Planning & Zoning Board
April 19, 2021
7:00 P.M.
WINTERVILLE TOWN HALL ASSEMBLY ROOM

I. CALL TO ORDER.

II. WELCOME.

III. EXCUSED ABSENCES.

IV. APPROVAL OF AGENDA.

V. APPROVAL OF MINUTES.
   1. MARCH - REGULAR MEETING.

VI. NEW BUSINESS.
   1. REZONING REQUEST - KENNETH SMITH PROPERTY
      (BROOKSTONE, PHASE 2)

VII. REPORTS FROM STAFF.

VIII. COMMENTS FROM BOARD MEMBERS.

IX. ADJOURN.

SPECIAL NOTICE: Anyone who needs an interpreter or special accommodations to participate in the meeting should notify the Town Clerk, Don Harvey at 215-2344 at least forty-eight (48) hours prior to the meeting. (Americans with Disabilities Act (ADA) 1991.)
The Planning and Zoning Board met on the above date at 7:00 PM in the Town Hall Assembly Room, with Chairman Gregory Monroe presiding. The following were present:

Gregory Monroe, Chairman (remote)
Douglas Kilian, Vice Chairman (remote)
Peggy Cliborne, Member (remote)
Margie Crawford, Member
Rondy Fleming, Member (remote)
Darlene Gardner, Member (remote)
Michael Weldin, Member (remote)
Tucker Moore, Alternate Member
Bryan Jones, Planning Director
Donald Harvey, Town Clerk

CALL TO ORDER: Chairman Monroe called the meeting to order.

WELCOME: Chairman Monroe welcomed all Board members and the public to the meeting.

EXCUSED ABSENCES: None.

APPROVAL OF AGENDA:

Motion by Vice Chairman Kilian and second by Member Gardner to approve the Agenda as presented. The poll vote results are as follows: Chairman Monroe-Yes; Vice Chairman Kilian-Yes; Member Cliborne-Yes; Member Crawford-Yes; Member Gardner-Yes; and Member Moore-Yes. Motion carried unanimously, 6-0.

APPROVAL OF MINUTES: Minutes of the February 15, 2021 meeting were provided for approval.

Motion by Vice Chairman Kilian and second by Member Cliborne to approve the February 15, 2021 minutes as presented. The poll vote results are as follows: Chairman Monroe-Yes; Vice Chairman Kilian-Yes; Member Cliborne-Yes; Member Crawford-Yes; Member Gardner-Yes; and Member Moore-Yes. Motion carried unanimously, 6-0.

Member Fleming and Member Weldin joined the meeting remotely prior to the presentation.

NEW BUSINESS:

1. Zoning Ordinance Amendments: Planning Director Jones gave the following presentation:
Zoning Ordinance Amendments

Presenter:
Bryan Jones,
Planning Director

Zoning Ordinance Amendments Summary

- Mini-Warehouses: remove from all zoning districts except Industrial (I) and add “Self-Storage Units” to the use type description for clarification.
- Removed reference to Pitt County (“County of Pitt”) in Section 14.2. This language was still included in the Ordinance from when the County administered building inspections within the Town’s jurisdiction.
- Add language to “SR 23. ABC Sales for On Premise Consumption; Bars” to exclude property within the Central Business District from separation requirements.
- Add “Section 10.5 – Multifamily Residential Design Standards”. This section provides design and configuration requirements for multi-family developments.

Mini-Warehouses

- Mini-Warehouses: remove from all zoning districts except Industrial (I) and add “Self-Storage Units” to the use type description for clarification.
- Character, design, and land use are generally not complementary to residential areas of Town.
- Typically large metal buildings with numerous roll up doors.
- Large buildings with large amounts of impervious surface.
Table of Permitted Uses: Mini-Warehouses

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SR 21. Mini-Warehouse/Self-Storage Units

In the MR Residential District:

Section 14.2 – Zoning Compliance Certificates; Building Permits; Certificates of Occupancy

“The County of Pitt is responsible for the provision of building inspection services within the Corporate limits and within the extraterritorial jurisdiction of the Town of Winterville. Application for a Building Permit and Certificate of Occupancy shall be filed with the Building Inspector.”

- Remove reference to Pitt County (“County of Pitt”) in Section 14.2.
- This language was still included in the Ordinance from when the County administered building inspections within the Town’s jurisdiction.

Section 6.5 – Special Requirements to the Table of Permitted and Special Uses

- Add language to “SR 23. ABC Sales for On Premise Consumption; Bars” to exclude property within the Central Business District from separation requirements.

