



## **Agenda**

### **Greenville City Council**

**April 11, 2019**

**6:00 PM**

**City Hall Council Chambers**

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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 Litchfield**
- III. Pledge of Allegiance**
- IV. Roll Call**
- V. Approval of Agenda**
- VI. Public Comment Period**

The Public Comment Period is a period reserved for comments by the public. Items that were or are scheduled to be the subject of public hearings conducted at the same meeting or another meeting during the same week 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.

## **VII. Special Recognitions**

1. South Central High School Boys Basketball Team - State 4A Champions

## **VIII. Appointments**

2. Appointments to Boards and Commissions

## **IX. Old Business**

3. Ordinance requested by Bobby W. Joyner to rezone 12.943 acres located along the northern right-of-way of East Fire Tower Road and adjacent to Meeting Place Subdivision from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family])

## **X. New Business**

### **Public Hearings**

4. Ordinance to annex Blackwood Ridge, Phase 3 involving 3.6167 acres located between Corey Road and County Home Road and adjacent to Blackwood Ridge Subdivision
5. Ordinance requested by Blackwood, Parrott & Roberson, LLC to rezone 3.6167 acres located east of Corey Road and adjacent to Blackwood Ridge Subdivision from RR (Rural Residential – Pitt County’s Jurisdiction) to R9S (Residential-Single-family)
6. Ordinance requested by Ocean Reef Investments, LLC to amend the Future Land Use and Character Map for 3.058 acres from the Residential, High Density (HDR) land use character to the Commercial (C) land use character for the property located on the southeastern corner of the intersection of MacGregor Downs Road and B’s Barbeque Road
7. Ordinance requested by the Community Development Department to amend Title 9, Chapter 4, Article U, Table of Uses (c) (3) to allow barber and beauty shops as a home occupation with a special use permit in the R9S and R15S zoning districts
8. Resolution approving a Job Creation Grant and economic development agreement with Taft Family Ventures

### **Other Items of Business**

9. Stormwater Utility Fee Alternatives
10. Recommendations from the Environmental Advisory Commission regarding greenhouse gas emissions and proposed revisions to the federal definition of "Waters of the US" in the Federal Clean Water Act

**XI. City Manager's Report**

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

**XIII. Adjournment**



## City of Greenville, North Carolina

Meeting Date: 4/11/2019  
Time: 6:00 PM

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**Title of Item:** Appointments to Boards and Commissions

**Explanation:** **Abstract:** The City Council fills vacancies and makes appointments on the City's boards and commissions. Appointments are scheduled to be made to six of the boards and commissions.

**Explanation:** City Council appointments need to be made to the Community Appearance Commission, Environmental Advisory Commission, Greenville Bicycle and Pedestrian Commission, Human Relations Council, Recreation & Parks Commission, and the Youth Council.

The City Council updated the Board and Commission Policy on October 9, 2017 to include a provision for extended vacancies:

*Nominations for Extended Vacancies*

*In the event there is a vacancy on a City board or commission which has been on the City Council agenda for appointment by City Council for more than three (3) calendar months in which a regular City Council meeting has been held, then any Council Member may make a nomination to fill the vacancy without regard to any other provision relating to who has the authority to make the nomination. If there is more than one nomination, the appointment shall be conducted in accordance with the procedure for nominations and elections in Robert's Rules of Order.*

Under this provision, the following seats are open to nominations from the City Council:

- Nathaniel Hamilton - Environmental Advisory Commission, Educator of Natural or Physical Sciences/Physician Seat
- Heena Shah - Human Relations Council
- Maurice Whitehurst - Human Relations Council, Pitt Community College Seat

**Fiscal Note:** No direct fiscal impact.

**Recommendation:** Make appointments to the Community Appearance Commission, Environmental Advisory Commission, Greenville Bicycle and Pedestrian Commission, Human Relations Council, Recreation & Parks Commission, and the Youth Council.

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ATTACHMENTS:

☐ **Muni\_Report\_Appointments\_to\_Boards\_and\_Commissions\_998631**

# Appointments to Boards and Commissions

April 2019

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## Community Appearance Commission

**Council Liaison:** Council Member Rick Smiley

| Name            | District # | Current Term           | Reappointment Status | Expiration Date |
|-----------------|------------|------------------------|----------------------|-----------------|
| Karen Brookins  | 3          | Filling unexpired term | Resigned             | July 2021       |
| Jeffrey Johnson | 4          | Second term            | Ineligible           | April 2019      |
| Diane Kulik     | 5          | Filling unexpired term | Eligible             | April 2019      |
| William Wooten  | 3          | First term             | Eligible             | April 2019      |

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## Environmental Advisory Commission

**Council Liaison:** Council Member Brian Meyerhoeffer, Jr.

| Name           | District # | Current Term | Reappointment Status | Expiration Date |
|----------------|------------|--------------|----------------------|-----------------|
| Drake Brinkley | 5          | First term   | Eligible             | April 2019      |

|                    |   |                        |          |            |
|--------------------|---|------------------------|----------|------------|
| Nathaniel Hamilton | 5 | Filling unexpired term | Resigned | April 2019 |
|--------------------|---|------------------------|----------|------------|

*(An educator of the natural or physical sciences, or physician)*

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## Greenville Bicycle & Pedestrian Commission

**Council Liaison:** Council Member Will Bell

| Name            | District # | Current Term | Reappointment Status | Expiration Date |
|-----------------|------------|--------------|----------------------|-----------------|
| Connor Tanferno | 3          | First term   | Resigned             | January 2021    |

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## Human Relations Council

**Council Liaison:** Mayor Pro-Tem Rose Glover

| Name | District # | Current Term | Reappointment Status | Expiration Date |
|------|------------|--------------|----------------------|-----------------|
|------|------------|--------------|----------------------|-----------------|

|                                 |   |             |                                     |            |
|---------------------------------|---|-------------|-------------------------------------|------------|
| Isaac Chemmanam                 | 4 | First term  | Resigned                            | Sept. 2019 |
| Heena Shah                      | 1 | Second term | Ineligible                          | Sept. 2018 |
| Maurice Whitehurst              | 2 | Second term | Did not meet attendance Requirement | Oct. 2015  |
| <i>(Pitt Community College)</i> |   |             |                                     |            |

### Recreation & Parks Commission

**Council Liaison:** Council Member Monica Daniels

| Name  | District # | Current Term           | Reappointment Status | Expiration Date |
|---|------------|------------------------|----------------------|-----------------|
| Ebonee Downey<br><i>(Mayor Pro-Tem Rose Glover)</i> | 1          | Filling unexpired term | Resigned             | May 31, 2020    |

### Youth Council

**Council Liaison:** Mayor Pro-Tem Rose Glover

| Name | Current Term | Reappointment Status | Expiration Date |
|------|--------------|----------------------|-----------------|
|------|--------------|----------------------|-----------------|

6 spots open

\*Seats that are open to nomination from the City Council are highlighted.

