



# Agenda

## Greenville City Council

June 11, 2009  
7:00 PM  
City Council Chambers  
200 West Fifth Street

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

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**I. Call Meeting To Order**

**II. Invocation - Council Member Kittrell**

**III. Pledge of Allegiance**

**IV. Roll Call**

**V. Approval of Agenda**

**VI. Special Recognitions**

- Greenville Area Transit (GREAT) Safety Award

**VII. Appointments**

1. Appointments to boards and commissions

**VIII. New Business**

**Public Hearings**

2. Ordinance requested by the Lampe Company to amend the Future Land Use Plan Map for the area described as being located at the northeast corner of the intersection of Arlington Boulevard and the Seaboard Coastline Railroad, containing 1.5± acres, from an "Office/Institutional/Multi-family" category to a "Commercial" category
3. Ordinance requested by the Community Development Department to rezone 2.577± acres located between 8th and 9th Streets and between Evans and Cotanche Streets from OR (Office-

Residential [High Density Multi-family]) and CDF (Downtown Commercial Fringe) to CD (Downtown Commercial)

4. Ordinance to annex FMM Partnership property containing 0.23± acres located north of NC Highway 43 near its intersection with B's Barbecue Road
5. Ordinance revoking the taxicab franchises for Frank Peterson DBA Eagle Cab Company and Walter Kenneth Koehl DBA Ken's Cab Company
6. Resolution authorizing a Section 5307 Grant Application for federal operating and capital assistance for Greenville Area Transit
7. Resolution authorizing a Section 5309 Grant Application for federal funds allocated for the Greenville Intermodal Transportation Center
8. Ordinance requiring the repair or the demolition and removal of the dwelling located at 1108 Douglas Avenue
9. Ordinance requiring the repair or the demolition and removal of the dwelling located at 111 Raleigh Avenue
10. Ordinance requiring the repair or the demolition and removal of the dwelling located at 1610 Beatty Street
11. Ordinance requiring the repair or the demolition and removal of the dwelling located at 610 Griffin Street
12. Ordinance requiring the repair or the demolition and removal of the dwelling located at 704 Fleming Street
13. Ordinance requiring the repair or the demolition and removal of the dwelling located at 805 Bancroft Avenue

### **Public Comment Period**

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

### **Other Items of Business**

14. Ordinances adopting fiscal year 2009-2010 budgets for the City of Greenville including Sheppard Memorial Library and Greenville-Pitt County Convention & Visitors Authority, and Greenville Utilities Commission

15. Reallocation of Capital Improvement Program Funds
16. Redevelopment Commission work plan and budget for fiscal year 2009-2010
17. Railroad switching yard project agreement
18. Request by Trinit House of Restoration and POHL, LLC for waiver of voluntary annexation as a condition of sanitary sewer service to a future 2.04± acre lot located on Industrial Boulevard, being a portion of tax parcel number 77450
19. Brownfields Assessment Grant for the West Greenville Certified Redevelopment Area
20. Affirmative Marketing Policy for Equal Housing Opportunity
21. Establishment of fair market value for 112 West Moore Street

**IX. Comments from Mayor and City Council**

**X. City Manager's Report**

**XI. Adjournment**



# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

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**Title of Item:** Appointments to boards and commissions

**Explanation:** City Council appointments or reappointments need to be made to the Board of Adjustment, Community Appearance Commission, Firefighters' Relief Fund Committee, Pitt-Greenville Convention and Visitors Authority, and Recreation and Parks Commission. The County makes the nomination for the appointment for the Greenville Utilities Commission County member, and John Paylor will be automatically reappointed (in accordance with Charter).

**Fiscal Note:** No fiscal impact.

**Recommendation:** Make appointments or reappointments to the Board of Adjustment, Community Appearance Commission, Firefighters' Relief Fund Committee, Greenville Utilities Commission, Pitt-Greenville Convention and Visitors Authority, and Recreation and Parks Commission.

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[Appointments To Boards and Commissions City Council Meetings Agenda Deadline Material 138519](#)



# Appointments To Boards and Commissions

June 11, 2009

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## Board of Adjustment

**Council Liaison:** Council Member Calvin Mercer

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Charles Ewen	Filling unexpired term	Eligible	June 2009
John Hutchens	First term	Eligible	June 2009
Scott Shook	Filling unexpired term	Eligible	June 2009
Louis Treole (Alternate #3)	Filling unexpired term	Resigned	June 2010

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## Community Appearance Commission

**Council Liaison:** Council Member Larry Spell

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Jane Cartwright	Filling unexpired term	Eligible	April 2009
Ben Deck	Filling unexpired term	Did not meet attendance requirements	July 2010
Brian Griffith	Filling unexpired term	Did not meet attendance requirements	July 2010
Albrecht McLawhorn	First term	Eligible	April 2009
Robert Waddell	Filling unexpired term	Did not meet attendance requirements	July 2009

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## Firefighters' Relief Fund Committee

**Council Liaison:** N/A

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Wanda Elks	Appointed by Council	Ineligible	January 2010

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## Greenville Utilities Commission

**Council Liaison:** Council Member At-Large Bryant Kittrell

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Lynn Evans (County)	Second term	Ineligible	June 2009
John Paylor (City)	First term	Eligible	June 2009

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**Pitt-Greenville Convention and Visitors Authority**

**Council Liaison:** Mayor Pro-Tem Mildred A. Council

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Joseph Fridgen (City)	First term	Eligible	July 2009
Robert Sheck (County)	Filling unexpired term	Eligible	July 2009

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**Recreation and Parks Commission**

**Council Liaison:** Council Member Larry Spell

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Billy All	Filling unexpired term	Eligible	June 2009
Seth Shoneman	Filling unexpired term	Eligible	June 2009
Sandra Steele	First term	Eligible	June 2009

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## Applicants for Board of Adjustment

Susan Bailey  
203 Crown Point Road  
Greenville, NC 27858

756-1559

**Application Date:** 2/11/2009

Deryck Steven Wilson  
1203 Franklin Drive  
Greenville, NC 27858

714-5950

**Application Date:** 11/7/2008

## Applicants for Community Appearance Commission

Bradley Ingalls  
102 Woodberry Drive  
Greenville, NC 27858  
353-5156  
**Application Date:** 4/8/2009

Jeffrey Johnson  
2008 Pinecrest Drive  
Greenville, NC 27858  
355-0644  
**Application Date:** 2/12/2009

Wayne M. Whipple  
3102 Cleere Court  
Greenville, NC 27858  
321-0611  
**Application Date:** 3/9/2009

# Applicants for Firefighters' Relief Fund Committee

None

## Applicants for Greenville Utilities Commission

Charles H. Farley 206 Oxford Road Greenville, NC 27858	355-6474	<b>Application Date:</b> 2/12/2009
Corey Rhodes 3911 Sterling Pointe Drive, #006 Winterville, NC 28590	916-4523	<b>Application Date:</b> 2/11/2009
Reginald Wade Watson 211 Pin Oak Court Greenville, NC 27834	355-3380	<b>Application Date:</b> 3/30/2009
Don M. Wilkerson 3714 Cantata Drive Greenville, NC 27834	355-7331	<b>Application Date:</b> 3/5/2009

## Applicants for Pitt-Greenville Convention and Visitors Authority (City of Greenville)

Vondia Clary-Huff 1055 Waterford Commons Drive Greenville, NC 27834	<b>Application Date:</b> 11/10/2008  341-6667	<b>Occupation:</b> General Manager Candlewood Suites
Charles Farley 206 Oxford Road Greenville, NC 27858	<b>Application Date:</b> 2/12/2009  355-6474	<b>Occupation:</b> Electrical Engineer Voice of America
Mary Fedash 3223 Meeting Place Greenville, NC 27858	<b>Application Date:</b> 10/20/2008  jmfedash@suddenlink.net	<b>Occupation:</b> Bookkeeper, Pitt County Schools
Carlton Floyd 104 East Catawba Road Greenville, NC 27834	<b>Application Date:</b> 7/25/2008  757-3302	<b>Occupation:</b> Retired Teacher Pitt County Schools
Jeffrey Johnson 2008 Pinecrest Drive Greenville, NC 27858	<b>Application Date:</b> 2/12/2009  355-0644	<b>Occupation:</b> Owner, 4 C's Group, Inc.
Terry King 1310 Thomas Langston Rd., Unit #7 Winterville, NC 28590	<b>Application Date:</b> 2/18/2009  321-6996	<b>Occupation:</b> Unemployed – Workforce Reduction
Richard Weir 2074-3 Old Fire Tower Road Greenville, NC 27858	<b>Application Date:</b> 10/10/2008  531-8817	<b>Occupation:</b> Night Manager, Travelodge of Greenville

## Applicants for Recreation and Parks Commission

Paul C. Anderson 3704 Tucker Dr. Greenville, NC 27858	752-6880	<b>Application Date:</b> 10/21/2008
Martha Brown 2780 Stantonsburg Rd., Apt 2C Greenville, NC 27834	551-9921	<b>Application Date:</b> 1/13/2009
Mary Fedash 3223 Meeting Place Greenville, NC 27858	<a href="mailto:jmfedash@suddenlink.net">jmfedash@suddenlink.net</a>	<b>Application Date:</b> 10/20/2008
Joseph P. Flood 1919 Sherwood Drive Greenville, NC 27858	353-9915	<b>Application Date:</b> 2/10/2009
Carlton Floyd 104 East Catawba Road Greenville, NC 27834	757-3302	<b>Application Date:</b> 7/25/2008
Jeffrey Johnson 2008 Pinecrest Drive Greenville, NC 27858	355-0644	<b>Application Date:</b> 2/12/2009
L. H. Zincone 1730 Beaumont Drive Greenville, NC 27858	756-0071	<b>Application Date:</b> 8/15/2008





# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Ordinance requested by the Lampe Company to amend the Future Land Use Plan Map for the area described as being located at the northeast corner of the intersection of Arlington Boulevard and the Seaboard Coastline Railroad, containing 1.5± acres, from an "Office/Institutional/Multi-family" category to a "Commercial" category

**Explanation:** **History/Background:**

The subject property was zoned RA20 on the 1969 series zoning map. In 1978, the property was rezoned from RA20 to OR.

**Comprehensive Plan:**

The subject site is located in Vision Area F.

Arlington Boulevard is designated as a connector corridor from West Fifth Street continuing south. Connector corridors are anticipated to contain a variety of higher intensive activities and uses.

The Future Land Use Plan Map recommends office/institutional/multi-family (OIMF) along the northern right-of-way of Arlington Boulevard in the transition area west of the Evans Street intermediate focus area.

There is a recognized intermediate focus area at the intersection of Arlington Boulevard and Evans Street within which commercial activity is encouraged. The anticipated build-out of such focus areas is anticipated to be between 50,000 - 150,000 square feet of conditioned floor space.

**Environmental Conditions/Constraints:**

There are no known environmental constraints.

**Surrounding Land Uses and Zoning:**

North: OR - Arlington (mini) Self-Storage (previously allowed in OR per special use permit of the Board of Adjustment)  
South: OR and CG - University Suites (171 student housing units); Vacant 4.5 acre commercial tract  
East: CG - Vacant lot(s) abutted by office/commercial use (Wandsworth Commons)  
West: OR - Railroad R/W and current switching yard, J. H. Rose High School

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

Based on possible uses in the requested land use plan category, the proposed category could generate 515 trips to and from the site on Arlington Boulevard, which is a net increase of 250 additional trips per day.

During the review process, measures to mitigate traffic will be determined. These measures may include turn lane modifications on Arlington Boulevard and may require traffic signal modification at the signalized intersection of Arlington Boulevard and Evans Street. Access to the tract from Arlington Boulevard will be reviewed.

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

**Recommendation:** The current land use plan map recommends lower intensity uses in this corridor extending west from the Evans Street focus area. At the time of adoption in 2004, the intent of the plan was to restrict high traffic generators in close proximity of the school and railroad crossing – due to the existing and anticipated conflicts. Continued protection of the school’s interests is the primary concern.

The applicant and school board representatives have discussed the proposed amendment to allow commercial development at this site and, based on private considerations, the school board has submitted a letter in support of the change. In consideration of the school board’s determination and position in support of the request, staff is of the opinion that the proposed change is not a significant deviation from the current land use pattern and the existing use and zoning on adjacent properties located east of the railroad.

Staff therefore has no objection to the proposed change from an office to a commercial category at this location.

The Planning and Zoning Commission at its April 21, 2009, meeting voted to approve the request.

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**Attachments / click to download**

- [📎 Location Map](#)
  - [📎 Ordinance for Lampe Co. Inc. 824007](#)
  - [📎 Rezoning case 09 01 Lampe Company 822853](#)
  - [📎 Excerpt from 04 21 09 minutes for Lampe Company 825826](#)
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ORDINANCE NO. 09-\_\_\_\_\_  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE  
AMENDING HORIZONS: GREENVILLE'S COMMUNITY PLAN

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on June 11, 2009 at 7:00 p.m. in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the Future Land Use Plan Map for the following described territory;

WHEREAS, the Horizons: Greenville's Community Plan was adopted on January 9, 1992 by the Greenville City Council per ordinance 2412; and

WHEREAS, the Horizons: Greenville's Community Plan will from time to time be amended and portions of its text clarified by the City Council; and

WHEREAS, Future Land Use Plans are to be prepared to expand and clarify portions of the Horizons: Greenville's Community Plan; and

WHEREAS, the City Council of the City of Greenville has per ordinance no. 97-73 adopted the Greenville Future Land Use Plan Map and associated text dated June 4, 1997 as an amendment to the Horizons: Greenville's Community Plan; and

WHEREAS, the City Council of the City of Greenville has per ordinance no. 04-10 amended the Horizons: Greenville's Community Plan and Future Land Use Plan Map pursuant to the 2004 Update; and

WHEREAS, the Planning and Zoning Commission and the City Council have reviewed the Future Land Use Plan Map and a public hearing has been held to solicit public comment.

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

Section 1. The Future Land Use Plan Map is hereby amended by re-designating from an "Office/Institutional/Multi-family" category to a "Commercial" category the area described as being located at the northeast corner of the intersection of Arlington Boulevard and the Seaboard Coastline Railroad with 315± feet of frontage along Arlington Boulevard and a depth of 210± feet, containing approximately 1.5 acres.

Section 2. That the Director of Community Development is directed to amend the Future Land Use Plan Map of the City of Greenville in accordance with this ordinance.

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

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

ADOPTED this 11<sup>th</sup> day of June, 2009.

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Patricia C. Dunn, Mayor

ATTEST:

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Wanda T. Elks, City Clerk

#824007

**Case No:** 09-01

**Applicant:** The Lampe Company, Inc

**Property Information**

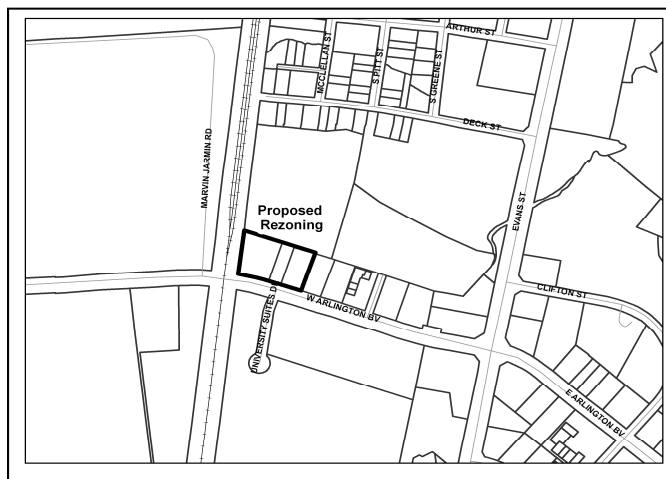
**Current Zoning:** Office/Institutional/Multi-Family (OIMF)

**Proposed Zoning:** Commercial ( C )

**Current Acreage:** 1.5 acres

**Location:** Arlington Blvd

**Points of Access:** Arlington Blvd



**Location Map**

**Transportation Background Information**

**1.) Arlington Blvd.- City maintained**

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4 lanes	6 lanes
Right of way width (ft)	80	100
Speed Limit (mph)	35	35
<b>Current ADT:</b>	32,900 (*)	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	

**Other Information:** There are sidewalks along Arlington Blvd. that service this property.

**Notes:** (\*) 2006 NCDOT count adjusted for a 2% annual growth rate  
 (\*\*) Traffic volume based an operating Level of Service D for existing geometric conditions  
 ADT – Average Daily Traffic volume

**Transportation Improvement Program Status:** No planned improvements.

**Trips generated by proposed use/change**

**Current Zoning: 265** -vehicle trips/day (\*)                      **Proposed Zoning: 515** -vehicle trips/day (\*)

**Estimated Net Change: increase of 250 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 Arlington Blvd. are as follows:**

**1.) Arlington Blvd. , East of Site:**                      **“No build” ADT of 32,900**

Estimated ADT with Proposed Zoning (full build) – 33,158  
 Estimated ADT with Current Zoning (full build) – 33,033  
**Net ADT change = 125 (<1% increase)**

**2.) Arlington Blvd. , West of Site:****“No build” ADT of 32,900**

Estimated ADT with Proposed Zoning (full build) – 33,158

Estimated ADT with Current Zoning (full build) – 33,033**Net ADT change = 125 (<1% increase)****Staff Findings/Recommendations**

Based on possible uses permitted by the requested land use plan category, the proposed category could generate 515 trips to and from the site on Arlington Blvd., which is a net increase of 250 additional trips per day.

During the review process, measures to mitigate the traffic will be determined. These measures may include turn lane modifications on Arlington Blvd. and may require traffic signal modifications at the signalized intersection of Arlington Blvd. and Evans Street. Access to the tract from Arlington Blvd. will be reviewed.

## **Excerpt from the Planning and Zoning Commission meeting minutes (04/21/09)**

### Request by Lampe Company, Inc.

Ordinance requested by the Lampe Company, Incorporated to amend the Future Land Use Plan Map for the area described as being located at the northeast corner of the intersection of Arlington Boulevard and the Seaboard Coastline Railroad from an “Office/Institutional/Multi-family” category to a “Commercial” category.

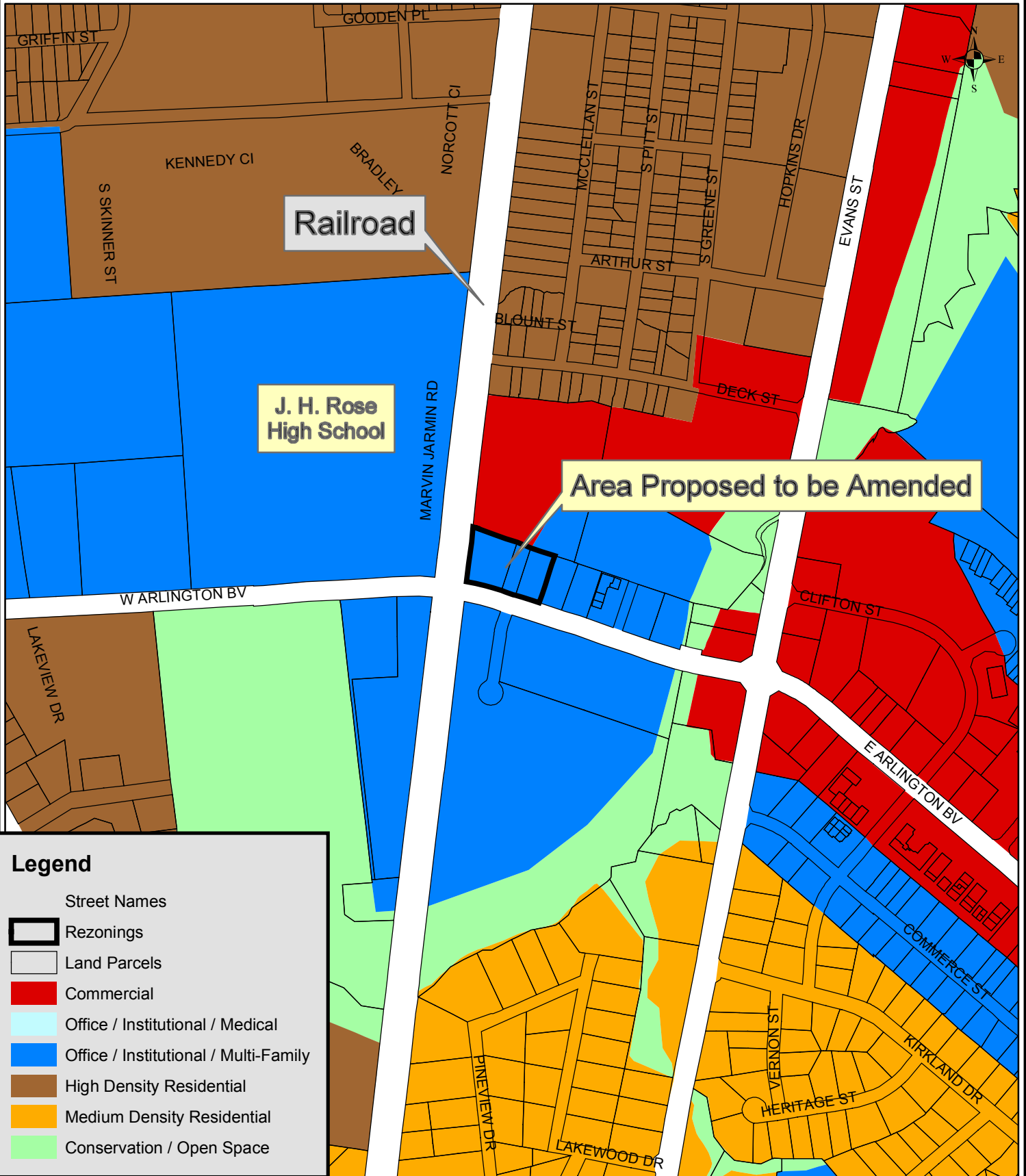
Ms. Chantae Gooby informed the members of a letter of support from Pitt County Schools that was submitted by the applicant. The property is centrally located in the city, adjacent to J.H. Rose High School and across the street from University Suites. Ms. Gooby said the two lots on either side of the entrance to the Arlington Business Park and the entrance itself is included in this request. There are also some vacant lots in the area that are zoned commercial and are anticipated to be developed as such. Arlington Boulevard is a connector corridor designed to contain a variety of intensive uses. There is also a focus area at the intersection of Evans Street and Arlington Boulevard. This request could generate a net increase of about 250 trips per day. The Future Land Use Plan Map recommends office/institutional/multi-family (OIMF) along the northern right-of-way of Arlington Boulevard between the Seaboard Coastline Railroad and Green Mill Run. The intent of the OIMF classification is primarily to minimize any adverse impact to Rose High School from intensive commercial uses, such as a convenience store or other similar trip generators on Arlington Boulevard between the Evans Street and Hooker Road. Any change in the future land use plan should protect the interests of the school. Being there is support from the school system, staff has no objections to the request.

Mike Baldwin, Baldwin and Janowski, spoke in favor of the request on behalf of the applicant. No one spoke in opposition.

Motion was made by Mr. Bell, seconded by Mr. Thomas, to recommend approval of the proposed amendment, to advise that, although the proposed amendment is not consistent with the comprehensive plan, in this instance it is an appropriate zoning classification, and to adopt the staff report which addresses plan consistency. Motion carried unanimously.



**Lampe Company, Incorporated (09-01)**  
**From: Office/Institutional/Multi-family (OIMF) to Commercial (C)**  
**1.5+/- acres**  
**March 31, 2009**





# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Ordinance requested by the Community Development Department to rezone 2.577± acres located between 8th and 9th Streets and between Evans and Cotanche Streets from OR (Office-Residential [High Density Multi-family]) and CDF (Downtown Commercial Fringe) to CD (Downtown Commercial)

**Explanation:**

**Required Notice:**

Planning and Zoning Commission meeting notice (land owners and adjoining property owner letters) mailed on May 5, 2009.  
On-site sign(s) posted on May 5, 2009.  
City Council public hearing notice (land owners and adjoining property owner letters) mailed on May 26, 2009.  
Public Hearing Legal Advertisement published on June 1 and June 8, 2009.

**Comprehensive Plan:**

The subject site is located in Vision Area G.

Evans Street is considered a connector corridor from Reade Circle to the entrance of Bedford Subdivision (Caversham Road). Connector corridors are designed to carry high volumes of traffic through and across the City and are anticipated to accommodate a variety of land uses on abutting properties.

The subject property is located in the designated focus area described as the central business district (Uptown area).

The Future Land Use Plan Map recommends commercial (C) in the general area.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 479 trips to and from the site on Evans

Street, which is a net increase of 390 additional trips per day.

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 479 trips to and from the site on Cotanche Street, which is a net increase of 390 additional trips per day.

During the review process, measures to mitigate the traffic will be determined. These measures could include traffic signal modifications at the nearest signalized intersection(s). Access to tracts will also be reviewed.

**History/Background:**

In 1969, Tract 1 was zoned CDF (Downtown Commercial Fringe) and Tract 2 was zoned OR (Office-Residential).

In 1976, a portion of Tract 1 was rezoned from CDF to OR.

**Present Land Use:**

Tract 1 contains a doctor's office, parking lots, The Family Center, two (2) duplexes, and three (3) single-family residences.

Tract 2 contains Campus Christian Fellowship apartments, Campus Towers parking lot, Campus Walk Apartments, ECU parking lot, and one (1) duplex.

**Water/Sewer:**

Water and sanitary sewer are located on the site.

**Historic Sites:**

The Jones-Lee House, located on Evans Street, is a Locally Designated Landmark and is included in Tract 1. The Family Center is currently located in this structure.

**Environmental Conditions/Constraints:**

There are no known environmental constraints.

**Surrounding Land Uses and Zoning:**

North: CDF - Ham's Restaurant ; CD - Townhomes and Apartments  
South: OR - Two (2) single-family residences; OR & CDF - ECU parking lots;  
CDF - Two (2) single-family residences  
East: OR - ECU Recreation Center  
West: OR - Greenville Museum of Art; CD - Quick Copy Center and one (1) office building.

**Additional Staff Comments:**

The subject tracts are part of the future location of the Intermodal Transportation Center.

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

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

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

The Planning and Zoning Commission, at their May 19, 2009 meeting, voted to approve the request.

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.

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

If Council determines to deny the rezoning request, in order to comply with this statutory requirement, it is recommended that the motion be as follows: Motion to deny the proposed amendment and to make a finding and determination that, although the rezoning request is consistent with the adopted comprehensive plan, there is a more appropriate zoning classification and therefore the denial is reasonable and in the public interest.

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- [📎 Location Map](#)
- [📎 Bufferyard and Vegetation Chart and Residential Density Chart](#)
- [📎 Ordinance\\_CDD\\_827420](#)

[!\[\]\(f4912148590488019602cab6e009e597\_img.jpg\) Rezoning case 09\\_06 Community Development Department 827391](#)

[!\[\]\(8af806fb1314382d09bc5ec5b767526c\_img.jpg\) CDD Rezoning Minutes 830510](#)

[!\[\]\(2e897e890e69d81eae4503a8342c36b0\_img.jpg\) List of Uses\\_CDF\\_and\\_OR\\_to\\_CD\\_719111](#)

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ORDINANCE NO. 09-\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE  
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING  
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on June 11, 2009, at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

WHEREAS, in accordance with the provision of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the ordinance rezoning the following described property is consistent with the adopted comprehensive plan and that the adoption of the ordinance rezoning the following described property 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.

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

Section 1. That the following described territory is rezoned from OR (Office-Residential) and CDF (Downtown Commercial Fringe) to CD (Downtown Commercial).

TO WIT: Lee R. Trent, III, Francisca M. Trent, Jack Wilson Richardson, Jr., Gail Cherry Richardson, City of Greenville, Big Rock Properties, LLC, Michele S. Neuhoff, Daniel Kozak, State of North Carolina, Indy II, LLC Properties. (Tract 1)

LOCATION: Located at the southeast corner of the intersection of East 8<sup>th</sup> Street and Evans Street.

DESCRIPTION: That certain tracts or parcels of land lying and being in Greenville Township, Pitt County, North Carolina and more specifically described as follows:

Beginning at a known point, said point being the southeast corner of East 8<sup>th</sup> Street and Evans Street, thence running along the southern right-of-way of East 8<sup>th</sup> Street in an easterly direction for 270± feet; thence running along the western right-of-way of Forbes

Street in a southerly direction for 330± feet; thence running along the northern right-of-way of East 9<sup>th</sup> Street in a westerly direction for 150± feet; thence running along the western property line of the property as recorded in Deed Book 585, Page 720 in a northerly direction for 85± feet; thence running along the northern property line of the property recorded in Deed Book 585, Page 720 in an easterly direction for 30± feet; thence running along the western property line of the property recorded in Deed Book 948, Page 15 in a northerly direction for 90± feet; thence running along the northern property line of the property recorded in Deed Book 948, Page 15 in an easterly direction for 60± feet; thence running along the western property line of the property recorded in Deed Book 2159, Page 744 in a northerly direction for 40± feet; thence running along the southern property line of the property recorded in Deed Book 1218, Page 404 in a westerly direction for 200± feet; thence running along the eastern right-of-way of Evans Street in a northerly direction for 110± feet returning to the point of beginning containing 1.276± acres.

Section 2. That the following described territory is rezoned from OR (Office-Residential) to CD (Downtown Commercial).

TO WIT: Campus Christian Fellowship, Shirley Savage Smith, George S. Saad, State of North Carolina, and Shirley Dixon Reynolds Properties. (Tract 2)

LOCATION: Located at the southwest corner of the intersection of East 8<sup>th</sup> Street and Cotanche Street.

DESCRIPTION: That certain tracts or parcels of land lying and being in Greenville Township, Pitt County, North Carolina and more specifically described as follows:

Beginning at a known point, said point being the southwest corner of the intersection of East 8<sup>th</sup> Street and Cotanche Street, thence running along the western right-of-way of Cotanche Street in a southerly direction for 335± feet; thence running along the northern right-of-way of East 9<sup>th</sup> Street in a westerly direction for 215± feet; thence running along the eastern right-of-way of Forbes Street in a northerly direction 95± feet; thence running along the northern property line of the property recorded in Deed Book 2005E, Page 121 in an easterly direction for 78± feet; thence running along the eastern property line of the property recorded in Deed Book 2467, Page 692 in a northeasterly direction for 80± feet; thence running along the northern property line of the property recorded in Deed Book 2467, Page 692 in a westerly

direction for 30± feet; thence running along the western property line of the property recorded in Deed Book 1975E, Page 37 in a northerly direction for 25± feet; thence running along the southern property line of the property recorded in Deed Book 294, Page 427 in a westerly direction for 57± feet; thence running along the western right-of-way of Forbes Street in a northerly direction for 135± feet returning to the point of beginning containing 1.301± acres.

Section 3. That the Director of Community Development is directed to amend the zoning map of the City of Greenville in accordance with this ordinance.

Section 4. That all ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 5. That this ordinance shall become effective upon its adoption.

ADOPTED this 11<sup>th</sup> day of June, 2009.

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Patricia C. Dunn, Mayor

ATTEST:

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Wanda T. Elks, City Clerk

Doc. # 827420



**Case No:** 09-06

**Applicant:** Community Development Department

**Property Information**

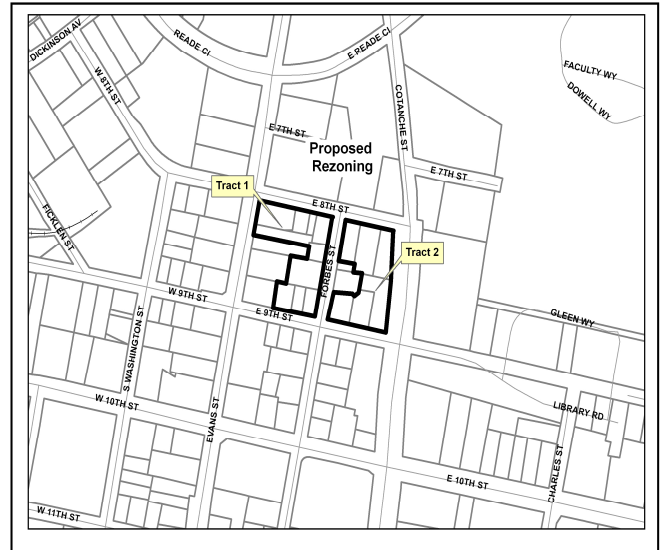
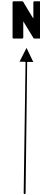
**Current Zoning:** Tract: 1 OR Office-Residential (HDMF) and CDF (Commercial Downtown Fringe)  
Tract: 2 OR Office-Residential (HDMF)

**Proposed Zoning:** Tract: 1 CD (Downtown Commercial)  
Tract: 2 CD (Downtown Commercial)

**Current Acreage:** Tract: 1 1.276 acres  
Tract: 2 1.301 acres

**Location:** Between E. 8th St, E. 9th St, Evans St, and Cotanche St

**Points of Access:** Evans St and Cotanche St



**Location Map**

**Transportation Background Information**

**1.) Evans Street- City maintained**

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lanes, curb & gutter	4-lane curb & gutter, wide outside lane
Right of way width (ft)	70	70
Speed Limit (mph)	35	35
<b>Current ADT:</b>	13,760 (*)	UltimateDesign ADT: 30,000 vehicles/day (**)
<b>Design ADT:</b>	30,000	
<b>Controlled Access</b>	<b>No</b>	
<b>Thoroughfare Plan Status:</b>	Major Thoroughfare	
<b>Other Information:</b>	There are sidewalks along Evans Street that service this property.	

