Areas Map to reflect the above described changes.

#### 4 Private Requests to Amend the Land Use Plan: Overview

Since 2004, there have been a total of seven requests (two of those requests involved multiple categories) from landowners/developers to change the Future Land Use Plan Map. Four of these requests were approved and three were denied. As evident in the map below, the sites of these requests were relatively well distributed throughout the city. However, a couple of patterns did emerge:

- The sites were located in faster growing urban/suburban “edge” areas of the city, including Allen Road, Thomas Langston Road, East Fire Tower Road, and East 10<sup>th</sup> Street. Most of these sites were located outside the Greenville Boulevard/264 belt, or were just inside of it
- All of the sites were located south of the Tar River, where the great majority of new development has been occurring in the last 10+ years, in large part due to high concentrations of floodplain lands north of the Tar River.

**Private Landowner/Developer Requests to Amend the Future Land Use Plan Map (Since 2004): Approvals and Denials**



## 5 Approvals

Since 2004, the City Council has approved requests from private landowners/developers for six different sites to amend the Future Land Use Plan Map. However, two of the locations involved adjoining sites. In one case, the City Council amended a site's FLUPM category at the request of a petitioner; the following year, the City Council then approved a request from an adjoining property owner to make the same change to that site. In the other case, the City Council approved a request from a developer to simultaneously amend the future land use designation of two adjoining sections of one site, which the FLUPM had divided into office and high-density residential, respectively. This section of the report will review and analyze these two respective "twin" sites as two locations, rather than as four different sites. Altogether, then, it will look at four total locations where requests to amend the FLUPM were approved.

The following case summaries include general background data: site location, nature of the request (request to change from one land use category to another), the petitioner, site acreage, and date of the City Council meeting. It also provides staff analysis and recommendations pertaining to each case. For a detailed review of the City Council hearing testimony and deliberations, see: City Council Minutes (see: <http://www.greenvillenc.gov/>.)

### 1 B's Barbeque Road & W. 5<sup>th</sup> Street

**Request:** HDR → OIMF

**Petitioner:** The Covington Group, Ltd.

**Acres:** 4.8

**City Council Meeting:** September 11, 2008

The Planning and Zoning Commission voted to recommend approval of the request.

**Staff analysis:** The subject area is located in Vision Area F. The applicable Comprehensive Plan Management Action in this area is: "Strengthen/support the medical district plan." The Future Land Use Plan Map recommends high density residential (HDR) at the southwest corner of West Fifth Street and B's Barbeque Road. The current HDR category on the Land Use Plan Map is intended for residential uses.

There is a designated intermediate focus area at the southeast corner of the intersection of West Fifth Street and B's Barbeque Road. These areas generally contain less than 50,000 to 150,000± square feet of conditioned floor space.



The Medical District Land Use Plan Update 2007 (adopted February 21, 2008) was the latest in a series of changes that have taken place since the first Medical District Plan in 1974. Through these changes, the medical area has increased in size and established medical compatible land use patterns. The first major update was in 1986 and again in 1993.

The 1993 Plan re-emphasized that the "medical district" should contain medical core, consisting of the hospital – medical school campus and a medical clinic transition area, residential neighborhoods including multi- and single-family housing and a commercial component adequate to serve the resident

population, daily visitors and district employees. The 1993 Plan included specific zoning based objectives including:

- Provide an appropriate mix of residential densities and balance of land uses so that residents and employees might live and work in the area
- Provide for reasonable expansion of the primary medical core to the west
- Transition the intensity of the medical core to the outlying portions of the land use plan area.
- Create community focal points at the US 264 and NC 43 interchanges
- Encourage the development of commercial uses at the identified focal points and discourage “strip commercial development” along transportation corridors
- Effectively integrate existing land use and life styles in to the future land use pattern

The objective of the 2007 update was to insure continued adherence to the goals established by the previous “Medical District Plans” and Horizons: Greenville’s Community Plan, while at the same time to recognize that evolving conditions necessitate appropriate changes in recommended land use patterns in support of a sustainable and vibrant medical and residential environment.

West Fifth Street (NC Highway 43) is designated as a gateway corridor from its intersection at Memorial Drive continuing west to just beyond Martin Luther King Jr. Highway transitioning to a residential corridor. Gateway corridors serve as primary entranceways into the City and help define community character. Gateway corridors may accommodate a variety of intensive, large scale uses, in appropriately located focus areas with lower intensity office and/or high density residential development in the adjacent transition areas.

Currently, West Fifth Street (NC Highway 43) has four travel lanes from Memorial Drive to Paladin Drive (segment 1). From Paladin Drive to the VOA Site Road, West Fifth Street is proposed for four travel lanes (currently 2-travel lanes) that is included on the State Transportation Improvement Program (STIP) and work is scheduled to begin by Fall 2008 with completion anticipated within 30 months. There are no proposed changes for B’s Barbecue Road.

Therefore, in consideration of the goals and objectives of the previous “Medical District Plans” and Horizons: Greenville’s Community Plan, staff is of the opinion the request is in general compliance with the Comprehensive Plan.

**Staff opinion and recommendation:** In staff’s opinion, the Future Land Use Plan Map amendment **does not** represent a significant deviation from the current Medical District Plan Update 2007 and is in general compliance with the *Horizons* plan.

## ② Allen Road - Sites A & B

### Site A

**Request: HDR → OIMF**

**Site A Petitioner: Medford Pointe**

**Acres: 15**

**City Council Meeting: March 13, 2006**

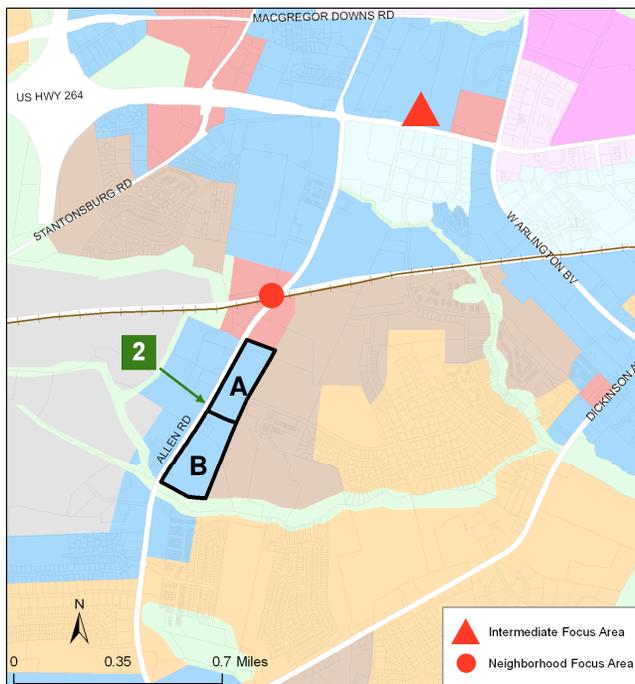
The Planning and Zoning Commission voted to recommend approval of the request.

**Staff analysis:** The subject area is located in Vision Area F. The intersection of Allen Road and the Norfolk Southern Railroad is designated as a neighborhood focus area. Allen Road is considered a major thoroughfare on the Thoroughfare Plan. The subject property is bound on the west by Allen Road, and the Norfolk Southern Railroad is 1,250± feet to the north. Allen Road is considered a “residential” corridor from the intersection of Allen Road and the Norfolk Southern Railroad continuing south to the intersection of Allen Road, Greenville Boulevard and Dickinson Avenue. Along residential corridors, office, service

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

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

The current Future Land Use Plan Map recommends High Density Residential along the eastern right-of-way of Allen Road transitioning to medium density residential in the interior areas. The Future Land Use Plan Map further recommends Conservation/Open Space along Green Mill Run to serve as buffer between the high density residential development and the medium density residential development to the south of the subject area.



**Staff opinion and recommendation:** In staff's opinion, the proposed Office/Institutional/Multi-family land use category would maintain the recommended buffer between the recognized focus area, located at the intersection of Allen Road and the Norfolk Southern Railroad, and the medium density residential in the interior areas.

**Site B**

**Request: HDR → OIMF**

**Petitioner: Kevin Haltigan**

**Acres: 24**

**City Council Meeting: November 8, 2007**

The Planning and Zoning Commission voted to recommend approval of the request.

**Staff analysis:** The subject area is located in Vision Area "F." Allen Road is designated at a residential corridor from its intersection with the Norfolk Southern Railroad to its intersection with Dickinson Avenue. Along residential corridors, office, service and retail activities should be specifically restricted to the associated focus area and linear expansion outside the focus area node should be prohibited. There is a designated neighborhood focus area located to the north of the subject property at the intersection of Allen Road and Landfill Road. The proposed amendment would allow for the same density of multi-family and allow for additional office and/or institutional uses.

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

The current Future Land Use Plan Map recommends High Density Residential along the eastern right-of-way of Allen Road transitioning to medium density residential in the interior areas. The Future Land Use Plan Map further recommends Conservation/Open Space along Green Mill Run to serve as buffer

between the high density residential development and the medium density residential development to the south of the subject area.

**Staff opinion and recommendation:** In staff's opinion, the request supports the goals, objectives and intent of the *Horizons* plan.

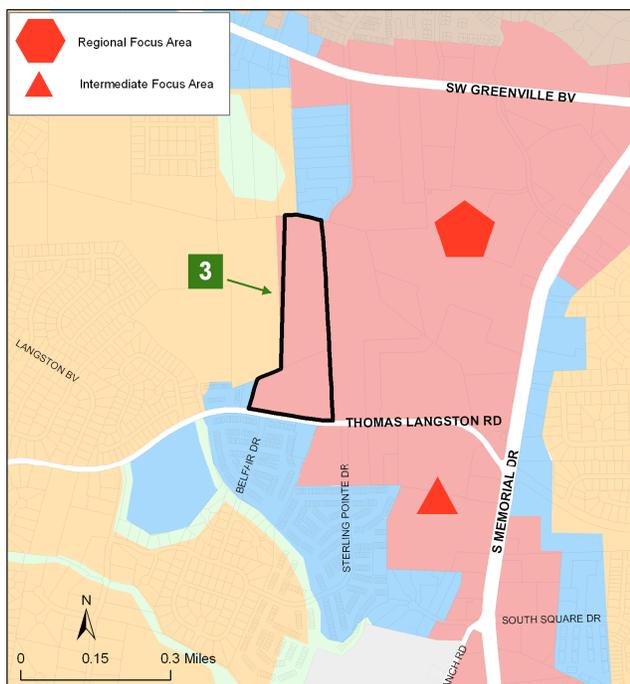
### ③ Thomas Langston Road

**Request:** OIMF → COMMERCIAL  
**Petitioner:** Ward, LLC  
**Acres:** 27  
**City Council Meeting:** May 10, 2007

The Planning and Zoning Commission voted to recommend approval of the request.

**Staff analysis:** The subject area is located in Vision Area E.

There is a designated regional focus area fronting Memorial Drive. Thomas Langston Road is designated as a residential corridor. Along residential corridors, office, service and retail activities should be specifically restricted to the associated focus area and linear expansion outside the focus area node should be prohibited. Tobacco Road is designated a minor thoroughfare and is proposed to be extended from its current terminus to intersect with Thomas Langston Road. Tobacco Road will be constructed at the time of development of the adjoining properties.