# Applicants for Community Appearance Commission

Gregory Hemby  
1410 W. 6th Street  
Greenville, NC 27834

**Application Date:** 4/22/2018

**Home Phone:** (202) 412-4369

**Business Phone:**

**Email:** hembyg@gmail.com

**District #:** 1



# Applicants for Environmental Advisory Commission

Orrin Allen Beasley  
3601 Live Oak Lane  
Greenville, NC 27858

**Application Date:** 12/8/2015

**District #:** 5

**Home Phone:** (252) 216-6099

**Business Phone:** (252) 216-6099

**Email:** oab0119@gmail.com

# Applicants for Greenville Bicycle & Pedestrian Commission

John A. Kohler  
412 Oxford Road  
Greenville, NC 27858

**Application Date:** 10/18/2018

**District #:** 4

**Home Phone:** (843) 576-9798

**Business Phone:** (252) 744-2637

**Email:** john.kohler.sr@gmail.com

# Applicants for Human Relations Council

Alaric Martin  
3195 Boardwalk Lane Apt. #9  
Greenville, NC 27834

**District #:** 2

Keshia B. Williams  
945 Spring Forest Rd.  
Greenville, NC

**District #:** 4

Travis Williams  
3408 Evans Street Apt. E  
Greenville, NC 27834

**District #:** 5

Stephanie Winfield  
1103 Red Banks Road  
Greenville, NC

**District #:** 4

**Application Date:** 9/4/2018

**Home Phone:** (919) 924-1631

**Business Phone:**

**Email:** amartin@gmail.com

**Application Date:** 4/24/2018

**Home Phone:** 252-558-3620

**Business Phone:**

**Email:** williak5@pitt.k12.nc.us

**Application Date:** 4/16/2017

**Home Phone:** (252) 412-4584

**Business Phone:**

**Email:** taft1986@yahoo.com

**Application Date:** 7/14/2017

**Home Phone:**

**Business Phone:**

**Email:** ladona12@gmail.com

# Applicants for Recreation and Parks Commission

Gregory Hemby  
1410 W. 6th Street  
Greenville, NC 27834

**District #:** 1

Anna L. Logemann  
1105 Turtle Creek Road Unit G  
Greenville, NC 27858

**District #:** 4

Anthony Mizzelle  
1988-B Hyde Drive  
Greenville, NC 27858

**District #:** 4

Christopher Powell  
108 B Chandler Drive  
Greenville, NC 27834

**District #:** 1

**Application Date:** 4/22/2018

**Home Phone:** (202) 412-4369

**Business Phone:**

**Email:** hembyg@gmail.com

**Application Date:** 4/26/2017

**Home Phone:** (336) 624-6514

**Business Phone:**

**Email:** annlogemann85@gmail.com

**Application Date:** 5/28/2016

**Home Phone:** (252) 215-9245

**Business Phone:** (252) 290-5515

**Email:** anthonymizzelle.am@gmail.com

**Application Date:** 6/24/2016

**Home Phone:** (252) 714-0286

**Business Phone:**

**Email:** christopherpowell@yahoo.com

# Applicants for Youth Council

None.



## City of Greenville, North Carolina

Meeting Date: 4/11/2019  
Time: 6:00 PM

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**Title of Item:**

Ordinance requested by Bobby W. Joyner to rezone 12.943 acres located along the northern right-of-way of East Fire Tower Road and adjacent to Meeting Place Subdivision from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family])

**Explanation:**

**Abstract:** The City has received a request from Bobby W. Joyner to rezone 12.943 acres located along the northern right-of-way of East Fire Tower Road and adjacent to Meeting Place Subdivision from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family]).

\*\*This item was continued from the February 14, 2019 City Council meeting. A public hearing was held at that meeting. There was a motion to approve that resulted in a 3:3 vote. The Mayor broke the tie with a vote in favor of the approval. However, a two-thirds vote not including the Mayor is required for the ordinance to pass on the first reading. At the March 14, 2019 Council meeting, this request was continued to the April 11, 2019 Council meeting at the request of the applicant.

**Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on December 31, 2018.

On-site sign(s) posted on December 31, 2018.

City Council public hearing notice (property owner and adjoining property owner letter) mailed on January 29, 2019.

Public hearing legal advertisement published on February 4 and February 11, 2019.

**Comprehensive Plan:**

The Future Land Use and Character Map recommends commercial (C) at the northeastern corner of the intersection of East Fire Tower Road and Charles Boulevard, transitioning to office/institutional (OI) to the north and traditional neighborhood, medium-high density (TNMH) to the east.

Further, the Future Land Use and Character Map recommends potential conservation/open space (PCOS) along Meeting House Branch.

#### Traditional Neighborhood, Medium-High Density

Primarily residential area featuring a mix of higher density housing types ranging from multifamily, townhomes, and small-lot single-family detached. They are typically located within a walkable distance to a neighborhood activity center. Traditional neighborhoods should have a walkable street network of small blocks, a defined center and edges, and connections to surrounding development.

Intent:

- Provide streetscape features such as sidewalks, street trees, and lighting
- Allow neighborhood-scale commercial or mixed use centers at key intersections within neighborhoods

Primary Uses:

Multi-family residential

Single-family residential attached (townhomes) and detached (small-lot)

Secondary Uses:

Institutional (neighborhood scale)

#### Office/Institutional:

These areas serve as a transition between more intense commercial areas and surrounding neighborhoods. The form of future development should take a more walkable pattern with shorter blocks, buildings near streets, shared parking, and connections to surrounding development.

Intent:

- Provide connectivity to nearby uses (paths, streets)
- Locate new buildings near street on at least one side and accommodate parking to the side or rear of buildings; cluster buildings to consolidate and share surface parking
- Improve/provide public realm features such as signs, sidewalks, landscaping
- Reduce access-points into development for pedestrian and vehicular safety

Primary Uses:

Office

Institutional/Civic

#### Commercial

Primarily community- and regional-scale commercial development situated near and along major roadway corridors. Existing development is characterized by buildings set back from streets behind surface parking. That existing pattern should evolve to become more walkable with shorter blocks, buildings near streets, shared parking, and connections to surrounding development.