SR 23. ABC Sales for On Premises Consumption; Bars

- Property Separation: No such establishment shall be located within two hundred (200) feet of a church, elementary or secondary school, public park, or residentially zoned property. Property separation shall not be required in the Central Business District.
Section 6.5 – Special Requirements to the Table of Permitted and Special Uses

SR 23. ABC Sales for On Premises Consumption; Bars

a. Property Separation. No such establishment shall be located within two hundred (200) feet of a church, elementary or secondary school, public park, or residentially zoned property. Property separation shall not be required in the Central Business District.

b. Frontage. The main entrance of the building shall be toward property zoned for nonresidential uses.

c. Parking. Parking areas related to the establishment shall be located no closer than thirty (30) feet to the property line of abutting residentially zoned property.

Article X. Architectural Standards

- Add “Section 10.5 – Multifamily Residential Design Standards”. This section provides design and configuration requirements for multi-family developments.

- Comprehensive Land Use Plan
  - Recommendations and Implementation – Land Use
    - Policy 6: Support Higher Density Housing Options in Strategic Locations.
    - Architectural detail such as front porches, materials, landscaping, sidewalks, greenways, open space or amenities can be part of conditions that help new development fit the character of Winterville.
Policy 5: Maintain and improve neighborhood character.
Strategies:

5.1: Identify, measure, and codify the character of the places that make Winterville special.
- Design guidelines or standards that encourage archetypal vernacular styles and detailing consistent with the streetscape and open space design criteria that help make the built environment distinctive, legible, and desired.

5.2: Encourage open space and amenities in new development.
- Minimize net loss of open space, recreation, and low impact standards for new subdivisions to ensure that the residential needs of new development are met.
- Update Zoning Ordinance to require minimum amounts of open space in new residential developments, particularly those in Subdivision Transition and Urban Neighborhood areas with greenBELTS exceeding 5 dwelling units.
- Consider adopting an incentive to provide additional open space, open space parks or other open space uses.
- Update Zoning Ordinance to encourage connectivity between open space areas.
- In the interest of consistency, open space requirements.

Policy 6: Support higher density housing options in strategic locations.
Strategies:

6.1: Encourage housing options in low-density within walking distance of commercial and mixed use areas.
- Allow for higher density housing in new planned areas of light, shopping, and as an additional use between non-residential core and mixed density housing.
- Update land development regulations to encourage development that mixes a mix of uses and housing types in appropriate zoning districts.
- Consider incentives on required and small-scale attached residential housing in Urban Neighborhood and Employment/Residential Neighborhood areas identified on the Future Land Use Map.
- Allow mid-density development within and near commercial and mixed use areas, including in Employment, Residential, Neighborhood, Regional and Mixed Use Zones.

6.2: Require that higher density developments, townhomes and apartment developments design criteria that emphasizes architectural detail, quality materials, streetscape standards, and sidewalks and open space, landscaping and street trees to improve design and reduce impacts.

RECOMMENDATIONS & IMPLEMENTATION

The Conditional Zoning Process:

"Conditional Zoning" is a legislative process whereby a local government establishes a new zoning district with individualized development standards and development review procedures, rather than adopting a new zoning district as well as additional uses, regulations or conditions that would govern development on the property. The planner also usually conduct a public meeting to gather input from neighbors and community members. The subsequent legislative decision then reflects all relevant information: any adopted plan along with separate examination, comment, etc., the results of the public meeting, the specifics of the proposed conditional rezoning, context of neighboring properties, other considerations, etc.

Conditions may only address any reasonably anticipated impacts that might be reasonably generated by the proposed use and site design of the property. In other words, these must be a realistic means of mitigating the impacts of the proposed site plan and the conditions that seek to mitigate those impacts. Conditions on site development standards may be imposed by the developer's intent, as part of the approval of the zoning board or Town Council. Conditions may address the performance of the proposed development and use of the site and existing local government ordinances and officially adopted plans. For instance, if a local government does not require or regulate schools, trees or open spaces, or other substantial uses in any adopted plan, the imposition of a condition requiring such use would be unreasonable. If the other requirements and conditions are applied reasonably, may not occur or require any form of action that is not otherwise within the ability of local government to require. However, conditions that further established policies (such as the policies and standards adopted in this file), or conditions, could be considered as part of a rezoning request. Any conditions imposed must be reasonably acceptable to the petitioner and the local government and must be accepted in writing.