The Comprehensive Plan states: "Office/Institutional/Multi-family land uses should be developed along transportation thoroughfares to provide transition between commercial nodes and to preserve vehicle carrying capacity. Office/Institutional/Multi-family development should be used as a buffer between light industrial and commercial development and adjacent lower density residential land uses." The Comprehensive Plan states that "location and size of commercial nodes included in the plan are not intended to be static. As the area surrounding commercial nodes develop, larger node definitions ...may be warranted. In addition, as the commercial nodes of outlying areas of the City's planning jurisdiction develop, they should be buffered from surrounding areas by office, institutional and multi-family and residential and open spaces. Again, the exact size of the required buffer has not been predetermined. The required buffer width should be determined when the ultimate extent of the commercial node is known."

The current Future Land Use Plan Map recommends office/institutional/multi-family along the northern right-of-way of Thomas Langston Road to serve as a buffer between the commercial to the east and the medium density residential to the west.

In 1990, a Subcommittee appointed by the Planning and Zoning Commission recommended that the current OR zoned property be developed as such and further stated "that this pattern will prohibit further strip commercial development along SR 1134 (Thomas Langston Road) ... while providing adequate transition area into the interior low-medium density residential neighborhoods".

**Staff opinion and recommendation:** In staff’s opinion, the intended buffer, as illustrated on the Future Land Use Plan Map, between the commercial and the medium density residential is satisfied because the adjacent property to the west is zoned R6 (Residential [High Density Multi-family]) and R6A (Residential [Medium Density Multi-family]); however, the expansion of commercial land use (zoning) along the Thomas Langston Road is in conflict with current and past recommendations and zoning actions and **is not** recommended as proposed. The proposed amendment would allow for expanded commercial uses such as, retail, restaurants, and gasoline sales along Thomas Langston Road.

#### 4 East Fire Tower Road

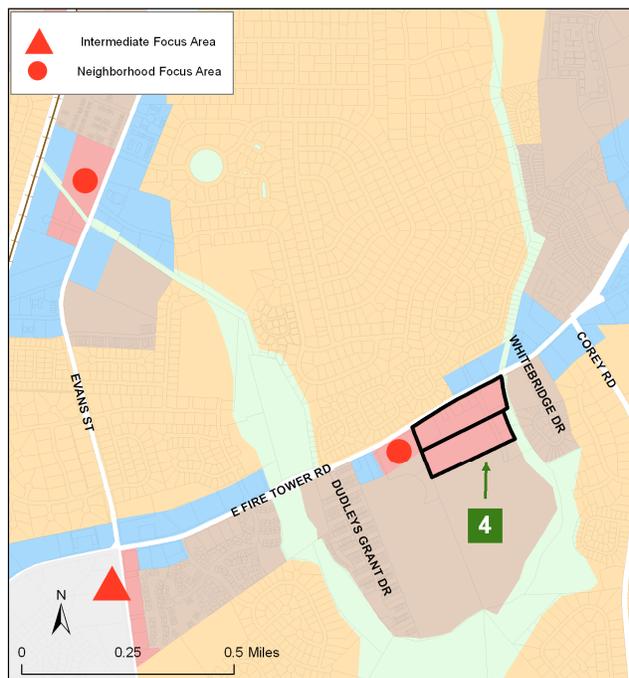
**Site A (OIMF to C) and Site B (HDR to C)**  
**Request: OIMF, HDR → COMMERCIAL**  
**Petitioner: Lewis Land Development, LLC**  
**Acres: 20**  
**City Council Meeting: June 14, 2007**

The Planning and Zoning Commission voted to recommend approval of the request.

**Staff analysis:** The subject area is located in Vision Area D.

The applicable Comprehensive Plan Management Actions in this area are:

- “D8. Restrict development north and south of Fire Tower Road to residential uses, outside of focus areas.”



There is a designated neighborhood focus area located to the west of the subject property. Fire Tower Road, between Old Tar Road (Evans Street) and Corey Road, is designated as a residential corridor. Along residential corridors, office, service and retail activities should be specifically restricted to the associated focus area and linear expansion outside the focus area node should be prohibited.

The existing 10.462 acres of commercial zoning (Fire Tower Crossing Shopping Center) to the immediate west serves as the recommended neighborhood focus area. The neighborhood focus area should be restricted to this central location and further linear expansion along Fire Tower Road would be discouraged.

Staff would also discourage commercial expansion into the residential area. The existing neighborhood focus area (Fire Tower Crossing Shopping Center) location (spacing) is in general compliance with Horizons: Greenville’s Community Plan guidelines, however the commercial (retail acreage) component is in excess of plan recommendations. With respect to the recommended focus area size, the Comprehensive Plan states that, “location and size of commercial nodes included in the plan are not intended to be static. As the area surrounding commercial nodes develop, larger node definitions ...may be warranted. In addition, as the commercial nodes of outlying areas of the City’s planning jurisdiction develop, they should be buffered from surrounding areas by office, institutional and multi-family and residential and open spaces. Again, the exact size of the required buffer has not been predetermined. The required buffer width should be determined when the ultimate extent of the commercial node is known”. The proposed amendment would allow for expanded commercial uses such as, general retail, restaurants, convenience and gasoline sales along Fire Tower Road an additional ¼ mile outside the current focus area boundary.

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

The current Future Land Use Plan Map recommends office/institutional/multi-family along the southern right-of-way of East Fire Tower Road between the designated neighborhood commercial focus area at Fire Tower Crossing Shopping Center and Fork Swamp Canal to the east and transitioning to high density residential in the southern interior areas adjacent thereto.

**Staff opinion and recommendation:** In staff’s opinion the request represents a significant deviation from the current plan and does not support the goals, objectives and intent of the *Horizons* plan.

## 6 Denials

Since 2004, the City Council has denied three requests to amend the Future Land Use Plan Map. Given the city’s steady growth, it is not surprising that development pressures would lead to some conflicts between the land use plan and landowner/developer interests. One of the benefits in having a Future Land Use Plan Map that is derived from a comprehensive community planning vision is that it establishes a predictable, fair, and impartial basis for land use decision making, which can help avoid or mitigate conflicts. The City of Greenville’s Community Development Department provides administrative and technical support to landowners and developers – including answering questions about planning, zoning, and development regulations. When a landowner or developer inquires about the FLUPM being amended to allow for an alternative use on his or her site, the planning staff ascertains whether that alternative use is likely to be considered in compliance, or in general compliance, with the land use plan, or not in compliance with the land use plan. Often, after consulting with staff, a landowner or developer will decide not to pursue the request for the time being, in which case staff will still “log” the encounter as an “inquiry” (see: the next item).

### 5 South Evans Street

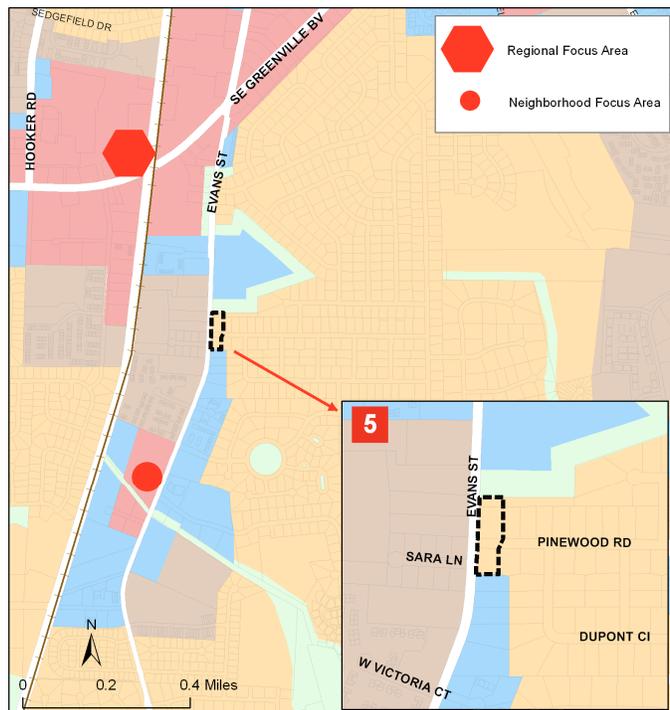
**Request:** MDR → OIMF  
**Petitioner:** Carolina Development and Construction, LLC  
**Acres:** 1.7  
**City Council Meeting:** June 14, 2007

The Planning and Zoning Commission voted to recommend denial of the request.

**Staff analysis:** The subject area is located in Vision Area D.

The applicable Comprehensive Plan Management Actions in this area are:

“D10: Maintain Evans Street as a residential corridor from Martinsborough Road south to Fire Tower Road.” [the intent of this guideline is to encourage residential development in the Evans Street corridor in all areas located outside



the designated focus nodes and associated transition areas]

Evans Street is designated as a connector corridor from Greenville Boulevard south, transitioning to a residential corridor at the entrance of Caversham Road, the entrance to Bedford Place Subdivision. Connector corridors are anticipated to contain a variety of higher intensive activities and uses than residential corridors.

There is a designated regional focus area at the intersection of Greenville Boulevard and Evans Street. Within a regional focus area, commercial activity is encouraged. The anticipated build-out of such focus areas are 400,000 plus square feet of conditioned floor space. There is a designated neighborhood focus area located west of Evans Street and south of Willoughby Park Condominiums. The anticipated build-out of such focus areas are 20,000 – 40,000 square feet of conditioned floor space.

The Comprehensive Plan states: “Office/Institutional/Multi-family [OIMF] land uses should be developed along transportation thoroughfares to provide transition between commercial nodes and to preserve vehicle carrying capacity. Office/Institutional/Multi-family development should be used as a buffer between light industrial and commercial development and adjacent lower density residential land uses.” Specifically, the Future Land Use Plan Map (2004) recommends Medium Density Residential (MDR) along the eastern right-of-way of Evans Street, at the intersection of Pinewood Road, including the residential lots fronting the intersection, and for the interior residential neighborhood adjacent thereto.

**Staff opinion and recommendation:** Of primary concern is the protection of the Pinewood Forest Subdivision entrance. The intersection of Evans Street and Pinewood Road serves as a primary entrance into this established single-family neighborhood.

The Comprehensive Plan does not specifically recommend a neighborhood focus area at this location. Several area neighborhoods have an OIMF land use designation at the intersection of entrance roads and thoroughfare streets, including Westhaven, Belvedere, Club Pines, and Lynndale. Use of OIMF in those cases was the preferred option in lieu of commercial development.

The proposed OIMF designation provides an option for a compatible mix of business and office uses and typically serves as a transition between commercial activities, major roadways and residential neighborhoods. The closest commercial zoning (Lynncroft Shopping Center) is located 1,050+ feet to the north. Evans Street is designated as a major thoroughfare. The Office (O) zoning option under the OIMF designation is the most restrictive non-residential zoning district. There is no residential option under the Office (O) zone.

If the Planning and Zoning Commission and City Council determine that a non-residential land use option is appropriate for the subject site, the OIMF designation would be the preferred category for this location.