Intent:

- Provide connectivity to nearby uses (paths, streets)
- Locate new buildings near street on at least one side and accommodate parking to the side or rear of buildings
- Improve/provide public realm features such as signs, sidewalks, landscaping
- Reduce access-points into development for pedestrian and vehicular safety
- Reduce and consolidate surface parking

Primary uses:

Commercial (small and large format)

Office

Secondary uses:

Institutional/civic

Potential conservation/open space (PCOS)

The Future Land Use and Character Map identifies certain areas as potential conservation/open space. Much of this area is designated based upon data on flood-prone land and environmental constraints that may not correspond precisely with conditions on the ground. Seeing an area designated this way is the beginning of a conversation. When considering rezoning requests or other development proposals, some areas classified as potential conservation/open space may be determined not to contain anticipated limitations on development, or that existing concerns can reasonably be mitigated. In such cases, the future preferred land use should be based on adjacent Land Use and Character designations, contextual considerations, and the general policies of the comprehensive plan.

Intent:

- Conserve environmentally-sensitive land
- Buffer incompatible land uses with open space
- Provide open space network through the city for recreation
- Conservation/open space buffers adjacent to industrial development should be maintained at a width based on the type of industry and its potential to create compatibility problems
- Greenways and greenway connectors should be maintained to be consistent with the Greenway Plan.

There is a designated community activity center at the intersection of East Fire Tower Road and Charles Boulevard. These centers are intended to contain 50,000-250,000 square feet of conditioned floor space and serve an area within three (3) miles.

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



Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1,031 trips to and from the site on East Fire Tower Road, which is a net increase of 600 trips per day.

During the review process, measures to mitigate traffic will be determined.

**History/Background:**

In 1972, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned to its present zoning.

**Present Land Use:**

One (1) single-family residence and farmland

**Water/Sewer:**

Water and sanitary sewer are available to the subject property.

**Historic Sites:**

There are no known effects on designated sites.

**Environmental Conditions/Constraints:**

Meeting House Branch is along the northern property line, and a blue line stream traverses the property. There is not mapped flood plain on the subject property. This property may contain wetlands and is subject to the riparian buffer rules.

The property is located in the Meeting House Branch Watershed. If stormwater rules apply, it would require 25-year detention and nitrogen and phosphorous reduction.

**Surrounding Land Uses and Zoning:**

North: R6 and R6S - Farmland

South: RA20 - Farmland (under common ownership of the applicant) and one (1) single-family dwelling

East: R6S - Meeting Place Subdivision (single-family)

West: CG and OR - Farmland

**Density Estimates:**

Under the current zoning, the site could accommodate 40-45 single-family lots.

Under proposed zoning, the site could accommodate 145-155 multi-family units (1, 2 and 3 bedroom units).

The anticipated build-out is within 2-3 years.

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

**Recommendation:** In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map. Therefore, staff recommends approval.

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

The Planning and Zoning Commission voted (6:2) to approve the request at its January 15, 2019 meeting.

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 City 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 comprehensive plan, there is a more appropriate zoning classification and, therefore, denial is reasonable and in the public interest.

Note: In addition to the other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the existing and proposed districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

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ATTACHMENTS:

☐ Ordinance\_-\_Bobby\_W\_Joyner\_1100334

▢ **Minutes\_-\_Bobby\_Joyner\_1100289**

▢ **Attachments**

ORDINANCE NO. 19-  
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 the 14<sup>th</sup> day of February, 2019, at 6:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance 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;

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the ordinance zoning the following described property is consistent with the adopted comprehensive plan and other officially adopted plans that are applicable and that the adoption of the ordinance zoning the following described property is reasonable and in the public interest due to its consistency with the comprehensive plan and other officially adopted plans that are applicable and, as a result, its furtherance of the goals and objectives of the comprehensive plan and other officially adopted plans that are applicable;

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Policy 1.1.1 guide development with the Future Land Use and Character Map and Policy 1.1.6 guide development using the Tiered Growth Approach; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, promote the safety and general welfare of the community because the requested zoning is consistent with the recommended Future Land Use and Character designation and is located in a Primary Service Area;

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

Section 1. That the following described territory is rezoned from RA20 (Residential-Agricultural) to OR (Office-Residential).

TO WIT: Bobby W. Joyner

LOCATION: Located along the northern right-of-way of East Fire Tower Road and adjacent to Meeting Place Subdivision.

DESCRIPTION: Beginning at an existing bent re-bar reset having NC Grid Coordinates N 666321.57 and E 2492065.64 and being located at the intersection of the northern right-of-way of E. Fire Tower Road and the southwest property corner of Lot 1, Meeting Place Subdivision as recorded in Map Book 38, Page 136, Pitt County Registry; thence running along the northern right-of-way of E. Fire Tower Road S 56-06-41 W, 512.90 feet to an iron pipe set with cap located on the northern right-of-way of E. Fire Tower Road said iron pipe set with cap having NC Grid Coordinates N 666035.59 and E 2491639.87; thence leaving the northern right-of-way of E. Fire Tower Road N 04-01-37 W, 702.83 feet to an iron pipe set; thence continuing N 04-01-37 W, 644.56 feet to an iron pipe set; thence continuing N 04-01-37 W, 16.90 feet to a point located in the centerline of Meeting House Branch; thence running along the centerline of Meeting House Branch the following courses and distances S 81-43-58 E, 79.98 feet to a point; thence N 81-02-34 E, 78.36 feet to a point; thence N 84-13-25 E, 49.69 feet to a point; thence N 82-48-50 E, 97.83 feet to a point; thence N 86-34-06 E, 54.69 feet to a point; thence N 81-23-03 E, 65.80 feet to a point; thence N 59-24-42 E, 56.81 feet to a point; thence leaving the centerline of Meeting House Branch and following the western property line of Meeting Place Subdivision as recorded in Map Book 38, Page 136, Pitt County Registry the following courses and distances S 02-31-16 E, 10.18 feet to an iron pipe set; thence continuing S 02-31-16 E, 1,125.84 feet to the point of beginning containing 12.943 acres.

Section 2. That the Director of Community Development is directed to amend the zoning 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 April, 2019.