**Notes:** (\*) 2009 City count  
(\*\*) Traffic volume based an operating Level of Service D for existing geometric conditions  
ADT – Average Daily Traffic volume

**Transportation Improvement Program Status:** No Planned Improvements.

**2.) Cotanche Street- City maintained**

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lane curb & gutter	4-lane curb & gutter, wide outside lane
Right of way width (ft)	55	70
Speed Limit (mph)	35	35
<b>Current ADT:</b>	17,500 (*)	Ultimate Design ADT: 30,000 vehicles/day (**)
<b>Design ADT:</b>	12,000	
<b>Controlled Access</b>	<b>No</b>	
<b>Thoroughfare Plan Status:</b>	Major Thoroughfare	
<b>Other Information:</b>	There are sidewalks along Cotanche Street that service this property.	

**Notes:** (\*) 2009 City Count  
(\*\*) Traffic volume based an operating Level of Service D for existing geometric conditions  
ADT – Average Daily Traffic volume

**Transportation Improvement Program Status:** No Planned Improvements.

**Case No: 09-06**

**Applicant: Community Development Department**

**Trips generated by proposed use/change**

**Current Zoning: 178** -vehicle trips/day (\*)                      **Proposed Zoning: 958** -vehicle trips/day (\*)

**Estimated Net Change: increase of 780 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 Evans Street and Cotanche Street are as follows:**

**1.) Evans Street, East of Site:                      “No build” ADT of 13,760**

Estimated ADT with Proposed Zoning (full build) – 14,000  
 Estimated ADT with Current Zoning (full build) – 13,805  
**Net ADT change = 195 (1% increase)**

**2.) Evans Street, West of Site:                      “No build” ADT of 13,760**

Estimated ADT with Proposed Zoning (full build) – 14,000  
 Estimated ADT with Current Zoning (full build) – 13,805  
**Net ADT change = 195 (1% increase)**

**3.) Cotanche Street, North of Site:                      “No build” ADT of 17,500**

Estimated ADT with Proposed Zoning (full build) – 17,740  
 Estimated ADT with Current Zoning (full build) – 17,545  
**Net ADT change = 195 (1% increase)**

**4.) Cotanche Street, South of Site:                      “No build” ADT of 17,500**

Estimated ADT with Proposed Zoning (full build) – 17,740  
 Estimated ADT with Current Zoning (full build) – 17,545  
**Net ADT change = 195 (1% increase)**

**Staff Findings/Recommendations**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 479 trips to and from the site on Evans Street, which is a net increase of 390 additional trips per day.

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 479 trips to and from the site on Cotanche Street, which is a net increase of 390 additional trips per day.

During the review process, measures to mitigate the traffic will be determined. These measures could include traffic signal modifications at the nearest signalized intersection(s). Access to the tracts will also be reviewed.

**Excerpt from the draft Planning and Zoning Commission meeting minutes (5/19/09)**

REQUEST BY THE COMMUNITY DEVELOPMENT DEPARTMENT- APPROVED

Ordinance requested by the Community Development Department to rezone 2.577± acres located between 8<sup>th</sup> and 9<sup>th</sup> Streets and between Evans and Cotanche Streets from OR (Office-Residential [High Density Multi-family]) and CDF (Downtown Commercial Fringe) to CD (Downtown Commercial).

Ms. Chantae Gooby stated the rezoning was centrally located in the city, bound by Evans and Cotanche Streets, in between 8<sup>th</sup> and 9<sup>th</sup> Streets. Ms. Gooby stated this rezoning is considered to be part of the central business district where commercial and high intensive uses are desired and encouraged. Evans Street is a connector corridor designed to carry high volumes of traffic. This rezoning could generate a net increase of 790 trips divided equally between Evans and Cotanche Streets. She stated the subject tracts are part of the future location of the Intermodal Transportation Center. The Future Land Use Plan Map recommends commercial in the general area. This rezoning would result in all the property bounded by Evans, 8<sup>th</sup>, Cotanche, and 9<sup>th</sup> Streets being zoned CD (Downtown Commercial). In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map and the Center City Redevelopment Plan.

No one spoke in favor or opposition to the request.

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.

## **EXISTING ZONING**

### **CDF (Downtown Commercial Fringe)**

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

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

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

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

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

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

\*None

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

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

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

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

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

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

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

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

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

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

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

*(9) Repair:*

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

*(10) Retail Trade:*

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

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

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

*(12) Construction:*

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

*(13) Transportation:*

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

*(14) Manufacturing/ Warehousing:*

- c. Bakery; production, storage and shipment facilities

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

\* None

**CDF (Downtown Commercial Fringe)**

***Special Uses***

*(1) General:*

\* None

*(2) Residential:*

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

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

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

*(4) Governmental:*

- a. Public utility building or use

*(5) Agricultural/ Mining:*

\* None

*(6) Recreational/ Entertainment:*

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

*(7) Office/ Financial/ Medical:*

\* None

*(8) Services:*

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

*(9) Repair:*

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

*(10) Retail Trade:*

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

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

\* None

*(12) Construction:*

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

*(13) Transportation:*

- h. Parking lot or structure; principal use

*(14) Manufacturing/ Warehousing:*

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

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

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

**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

## **PROPOSED ZONING**

### **CD (Downtown Commercial)**

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

*(1) General:*

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

*(2) Residential:*

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

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

\*None

*(4) Governmental:*

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

*(5) Agricultural/ Mining:*

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

*(6) Recreational/ Entertainment:*

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

*(7) Office/ Financial/ Medical:*

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

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

*(8) Services:*

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

*(9) Repair:*

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

*(10) Retail Trade:*

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- h. Restaurant; conventional
- i. Restaurant; fast food
- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair
- m. Appliance; household use, sales and accessory repair, excluding outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales
- r. Antique sales; excluding vehicles

- s. Book or card store, news stand
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facilities)
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

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

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

*(12) Construction:*

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

*(13) Transportation:*

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

*(14) Manufacturing/ Warehousing:*

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

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

\* None

**CD (Downtown Commercial)**

***Special Uses***

*(1) General:*

\* None

*(2) Residential:*

- e.(1) Dormitory development

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

\* None

*(4) Governmental:*

\* None

*(5) Agricultural/ Mining:*

\* None

*(6) Recreational/ Entertainment:*

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

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

*(8) Services:*

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

*(9) Repair:*

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

*(10) Retail Trade:*

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

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

- \* None

*(12) Construction:*

- \* None

*(13) Transportation:*

- \* None

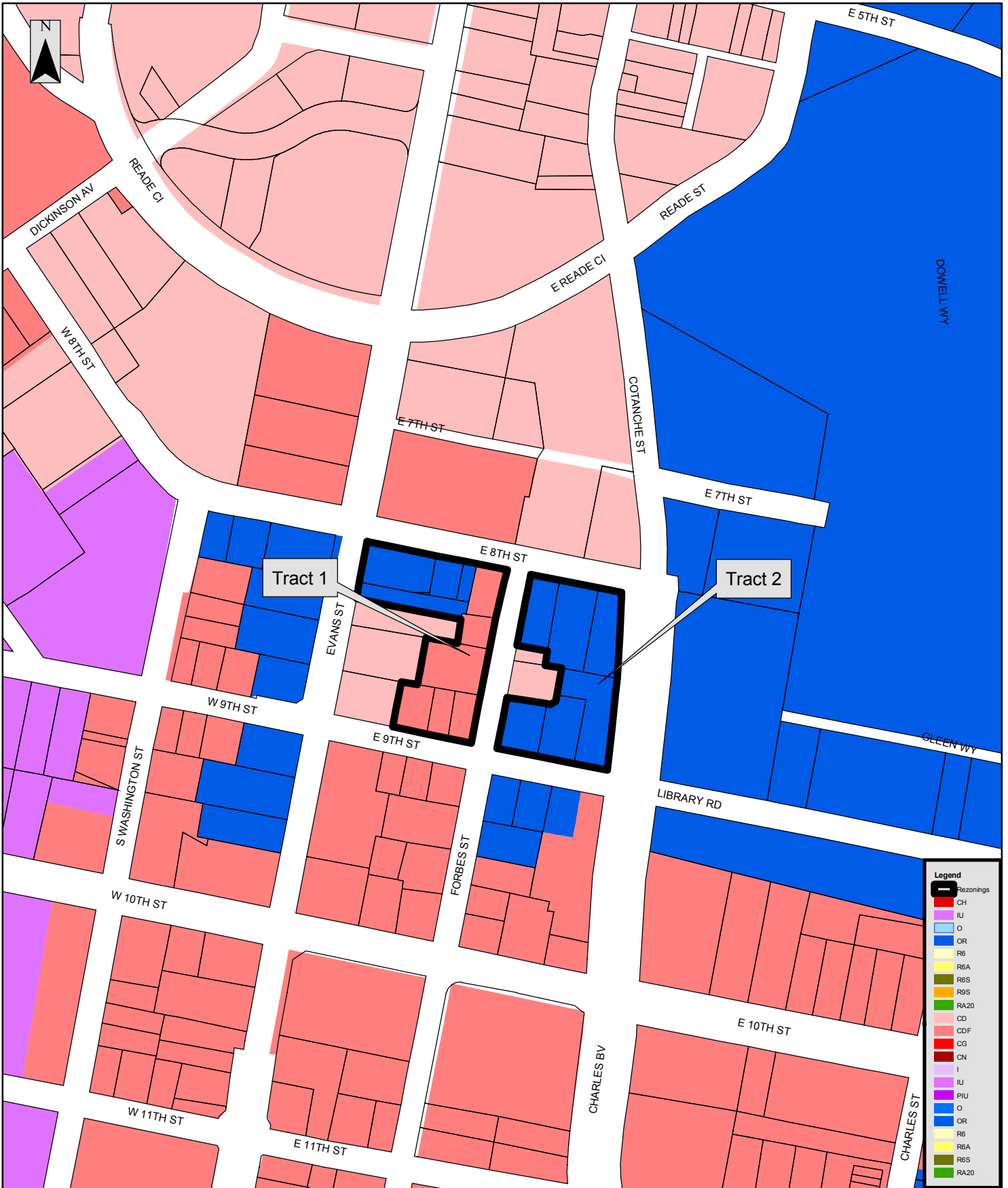
*(14) Manufacturing/ Warehousing:*

- y. Recycling collection station or facilities

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

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

Community Development Department  
 Tract 1: From OR & CDF to CD (1.276 acres)  
 Tract 2: From OR to CD (1.301 acres)  
 April 28, 2009



04/30/07

## BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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



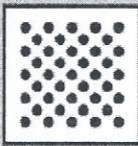
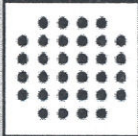
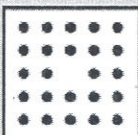
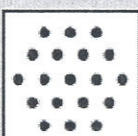

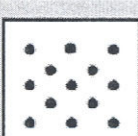
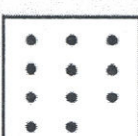
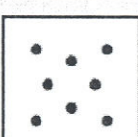
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
<b>High Density</b>		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
<b>Medium Density</b>		
R6-A	9 units per acre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

Illustration: Maximum allowable density in Residential Zoning Districts





# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Ordinance to annex FMM Partnership property containing 0.23± acres located north of NC Highway 43 near its intersection with B's Barbecue Road

**Explanation:** ANNEXATION PROFILE

A. SCHEDULE

1. Advertising date: June 1, 2009
2. City Council public hearing date: June 11, 2009
3. Effective date: June 30, 2009

B. CHARACTERISTICS

1. Relation to Primary City Limits: Non-Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 0.23 acres
4. Voting District: 1
5. Township: Falkland
6. Vision Area: F
7. Zoning District: OR - Office-Residential
8. Land Use: Existing: Vacant  
Anticipated: Cell Tower
9. Population:

	Formula	Number of People
Total Current	N/A	N/A
Estimated at full development	N/A	N/A
Current Minority	N/A	N/A
Estimated Minority at full development	N/A	N/A
Current White	N/A	N/A
Estimated White at full development	N/A	N/A

10. Rural Fire Tax District: Red Oak
11. Greenville Fire District: Station #2 (Distance of 2.03 miles)
12. Present Tax Value: \$1,159  
Estimated Future Tax Value: \$54,134

**Fiscal Note:** The total estimated tax value at full development is \$54,134.

**Recommendation:** Approve the attached ordinance to annex FMM Partnership property.

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

**Attachments / click to download**

[FMM Partnership Aneexation Map](#)

[FMM PARTNERSHIP Annexation Ordinance 830539](#)

ORDINANCE NO. 09-\_\_\_\_  
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF  
THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council has been petitioned under G.S. 160A-58.1, as amended, to annex the area described herein; and

WHEREAS, the City Council has directed the City Clerk to investigate the sufficiency of said petition; and

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall at 7:00 p.m. on the 11<sup>th</sup> day of June, 2009, after due notice by publication in The Daily Reflector on the 1st day of June, 2009; and

WHEREAS, the City Council further finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three miles from the corporate limits of the City of Greenville.
- b. No point on the proposed satellite corporate limits is closer to another city than to the City of Greenville.
- c. The area described is so situated that the City of Greenville will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits.
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation.

WHEREAS, the City Council does hereby find as a fact that said petition has been signed by all the owners of real property in the area who are required by law to sign and meets all other requirements of G.S. 160A-58.1, as amended; and

WHEREAS, the City Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City of Greenville and of the area proposed for annexation will be best served by annexing the area described herein;

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

Section 1. By virtue of the authority granted by G.S. 160A-58.2, as amended, the following described noncontiguous territory is hereby annexed and made part of the City of Greenville:

TO WIT: Being all of that certain property as shown on the annexation map entitled "FMM Partnership" involving 0.23 acres as prepared by the East Group, PA.

LOCATION: Lying and being situated in Falkland Township, Pitt County, North Carolina, located north of NC Highway 43 near its intersection with B's Barbecue Road. This annexation involves 0.23 acres.

GENERAL DESCRIPTION: LYING AND BEING IN FALKLAND TOWNSHIP ON THE NORTH SIDE OF NC HIGHWAY 43 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT LYING N88°48'46"W 579.60 FEET FROM CONTROL POINT GPS57 (A 12" SPIKE), SAID POINT HAVING NAD 83 GRID COORDINATES N (Y) = 685,768.284 E (X) = 2,471,523.771; THENCE FROM SAID POINT OF BEGINNING S37°18'48"W 100.00 FEET TO A POINT; THENCE N52°41'12"W 100.00 FEET TO A POINT; THENCE N37°18'48"E 100.00 FEET TO A POINT; THENCE S52°41'12"E 100.00 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 10,000 SQUARE FEET OR 0.23 ACRES MORE OR LESS.

Section 2. The territory annexed to the City of Greenville by this ordinance shall, pursuant to the terms of G.S. 160A-23, be annexed into Greenville municipal election district 1. The City Clerk, City Engineer, representatives of the Board of Elections and any other person having responsibility or charge of official maps or documents shall amend those maps or documents to reflect the annexation of this territory into municipal election district 1.

Section 3. The territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Greenville and shall be entitled to the same privileges and benefits as other parts of the City of Greenville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 4. That the Mayor of the City of Greenville, North Carolina, shall cause a copy of the map of the territory annexed by this ordinance and a certified copy of this ordinance to be recorded in the office of the Register of Deeds of Pitt County and in the Office of the Secretary of State in Raleigh, North Carolina. Such a map shall also be delivered to the Pitt County Board of Elections as required by G.S. 163-288.1.

Section 5. This annexation shall take effect from and after the 30<sup>th</sup> day of June, 2009.

ADOPTED this 11<sup>th</sup> day of June, 2009.

---

Patricia C. Dunn, Mayor

Item # 4

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

NORTH CAROLINA  
PITT COUNTY

I, Patricia A. Sugg, Notary Public for said County and State, certify that Wanda T. Elks personally came before me this day and acknowledged that she is City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by its Mayor, sealed with the corporate seal, and attested by herself as its City Clerk.

WITNESS my hand and official seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Patricia A. Sugg, Notary Public

My Commission Expires: September 4, 2011

Doc. #830539

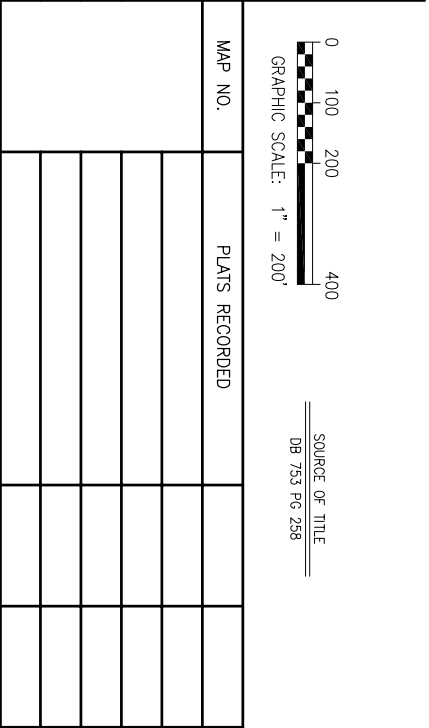
**PRELIMINARY**  
NOT FOR RECORDATION  
CONVEYANCE OR SALES

ENGINEERING & ARCHITECTURE • SURVEYING • TECHNOLOGIES  
324 S. EMMS ST., BOX 2324  
FALCON CITY, NC 27534  
PHONE : (704) 364-4663

ANNEXATION MAP  
FOR  
**FMM PARTNERSHIP**  
MAY 18, 2009  
FALKLAND TOWNSHIP  
PITT COUNTY  
NORTH CAROLINA

OWNER : FMM PARTNERSHIP c/o WARD SIMMONS  
ADDRESS : 335 WENDOVER HILL COURT CHARLOTTE, NC 28211  
PHONE : (704) 364-4663

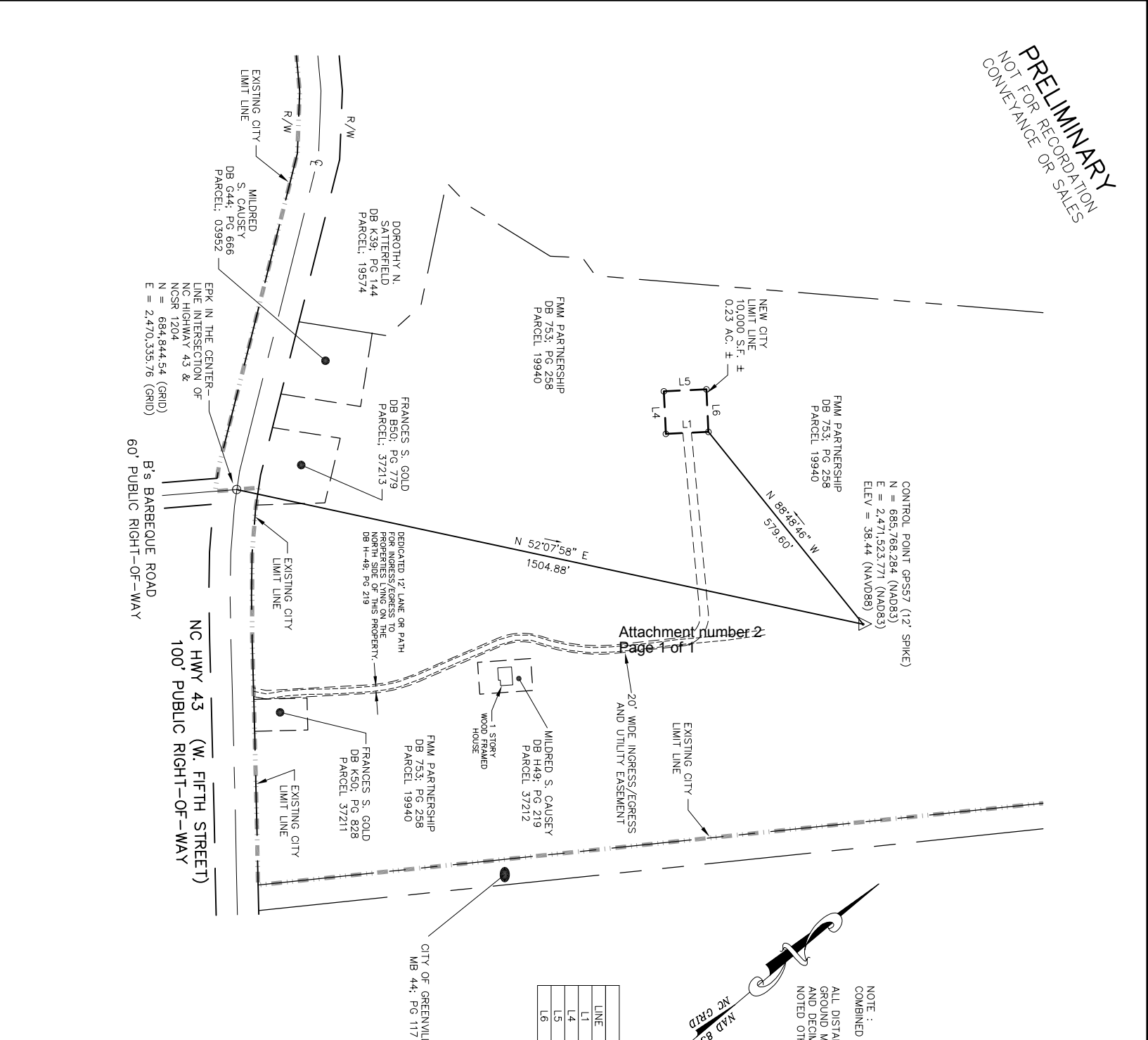
SURVEYED BY : JS  
DRAWN BY : MBH  
CHECKED :  
PROJECT # : 20070294  
DATE : MAY 18, 2009  
SCALE : 1" = 200'



REVISION	DATE	INT.

MAP SHOWING AREA ANNEXED BY  
**THE CITY OF GREENVILLE, N.C.**  
AREA TO BE ANNEXED: 10,000 SQUARE FEET  
EFFECTIVE DATE:  
ORDINANCE NO.:

FALKLAND TOWNSHIP, PITT COUNTY, NORTH CAROLINA



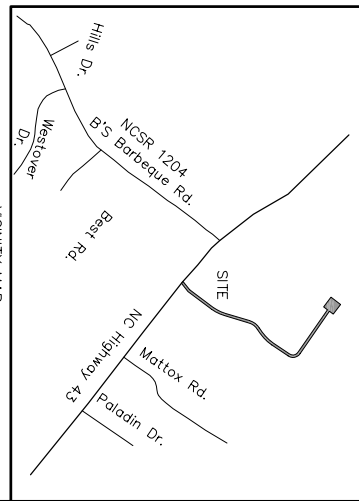
LINE TABLE

LINE	LENGTH	BEARING
L1	100.00	S37°18'48"W
L4	100.00	N52°41'12"W
L5	100.00	N37°18'48"E
L6	100.00	S52°41'12"E

NOTE:  
COMBINED SCALE FACTOR = 0.999989155  
ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS IN FEET AND DECIMALS THEREOF UNLESS NOTED OTHERWISE.

NAD 83  
NC GRID

NOTES:  
1) NORTH CAROLINA STATE PLAN COORDINATES (NAD 1983 - 2007 ADJUSTMENT) SHOWN WERE ESTABLISHED USING A TRIMBLE 5800 GPS UNIT - STATIC FIELD PROCEDURES AND PROCESSED BY THE NATIONAL GEODETIC SURVEY ON-LINE PROCESSING SERVICE.  
2) THIS PROPERTY IS LOCATED IN ZONE X AND IS NOT IN A SPECIAL FLOOD ZONE AS TAKEN FROM N.E.I.P. RATE MAPS DATED JANUARY 2, 2004 COMMUNITY PANEL NUMBERS 3720467800 & 3720466800.  
3) A PORTION OF TAX PARCEL ID # 019940.



**PRELIMINARY**  
NOT FOR RECORDATION  
CONVEYANCE OR SALES

PROFESSIONAL LAND SURVEYOR NO. L-3754  
ANTHONY J. HAMM  
CERTIFY TO ONE OR MORE OF THE FOLLOWING AS INDICATED THIS (X) OR ( ):  
 A. THAT THE PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;  
 B. THAT THE PLAT IS OF A SURVEY THAT IS LOCATED IN SUCH PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND;  
 C. ANY OF THE FOLLOWING:  
 1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET;  
 2. THAT THE SURVEY IS OF AN EXISTING BUILDING OR OTHER STRUCTURE;  
 3. THAT THE SURVEY IS A CONTROL SURVEY;  
 D. THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION;  
 E. THAT THE INFORMATION AVAILABLE TO THIS SURVEYOR IS SUCH THAT I AM UNABLE TO MAKE A DETERMINATION TO THE BEST OF MY PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_

STATE OF NORTH CAROLINA  
PITT COUNTY

ANTHONY J. HAMM, SURVEYOR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. (DEED DESCRIPTION RECORDED IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. THAT THE RADIO POSITIONING SYSTEM (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2: STANDARDS FOR SPATIAL POSITIONING ACCURACY USING STABILIZED ORBITS THAT WERE ASSOCIATED WITH THE REQUIREMENT OF G.S. 47-30 SECTION F-11-C. THIS PLAT MEETS THE REQUIREMENT OF G.S. 47-30 SECTION F-11-C. I WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009.

LEGEND  
EIP = EXISTING IRON PIPE  
EIS = EXISTING IRON STAKE  
EN = EXISTING NAIL  
E.E. = ELECTRIC EASEMENT  
G.E. = GAS EASEMENT  
W.E. = WATER EASEMENT  
C = CENTERLINE  
R/W = RIGHT-OF-WAY  
O = NO POINT SET  
NIP = NEW IRON PIPE  
S.T. = SIGHT TRIANGLE  
CC = CONTROL CORNER



# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

---

**Title of Item:** Ordinance revoking the taxicab franchises for Frank Peterson DBA Eagle Cab Company and Walter Kenneth Koehl DBA Ken's Cab Company

**Explanation:** Mr. Frank Peterson (DBA Eagle Cab Company) and Mr. Walter Kenneth Koehl (DBA Ken's Cab Company), both the holders of a taxicab franchise, have voluntarily declined to meet the requirements of Chapter 1 of Title 11 of the Greenville City Code, to wit: failing to operate the taxicabs specified in the Certificate of Convenience and Necessity.

Section 11-1-37 (b) of the Greenville City Code mandates that "each taxicab operated in the city shall be inspected at least every six (6) months during the months of June and December in the same manner as provided for in the original inspection." In June and December 2008, Mr. Frank Peterson (DBA Eagle Cab Company) and Mr. Walter Kenneth Koehl (DBA Ken's Cab Company) failed to present their vehicles for inspection as required under the ordinance.

In accordance with the Code of the City of Greenville, Section 11-1-44, the City Council is authorized to revoke any certificates of public conveyance issued by authority of this article for "willful failure to comply with any provisions of this chapter or ordinances or state laws relating to the operation of taxicabs."

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

**Recommendation:** Approve ordinance revoking the taxicab franchises of Eagle Cab Company, owned and operated by Mr. Frank Peterson, and Ken's Cab Company, owned and operated by Mr. Walter Kenneth Koehl.

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Attachments / click to download

 [Ordinance Revoking Two Taxicab Franchises 831796](#)

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ORDINANCE NO. 09-  
AN ORDINANCE REVOKING THE TAXICAB FRANCHISES FOR  
FRANK PETERSON DBA EAGLE CAB COMPANY AND  
WALTER KENNETH KOEHL DBA KEN'S CAB COMPANY

WHEREAS, the City of Greenville is authorized by G.S. 160A-304 to license and regulate all vehicles operated for hire within the City of Greenville; and

WHEREAS, the City of Greenville has adopted an ordinance, Chapter 1 of Title 11 of the Greenville City Code, requiring that taxicab franchise holders within the City operate their franchises in accordance with the requirements set forth within the above referenced Chapter; and

WHEREAS, the holders of a taxicab franchise have voluntarily declined to meet the requirements of Chapter 1 of Title 11 of the Greenville City Code, to wit: failing to operate the taxicabs specified in the Certificate of Convenience and Necessity; and

WHEREAS, following an investigation into this matter, the City Council has determined that the franchise holder no longer desires to operate a taxicab business within the City,

NOW, THEREFORE, BE IT ORDAINED by the Greenville City Council that:

Section 1. A Taxicab Franchise currently held by Mr. Frank Peterson d/b/a Eagle Cab Company, be revoked pursuant to the City Code of the City of Greenville and any applicable laws.

Section 2. A Taxicab Franchise currently held by Mr. Walter Kenneth Koehl d/b/a Ken's Cab Company, be revoked pursuant to the City Code of the City of Greenville and any applicable laws.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. 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 5. This ordinance shall become effective immediately upon its adoption.

Adopted on this the 11th day of June, 2009.

---

Patricia C. Dunn, Mayor

ATTEST:

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Wanda T. Elks, City Clerk

NORTH CAROLINA  
PITT COUNTY

I, Patricia A. Sugg, a Notary Public in and for the aforesaid County and State, do hereby certify that Wanda T. Elks personally appeared before me this day and acknowledged that she is the City Clerk of the CITY OF GREENVILLE, a North Carolina municipal corporation, and that by authority duly given and as the act of the CITY OF GREENVILLE, the foregoing instrument was signed in its corporate name by its Mayor, sealed with its corporate seal, and attested by herself as City Clerk.

Witness my hand and Notarial Seal, this the 11th day of June, 2009.

\_\_\_\_\_  
Patricia A. Sugg, Notary Public

My Commission expires: 9/4/2011

Document #831796



# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

- 
- Title of Item:** Resolution authorizing a Section 5307 Grant Application for federal operating and capital assistance for Greenville Area Transit
- Explanation:** Attached for City Council consideration is a resolution authorizing the filing and execution of a federal grant application for operating and capital funds designated for the City of Greenville to assist with the operations of Greenville Area Transit (GREAT) for FY 2009-2010. The grant funding is available to support transit systems that are open to the public in areas with populations between 50,000-200,000. The funds are used to reimburse the City for 50% of the operating deficit and 80% of capital purchases.
- Fiscal Note:** The total federal amount allocated for the City of Greenville's public transportation system is \$1,114,121. The City's match for this grant is estimated at \$317,306 and is included in the FY 2009-2010 budget.
- Recommendation:** Conduct a public hearing to receive comments on the proposed grant application and adopt a resolution authorizing the filing and execution of an application for these funds.
- 

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

**Attachments / click to download**

- [Grant Application](#)
  - [Resolution\\_764717](#)
-

## AUTHORIZING RESOLUTION

### RESOLUTION NO.

Section 5307

Resolution authorizing the filing of an application with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for federal transportation assistance authorized by 49 U.S.C. Chapter 53, Title 23 United States Code, and other Federal statutes administered by the Federal Transit Administration.

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project;

WHEREAS, the contract for financial assistance will impose certain obligations upon the Applicant, including the provision by the Applicant of the local share of the project cost;

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

WHEREAS, it is required by the U. S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964 as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U. S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project.

NOW, THEREFORE, BE IT RESOLVED BY THE GREENVILLE CITY COUNCIL.

1. That the City Manager is authorized to execute and file applications on behalf of the City of Greenville with the Federal Transit Administration and the North Carolina Department of Transportation to aid in the financing of planning, capital and/or operating assistance projects authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, and other Federal and State Statutes authorizing a project administered by the Federal Transit Administration and/or the North Carolina Department of Transportation.
2. That the City Manager is authorized to execute and file the Annual Certifications and Assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement.
3. That the City Manager is authorized to submit additional information as the Federal Transit Administration or the North Carolina Department of Transportation may require in connection with the application or project.
4. That the City Manager is authorized to set forth and execute affirmative minority business

policies in connection with the project.

5. That the City Manager is authorized to execute grant and cooperative agreements with the Federal Transit Administration and the North Carolina Department of Transportation on behalf of the City of Greenville.

ADOPTED this the 11th day of June, 2009.

---

Patricia C. Dunn, Mayor

#### CERTIFICATION

The undersigned duly qualified City Clerk, acting on behalf of the City of Greenville, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Greenville City Council on \_\_\_\_\_.