## ⑥ Greenville Boulevard and 14<sup>th</sup> Street

**Request:** OIMF → COMMERCIAL

**Petitioner:** Ward Holdings, LLC

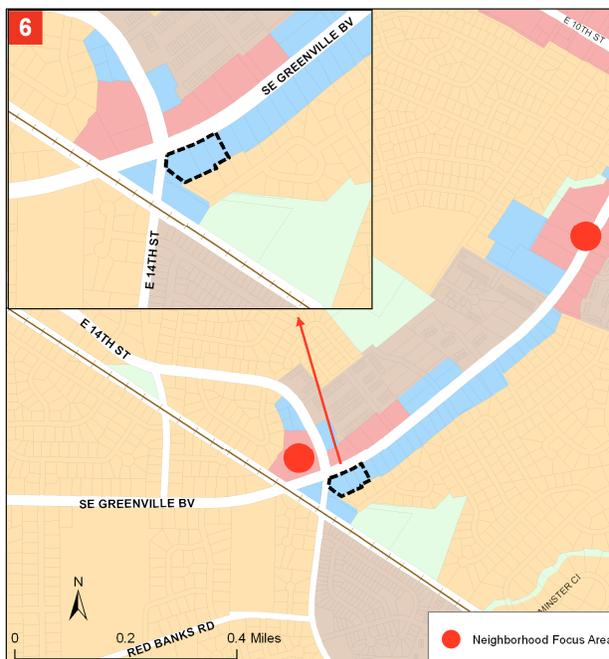
**Acres:** 1.52

**City Council Meetings:** November 8, 2007; May 8, 2008

In November 2007, the City Council had previously denied an identical request by the petitioner. The Planning and Zoning Commission twice voted to recommend approval the request.

**Staff analysis:** The subject area is located in Vision Area C.

The Future Land Use Plan Map recommends office/institutional/multi-family along the southern right-of-way of Greenville Boulevard, east of the Norfolk Southern Railroad and adjacent to the neighborhood focus area at the intersection of Greenville Boulevard and Eastbrook Drive.



There are designated neighborhood focus areas at the intersections of Greenville Boulevard and 14th Street and Greenville Boulevard and Eastbrook Drive. These areas generally contain less than 40,000 square feet of conditioned floor space. Greenville Boulevard is designated as a connector corridor from its intersection at 14th Street and continuing north. Connector corridors are anticipated to contain a variety of higher intensity activities and uses, whereas residential corridors are preferred to accommodate lower intensity residential uses.

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

The Comprehensive Plan states that "location and size of commercial nodes included in the plan are not intended to be static. As the area surrounding commercial nodes develop, larger node definitions ...may be warranted."

In addition, as the commercial nodes of outlying areas of the City's planning jurisdiction develop, they should be buffered from surrounding areas by office, institutional and multi-family and residential and open spaces. Again, the exact size of the required buffer has not been predetermined. The required buffer width should be determined when the ultimate extent of the commercial node is known.

**Staff opinion and recommendation:** Staff does not recommend expansion of commercial development in the area adjacent to the Eastwood Subdivision. The current office/institutional/multi-family designation will afford adaptive reuse of the property while minimizing negative impacts on the interior neighborhood.

## 7 East 10<sup>th</sup> Street and Port Terminal Road

**Request:** OIMF, MDR, COS → COMMERCIAL

**Petitioner:** WRS, Incorporated

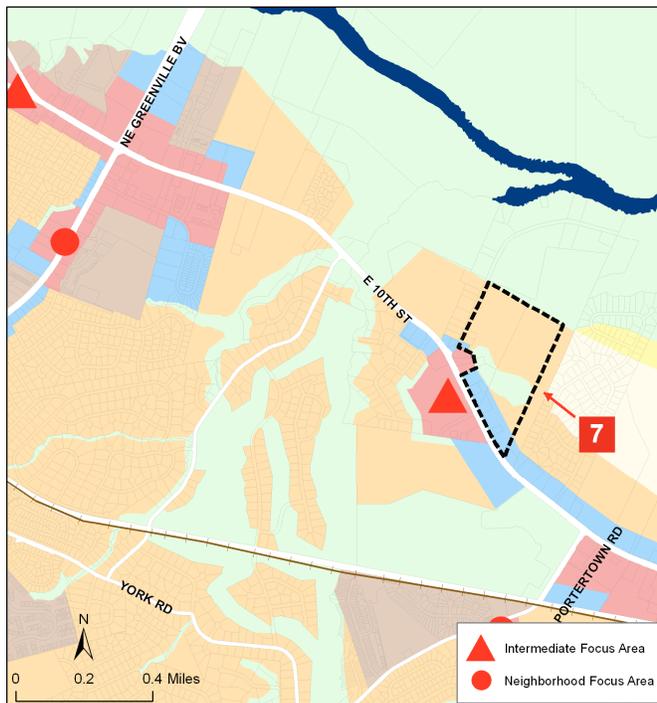
**Acres:** 52

**City Council Meeting:** November 6, 2007

The Planning and Zoning Commission voted to recommend approval of the request.

**Staff analysis:** The subject site is located in Vision Area C.

East Tenth Street is considered a "gateway" corridor from the intersection of Greenville Boulevard and East Tenth Street continuing east. Gateway corridors serve as primary entranceways into the City and help define community character. These roads are designed to carry high volumes of traffic through and across the City. The intersection of East Tenth Street and Port Terminal Road is designated as an intermediate focus area. These nodes typically contain 50,000 to 150,000 square feet of conditioned floor space.



The Future Land Use Plan Map recommends commercial at the northeast corner of the intersection of East 10th Street and Port Terminal Road transitioning to office/institutional/multi-family adjacent to the Highway 33 frontage immediately outside the recognized focus area, and medium density residential on the interior. The Future Land Use Plan Map further recommends conservation/open space on interior areas likely to be impacted by environmental limitations.

The Future Land Use Plan Map identifies certain areas for conservation/open space uses. The map is not meant to be dimensionally specific, and may not correspond precisely with conditions on the ground. When considering rezoning requests or other development proposals, some areas classified as conservation/open space may be determined not to contain anticipated development limitations. In such cases, the future preferred land use should be based on adjacent Land Use Plan designations, contextual considerations, and the general policies of the comprehensive plan.

The Comprehensive Plan states that "location and size of commercial nodes included in the plan are not intended to be static. As the area surrounding commercial nodes develop, larger node definitions ...may be warranted. In addition, as the commercial nodes of outlying areas of the City's planning jurisdiction develop, they should be buffered from surrounding areas by office, institutional and multi-family and residential and open spaces. Again, the exact size of the required buffer has not been predetermined. The required buffer width should be determined when the ultimate extent of the commercial node is known".

There is a recognized community focus area at the intersection of Greenville Boulevard and East Tenth Street.

There is a recognized intermediate focus area east of the intersection of East Tenth Street/Highway 33 East and Portertown Road.

Below are considerations from *Horizons: Greenville's Community Plan*.

- The locations of Intermediate and Neighborhood Focus Areas should be evaluated based on surrounding residential development patterns and the lack of alternative retail uses to serve these areas.
- Retail should have access to collector streets.
- Ensure proper size of and spacing between focus areas.
- Ensure that new development has adequate north/south and east/west transportation corridors.

The subject site is only accessible via East Tenth Street (Hwy 33). There are no north/south connections to this site.

This request would allow for commercial uses, such as general retail, fast food restaurants, conventional restaurants, and gasoline sales.

Currently, there are 28.39 acres of commercially-zoned property in the vicinity of the intersection of East 10th Street and Port Terminal Road.

***Staff opinion and recommendation:*** In staff's opinion, the anticipated additional commercial development will significantly alter the desired community character of this corridor; therefore, staff recommends denial of this request. In staff's opinion, the current Future Land Use Plan Map designations for the subject and adjoining properties support a sustainable environment for the area and provide reasonable use for the affected properties.

## 7 Inquiries

Landowners and developers frequently contact the City of Greenville's Community Development Department to inquire about how the Future Land Use Plan and current zoning ordinances affect properties they own, or in which they have an interest. Occasionally, these "inquiries" are limited to straightforward and general questions, such as: What zoning district applies to a specific parcel? What is the process for changing the Future Land Use Plan or rezoning a parcel? What is the City's plan for a particular area of Greenville? More frequently, a landowner or developer has already decided that he or she is interested in rezoning a property and is consulting with the staff to gauge whether a particular use would be feasible, in terms of land use planning: Would the proposed use be in compliance with the comprehensive plan?

After consulting with the staff, the landowner or developer oftentimes decides not to pursue the inquiry any further; therefore, many of these informal questions never become formal requests to change the Land Use Plan or rezone a property. Although these inquiries were not pursued, they still send the community important signals about where development interest might be directed in the future. The Community Development Department maintains a database to keep track of all routine (or discontinued) Future Land Use Plan "inquiries" that were never pursued formally.<sup>18</sup> The database keeps a record of the date, location, and nature of each inquiry, along with the parties who inquired about each respective property.

The inquiry database and other related data better enable the community to identify those areas of the city that are experiencing potentially heightened development pressures, which might necessitate amendments to the comprehensive plan. Since the comprehensive plan was last updated in 2004, the Community Development Department has received a total of 51 such inquiries. These examples have been incorporated into the Study Map, which the community can use to evaluate the suitability of the current comprehensive plan in responding to future projected development demands in higher growth areas of the city.

## 8 Trends and Conclusions

In the five years since the Comprehensive Plan was updated, the City Council has established a precedent of approving certain types of requests to change the Future Land Use Plan. Requests to change the land use plan have generally met with approval when the proposal satisfied some combination of the following criteria (and did not conflict with the comprehensive plan in other ways):

- **HDR → OIMF:** Where appropriate, the City Council has generally regarded the change from HDR to OIMF as being not a major shift. Going from one to the other of these two general land use categories has generally not been seen as a significant threat to neighborhood character.
- The City Council has also approved requests to change the land use plan category from **OIMF or HDR → Commercial**; however, recent trends suggest that City Council has treated such changes as being a more significant shift in use category compared to HDR → OIMF. In such cases, the City Council has taken the following factors into consideration:
  - Is the site close to a focus area that is appropriate for the scale and intensity of the land use category being requested?
  - Does the site have good-to-excellent accessibility for the type and extent of the land use category being requested?
  - Are there multifamily residential uses in the vicinity of the area under question to serve as a transition between the proposed commercial use category and other uses?
- Since 2004, the City Council denied both requests to change use category from **MDR → OIMF**, which would be a more significant shift than the above described changes.

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<sup>18</sup> A print out of all database records since 2004 is included in Appendix C.