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P. J. Connelly, Mayor

ATTEST:

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Carol L. Barwick, City Clerk

1100334

**Excerpt from the adopted Planning & Zoning Commission Minutes (01/15/2019)**

ORDINANCE REQUESTED BY BOBBY W. JOYNER TO REZONE 12.943 ACRES LOCATED ALONG THE NORTHERN RIGHT-OF-WAY OF EAST FIRE TOWER ROAD AND ADJACENT TO MEETING PLACE SUBDIVISION FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO OR (OFFICE-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) - **APPROVED**

Ms. Gooby delineated the property. There is a community activity center at the intersection of Charles Boulevard and Fire Tower Road, which is where commercial is encouraged. These areas are intended to service a 3-mile radius. This request could generate net an increase of 600 trips per day. This area will be impacted by the planned road widening for Fire Tower Road, which will make it a 4-lane divided median highway. All traffic leaving from this property will eventually be required to make a right-hand turn. Under the current zoning, the property could accommodate 40-45 single-family lots. Under the proposed zoning, the property could accommodate 150 multi-family units. The Future Land Use Plan recommends commercial © at the intersection of Charles Boulevard and Fire Tower Road transitioning to office/institutional (OI) to the north and traditional neighborhood, medium-high density (TNMH). The requested OR zoning is part of the TNMH character. Further, potential conservation/open space (PCOS) is shown along the northern property line and along Meeting House Branch (which traverses the property). Meeting House Branch is a blue line stream, which may be subject to riparian buffer rules. In staff's opinion, the request is in compliance with the Horizons 2026: Greenville's Community Plan and the Future Land Use Character Map. Staff recommends approval.

Mr. Scott Anderson, Ark Consulting, spoke in favor, representing the applicant. The request is in compliance with Future Land Use Plan and the proposed OR zoning provides a transition from the commercial at Charles Boulevard and Fire Tower Road. The rear of the property drops off significantly and 25-year storm water detention required. So, that is where the storm water detention will be located. The property will be affected by the Fire Tower widening project so access will be limited to right-in and right-out.

Ms. Nikki Coutouzis, spoke in opposition. She lives on Cleere Court in the Red Banks Subdivision. She has 16 signatures of people that are in opposition that live in Meeting Place Subdivision, which is adjacent to the rezoning. There are no trees and is completely open to their homes. The biggest concern is traffic. The intersection has already deemed one of the most accident prone intersection in the city and with the increase of 600 trips per day and the DOT widening project this project is at a bad time. We would like to see the area stay single-family.

Ms. Scott, spoke in opposition. She lives on Cleere Court in the Red Banks Subdivision. Her main concern is with traffic and how horrible it is at certain times of the day. The overall plan should be considered to keep our neighborhood safe. If you look at accident reports, our neighborhood isn't safe. We don't have turning lane so please consider this.

Mr. Anderson, spoke in rebuttal, in favor. He stated traffic is bad and the roadway was designed to handle 12,000 trips per day and the new road is designed to handle 39,000 trips per day. The owner doesn't have any immediate plans for the area.

Mr. DiCesare, City Traffic Engineer, stated that City and NCDOT will work together to properly position the driveway of the proposed project. NCDOT would mostly likely request a dedicated right turn lane into the property. There will be signalized, time and coordinated traffic lights. The time of construction is 2020-2024. The efficacy will help flush out congestion.

Mr. Wilson stated he has a problem with putting additional traffic in that area. 600 trips doesn't seem like a lot but at 8:00 a.m. it is. If this was 2 years from now, once the widening begins it would be different.

**Motion made by Mr. Wilson, seconded by Mr. Maxwell to recommend denial of the proposed amendment, to advise that, although it is consistent with the Comprehensive Plan, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency and other matters. Voting in favor: Maxwell and Wilson. Voting in opposition: Joyner, Collins, King, Schrade, Darden and West. Motion failed.**

**Motion made by Mr. King, seconded by Mr. Schrade to recommend approval of the proposed amendment and to advise that it is consistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters. Voting in favor: Joyner, Collins, King, Schrade, Darden (abstained) and West. Voting in opposition: Maxwell and Wilson. Motion passed.**