---

WANDA T. ELKS, CITY CLERK

---

DATE

SEAL

**APPLICATION FOR  
FEDERAL ASSISTANCE**

<b>1. TYPE OF SUBMISSION:</b> Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		<input type="checkbox"/> Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	<b>2. DATE SUBMITTED</b>	Applicant Identifier
			<b>3. DATE RECEIVED BY STATE</b>	State Application Identifier
			<b>4. DATE RECEIVED BY FEDERAL AGENCY</b>	Federal Identifier
<b>5. APPLICANT INFORMATION</b>				
Legal Name: City of Greenville, NC			<b>Organizational Unit:</b> Department: Public Works Department	
Organizational DUNS: 023307494			Division: Transit division	
<b>Address:</b> Street: 200 West Fifth Street City: Greenville County: Pitt State: NC Zip Code 27835			<b>Name and telephone number of person to be contacted on matters involving this application (give area code)</b> Prefix: Ms. First Name: Nancy Middle Name Evans Last Name Harrington Suffix:	
Country: USA			Email: nharrington@greenvillenc.gov	
<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> 5 6 - 6 0 0 0 2 2 9			Phone Number (give area code) (252) 329-4047	Fax Number (give area code) (252) 329-4535
<b>8. TYPE OF APPLICATION:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify) <input type="checkbox"/> <input type="checkbox"/>			<b>7. TYPE OF APPLICANT:</b> (See back of form for Application Types) (c) Municipal Other (specify)	
<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> TITLE (Name of Program): Section 5307 2 0 - 5 0 7			<b>9. NAME OF FEDERAL AGENCY:</b> Federal Transit Administration	
<b>12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):</b> Greenville, NC			<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b> Section 5307 operating and capital assistance for Greenville Area Transit, Greenville, NC	
<b>13. PROPOSED PROJECT</b> Start Date: 7/1/09 Ending Date: 6/30/10			<b>14. CONGRESSIONAL DISTRICTS OF:</b> a. Applicant 1st & 3rd b. Project 1st & 3rd	
<b>15. ESTIMATED FUNDING:</b>			<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b>	
a. Federal	\$	1,114,121 <sup>00</sup>	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:	
b. Applicant	\$	<sup>00</sup>	b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372	
c. State	\$	<sup>00</sup>	<input checked="" type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
d. Local	\$	<sup>00</sup>	<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b>	
e. Other	\$	<sup>00</sup>	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No	
f. Program Income	\$	<sup>00</sup>		
g. TOTAL	\$	1,114,121 <sup>00</sup>		
<b>18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.</b>				
<b>a. Authorized Representative</b>				
Prefix Mr.	First Name Wayne		Middle Name	
Last Name Bowers			Suffix	
b. Title City Manager			c. Telephone Number (give area code) (252) 329-4432	
d. Signature of Authorized Representative			e. Date Signed	



# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Resolution authorizing a Section 5309 Grant Application for federal funds allocated for the Greenville Intermodal Transportation Center

**Explanation:** Attached for City Council consideration is a resolution authorizing the filing and execution of a grant application for federal funds to assist with land acquisition and design phase of the Intermodal Transportation Center Project. The City and its public transportation system (GREAT) have been planning the development of a central transportation hub for several years that would be accessible and convenient, and allow for more local and regional transportation options for citizens. This center will provide a safe and environmentally friendly location for passengers to transfer from one mode of transportation to another.

In 2006 a Feasibility Study concluded that a transportation center designed for use by GREAT, ECU Student Transit Authority, Pitt Area Transit System, Greyhound, local taxi providers, as well as regional and shuttle bus/van operators was both needed and feasible.

The Site Selection and Conceptual Design Study was completed in 2009 which recommended a site and preliminary design components of the Transportation Center. The selected site approved by Council is bounded by Cotanche, East Eighth, East Ninth, and Evans Streets. The site is across the street from ECU, adjacent to downtown Greenville, and one block off of Tenth Street, a major east/west artery for Greenville.

**Fiscal Note:** The grant application is for federal funding in the amount of \$2,294,218. These funds are matched with a 10% state match of \$286,277 and a 10% local (City) match of \$286,277. This project is included in the Capital Improvement Program (CIP).

**Recommendation:** Conduct a public hearing to receive comments on the proposed grant application and adopt a resolution authorizing the filing and execution of an application for these funds.

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**Attachments / click to download**

 [Grant Application](#)

 [Resolution\\_764718](#)

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## AUTHORIZING RESOLUTION

### RESOLUTION NO.

Section 5309 FBus

Resolution authorizing the filing of an application with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for federal transportation assistance authorized by 49 U.S.C. Chapter 53, Title 23 United States Code, and other Federal statutes administered by the Federal Transit Administration.

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project;

WHEREAS, the contract for financial assistance will impose certain obligations upon the Applicant, including the provision by the Applicant of the local share of the project cost;

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

WHEREAS, it is required by the U. S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964 as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U. S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project.

NOW, THEREFORE, BE IT RESOLVED BY THE GREENVILLE CITY COUNCIL.

1. That the City Manager is authorized to execute and file applications on behalf of the City of Greenville with the Federal Transit Administration and the North Carolina Department of Transportation to aid in the financing of planning, capital and/or operating assistance projects authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, and other Federal and State Statutes authorizing a project administered by the Federal Transit Administration and/or the North Carolina Department of Transportation.
2. That the City Manager is authorized to execute and file the Annual Certifications and Assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement.
3. That the City Manager is authorized to submit additional information as the Federal Transit Administration or the North Carolina Department of Transportation may require in connection with the application or project.
4. That the City Manager is authorized to set forth and execute affirmative minority business

policies in connection with the project.

5. That the City Manager is authorized to execute grant and cooperative agreements with the Federal Transit Administration and the North Carolina Department of Transportation on behalf of the City of Greenville.

ADOPTED this the 11th day of June, 2009.

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

#### CERTIFICATION

The undersigned duly qualified City Clerk, acting on behalf of the City of Greenville, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Greenville City Council on \_\_\_\_\_.

\_\_\_\_\_  
WANDA T. ELKS, CITY CLERK

\_\_\_\_\_  
DATE

SEAL

**APPLICATION FOR  
FEDERAL ASSISTANCE**

<b>1. TYPE OF SUBMISSION:</b> Application		<b>2. DATE SUBMITTED</b>	Applicant Identifier
<input checked="" type="checkbox"/> <b>Construction</b>	Pre-application	<b>3. DATE RECEIVED BY STATE</b>	State Application Identifier
<input type="checkbox"/> <b>Non-Construction</b>	<input type="checkbox"/> <b>Construction</b>	<b>4. DATE RECEIVED BY FEDERAL AGENCY</b>	Federal Identifier
<input type="checkbox"/> <b>Non-Construction</b>	<input type="checkbox"/> <b>Non-Construction</b>		
<b>5. APPLICANT INFORMATION</b>			
Legal Name: City of Greenville, NC		<b>Organizational Unit:</b> Department: Public Works Department	
Organizational DUNS: 023307494		Division: Transit division	
<b>Address:</b> Street: 200 West Fifth Street		<b>Name and telephone number of person to be contacted on matters involving this application (give area code)</b> Prefix: Ms. First Name: Nancy	
City: Greenville		Middle Name Evans	
County: Pitt		Last Name Harrington	
State: NC	Zip Code 27835	Suffix:	
Country: USA		Email: nharrington@greenvillenc.gov	
<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> 56-6000229		Phone Number (give area code) (252) 329-4047	Fax Number (give area code) (252) 329-4535
<b>8. TYPE OF APPLICATION:</b> <input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> <b>Continuation</b> <input type="checkbox"/> <b>Revision</b> If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify) <input type="checkbox"/> <input type="checkbox"/>		<b>7. TYPE OF APPLICANT:</b> (See back of form for Application Types) (c) Municipal Other (specify)	
<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> TITLE (Name of Program): Section 5309		<b>9. NAME OF FEDERAL AGENCY:</b> Federal Transit Administration	
<b>12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):</b> Greenville, NC		<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b> Section 5309 Allocations for the City of Greenville Intermodal Transportation Center Project	
<b>13. PROPOSED PROJECT</b> Start Date: 7/1/09    Ending Date: 6/30/12		<b>14. CONGRESSIONAL DISTRICTS OF:</b> a. Applicant 1st & 3rd    b. Project 1st & 3rd	
<b>15. ESTIMATED FUNDING:</b>		<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b>	
a. Federal	\$ 2,294,218 <sup>00</sup>	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:	
b. Applicant	\$ <sup>00</sup>	b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372	
c. State	\$ 286,777 <sup>00</sup>	<input checked="" type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
d. Local	\$ 286,777 <sup>00</sup>	<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b>	
e. Other	\$ <sup>00</sup>	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No	
f. Program Income	\$ <sup>00</sup>		
g. TOTAL	\$ 2,867,772 <sup>00</sup>		
<b>18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.</b>			
<b>a. Authorized Representative</b>			
Prefix Mr.	First Name Wayne	Middle Name	
Last Name Bowers		Suffix	
b. Title City Manager		c. Telephone Number (give area code) (252) 329-4432	
d. Signature of Authorized Representative		e. Date Signed	



# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Ordinance requiring the repair or the demolition and removal of the dwelling located at 1108 Douglas Avenue

**Explanation:** The Code Enforcement Officer for the City of Greenville is requesting that the City Council approve an ordinance requiring the owner of a dwelling which has been vacated and closed for a period of at least six months pursuant to the enforcement of the Minimum Housing Code to repair or demolish and remove the dwelling located at 1108 Douglas Avenue. The ordinance provides that the owner has 90 days to repair or demolish and remove the dwelling and if the owner fails to accomplish this within 90 days, then the City will proceed with repairing or demolishing and removing the dwelling.

The initial notice of violation was sent by certified mail on September 10, 1998 to the property owner informing the owner of the condition of abandoned structure and minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance.

Staff has attempted to work with the owner, but no repairs have been made. The most recent notice to the owner was sent on May 19, 2009, and provided notice to the owner that the dwelling was considered as an abandoned structure.

The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since March 2006. There have been nine Code Enforcement Cases initiated on this property since 1998 ranging from Public Nuisance to Abandoned Structure. The Greenville Police Department has responded to 139 calls for service at this property since January 2000. Calls range from arrests, assaults, weapons violations, suspicious persons, to violations of the NC Controlled Substance Act.

The tax value on the property as of May 11, 2009 is \$17,651 (the building value is \$16,124 and the land value is \$1,527). The estimated costs to repair the property are \$32,781.55.

**Fiscal Note:** Costs to test and abate asbestos (if present) and demolition costs will be

approximately \$10,000 due to the size of the structure. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as a lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes.

**Recommendation:** Approve the attached ordinance requiring the repair or demolition and removal of the dwelling located at 1108 Douglas Avenue.

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**Attachments / click to download**

 [Photos of Property](#)

 [Ordinance for the Repair or Demolition of 1108 Douglas Avenue parcel number 017754\\_830349](#)

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ORDINANCE NO. 09-\_\_\_\_  
ORDINANCE REQUIRING THE OWNER OF A DWELLING VACATED  
AND CLOSED FOR A PERIOD OF AT LEAST SIX MONTHS PURSUANT TO THE  
ENFORCEMENT OF THE MINIMUM HOUSING CODE TO REPAIR OR DEMOLISH  
AND REMOVE THE DWELLING LOCATED AT 1108 DOUGLAS AVENUE  
TAX PARCEL NUMBER 017754

WHEREAS, pursuant to the enforcement of the Minimum Housing Code contained in Article F of Chapter 1 of Title 9 of the Code of the City of Greenville, North Carolina, as authorized by the provisions of Part 6 of Article 19 of Chapter 160A of the North Carolina General Statutes, the dwelling described herein has been vacated and closed for a period of at least six (6) months;

WHEREAS, the City Council of the City of Greenville hereby finds that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling described herein in order to render it fit for human habitation and the continuation of the dwelling in its vacated and closed state would be inimical to the health, safety, morals and welfare of the city in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State; and

WHEREAS, G.S. 160A-443 (5), which applies to the City of Greenville pursuant to the provisions of Chapter 200 of the 2005 Session Laws of the North Carolina General Assembly, and Section 9-1-111 of the Code of the City of Greenville, North Carolina, empowers the City Council of the City of Greenville to enact this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Greenville that:

Section 1. The owner(s), Bertha Filmore, of the dwelling located at 1108 Douglas Avenue in the city of Greenville, North Carolina, is hereby directed and required to either repair said dwelling so that it fully complies with the standards of the Minimum Housing Code or to demolish and remove said dwelling within ninety (90) days from the effective date of this ordinance.

Section 2. The Code Enforcement Officer is hereby authorized and directed to proceed to either repair or demolish and remove the dwelling in the event the owner fails to comply with the provisions of Section 1 of this ordinance within ninety (90) days, said dwelling being located at 1108 Douglas Avenue and owned by Bertha Filmore.

Section 3. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The material of the dwelling and any personal property, fixtures, or appurtenances found in or attached to the dwelling shall be sold and the proceeds shall be credited against the cost of removal or demolition and any balance remaining shall be deposited in superior court where it shall be secured and disbursed in the manner provided by G.S. 160A-443 (6).

Section 4. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Section 5. This ordinance shall become effective upon its adoption.

This the 11th day of June, 2009.

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

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

NORTH CAROLINA  
PITT COUNTY

I, Patricia A. Sugg, a Notary Public in and for the aforesaid County and State, do hereby certify that Wanda T. Elks personally appeared before me this day and acknowledged that she is the City Clerk of the CITY OF GREENVILLE, a North Carolina municipal corporation, and that by authority duly given and as the act of the CITY OF GREENVILLE, the foregoing instrument was signed in its corporate name by its Mayor, sealed with its corporate seal, and attested by herself as City Clerk.

Witness my hand and Notarial Seal, this the 11th day of June, 2009.

\_\_\_\_\_  
Patricia A. Sugg, Notary Public

My Commission expires: 9/4/2011





Item # 8





Item # 8





Item # 8





# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Ordinance requiring the repair or the demolition and removal of the dwelling located at 111 Raleigh Avenue

**Explanation:** The Code Enforcement Officer for the City of Greenville is requesting that the City Council approve an ordinance requiring the owner of a dwelling which has been vacated and closed for a period of at least six months pursuant to the enforcement of the Minimum Housing Code to repair or demolish and remove the dwelling located at 111 Raleigh Avenue. The ordinance provides that the owner has 90 days to repair or demolish and remove the dwelling and if the owner fails to accomplish this within 90 days, then the City will proceed with repairing or demolishing and removing the dwelling.

The initial notice of violation was sent by certified mail on September 5, 2006 to the property owner informing the owner of the condition of abandoned structure and minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice to the owner was sent on May 19, 2009, and provided notice to the owner that the dwelling was considered as an abandoned structure.

The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since December 15, 2004. There have been eight Code Enforcement Cases initiated on this property since 2004 ranging from public nuisance to abandoned structure. The Greenville Police Department has responded to 24 calls for service at this property since January 2000. Calls range from breaking and entering to suspicious persons to violations of the NC Controlled Substance Act.

The tax value on the property as of May 9, 2009 was \$32,039 (the building value is \$27,314 and the land value was \$4,725). The estimated costs to repair the property are \$24,995.

**Fiscal Note:** Costs to test and abate asbestos (if present) and demolition costs will be

approximately \$10,000 due to the size of the structure. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as a lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes.

**Recommendation:** Approve the attached ordinance requiring the repair or demolition and removal of the dwelling located at 111 Raleigh Avenue.

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Attachments / click to download

 [Photos of Property](#)

 [Ordinance for Repair or Demolition of 111 Raleigh Avenue parcel number 06484 830186](#)

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ORDINANCE NO. 09-\_\_\_\_  
ORDINANCE REQUIRING THE OWNER OF A DWELLING VACATED  
AND CLOSED FOR A PERIOD OF AT LEAST SIX MONTHS PURSUANT TO THE  
ENFORCEMENT OF THE MINIMUM HOUSING CODE TO REPAIR OR DEMOLISH  
AND REMOVE THE DWELLING LOCATED AT 111 RALEIGH AVENUE  
TAX PARCEL NUMBER 06484

WHEREAS, pursuant to the enforcement of the Minimum Housing Code contained in Article F of Chapter 1 of Title 9 of the Code of the City of Greenville, North Carolina, as authorized by the provisions of Part 6 of Article 19 of Chapter 160A of the North Carolina General Statutes, the dwelling described herein has been vacated and closed for a period of at least six (6) months;

WHEREAS, the City Council of the City of Greenville hereby finds that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling described herein in order to render it fit for human habitation and the continuation of the dwelling in its vacated and closed state would be inimical to the health, safety, morals and welfare of the city in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State; and

WHEREAS, G.S. 160A-443 (5), which applies to the City of Greenville pursuant to the provisions of Chapter 200 of the 2005 Session Laws of the North Carolina General Assembly, and Section 9-1-111 of the Code of the City of Greenville, North Carolina, empowers the City Council of the City of Greenville to enact this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Greenville that:

Section 1. The owner(s), Ideal Homes of Craven County Co., LLC, of the dwelling located at 111 Raleigh Avenue in the City of Greenville, North Carolina, is hereby directed and required to either repair said dwelling so that it fully complies with the standards of the Minimum Housing Code or to demolish and remove said dwelling within ninety (90) days from the effective date of this ordinance.

Section 2. The Code Enforcement Officer is hereby authorized and directed to proceed to either repair or demolish and remove the dwelling in the event the owner fails to comply with the provisions of Section 1 of this ordinance within ninety (90) days, said dwelling being located at 111 Raleigh Avenue and owned by Ideal Homes of Craven County, LLC.

Section 3. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The material of the dwelling and any personal property, fixtures, or appurtenances found in or attached to the dwelling shall be sold and the proceeds shall be credited against the cost of removal or demolition and any balance remaining shall be deposited in superior court where it shall be secured and disbursed in the manner provided by G.S. 160A-443 (6).

Section 4. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Section 5. This ordinance shall become effective upon its adoption.

This the 11th day of June, 2009.

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

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

NORTH CAROLINA  
PITT COUNTY

I, Patricia A. Sugg, a Notary Public in and for the aforesaid County and State, do hereby certify that Wanda T. Elks personally appeared before me this day and acknowledged that she is the City Clerk of the CITY OF GREENVILLE, a North Carolina municipal corporation, and that by authority duly given and as the act of the CITY OF GREENVILLE, the foregoing instrument was signed in its corporate name by its Mayor, sealed with its corporate seal, and attested by herself as City Clerk.

Witness my hand and Notarial Seal, this the 11th day of June, 2009.

\_\_\_\_\_  
Patricia A. Sugg, Notary Public

My Commission expires: 9/4/2011





Item # 9





05/04/2216

Item # 9





05/04/2216

Item # 9





# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Ordinance requiring the repair or the demolition and removal of the dwelling located at 1610 Beatty Street

**Explanation:** The Code Enforcement Officer for the City of Greenville is requesting that the City Council approve an ordinance requiring the owner of a dwelling which has been vacated and closed for a period of at least six months pursuant to the enforcement of the Minimum Housing Code to repair or demolish and remove the dwelling located at 1610 Beatty Street. The ordinance provides that the owner has 90 days to repair or demolish and remove the dwelling and if the owner fails to accomplish this within 90 days, then the City will proceed with repairing or demolishing and removing the dwelling.

The initial notice of violation was sent by certified mail on June 18, 2004 to the property owner informing the owner of the condition of abandoned structure and minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice to the owner was sent on May 21, 2009 and provided notice to the owner that the dwelling was considered as an abandoned structure.

The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since July 10, 2005. There have been six Code Enforcement Cases initiated on this property since 2001 ranging from public nuisance to abandoned structure. The Greenville Police Department has responded to 11 calls for service at this property since January 2000. Calls range from breaking and entering to suspicious activity to trespassing.

The tax value on the property as of May 6, 2009 was \$20,413.00 (the building value was \$15,463 and the land value was \$4,200, and extra features were \$750). The estimated costs to repair the property are \$22,043.

**Fiscal Note:** Costs to test and abate asbestos (if present) and demolition costs will be

approximately \$10,000 due to the size of the structure. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as a lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes.

**Recommendation:** Approve the attached ordinance requiring the repair or demolition and removal of the dwelling located at 1610 Beatty Street.

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**Attachments / click to download**

 [Photos of Property](#)

 [Ordinance for Repair or Demolition of 1610 Beatty Street parcel number 03183 830739](#)

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ORDINANCE NO. 09-\_\_\_\_  
ORDINANCE REQUIRING THE OWNER OF A DWELLING VACATED  
AND CLOSED FOR A PERIOD OF AT LEAST SIX MONTHS PURSUANT TO THE  
ENFORCEMENT OF THE MINIMUM HOUSING CODE TO REPAIR OR DEMOLISH  
AND REMOVE THE DWELLING LOCATED AT 1610 BEATTY STREET, PARCEL NUMBER 03183

WHEREAS, pursuant to the enforcement of the Minimum Housing Code contained in Article F of Chapter 1 of Title 9 of the Code of the City of Greenville, North Carolina, as authorized by the provisions of Part 6 of Article 19 of Chapter 160A of the North Carolina General Statutes, the dwelling described herein has been vacated and closed for a period of at least six (6) months;

WHEREAS, the City Council of the City of Greenville hereby finds that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling described herein in order to render it fit for human habitation and the continuation of the dwelling in its vacated and closed state would be inimical to the health, safety, morals and welfare of the city in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State; and

WHEREAS, G.S. 160A-443 (5), which applies to the City of Greenville pursuant to the provisions of Chapter 200 of the 2005 Session Laws of the North Carolina General Assembly, and Section 9-1-111 of the Code of the City of Greenville, North Carolina, empowers the City Council of the City of Greenville to enact this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Greenville that:

Section 1. The owner(s), Owen & Eunice Williams Burney, of the dwelling located at 1610 Beatty Street in the City of Greenville, North Carolina, is hereby directed and required to either repair said dwelling so that it fully complies with the standards of the Minimum Housing Code or to demolish and remove said dwelling within ninety (90) days from the effective date of this ordinance.

Section 2. The Code Enforcement Officer is hereby authorized and directed to proceed to either repair or demolish and remove the dwelling in the event the owner fails to comply with the provisions of Section 1 of this ordinance within ninety (90) days, said dwelling being located 1610 Beatty Street and owned by Owen & Eunice Williams Burney.

Section 3. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The material of the dwelling and any personal property, fixtures, or appurtenances found in or attached to the dwelling shall be sold and the proceeds shall be credited against the cost of removal or demolition and any balance remaining shall be deposited in superior court where it shall be secured and disbursed in the manner provided by G.S. 160A-443 (6).

Section 4. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Section 5. This ordinance shall become effective upon its adoption.

This the 11th day of June, 2009.

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

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

NORTH CAROLINA  
PITT COUNTY

I, Patricia A. Sugg, a Notary Public in and for the aforesaid County and State, do hereby certify that Wanda T. Elks personally appeared before me this day and acknowledged that she is the City Clerk of the CITY OF GREENVILLE, a North Carolina municipal corporation, and that by authority duly given and as the act of the CITY OF GREENVILLE, the foregoing instrument was signed in its corporate name by its Mayor, sealed with its corporate seal, and attested by herself as City Clerk.

Witness my hand and Notarial Seal, this the 11th day of June, 2009.

\_\_\_\_\_  
Patricia A. Sugg, Notary Public

My Commission expires: 9/4/2011





Item # 10





Item # 10





Item # 10





# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Ordinance requiring the repair or the demolition and removal of the dwelling located at 610 Griffin Street

**Explanation:** The Code Enforcement Officer for the City of Greenville is requesting that the City Council approve an ordinance requiring the owner of a dwelling which has been vacated and closed for a period of at least six months pursuant to the enforcement of the Minimum Housing Code to repair or demolish and remove the dwelling located at 610 Griffin Street. This structure has been condemned due to extensive fire damage. The ordinance provides that the owner has 90 days to repair or demolish and remove the dwelling and if the owner fails to accomplish this within 90 days, then the City will proceed with demolishing and removing the dwelling.

The initial notice of violation was sent by certified mail on January 15, 2009 to the property owner informing the owner of the condition of the abandoned structure and minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance.

Staff has attempted to work with the owner, but no repairs have been made. The most recent notice to the owner was sent on May 14, 2009, and provided notice to the owner that the dwelling was considered as an abandoned structure.

The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since December 30, 2008. There have been eight Code Enforcement Cases initiated on this property since 1998 ranging from Public Nuisance to Abandoned Structure. The Greenville Police Department has responded to 30 calls for service at this property since January 2000. Calls range from assaults to disputes to violations of the NC Controlled Substance Act to warrant service.

The tax value on the property as of May 6, 2009 was \$36,712 (the building value was \$32,212 and the land value was \$4,500). The estimated costs to repair the property are \$47,192.00.

**Fiscal Note:**

Costs to test and abate asbestos (if present) and demolition costs will be approximately \$10,000 due to the size of the structure. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as a lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes.

**Recommendation:**

Approve the attached ordinance requiring the repair or demolition and removal of the dwelling located at 610 Griffin Street.

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**Attachments / click to download**

 [Photos of Property](#)

 [Ordinance for Repair or Demolition of 610 Griffin Street parcel number 12953 829478](#)

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ORDINANCE NO. 09-\_\_\_\_  
ORDINANCE REQUIRING THE OWNER OF A DWELLING VACATED  
AND CLOSED FOR A PERIOD OF AT LEAST SIX MONTHS PURSUANT TO THE  
ENFORCEMENT OF THE MINIMUM HOUSING CODE TO REPAIR OR DEMOLISH  
AND REMOVE THE DWELLING LOCATED AT 610 GRIFFIN STREET, TAX PARCEL NUMBER 13466

WHEREAS, pursuant to the enforcement of the Minimum Housing Code contained in Article F of Chapter 1 of Title 9 of the Code of the City of Greenville, North Carolina, as authorized by the provisions of Part 6 of Article 19 of Chapter 160A of the North Carolina General Statutes, the dwelling described herein has been vacated and closed for a period of at least six (6) months;

WHEREAS, the City Council of the City of Greenville hereby finds that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling described herein in order to render it fit for human habitation and the continuation of the dwelling in its vacated and closed state would be inimical to the health, safety, morals and welfare of the city in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State; and

WHEREAS, G.S. 160A-443 (5), which applies to the City of Greenville pursuant to the provisions of Chapter 200 of the 2005 Session Laws of the North Carolina General Assembly, and Section 9-1-111 of the Code of the City of Greenville, North Carolina, empowers the City Council of the City of Greenville to enact this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Greenville that:

Section 1. The owner(s), Greg Barkman, of the dwelling located at 610 Griffin Street, in the City of Greenville, North Carolina, is hereby directed and required to either repair said dwelling so that it fully complies with the standards of the Minimum Housing Code or to demolish and remove said dwelling within ninety (90) days from the effective date of this ordinance.

Section 2. The Code Enforcement Officer is hereby authorized and directed to proceed to either repair or demolish and remove the dwelling in the event the owner fails to comply with the provisions of Section 1 of this ordinance within ninety (90) days, said dwelling being located at 610 Griffin Street and owned by Greg Barkman.

Section 3. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The material of the dwelling and any personal property, fixtures, or appurtenances found in or attached to the dwelling shall be sold and the proceeds shall be credited against the cost of removal or demolition and any balance remaining shall be deposited in superior court where it shall be secured and disbursed in the manner provided by G.S. 160A-443 (6).

Section 4. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Section 5. This ordinance shall become effective upon its adoption.

This the 11th day of June, 2009.

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

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

NORTH CAROLINA  
PITT COUNTY

I, Patricia A. Sugg, a Notary Public in and for the aforesaid County and State, do hereby certify that Wanda T. Elks personally appeared before me this day and acknowledged that she is the City Clerk of the CITY OF GREENVILLE, a North Carolina municipal corporation, and that by authority duly given and as the act of the CITY OF GREENVILLE, the foregoing instrument was signed in its corporate name by its Mayor, sealed with its corporate seal, and attested by herself as City Clerk.

Witness my hand and Notarial Seal, this the 11th day of June, 2009.

\_\_\_\_\_  
Patricia A. Sugg, Notary Public

My Commission expires: 9/4/2011



Item # 11





Item # 11





Item # 11



# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Ordinance requiring the repair or the demolition and removal of the dwelling located at 704 Fleming Street

**Explanation:** The Code Enforcement Officer for the City of Greenville is requesting that the City Council approve an ordinance requiring the owner of a dwelling which has been vacated and closed for a period of at least six months pursuant to the enforcement of the Minimum Housing Code to repair or demolish and remove the dwelling located at 704 Fleming Street. The ordinance provides that the owner has 90 days to repair or demolish and remove the dwelling and if the owner fails to accomplish this within 90 days, then the City will proceed with repairing or demolishing and removing the dwelling.

The initial notice of violation was sent by certified mail on July 22, 1999 to the property owner informing the owner of the condition of abandoned structure and minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice to the owner was sent on April 29, 2009 and provided notice to the owner that the dwelling was considered as an abandoned structure. Additionally, a Notice of Service of Nuisance Abatement Resolution by Publication was placed in the City Page on May 18, 2009 and was run in the Daily Reflector for four consecutive weeks.

The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since July 2006. There have been 12 Code Enforcement Cases initiated on this property since 1998 ranging from public nuisance to abandoned structure. The Greenville Police Department has responded to 13 calls for service at this property since January 2000. Calls range from breaking and entering, to larceny, to warrant service, to domestic violence, to rape.

The tax value on the property as of March 9, 2009 was \$44,438 (the building value was \$42,147 and the land value was \$2,291). The estimated costs to repair the property are \$24,443.



**Fiscal Note:**

Costs to test and abate asbestos (if present) and demolition costs will be approximately \$10,000 due to the size of the structure. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as a lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes.

**Recommendation:**

Approve the attached ordinance requiring the repair or demolition and removal of the dwelling located at 704 Fleming Street.

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 [Photos of Property](#)

 [Ordinance for Repair or Demolition 704 Fleming Street parcel number 023692 829379](#)

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ORDINANCE NO. 09-\_\_\_

ORDINANCE REQUIRING THE OWNER OF A DWELLING VACATED  
AND CLOSED FOR A PERIOD OF AT LEAST SIX MONTHS PURSUANT TO THE  
ENFORCEMENT OF THE MINIMUM HOUSING CODE TO REPAIR OR DEMOLISH  
AND REMOVE THE DWELLING LOCATED AT 704 FLEMING STREET  
TAX PARCEL NUMBER 023692

WHEREAS, pursuant to the enforcement of the Minimum Housing Code contained in Article F of Chapter 1 of Title 9 of the Code of the City of Greenville, North Carolina, as authorized by the provisions of Part 6 of Article 19 of Chapter 160A of the North Carolina General Statutes, the dwelling described herein has been vacated and closed for a period of at least six (6) months;

WHEREAS, the City Council of the City of Greenville hereby finds that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling described herein in order to render it fit for human habitation and the continuation of the dwelling in its vacated and closed state would be inimical to the health, safety, morals and welfare of the city in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State; and

WHEREAS, G.S. 160A-443 (5), which applies to the City of Greenville pursuant to the provisions of Chapter 200 of the 2005 Session Laws of the North Carolina General Assembly, and Section 9-1-111 of the Code of the City of Greenville, North Carolina, empowers the City Council of the City of Greenville to enact this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Greenville that:

Section 1. The owner(s), Danny E. Thomas, of the dwelling located at 704 Fleming Street, in the City of Greenville, North Carolina, is hereby directed and required to either repair said dwelling so that it fully complies with the standards of the Minimum Housing Code or to demolish and remove said dwelling within ninety (90) days from the effective date of this ordinance.

Section 2. The Code Enforcement Officer is hereby authorized and directed to proceed to either repair or demolish and remove the dwelling in the event the owner fails to comply with the provisions of Section 1 of this ordinance within ninety (90) days, said dwelling being located at 704 Fleming Street and owned by Danny E. Thomas.

Section 3. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The material of the dwelling and any personal property, fixtures, or appurtenances found in or attached to the dwelling shall be sold and the proceeds shall be credited against the cost of removal or demolition and any balance remaining shall be deposited in superior court where it shall be secured and disbursed in the manner provided by G.S. 160A-443 (6).

Section 4. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Section 5. This ordinance shall become effective upon its adoption.

This the 11th day of June, 2009.

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

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

NORTH CAROLINA  
PITT COUNTY

I, Patricia A. Sugg, a Notary Public in and for the aforesaid County and State, do hereby certify that Wanda T. Elks personally appeared before me this day and acknowledged that she is the City Clerk of CITY OF GREENVILLE, a North Carolina municipal corporation, and that by authority duly given and as the act of the CITY OF GREENVILLE, the foregoing instrument was signed in its corporate name by its Mayor, sealed with its corporate seal, and attested by herself as City Clerk.

Witness my hand and Notarial Seal, this the 11h day of June, 2009.

\_\_\_\_\_  
Patricia A. Sugg, Notary Public

My Commission expires: 9/4/2011





Item # 12





Item # 12





Item # 12



# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Ordinance requiring the repair or the demolition and removal of the dwelling located at 805 Bancroft Avenue

**Explanation:** The Code Enforcement Officer for the City of Greenville is requesting that the City Council approve an ordinance requiring the owner of a dwelling which was damaged by a tree falling on the roof of the structure, pursuant to the enforcement of the Minimum Housing Code, to repair or demolish and remove the dwelling located at 805 Bancroft Avenue. The ordinance provides that the owner has 90 days to repair or demolish and remove the dwelling and if the owner fails to accomplish this within 90 days, then the City will proceed with demolishing and removing the dwelling.

The initial notice of violation was sent by certified mail on January 12, 2009 to the property owner informing the owner of the condition of abandoned structure and minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice to the owner was sent on May 21, 2009 and provided notice to the owner that the dwelling was considered as an abandoned structure.