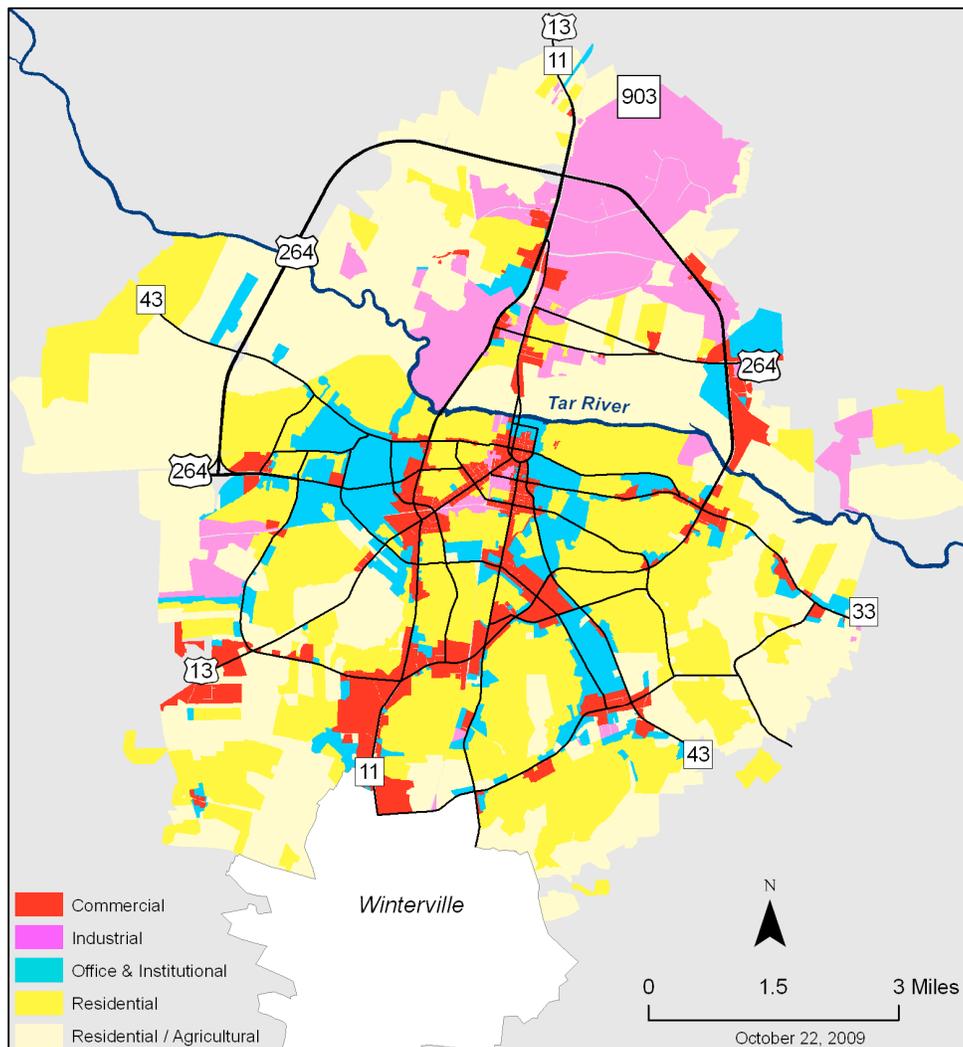
## ZONING

### 1 Rezoning Requests

A zoning map is the official visual record of a jurisdiction's zoning districts as they exist today, depicting its *current* zoning ordinances regulating the use and development of land parcels. The City's official zoning map has been amended many times in response to changing urban conditions and planning trends. A zoning map explicitly indicates the types and intensities of development that are *currently* allowed for a property *by prior right*.

Property owners may request that a property be rezoned to another zoning district. Rezoning should be consistent with the vision, policy framework, and land use patterns described in the comprehensive plan [see: Rezoning Requests, page 96]. The districts can only be amended by City Council following review and recommendation of the Planning and Zoning Commission and City Council public hearing. Amendments to the Official Zoning Map are in fact an amendment to the Zoning Ordinance.

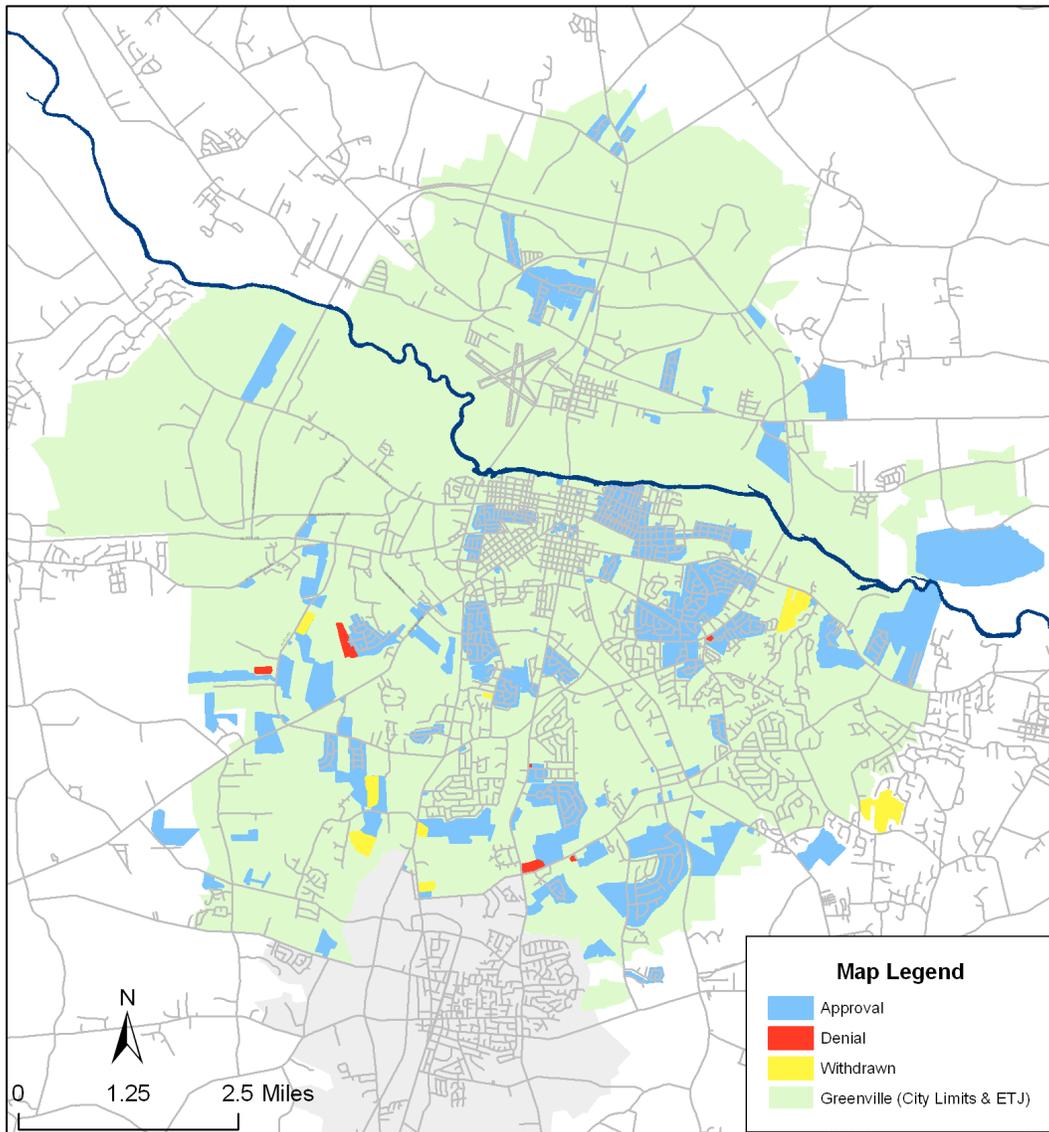
**Current Zoning Map**



## 2 Rezoning Activity, Since 2004: Overview

The City of Greenville resolved 225 total rezoning requests between 2004 and July 2009. Out of those 227 requests, the City Council approved 209 requests (92 percent), denied 9 requests (4 percent), and 9 requests were withdrawn (4 percent). The relatively low percentage of denials is a reflection of the community's longstanding and ongoing efforts to plan proactively for new development, while merging the City's zoning code with its Future Land Use Plan. It also indicates that the City Council, the Planning and Zoning Commission, planning staff, and other parties involved in the planning process are doing an effective job of communicating to developers and land owners the City's zoning, planning, and development goals and regulations.

### Location of Rezoning Requests Since 2004



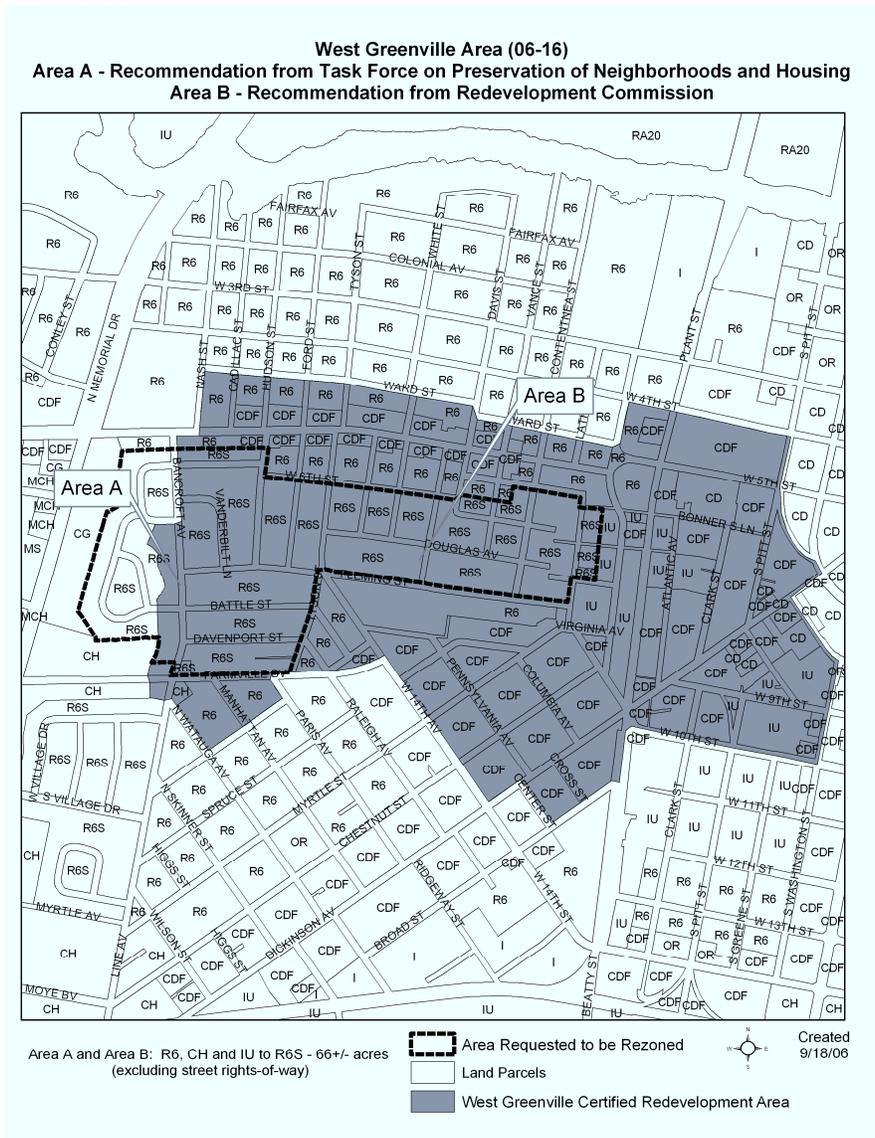
The (mean) average area of land tracts that were considered for rezoning, since 2004, was 22.7 acres.