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Zoning Ordinance Amendments

Section 10.5 Multi-Family Residential Design Standards

A. PURPOSE AND INTENT

These multi-family residential design standards supplement the applicable zoning district and use-specific standards of this Ordinance by providing the minimum requirements for design and configuration of multi-family development within the Town’s planning jurisdiction. They are intended to:

1) Ensure multi-family development takes place in a manner consistent with the contexts, scale, and proportion of surroundings;
2) Promote greater compatibility between new multi-family development and other allowable use types, particularly adjacent residential single-family detached dwellings;
3) Establish expectations for minimum level of quality for multi-family development;
4) Encourage creativity in design and promote individual project identity;
5) Create neighborhoods with enhances architectural and visual interest; and
6) Preserve property values and project public and private investment.
Section 10.5 Multi-Family Residential Design Standards (continued)

B. APPLICABILITY

Except where expressly exempted in writing in this Ordinance, the standards in this section shall apply to the following forms of development:

a. New multi-family dwellings;
b. New triplex and quadplex dwellings; and

c. New multi-unit residential structures within a continuing care retirement community use type; and

d. New assisted living facilities and nursing homes.

D. DESIGN REQUIREMENTS

Development subject to these standards shall be designed in accordance with the following:

1) STREET NETWORK

a. On sites including new streets, an interconnected network of streets shall be provided, to the maximum extent practicable, and streets shall connect to adjacent existing streets outside of the development.
b. Vehicular driveways into a development with 10 or more dwelling units shall be at least 100 feet away from any major intersection, to the maximum extent practicable.
c. Driveways shall be consolidated in order to reduce curb cuts, to the maximum extent practicable.

2) BUILDING ORIENTATION

a. Building that abut streets shall be oriented parallel to the street front rather than being oriented at an angle to the street.
b. On corner lots, the long axis of the building shall be parallel to the longest lot frontage unless such orientation is incompatible with adjacent, existing development along the same street (see Figure 10.5A: Multi-family Building Orientation).
c. Buildings within multiple-building developments shall be clustered in order to define open space recreation areas and development entry points.
Section 10.5 Multi-Family Residential Design Standards (continued)

D. DESIGN REQUIREMENTS

Development subject to these standards shall be designed in accordance with the following:

3) BUILDING ENTRANCES
   a. The facades of building abutting streets shall be configured so that entryways to individual dwelling units or shared entrances face the street.
   b. Access to upper-floor dwelling units shall be obtained from shared internal entries. In no instance shall walkways to individual upper-story dwelling units take place on the exterior of the building.
   c. Individual ground-floor and shared entryways shall be sheltered from the weather either by:
      1) Recessing the entrance at least three feet to the inside of the primary ground floor façade plane; or
      2) Inclusion of an overhead architectural treatment that extends outward at least three feet from the primary façade plane.

4) BUILDING FACADES
   a. Buildings subject to these standards shall maintain a consistent level of architectural detailing and composition on each building façade facing a street.
   b. Building facades facing streets shall provide a minimum of three of the following architectural elements (see Figure 10.5B: Multi-family Building Facades):
Section 10.5 Multi-Family Residential Design Standards (continued)

D. DESIGN REQUIREMENTS

Development subject to these standards shall be designed in accordance with the following:

4) BUILDING FACADES

1. A covered porch or terrace;
2. One or more dormer windows or cupolas;
3. Eyebrow windows;
4. Awnings or overhangs;
5. Decorative moldings;
6. Shutters;
7. Pilasters, posts, or pilasters;
8. One or more bay windows;
9. Multiple windows with wide trim;
10. Corniced parapets;
11. Eaves with wide trim;
12. Integral planters that incorporate landscaped areas and places for sitting.

Figure 10.5.16 - Multi-Family Building Façades

LEGEND

1. Covered Porch or Terrace
2. Dormer Windows or Cupolas
3. Eyebrow Windows
4. Awnings or Overhangs
5. Decorative Moldings
6. Shutters
7. Pilasters, Posts, or Pilasters
8. Bay Windows (Min. 12" Projection)
9. Windows With Minimum 6" Wide Trim
10. Corniced Parapets
11. Eaves With Min. 6" Wide Trim
12. Integral Planters or Seating Areas
Section 10.5 Multi-Family Residential Design Standards (continued)

D. DESIGN REQUIREMENTS

Development subject to these standards shall be designed in accordance with the following:

5) BUILDING CORNERS

Building corners that are adjacent to one or more streets shall include at least one of the following features (see Figure 10.5C: Multi-family Building Corners):

a. A plaza or other gathering space;
b. A shared ground-floor pedestrian entryway;
c. A distinctive roof feature such as a tower, turret, spire, pediment, or other architectural feature with a height above the roofline of adjacent dwelling units;
d. Changes in roof type or pitch from the adjacent building sides; or
e. Upper-story balconies or terraces that wrap both sides of the corner.