The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since November 5, 2008. There have been eight Code Enforcement Cases initiated on this property since 2001 ranging from public nuisance to abandoned structure. The Greenville Police Department has responded to 32 calls for service at this property since January 2000. Calls range from arrests, assaults, disputes, to shots fired.

The tax value on the property as of May 6, 2009 was \$25,341 (the building value was \$20,141 and the land value was \$5,200). The estimated costs to repair the property are \$57,688.

**Fiscal Note:** Costs to test and abate asbestos (if present) and demolition costs will be approximately \$10,000 due to the size of the structure. The cost of repair or

demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as a lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes.

**Recommendation:** Approve the attached ordinance requiring the repair or demolition and removal of the dwelling located at 805 Bancroft Avenue.

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 [Photos of Property](#)

 [Ordinance\\_for\\_Repair\\_or\\_Demolition\\_of\\_805\\_Bancroft\\_Avenue\\_parcel\\_number\\_01525\\_830591](#)

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ORDINANCE NO. 09-\_\_\_\_  
ORDINANCE REQUIRING THE OWNER OF A DWELLING VACATED  
AND CLOSED FOR A PERIOD OF AT LEAST SIX MONTHS PURSUANT TO THE  
ENFORCEMENT OF THE MINIMUM HOUSING CODE TO REPAIR OR DEMOLISH  
AND REMOVE THE DWELLING LOCATED AT 805 BANCROFT AVENUE  
TAX PARCEL NUMBER 01525

WHEREAS, pursuant to the enforcement of the Minimum Housing Code contained in Article F of Chapter 1 of Title 9 of the Code of the City of Greenville, North Carolina, as authorized by the provisions of Part 6 of Article 19 of Chapter 160A of the North Carolina General Statutes, the dwelling described herein has been vacated and closed for a period of at least six (6) months;

WHEREAS, the City Council of the City of Greenville hereby finds that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling described herein in order to render it fit for human habitation and the continuation of the dwelling in its vacated and closed state would be inimical to the health, safety, morals and welfare of the city in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State; and

WHEREAS, G.S. 160A-443 (5), which applies to the City of Greenville pursuant to the provisions of Chapter 200 of the 2005 Session Laws of the North Carolina General Assembly, and Section 9-1-111 of the Code of the City of Greenville, North Carolina, empowers the City Council of the City of Greenville to enact this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Greenville that:

Section 1. The owner(s), Seth Hatteras LLC, of the dwelling located at 805 Bancroft Avenue in the City of Greenville, North Carolina, is hereby directed and required to either repair said dwelling so that it fully complies with the standards of the Minimum Housing Code or to demolish and remove said dwelling within ninety (90) days from the effective date of this ordinance.

Section 2. The Code Enforcement Officer is hereby authorized and directed to proceed to either repair or demolish and remove the dwelling in the event the owner fails to comply with the provisions of Section 1 of this ordinance within ninety (90) days, said dwelling being located at 805 Bancroft Avenue and owned by Seth Hatteras LLC.

Section 3. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The material of the dwelling and any personal property, fixtures, or appurtenances found in or attached to the dwelling shall be sold and the proceeds shall be credited against the cost of removal or demolition and any balance remaining shall be deposited in superior court where it shall be secured and disbursed in the manner provided by G.S. 160A-443 (6).

Section 4. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Section 5. This ordinance shall become effective upon its adoption.

This the 11th day of June, 2009.

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

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

NORTH CAROLINA  
PITT COUNTY

I, Patricia A. Sugg, a Notary Public in and for the aforesaid County and State, do hereby certify that Wanda T. Elks personally appeared before me this day and acknowledged that she is the City Clerk of the CITY OF GREENVILLE, a North Carolina municipal corporation, and that by authority duly given and as the act of the CITY OF GREENVILLE, the foregoing instrument was signed in its corporate name by its Mayor, sealed with its corporate seal, and attested by herself as City Clerk.

Witness my hand and Notarial Seal, this the 11th day of June, 2009.

\_\_\_\_\_  
Patricia A. Sugg, Notary Public

My Commission expires: 9/4/2011





Item # 13





Item # 13





Item # 13





# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Ordinances adopting fiscal year 2009-2010 budgets for the City of Greenville including Sheppard Memorial Library and Greenville-Pitt County Convention & Visitors Authority, and Greenville Utilities Commission

**Explanation:** Attached are the fiscal year 2009-2010 budget ordinances for the City of Greenville (including Sheppard Memorial Library and Greenville-Pitt County Convention & Visitors Authority) and Greenville Utilities Commission. These ordinances were the subject of a public hearing on June 8, 2009.

**Fiscal Note:** The 2009-2010 ordinances provide revenues and appropriations for the following funds:

General Fund	\$71,133,682
Debt Service Fund	4,809,138
Public Transportation Fund	2,042,519
Sanitation Fund	5,731,978
Bradford Creek Golf Course Fund	935,125
Stormwater Utility Fund	4,886,259
Community Development Housing Fund	1,525,673
Dental Reimbursement Fund	239,008
Capital Reserve Fund	545,195
Vehicle Replacement Fund	2,752,690
Sheppard Memorial Library	2,436,321
Convention & Visitors Authority	843,279
Greenville Utilities Commission	269,968,839

**Recommendation:** Approve the attached budget ordinances for fiscal year 2009-2010.

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**Attachments / click to download**

 [Original Ordinance FY 2009 2010 828986](#)

 [GUC Budget Ordinance Fiscal Year 2009 2010 830755](#)

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## ORDINANCE NO.

CITY OF GREENVILLE, NORTH CAROLINA  
2009-2010 BUDGET ORDINANCE

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

Section I: Estimated Revenue. It is estimated that the following revenues will be available for the City of Greenville during the fiscal year beginning July 1, 2009 and ending June 30, 2010:

## GENERAL FUND

## Unrestricted Intergovernmental Revenues:

## Ad Valorem Taxes;

Current Year Taxes - Operations	\$ 29,446,590	
Prior Year's Taxes and Penalties	194,848	
Subtotal		\$ 29,641,438

Sales Tax	\$ 13,736,686	
Video Prog. & Tele. Comm. Svcs Tax	978,431	
Rental Vehicle Gross Receipts	90,000	
Utilities Franchise Tax	5,338,099	
Motor Vehicle Tax	859,950	
Other Unrestricted Intergovernmental Revenues	706,259	
Subtotal		\$ 21,709,425

## Restricted Intergovernmental Revenues:

Restricted Intergovernmental Revenues	\$ 847,977	
Powell Bill - State allocation payment	1,901,793	
Subtotal		\$ 2,749,770

## Licenses, Permits, &amp; Fees:

Privilege Licenses	\$ 609,418	
Other Licenses, Permits & Fees	2,391,085	
Subtotal		\$ 3,000,503

## Sales and Services:

Rescue Service Transport	\$ 2,409,670	
Parking Violation Penalties, Leases, and Meters	281,464	
Other Sales and Services	1,457,480	
Subtotal		\$ 4,148,614

## Other Revenues:

Other Revenue Sources	\$ 287,502	
Subtotal		\$ 287,502

## Investment Earnings:

Interest on Investments	\$ 1,464,348	
Subtotal		\$ 1,464,348

## Other Financing Sources:

Transfer in Greenville Utilities Commission	\$ 5,250,135	
Appropriated Fund Balance	2,076,906	
Other Transfers	805,041	
Subtotal		\$ 8,132,082

## TOTAL GENERAL FUND REVENUES

\$ 71,133,682

DEBT SERVICE FUND

Powell Bill Fund	\$	50,176	
Occupancy Tax		538,246	
Transfer from General Fund		<u>4,220,716</u>	
TOTAL DEBT SERVICE FUND			<u>\$ 4,809,138</u>

PUBLIC TRANSPORTATION FUND

Operating Grant 2008-2009	\$	437,280	
Capital Grant 2008-2009		916,440	
Planning Grant 2008-2009		28,100	
State Maintenance Assistant Program		175,000	
Hammock Source		818	
Miscellaneous		100	
Pitt Community College Bus Fare		4,092	
Eastern Carolina Vocational Center Service Contract		1,488	
Bus Fares		100,000	
Bus Ticket Sales		55,000	
Pitt Co. Bus Service		4,185	
Interest on Checking		2,710	
Transfer from Gen Fund-Operating		<u>317,306</u>	
TOTAL PUBLIC TRANSPORTATION FUND			<u>\$ 2,042,519</u>

SANITATION FUND

Refuse Fees	\$	5,536,224	
NC Mosquito Control		10,000	
Recycling Revenue		5,000	
Cart and Dumpster		98,014	
Landfill Charges		48,840	
Transfer for General Fund		33,900	
TOTAL SANITATION FUND			<u>\$ 5,731,978</u>

BRADFORD CREEK GOLF COURSE FUND

Green Fees	\$	648,865	
Cart Fees		13,200	
Driving Range		120,000	
Concessions (Food & Beverage)		78,000	
Other (Tournaments, Rentals)		39,960	
Pro Shop Sales		<u>35,100</u>	
TOTAL BRADFORD CREEK GOLF COURSE FUND			<u>\$ 935,125</u>



STORMWATER MANAGEMENT UTILITY FUND

Utility Fee	\$	2,898,243	
Interest on Checking		60,616	
Appropriated Fund Balance		<u>1,927,400</u>	
TOTAL STORMWATER MANAGEMENT UTILITY FUND			<u>\$ 4,886,259</u>

COMMUNITY DEVELOPMENT HOUSING FUND (GRANT PROJECT FUND)

Annual CDBG Grant Funding	\$	797,582	
HUD City of Greenville		500,000	
Transfer from General Fund		<u>228,091</u>	
TOTAL COMMUNITY DEVELOPMENT HOUSING FUND			<u>\$ 1,525,673</u>

DENTAL REIMBURSEMENT FUND

Employer Contributions - City of Greenville	\$	174,851	
Employee Contributions - City of Greenville		<u>64,157</u>	
TOTAL CAPITAL RESERVE FUND			<u>\$ 239,008</u>

CAPITAL RESERVE FUND

Appropriated Fund Balance	\$	<u>545,195</u>	
TOTAL CAPITAL RESERVE FUND			<u>\$ 545,195</u>

VEHICLE REPLACEMENT FUND

Interest on checking	\$	50,000	
Transfer from other funds		<u>2,702,690</u>	
TOTAL VEHICLE REPLACEMENT FUND			<u>\$ 2,752,690</u>
TOTAL ESTIMATED CITY OF GREENVILLE REVENUES			<u>\$ 94,601,267</u>

SHEPPARD MEMORIAL LIBRARY FUND

City of Greenville	\$	1,100,392	
Pitt County		550,196	
Town of Bethel		26,805	
Town of Winterville		131,050	
State Aid		202,448	
Desk/Copier Receipts		123,562	
Interest		16,480	
Miscellaneous Revenues		43,983	
Greenville Housing Authority		10,692	
LSTA Grant		100,000	
Appropriated Fund Balance		<u>130,713</u>	
TOTAL SHEPPARD MEMORIAL LIBRARY FUND			<u>\$ 2,436,321</u>

PITT-GREENVILLE CONVENTION AND VISITORS AUTHORITY

Occupancy Tax (2%)	\$ 524,347	
Occupancy Tax (1%)	262,173	
Interest on Checking	38,000	
Appropriated Fund Balance	<u>18,759</u>	
 TOTAL PITT-GREENVILLE CONVENTION AND VISITORS AUTHORITY FUND		 <u><u>\$ 843,279</u></u>

Section II: Appropriations. The following amounts are hereby appropriated for the operation of the City of Greenville and its activities for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

GENERAL FUND

Mayor & City Council	\$ 428,288
City Manager	1,086,153
City Clerk	275,445
City Attorney	435,459
Human Resources	2,101,831
Information Technology	2,907,322
Fire/Rescue	12,127,343
Financial Services	2,218,950
Contingency	1,151,642
Police	20,599,719
Recreation & Parks	6,197,166
Public Works	9,653,824
Community Development	1,633,898
Capital Improvement	4,099,961
Transfers to Other Funds	6,216,681
 TOTAL GENERAL FUND	 <u><u>\$ 71,133,682</u></u>

DEBT SERVICE FUND

Debt Service	\$ 4,809,138
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PUBLIC TRANSPORTATION FUND

Transit	\$ 2,042,519
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SANITATION FUND

Sanitation Service	\$ 5,731,978
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BRADFORD CREEK GOLF COURSE FUND

Bradford Creek Golf Course \$ 935,125

STORMWATER MANAGEMENT UTILITY FUND

Stormwater Management Utility \$ 4,886,259

COMMUNITY DEVELOPMENT HOUSING PROGRAM FUND

Community Development Housing/CDBG \$ 1,525,673

DENTAL REIMBURSEMENT FUND

Dental Reimbursement Fund \$ 239,008

CAPITAL RESERVE FUND

Capital Reserve Fund \$ 545,195

VEHICLE REPLACEMENT FUND

Vehicle Replacement Fund \$ 2,752,690

TOTAL CITY OF GREENVILLE APPROPRIATIONS \$ 94,601,267

SHEPPARD MEMORIAL LIBRARY FUND

Sheppard Memorial Library \$ 2,436,321

PITT-GREENVILLE CONVENTION AND VISITORS AUTHORITY

Pitt-Greenville Convention and Visitors Authority \$ 843,279

Section III: Encumbrances. Appropriations herein authorized and made shall have the amount of outstanding purchase orders as of June 30, 2009, added to each appropriation as it appears in order to account for the expenditures in the fiscal year in which it was paid.

Section IV: Taxes Levied. There is hereby levied a tax rate of 52 cents per one hundred dollars (\$100) valuation of taxable properties, as listed for taxes as of January 1, 2009, for the purpose of raising the revenue from current year's property tax, as set forth in the foregoing estimates of revenue, and in order to finance the foregoing appropriations.

Section V: Salaries.

(a) Salaries of Elected Officials. The annual salaries of the Mayor, Mayor Pro-Tem, and other members of the City Council shall be as follows:

Mayor	\$ 11,500
Mayor Pro-Tem	\$ 7,800
Council Members	\$ 7,500

(b) Salary Cap of Greenville Utilities Commission Members. Pursuant to Section 4 of the Charter of the Greenville Utilities Commission of the City of Greenville, the monthly salaries of members of the Greenville Utilities Commission shall not exceed the following caps:

Chair	\$ 350
Member	\$ 200

Section VI: Amendments.

(a) Pursuant to General Statutes 159-15, this budget may be amended by submission of proposed changes to the City Council.

(b) Notwithstanding Subsection (a) above, the City Manager is authorized to transfer funds from one appropriation to another within the same fund in an amount not to exceed \$10,000. Any such transfers shall be reported to the City Council at its regular meeting and shall be entered in the minutes.

(c) In case of emergency which threatens the lives, health, or safety of the public, the City Manager may authorize expenditures in an amount necessary to meet the emergency so long as such amount does not exceed the amount in contingency accounts and the expenditure is reported to the City Council as soon as possible, and the appropriate budget amendments are submitted at the next regular meeting.

Section VII: Community Development. The City Council does hereby authorize grant project funds for the operation of FY 2009-2010 CDBG Entitlement and Community Development Home Consortium programs under the Community Development Block Grant Program and Home Consortium Program for the primary purpose of housing rehabilitation and other stated expenditures.

Section VIII: Greenville Utilities Commission. The City Council adopts a separate ordinance for the budget of the Greenville Utilities Commission.

Section IX: Distribution. Copies of this ordinance shall be furnished to the City Manager and the Director of Financial Services of the City of Greenville to be kept on file by them for their direction in the disbursement of funds.

ADOPTED this the 11th day of June, 2009.

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

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk



ORDINANCE NO. \_\_\_\_\_  
CITY OF GREENVILLE, NORTH CAROLINA  
2009-10 GREENVILLE UTILITIES COMMISSION BUDGET ORDINANCE

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

Section I. Estimated Net Revenues and Fund Balances. It is estimated that the following non-tax revenues and fund balances will be available during the fiscal year beginning July 1, 2009 and ending June 30, 2010 to meet the subsequent expenditures, according to the following schedules:

	<u>REVENUE</u>	<u>BUDGET</u>
A.	<u>Electric</u>	
	Rates & Charges	\$196,646,496
	Fees & Charges	725,000
	U.G. & Temp. Service Charges	236,400
	Miscellaneous	570,906
	Interest on Investments	525,000
	Equipment Loan	<u>540,000</u>
	Total Electric Revenue	\$199,243,802
B.	<u>Water</u>	
	Rates & Charges	\$13,943,976
	Fees & Charges	386,756
	Capacity Fees	130,000
	Miscellaneous	159,602
	Interest on Investments	54,000
	Transfer from Capital Projects	<u>93,000</u>
	Total Water Revenue	\$14,767,334
C.	<u>Sewer</u>	
	Rates & Charges	\$14,029,444
	Fees & Charges	367,297
	Capacity Fees	115,000
	Acreage Fees	255,000
	Pitt County	130,437
	Miscellaneous	105,906
	Interest on Investments	112,500
	Equipment Loan	278,000
	Transfer from Capital Projects	125,000
	Appropriated Fund Balance	<u>120,000</u>
	Total Sewer Revenue	\$15,638,584
D.	<u>Gas</u>	
	Rates & Charges	\$39,585,974
	Fees & Charges	141,000
	Miscellaneous	125,145
	Interest on Investments	45,000
	Equipment Loan	<u>422,000</u>
	Total Gas Revenue	<u>\$40,319,119</u>
	TOTAL REVENUE	<u><u>\$269,968,839</u></u>

Section II. Expenditures. The following amounts are hereby estimated for the Greenville Utilities Commission to be expended for managing, operating, improving, maintaining, and extending electric, water, sewer and gas utilities during the fiscal year beginning July 1, 2009 and ending on June 30, 2010, according to the following schedules:

BUDGET

Governing Body Department	\$3,698,904
Finance Department	\$16,781,578
Human Resources Department	\$3,026,402
IT Department	\$3,034,138
Customer Relations Department	\$4,302,009
Electric Department	\$185,064,450
Meter	\$2,545,712
Water Department	\$7,695,008
Sewer Department	\$7,640,099
Gas Department	\$35,620,108
Utility Locating Services	<u>\$560,431</u>
TOTAL EXPENDITURES	<u><u>\$269,968,839</u></u>

Section III: Amendments. (a) Pursuant to General Statutes 159-15, this budget may be amended by submission of proposed changes to the City Council.

(b) Notwithstanding Subsection (a) above, the General Manager/CEO of Greenville Utilities Commission is authorized to transfer funds from one appropriation to another within the same fund in an amount not to exceed \$10,000. Any such transfers shall be reported to the Greenville Utilities Commission and the City Council at their next regular meeting and shall be entered in the minutes.

(c) In case of emergency which threatens the lives, health, or safety of the public, the General Manager/CEO may authorize expenditures in an amount necessary to meet the the emergency so long as such amount does not exceed the amount in contingency accounts and the expenditure is reported to the Greenville Utilities Commission as soon as possible, and appropriate budget amendments are submitted to the City Council, if necessary, at its next regular meeting.

Section IV: Distribution. Copies of this ordinance shall be furnished to the General Manager/CEO and the Chief Financial Officer of the Greenville Utilities Commission, and the Director of Financial Services of the City of Greenville to be kept on file by them for their direction in the disbursement of funds.

Adopted this the 11th day of June, 2009.

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

Attest:

\_\_\_\_\_  
Wanda T. Elks, City Clerk



# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Reallocation of Capital Improvement Program Funds

**Explanation:** The 2005-2010 Capital Improvement Program budget provides funds for the Reade Street - Hodges Parking Lot improvements project. In FY 2005-2006, \$285,000 was included in the General Fund operating budget and those funds have been carried forward to this date. At present, there is a \$257,570.18 remaining balance. The use of those funds for this project is no longer needed. The project is included in the Center City Revitalization 2008-2009 Annual Work Plan as the Reade and Cotanche Streetscape Project and will be funded from the 2004 General Obligation bond funds. The Greenville Redevelopment Commission (RDC) awarded the project construction bid at its June 2, 2009, meeting.

The funds remaining in the General Fund project account are no longer needed for the Reade Street - Hodges Parking Lot project and must be reallocated. Staff recommends that the City Council reallocate those General Fund revenues to accomplish the following capital projects:

1. Greenville Wayfinding System - \$ 217,570.18
2. Greenville Convention Center District Streetscape Improvements (Phase 1) - \$40,000.

### **Wayfinding System**

Funds are available to complete the wayfinding system only in the West Greenville and Center City Revitalization areas using 2004 General Obligation bond funds. Effective wayfinding systems typically extend beyond the central city area because motorists rely on advance signage to guide them to a community's key destinations, such as the airport, convention center, and hospital. Examples of the wayfinding signs are attached.

On May 6, 2009, several City Council members, elected officials from other Pitt County municipalities, and City staff had an opportunity to observe and experience first-hand the benefits of an effective wayfinding system when they

traveled to Raleigh to participate in the annual Town Hall Day legislative activities. The experience of navigating around Raleigh was much easier and more visitor-friendly as a result of its new wayfinding system. These funds will allow the City to install some 75-100 signs that will replace the assorted array of signs that have been installed on an ad-hoc basis over the years.

### **Convention Center District Streetscape**

The Convention Center District Streetscape Improvements Phase 1 project is underway and is expected to make the area more attractive to convention goers. One component of the project that lacks funds to be completed is the Convention Center marquee sign's replacement. A picture of the current sign is attached.

The Convention Center operator, Exhibit Hall Managers, advised City staff that the sign's technology is obsolete and that it is becoming increasingly more difficult to keep the sign's light bulbs working properly and to get repair parts. The requested \$40,000 will allow staff to proceed with the plan to update the sign and to possibly have it installed and running in time for the 2009 North Carolina League of Municipalities Annual Conference.

This money may not be needed if the Convention Center Naming Rights negotiation yields an agreement, which will require City Council approval. In that event, these funds will be used to continue installation of the wayfinding system signs.

### **Fiscal Note:**

The General Fund contains \$257,570.18 for the Reade Street - Hodges Parking Lot improvements project.

### **Recommendation:**

Reallocate \$257,570.18 from the 2005-2010 Capital Improvement Program budget to the Wayfinding System and the Convention Center District Streetscape Improvement Project - Phase 1.

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

#### **Attachments / click to download**

 [Convention Center Marquee Sign](#)

 [Wayfinding Sign Types](#)

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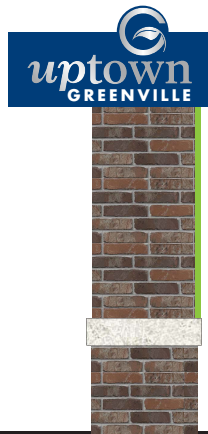


GATE.1

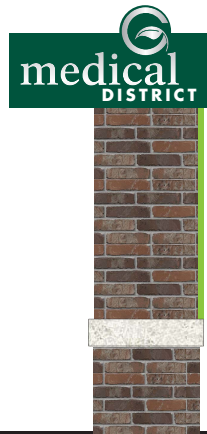


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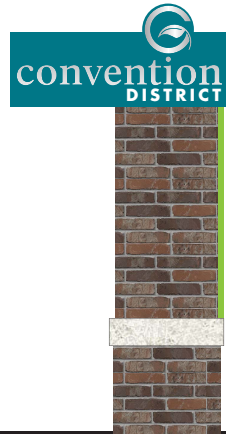
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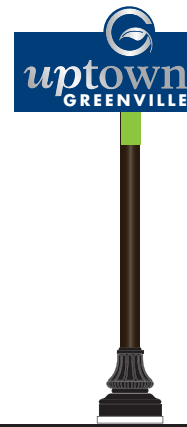
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DIST\_GATE.1b



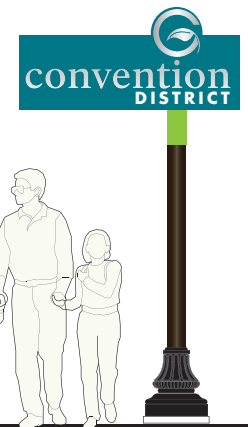
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DIST\_GATE.2a



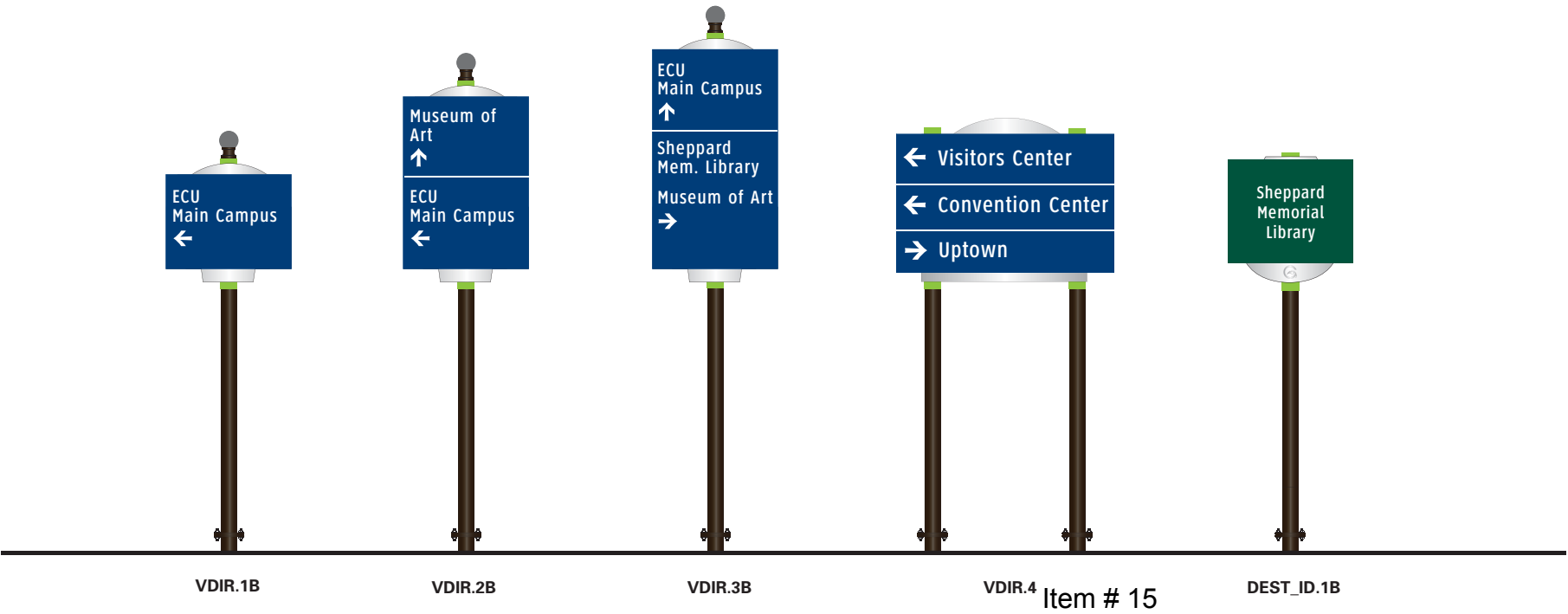
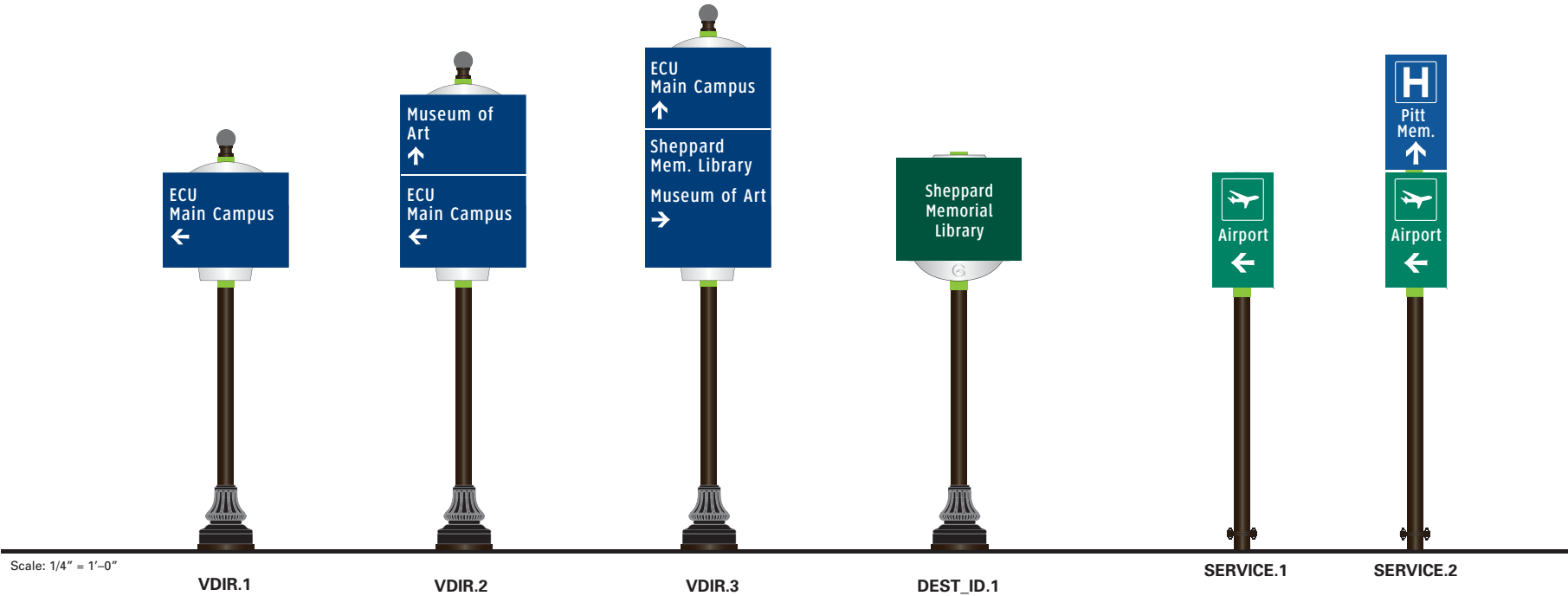
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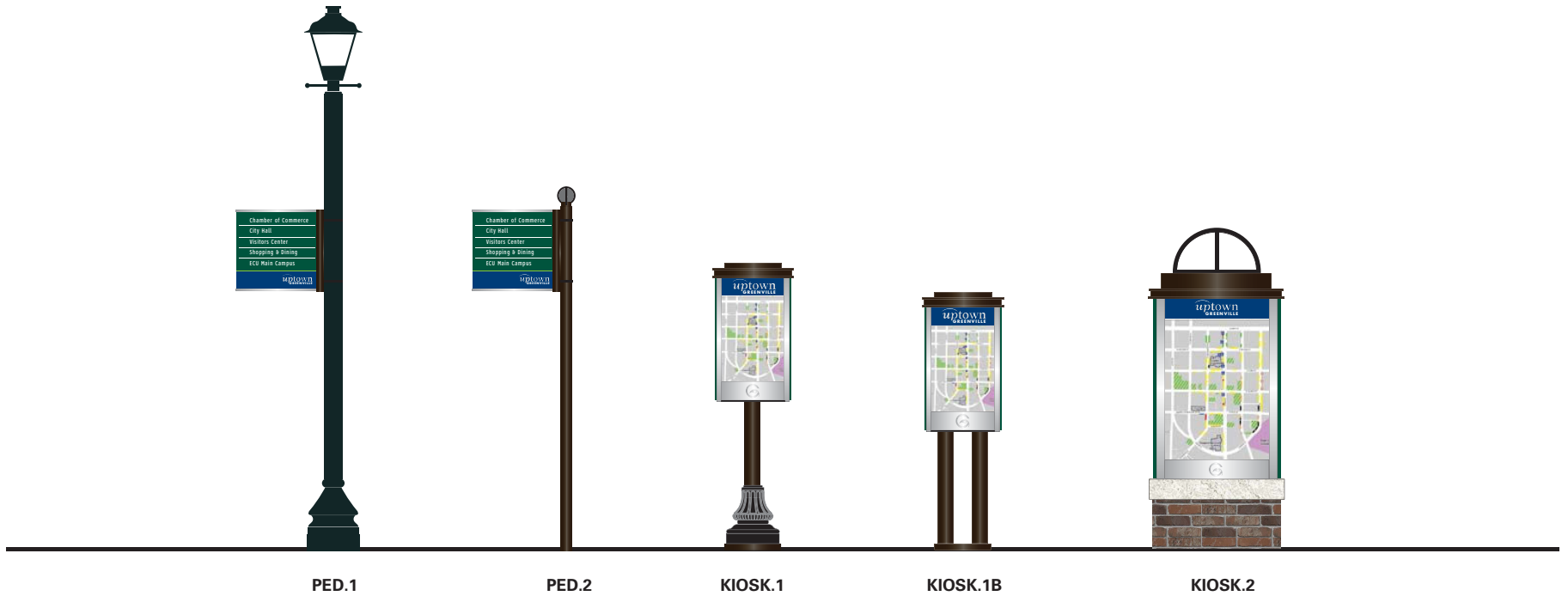
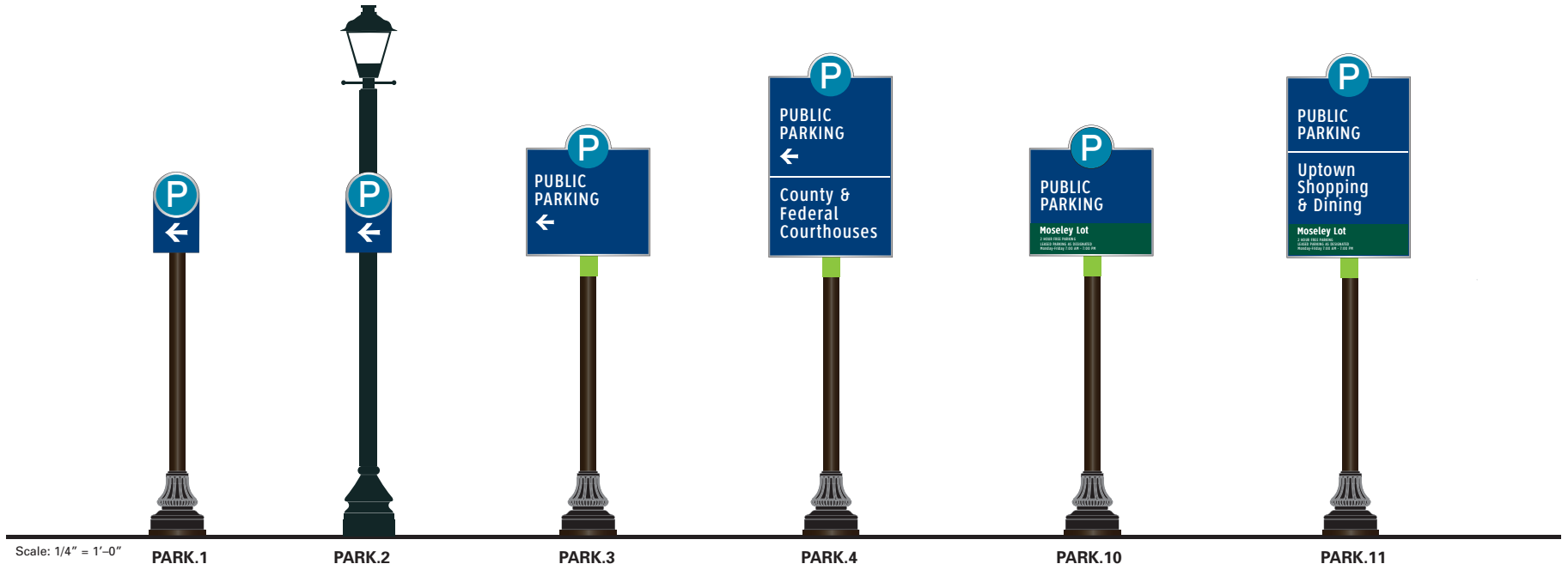


DIST\_GATE.2c

Scale: 1/4" = 1'-0"









# GREENVILLE CONVENTION CENTER

WELCOME

NOW TAKING RESERVATIONS  
OPENING JUNE 2009

Affordable  
Pharmaceuticals  
738-3019





# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

- 
- Title of Item:** Redevelopment Commission work plan and budget for fiscal year 2009-2010
- Explanation:** As has been the custom since the adoption of the Center City-West Greenville Revitalization Plan in January of 2006, the Redevelopment Commission prepares a program of work and corresponding budget to run concurrently with the City of Greenville's fiscal year. The program of work is presented to the City Council each year for consideration and approval.
- Fiscal Note:** The majority of Redevelopment Commission projects and programs are funded through the use of 2004 general obligation bond funds approved by Greenville's citizens for revitalization activities in the Center City and West Greenville revitalization areas. Sources and uses of funding along with an annual budget are included in the 2009-2010 work plan.
- Recommendation:** The Greenville Redevelopment Commission approved the fiscal year 2009-2010 work plan at their meeting on June 2, 2009. The Redevelopment Commission recommends approval of the plan and associated budget.
- 

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

Attachments / click to download

 [2009 - 2010 RDC Work Plan](#)

# REDEVELOPMENT COMMISSION OF GREENVILLE

## 2009 – 2010 ANNUAL WORK PLAN



**Construction of First Street Place Lofts (L) and Nathaniel Village (R) will be completed in the coming year bringing hundreds of new residents to Greenville's Center City.**





## **A. Introduction**

Since adoption of the *Center City – West Greenville Revitalization Plan* in March of 2006 the Redevelopment Commission of Greenville has engaged in an ambitious program of work. Much of the work during the last 36 months has been low visibility, with a primary focus on planning, design and property acquisition. The 2009 – 2010 Redevelopment Commission Work Plan will see a shift, with many of the projects moving from the drawing board to construction. Of the fifteen total items in the current work plan, all but two are carry-over items from the previous annual program of work. This work plan will guide City of Greenville staff and private contractors who will carry out a defined set of activities listed herein and timed to coincide with the City's fiscal year running from July 1, 2009 through June 30, 2010.