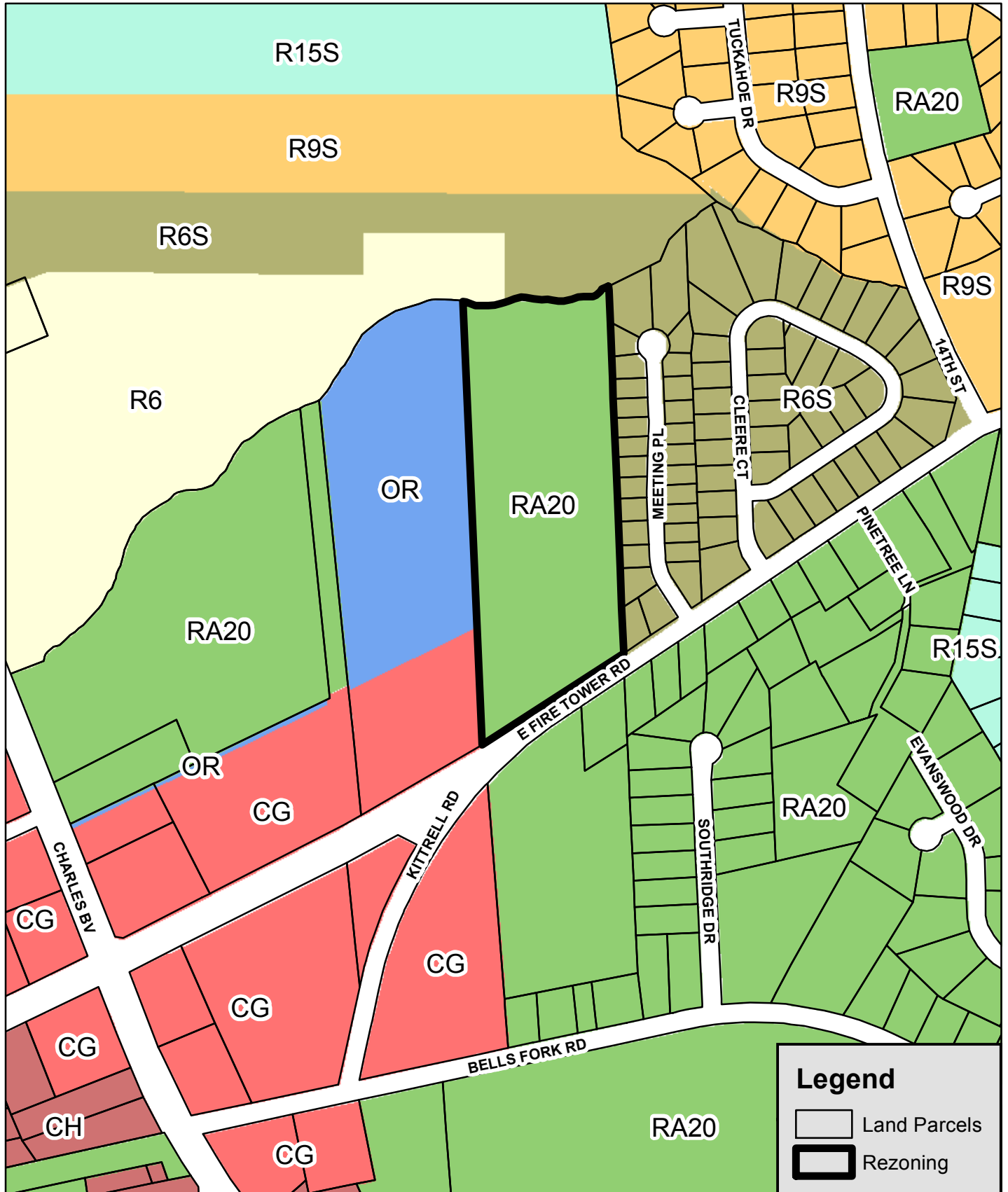
**Bobby W. Joyner**

**Acres: 12.943**

**From: RA20**

**To: OR**

**December 21, 2018**

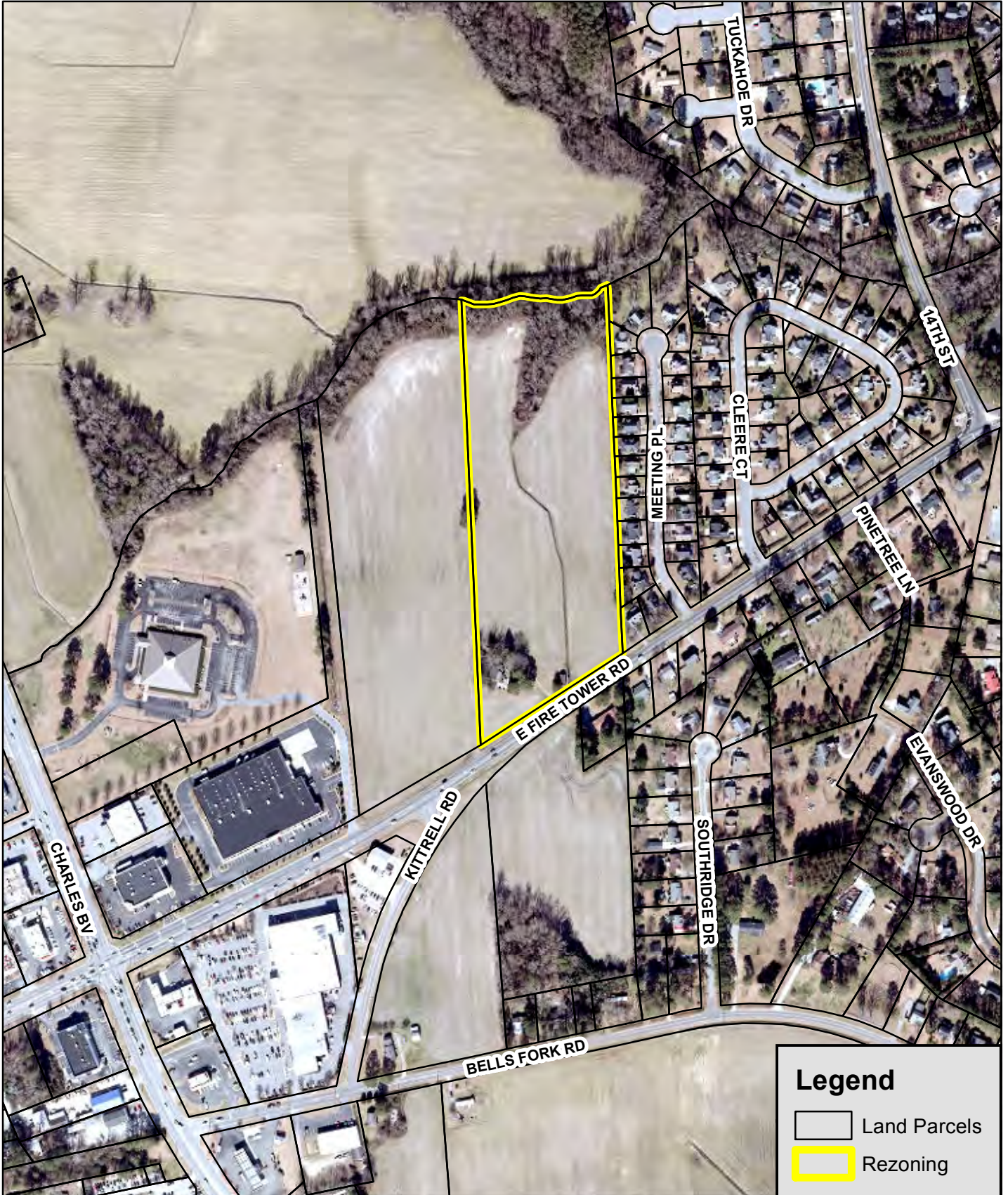


**Legend**

- Land Parcels
- Rezoning

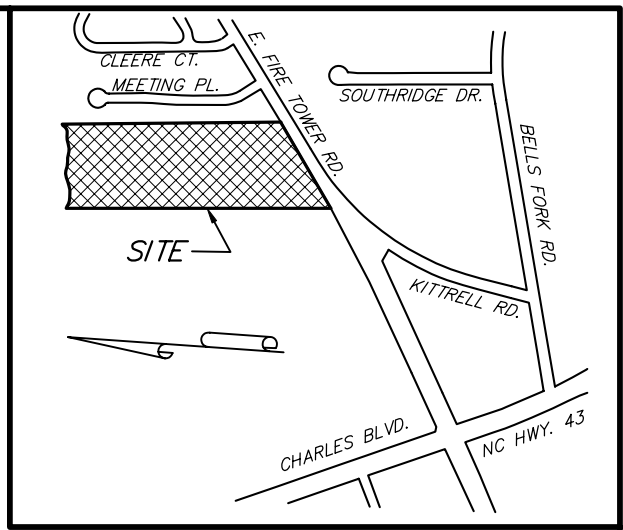


**Bobby W. Joyner**  
**Acres: 12.943**  
**From: RA20**  
**To: OR**  
**December 21, 2018**

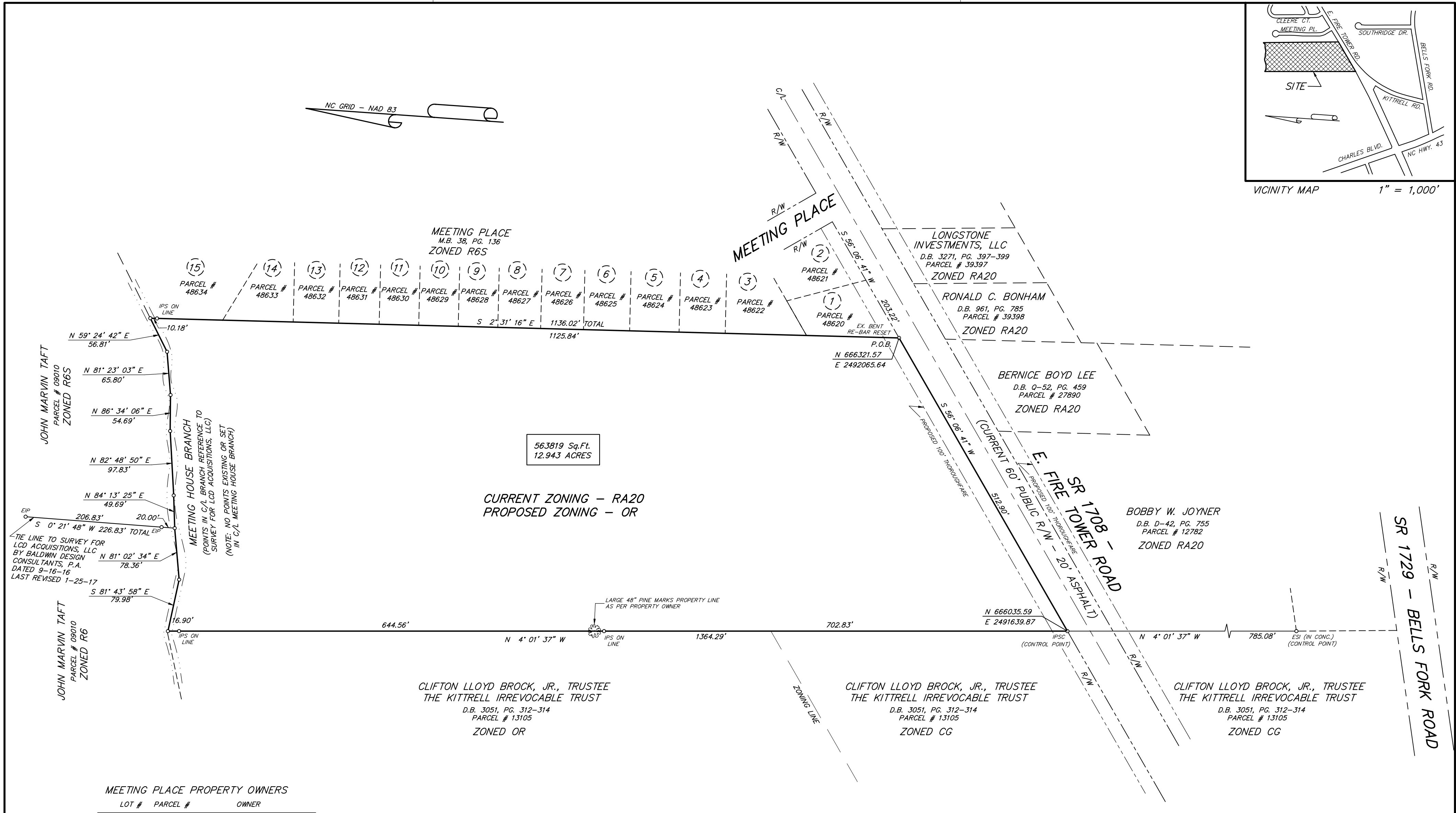


**Legend**

- Land Parcels
- Rezoning



VICINITY MAP 1" = 1,000'



MEETING PLACE PROPERTY OWNERS

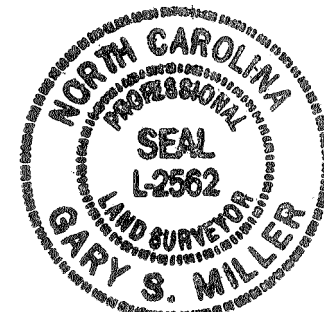
| LOT # | PARCEL # | OWNER                    |
|-------|----------|--------------------------|
| 1     | 48620    | KAY S. HINES             |
| 2     | 48621    | AUSTIN RAE JOHNSON       |
| 3     | 48622    | MELANIE D. BOYER         |
| 4     | 48623    | JENNIFER P. QUINN        |
| 5     | 48624    | KELLI A. BOWE            |
| 6     | 48625    | PAMELA JOYNER            |
| 7     | 48626    | CHRISTIAN ALYSSA STANLEY |
| 8     | 48627    | NANCY M. AUSTIN HEIRS    |
| 9     | 48628    | PATRICIA C. HODGES       |
| 10    | 48629    | JORDAN PAUL LEE          |
| 11    | 48630    | EDWARD WAYNE HARRISON    |