Figure 10.5C – MULTI-FAMILY BUILDING CORNERS

LEGEND

- Plaza or Pedestrian Gathering Space
- Ground Floor Pedestrian Entrance
- Distinctive Architectural Feature
- Changes in Roof Type
- Wraparound Balconies or Terraces

D. DESIGN REQUIREMENTS

Development subject to these standards shall be designed in accordance with the following:

6) BUILDING MASSING

a. Upper story façade walls shall not project beyond the ground floor footprint except to accommodate bump-outs with windows.
b. In the case of two-story buildings, the exterior façade walls of the second floor shall be in line with or setback from the first-floor façade walls.
c. In the case of three- (or more) story buildings, upper story façade walls shall be setback from the second or ground-floor façade walls to preserve light and air and avoid casting shadows (see Figure 10.5D: Multi-family Building Massing).
Town of WINTERVILLE
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Zoning Ordinance Amendments

Section 10.5 Multi-Family Residential Design Standards (continued)

D. DESIGN REQUIREMENTS

Development subject to these standards shall be designed in accordance with the following:

7) BUILDING ARTICULATION. (refers to the many street frontage design elements, both horizontal and vertical, that help create a streetscape of interest)

a. Street-facing building facades shall be articulated with wall offsets, in the form of recesses or projections from the primary façade plane, of at least two feet for every 35 linear feet of façade frontage (see Figure 10.5E: Multi-family Façade Articulation).

b. Where provided, projections or recesses shall extend from the grade to the top of the highest story in line with the ground-floor footprint.

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Figure 10.5E – MULTI-FAMILY FAÇADE ARTICULATION

FIGURE 10.5E – MULTI-FAMILY FAÇADE ARTICULATION

LEGEND

1. Primary Façade
2. Minimum 2’ Articulation Every 35 Linear Feet
3. Projections Extend to Top of Highest Story
4. Not a Projection Because Does Not Extend to Highest Story
Section 10.5 Multi-Family Residential Design Standards (continued)

D. DESIGN REQUIREMENTS

Development subject to these standards shall be designed in accordance with the following:

8) ROOF FORM

a. Development shall incorporate roof pitches between 3:12 and 12:12 or shall incorporate parapet walls with a dimensional cornice around a flat roof.
b. Alternative roof forms or pitches are encouraged for small roof sections over porches, entryways, or similar features.
c. Buildings with eaves shall be configured such that no single horizontal eave continues for more than 60 linear feet without being broken up by a gable, building projection, and articulation feature.
d. Buildings with overhanging eaves and roof rakes shall extend at least six inches past supporting walls.

Section 10.5 Multi-Family Residential Design Standards (continued)

D. DESIGN REQUIREMENTS

Development subject to these standards shall be designed in accordance with the following:

9) BUILDING MATERIALS AND COLORS

Configuration

a. The predominate exterior material shall be brick, stone, cementitious, or other masonry material.
b. Buildings subject to these standards shall include at least two primary exterior materials on any single building.
c. Changes in colors and materials shall take place at internal corners or in logical locations, such as: building wings, bays, bump-outs, or recesses (see Figure 10.5 F: Multi-family Building Materials). In no instance shall exterior materials or colors change at outside corners.
d. Heavier or more bulky exterior materials shall be located beneath or below lighter materials.
Section 10.5 Multi-Family Residential Design Standards (continued)

D. DESIGN REQUIREMENTS

Development subject to these standards shall be designed in accordance with the following:

1) SITE FEATURES
   a. Except for nursing homes, development subject to the standards shall not include a gate or obstruction that blocks access to the site for vehicles, bicycles, or pedestrians.
   b. Off-street parking serving guests shall be evenly distributed throughout the development.
   c. Shared refuse collection containers shall be evenly distributed throughout the development or be centrally located.
   d. Detached garages or carports shall not be located between a principal building and the street in faces.
   e. Utilities shall be provided underground, and utility vaults shall be clustered in areas outside of required landscaping.
Board Members and Staff discussed the particulars of the amendments and the impact on certain areas of the Town. Member Gardner asked if any notifications had been made to the public. Planning Director Jones noted that none are required at this level. Member Gardner said that it would be a courtesy to notify those impacted.

Board Members and Staff discussed the particulars of different types of architectural features and materials.

Vice Chairman Kilian asked about green plantings. Planning Director Jones noted planting provisions are located in the existing subdivision ordinance.

Chairman Monroe ask for further questions. There being none, what is the pleasure of the Board?

Motion by Member Moore and second by Member Fleming to approve the Zoning Ordinance Amendments. The poll vote results are as follows: Chairman Monroe-Yes; Vice Chairman Kilian-Yes; Member Cliborne-Yes; Member Crawford-Yes; Member Fleming-Yes; Member Gardner-Yes; Member Weldin-Yes; and Member Moore-Yes. Motion carried unanimously, 8-0.