Activities related to the West Greenville 45-Block CDBG project, as listed in the current CDBG Annual Plan, are incorporated into this document by reference.

## **B. 2009 – 2010 Work Plan Items**

### 1. Center City Design Standards \*\*

As specified in the Revitalization Plan, City staff has been leading a group of design professionals and other interested citizens in a process to develop and recommend a set of guidelines to address the design quality of public and private development projects within a defined section of the center city. To date, the group has developed a draft version of the guidelines and has held multiple public meetings, including an open house, stakeholder workshops, and focus group meetings.

Now nearing completion, the new design standards will compliment existing architectural styles, while serving to address the form, scale and visual character of preservation, renovation and new construction projects. It is hoped that such design standards will help to make the center city area a safe, accessible and inviting place to live, work and recreate.

*Fiscal Note: Use of previously budgeted general funds for preparation and printing of guidelines document*

## 2. Adaptive Re-use Projects for Historic Structures \*\*

The Redevelopment Commission will solicit input and receive inquiries from interested parties including architectural and development firms intent on finding new uses for unoccupied and underutilized historic structures within the Center City – West Greenville Revitalization Project area. The Redevelopment Commission will review any proposals, and where appropriate, may take action to partner with an interested developer and/or facilitate the redevelopment of these structures.

*Fiscal Note: Potential use of West Greenville & Center City bond funds for activities including land acquisition, clearance, and infrastructure*

## 3. West Greenville Building Block Grants\*\*

To facilitate small business growth in appropriate locations within the West Greenville Redevelopment Project area, the Redevelopment Commission introduced the Building Blocks façade grant program during the 2006 - 2007 fiscal year. The Building Blocks program is intended to support and compliment other business and employment-creation programs that aim to maximize the potential for expansion or creation of business ventures in West Greenville. Under guidelines adopted by the Redevelopment Commission, the program directly grants funds of up to \$2,500 and provides a dollar for dollar match of up to an additional \$7,500 for eligible improvements projects.

*Fiscal Note: Use of West Greenville bond funds for capitalization of grant program*

## 4. Small Business Plan Competition\*\*

To facilitate the expansion of small business in appropriate locations within the Center City - West Greenville Redevelopment Project area, the Redevelopment Commission has developed and adopted a business plan competition program. The program has been developed in conjunction with the local office of the North Carolina Small Business Technology Development Center, EXCEED and the Pitt Community College Small Business Center and will utilize those training and assistance programs to help participants develop their plans. The program provides grants in the amount of between \$15,000 and \$30,000 to as many as eight competition winners per year.

*Fiscal Note: Use of West Greenville bond funds for capitalization of grant program*

## 5. Streetscape Pilot Projects\*\*

As part of its 2005 – 2006 Annual Work Plan, the Redevelopment Commission selected a consultant to develop a set of design guidelines for future streetscape improvement projects undertaken within the Revitalization Project area. The goal of the design process was to create a unique and distinctive vision for public spaces within the project area. Key factors considered in the process included, vehicular/pedestrian/bicycle access, public utility location and improvements, street and gateway character, and wayfinding.

Based on cost estimates and prioritization developed as part of the master planning process, the Redevelopment Commission and Greenville City Council have selected the Cotanche Street – Reade Circle and West Fifth Street Gateway as pilot projects. Construction of the Cotanche and Reade Project is scheduled for completion in the fall of 2009, while the West 5<sup>th</sup> Street Gateway project is scheduled for completion in the spring of 2010.

*Fiscal Note: Potential use of Center City, and West Greenville bond funds for construction*

## 6. Comprehensive Wayfinding Project \*\*

The design and installation of a comprehensive citywide wayfinding system will have an immediate positive impact on Greenville's urban core. Such a system was recommended as part of the Center City – West Greenville Streetscape Master Plan and has been given a high priority by both the Redevelopment Commission and the Greenville City Council. Once implemented, the wayfinding system will help visitors and residents to navigate throughout the city using all modes of transportation. Upon completion, the sign system will also help to "brand" Greenville's distinctive urban core and promote key civic, educational, commercial and transportation facilities. During the 2007 – 2008 fiscal year, both the Redevelopment Commission and the Greenville City Council signed off on the design for the system. Bidding and construction phases for part or all of the system will take place during the 2009 – 2010 fiscal year.

*Fiscal Note: Potential use of Center City and West Greenville bond funds for project construction*

## 7. Five Points Plaza Project

At the Request of the Uptown Greenville organization, the Redevelopment Commission has undertaken a planning process for improvements to the existing Evans Street parking lot at the corner of 5<sup>th</sup> and Evans Streets. This parking lot has become the home to the popular Freeboot Friday events as well as the bi-weekly Umbrella Market. Likely improvements to the parking lot include a new

surface that will better suit shared parking and event needs, hardening of the edges to create a more intimate gathering space, along with lighting, vegetation and public art. Design of the project will be complete by the end of 2009 with construction slated to be complete prior to the first Freeboot Friday event in September of 2010.

*Fiscal Note: Potential use of Center City bond funds for  
Project design and construction*

#### 8. Revitalization Area TIF District\*\*

Project development financing was recently authorized in North Carolina. Also known as Tax increment financing (TIF), it allows cities to establish special districts and to leverage public improvements within those districts that are expected to generate private-sector investment. N.C. law requires collaboration with county government, the N.C. Local Government Commission, and equity investors; therefore planning is vital to establishing an effective TIF District. The location and size, and quality of development within the district can determine whether the project will be successful.

During the 2006-07 Fiscal Year, City staff dedicated considerable time and effort to investigating the suitability of creating a TIF district to assist with the financing of public projects. As TIF financing remains new to the State of North Carolina, implementation of a district will depend on the strength of the private development projects that are proposed for the district. Several private sector development projects may be nearing the stage in their planning processes that would make the creation of a TIF district feasible.

During the 2009-10 fiscal year, the Redevelopment Commission and City staff in consultation with the Greenville City Council will begin a process that could potentially lead to the creation of a TIF district. By performing fiscal due diligence and market analysis on all proposals and alternatives, the Redevelopment Commission will ensure that any new TIF District is viable.

*Fiscal Note: Potential use of general funds for professional services and plan  
preparation*

#### 9. Residential & Mixed Use Project Development\*\*

The Center City – West Greenville Revitalization Plan calls for mixed use office, residential and retail development in the Uptown Central Business District. Toward this end, the Redevelopment Commission will explore redevelopment options for key business corridors. Redevelopment of important but underutilized

corridors has the potential to jumpstart downtown office, residential, and retail sectors while creating a vital node for cultural activity. By introducing mixed-use office/residential development around relatively underutilized public and semi-public open spaces such as the Town Common, larger scale mixed-use redevelopment has the potential to energize the overlapping pedestrian, business, and entertainment zones while “pulling” commercial activity down the length of key commercial corridors. Recently, the Redevelopment Commission received a market study that confirmed the latent demand within the Uptown Commercial District for mixed use development inclusive of residential, office and commercial uses.

*Fiscal Note: Potential use of Center City bond funds for activities including land acquisition, clearance, development financing and infrastructure*

#### 10. West Greenville Business Incubator\*\*

Development of a business incubator in West Greenville would support the creation and development of small, creative businesses in diverse industries by providing office space/amenities and technical assistance to fledgling companies and entrepreneurs. Amenities might include furnished office space; conference and training rooms; computer lab with high-speed Internet connection or wireless technology; office equipment; and reception services. Technical Assistance allows entrepreneurs to consult with business experts; to collaborate with other tenants on problem solving, lead generation, and new ideas; and to get referrals on training programs, workshops, and financing. Incubator participants also reach new clients through onsite networking resources.

In recent years, the Redevelopment Commission visited successful small business incubators in Durham, Raleigh, Chapel Hill, and Siler City, as part of its effort to complete a preliminary feasibility study of the project. During the past fiscal year, an 11 member steering committee developed a model for the incubator, and presented this information to the Redevelopment Commission. Over the next year, consultants and staff working on behalf of the Redevelopment Commission will complete a feasibility study which will determine the viability of an incubator in the West Greenville Redevelopment Area.

*Fiscal Note: Potential use of West Greenville or center City bond funds for activities including land acquisition, clearance, design and construction; use of general funds to commission consulting work associated with completion of the feasibility study.*

#### 11. Civic Art Initiative \*\*

One of the key recommendations of the 2006 Streetscape Master Plan was the creation of a civic art program. The Center City – West Greenville Revitalization



Plan likewise calls for “creating and expanding cultural resources” within the Revitalization Project Area. Across the nation, some 350 jurisdictions have established civic art programs, including cities in North Carolina such as Cary, Chapel Hill and Raleigh (Americans for the Arts, 2003). Upcoming construction projects associated with two streetscape pilot projects provide opportunities to incorporate civic art into the public realm. In West Greenville, design is underway for a civic art site that will honor the late Dr. Eppes as well as the alumni and faculty associated with the school that once stood near the intersection of Memorial Drive and West Fifth Street. In the Uptown Commercial District, a civic art venue has been designed at the intersection of Cotanche and Reade Streets that will host sculptural works by ECU students and faculty. ECU graduate students are slated to fabricate benches and trash receptacles that will be placed along Reade and Cotanche Streets. It is hoped that such pilot projects may serve as a catalyst for implementing broader, city-wide approaches to civic art.

*Fiscal Note: Potential use of West Greenville and Center City bond funds for design, construction and purchase of civic art pieces*

## 12. Revitalization Area Marketing Program \*\*

City Council called for more extensive marketing programs to promote Center City revitalization as part of recent annual goals statements. The Revitalization Area Marketing Program aims to provide media services, property investors, business interests, and the public with timely revitalization events and stories as well as relevant statistics and background information. The marketing program utilizes a variety of media - including but not limited to press releases & feature articles; brochures/handbooks; targeted marketing pieces – to promote positive Center City revitalization stories and accomplishments. During the 2009 – 2010 fiscal year, the Redevelopment Commission will continue to market the assets of Greenville’s center city via the means described above.

*Fiscal Note: Potential use of general and Center City bond funds for marketing activities*

## 13. Town Common Area Improvement Study\*\*

The Center City - West Greenville Revitalization Plan calls for “Improvement of the open space in the Town Common to leverage other adjacent residential and commercial projects”. In a similar manner as Central Park in New York City serves as a major attraction to commercial development around its boundaries, the Town Common can serve to attract development to Greenville’s center city, although at a much smaller scale than that of the Central Park example. Toward that end, the Redevelopment Commission along with the Recreation and Parks

Department has completed a public visioning process that has culminated in a list of public priorities for programming and improvements to the Town Common. These elements will be incorporated into a master plan that will guide improvements to the park and surrounding areas in the years ahead.

*Fiscal Note: Potential use of general and Center City bond funds for planning and design activities*

#### 14. Establishment of a Center City Science Center\*\*

The Eastern North Carolina Science Center (Go-Science) is a 501C3 nonprofit, focused on enhancing the level of science and math literacy for the people of Greenville and eastern North Carolina. Envisioned as a teaching, learning and research center, the science center will ultimately offer programs from kindergarten through twelfth grade as well as undergraduate and graduate-level programs for the independent adult learner. Proposed components to be phased in over a number of years include a planetarium, exhibit space capable of hosting a wide range of life and physical science displays, a Challenger Space Shuttle learning center, as well as a gift shop and café. The center would be open to the general public as a regional resource. The location of such a resource in Greenville's Center City would provide an important entertainment and cultural resource and would also serve to draw in numerous visitors to the Center City.

*Fiscal Note: Potential use of Center City bond funds for land acquisition, business assistance or infrastructure*

\*\*Denotes carryover item

#### 15. State Theatre Restoration Project

In December of 2008, the Redevelopment Commission completed the acquisition of the historic State Theatre. The theatre, originally known as White's Theatre and later as the Park, has been shuttered for more than a decade, and has fallen into disrepair over that time. Working through a partnership with the Magnolia Arts Center, the Redevelopment Commission will develop a plan that will lead to design for improvements to the theatre along with required fundraising to complete the renovation.

*Fiscal Note: Potential use of general and Center City bond funds for planning and design activities*

### C. Budget

<u>Center City Bond Funds</u>		<u>Carryover from 08' - 09' Budget</u>	<u>2009 - 2010 Budget</u>
Acquisition: 114-4666-452.50-00@	Per acquisition list in RDC Annual Work Plan	\$447,222.13	\$447,222.13
Demolition: 114-4666-452.55-00(R)	Demolition of structures acquired by RDC; right-of-way clearance for streetscapes	\$150,000.00	\$150,000.00
Infrastructure: 114-4666-452.63-00@	<b>Design and construction projects:</b>  Reade and Cotanche Project - \$1,000,000 Wayfinding Project - \$450,000 Five Points Plaza - \$350,000 Town Common - \$50,000	\$1,582,220.88	\$1,850,000.00
Development Financing: 114-4666-452.72-00@	Business start-up grants, business retention, expansion and attraction incentives	\$135,000.00	\$135,000.00
<b>Totals:</b>		<b>\$2,314,443.01</b>	<b>\$2,582,222.13</b>
<hr/>			
<u>West Greenville Bond Funds</u>			
Acquisition: 113-4665-452.50-00@	Per acquisition list in RDC Annual Work Plan	\$0.00	\$0.00
Business Relocation: 113-4665-452.70-00@	Business relocation payments in accordance with adopted relocation plan	\$0.00	\$0.00
Demolition: 113-4665-452.55-00@	Demolition of structures acquired by RDC; right-of-way clearance	\$0.00	\$0.00
Infrastructure: 113-4665-452.63-00@	Design & construction of streetscape & civic art improvements (W. 5th St. Gateway)	\$1,181,740.95	\$1,225,000.00
Construction: 113-4665-452.03-00@	Predevelopment financing for "big house", assisted living & incubator projects	\$0.00	\$0.00
Development Financing: 113-4665-452.72-00@	Business plan competition & building blocks grant	\$200,289.34	\$200,289.34
<b>Totals:</b>		<b>\$1,382,030.29</b>	<b>\$1,425,289.34</b>

\*\*\* Carryover funds are associated with ongoing projects and programs

## D. Property Acquisition

In furtherance of the projects outlined above, and in conjunction with the ongoing West Greenville 45-Block CDBG Project, City of Greenville staff will utilize General Obligation Bond, CDBG and City of Greenville general funds to implement a property acquisition program that will focus on the acquisition of blighted properties as well as other properties where current uses do not conform to the intent of the Center City – West Greenville Revitalization Plan. It is expected that the Affordable Housing Loan Committee will continue to provide guidance throughout the acquisition process for purchases within the CDBG project area. The following real properties may be acquired during the current program year based on their compliance with the Center City – West Greenville Revitalization Plan, availability of funding, the willingness of property owners to sell their property, and staff capacity to implement the acquisition.

000109	BROWN, JAMES	609 CLARK ST	\$3,400	0.08
000124	VILLANUEVA, HATTIE FRANCES	207 COLUMBIA AV	\$43,242	0.19
000280	JAMES, ROBERT L JR	208 COLUMBIA AV	\$26,312	0.47
000327	HARDY, BOBBY HOWARD II	1210 CHESTNUT ST	\$28,660	0.18
000383	BEST, ARTHUR D	1013 CHESTNUT ST	\$7,280	0.26
000540	HUGHES, JIMMY A	1113 MYRTLE ST	\$8,505	0.27
000620	RHEM, RITA NOBLES	0 W FIFTH ST	\$4,230	0.09
000621	RHEM, RITA NOBLES	1205 W FIFTH ST	\$22,110	0.09
000668	HAFIZ ENTERPRISES INC	1310 W FIFTH ST	\$6,580	0.14
000677	HAFIZ ENTERPRISES INC	1306 W FIFTH ST	\$13,160	0.28
000700	HIGGS, FELICIA	917 W FIFTH ST	\$85,292	0.23
000809	BAINES, CLAUDIUS E	1006 BANCROFT AV	\$63,936	0.37
001015	HOUSE OF PRAYER OF HEART TO GIVE	306 PENNSYLVANIA AV	\$23,353	0.08
001063	BARNHILL, LONNIE HEIRS	1009 W FIFTH ST	\$32,867	0.21
001134	HAFIZ ENTERPRISES INC	1300 W FIFTH ST	\$15,429	0.12
001319	NOLAND PROPERTIES INC	1004 CHESTNUT ST	\$7,350	0.21
001395	BATTLE, IRADELL BELL	1104 W FIFTH ST	\$33,139	0.17
001396	HEALING THE HURT DELIVERANCE	604 ALBEMARLE AV	\$25,365	0.15
001398	LONG, CHARLIE MACK	602 ALBEMARLE AV	\$21,881	0.14
001400	FREEMAN, IRVIN THOMAS HEIRS	618 ALBEMARLE AV	\$7,500	0.15
001517	TAYLOR, T DONALD	1013 DICKINSON AV	\$193,984	1.03
001518	TAYLOR, T. DONALD	1015 DICKINSON AVENUE EX	\$10,179	0.24
001634	HANNAN, JAMES E	1008 DICKINSON AVENUE EX	\$83,031	0.46
001635	PUGHS TIRE & SERVICE CENTER INC	0 CHESTNUT ST	\$4,815	0.11
001705	TAYLOR, WILLIAM RONALD	107 B CROSS ST	\$7,700	0.11
001706	COUNTRY FARMS LLC	1025 DICKINSON AVENUE EX	\$41,569	0.30
001760	PURVIS, DELORIS COREY	606 CLARK ST	\$23,288	0.14
001987	CAROLINA TEL. AND TEL.	404 BONNERS LN	\$18,295	0.14
002144	CERTAIN HOPE MINISTRIES	1017 CHESTNUT ST	\$33,255	0.13
002145	GOODSON, CORD	106 COLUMBIA AV	\$17,510	0.14
002146	HATCH, JOSEPH EUGENE	1101 CHESTNUT ST	\$24,129	0.11
002280	TYSON, DOUGLAS	1107 W FIFTH ST	\$23,620	0.10
002759	BROWN, KENNETH WALKER JR	905 DICKINSON AVENUE EX	\$135,253	0.34
002811	BROWN, JAMES A	0 CLARK ST	\$3,251	0.09

002946	NOLAND PROPERTIES INC	201 GRANDE AV	\$167,251	1.27
003007	PETERSON, ALFRED	1210 W FIFTH ST	\$28,421	0.14
003292	SUTTON, JONATHAN	0 PENNSYLVANIA AV	\$57,898	0.19
003293	SUTTON, JONATHAN	1308 W FOURTEENTH AV	\$68,657	0.17
003294	SUTTON, JONATHAN	0 VANCE ST	\$14,720	0.16
003613	UNX CHEMICAL INC	0 FICKLEN ST	\$421,320	0.97
003614	UNX CHEMICAL INC	0 W EIGHTH ST	\$117,505	0.23
003615	UNX CHEMICAL INC	0 FICKLEN ST	\$32,000	0.32
003719	ELCKO INC	811 DICKINSON AVENUE EX	\$85,307	0.16
003720	SUMMRELL, JULIUS	205 PENNSYLVANIA AV	\$27,283	0.31
003721	SETH HATTERAS LLC	1114 CHESTNUT ST	\$30,164	0.18
003730	LONG, CHARLES M	107 COLUMBIA AV	\$29,293	0.07
003731	LONG, CHARLES M	109 COLUMBIA AV	\$29,643	0.08
003995	SALLEY, GLORIA L. BROWN	1208 W FIFTH ST	\$16,481	0.07
004278	GRATZ NORCOTT JR LIVING TRUST	1206 DICKINSON AV	\$162,731	0.55
004318	ROUNDTREE, BENNIE ROBERT	620 CLARK ST	\$23,780	0.10
004324	ROUNDTREE, BENNIE ROBERT	607 ALBEMARLE AV	\$59,432	0.57
004404	BROWN, WILLIE JR	921 DICKINSON AV	\$50,629	0.06
004434	WOOTEN, ADRIAN	915 DICKINSON AVENUE EX	\$42,454	0.06
004474	TZURIDIS, GEORGE	630 S PITT ST	\$172,200	0.50
004475	TZURIDIS, GEORGE	0 S PITT ST	\$24,945	0.49
004540	COREY, HERBERT S	0 CHESTNUT ST	\$33,492	0.20
004541	COREY, HERBERT S	0 GRANDE AV	\$23,683	0.10
004542	PUGHS TIRE & SERVICE CENTER INC	0 CHESTNUT ST	\$68,998	0.17
004543	COREY, HERBERT S	0 DICKINSON AVENUE EX	\$43,403	0.37
004544	COREY, HERBERT S	0 GRANDE AV	\$4,105	0.07
004545	COREY, HERBERT S	0 DICKINSON AVENUE EX	\$2,880	0.07
004562	HOLLOMAN, OSCAR L	209 W NINTH ST	\$35,227	0.22
004575	MONNEY, EKOW	628 S PITT ST	\$58,092	0.27
004583	MONNEY, EKOW	625 CLARK ST	\$26,461	0.12
004591	UPTOWN PROPERTIES LLC	120 FICKLEN ST	\$95,815	0.23
004592	ROVER INVESTMENTS LLC	310 W NINTH ST	\$86,939	0.42
004966	COX, LIAM P	420 LINE AV	\$74,467	0.33
005099	TARHEEL HOLDING LLC	715 CLARK ST	\$26,720	0.30
005104	TARHEEL HOLDINGS LLC	808 DICKINSON AV	\$122,010	0.17
005105	TARHEEL HOLDINGS LLC	814 DICKINSON AVENUE EX	\$95,973	0.13
005237	GARRIS, BARBARA ANNE CREECH	710 DICKINSON AV	\$22,532	0.04
005426	V A D INC	1000 W FIFTH ST	\$69,239	0.26
005448	DANIELS, ELLA J HEIRS	1101 W FIFTH ST	\$36,326	0.10
005473	JONES, DANIEL A	1209 . MYRTLE ST	\$12,180	0.29
006016	WILLIAMS, WALTER L	309 W NINTH ST	\$152,960	0.48
006312	FREEMAN, IRVIN HEIRS	622 ALBEMARLE AV	\$5,000	0.10
006331	FREEMAN, IRVIN HEIRS	1105 CHESTNUT ST	\$26,838	0.28
006332	GROOME, MARY ANN DUNCAN	1106 DICKINSON AV	\$18,948	0.29
006333	DUNCAN, LOUISE FINK	720 ATLANTIC AV	\$17,006	0.18
006334	MCLAWHORN, MELVIN M	0 SPRUCE ST	\$3,680	0.16
006350	DUNCAN, LOUISE FINK	918 DICKINSON AVENUE EX	\$117,278	0.36
006420	NATION OF ISLAM MOHAMMED MOSQUE #79	907 W FIFTH ST	\$70,998	0.15
006553	GLISSON, NELLIE S	0 ALBEMARLE AV	\$19,000	0.40
006588	BEST, ANNIE H	601 ALBEMARLE AV	\$19,163	0.23
006646	VICTORY DELIVERANCE CENTER	913 DICKINSON AVENUE EX	\$53,303	0.09
006651	S D HARRIS PROPERTIES LLC	911 DICKINSON AV	\$85,221	0.17
006652	S D HARRIS PROPERTIES LLC	504 W TENTH ST	\$19,590	0.15
006716	UPTOWN PROPERTIES LLC	213 W NINTH ST	\$377,478	0.48
006717	UPTOWN PROPERTIES LLC	211 W NINTH ST	\$96,557	0.21



007070	PASCASIO, HARRELL C	106 FICKLEN ST	\$119,338	0.36
007520	ZETA TAU ALPHA FRATERNITY-	508 W FIFTH ST	\$190,052	1.12
007585	WHITLOW & SON	104 COLUMBIA AV	\$4,655	0.07
007586	WHITLOW & SON	1012 DICKINSON AVENUE EX	\$94,739	0.30
007642	MAYO, ESTHER LYNETTE HAMMOND	1026 W FIFTH ST	\$76,419	0.35
007690	BUCK, DENNIS J	1001 DICKINSON AV	\$79,899	0.24
007936	BOWEN, BOBBY R	0 SPRUCE ST	\$6,300	0.18
007939	BOWEN, BOBBY R	1310 W FOURTEENTH AV	\$51,965	0.18
007998	FRANKLIN BAKING COMPANY	1107 MYRTLE ST	\$65,116	0.49
008276	HOLLOMAN, OSCAR	627 CLARK ST	\$21,112	0.07
008287	GARRETT, DENISON D JR	1204 W FIFTH ST	\$43,275	0.12
008288	GARRETT, DENISON D JR	606 ALBEMARLE AV	\$21,852	0.15
008297	GARRETT, LUDLOW JR	423 CADILLAC ST	\$45,009	0.10
008340	BENNETT, PAUL E	718 DICKINSON AVENUE EX	\$91,110	0.07
008786	DEWY LLC	1102 DICKINSON AVENUE EX	\$38,531	0.20
008789	MCLAWHORN, MELVIN M	0 SPRUCE ST	\$3,910	0.17
008792	EVANS, RENALYSIS	1109 CHESTNUT ST	\$29,987	0.27
008795	GOODSON, JOSEPH HIGGS	1013 MYRTLE ST	\$1,750	0.07
008807	ALI, SAMIR M	514 N WATAUGA AV	\$63,787	0.36
008815	NICHOLLS, PAULA FOSTER	908 S WASHINGTON ST	\$40,563	0.14
008871	WILKES, MARION GORHAM	1108 W FIFTH ST	\$20,071	0.17
008989	COOPER, ANGELA W	1125 W FIFTH ST	\$3,290	0.07
009117	PHILLIPS, KEVIN	618 S PITT ST	\$32,404	0.16
009136	PETERSON, ESSIE F TRUSTEE	205 COLUMBIA AV	\$14,286	0.11
009290	4TH STREET LLC	411 W FOURTH ST	\$82,341	0.17
009297	HOLLOMAN, OSCAR L	1415 W FOURTEENTH ST	\$6,773	0.43
009302	SANTUCCI, ROBERT	407 W FOURTH ST	\$81,261	0.17
009463	EL SHADDAI LLC	1110 CHESTNUT ST	\$31,457	0.29
009517	BRADLEY, CRUDIE O	0 SPRUCE ST	\$1,273	0.10
009518	BRADLEY, CRUDIE O	1102 JONES ST	\$10,612	0.23
009551	ROUNTREE, BENNIE	1025 W FIFTH ST	\$36,905	0.15
009591	LEVONE'S DAY CARE INC	616 S PITT ST	\$111,911	0.28
009657	LUDLOW MANAGEMENT LLC	101 COLUMBIA AV	\$19,166	0.20
009948	GLISSON, NELLIE S	208 GRANDE AV	\$19,794	0.05
010788	GATLIN, WILTON LEE	1006 DICKINSON AV	\$26,587	0.09
010825	LEARY, ELMER L JR	1006 MYRTLE ST	\$1,692	0.07
010826	LEARY, ELMER L JR	0 MYRTLE ST	\$1,692	0.07
010827	STREETER, JULIUS EDWARD	800 PAMLICO AV	\$58,893	0.11
010852	BOWEN, BOBBY R	0 PENNSYLVANIA AV	\$8,050	0.23
010858	HARTSFIELD, BISHOP ARIZONA H	1112 DICKINSON AV	\$86,512	0.83
010860	THOMPSON, ALISON NICOLE	701 DICKINSON AV	\$109,070	0.15
010861	SUMMRELL, JULIUS STEWART	1200 DICKINSON AVENUE EX	\$69,258	0.46
010863	SUTTON, JONATHAN	0 PENNSYLVANIA AV	\$6,500	0.13
010876	JOYNER, MICHAEL V	1103 MYRTLE ST	\$39,414	0.24
011253	WILLIAMS, WALTER L	0 W NINTH ST	\$31,500	0.35
011317	HOPKINS, NELSON HEIRS	0 S PITT ST	\$4,845	0.06
011435	HUDSON, JAMES ROY JR	1105 MYRTLE ST	\$26,570	0.20
011458	UPTON, HILDA HUDSON	600 S PITT ST	\$19,780	0.06
011483	SUMMRELL, JULIUS	1108 CHESTNUT ST	\$17,824	0.24
011656	SANTUCCI, NICHOLAS W	413 W FOURTH ST	\$69,067	0.22
011698	WILSON, EARL C	710 ATLANTIC AV	\$48,125	2.75
011750	DAVIS, FLONIE C	1112 MYRTLE ST	\$25,707	0.13
011901	PLATER, CHARLES SEVELLE	0 ATLANTIC AV	\$4,750	0.10