### 3 City Initiated Rezoning

**Neighborhood Task Force:** In the five years since the comprehensive plan was updated, most of the largest land tracts to be rezoned at one time were initiated by the City of Greenville. In December 2004, the Task Force on Preservation of Neighborhoods and Housing recommended that the Planning and Zoning Commission undertake a study to identify predominantly single-family neighborhoods that were zoned in a manner that permit intrusion of duplex and multi-family uses, and recommend compatible substitute single-family zoning where practicable. Since August of 2005, the City has rezoned a total of 2,201 acres to exclusively single-family zoning classifications in the residential neighborhoods listed below:

Case #	Area Under Consideration	Date approved	From	To	Acreage
05-14	Tar River Area	8/11/2005	R6	R6S	127.0
		8/11/2005	R6N	R6S	69.0
		8/11/2005	R9	R9S	86.0
05-15	Elmhurst/Englewood	9/8/2005	R9	R9S	91.0
05-24	Forest Hills	11/10/2005	OR	R15S	1.5
	Red Oak	11/10/2005	RA20	R9S	57.3
	Oakdale	11/10/2005	R9	R9S	14.2
05-31	Greenfield Terrace	12/5/2005	R9	R9S	147.8
05-33	College Court Area	1/12/2006	R9, R6	R9S, R6S	248.2
06-15	Baytree	9/14/2006	R9 and RA20	R9S	17.9
	Dellwood	9/14/2006	R9	R9S	53.5
	Tuckahoe	9/14/2006	R9	R9S	22.1
	Singletree and Cambridge	9/14/2006	R6	R6S	58.9
	Lake Ellsworth	9/14/2006	RA20 and R6	R6S	75.4
06-16	West Greenville Area (phase I)	11/9/2006	R6	R6S	66.4
	Pinewood Forest	11/9/2006	RA20	R6S	21.2
	Bedford	11/9/2006	R6, R9	R6S, R9S	125.7
	Lakewood Pines	11/9/2006	R6	R15S, R6S	17.3
	Brentwood1st Pentecostal Holiness Church.	11/9/2006	R9	R9S	45.6
06-19	Greenbrier, Carolina Heights, Hillsdale	3/8/2007	R6, CH	R6S	113.0
	Orchard Hills	3/8/2007	R9	R9S	20.0
	Clairmont, and Village Grove Avenue	3/8/2007	R6	R6S	23.2
07-01	Treetops	4/12/2007	R9	R9S	35.2
	Eastwood	4/12/2007	R9, OR, RA20	R9S	75.3
	Summerfield	4/12/2007	R6	R6S	17.8
	Countryside Est., Holly Pines, Oakgrove Est.	4/12/2007	RA20, R9S	R9S	97.3
	Oakhurst	4/12/2007	RA20, R6	R6S	33.7
07-39	River Hills	1/10/2008	R6	R6S	64.5
	Country Squire	1/10/2008	R6	R6S	31.6
	Windsor	1/10/2008	RA20, R9	R9S	243.8
	Windsor Downs	1/10/2008	RA20	R9S	42.0
	Rock Spring	1/10/2008	R9	R9S	22.1
	Brookhaven	1/10/2008	RA20	R9S	7.3
	Pinewood Estates	1/10/2008	RA20	R9S	8.0
	Glenview Terrace	1/10/2008	RA20	R9S	20.0
	<b>TOTAL</b>				<b>2,201</b>

**West Greenville Redevelopment Area:** Although the revitalization plan did not require changes to the Land Use Plan, the City Council rezoned a 66.4 acre tract of West Greenville to R6S in November 2006 to preserve single-family residential neighborhoods. The rezoning was intended to further the community's revitalization goals for West Greenville, as well as implement the recommendations of the Neighborhood Task Force.



**Multimodal Transportation Center:** In June 2009, the City of Greenville rezoned two adjacent land tracts in the downtown area from OR & CDF (1.28 acres) and OR (1.30 acres) to CD in preparation of developing a multimodal transportation center on the 11.6 acre site. The City is in the process of completing environmental assessment and property acquisition for the site. Project construction is scheduled to be completed in 2011.

## 4 Discrepancies between Zoning and the Land Use Plan

**Overview:** In the 17 years since the original *Horizons* plan was first adopted, the Greenville community has made tremendous progress in merging the City's long-range planning vision with its short-to-mid-range planning policies. One of the most important planning policy tools is the zoning code, which preceded the *Horizons* plan by several decades. Some discrepancies [see definition below<sup>19</sup>] between the current zoning map and the Future Land Use Plan Map still exist today. When and where possible, these discrepancies should be addressed; however, analysis indicates that zoning/land use plan discrepancies are rare.

As of fall 2009, the City of Greenville's total zoning (or planning) jurisdiction extends over 42,652.06 acres (or 66.64 square miles). Analysis indicates that only 308.10 acres, or 0.72 percent of that entire zoning jurisdiction, are inconsistent with the Land Use Plan. These discrepancies consist of 43 total parcels on which the current allowable zoning is inconsistent with the Future Land Use Plan [see: Table IX below]. More than half of those parcels are currently zoned either CDF (8 parcels) or IU (14 parcels). However, the five total parcels zoned R6 that are inconsistent with the Land Use Plan include multiple larger parcels, including a 58.57 acre parcel. As a result, parcels currently zoned R6, which consist of 122.21 total acres, make up more than one-third of all acreage within the city that is inconsistent with the Future Land Use Plan.

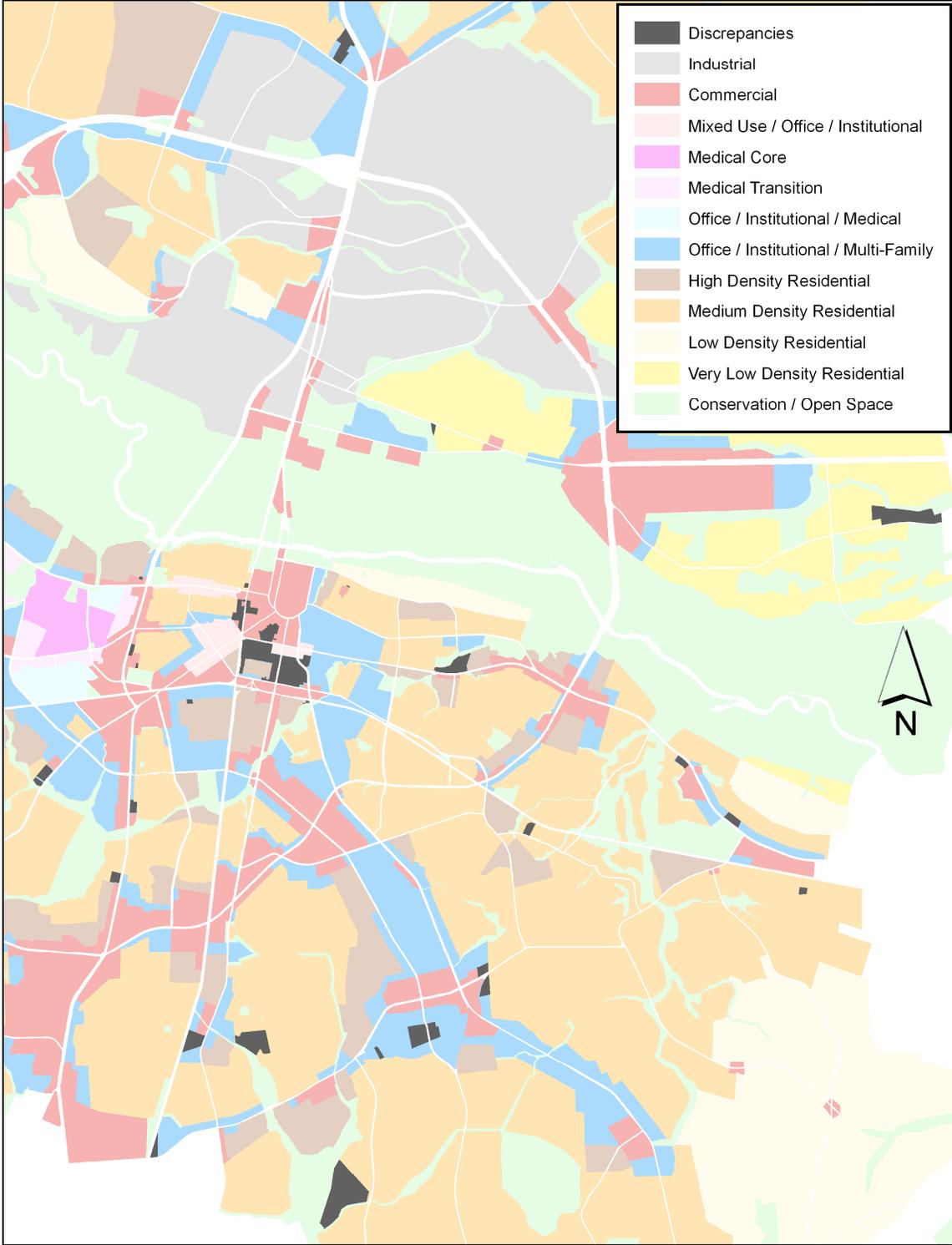
**Table IX – Summary of Discrepancies by Zoning Type**

ZONE	Count	Smallest District (Acres)	Largest District (Acres)	Total Acres
CDF	8	0.38	13.43	50.32
CG	3	1.87	5.59	11.51
CH	7	0.45	5.43	18.24
CN	4	0.17	3.75	5.07
I	1	4.86	4.86	4.86
IU	14	0.97	13.87	95.04
R6	5	1.39	58.57	122.21
R6S	1	0.84	0.84	0.84
<b>43</b>		<b>TOTAL =</b>		<b>308.10</b>
Jurisdiction =				<b>42,652.06</b>
Percent of all zoning districts that are discrepancies				<b>0.72%</b>

All Discrepancies		
ZONE	LANDUSE	ACRES
CDF	HDR	0.38
CDF	MDR	0.70
CDF	HDR	2.01
CDF	OIMF	3.41
CDF	OIMF	5.76
CDF	OIMF	11.94
CDF	HDR	12.70
CDF	HDR	13.43
<b>8</b>		<b>50.32</b>
CG	OIMF	1.87
CG	OIMF	4.04
CG	OIMF	5.59
<b>3</b>		<b>11.51</b>
CH	HDR	0.45
CH	MDR	0.45
CH	OIMF	1.78
CH	OIMF	2.39
CH	OIMF	3.11
CH	OIMF	4.62
CH	OIMF	5.43
<b>7</b>		<b>18.24</b>
CN	MDR	0.17
CN	OIMF	0.43
CN	HDR	0.73
CN	OIMF	3.75
<b>4</b>		<b>5.07</b>
I	OIMF	4.86
<b>1</b>		<b>4.86</b>
IU	HDR	0.97
IU	MDR	2.06
IU	OIMF	2.07
IU	HDR	2.24
IU	C	3.86
IU	OIMF	4.01
IU	OIMF	6.20
IU	OIMF	6.31
IU	C	8.25
IU	C	9.16
IU	MOI	10.17
IU	OIMF	12.17
IU	OIMF	13.71
IU	OIMF	13.87
<b>14</b>		<b>95.04</b>
R6	VLDR	1.39
R6	MDR	3.59
R6	MDR	22.93
R6	VLDR	35.72
R6	MDR	58.57
<b>5</b>		<b>122.21</b>
R6S	OIMF	0.84
<b>1</b>		<b>0.84</b>
		<b>308.10</b>

<sup>19</sup> Discrepancies are defined as those examples, in the opinion of planning staff, in which the current zoning represents a deviation from the intent of the Future Land Use Plan. When the zoning map districts are overlaid on the Future Land Use Plan Map, many inconsistencies will appear at the margins, which are not discrepancies of intent. A zoning map is by specific description, whereas a future land use plan map is by general description; the boundaries between zoning districts were never intended to fit in precisely within land use categories.