REPORTS FROM STAFF:

Chairman Monroe ask for reports from staff. Planning Director Jones reported the following items:

- Monthly Reports
- Upcoming Projects/Activities:
  - Subdivision Ordinance Amendments – 160D Updates, Map Submittal Requirements, General Formatting
  - Zoning Ordinance Amendments – Design Standards for High Density Development, Table of Permitted Uses, Central Business District Regulations
To: Town Council

From: Bryan Jones, Planning Director

Date: March 1, 2021

Re: Monthly Report

Please find below a summary of the projects, tasks, and issues the Planning Department has been working on during the month of February 2021.

<table>
<thead>
<tr>
<th>ZONING COMPLIANCES</th>
<th>Total = 14</th>
<th>YTD (2020) = 26</th>
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<tr>
<td>New Single-Family Residential</td>
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<tr>
<td>Accessory Structures</td>
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<td>New Business</td>
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<td>Residential Fence</td>
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<td>Additions/Pools/Other</td>
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Other Activities/Projects

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<tr>
<th>Event</th>
<th>Date</th>
<th>Details</th>
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<tbody>
<tr>
<td>Technical Review Committee</td>
<td>2/2/2021</td>
<td>Eli’s Ridge, Phases 1 &amp; 3 Final Plat; Villa Grande, Phase 2 Final Plat</td>
</tr>
<tr>
<td>Town Council Meeting</td>
<td>2/8/2021</td>
<td>Eli’s Ridge, Phases 1 and 3 (Storm Water Detention Area) – Annexation Set Public Hearing (Approved)</td>
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<td>ECU Planning Reaccreditation Meeting</td>
<td>2/9/2021</td>
<td>Alumni met with the Planning Accreditation Board to discuss ECU Planning Program accreditation</td>
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<tr>
<td>Planning and Zoning Board Meeting</td>
<td>2/15/2021</td>
<td>Eli’s Ridge, Phases 1 and 3 Final Plat – Recommended Approval; Villa Grande, Phase 2 Final Plat – Recommended Approval</td>
</tr>
<tr>
<td>Board of Adjustment Meeting</td>
<td>2/16/2021</td>
<td>Zoning Violation Appeal – Internet Sweepstakes, 109 W. Fire Tower Road – BOA upheld Zoning Violation</td>
</tr>
<tr>
<td>Greenville Urban Area MPO TCC Meeting</td>
<td>2/17/2021</td>
<td>TCC met to discuss transportation projects</td>
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<td>NC Association of Zoning Officials Workshop</td>
<td>2/22/21—2/23/21</td>
<td>Attended Virtual Mid-Winter Workshop</td>
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<tr>
<td>Pitt County Comp Transportation Plan Steering Committee Meeting</td>
<td>2/22/2021</td>
<td>Discussed draft Vision Statement and Goals/Objectives of the plan</td>
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COMMENTS FROM BOARD MEMBERS:

Chairman Monroe asked if there were any comments from members of the Board.

Vice Chairman Kilian asked how the vacant Board members will be replaced and where applications are available. Planning Director Jones noted that interested individuals can contact him or Town Clerk Harvey to obtain an application, then Town Council will appoint vacant positions on the Board. Vice Chairman Kilian also asked about the development on Chapman Street where the property is for sale. Planning Director Jones said the developer is applying for funds again and all provisions put on the property will follow future owners.

ADJOURN:

Chairman Monroe requested a motion to adjourn.

Motion by Member Cliborne and second by Member Weldin to adjourn the meeting. The poll vote results are as follows: Chairman Monroe-Yes; Vice Chairman Kilian-Yes; Member Cliborne-Yes; Member Crawford-Yes; Member Fleming-Yes; Member Gardner-Yes; Member Weldin-Yes; and Member Moore-Yes. Motion carried unanimously, 8-0. Meeting adjourned at 7:57 pm.

Adopted this the 19th day of April 2021.

Gregory Monroe, Chairman

ATTEST:

Donald Harvey, Town Clerk
### Item to be Considered

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<tr>
<th>Subject:</th>
<th>Kenneth Smith Property (Brookstone, Phase 2) – Rezoning Request (Parcel 70650)</th>
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<td>Action Requested:</td>
<td>Consider the Rezoning Request</td>
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<tr>
<td>Attachments:</td>
<td>Rezoning Application, Rezoning Map, Legal Description, Notification to Adjacent Property Owners, Staff Report</td>
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**Prepared By:** Bryan Jones, Planning Director  
**Date:** 3/30/2021

### Supporting Documentation

**Applicant:** Kenneth Smith.

**Location:** Church Street Ext south of its intersection with Park Road. Phase 2 of Brookstone Subdivision.

**Parcel Number:** 706507  
**Site Data:** 27.05 acres

**Current Zoning District:** R-15 CUD  
**Proposed Zoning District:** R-10

- Adjacent property owners were mailed notification of the rezoning request on March 30, 2021.
- Notification was posted on the site on March 26, 2021.