012195	STREETER, JULIUS EDWARD	1318 W FIFTH ST	\$31,506	0.14
012631	JOYNER, JANE LONG	801 DICKINSON AV	\$55,058	0.10
012632	JOYNER, JANE LONG	703 DICKINSON AVENUE EX	\$96,095	0.44
012838	WHITLOW & SONS	1009 DICKINSON AVENUE EX	\$110,520	0.74
012851	GIANINO, PETER T	622 S PITT ST	\$75,248	0.28
013070	BROWN, JAMES A	1108 DICKINSON AV	\$38,162	0.26
013071	COOKE, RONNIE JR	1103 CHESTNUT ST	\$21,562	0.20
013074	LEARY, ELMER L JR	0 MYRTLE ST	\$1,782	0.07
013075	LEARY, ELMER L JR	1008 MYRTLE ST	\$13,263	0.16
013077	SWAIN, PERRY LEE	0 MYRTLE ST	\$3,465	0.10
013140	WILLIAMS, DERRICK	816 DICKINSON AVENUE EX	\$159,909	0.36
013314	PLATER, CHARLES SEVELLE	431 BONNERS LN	\$3,250	0.05
013395	BLACKBURN, EVA J	302 SPRUCE ST	\$113,290	0.75
013420	FAITH WORSHIP CHRISTIAN CENTER TRUSTEES	629 ALBEMARLE AV	\$114,497	0.15
013546	DARDEN PROPERTIES LLC	604 CLARK ST	\$52,541	0.13
013568	LEE, MILDRED MAYO LIFE ESTATE	1206 W FIFTH ST	\$4,700	0.10
013741	HUGGINS, JERRY WAYNE	306 W TENTH ST	\$83,431	0.48
013742	HUGGINS, JERRY WAYNE	0 W TENTH ST	\$35,350	0.20
013847	SAAD, GEORGE JR	1011 CHESTNUT ST	\$20,285	0.15
013908	THOMPSON, DONALD A	1211 MYRTLE ST	\$30,085	0.19
013961	ROUNTREE, BENNIE ROBERT	1102 CHESTNUT ST	\$12,250	0.35
013962	ROUNTREE, BENNIE ROBERT	1106 CHESTNUT ST	\$28,119	0.19
013964	TARHEEL HOLDINGS LLC	802 DICKINSON AV	\$28,381	0.02
014149	AYERS, TERESA MANNING	610 S PITT ST	\$4,463	0.06
014506	WELMONT	0 ALBEMARLE AV	\$6,500	0.13
014508	WELMONT	715 ALBEMARLE AV	\$121,247	0.17
014522	WELMONT	803 ALBEMARLE AV	\$6,000	0.12
014525	WELMONT	805 ALBEMARLE AV	\$6,000	0.12
015539	MOORE, WILLIAM PHILIP JR	500 W TENTH ST	\$159,625	0.94
015712	CITY CENTER LLC	0 DICKINSON AVENUE EX	\$49,090	0.53
015719	GIBBS, DAVID F	418 W FIFTH ST	\$206,649	0.65
015728	COUNCIL, WALTER B TRUSTEE	414 W FIFTH ST	\$12,900	0.40
015729	HANSLEY, BRIAN	426 W FIFTH ST	\$134,197	0.39
015739	SAAD, GEORGE S	903 DICKINSON AVENUE EX	\$41,618	0.08
015782	SUTTON, JONATHAN	1200 MYRTLE ST	\$3,150	0.09
015830	COSTANZO, CHRISTOPHER	428 BONNERS LN	\$4,200	0.13
015840	MOYE, ROBERT S HEIRS	1103 DICKINSON AV	\$61,390	0.42
015841	MOYE, ROBERT S. (HEIRS)	1100 BROAD ST	\$31,210	0.60
015842	MOYE, ROBERT S HEIRS	0 DICKINSON AVENUE EX	\$18,513	0.25
015921	FOREST GLEN HOLDINGS INC	616 ALBEMARLE AV	\$19,741	0.15
015957	MOORE, WILLIE LEE	1402 W FOURTEENTH AV	\$49,326	0.12
015958	MOORE, WILLIE LEE	0 SPRUCE ST	\$5,040	0.06
015968	BAGWELL REALTY PITT LLC	700 CLARK ST	\$41,765	0.20
016122	HOPE OF GLORY LLC	402 W TENTH ST	\$394,087	1.05
016468	HANSLEY, BRIAN CURTIS	0 W FOURTH ST	\$8,100	0.27
016530	WILLIAMS, DORSEY SHELTON III	427 W FOURTH ST	\$95,789	0.28
016533	RAJU, VEGESENA PRUDHVI	0 W FIFTH ST	\$3,300	0.11
016548	WILSON, EARL C	0 DICKINSON AVENUE EX	\$15,840	0.08
016971	RAJU, VEGESENA PRUDHVI	404 S PITT ST	\$31,145	0.22
017031	WELLS CHAPEL CHURCH TRUSTEES	0 W FIFTH ST	\$4,700	0.10
017033	THOMAS, JAMES	1311 W FIFTH ST	\$94,342	0.17
017034	THOMAS, JAMES	0 W FIFTH ST	\$8,740	0.13
017052	ALAKWA, ALI	902 W FIFTH ST	\$43,782	0.22
017466	RAYN ENTERPRISES LLC	714 DICKINSON AVENUE EX	\$67,547	0.11

017518	PAIGE, JAMES CLIFTON JR	0 DICKINSON AVENUE EX	\$14,638	0.02
017520	PAIGE, JOHN HEIRS	0 MCKINLEY AV	\$4,136	0.11
017975	BROWN, JAMES A	1127 W FIFTH ST	\$18,937	0.13
018003	SANTUCCI, NICHOLAS	409 W FOURTH ST	\$63,309	0.16
018343	POLLARD AND SON PLUMB & AC INC	400 W TENTH ST	\$179,429	0.58
018436	LEARY, PATTIE L	807 W FIFTH ST	\$35,097	0.16
018969	RIDDLE, ROBERT GREGORY	450 SPRUCE ST	\$13,973	0.20
018970	RIDDLE, ROBERT GREGORY	1404 W FOURTEENTH AV	\$39,075	0.11
019388	HOLLOMAN, OSCAR L	0 PENNSYLVANIA AV	\$3,613	0.17
019448	CARRAWAY, JAMES ANTHONY	821 A DICKINSON AVENUE EX	\$70,413	0.21
019449	HOPE OF GLORY LLC	0 DICKINSON AVENUE EX	\$50,265	0.57
019517	SAAD, JOSEPHINE	1006 CHESTNUT ST	\$23,421	0.27
019528	NORTON, D RAND TRUSTEE	417 W FOURTH ST	\$60,369	0.18
019608	EVANS, DAVID ARNOLD JR	1206 CHESTNUT ST	\$5,250	0.21
019845	SHERROD, BEN JR. HEIRS	613 CLARK ST	\$4,675	0.11
019862	HAFIZ ENTERPRISES INC	1305 W FIFTH ST	\$7,050	0.15
019879	LEARY, ELMER L	411 BONNERS LN	\$3,400	0.08
019992	MCLAWHORN, MELVIN C	307 SPRUCE ST	\$48,964	0.44
019995	HOLLOMAN, OSCAR L	308 SPRUCE ST	\$40,465	0.35
019996	ANDERSON, JAMES ARTHUR JR	1104 MYRTLE ST	\$34,672	0.22
020000	SWAIN, PERRY LEE	1016 MYRTLE ST	\$44,867	0.18
020038	PUGH, SAMUEL STACEY	729 DICKINSON AV	\$123,509	0.67
020202	WILLIAMS, WALTER L	204 W TENTH ST	\$128,768	0.47
020204	CARLIN, KERRY DREW	400 S PITT ST	\$69,206	0.16
020317	COUNCIL, WALTER B TRUSTEE	409 W FIFTH ST	\$50,205	0.20
020318	COUNCIL, WALTER B TRUSTEE	408 BONNERS LN	\$5,360	0.15
020348	BROWN, JAMES	607 CLARK ST	\$8,075	0.19
020548	HUDSON, JAMES ROY JR	209 PENNSYLVANIA AV	\$80,142	0.37
020549	HUDSON, JAMES R	1110 MYRTLE ST	\$24,468	0.24
020550	HUDSON, JAMES R	1203 MYRTLE ST	\$34,368	0.18
020552	KELLER, NORMAN B	802 CLARK ST	\$28,615	0.20
020703	CARLIN, KERRY DREW	405 W FOURTH ST	\$2,400	0.08
020727	WELMONT	0 ALBEMARLE AV	\$297,016	0.72
020728	WELMONT	0 ALBEMARLE AV	\$14,000	0.28
021141	WILLIAMSON, JAMES M	621 CLARK ST	\$20,636	0.21
021343	THOMAS, JAMES	1309 W FIFTH ST	\$9,560	0.13
021347	HUDSON, JAMES R	1108 MYRTLE ST	\$24,436	0.20
021492	STREETER, JULIUS EDWARD	1404 W FIFTH ST	\$68,372	0.35
021548	COREY, HERBERT S	0 GRANDE AV	\$38,658	0.09
021549	COUNCIL, WALTER B TRUSTEE	410 W FIFTH ST	\$118,553	0.24
021572	UNX CHEMICAL INC	200 W NINTH ST	\$671,242	1.68
021822	LUDLOW MANAGEMENT LLC	0 BROAD ST	\$11,900	0.17
021823	LUDLOW MANAGEMENT LLC	0 DICKINSON AVENUE EX	\$32,097	0.49
021896	NOBLES, STEVEN M	1209 W FIFTH ST	\$35,210	0.10
021971	TAFT, JOSEPH MARVIN JR	624 CLARK ST	\$2,550	0.06
021972	TAFT, JOSEPH MARVIN JR	0 CLARK ST	\$3,400	0.08
022175	WILSON, EARL C	0 CLARK ST	\$18,680	0.48
022418	PLATER, CHARLES SEVELLE	650 ATLANTIC AV	\$61,338	0.47
022552	PEREZ, MARIO E	806 CLARK ST	\$115,810	0.31
022624	ROVER INVESTMENTS LLC	0 FICKLEN ST	\$5,600	0.08
022790	RAYN ENTERPRISES LLC	0 S PITT ST	\$11,326	0.16
022969	WELMONT LLC	104 GRANDE AV	\$342,781	0.57
023190	SANTUCCI, NICHOLAS W	415 W FOURTH ST	\$88,143	0.21
023340	MERRITT RENTALS LLC	822 DICKINSON AV	\$34,226	0.06

023345	HUDSON, JAMES ROY JR	1011 A&B MYRTLE ST	\$57,203	0.24
023347	NELSON, DAX R	1008 CHESTNUT ST	\$45,258	0.27
023425	JESUS IS ALIVE	202 PENNSYLVANIA AV	\$12,301	0.09
023540	BENNETT, PAUL	720 DICKINSON AV	\$31,600	0.13
023586	NICHOLLS, PAULA FOSTER	906 S WASHINGTON ST	\$20,433	0.03
023594	DUNCAN, LOUISE FINK	0 DICKINSON AVENUE EX	\$62,267	0.05
023595	SANDERSON, DEREK A	530 DICKINSON AV	\$165,243	0.33
023598	SUMMRELL, JULIUS STEWART	1204 CHESTNUT ST	\$18,035	0.21
023619	WILLIAMS, WALTER L	210 W TENTH ST	\$178,921	0.45
023620	WILLIAMS, WALTER L	210 - W TENTH ST	\$66,533	0.26
023669	JARRELL, GREGORY W	0 DICKINSON AVENUE EX	\$38,099	0.24
023670	BROWN, JAMES A	613 ALBEMARLE AV	\$17,500	0.35
023671	JARRELL, GREGORY W	815 DICKINSON AVENUE EX	\$149,269	0.11
023859	SUMMRELL, JULIUS STEWART	1202 CHESTNUT ST	\$23,280	0.22
023975	SUMMRELL, JULIUS STEWART	1205 CHESTNUT ST	\$206,245	0.82
024047	SANTUCCI, NICHOLAS	419 W FOURTH ST	\$68,721	0.17
024048	ROUSE, JAMES JR	421 W FOURTH ST	\$68,963	0.18
024195	HOLLOMAN, OSCAR L	310 PENNSYLVANIA AV	\$56,491	0.29
024474	WARD, VYDIE	1208 CHESTNUT ST	\$25,968	0.20
024960	HANSLEY, BRIAN CURTIS	422 W FIFTH ST	\$73,978	0.39
024979	INDY II LLC	1208 MYRTLE ST	\$12,570	0.14
024980	INDY II LLC	1210 MYRTLE ST	\$6,300	0.18
024981	INDY II LLC	1206 MYRTLE ST	\$14,795	0.21
024982	INDY II LLC	1204 MYRTLE ST	\$13,530	0.13
024983	INDY II LLC	1202 MYRTLE ST	\$5,661	0.09
025063	WILLIAMS, J T	1408 W FOURTEENTH AV	\$74,641	0.27
025140	WILLIAMS, EDWARD SUTHERLIN JR	1104 JONES ST	\$17,175	0.10
025141	WILLIAMS, EDWARD SUTHERLIN JR	1106 JONES ST	\$17,430	0.11
025142	OBRIEN, JOHN BIBBY	408 W FIFTH ST	\$209,090	0.40
025394	WILSON, MARTHA ELIZABETH HEIRS	430 W FIFTH ST	\$25,800	0.86
026913	RAJU, VEGESENA PRUDHVI	400 W FIFTH ST	\$356,843	0.31
026929	CITY CENTER LLC	202 W EIGHTH ST	\$36,250	0.27
026951	MOUNT CALVERY MASONIC LODGE	0 ALBEMARLE AV	\$7,500	0.15
026981	EIGHTH STREET INVESTMENTS LLC	226 W EIGHTH ST	\$928,426	0.69
026987	WELLS CHAPEL CHURCH OF GOD	1400 W FIFTH ST	\$450,614	0.24
026990	JESUS OTHER & YOU INC	700 ALBEMARLE AV	\$311,218	0.34
027050	MIRACLE DELIVERANCE CHURCH	430 BONNERS LN	\$2,867	0.04
028197	KNIGHTS OF PYTHIAN	0 ALBEMARLE AV	\$6,500	0.13
028838	CAROLINA TEL AND TEL	0 W FIFTH ST	\$8,540	0.24
028839	CAROLINA TEL AND TEL	0 BONNER LN	\$4,250	0.06
028843	CAROLINA TELEPHONE AND TELEGRAPH CO	401 W FIFTH ST	\$2,477,731	0.63
028847	CAROLINA TEL. AND TEL.	0 S PITT ST	\$31,363	0.23
028848	CAROLINA TEL. AND TEL.	402 BONNER LN	\$11,761	0.08
028899	V. P. RAJU DR.	408 S PITT ST	\$37,136	0.31
029046	MASONIC LODGE	0 W FIFTH ST	\$117,600	0.09
029047	MASONIC LODGE	0 W FIFTH ST	\$4,230	0.09
029065	SAAD, JOSEPHINE	1005 MYRTLE ST	\$17,392	0.19
029123	NORFOLK SOUTHERN RR CO	0 BONNER LN	\$1,200	0.04
029124	NORFOLK SOUTHERN R. R. CO.	0 W NINTH ST	\$22,000	0.22
030710	CHAPMAN, CLAUDE HEIRS	0 W FIFTH ST	\$1,880	0.04
030774	JOYNER, JANE LONG	805 DICKINSON AVENUE EX	\$35,734	0.05
031463	CAROLINA TEL AND TEL	406 BONNERS LN	\$11,870	0.08
033738	MOORE, WILLIAM PHILIP JR	510 W TENTH ST	\$154,553	0.37
033806	JONES, DANIEL A	1209 MYRTLE ST	\$57,393	0.14
034561	WILSON, EARL C	711 ATLANTIC AV	\$186,270	3.74

036920	CARRAWAY, JAMES ANTHONY	821 C DICKINSON AVENUE EX	\$57,097	0.33
038319	WELMONT	0 ALBEMARLE AV	\$5,500	0.11
038658	WILLIAMS, WALTER L	0 W TENTH ST	\$35,210	0.36
038982	WELMONT	807 ALBEMARLE AV	\$7,000	0.14
051944	LAWRENCE, CHARLES A	919 DICKINSON AVENUE EX	\$32,922	0.06
054459	BREAKTHROUGH REVIVAL CENTER CHURCH INC	917 DICKINSON AVENUE EX	\$34,405	0.05
054915	NICHOLLS, KIMBERLY MORRIS	201 W NINTH ST	\$31,028	0.14
057138	HOLLOMAN, OSCAR L	0 GRANDE AV	\$28,178	0.08
060257	BOWEN, BOBBY R SR	0 W FOURTEENTH AV	\$29,471	0.18
062397	MASSEY, CAROLYN ANN	1209 CHESTNUT ST	\$19,494	0.09
067546	KING CONVEN ENTERPRISES INC	912 W FIFTH ST	\$100,485	0.55
<b>TOTALS</b>			<b>\$20,674,519</b>	<b>82.75</b>





# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Railroad switching yard project agreement

**Explanation:** For several years, the City staff has been working with the North Carolina Department of Transportation (NCDOT) and three railroad companies to reduce the railroad switching operations that occur in Greenville on a regular basis and hinder vehicle traffic on several streets including Arlington Boulevard and Howell Street. The solution to the traffic congestion problem is a two-part project involving the construction of a new connector track near 14th and Beatty Streets, and the relocation of the CSX switching yard to a new location north of the City.

The City Council approved the switching yard project on June 9, 2008. The proposed project was the subject of a citizens informational workshop conducted by NCDOT on August 26, 2008.

The next step in the process is the approval of an agreement between the City, NCDOT, and the three railroads. Attached is a memorandum of understanding that has been agreed to by staffs for all five parties. This memorandum of understanding outlines the general actions that will be required to complete the project. Please note that the memorandum of understanding references 30 feet of right-of-way for the connector track, but the attached map indicates 40 feet. The map will be revised to reflect the 30 feet right-of-way in the final agreements. As listed in the memorandum, several specific agreements will need to be executed between the parties to allow the work to begin. The City will have to be a party to some of the agreements.

The attached resolution approves the memorandum of understanding and also approves the exchange of properties and grant of easement or right-of-way, which are required to fulfill the City's responsibility for right-of-way acquisition for this project.

**Fiscal Note:** The total project cost is estimated to be \$9,156,500. This amount includes

\$1,250,000 in right-of-way acquisition costs that would be the responsibility of the City (based on current project needs, the actual right-of-way costs are anticipated to be much less than this estimate.) CSX Transportation has committed to contribute \$2,289,125. A federal grant is pending for \$967,375. NCDOT will be responsible for the remaining amount of \$4,650,000.

**Recommendation:** Approve the attached resolution which accomplishes the following:

1. approves the memorandum of understanding;
2. approves exchanges of property necessary to secure the right-of-way which the City is to acquire;
3. authorizes the grant of an easement or right-of-way to CSX Transportation, Inc. for the construction of the connector track;
4. authorizes the City Manager to execute any agreements necessary to carry out the project;
5. authorizes the City Manager to initiate, at the appropriate time, the process to close a portion of South Pitt Street.

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

**Attachments / click to download**

[Map](#)

[Railroad Switching Yard Agreement for Agenda Item 830981](#)

[RESOLUTION APPROVING EXCHANGES OF PROPERTY GRANT OF EASEMENT OR ROW AND MOU RELATING TO TRAFFIC :](#)

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## MEMORANDUM OF UNDERSTANDING

This MEMORANDUM OF UNDERSTANDING (“Memorandum”) is made by and between The North Carolina Department of Transportation (NCDOT), Norfolk Southern Railway Company (NSR), the Carolina Coastal Railway (CLNA), the City of Greenville, NC (City) and CSX TRANSPORTATION, INC. (“CSXT”).

The Parties have agreed to prepare this Memorandum, set forth the general parameters of the Greenville Traffic Separation and Greenville RR Congestion Mitigation Project, and to facilitate each Parties property and cash contributions.

The North Carolina Department of Transportation (NCDOT), the City of Greenville, NC, the Carolina Coastal Railway (CLNA), and CSX Transportation (CSXT) have collaborated on a public/private partnership project. The “Project” as defined below significantly reduces highway and rail traffic congestion for the Citizens of Greenville, creates a more efficient operation for both CSXT and the CLNA railroads, and complements the transportation infrastructure vision of the state of North Carolina.

The proposed project will create a new rail connection in the Northeast quadrant of the existing CSXT and CLNA railroad diamond, which will allow CSXT to make a head on movement from the north to the CLNA and progress movements eastward without stopping. The project will also eliminate the current switching operation performed by CSXT on the south side of the diamond and create a new switching yard and yard office near NC 903 north of Greenville. This project will also close Pitt Street road crossing and significantly reduce crossing occupancy by rail traffic within the City of Greenville.

This memorandum of understanding shall be used as the basis for subsequent agreements, which may become necessary to facilitate the proposed traffic mitigation project. Future agreements might include but are not limited to the following:

1. Preliminary Engineering
2. Construction
3. Sale
4. Lease
5. Operating
6. Maintenance
7. Side track

The following items in this memorandum outline the general understanding between parties and are not all inclusive.

- 1) Turnouts at each end of the new connection will be radio controlled to expedite movements and will be maintained at CSXT’s expense. Authority for movement will be granted by each railroad’s respective dispatcher. The grade crossing warning device approach at Evans Street (SR 1702) will need to be modified by CLNA and will be paid for as a part of the project cost.

- 2) This project will construct a new rail classification yard and related CSXT office and crew facility north of the NC 903 and NC 11 junction. A private access road will be constructed alongside the yard. The new yard will consist of 6000' (clear feet) of new track and a 6 car stub track for bad order cars and will conform to FRA specifications and CSXT standards. The new yard office and crew facility will be built to CSXT specifications and standards for facilities.
- 3) As part of this project, the existing CSXT yard between Howell and Arlington Streets will be partially eliminated. However, all existing Right-of-Way will be retained by CSXT. Under separate agreement, CSXT will lease a single remaining yard track to CLNA for CLNA's use and will provide CLNA with access to the leased track via several hundred feet of immediately adjacent CSXT trackage. Existing switches off the CSXT main will be eliminated and relocated to minimize crossing signal activations; designs to be agreed on by NCDOT and CSXT. It is the contemplation of the Parties that CLNA's use of this track will be on an occasional basis, generally no more than once or twice per week, and that the carriers' operations will not normally block Howell Street or Arlington Boulevard.
- 4) To compensate CLNA for the loss of their existing wye track as part of this project, CLNA shall receive approximately \$605, 038 in State funds from the Department in order to purchase and install crossties on their rail line between MP 148. to around MP 162.5. These funds are not considered part of the project costs to be shared by CSXT.
- 5) By separate agreement, CSXT shall authorize CLNA use of the new connection track and the existing SE and NW quadrant connections, and immediately adjacent CSXT main track as necessary to turn cars and or locomotives.
- 6) These improvements shall be funded partially by State and Federal sources, CSXT contributions, and by the City of Greenville.
- 7) CSXT shall contribute 25% to the total cost of the project not to exceed \$3.0M.
- 8) NCDOT as its contribution to the project will fund or cause to have funded the balance of the entire project cost not funded by the other Parties identified in this Memorandum as determined by the preliminary engineering study performed by CSXT.
- 9) NCDOT will apply for and fund all necessary environmental permitting required for the Project.
- 10) City of Greenville, as its contribution to the project, will acquire the needed property in order to construct the new CSXT/CLNA connection track and the yard tracks north of the NC 903 and NC 11 junction, to the extent existing CSXT and CLNA rights-of-way are insufficient to accommodate such construction. The newly established right-

of-way shall become the right-of-way for CSXT to a point that connects to the existing ROW on CLNA property and shall include a minimum of 30 feet of right-of-way on each side of track center line. The CLNA shall retain its existing right-of-way from center line of its track to the newly established CSXT right-of-way for the new connection track. City of Greenville will demolish any existing buildings in the path of construction at its sole cost and be responsible for cleanup and any environmental remediation associated with property acquisition. CSXT will provide the City with associated descriptions of required rights-of-way for the design and construction of the Project. CSXT will undertake all efforts to utilize existing rights-of-way.

- 11) As part of the project's scope and cost, CSXT will design and build the improvements. CSXT shall perform preliminary engineering of the proposed project and update/confirm the project cost under a separate preliminary engineering agreement. CSXT will fund 25% of the preliminary engineering costs. CSXT will coordinate with and obtain approvals as may be necessary from the Federal Railroad Administration.
- 12) Upon completion of the project, CSXT or its successor, if any, will maintain the new yard facility including yard office, new connection track and the remote control switches. CSXT and or its tenant(s) shall also be responsible to maintain all remaining yard facilities between Howell St. and Arlington Boulevard. The cost of the foregoing maintenance shall be borne by CSXT, except to the extent otherwise provided in such separate joint use agreements as CSXT and CLNA may enter into. Neither NCDOT nor the City shall have any obligation toward the maintenance of these facilities or the cost thereof.
- 13) Upon completion of the purchase and installation of the crossties by CLNA, they will be responsible for future maintenance and replacement of these crossties at no cost to NCDOT, the City, and/or CSXT.
- 14) To insure safety of train and vehicular movements, the City of Greenville will agree on the closure of Pitt Street at-grade crossing (DOT 465496V MP 148.1). Closing of this crossing will occur when construction on the new CSXT/CLNA connection begins. Once the Pitt Street grade crossing has been closed and removed the Pitt Street right-of-way between the railroad tracks and Fourteenth Street will be abandoned by the City. The necessary easements for the existing underground and overhead utilities will remain.
- 15) Unless CLNA provides documented instruments assigning specific authority, NS shall be a party to this agreement.
- 16) CLNA/NS will give up their rights to the old NS/CLNA North West quadrant of the wye track, which would allow for a new wye track on CSXT. Said track shall be retired and removed, with the materials returned to CLNA. The right-of-way of the existing North West wye track that will be used for the proposed new connection will



be retained by CLNA if it is within the existing 100 foot right of way of the CLNA main line track. To the extent it is outside that 100 foot main line right-of-way, it will be abandoned and deeded to the City for the purpose of creating a new right-of-way for rail use only, provided that the right-of-way of the new connection that is designated as CLNA right-of-way (see item 10) shall be of equal or greater acreage. Otherwise, the dividing point between CSXT and CLNA right-of-way on the new connection shall be adjusted to equalize the acreage being abandoned by CLNA. A portion of CLNA/NS property (029127 green hash-attached map) will be donated to the City of Greenville.

- 17) **ADDITIONAL COVENANTS:** The Parties will use reasonable efforts to enter into definitive agreements with regard to the implementation and completion of the Project contemplated herein.

RESOLUTION NO. 09-

RESOLUTION APPROVING EXCHANGES OF PROPERTY, THE GRANT OF AN EASEMENT OR RIGHT-OF-WAY, AND A MEMORANDUM OF UNDERSTANDING RELATING TO THE GREENVILLE TRAFFIC SEPARATION AND GREENVILLE RAILROAD CONGESTION MITIGATION PROJECT

WHEREAS, public notice of the intent of the City Council to authorize exchanges of real property and the grant of an easement or right-of-way at a regular meeting was published as required by law;

WHEREAS, the City Council has determined that the City of Greenville will receive a full and fair consideration for its property in the exchanges; and

WHEREAS, North Carolina General Statute 160A-271 authorizes the exchange of real property by the City of Greenville and North Carolina General Statute 160A-273 authorizes the grant of an easement over, through, under, or across any city property;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that the exchange of property by and between the City of Greenville and Nelson Miles Hester and Oleta Hester be and is hereby approved, said exchange involving the City conveying the property located south of Fourteenth Street, east of Beatty Street and upon Tax Parcel #077645, consisting of approximately 0.07 acres, more or less, and having a value of approximately \$8,385 and the City receiving the property located south of Fourteenth Street, east of Beatty Street and upon Tax Parcel #022912, consisting of approximately 0.07 acres, more or less, and having a value of approximately \$8,385.

BE IT FURTHER RESOLVED by the City Council of the City of Greenville that the exchange of property by and between the City of Greenville and Skywater Greenville, LLC, be and is hereby approved, said exchange involving the City conveying the property located south of Fourteenth Street, west of Pitt Street and upon Tax Parcel #029127, consisting of approximately 0.05 acres, more or less, and having a value of approximately \$6,470, and the City receiving the property located south of Fourteenth Street, west of Pitt Street and upon Tax Parcel #009566, consisting of approximately 0.07 acres, more or less, and having a value of approximately \$8,385.

BE IT FURTHER RESOLVED by the City Council of the City of Greenville that it does hereby authorize the grant of an easement or right-of-way to CSX Transportation, Inc., upon property located south of Fourteenth Street, east of Beatty Street, and west of Pitt Street and being a minimum of 30 feet on each side of the track center line to be constructed as a component of the Greenville Traffic Separation and Greenville Railroad Congestion Mitigation Project.

BE IT FURTHER RESOLVED by the City Council of the City of Greenville that the Memorandum of Understanding by and between the City of Greenville, the North Carolina Department of Transportation, the Norfolk Southern Railway Company, the Carolina Coastal Railway, and CSX Transportation, Inc., relating to the Greenville Traffic Separation and Greenville

Railroad Congestion Mitigation Project be and is hereby approved.

BE IT FURTHER RESOLVED by the City Council of the City of Greenville that the City Manager be and is hereby authorized to execute agreements necessary to carry out the Greenville Traffic Separation and Greenville Railroad Congestion Mitigation Project for and on behalf of the City of Greenville and that the Mayor and City Clerk be and are hereby authorized to execute deeds relating to the aforementioned exchanges and the grant of an easement or right-of-way for and on behalf of the City of Greenville.

BE IT FURTHER RESOLVED by the City Council of the City of Greenville that the City Manager be and is hereby authorized to initiate the process to close a portion of South Pitt Street between the railroad tracks and Fourteenth Street, with the retention of necessary easements for existing utility improvements.

This the 11th day of June, 2009.

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Patricia C. Dunn, Mayor

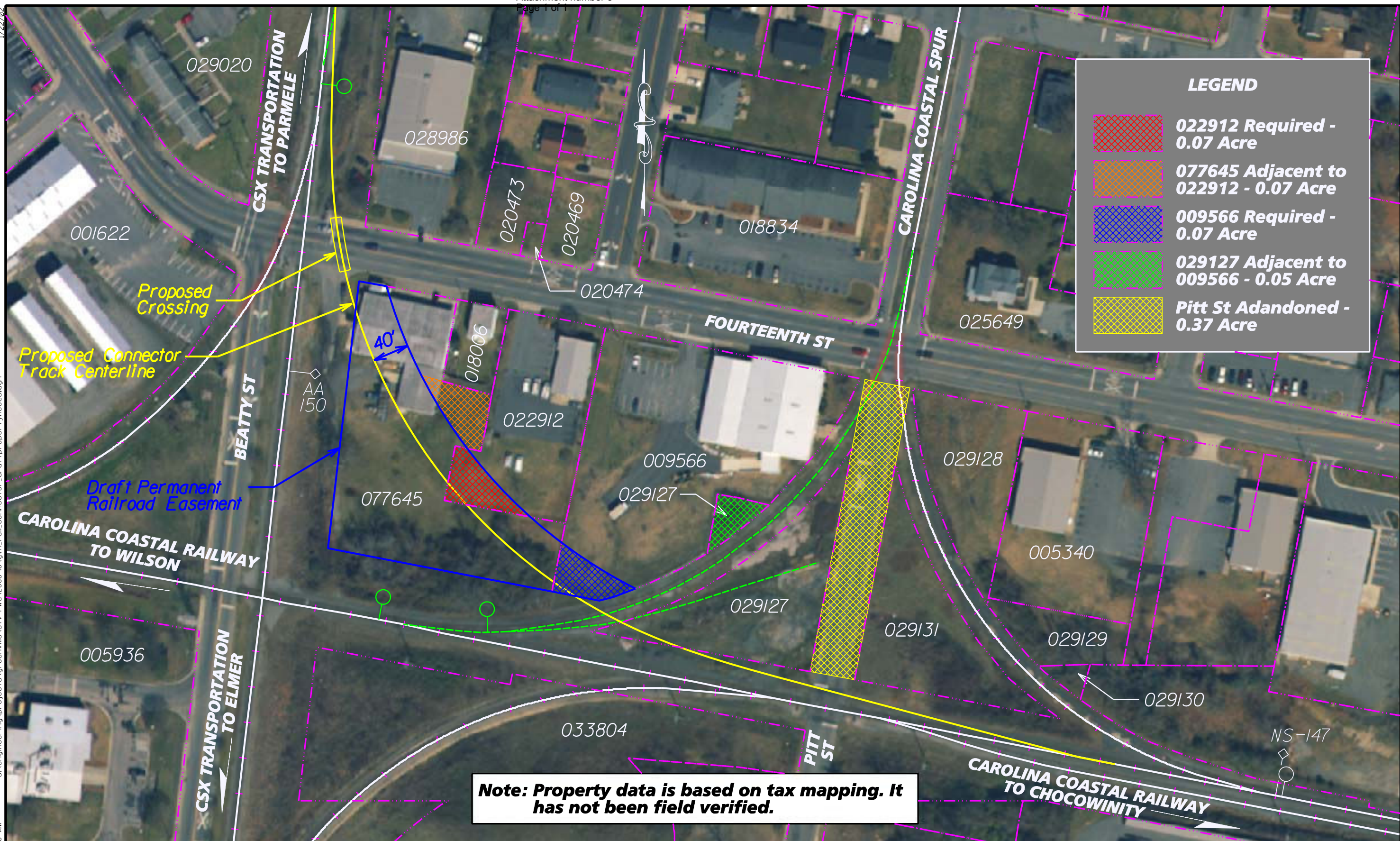
ATTEST:

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Wanda T. Elks, City Clerk



1/22/08  
s:\engineering\projects\greenville\st-v-r-wa\2008-10\gvr\_rail\_connector\_dr\affpropertyneeds.dgn  
10:41:06 AM  
mbsimmons



**LEGEND**

- 022912 Required - 0.07 Acre
- 077645 Adjacent to 022912 - 0.07 Acre
- 009566 Required - 0.07 Acre
- 029127 Adjacent to 009566 - 0.05 Acre
- Pitt St Adandoned - 0.37 Acre

**Note: Property data is based on tax mapping. It has not been field verified.**

NO.	BY	DATE	REVISION
1	MBS	12-02-2008	Reduced right of way to 40 feet from centerline as requested by City of Greenville.