| 12    | 48631    | ABC FAMILY, LLC          |
| 13    | 48632    | COLTEN PROPERTIES, LLC   |
| 14    | 48633    | AMANDA C. MARTIN         |
| 15    | 48634    | PAUL BERNIER             |

LEGEND:  
 EIP - EXISTING IRON PIPE  
 IPS - IRON PIPE SET  
 R/W - RIGHT OF WAY  
 C/L - CENTERLINE  
 IPSC - IRON PIPE SET WITH CAP  
 ESI - EXISTING SOLID IRON  
 P.O.B. - POINT OF BEGINNING

SURVEYED BY: MCP  
 DRAWN BY: GSM / BLW

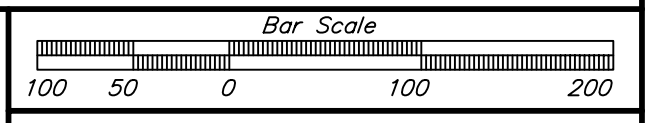
REFERENCE:  
 DEED BK D-42, PG. 755

PARCEL NO. 12782



I, Gary S. Miller, certify to the following:  
 This survey is of an existing parcel or parcels of land and does not create a new street or change an existing street;  
 that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book D-42, Page 755 or other reference source \_\_\_\_\_); that the boundaries not surveyed are indicated as drawn from information in Book \_\_\_\_\_ Page \_\_\_\_\_ or other reference source SEE REF. \_\_\_\_\_; that the ratio of precision or positional accuracy is 1:10,000+; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600).  
 Witness my hand and seal this 5th day of DECEMBER 2018.