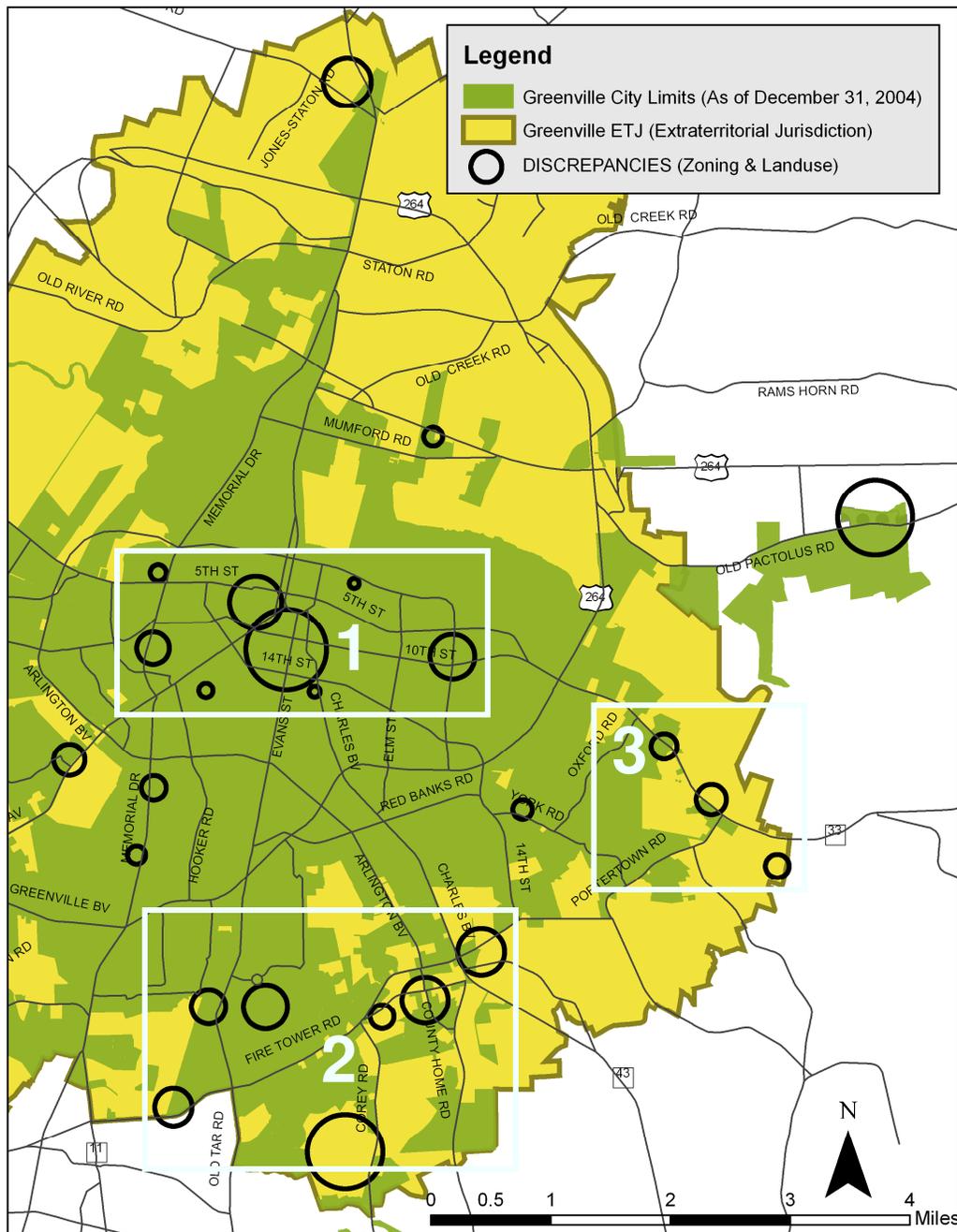
**Location of Discrepancies:** The Future Land Use Plan Map (modified) below illustrates the location of individual parcels and/or multi-parcel clusters, which have current zoning classifications that are inconsistent with the plan:



Zoning/land use plan discrepancies are generally well distributed throughout the city; however, the concentration map below does identify three areas in which discrepancies are somewhat concentrated. In this map, the different sized circles represent “hot spots” where small, medium, and larger-sized concentrations of multi-parcel land tracts or nearby clusters of discrepancies are located.

Not surprisingly, the three areas of the city where zoning/land use plan discrepancies are concentrated are transitional and/or high growth areas:

1. Uptown “edge” and surrounding neighborhoods
2. Fire Tower Road between Old Tar Road and Charles Boulevard
3. Highway-33 corridor: Oxford Road – Portertown Rd – city limits.



## RECOMENDED TEXT AMENDMENTS

In this section are recommendations to amend the *Horizons* plan text, which is the City of Greenville's policy framework for carrying out the community's long-range planning vision. All City-Council approved amendments to the comprehensive plan text are formally inserted into the *Horizons* plan document, in the appropriate section, or in the appendices.

### 1 Rezoning Requests: Consideration Criteria<sup>20</sup>

Following adoption of the 2004 Horizons Plan Update, the Planning and Zoning Commission and the City Council requested clarification on the criteria for determining whether a given rezoning request is consistent with the Future Land Use Plan. City staff drafted the below criteria to be used as a guide for policymakers in evaluating the appropriateness of rezoning requests. The Planning and Zoning Commission and the City Council have established a precedent of relying on these criteria to evaluate rezoning requests and to provide a consistent rationale for their decisions; consequently, the language below should now be formally adopted as an amendment to the Horizons plan text and inserted into *Horizons: Greenville's Community Plan*, in the section titled, "How to Amend this Plan":

The Horizons Plan serves as an integrated guide for decision makers when reviewing development proposals. Land use decisions that are consistent with a comprehensive plan are more likely to be equitable, efficient and predictable, and less likely to be controversial or cause unexpected financial hardships. To deviate from a policy or recommendation of the plan should require an argument as convincing as the one in the plan. Departing from the precepts of a plan should always be possible – although not necessarily easy.

Rezonings should be consistent with the vision, policy framework, and land use patterns described in the comprehensive plan. Based on consideration of the contextual provisions of the Horizons Plan, the Focus Area Map, the Corridor Designation Map, and the Future Land Use Plan Map, the Planning and Zoning Commission and City Council will determine whether the proposed rezoning is either (1) in compliance, (2) in general compliance, or (3) not in compliance with the comprehensive plan.

**(1). In Compliance:** A rezoning request will be construed to be "in compliance with the comprehensive plan" if the text of the Horizons Plan (or addendum) (i) either specifically recommends that the project area be rezoned as requested, or the project area is predominantly or completely surrounded by the same type or compatible and desirable zoning and (ii) the rezoning will promote the desired urban form. The proposed project is considered desirable and in the public interest and staff recommends approval of the requested rezoning.

**(2). General Compliance:** A rezoning request will be construed to be in "general compliance with the comprehensive plan" if the project area is located in a transition area and (i) it is currently contiguous, or is anticipated to be contiguous in the future, to specifically recommended and desirable zoning of like type, character or compatibility, (ii) the rezoning is complementary with Horizons Plan objectives, (iii) it is not anticipated to have an unacceptable impact on adjacent properties or travel ways, and (iv) preserves the desired urban form. 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.

**(3). Not in Compliance:** A rezoning request will be construed to be "not in compliance with the comprehensive plan" if the requested zoning (i) is specifically noncompliant with Horizons Plan objectives and recommendations including the range of allowable uses in the proposed zone, etc. and/or is of a scale, dimension, configuration or location that is not objectively in keeping with plan intent and (ii) it does not promote or preserve the desired urban form. The requested zoning is considered undesirable and not in the public interest and staff recommends denial of the requested rezoning.

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<sup>20</sup> Note: some of the recommendations in this 2009 Horizons Plan Review report may be officially adopted by City Council and therefore those items would be inserted as addendums to the City's comprehensive plan. It is recommended that the language in items 1 & 2 of this section be incorporated into the *Horizons Plan* text under "How to Use This Plan," (Introduction, page 8)

## 2 Requests to Amend the Future Land Use Plan: Consideration Criteria

Staff has drafted the criteria below to be used as a guide for policymakers in evaluating the appropriateness of requests to amend the Future Land Use Plan. The Planning and Zoning Commission and the City Council will use these criteria to evaluate requests to change the plan and provide a consistent rationale for their decisions; consequently, the below language should now be formally adopted as an amendment to the *Horizons* plan text and inserted into *Horizons: Greenville's Community Plan*, in the section titled, "How to Amend this Plan":

The *Horizons* plan, referred to as the "Comprehensive Plan" serves as an integrated guide for decision makers when reviewing development proposals. Land use decisions that are consistent with a comprehensive plan are more likely to be equitable, efficient and predictable, and less likely to be controversial or cause unexpected financial hardships. At the same time, *Horizons* recognizes that a comprehensive plan is not a static blueprint for the future. To deviate from a policy or recommendation of the plan should require an argument as convincing as the one in the plan. Departing from the precepts of a plan should always be possible – although not necessarily easy.

Future Land Use Plan amendments should be consistent with the vision and policy framework described in the *Horizons* plan. Based on consideration of the contextual provisions of the *Horizons* plan, the Focus Area Map, the Transportation Corridors Map, transportation plans and other applicable plans, the Planning and Zoning Commission and City Council will determine whether the proposed change to the Future Land Use Plan is either (1) compatible with comprehensive plan intent and objectives, or (2) incompatible with comprehensive plan intent and objectives.

**(1). Compatible:** A proposed Future Land Use Plan amendment request will be construed to be "compatible with the comprehensive plan" if the proposed amendment area and use:

- (i) The proposed amendment is determined by Planning and Zoning Commission and City Council to be necessary as a result of changed conditions, in the local development pattern, street system, environment, or other major feature or plan which, impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the current Future Land Use Plan Map; and
- (ii) The location of the proposed classification(s) support the intent and objective of the current Future Land Use Plan Map, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan; and
- (iii) The resulting anticipated land use is properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing and future neighborhoods and businesses within and in proximity to the area of proposed amendment; and
- (iv) The amendment is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.