INCOMPLETE PLANS  
DO NOT USE FOR R/W ACQUISITION  
PRELIMINARY PLANS  
DO NOT USE FOR CONSTRUCTION  
Item # 17

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION  
**RAIL DIVISION**

PREPARED BY: **ENGINEERING & SAFETY BRANCH**

MAIL: MAIL SERVICE CENTER, RALEIGH, NC 27699-1556  
DELIVERY: 860 CAPITAL BOULEVARD, RALEIGH, NC 27603  
PHONE: (919) 715-8803  
FAX: (919) 715-8804

PROJECT: TIP P-3309AA, WBS 41910, Greenville Rail Improvement Project			
TITLE: DRAFT PROPERTY NEEDS FOR PROPOSED CSXT /CAROLINA COASTAL RAILWAY CONNECTION TRACK			
LOCATION	CITY OF GREENVILLE, PITT COUNTY, NC		
DGN BY	MBS	RAILROAD	CSX AA-LINE, CLNA NS-LINE
DWN BY	MBS	VAL SEC	V-5 NC / S-15
CHK BY	JTO	DATE	11-20-2008
SCALE			1" = 100'
MILE POST			CSXT AA-150, CLNA NS-147
<b>SHEET 1 OF 1</b>			





# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Request by Trinit House of Restoration and POHL, LLC for waiver of voluntary annexation as a condition of sanitary sewer service to a future 2.04± acre lot located on Industrial Boulevard, being a portion of tax parcel number 77450

**Explanation:** The subject parcel (#77450), and future 2.04± acre lot, is located within the boundary of the officially recognized industrial area. The property is zoned Industry (I).

Within the recognized industrial area, the voluntary annexation requirement for receipt of sanitary sewer service may be waived for industrial development, at the determination of City Council.

The proposed use of the future lot is for a correctional facility (level 4 residential treatment).

The proposed 8,700± square foot correctional facility is limited to a maximum of 12 children and/or adolescent residents. Residents will receive intensive treatment services in a physically secure, locked environment in a program setting. The proposed site is located northeast of the Pitt County Detention Facility. Correctional facilities are limited to the Industry (I) district.

On April 23, 2009, the Greenville Board of Adjustment approved a special use permit for the operation of the subject correctional facility. A copy of the Board of Adjustment order is attached.

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

**Recommendation:** Approve sanitary sewer service to the future 2.04± acre lot and waive voluntary annexation requirement.



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

**Attachments / click to download**

 [Site Location Map](#)

 [Triniti House Site Plan](#)

 [Board of Adjustment Order](#)

 [Letter from applicant](#)

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**Rivers**  
& Associates, Inc.  
Since 1918

Engineers  
Planners  
Surveyors

May 15, 2009

Mr. Wayne Bowers  
City Manager  
City of Greenville  
PO Box 1707  
Greenville, NC 27835

Subject: Trinita House of Restoration  
Portion of Pitt County Tax Parcel No. 77450  
Greenville Township, Pitt County, North Carolina

Dear Mr. Bowers,

As shown on the Attachment, the property being developed as the Trinita House of Restoration is situated within the recognized industrial area outside of the City of Greenville's corporate limits. This property is within Greenville's Extraterritorial Jurisdiction and will be served by the Greenville Utilities Commission.

On behalf of the Owner and Developer, we respectfully request in keeping with City policy that this property be exempt from the requirement for voluntary annexation.

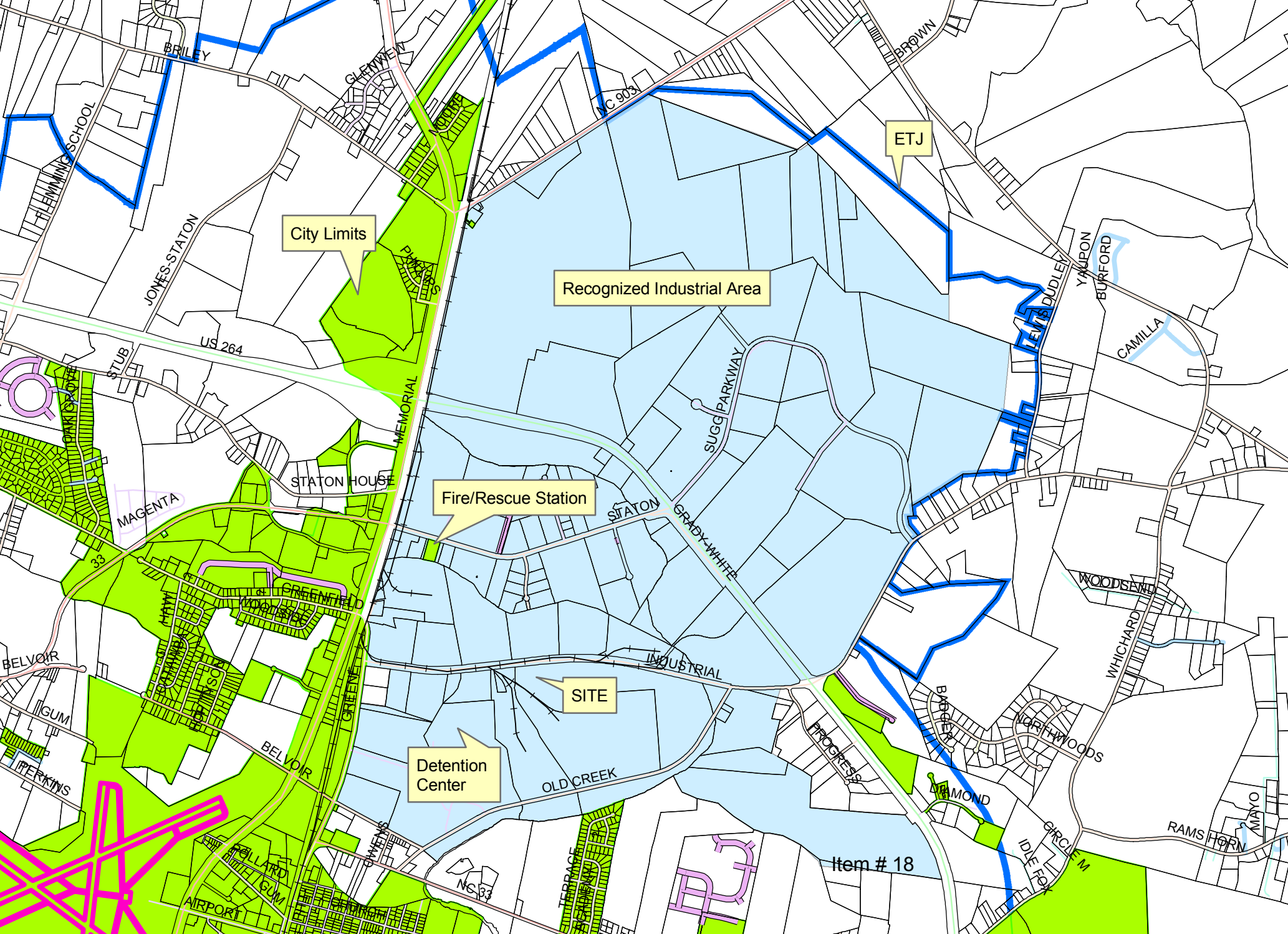
Please do not hesitate to contact our office if you have any questions or need any additional information.

With best regards,  
Rivers and Associates, Inc.

Bryan C. Fagundus, P.E.  
Project Engineer

Attachment

Cc: Merrill Flood, City of Greenville  
Andy Thomas, City of Greenville  
POHL, LLC  
Custom Building Company



City Limits

Recognized Industrial Area

ETJ

Fire/Rescue Station

SITE

Detention Center

Item # 18



**Bufferyard Notes:**

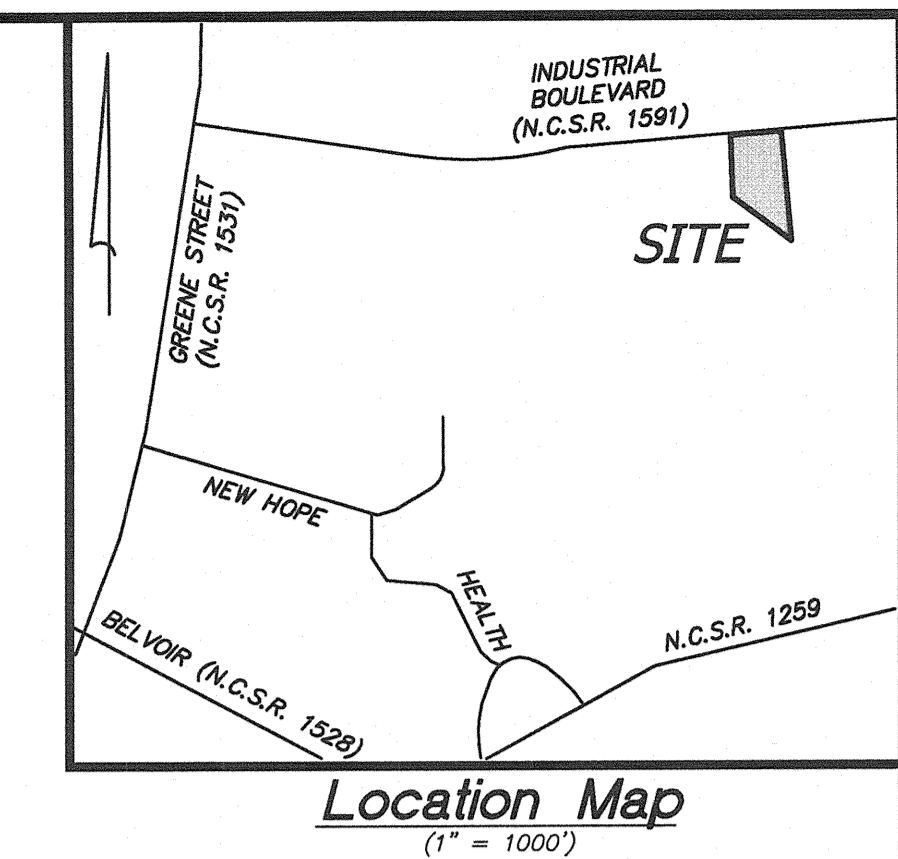
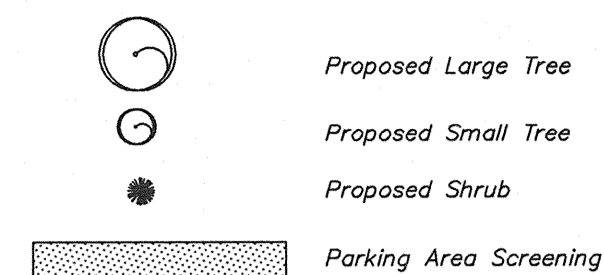
1. SITE DATA: LAND AREA FOR VEGETATION REQUIREMENTS: 2.0 AC.
- A. REQUIRED VEGETATION FOR LOT:
  - LARGE TREES: 10 (9 PROVIDED) (SUBSTITUTE 1 EXISTING LARGE)
  - SMALL TREES: 20 (SUBSTITUTE EXISTING LARGE)
  - SHRUBS: 50 (55 PROVIDED)
- B. REQUIRED STREET VEGETATION:
  - LARGE TREES: 5 (230 LF - INDUSTRIAL BLVD)
- C. REQUIRED SCREENING VEGETATION: NONE
- D. REQUIRED VEGETATION LOCATED IN EASEMENTS: NONE

- A. MINIMUM PLANT SIZES SHALL BE IN ACCORDANCE WITH THE ZONING REGULATIONS AS FOLLOWS:

PLANTING MATERIAL TYPE	MINIMUM PLANTING SIZE
1. LARGE TREE SINGLE STEM	10' (HEIGHT) AND 2" CALIPER
2. SMALL TREE MULTI-STEM	10' (HEIGHT)
3. SHRUB	8" (HEIGHT) AND 1.5" CALIPER
	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 OR MORE THAN SEVENTY-FIVE (75) 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 CONSTRUED AS APPROVAL OF ALL ENCROACHMENTS, AS SHOWN ON THIS PLAN. (SEE NOTE ON ITEM 1.D.)
- D. THE FOLLOWING VEGETATION MATERIALS, AS LISTED BY COMMON NAME, SHALL CONSTITUTE NOT MORE THAN TWENTY-FIVE (25) PERCENT OF THE TOTAL REQUIREMENT FOR THE SPECIFIC CATEGORY:
  - A. LARGE TREE CATEGORY -
    - RIVER BIRCH
  - B. SMALL TREE CATEGORY -
    - ARISTOCRAT PEAR
    - BRADFORD PEAR
    - CARITOL PEAR
    - CLEVELAND SELECT PEAR
  - C. EVERGREEN SHRUB CATEGORY -
    - RED TIP PHOTINIA
- E. NO LARGE TREES TO BE PLANTED WITHIN UTILITY EASEMENTS.
- F. DUMPSTER/COMPACTOR SHALL BE SCREENED ON 3 SIDES IN ACCORDANCE WITH SECTION 9-4-266(h) OF THE CITY CODE.
- G. EXISTING SUBSTITUTE VEGETATION MATERIALS HAVE BEEN NOTED INCLUDING THEIR SPECIFIC LOCATION(S), TYPE(S), AND SIZE(S).
- H. EXISTING SUBSTITUTE VEGETATION MATERIAL SHALL BE PROTECTED FROM SITE DEVELOPMENT ACTIVITIES IN ACCORDANCE WITH SEC. 9-4-265(f)
- I. NO LARGE TREES TO BE PLANTED WITHIN SANITARY SEWER OR WATERLINE EASEMENTS.
- J. PARKING LOT AREA TO BE SCREENED IN ACCORDANCE WITH SECTION 9-4-268(l). PARKING AREA SCREENING SHALL BE INSTALLED WITHIN A 10 FOOT AREA ADJACENT TO AND EXTENDING THE FULL STREET SIDE WIDTH OF ALL PARKING AREAS WHICH FRONT A PUBLIC OR PRIVATE STREET.
- K. MINIMUM OF 3 FEET CLEARANCE MUST BE MAINTAINED AROUND ALL FIRE HYDRANTS IN ACCORDANCE WITH STATE BUILDING CODE.

**Legend**



**Site Data:**

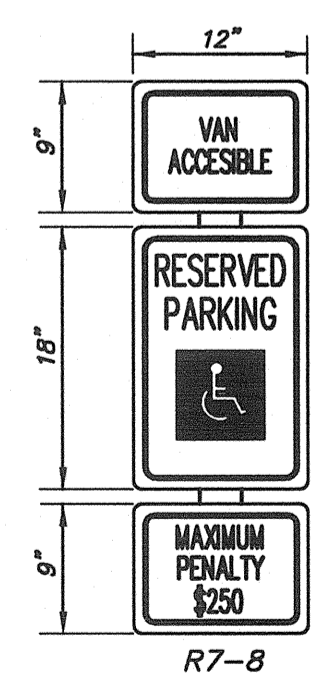
TOTAL ACREAGE IN SITE: 2.04 AC.  
 ACREAGE IN COMMON AREAS: NONE  
 ACREAGE IN RECREATION AREA(S) AND THE LIKE: NONE  
 TOTAL NUMBER OF UNITS/BEDROOMS: 12 BR  
 GROSS FLOOR AREA: 8,713 SF  
 BUILDING LOT COVERAGE: 9.82%  
 BUILDING HEIGHT IN FEET AND STORES: 20' (1 STORY)  
 REQUIRED PARKING: 18 SPACES  
 REQUIRED HC PARKING: 2 SPACES  
 TOTAL NO. OF PARKING SPACES PROVIDED: 31 SPACES INCLUDING 2 HC  
 TOTAL SQUARE FEET OF PROPOSED IMPERVIOUS AREA: 27,397 SQ. FT.  
 IMPERVIOUS AREA FOR PARKING AREAS: 18,684 SQ. FT.  
 CURRENT ZONING: I  
 PARCEL NO. PORTION OF 77450

**General Notes:**

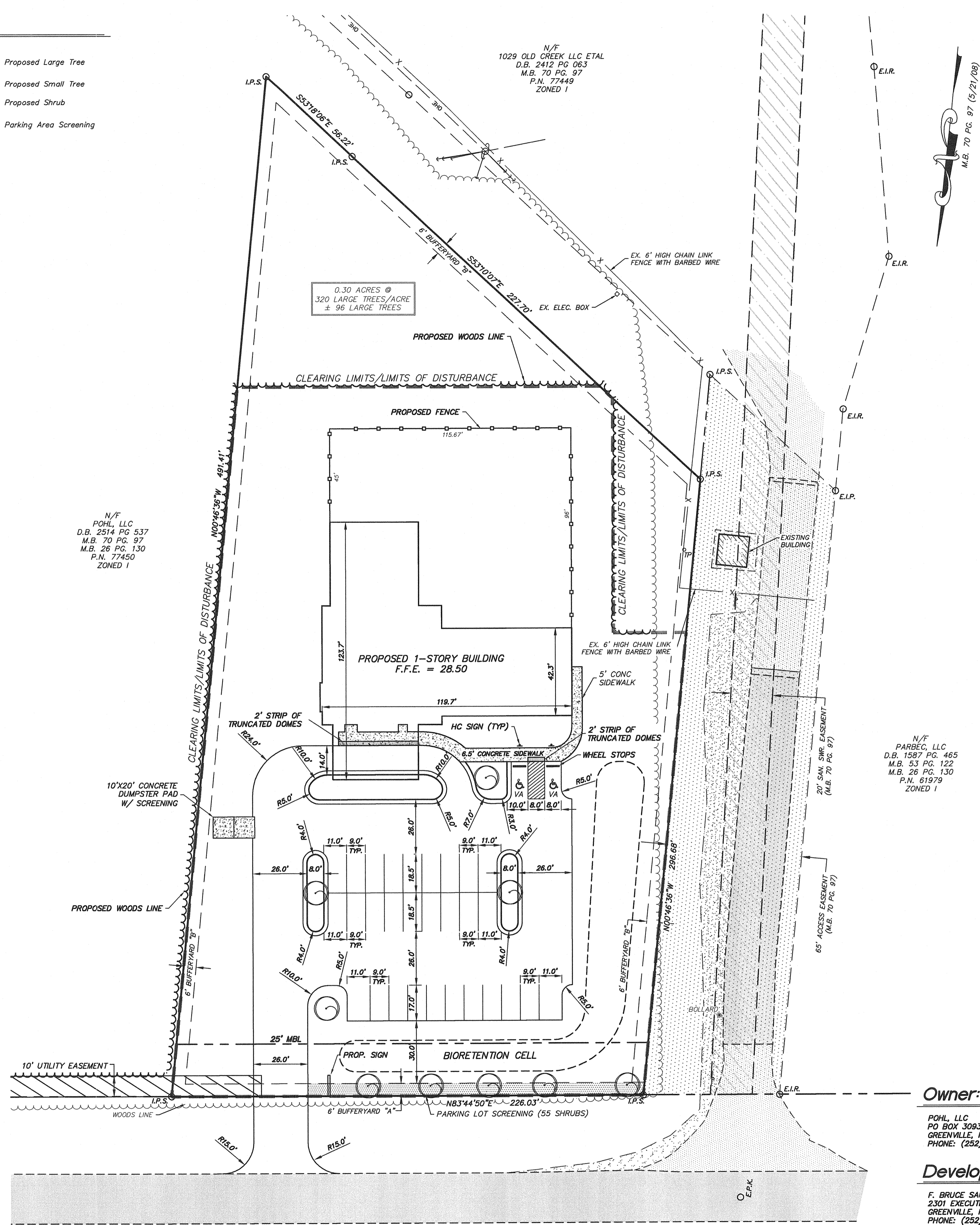
1. CONTACT N.C. ONE-CALL (1-800-632-4949) TO HAVE ALL UNDERGROUND UTILITIES LOCATED PRIOR TO EXCAVATING OR TRENCHING.
2. ELECTRIC AND TELEPHONE UTILITIES SHALL BE INSTALLED UNDERGROUND.
3. ALL REQUIRED IMPROVEMENTS SHALL COMPLY WITH THE CITY OF GREENVILLE MANUAL OF STANDARD DESIGNS AND DETAILS AND THE MANUAL FOR THE DESIGN AND CONSTRUCTION OF WATER AND WASTEWATER SYSTEM EXTENSIONS FOR GREENVILLE UTILITIES COMMISSION.
4. PROPERTY IS LOCATED IN FLOOD ZONE X SHADED (AREAS OF 0.2% ANNUAL CHANCE FLOOD) AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 372046800J PANEL 4688 J DATED JANUARY 2, 2004. NAVD 88 = NGVD 29 + (-1.15 FT).
5. SOIL EROSION AND SEDIMENTATION CONTROL PLAN APPROVAL BY THE CITY ENGINEER REQUIRED PRIOR TO INITIATION OF ANY LAND DISTURBING ACTIVITIES.
6. ANY UNUSED DRIVEWAYS SHALL BE CLOSED IN ACCORDANCE WITH CITY OF GREENVILLE'S DRIVEWAY ORDINANCE.
7. CONTRACTOR SHALL NOTIFY PUBLIC WORKS, STREET MAINTENANCE DIVISION 48 HOURS PRIOR TO MAKING CONNECTIONS TO EXISTING STORM DRAINS LOCATED WITHIN PUBLIC STORM DRAINAGE EASEMENTS OR RIGHT-OF-WAY.
8. THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND.
9. ANY FOOD HANDLING FACILITY WILL REQUIRE THE INSTALLATION OF A GREASE INTERCEPTOR IN ACCORDANCE WITH GUC MANUAL FOR THE DESIGN AND CONSTRUCTION OF WATER AND WASTEWATER SYSTEM EXTENSIONS AND WILL REQUIRE NOTIFYING GUC AT (252) 551-1551 48 HOURS IN ADVANCE OF THE INSTALLATION TO SCHEDULE INSPECTION.
10. APPROVAL OF SITE PLAN DOES NOT CONSTITUTE APPROVAL OF SIGNS. A SEPARATE SIGN PERMIT IS REQUIRED.
11. PROVIDE ALL NECESSARY SIGNAGE FOR HANDICAP PARKING.
12. PARKING LOT SHALL BE STRIPED IN ACCORDANCE WITH PLAN.
13. REFUSE COLLECTION BY PRIVATE CARRIER.
14. PAVEMENT SECTION SHALL BE 6" CABC & 2" BCSC.
15. NCDOT DRIVEWAY PERMIT REQUIRED.
16. SITE SHALL MEET ALL APPLICABLE ACCESSIBILITY CODE REQUIREMENTS.
17. THIS PROPERTY IS SUBJECT TO THE CITY OF GREENVILLE'S STORMWATER MANAGEMENT PROGRAM.

**Parking Requirements:**

- 1 SPACE PER EMPLOYEE  
1 \* 6 = 6 SPACES
- 1 SPACE PER RESIDENT  
1 \* 12 = 12 SPACES
- TOTAL SPACES REQUIRED = 18 SPACES



NOTE:  
SIGN TO MEET ALL STATE, LOCAL AND ADA REQUIREMENTS  
**Handicapped Parking Sign**  
NO SCALE



INDUSTRIAL BOULEVARD (N.C.S.R. 1591)  
(100' PUBLIC R/W; 24' PAVEMENT)

**Owner:**

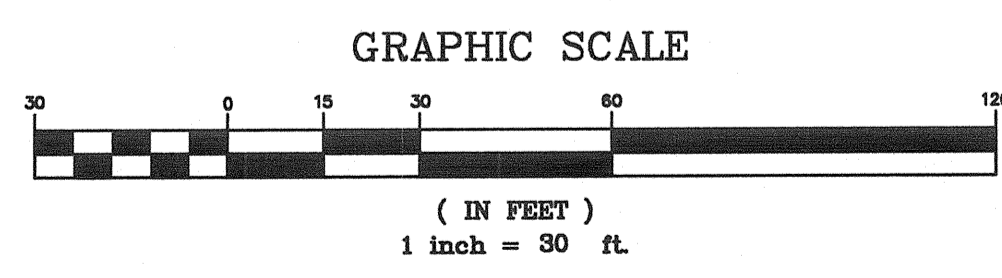
POHL, LLC  
PO BOX 30930  
GREENVILLE, NORTH CAROLINA 27833  
PHONE: (252) 355-7757

**Developer:**

F. BRUCE SAUTER, ET AL  
2301 EXECUTIVE PARK WEST  
GREENVILLE, NORTH CAROLINA 27834  
PHONE: (252) 758-7000

**References:**

POHL, LLC  
PO BOX 30930  
GREENVILLE, NORTH CAROLINA 27833  
PHONE: (252) 355-7757



	<b>Rivers</b> & Associates, Inc. Since 1918 107 East Second Street Greenville, NC 27658 (252) 752-4135		6131 Falls of Neuse Road, Suite 300 Raleigh, NC 27669 (919) 848-3347
	ENGINEERS PLANNERS SURVEYORS		
<b>SITE PLAN</b>			
<b>TRINITY HOUSE OF RESTORATION</b>			
GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA			
DATE: 05/04/09	SCALE: 1" = 30'	DRAWING NO.: W-3246	PROJECT NO.: 2009039
SURVEY: WCG DESIGN: BCF	DRAFT: JSF CHECK: BCF	PROJECT NO.: 2009039	SHEET 1 OF 3

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CITY OF GREENVILLE  
PITT COUNTY, NORTH CAROLINA

**ORDER GRANTING A SPECIAL USE PERMIT**

The Board of Adjustment for the City of Greenville held a public hearing on April 23, 2009 to consider an application submitted by the applicant, POHL, LLC, hereinafter referred to as the Permittee, for a special use permit to use the property located along Industrial Boulevard and as being a portion of Tax Parcel Number 77450 for the following purpose as described by application and in accordance with Title 9, Chapter 4, Article D, Section 9-4-78(f)(4)f. of the Greenville City Code: Correctional Facility (Level 4 Residential Treatment Facility).

Having heard all of the evidence and arguments presented at the public hearing, the Board of Adjustment makes the following FINDINGS OF FACT:

(a) Conditions and Specifications.

That the proposed use meets all required conditions and specifications of the Zoning Ordinance and policies of the City for submission of a special use permit. Such conditions and specifications include but are not limited to the following:

1. Compliance with lot area and dimensional standards.
2. Compliance with setback and other locational standards.
3. Compliance with off-street parking requirements.
4. Compliance with all additional specific criteria set forth for the particular use, Section 9-4-84, of this Article.
5. Compliance with all application submission requirements.

(b) Comprehensive Plan. That the proposed use is in general conformity with the Comprehensive Land Use Plan of the City and its extraterritorial jurisdiction.

(c) Health and Safety. That the proposed use will not adversely affect the health and safety of persons residing or working in the neighborhood of the proposed use.

a. Such health and safety considerations include but are not limited to the following:

1. The safe and convenient location of all on-site parking and drives.
2. The existing vehicular traffic on area streets.



3. The condition and capacity of area street(s) which will provide access to the proposed development.
  4. The visibility afforded to both pedestrians and operators of motor vehicles both on-site and off-site.
  5. The reasonably anticipated increase in vehicular traffic generated by the proposed use.
  6. The anticipated, existing and designed vehicular and pedestrian movements both on-site and off-site.
- (d) Detriment to Public Welfare. That the proposed use will not be detrimental to the public welfare or to the use or development of adjacent properties or other neighborhood uses.
- (e) Existing Uses Detrimental. That the proposed use would not be adversely affected by the existing uses in the area in which it is proposed.
- (f) Injury to Properties or Improvements. That the proposed use will not injure, by value or otherwise, adjoining or abutting property or public improvements in the neighborhood.
- (g) Nuisance or Hazard. That the proposed use will not constitute a nuisance or hazard. Such nuisance or hazard considerations include but are not limited to the following:
1. The number of persons who can reasonably be expected to frequent or attend the establishment at any one time.
  2. The intensity of the proposed use in relation to the intensity of adjoining and area uses.
  3. The visual impact of the proposed use.
  4. The method of operation or other physical activities of the proposed use.
  5. The noise; odor; smoke; dust; emissions of gas, particles, solids or other objectionable or toxic characteristics which are proposed or that can reasonably be expected to be a result of the operation of the proposed use.
  6. The danger of fire or explosion.

WHEREAS, the Board of Adjustment has by affirmative vote found in favor of the application on all of the criteria listed above.

NOW, THEREFORE, based on the facts found above and in consideration of all other evidence presented at the public hearing; the Board of Adjustment orders that the permit be:

Unless otherwise specified, any order or decision of the Board, granting a special use permit shall expire if a building permit, certificate of occupancy, site plan approval, or zoning compliance permit for such use is not granted within six (6) months from the date of the order.

  X   Granted with the following condition:

1. The facility is limited to a maximum of 12 residents.
2. The facility must maintain an alarm and notification system to notify local law enforcement in the event of criminal activity, riot, escape and attempted escapes.
3. Site plan approval is required.
4. The proposed project must meet all NC State fire and building codes prior to occupancy.
5. The proposed project must receive a letter of support from the Local Management Entity (LME) and must meet all licensing requirements of the State of North Carolina Division of Mental Health before beginning operation.

This permit is issued to the Permittee and shall be binding upon the Permittee, his successors and/or assigns.

Any use of the property inconsistent with the approved application shall be prohibited under this permit.

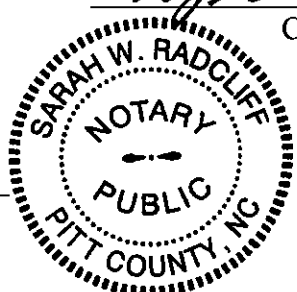
This permit is subject to full compliance with all specific requirements as set out in Title 9, Chapter 4 - Zoning, of the Greenville City Code.

If any of the conditions stated above shall not be met, then this permit shall become void and of no effect.

Ordered this 23<sup>rd</sup> day of April, 2009.

Myra Webber  
Chairman

ATTEST:  
Sarah W. Radcliff  
Secretary



NOTE: Decisions of the Board of Adjustment on actions taken concerning any special use permit shall be subject to review as provided by law.  
See NCGS 160A-38.



# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Brownfields Assessment Grant for the West Greenville Certified Redevelopment Area

**Explanation:** In May 2009, the City of Greenville was awarded a \$200,000 Brownfields Assessment Grant from the Environmental Protection Agency (EPA) to assess the environmental conditions of properties in the West Greenville Certified Redevelopment Area. Brownfields Assessment funds enable the granting of a "clean bill of health" to industrial and heavy commercial properties that appear to be high risk, but potentially have no contamination, which may include facilities like closed tobacco warehouses, bulk petroleum storage facilities, railroad facilities, and abandoned service stations.

Contingent upon approval by the EPA, grant funds will be used for inventory of sites at risk for petroleum contamination for Phase I and II environmental testing of those sites, for public participation and planning activities, as well as for planning associated with redevelopment of individual brownfields properties. The grant will support the City's efforts to inventory and prioritize petroleum related brownfields sites in West Greenville for public investment and redevelopment and to support community outreach activities. Prior to receiving this grant, the City received a Brownfields Grant for hazards assessment in 2007 for the West Greenville Certified Redevelopment Area.

Since notification of the award, staff has been working with the assigned EPA Project Manager to complete a work agreement and other steps necessary for the City to receive and spend the grant funds. Brownfields Assessment funds enable the City to promote the redevelopment of properties in West Greenville while identifying and evaluating potential threats to human health and the environment.

**Fiscal Note:** Acceptance of the grant award of \$200,000 does not require a direct cash match by the City of Greenville. However, an "in-kind" contribution by the City of Greenville is included as match for the program. The cooperative Work Plan Agreement with the EPA does assume that the City of Greenville will contribute

in-kind staff services (program oversight).

**Recommendation:**

Accept the grant fund awarded by the EPA for Brownfields Assessment in the West Greenville Certified Redevelopment Area, authorize execution of required grant documents by the City Manager, and authorize staff to competitively select a consulting firm to manage the inventory, assessment, and reuse planning project.