Signed \_\_\_\_\_  
 Professional Land Surveyor No. L-2562



REZONING MAP FOR  
**BOBBY W. JOYNER**  
 BEING A PORTION OF  
 TAX PARCEL # 12782  
 WINTERVILLE TOWNSHIP  
 PITT COUNTY  
 NORTH CAROLINA  
 SCALE: 1" = 100'  
 DECEMBER 5, 2018

WO 18233 FB 383  
**GARY S. MILLER & ASSOCIATES, P.A.**  
 LAND SURVEYORS  
 1803 South Charles Blvd. Phone (252)756-7878  
 Greenville, N.C. 27858 Fax (252)756-0785  
 License # C-0225

# REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

**Case No:** 18-33

**Applicant:** Bobby W. Joyner

**Property Information**

**Current Zoning:** RA20 (Residential-Agricultural)

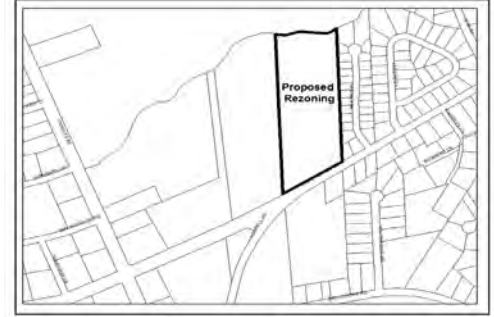
**Proposed Zoning:** OR (Office-Residential [High Density Multi-Family])

**Current Acreage:** 12.943 acres

**Location:** Fire Tower Rd, east of Charles Blvd

**Points of Access:** Fire Tower Rd

**Location Map**



**Transportation Background Information**

**1.) Fire Tower Road- State maintained**

|                           | <u>Existing Street Section</u> | <u>Ultimate Thoroughfare Street Section</u> |
|---------------------------|--------------------------------|---|
| Description/cross section | 2 lanes - paved shoulder       | 4 lanes divided with raised median          |
| Right of way width (ft)   | 60                             | 100   |
| Speed Limit (mph)         | 45                             | no change                                   |
| <b>Current ADT:</b>       | 23,350 (*)                     |   |
| <b>Design ADT:</b>        | 12,000 vehicles/day (**)       | 39,700 vehicles/day (**)                    |
| <b>Controlled Access</b>  | No                             |   |

**Thoroughfare Plan Status** Major Thoroughfare

**Other Information:** There are no sidewalks along Fire Tower Road that service this property.

- Notes:**
- (\*) 2016 NCDOT count adjusted for a 2% annual growth rate
  - (\*\*) Traffic volume based on an operating Level of Service D for existing geometric conditions
- ADT – Average Daily Traffic volume

**Transportation Improvement Program Status:** Project U-5785, which involves widening a 0.6-mile stretch of Fire Tower Road between Charles Boulevard (N.C. 143) and 14th Street and Project U-5870, which involves widening Fire Tower Road to Portertown Road and widening Portertown Road to 10th Street (N.C. 33), a distance of 2.2 miles.

**Trips generated by proposed use/change**

**Current Zoning: 431** -vehicle trips/day (\*)                      **Proposed Zoning: 1,031** -vehicle trips/day (\*)

**Estimated Net Change: increase of 600 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 Fire Tower Road are as follows:**

**1.) Fire Tower Road , East of Site (40%):            “No build” ADT of 23,350**

Estimated ADT with Proposed Zoning (full build) – 23,762  
 Estimated ADT with Current Zoning (full build) – 23,522  
**Net ADT change =            240 (1% increase)**

**2.) Fire Tower Road , West of Site (60%): "No build" ADT of 23,350**

Estimated ADT with Proposed Zoning (full build) – 23,969

Estimated ADT with Current Zoning (full build) – 23,609**Net ADT change = 360 (2% increase)****Staff Findings/Recommendations**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1031 trips to and from the site on Fire Tower Road, which is a net increase of 600 additional trips per day.

During the review process, measures to mitigate the traffic will be determined.

| EXISTING ZONING  |   |
|--|---|
| RA20 (RESIDENTIAL-AGRICULTURAL) - PERMITTED USES                     |   |
| (1) General  |   |
|  | a. Accessory use or building  |
|  | c. On-premise signs per Article N   |
| (2) Residential  |   |
|  | a. Single-family dwelling   |
|  | b(1). Master Plan Community per Article J   |
|  | f. Residential cluster development per Article M  |
|  | k. Family care homes (see also 9-4-103)   |
|  | q. Room renting   |
| (3) Home Occupations - None  |   |
| (4) Governmental   |   |
|  | b. City of Greenville municipal government building or use (see also section 9-4-103)       |
| (5) Agricultural/Mining  |   |
|  | a. Farming; agricultural, horticulture, forestry (see also section 9-4-103)                 |
|  | c. Wayside market for farm products produced on-site  |
|  | e. Kennel (see also section 9-4-103)  |
|  | f. Stable; horse only (see also section 9-4-103)  |
|  | g. Stable; per definition (see also section 9-4-103)  |
|  | h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use |
|  | l. Beekeeping; minor use (see also section 9-4-103)   |
| (6) Recreational/Entertainment                                       |   |
|  | f. Public park or recreational facility   |
|  | g. Private noncommercial park or recreational facility                                      |
| (7) Office/Financial/Medical - None                                  |   |
| (8) Services   |   |
|  | o. Church or place of worship (see also section 9-4-103)                                    |
| (9) Repair - None  |   |
| (10) Retail Trade - None   |   |
| (11) Wholesale/Rental/Vehicle-Mobile Home Trade - None               |   |
| (12) Construction  |   |
|  | 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 |   |
| RA20 (RESIDENTIAL-AGRICULTURAL) - SPECIAL USES                       |   |
| (1) General - None   |   |
| (2) Residential  |   |
|  | b. Two-family attached dwelling (duplex)  |
|  | g. Mobile home (see also section 9-4-103)   |
|  | n. Retirement center or home  |
|  | o. Nursing, convalescent or maternity home; major care facility                             |
|  | o(1). Nursing, convalescent or maternity home; minor care facility                          |
| (3) Home Occupations   |   |