**Budgetary Impact:** N/A

**Recommendation:** Staff recommends approval of the Rezoning Request
OWNERSHIP INFORMATION:

Applicant: Kenneth Smith
Address: 1558 NC 102 East, Ayden, NC 28513
Phone #: 252-746-2729

Owner: Kenneth Smith Properties, Inc.
Address: 1558 NC 102 East, Ayden, NC 28513
Phone #: 252-746-2729

PROPERTY INFORMATION

Parcel #: 70650 Area (square feet or acres): 27.05 acres

Current Land Use: Vacant Woodland and Farm Land

Location of Property: Church Street Extension

ZONING REQUEST

Existing Zoning: AR Requested Zoning: 10

Reason for zoning change: To allow development of a subdivision for construction of single family residences with dimensional standards compliant with the R10 zone.

This application shall be accompanied by the following items:

- A map drawn to a scale of not less than 400 feet to the inch and not more than 20 feet to the inch showing the land covered by the proposed amendment;
- A legal description of the property;
- A list of the names and addresses of all owners of property involved in the map change and all adjoining property owners as shown on County tax records;
- A filing fee according to a regularly adopted Fee Schedule of the Town.
OWNER/AGENT STATEMENT

I, Kenneth Smith, being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for October/19/2020.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

Signature [Signature]

Date 3/15/21

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

I, _________________________________, being the Owner of the property described herein, do hereby authorize _________________________________ as agent for the purpose of this application.

Signature ____________________________

Date ________________________________

Sworn to and subscribed before me, this __________ day of __________________, 20___.

____________________________________
Notary Public

My Commission Expires:

____________________________________

Page 2 of 3
Legal Description for Rezoning
KENNETH SMITH PROPERTIES, INC.
PN 70650

Lying and being in Winterville Township, Pitt County, North Carolina, lying north of NCSR 1131 Reedy Branch Road, east of NCSR 1149 Old NC Highway 11, and being bounded on the north and east by Chapel Hill Foundation Real Estate Holdings, Inc. (Deed Book 3448, Page 378), on the south by Wayland Hunsucker (Deed Book 3987, Page 859) and David A. Evans, Jr. (Deed Book 1825, Page 860 and Deed Book 1159, Page 525), on the west by NCSR 1714 Church Street Extension and Brookstone Subdivision, Phase 1 (Map Book 68, Page 158) and being more particularly described as follows:

Beginning at a point on the eastern right-of-way of NCSR 1714 Church Street Extension, said point being the southernmost corner of the Brookstone Subdivision, Phase 1 as recorded in Map Book 68, Page 158, the southwest corner of the area labeled “Stormwater Detention Pond”, the True Point of Beginning.

Thence from the True Point of Beginning, leaving the eastern right-of-way of NCSR 1714 Church Street Extension and following the eastern boundary of Brookstone Subdivision, Phase 1 the following calls: N81-42-46E – 215.96’, thence N48-19-31E – 969.97’, thence N37-02-47E – 159.62’, thence leaving the boundary of Brookstone Subdivision, Phase 1 and following the southwestern boundary of Chapel Hill Foundation Real Estate Holdings, Inc the following calls: S67-37-12E – 36.20’, thence S87-34-33E – 511.95’, thence S26-47-13E – 1300.25’ to a point in the centerline of a ditch, the northern line of Wayland Hunsucker (Deed Book 3987, Page 859), thence along the centerline of the ditch the following calls: N81-35-04W – 113.46’, thence N69-52-19W – 139.46’, thence N67-09-46W – 292.02’, thence N65-09-13W – 120.22’, thence N59-30-20W – 111.63’, thence N71-30-23W – 231.76’, thence S80-31-11W – 221.53’, thence S84-40-30W – 146.80’, thence N86-40-36W – 146.54’, thence S85-57-00W – 594.71’ to a point in the David A. Evans, Jr. property (Deed Book 1159, Page 525), thence continuing along the ditch N54-13-26W – 161.68’ to the eastern right-of-way of NCSR 1714 Church Street Extension, thence leaving the ditch and following the eastern right-of-way of Church Street Extension N17-33-38E – 24.41’ to the True Point of Beginning, containing 27.05 Acres and being the property recorded in Deed Book 1940, Page 846 of the Pitt County Registry and being all of Tax Parcel 70650 as filed with the Pitt County Tax Accessor’s Office.