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**Attachments / click to download**

 [Greenville Petro Grant Award](#)

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## Brownfields 2009 Assessment Grant Fact Sheet Greenville, NC

### EPA Brownfields Program

EPA's Brownfields Program empowers states, communities, and other stakeholders to work together to prevent, assess, safely clean up, and sustainably reuse brownfields. A brownfield site is real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. In 2002, the Small Business Liability Relief and Brownfields Revitalization Act was passed to help states and communities around the country cleanup and revitalize brownfields sites. Under this law, EPA provides financial assistance to eligible applicants through four competitive grant programs: assessment grants, revolving loan fund grants, cleanup grants, and job training grants. Additionally, funding support is provided to state and tribal response programs through a separate mechanism.

### Community Description

The City of Greenville was selected to receive a brownfields assessment grant. Like other cities in eastern North Carolina, Greenville (population 76,058) once had an economy that relied on the tobacco and textile industries. Residential neighborhoods for industry workers were developed around support businesses for these industries. With the contraction of the tobacco industry in the 1980s, these businesses and residential neighborhoods declined. Commercial buildings in the targeted West Greenville Redevelopment Area were boarded up. The center of Greenville now is littered with abandoned and deteriorating facilities. To date, the city has identified 10 potential petroleum brownfield sites in West Greenville. Eighty-nine percent of target area residents are minorities, and nearly 39 percent of families live below the poverty level. In some parts of West Greenville, the 2008 unemployment rate was nearly 11 percent. Brownfield assessments will enable the city to better identify and evaluate potential threats posed by the sites, help determine the extent and nature of contamination, and allow the city to take the first steps toward reducing environmental risks.

### Assessment Grant

#### *\$200,000 for petroleum*

EPA has selected the City of Greenville for a brownfields assessment grant. Community-wide petroleum grant funds will be used to conduct eight Phase I and six Phase II environmental site assessments in the West Greenville Redevelopment Area. Grant funds also will be used to conduct cleanup planning for three sites and to support community outreach activities.

### Contacts

For further information, including specific grant contacts, additional grant information, brownfields news and events, and publications and links, visit the EPA Brownfields Web site (<http://www.epa.gov/brownfields>).

EPA Region 4 Brownfields Team  
(404) 562-8792  
EPA Region 4 Brownfields Web site  
(<http://www.epa.gov/region4/waste/bf>)

Grant Recipient: City of Greenville, North Carolina  
(252) 329-4514

The information presented in this fact sheet comes from the grant proposal; EPA cannot attest to the accuracy of this information. The cooperative agreement for the grant has not yet been negotiated. Therefore, activities described in this fact sheet are subject to change.



# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

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**Title of Item:** Affirmative Marketing Policy for Equal Housing Opportunity

**Explanation:** In accordance with the HOME Investment Partnership Program (HOME), the Community Development Housing Division developed the attached Affirmative Marketing Policy for use within the HOME program and other federally funded Housing programs. This policy is a commitment by the City of Greenville to informing the public about the federal fair housing laws; soliciting eligible persons without regard to race, color, national origin, sex, religion, familial status, or disability into the affordable housing market; and evaluating the effectiveness of these marketing efforts.

**Fiscal Note:** No direct cost.

**Recommendation:** Approve the attached Affirmative Marketing Policy.

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Attachments / click to download

 [Affirmative\\_Marketing\\_Plan\\_829025](#)

**CITY OF GREENVILLE  
AFFIRMATIVE MARKETING POLICY  
(EQUAL HOUSING OPPORTUNITY)**

It is the policy of the Community Development Department's Housing Division of the City of Greenville to not discriminate against any person on the basis of race, color, national origin, sex, religion, familial status, or disability:

1. In the sale or rental of housing or residential lots;
2. In advertising the sale or rental of housing;
3. In the finance of housing;
4. In the provision of real estate brokerage services; or
5. In the appraisal of housing.

**STATEMENT**

This Affirmative Marketing Policy ("the Policy") is developed for use in HOME Investment Partnerships Program ("HOME") funded projects in accordance with the HOME Program regulations, including but not limited to 24 CFR 92.351, of the U.S. Department of Housing and Urban Development ("HUD"). The Policy is a commitment by the City of Greenville, a participating jurisdiction, and the HOME-funded participant ("Beneficiary"). The Beneficiary shares responsibility with the City to inform the public about the Federal Fair Housing Laws, soliciting eligible persons without regard to race, color, national origin, sex, religion, familial status or disability into the affordable housing market and evaluating the effectiveness of these marketing efforts.

This Affirmative Marketing Policy is documented and maintained in the Housing Division records, and shall be included in all HOME project proposals and agreements and HOME project files. The Beneficiary is held to the terms of the Policy by the requirement in the applicable HOME Subrecipient or HOME/Community Housing Development Organization ("CHDO") Agreement.

**PURPOSE**

In accordance with the regulations of the HOME Program and in furtherance of the City of Greenville's commitment to fair housing and equal housing opportunity, this Policy establishes

procedures to affirmatively market rental or residential units constructed or rehabilitated under the HOME Program. These procedures are designed to assure that individuals who normally might not apply for available housing units because they are socially and/or economically disadvantaged are provided an opportunity to apply.

1. METHODS THE CITY WILL USE TO INFORM THE PUBLIC, POTENTIAL TENANTS, AND POTENTIAL OWNERS ABOUT FEDERAL FAIR HOUSING LAWS AND AFFIRMATIVE MARKETING POLICIES AND PROCEDURES

A. The Community Development Department's Housing Division of City of Greenville shall be responsible for implementing the Affirmative Marketing Policy and evaluating its effectiveness as required by the HOME Program. This responsibility shall include, but is not limited to the following:

- 1) Inform the community about its Affirmative Marketing Policy through periodic updates with its Affordable Housing Partners, through training workshops with its HOME Subrecipients and HOME/CHDO applicants, advertisements in the local newspapers of general circulation and other media outlets targeted to special groups and areas, and by posting the Policy on the City website ([www.greenvillenc.gov](http://www.greenvillenc.gov)).
- 2) Display the HUD Equal Housing Opportunity ("EHO") logo or slogan on all graphic presentations by the City concerning the HOME Program including but not limited to press releases and advertisements.
- 3) Provide the beneficiary copies of the brochure "Fair Housing, Equal Opportunity for All" provided by HUD or a similar document at the time they receive (or apply for) HOME funding. The beneficiary shall provide initial homeowners, tenants, and rental property owners with copies.
- 4) Provide general information and telephone reference numbers to persons contacting the Housing Division with questions regarding Affirmative Marketing, Federal Fair Housing, tenant's rights, affordable housing, special needs housing and correction of substandard conditions in tenant-occupied dwellings.

2. REQUIREMENTS AND PRACTICES ALL HOUSING PROJECT BENEFICIARIES MUST ADHERE TO IN ORDER TO CARRY OUT THE CITY'S AFFIRMATIVE MARKETING POLICY.

At a minimum, each Beneficiary of a housing project assisted or partially assisted with HOME Program funds shall:

- 1) Incorporate an EHO logo or statement in its correspondence (including any lease or purchase agreement), which shall be used relating to the HOME program.
  - 2) Affirmatively state a position of equal opportunity in housing when advertising the units or vacancies. *At a minimum*, each Beneficiary must:
    - a. Use the EHO logo in print and visual electronic advertising media;
    - b. Broadcast an “Equal Housing Opportunity” statement if radio advertising is utilized; and
    - c. Display the HUD Fair Housing poster in a high traffic area of its central sales/rental office.
3. PROCEDURES TO BE USED BY BENEFICIARIES OF PROJECTS THAT HAVE 5 OR MORE HOME ASSISTED UNITS TO INFORM AND SOLICIT APPLICATIONS FROM PERSONS IN THE HOUSING MARKET AREA WHO ARE NOT LIKELY TO APPLY FOR HOUSING WITHOUT SPECIAL OUTREACH
- A. Each Beneficiary of a project that has 5 or more HOME assisted units, shall at a minimum:
- 1) Consider factors such as price or rent of housing, the racial/ethnic characteristics of the neighborhood in which housing is to be located, the population within the housing market area, public transportation routes, etc., to determine which group(s) of the existing population are believed to be the ***least likely to apply without special outreach***. The Beneficiary may use census data, neighborhood surveys, and information from local government agencies, real estate associations and community-based organizations as acceptable sources to gather this information.
  - 2) Describe the marketing plan to be used in the initial sales/rental phase as well as the ongoing marketing phase, to attract all segments of the eligible population, especially those groups designated as least likely to apply. This shall include the type of commercial media to be used, identity of the



circulation or audiences of the media identified in the plan, and other community contacts and organizations used to reach populations needing special outreach.

- 3) Post and/or distribute information on the project to any such special needs groups that are being targeted for residence in the units.

4. RECORDS THAT WILL BE KEPT DESCRIBING ACTIONS TAKEN BY THE CITY AND BENEFICIARIES TO AFFIRMATIVELY MARKET UNITS AND RECORDS TO ASSESS ACTIONS.

A. The City of Greenville will keep the following records:

- 1) Copies of all meeting agendas and related materials of the City's Affordable Housing Loan Committee pertaining to this Policy, and all agendas and training materials of any HOME/CHDO training workshop pertaining to this Policy.
- 2) Copies of all press releases, advertisements and other written and electronic materials that pertain to this Policy

B. The City shall also require all Beneficiaries assisted with HOME funds to maintain records of how vacancies were advertised. All Beneficiaries shall maintain a record of classified advertisements, flyers, electronic media spots, or other marketing materials used to affirmative market HOME assisted units for two years.

C. The Beneficiary of a project that has 5 or more HOME assisted units shall also maintain a record of applicants for vacant units with a general profile of the applicant and shall denote the following:

- 1) How the applicant learned of the vacancy;
- 2) Outcome (acceptance or rejection) of the applicant; and
- 3) If rejected, why.

D. Each Beneficiary shall submit to the City annual reports through June 30<sup>th</sup>, as established by the HOME or HOME/CHDO Agreement, identifying those served.

5. DESCRIPTION OF HOW THE CITY OF GREENVILLE WILL ASSESS THE SUCCESS OF AFFIRMATIVE MARKETING ACTIONS, AND WHAT CORRECTIVE ACTIONS WILL BE TAKEN.

- A. The Affirmative Marketing Policy will be assessed on an annual basis by June 30<sup>th</sup> and will include a summary of the “good faith efforts” taken by the City and by HOME and HOME/CHDO Beneficiaries in the CAPER.
- B. The City will compare the information compiled in Section 4: “Record keeping,” and evaluate the degree to which statutory and policy objectives were met. If the required steps were taken, the City will make an assumption that good faith efforts were made to carry out these procedures.
- C. In conjunction with the annual on-site monitoring reviews conducted by the City, the Beneficiary shall produce records of:
  - 1) Affirmative marketing efforts;
  - 2) Applicants; and
  - 3) Outcome.
- D. The City will take corrective action if it is determined that a Beneficiary has failed to carry out affirmative marketing efforts as required. The City will provide written notice to the Beneficiary of the problems that have been identified and the corrective action steps that need to be taken. The City shall follow all procedures for taking corrective action as provided in the City of Greenville Consolidated Plan for the HOME Program.

Adopted this \_\_\_\_ day of June, 2009.

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

Attest:

\_\_\_\_\_  
Wanda Elks, City Clerk



# City of Greenville, North Carolina

Meeting Date: 6/11/2009  
Time: 7:00 PM

**Title of Item:** Establishment of fair market value for 112 West Moore Street

**Explanation:** The Community Development Department has recently received interest from citizens and groups in purchasing City-owned property at 112 West Moore Street in the West Meadowbrook neighborhood. The property was acquired by the City on January 30, 1980, during the West Meadowbrook Community Development project. The property is identified by the Pitt County Tax Assessor's office as parcel number 011773. The property contains approximately 1/2 acre of land and is surrounded by residential uses on the northern and southern boundaries of the property and City park land on the western boundary.

There is no anticipated use of this property by the City, and a number of citizens have expressed interest in purchasing the property from the City. The Community Development Department had an appraisal completed by F. Bruce Sauter. His appraisal report valued the property at \$8,700. The Pitt County Tax Assessor's office valued the property at \$8,000.

In order to determine the level of interest in the property, staff will advertise the property to the public for submittal of purchase proposals by the "sealed bid" method of sale, if City Council accepts the findings of the attached appraisal report.

The highest bid above the established fair market value will be brought back to City Council for consideration at a future date.

**Fiscal Note:** There are no costs associated with the requested action. If the property is sold, proceeds will be used for related housing activities.

**Recommendation:** Accept the appraisal report, establishing the fair market value for 112 West Moore Street, Pitt County Tax Parcel 011773, at \$8,700 and instruct staff to advertise the property for sale by the sealed bid method.

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

Attachments / click to download

 [City of Greenville, 112 West Moore Street, Greenville, NC.pdf](#)

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## F. BRUCE SAUTER & ASSOCIATES, INC.

### *Real Estate Appraisers and Consultants*

2301 Executive Park West, Greenville, North Carolina 27835-7123

Telephone: (252) 758-7000 • Fax: (252) 758-4762

Email: [fbs@fbrucesauter.com](mailto:fbs@fbrucesauter.com)

#### **SUMMARY APPRAISAL REPORT OF:**

City of Greenville Property  
0.50-Acre Vacant Lot  
112 West Moore Street  
Greenville, Pitt County, North Carolina  
PIN: 011773

#### **PREPARED FOR:**

City of Greenville  
Post Office Box 7207  
Greenville, North Carolina 27835-7207

#### **APPRAISER:**

F. Bruce Sauter, MAI  
NC General Certification No.: A8

#### **PREPARED BY:**

F. Bruce Sauter & Associates, Inc.  
2301 Executive Park West  
Greenville, North Carolina 27835

#### **DATE OF VALUATION:**

April 1, 2009

#### **DATE OF REPORT:**

April 1, 2009

#### **MARKET VALUE CONCLUSION "AS IS":**

**\$8,700**

### **SUMMARY APPRAISAL REPORT**

*This is a Summary Appraisal Report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice (USPAP). As such, it presents only brief discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use, the appraiser's opinions and conclusions set forth may not be understood properly without additional information in the appraiser's file. The appraisers are not responsible for unauthorized use of this report.*

### **CONFIDENTIALITY AGREEMENT**

*Acceptance and use of this appraisal is an implied confidentiality agreement between F. Bruce Sauter and Associates, Inc. and the named client and/or intended user(s). Due to the nature of the appraisal industry, and most importantly, client and USPAP confidentiality requirements, the contents of this appraisal are considered confidential. In addition, the contents of this appraisal are also the intellectual property of F. Bruce Sauter and Associates, Inc. not to be distributed without prior written agreement. Significance is given to the distribution of data that involves prior confidentiality agreements.*

F. Bruce Sauter and Associates, Inc.

City of Greenville Property – 0.50-Acre Residential Vacant Lot  
112 West Moore Street, Greenville, Pitt County, North Carolina  
March 2009

1

Item # 21

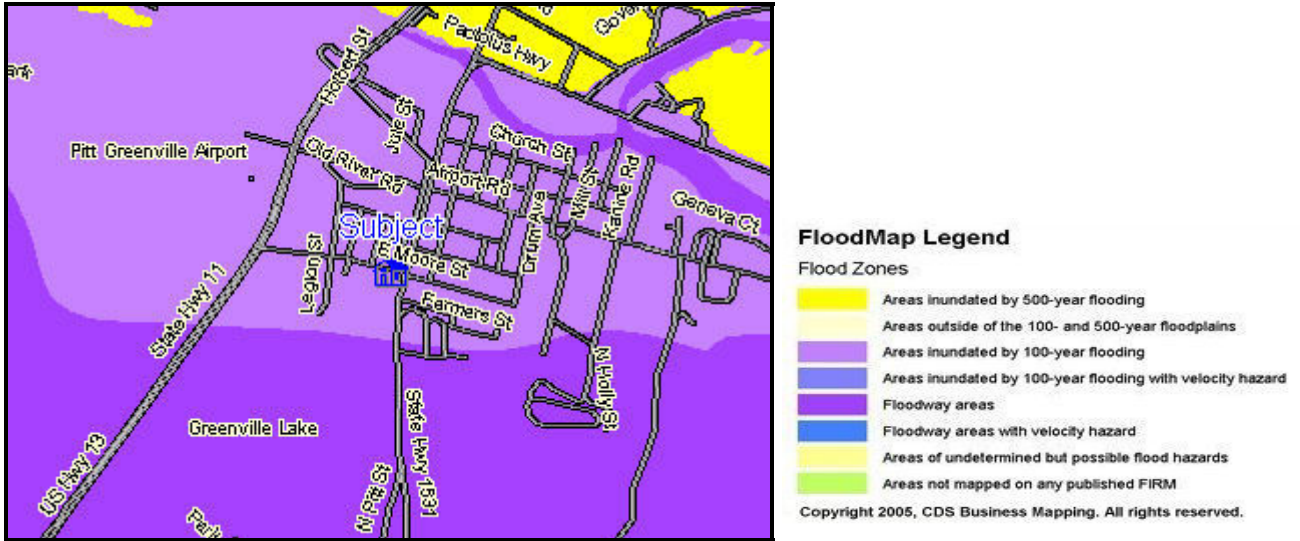


## IDENTIFICATION OF THE PROPERTY



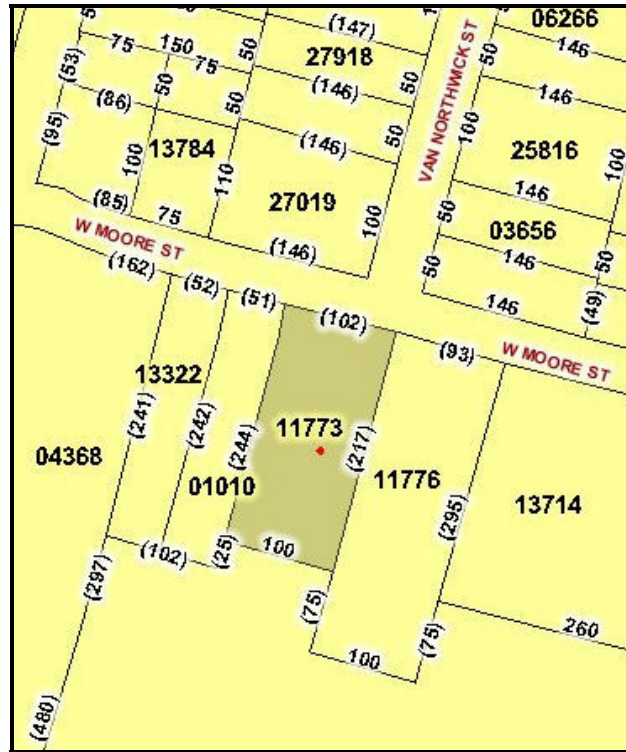
The subject is identified as a .50-acre or 21,780 square foot vacant residential lot in West Meadowbrooke Subdivision located along the south side of West Moore Street, bounded on the north by Van Northwick Street, on the west by Legion Street and on the east by Melody Lane. The physical address of the residential lot is 112 West Moore Street. The tax parcel number is 011773 by the Pitt County Tax Department.

The subject lot is rectangular and is approximately at the grade of West Moore Street, with the topography of the lot nearly level. All public utilities are available to the lot. Access is from West Moore Street, which is a two-lane city street. Drainage appears adequate. Specific soil conditions are unknown. Based on the surrounding construction, the soils appear to be suitable for residential development. The lot lies within the 100-year flood hazard area as shown on the following Flood Insurance Rate Map - Community Panel Number 370191 4688 J dated January 2, 2004.



The lot is zoned R6 (Residential), by the City of Greenville. This District is “...primarily designed to accommodate a compatible mixture of single-family, two-family and multifamily dwellings at higher densities.

## TAXES AND ASSESSMENTS



Parcel	011773
Physical Address	112 W MOORE ST
OwnerName	GREENVILLE CITY OF
OwnerAddress1	PO BOX 7207
City / State / Zip	GREENVILLE NC 27835
NC PIN	4688276399
Prior Legal Description	MOORE STREET
Acres	0.50
Current Owner Deed/Document	S48/619
Deed/Document Date	05/2007
Deed/Document Sales Price	\$0
Building Type / Use	R6 RESIDENTIAL(Single Family Residential)
Number of Buildings	0
Extra Features Value	\$0
Land Value	\$8,000
Total Current Market Value	\$8,000
Total 2007 Market Value	\$7,770
Revaluation Year	2008
Municipality	GREENVILLE
Township	GREENVILLE
Fire Tax District	GREENVILLE
Census Tract	8
Neighborhood	004186

The combined tax rate for the County and City of Greenville is \$1.185 per \$100 assessed value. The assessed value for parcel 011773 is \$8,000 allocated to the land.

Pitt County has recently completed a countywide revaluation with an effective date of January 1, 2008, with the next planned revaluation being January 1, 2012. The

history of tax rates for Pitt County and Greenville indicates that they have fluctuated approximately 1% to 1.5% per year over the past 10 years. Since the City of Greenville currently owns the lot, it is considered tax exempt. If sold to a non-exempt entity, the lot would have a tax liability calculated as follows:

$$\mathbf{\$8,000 \div \$100 = \$80 \times \$1.185 = \$94.80}$$

## **HISTORY OF THE PROPERTY**

The subject lot is currently owned by the City of Greenville since January 1980 as recorded in Deed Book S48, Page 619 of the Pitt County Registry. The deed indicated in error that two parcels were conveyed to the City of Greenville when only 'Parcel No. 1' listed in the deed was conveyed. The error was discovered when the deceased owner's estate was being settled as recorded in Estate Deed Book 92E, Page 205; therefore, an ownership correction was done in 2006 on 'Parcel No. 2'. Ownership to 'Parcel No. 2' is currently listed to Linda Gibson Trustee, et als. To the best of my knowledge, there have been no other third party transfers of this property during the past five years.

## **SCOPE OF THE ASSIGNMENT**

F. Bruce Sauter and Associates, Inc. completed the following steps for this assignment in accordance with the Uniform Standards of Professional Appraisal Practice.

- *Inspected the subject property;*
- *Understood the intended use of the report;*
- *Gathered information relative to local market conditions, zoning, comparable land sales and cost data (if applicable), and;*
- *Confirmed and analyzed the data and applied the Sales Comparison Approach;*
- *Estimated a reasonable exposure and marketing time associated with the property.*

This Summary Use Appraisal Report is a brief recapitulation of the appraiser's data, analyses, and conclusions. Additional supporting documentation is retained in the appraiser's file.

## COMPETENCY RULE

Based on my knowledge and experience regarding appraisals of similar residential lots, I am competent to complete this appraisal in accordance with the competency rule of the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Foundation. This is based on research of the local market, conducted with regard to current land pricing and past market transactions of similar residential lots.

## PURPOSE OF THE APPRAISAL / INTEREST VALUED

The purpose of this appraisal is to develop an opinion of the *market value* of the *fee simple interest* in the subject property (*real estate only*), in terms of cash, on or about the effective date of value, in “*as is*” condition, without extraordinary assumptions or hypothetical conditions. The intended use of this report is to assist the client in future disposition proceedings.

*Market value*<sup>1</sup> is defined as follows:

*The amount in cash, or on terms reasonably equivalent to cash, for which in all probability the property would be sold by a knowledgeable owner willing but not obligated to sell to a knowledgeable purchaser who desired but is not obligated to buy.*

## INTENDED USE/USER / PROPERTY RIGHTS APPRAISED

This appraisal is intended for the exclusive use of the client, the City of Greenville, to assist it in estimating the value of the residential lot. This appraisal is for the *fee simple estate* and will be valued accordingly.

The *fee simple estate*<sup>2</sup> is defined as:

*“Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.*

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<sup>1</sup> This definition of market value is taken from: The Office of the Comptroller of the Currency under 12 CFR, Part 34, Subpart C.

<sup>2</sup> The Dictionary of Real Estate Appraisal



F. Bruce Sauter and Associates, Inc. does not warrant any unauthorized use, nor is it my intention for another party to rely on this appraisal without prior written consent. It is my intention for this report to comply with the Uniform Standards of Professional Appraisal Practice, 12<sup>th</sup> Edition, and Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as currently amended.

## HIGHEST AND BEST USE

The Appraisal of Real Estate<sup>3</sup> defines Highest and Best Use as:

*"that reasonable and probable use that will support the highest present value as defined as of the effective date of the appraisal. Alternatively, that use, from among reasonable and legal alternative uses, should be found to be physically possible, appropriately supported, financially feasible, and result in the highest land value."*

Implied within these definitions is recognition of the contribution of that specific use to community environment or community development goals, in addition to wealth maximization or individual property owners. Highest and best use analysis recognizes trends in the subject's neighborhood in order to determine what practical, reasonably market supported uses, would provide the highest return per dollar invested in the subject's real estate.

Four common standards are normally utilized to determine the highest and best use of a site, as if vacant or improved. The highest and best use of the land must be:

1. **Legally Permissible:** What uses of the land or site are permitted by zoning or deed restrictions?
2. **Physically Possible:** What uses of the land or site are physically possible?
3. **Financially Feasible:** Which possible and permissible uses will produce the highest return to the owners of the land or site?
4. **Maximally Productive:** The use that produces the highest price or value consistent with the rate of return warranted by the market for that use is the highest and best use.

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<sup>3</sup> The Appraisal of Real Estate 12th Addition published by the Appraisal Institute

### **HIGHEST AND BEST USE AS THOUGH VACANT**

The highest and best use of the subject as vacant is for residential use conforming to neighborhood development trends that can adequately maximize the size of the site. Demand for vacant land in the immediate area of the subject is unquantifiable. Possible uses would include assemblage with adjacent land for redevelopment for single-family or multifamily housing.

### **HIGHEST AND BEST USE AS IMPROVED**

N/A.

### **MARKETING AND EXPOSURE TIME**

The *marketing time* is the anticipated time required to sell the property as of the date of the appraisal should the property be placed on the market. The *exposure time* is assumed to reflect the time period required prior to the valuation required to conclude in a sale as of the date of valuation.

Given the proximity to the downtown area of the city, I believe that marketing time would be 18 month or less, if fairly priced and aggressively marketed. I believe the exposure time prior to the date of valuation would have been similar.

## VALUATION OF THE SUBJECT PROPERTY

### SALES COMPARISON APPROACH

The Sales Comparison Approach has been applied in estimating the market value of the subject site, as if vacant and available for its highest and best use. Because the assignment involves a vacant residential lot, the Cost and Income Approaches are not applicable in this instance, and have been omitted.

In the following analysis, sales of similar type vacant residential lots were located and inspected. The sale prices and conditions of the sales were confirmed. The physical characteristics, location, and other pertinent details of the sales were evaluated and compared to the subject lot. Of all the sales found during my investigation, the following are considered to be the most comparable to the subject, and to have the greatest bearing on the present value and market position of the subject lot.

### COMPARABLE LAND SALES MAP





**COMPARABLE LAND SALE 1**



**COMPARABLE LAND SALE 2**





**COMPARABLE LAND SALE 3**



**COMPARABLE LAND SALE 4**



The following table summarizes the results of my analysis of these sales as compared to the subject lot:

**SUMMARY – COMPARABLE LAND SALES ANALYSIS**

LAND SALE NO.	Subject	Sale No. 1	Sale No. 2	Sale No. 3	Sale No. 4
Parcel #	011773	002749	019074	019084 & 019085	019138
Address	112 West Moore Street Greenville, NC	Church Street Greenville, NC	1111 Meadowbrook Drive Greenville, NC	Meadowbrook Drive Greenville, NC	1211 North Pitt Street Greenville, NC
<b>SALE DATA</b>		Delorise Clyburn and husband, Samuel Clyburn	Doris Jacobs	Estate of Seynour Smith	Magdalene J. Roebuck
Seller	The City of Greenville	James E. Boyd	Ryan M. Rivera	Howard D. Jackson	Bennie Rountree
Buyer					
Sale Date	1/30/1980	8/22/2006	12/21/2006	6/19/2007	2/8/2008
Deed Book/Page	S48/619	2175/252	2246/670	2338/758	2448/511
Sale Price	\$0	\$4,000	\$4,500	\$16,000	\$6,500
<b>PHYSICAL FEATURES</b>					
Land Size (SF)	21,780	6,969	14,810	15,246	12,197
Sale Price/SF Land		\$0.57	\$0.30	\$1.05	\$0.53
Location	West Meadowbrooke Subdivision	W. H. Mills Subdivision, Section A, Lot 5	Meadowbrook Drive Subdivision, Block A, Lot 7	Meadowbrook Drive Subdivision, Block D, Lots 2 & 3	Rivermont Subdivision, Lots 59 & 60
<b>ADJUSTMENTS</b>					
Property Rights		Fee Simple	Fee Simple	Fee Simple	Fee Simple
Adjustment		0%	0%	0%	0%
Adjusted Price		\$0.57	\$0.30	\$1.05	\$0.53
Financing		Cash to Seller	Cash to Seller	Cash to Seller	Cash to Seller
Adjustment		0%	0%	0%	0%
Adjusted Price		\$0.57	\$0.30	\$1.05	\$0.53
Time		0%	0%	0%	0%
Adjusted Price		\$0.57	\$0.30	\$1.05	\$0.53
Location		0%	0%	-25%	0%
Size/Shape	Rectangular Level At Street Grade / 100-Year	-25%	-10%	-10%	-10%
Topography	Flood Hazard Area	0%	0%	0%	0%
Zoning	R6	0%	0%	0%	-15%
Utilities	All City	0%	0%	0%	0%
Net Adjustments		-25%	-10%	-35%	-25%
Adjusted Price		<b>\$0.43</b>	<b>\$0.27</b>	<b>\$0.68</b>	<b>\$0.40</b>

These sales are relatively similar in terms of location, utility, and all located within the 100-year flood hazard area. All of the sites are zoned residential except for Sale 4, which is zoned CDF; therefore, an adjustment downward is required for Sale 4 because of its superior zoning. Also, all the sales are smaller than the subject, and required downward adjustments to make them more comparable to the subject lot. Sale 3 is located on the east side of Meadowbrook Drive surrounded by industrial development; therefore, if rezoned its highest and best use would be for commercial/industrial redevelopment and a downward adjustment has been applied. The adjusted sales prices offer a range from \$0.27 to \$0.68 per square foot. After careful comparison and analysis, I believe these sales will support a present unit value for the subject lot near the mid point of the range at **\$0.40** per square foot.

**Applied to Subject**

**21,780 SQUARE FEET X \$0.40 / SQUARE FOOT = \$8,712.00**

**INDICATED VALUE OF LOT: \$8,700 (RD)**



**VIEW OF SUBJECT LOT**



**VIEW OF WEST MOORE STREET FACING NORTHWEST**



**VIEW OF WEST MOORE STREET FACING SOUTHEAST**

## ASSUMPTIONS AND LIMITING CONDITIONS

- 1) No responsibility is assumed for legal or title considerations. Title to the property is assumed good and marketable unless otherwise stated in this report.
- 2) The property is appraised free and clear of any or all liens and encumbrances unless otherwise stated in this report.
- 3) Responsible ownership and competent property management are assumed unless otherwise stated in this report.
- 4) The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
- 5) All engineering is assumed to be correct. Any plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
- 6) It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
- 7) It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless otherwise stated in this report.
- 8) It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non conformity has been stated, defined, and considered in this appraisal report.
- 9) It is assumed that all required licenses, certificates of occupancy or other legislative or administrative authority from any local, state, or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report are based.
- 10) Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference purposes only. No guarantee as to accuracy is expressed or implied unless otherwise stated in this report. No survey has been made for the purpose of this report.
- 11) It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless otherwise stated in this report.



- 12) The appraisers are not qualified to detect hazardous waste and/or toxic materials. Any comment by the appraisers that might suggest the possibility of the presence of such substances should not be taken as confirmation of the presence of hazardous waste and/or toxic materials. Such determination would require investigation by a qualified expert in the field of environmental assessment. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The appraiser's value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value unless otherwise stated in this report. No responsibility is assumed for any environmental conditions, or for any expertise or engineering knowledge required to discover them. The appraiser's descriptions and resulting comments are the result of the routine observations made during the appraisal process.
- 13) Unless otherwise stated in this report, the subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the Americans with Disabilities Act. The presence of architectural and communications barriers that are structural in nature that would restrict access by disabled individuals may adversely affect the property's value, marketability, or utility.
- 14) Any proposed improvements are assumed to be completed in a good workmanlike manner in accordance with the submitted plans and specifications.
- 15) The distribution, if any, of the total valuation in this report between land and improvements applied only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
- 16) Possession of this report or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraisers, and in any event, only with proper written qualification and only in its entirety.
- 17) Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraisers, or the firm with which the appraisers are connected) shall be disseminated to the public through advertising, public relations, news sales, or other media without prior written consent and approval of the appraisers.

## APPRAISER'S CERTIFICATION

I certify that to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported contingent and limiting conditions, and are my personal, unbiased professional analysis, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
- My compensation is not contingent upon the reporting or a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- This appraisal was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Foundation; and the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- I have made a personal inspection of the property that is the subject of this report.
- No one provided significant professional assistance to the persons signing this report.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.



\_\_\_\_\_  
F. Bruce Sauter, MAI  
NC General Certification No.: A8



04/01/09

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Date of Report