**(2). Incompatible:** A Future Land Use Plan amendment request will be construed to be "incompatible with the comprehensive plan" if the proposed amendment area and use does not meet the criteria listed above under **(1). Compatible.**

In determining whether a requested Future Land Use Plan amendment is compatible with the Comprehensive Plan, the Planning and Zoning Commission should take into consideration the following planning principles or concepts:

- **Uniformity:** like properties should be treated the same wherever similar conditions exist;
- **Functionality:** the proposed use category serves a necessary function and does not interrupt or interfere with other proximate compatible uses; or, the proposed use enhances desirable transition or buffers between potentially incompatible uses;
- **Mobility and connectivity:** the proposed use category does not unduly burden or disrupt existing and planned transportation systems.
- **Efficiency:** the proposed use category will not place an undue financial burden on adjacent land owners or the public.
- **Integration:** the proposed use category should be evaluated in terms of the Horizons plan's long-term goals, not merely in terms of its individual, short-term impacts.

### 3 Sidewalk Improvement Plan and Policies

The below language should be formally adopted as an amendment to the *Horizons* plan text and inserted into *Horizons: Greenville's Community Plan*, in the Plan Elements section, under the Mobility "Policy Statement":

The City of Greenville will adopt a comprehensive Sidewalk Improvement Plan and associated sidewalk improvement policies and ordinances to ensure that sidewalks are, pursuant to such a plan, provided for and/or constructed at the time of street extension and individual site/lot development.

## RECOMMENDED PLANNING INITIATIVES

In this section are recommendations to incorporate additional planning goals, implementation strategies, management actions, or vision area policies not previously addressed in the *Horizons* plan. New planning initiatives approved by the City Council will be attached to the *Horizons* plan text by reference to the final, approved version of this report and plan.

### 1 ETJ Extension Discussions with Pitt County

As part of the City Council's goal of promoting effective partnerships, the Council set the objective of addressing extraterritorial jurisdiction (ETJ) issues. In pursuit of that objective, planning staff incorporated an ETJ/Growth Area section into this report as part of the Planning for Growth and Development chapter. City staff has been engaged in ongoing discussions with other jurisdictions concerning ETJ extension and annexation issues. Following the 2010 Comprehensive Plan Review adoption in spring 2010, Greenville staff and policymakers should continue to engage Pitt County planning staff and policymakers in discussions about ETJ policies, with the goal of encouraging Pitt County to adopt a more favorable policy toward ETJ extension.

### 2 Annexation Study/Policy

The City of Greenville should investigate how its annexation policies relate to public investment costs traditionally incurred as part of City-initiated annexation. In particular, the City should explore ways to encourage cost sharing associated with new City-initiated annexations. Further, the City should consider the annexation of adjacent existing developed areas in the urban-fringe when determined to be feasible.

### 3 Implement U.S. Mayors' Climate Protection Agreement

As part of the City Council's goal of promoting sound environmental policies, the Council set the objective of implementing the U.S. Mayors' Climate Protection Agreement. The Public Works and Community Development departments will develop a strategy to facilitate environmental and sustainability goals in the *Horizons* plan. Once those strategies are defined, the City should investigate the availability of federal and state grants to implement a local sustainability pilot project in 2011 or 2012.

### 4 Encourage Development of Land Use Compatible Alternative Energy Sources

The City of Greenville should encourage residents and business to explore *land use compatible* alternative energy sources for residential and non-residential land uses, including passive and active systems.

Passive alternate energy sources and conservation technologies are generally low-impact and tend to be compatible with most land uses and building types. Examples of passive energy sources and conservation technologies include:

- Solar panels
- Energy efficient windows
- Architectural design features
- Landscape and site design.

The City of Greenville should be careful to ensure that more intensive, active types of alternate energy sources are land use compatible. For example, the installation of wind turbines in smaller lot residential neighborhoods can generate negative impacts - noise, vibrations, shadow (fan blade) problems, and detract from aesthetics – which should be taken into consideration in the permitting process. Also, in communities where residents and business owners have been installing wind turbines for 10+ years, there have been issues with units being left in disrepair and/or abandoned, which can cause significant neighborhood code enforcement problems.

The City's current residential structure setbacks limit the practicality of wind turbine towers in residential neighborhoods. Residential districts limit the height of single-family residential (principal use) structures to 35 feet above grade. Residential accessory structures are limited to the principal use maximum height (35 feet), provided however no accessory structure may exceed the height of the principal structure. The relevant City Code sections are excerpted below:

**“Sec. 9-4-100. Residential accessory structure and building standards; except as otherwise regulated under Article H, I, J, K and M.**

(a) *Residential; detached accessory.*

(3) Height.

a. Except as otherwise provided under subsection (3)b below, the height of any accessory structure or building shall not exceed the height of the existing principal building or district maximum height, whichever is less.

b. In cases where the provisions of this subsection will not allow an accessory structure or building of at least fifteen (15) feet in height, then the requirements of this subsection shall be waived to allow an accessory structure or building of fifteen (15) feet or less in height at the option of the owner. All other provisions of this section shall apply.”

In the opinion of planning staff, a wind turbine would be an accessory structure provided the principal use of the turbine is as an accessory to the dwelling (e.g., not a commercial enterprise).

Below is a copy of the height exemption section of the City Code. In the opinion of staff, wind turbine towers are not included and therefore are subject to the height limitation.

**“Sec. 9-4-98. Height exemptions.**

(a) The height limits of these regulations shall not apply to a church spire, belfry, cupola or dome; an ornamental tower not intended for human occupancy; a conveyor; or a parapet wall not extended more than three (3) feet above the roof line of the building; and other necessary mechanical or communications appurtenances attached to the roof of a building.

(b) The height of the following freestanding structures may exceed the height limits of the district, provided that the public street, side and rear setbacks are increased one (1) foot for every one (1) foot or fraction thereof in height above the district maximum:

- (1) Monuments.
- (2) Water towers.
- (3) Observation towers.
- (4) Transmission towers.
- (5) Chimneys or smoke stacks.
- (6) Flag poles.
- (7) Masts or aerals.
- (8) Farm structures.
- (9) Stadiums.
- (10) Satellite dish antennas which are eighty (80) inches or less in diameter.

(c) All uses, including those listed under this section, shall in accordance with section 9-4-14, be limited to the height, locational standards and requirements of the Pitt-Greenville Airport Zoning Ordinance. (Ord. No. 2337, § 1, 6-13-91; Ord. No. 2593, § 2, 2-11-93; Ord. No. 97-5, § 5, 1-9-97).”

Due to the popularity of energy conservation and “green initiatives,” requests for wind turbines and other active, more intensive alternative energy sources can be anticipated. Revisions to the City Code to accommodate active alternative energy sources should not compromise other planning goals, such as land use compatibility.

## **5 Students and Seniors Population Study**

The City of Greenville should complete a study of student and senior citizen populations in Greenville to evaluate the manner in which these rising population groups will impact future land use patterns, housing preferences, transportation needs, demands for public facilities, and other comprehensive planning requirements. Along with the increases in the student population, the *Horizons* plan anticipated that In the next 10 – 20 years, the populations of students approximately 18 to 25 years old and residents over 65 years old, respectively, are projected to continue increasing in size in proportion to the city’s other demographic segments. The *Horizons* plan anticipated that these population trends would fuel greater demand for multifamily units close to downtown and other service areas, as well as greater demand for public transportation; moreover, the plan suggested that programs and facilities targeted to the senior population would become increasingly more important in the future.

## APPENDIX A

### 5 -Year Comprehensive Plan Review Public Forum Process and Outline

#### Planning and Zoning Commission:

Public Forum – November 17, 2009 (6:30 PM – City Council Chambers of City Hall)

#### 1. The purpose of the public forum is for the Commission to:

- (i) Establish plan review procedures and general timelines for project consideration,
- (ii) Review the implementation strategies, management actions and vision area policies and progress/action to date,
- (iii) Review population, growth and development trends since 2004
- (iv) Review of Future Land Use Plan Map changes and rezoning actions since 2004, and
- (v) Collect input and comments from the general public

In addition, the forum will be an opportunity to gather additional facts and information; evaluate the five-year progress of the comprehensive plan; and explore the need for changes to the *Horizons* plan text and the Future Land Use Plan Map. Additional public forums will be scheduled as necessary.

#### 2. Project Timeline (long-range): see Appendix B – Comprehensive Planning Timeline (page 114)

#### 3. Horizons Plan Text and Future Land Use Plan Map Amendment Consideration Process (including short-range timeline):

- During the public forum the Commission may receive comments of the general public concerning any subject related to the current Comprehensive Plan text and/or any plan or addendum of the Plan, and/or related to the 5-Year Comprehensive Plan Review Report.
- During the public forum the Commission shall not receive comments of the public concerning any rezoning, subdivision or other case which has been submitted for review but not yet approved or is currently under consideration by the Commission or City Council. The time and place for discussion of those matters is in accordance with established procedure in the particular case.
- Following staff input and public comment the Commission may determine by majority vote to consider amendments to the Plan text and/or maps.
- If the Commission by majority vote determines that a specific request for amendment of the Plan text and/or map does warrant further consideration, staff will schedule an additional public forum, to be conducted at the following month's regular Commission meeting date (December 15, 2009), for further discussion of the specific amendment request . Notice of the time, place and subject of a proposed amendment to the plan map will be given in the manner required for consideration by the Commission of an ordinance amendment. All persons will be afforded an opportunity to speak on the matter if they so desire.
- The Commission shall rely on the **Future Land Use Plan Map amendment consideration criteria** listed under (4) below, when evaluating the appropriateness of any proposed amendment to the Future Land Use Plan Map. If a proposed plan map amendment does not meet the basic

criteria listed under (4) below, the Commission should not schedule the issue for further consideration through this process.

If, following comments and public debate on the subject amendment during the additional public forum (if scheduled for December 15, 2009), the Commission determines by majority vote that a specific request to amend the Plan text and/or map is desirable and in the public interest, the recommended proposed amendment will be included in the final report. The final report shall be accompanied by a draft ordinance to effect the proposed amendments as recommended by the Commission. City Council following a public hearing to consider the plan update and ordinance may approve the ordinance including the recommended amendment or delete the proposed amendment from the ordinance.

- If the Commission by majority vote determines at any time that a specific request for amendment of the Plan text and/or map does not warrant further consideration through the 5-Year Comprehensive Plan Review the proposed amendment will not be scheduled for further discussion and action and will not be included in the final report and draft ordinance. However, the minutes of the Commission meeting(s) and public forum(s), including comments of the public on all issues and amendment requests, will be forwarded to City Council.
- This **Horizons Plan Text and Future Land Use Plan Map Amendment Consideration Process** related to the “5-Year Review” does not prohibit or restrict future petitions for amendment to the Comprehensive Plan via the established standard application procedure. Staff recommends that no individual requests for amendment to the Comprehensive Plan, which are submitted via the standard application procedures, be approved until the completion of this 5-Year Comprehensive Plan Review process and adoption of the final report and associated ordinance.
- After the Commission has approved the final report, including any recommendation for amendment to the existing Plan text and/or map the City Council shall hold a public hearing to consider adoption of an ordinance to approve the final report and ordinance. City Council may make changes to the final report and ordinance.