[Signature]
Professional Land Surveyor
L. 4146
Date 3-15-21

[Seal]
NOTICE IS HEREBY GIVEN that the Winterville Planning and Zoning Board will meet on Monday, April 19, 2021 at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, in order to consider the following request:

Kenneth Smith has submitted a rezoning application to rezone Parcel 70650 (27.05 Acres) as shown on the attached map from R-15 CUD to R-10. The R-10 Residential District is a quiet, medium density neighborhood consisting of single-family residences along with limited home occupations and private and public community uses.

Copies of the Zoning Ordinance and Map are on file at the Planning Department Office in the Town Tall and are available for public inspection by contacting bryan.jones@wintervillenc.com or the Winterville Planning Department at (252) 215-2358 or at wintervillenc.com.

**The Town of Winterville will be keeping measures in place in an ongoing effort to mitigate the spread of COVID-19. These measures include barring physical attendance at the meeting, employing social distancing, and implementing remote participation. The public is encouraged to watch the meeting live on YouTube (www.wintervillenc.com/videos). Those that wish to address the Planning and Zoning Board during the meeting should contact the Town Clerk at (252) 215-2344 to register by one business day before the meeting at 5:00 p.m. The public may submit written comments to the Town Clerk’s office, 2571 Railroad Street, Winterville, NC 28590, or via email to don.harvey@wintervillenc.com. Please include your name and address.**
# Town of Winterville Planning Department
## Zoning Staff Report

### GENERAL INFORMATION

<table>
<thead>
<tr>
<th><strong>APPLICANT</strong></th>
<th>Kenneth Smith Properties, Inc</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HEARING TYPE</strong></td>
<td>Rezoning Request</td>
</tr>
<tr>
<td><strong>REQUEST</strong></td>
<td>R-15 CUD to R-10</td>
</tr>
<tr>
<td><strong>CONDITIONS</strong></td>
<td>n/a</td>
</tr>
<tr>
<td><strong>LOCATION</strong></td>
<td>Church Street Extension south of its intersection with Park Road</td>
</tr>
<tr>
<td><strong>PARCEL ID NUMBER(S)</strong></td>
<td>70650</td>
</tr>
<tr>
<td><strong>PUBLIC NOTIFICATION</strong></td>
<td>Adjacent property owners were mailed notification of the rezoning request on March 30, 2021. Notification was posted on site on March 26, 2021. 36 properties were mailed notification.</td>
</tr>
<tr>
<td><strong>TRACT SIZE</strong></td>
<td>27.05 acres</td>
</tr>
<tr>
<td><strong>TOPOGRAPHY</strong></td>
<td>Flat</td>
</tr>
<tr>
<td><strong>VEGETATION</strong></td>
<td>Partially Cleared / Agricultural; Partially Wooded</td>
</tr>
</tbody>
</table>

### SITE DATA

<table>
<thead>
<tr>
<th><strong>EXISTING USE</strong></th>
<th>Agricultural / Vacant</th>
</tr>
</thead>
</table>

### ADJACENT PROPERTY

<table>
<thead>
<tr>
<th><strong>ADJACENT PROPERTY</strong></th>
<th><strong>ZONING</strong></th>
<th><strong>ADJACENT LAND USE</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>N</td>
<td>AR</td>
<td>Wooded</td>
</tr>
<tr>
<td>E</td>
<td>AR</td>
<td>Wooded/Agricultural</td>
</tr>
<tr>
<td>W</td>
<td>R-15</td>
<td>Residential</td>
</tr>
<tr>
<td>S</td>
<td>R-20/AR</td>
<td>Residential/Wooded</td>
</tr>
</tbody>
</table>

### ZONING DISTRICT STANDARDS

<table>
<thead>
<tr>
<th><strong>DISTRICT SUMMARIES</strong></th>
<th><strong>EXISTING</strong></th>
<th><strong>REQUESTED</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ZONING DISTRICT DESIGNATION</strong></td>
<td><strong>R-15 CUD</strong></td>
<td><strong>R-10</strong></td>
</tr>
<tr>
<td><strong>MAX DENSITY</strong></td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td><strong>TYPICAL USES</strong></td>
<td>Low-density; single-family residential; limited home occupations.</td>
<td>Medium Density; single-family residential; limited home occupations.</td>
</tr>
</tbody>
</table>
SPECIAL INFORMATION

<table>
<thead>
<tr>
<th>OVERLAY DISTRICT</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENVIRONMENTAL / SOILS</td>
<td>Potential wetlands</td>
</tr>
<tr>
<td>FLOODPLAIN</td>
<td>N/A</td>
</tr>
<tr>
<td>STREAMS</td>
<td>Stream feature located along western and southern property lines (50’ Riparian Buffer along tributary off of Swift Creek).</td>
</tr>
<tr>
<td>OTHER</td>
<td>If &gt;1 acre is disturbed, site must meet Phase 2 stormwater requirements and provide Soil Erosion and Sedimentation Control Permit</td>
</tr>
<tr>
<td>SITE PLAN REQUIREMENTS</td>
<td>Subdivision plan required</td>
</tr>
</tbody>
</table>

**These regulations may not reflect all requirements for all situations. See the Town of Winterville Zoning Ordinance for all applicable regulations for site requirements for this zoning district.

LANDSCAPING & BUFFER REQUIREMENTS

Development must meet requirements of the Zoning Ordinance (Article X-A. Vegetation and Buffering Requirements).

TRANSPORTATION

<table>
<thead>
<tr>
<th>STREET CLASSIFICATION</th>
<th>Church Street Ext – NCDOT Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>SITE ACCESS</td>
<td>All access must be designed and constructed to meet the Town of Winterville / NCDOT standards.</td>
</tr>
<tr>
<td>TRAFFIC COUNTS</td>
<td>Church Street Ext – 180</td>
</tr>
<tr>
<td>(per NCDOT Annual Average Daily Traffic Map)</td>
<td></td>
</tr>
<tr>
<td>TRIP GENERATION</td>
<td>N/A</td>
</tr>
<tr>
<td>SIDEWALKS</td>
<td>Required.</td>
</tr>
<tr>
<td>TRAFFIC IMPACT STUDY (TIS)</td>
<td>TBD</td>
</tr>
<tr>
<td>STREET CONNECTIVITY</td>
<td>N/A</td>
</tr>
<tr>
<td>OTHER</td>
<td>N/A</td>
</tr>
</tbody>
</table>
IMPACT ANALYSIS

Land Use Compatibility

The proposed R-10 zoning district would allow land uses that are compatible with the general character of the area.

Town of Winterville Comprehensive Land Use Plan Policies

The Future Land Use Map designates this property as a Suburban Residential character area. The requested R-10 District zoning district is generally consistent with this character area as defined by the future land use designation.

Comprehensive Land Use Plans - Recommendations & Implementation

Suburban Residential - General Character:
- Low to medium density single family residential. This land use type was identified as one that is appropriate and valued. This flexible land use type is appropriate for many parts of the planning area.

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is encouraged to discuss this proposed rezoning with owners of surrounding properties.

Staff Analysis

The 27.05 acre property is currently being used for agriculture. The property North of the request is zoned AR and is wooded. West of the request is zoned R-15 CUD and is a single-family subdivision (Brookstone). South of the request is zoned R-20 and is a single-family subdivision (Colonial Woods). East of the request is zoned AR and is primarily agricultural but is also partially wooded.

The R-10 District rezoning request is consistent with the intent and purpose of the Zoning Ordinance, the Future Land Use Plan and is generally compatible with the existing development and trends in the surrounding area. With the density in the existing section of Brookstone, the R-10 zoning district would be within the recommended density for the overall subdivision.

Staff Recommendation

Staff recommends approval of the rezoning request for the 27.05 acres from R-15 to R-10.
To: Planning and Zoning Board

From: Bryan Jones, Planning Director

Date: March 31, 2021

Re: Monthly Report

Please find below a summary of the projects, tasks and issues the Planning Department has been working on during the month of March 2021.

<table>
<thead>
<tr>
<th>ZONING COMPLIANCES</th>
<th>Total = 23</th>
<th>YTD (2020) = 49</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Single-Family Residential</td>
<td>8</td>
<td>17</td>
</tr>
<tr>
<td>Accessory Structures</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>New Business</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Residential Fence</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Additions/Pools/Other</td>
<td>9</td>
<td>17</td>
</tr>
</tbody>
</table>

Other Activities/Projects

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenville Urban Area MPO TAC Meeting</td>
<td>3/3/2021</td>
<td>TAC met to discuss and approve transportation projects and work program.</td>
</tr>
<tr>
<td>Town Council Meeting</td>
<td>3/8/2021</td>
<td>Eli’s Ridge, Phases 1 and 3 (Storm Water Detention Area) - Annexation: PH (Approved) Eli’s Ridge, Phases 1 and 3 Final Plat – Approved: Villa Grande, Phase 2 Final Plat – Approved</td>
</tr>
<tr>
<td>Greenville Urban Area MPO TAC Meeting</td>
<td>3/9/2021</td>
<td>TAC met to officially approve action items from March 3, 2021 meeting (lacked quorum).</td>
</tr>
<tr>
<td>Pitt County Comprehensive Transportation Plan Steering Committee</td>
<td>3/22/2021</td>
<td>Vision Statement and Goals/Objectives, public input survey, and Highway Facility Types Map.</td>
</tr>
</tbody>
</table>