4. **Future Land Use Plan Map amendment consideration criteria:**

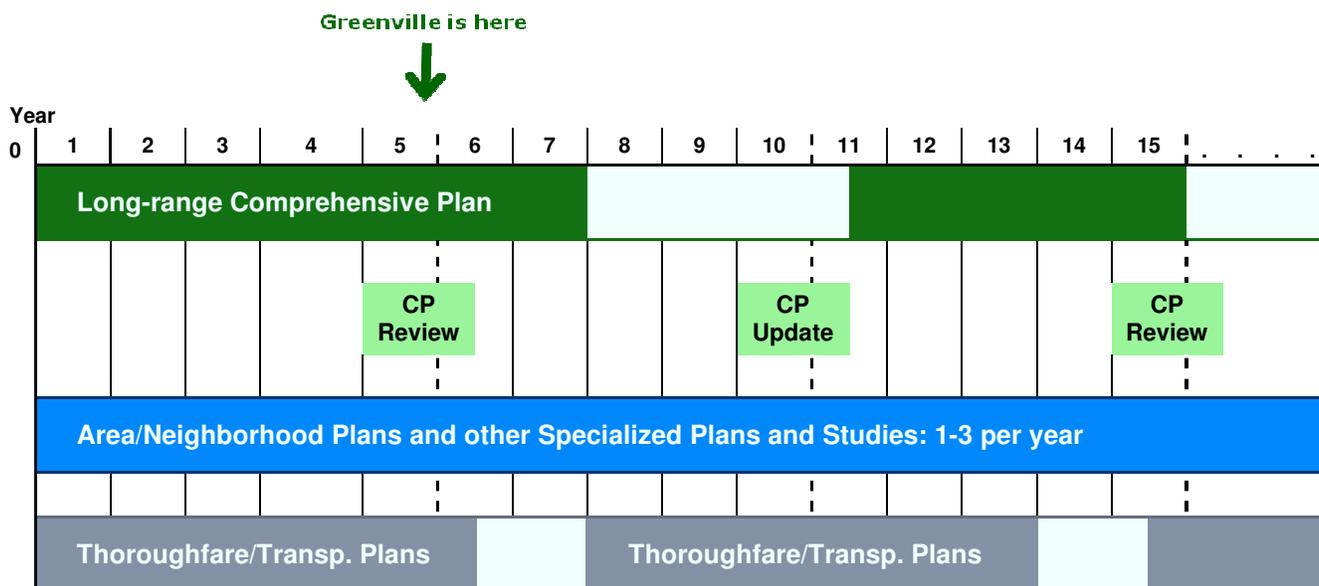
- (i) The proposed amendment is determined by Planning and Zoning Commission and City Council to be necessary as a result of changed conditions, in the local development pattern, street system, environment, or other major feature or plan which, impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the current Future Land Use Plan Map; and
- (ii) The location of the proposed classification(s) support the intent and objective of the current Future Land Use Plan Map, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan; and
- (iii) The resulting anticipated land use is properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing and future neighborhoods and businesses within and in proximity to the area of proposed amendment; and
- (iv) The amendment is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.

(see also: Requests to Amend the Future Land Use Plan—Consideration Criteria, page 107).

## APPENDIX B: Comprehensive Planning Timeline

Approximate 20-year timeline for reviewing and updating a comprehensive plan document and other key components of a comprehensive plan:

### Long-range Comprehensive Planning Process: Approximately 20-Year Horizon



- **Area/Neighborhood Plans (short-term):** Address specific needs of residents & business in focus areas/neighborhoods. Public participation is focused on residents & stakeholders who are encouraged to take ownership of their areas/neighborhoods
- **Comprehensive Plan Review (mid-term):** Evaluate how the CP is meeting its goals & objectives. Incorporate new data into the process. Amend the plan as needed. Public, stakeholder input is encouraged; however, it is not extensive at this stage (i.e. not a “re-visioning”), since the purpose is to review and recommit to the existing CP
- **Thoroughfare Plan (mid-term):** Ensures that the thoroughfare system is working in concert with the CP while responding to changing transportation needs and challenges. Public participation components typically include, public forums, informational presentations, and public meetings and hearings.
- **New/Updated Comprehensive Plan (long-term):** Creates a new long-range, community-wide planning vision, which may include major changes to goals, objectives, and policies. The visioning process involves extensive public & stakeholder participation, including visioning charettes, committee meetings, multiple hearings

## **APPENDIX C**

### **Summary of Implementation Strategies, Management Actions, and Vision Area Policies by Department, Commission, or Agency**

This section will provide additional breakdowns on the status of implementation strategies, management actions, and vision area policies. For example: percentage breakdowns of items now completed, ongoing, under evaluation, or future consideration, etc. Completion of these additional tables is pending additional/final feedback, updates, or corrections from the divisions/departments/commissions responsible for the items.

## **APPENDIX D**

### **Public Utility Service Agreements: City of Greenville and Town of Winterville**

This section will include copies of the current inter-jurisdictional agreements between the City of Greenville, Town of Winterville, and Pitt County.



# City of Greenville, North Carolina

Meeting Date: 4/20/2010  
Time: 6:30 PM

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**Title of Item:** City Council Action - March and April, 2010

**Explanation:** Action taken by City Council at the March and April 2010 meetings.

**Fiscal Note:** N/A

**Recommendation:** Review

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**Attachments / click to download**

[March 4, 2010 City Council Agenda](#)

[April 8, 2010 City Council Agenda](#)

# Greenville City Council Agenda

Thursday, March 4, 2010  
7:00 PM  
City Council Chambers

- I. Call Meeting to Order
- II. Invocation - Mayor Pro-Tem Kittrell
- III. Pledge of Allegiance
- IV. Roll Call
- V. Approval of Agenda
- VI. Appointments
  1. Appointments to Boards and Commissions
- VII. New Business

## Public Hearings

2. Ordinance requested by Edwards Community Group to amend the zoning ordinance to establish a new overlay district entitled "Urban Core (UC) Overlay" and standards applicable within the area bound by 10th Street, the CSXT Railroad, 14th Street, and Green Mill Run/ECU easement - Adopted (Ordinance No. 10-19)  
  
Ordinance No. 10-19
3. Ordinance requested by Edwards Communities Development Company to rezone 16.14 acres located along the eastern right-of-way of Charles Boulevard, between 10th and 14th Streets, and west of Rock Spring Subdivision, from OR (Office-Residential) to OR-UC (Office-Residential) with a UC (Urban Core) overlay - Adopted (Ordinance No. 10-20)  
  
Ordinance No. 10-20
4. Ordinance requested by Donnie Eakes to rezone 0.6466 acres located at the southeast corner of the intersection of Airport Road and Old River Road from IU (Unoffensive Industry) to CH (Heavy Commercial) - Adopted (Ordinance No. 10-21)

Ordinance No. 10-21

5. Ordinance requested by Thomas F. Taft, Jr., to amend the zoning regulations to include the use entitled "Hotel, motel, bed and breakfast inn; extended stay lodging" as a special use in the CG (General Commercial) district table of uses - Adopted (Ordinance No. 10-22)

Ordinance No. 10-22

6. Ordinance directing the enforcement officer to remove or demolish the nonresidential building or structure located at 1901 Chestnut Street - Continued to May 2010

Public Comment Period

Other Items of Business

7. Resolution approving a lease agreement with Vietnam Veterans of America, George F. Semick Chapter #272, for property located at 2805 East Second Street known as the Old Police Hut - Adopted (Resolution No. 21) and Approved (Contract No. 650C)

Resolution No. 10-21

Contract No. 650C

Resolution No. 10-21

VIII. Comments from Mayor and City Council

IX. City Manager's Report

X. Adjournment

# Greenville City Council Agenda

Thursday, April 8, 2010  
7:00 PM  
City Council Chambers

- I. Call Meeting to Order
- II. Invocation - Council Member Blackburn
- III. Pledge of Allegiance
- IV. Roll Call
- V. Approval of Agenda
- VI. Special Recognitions
  - Eppes Memorial Public Art Project - Pitt County Arts Council and Eppes Alumni Association
- VII. Appointments
  1. Appointments to Boards and Commissions
- VIII. New Business

## Public Hearings

2. Ordinance requested by Edwards Communities Development Co., LLC, to rezone 0.25 acres located at the southeast corner of the intersection of Lawrence and 11th Streets from OR (Office-Residential [High Density Multi-family]) to OR-UC (Office-Residential [High Density Multi-family]) with an urban core overlay - Adopted (Ordinance No. 10-30)  
  
Ordinance No. 10-30
3. Ordinance requested by Adrian Wike to rezone 5.46 acres located at the northeast corner of the intersection of Belvoir Highway and Sunnybrook Road from RA20 (Residential-Agricultural) and CG (General Commercial) to CH (Heavy Commercial) - Adopted (Ordinance No. 10-31)  
  
Ordinance No. 10-31
4. Ordinance requested by the Redevelopment Commission of Greenville to

rezone 0.59 acres located between Vance and Contentnea Streets and north of West 5th Street from CDF (Downtown Commercial Fringe) and R6 (Residential [High Density Multi-family]) to OR (Office-Residential [High Density Multi-family]) - Adopted (Ordinance No. 10-32)

Ordinance No. 10-32

5. Ordinance requested by the Community Development Department to amend the zoning regulations to include additional Land Use Intensity (LUI) special use permit application submission standards, required findings, and Planning and Zoning Commission consideration criteria - Adopted (Ordinance No. 10-33)

Ordinance No. 10-33

6. Ordinance requested by the Community Development Department to amend various zoning ordinance provisions to include screening, safety barrier, and dwelling unit separation standards for recycling centers and compactors for both multi-family residential and nonresidential development - Adopted (Ordinance No. 10-34)

Ordinance No. 10-34

7. Ordinance to annex Fox Chase, Section 2, Lot 32, involving 0.756 acres located east of Fox Chase Lane, south of Charleston Village, Section 1, Phase 2, and Charleston Village, Section 2, Phase 2, and bounded on the south, east, and west by Fox Chase, Section 2 - Adopted (Ordinance No. 10-35)

Ordinance No. 10-35

8. Updates to the City of Greenville's Manual of Standard Designs and Details - Continued to May 2010
9. Annual Action Plan for HOME Investment Partnership and Community Development Block Grant Programs - Approved (Resolution No. 10-26 and Contract No. 1855)

Resolution No. 10-26

Public Comment Period

Other Items of Business

10. Community Development Block Grant Program subrecipient funding for 2010-2011 - Approved

Item # 11

11. Ordinance amending Chapter 3 of Title 6 (Solid Waste Collection) of the City Code requiring recycling centers at multi-family dwellings - Adopted (Ordinance No. 10-36)

Ordinance No. 10-36

12. Ordinance amending Chapter 3 of Title 6 (Solid Waste Collection) of the City Code to allow the use of compactors at multi-family dwellings - Adopted (Ordinance No. 10-37)

Ordinance No. 10-37

13. Ordinance amending Section 6-3-4 of the City code relating to solid waste receptacles - Adopted (Ordinance No. 10-38)

Ordinance No. 10-38

14. Resolutions establishing state legislative initiatives - Adopted (Resolution Nos. 10-27, 10-28 and 10-29)

15. Contract for Auditing Services - Continued to April 19, 2010

IX. Comments from Mayor and City Council

X. City Manager's Report

XI. Closed Session

XI. Adjournment