|  |       |   |
|--|-------|---|
|  | a.    | Home occupation; not otherwise listed                             |
|  | b.    | Home occupation; barber and beauty shop                           |
|  | c.    | Home occupation; manicure, pedicure or facial salon               |
| (4) Governmental   |       |   |
|  | a.    | Public utility building or use                                    |
| (5) Agricultural/Mining  |       |   |
|  | b.    | Greenhouse or plant nursery; including accessory sales            |
|  | m.    | Beekeeping; major use   |
|  | n.    | Solar energy facility   |
| (6) Recreational/Entertainment                                       |       |   |
|  | a.    | Golf course; 18-hole regulation length (see also section 9-4-103) |
|  | a(1). | Golf course; 9-hole regulation length (see also section 9-4-103)  |
|  | c(1). | Tennis club; indoor and outdoor facilities                        |
| (7) Office/Financial/Medical - None                                  |       |   |
| (8) Services   |       |   |
|  | a.    | Child day care facilities   |
|  | b.    | Adult day care facilities   |
|  | d.    | Cemetery  |
|  | g.    | School; junior and senior high (see also section 9-4-103)         |
|  | h.    | School; elementary (see also section 9-4-103)                     |
|  | i.    | School; nursery and kindergarten (see also section 9-4-103)       |
| (9) Repair - None  |       |   |
| (10) Retail Trade - None   |       |   |
| (11) Wholesale/Rental/Vehicle-Mobile Home Trade - None               |       |   |
| (12) Construction - None   |       |   |
| (13) Transportation - None   |       |   |
| (14) Manufacturing/Warehousing - None                                |       |   |
| (15) Other Activities (not otherwise listed - all categories) - None |       |   |
| <b>PROPOSED ZONING</b>   |       |   |
| <b>OR (OFFICE-RESIDENTIAL) - PERMITTED USES</b>                      |       |   |
| (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 I                            |
|  | k.    | Family care homes (see also 9-4-103)                              |
|  | n.    | Retirement center or home   |
|  | o.    | Nursing, convalescent or maternity home; major care facility      |
|  | p.    | Boarding or rooming house   |
|  | q.    | Room renting  |
| (3) Home Occupations - 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; agricultural, horticulture, forestry (see also section 9-4-103)   |
| (6) Recreational/Entertainment |      |  |
|                                | f.   | Public park or recreational facility   |
|                                | g.   | Private noncommercial recreation; indoor only, not otherwise listed  |
| (7) Office/Financial/Medical   |      |  |
|                                | a.   | Office; professional and business, not otherwise listed  |
|                                | b.   | Operation/processing center  |
|                                | c.   | Office; customer service, not otherwise listed, including accessory service delivery vehicle parking and indoor storage  |
|                                | d.   | Bank, savings and loans 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 salon   |
|                                | 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; nursery and kindergarten (see also section 9-4-103)  |
|                                | j.   | College and 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   |
|                                | y(2) | TV and/or radio broadcast facilities, including receiving and transmission equipment and towers not exceeding 120 feet in height or cellular telephone and wireless communication towers not exceeding 120 feet in height (see also section 9-4-103) |
|                                | bb.  | Civic organizations  |
|                                | cc.  | Trade or business organizations  |
| (9) Repair - None              |      |  |
| (10) Retail Trade              |      |  |
|                                | s.   | Book or card store, news stand   |
|                                | w.   | Florist  |
|                                | ee.  | Christmas tree sales lot; temporary only (see also section 9-4-103)  |

|  |  |
|--|--|
| (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 |  |
| <b>OR (OFFICE-RESIDENTIAL) - SPECIAL USES</b>                        |  |
| (1) General - None   |  |
| (2) Residential  |  |
| d.   | Land use intensity multi-family (LUI) development rating 50 per Article K  |
| e.   | Land use intensity multi-family (LUI) development rating 67 per Article K  |
| i.   | Residential quarters for resident manager, supervisor or caretaker; excluding mobile home  |
| m.   | Shelter for homeless or abused (see also section 9-4-103)  |
| o(1).  | Nursing, convalescent or maternity home; minor care facility   |
| r.   | Fraternity or sorority house   |
| (3) Home Occupations - 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   |
| m(1).  | Dining and entertainment establishment (see also section 9-4-103)  |
| (7) Office/Financial/Medical   |  |
| f.   | Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)   |
| (8) Services   |  |
| a.   | Child day care facilities  |
| b.   | Adult day care facilities  |
| l.   | Convention center; private   |
| 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 day program facility   |
| ff(1).   | Mental health, emotional or physical rehabilitation day program facility   |
| (9) Repair- None   |  |
| (10) Retail Trade - None   |  |
| h.   | Restaurant; conventional   |
| j.   | Restaurant and/or dining and entertainment establishment; regulated outdoor activities   |
| (11) Wholesale/Rental/Vehicle-Mobile Home Trade - None               |  |
| (12) Construction - None   |  |



|   |   |
|---|---|
| (13) Transportation   |   |
|   | h. Parking lot or structure; principal 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 |

## 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<br>4 small evergreens<br>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<br>6 small evergreens<br>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<br>8 small evergreens<br>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<br>10 small evergreens<br>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 CHART

| Density Level           | Future Land Use and Character Type                   | Applicable Zoning District(s) | Units per Acre***      |
|-------------------------|--|-------------------------------|------------------------|
| High                    | Uptown Edge (UE)                                     | CDF and CD*                   | CDF: 17 units per acre |
|                         | Mixed Use, High Intensity (MUHI)                     | OR                            | 17 units per acre      |
|                         |  | R6                            | 17 units per acre      |
|                         | Residential, High Density (HDR)                      | R6                            | 17 units per acre      |
|                         |  | R6MH                          | 17 units per acre      |
| Medical-Transition (MT) | MR   | 17 units per acre             |                        |
| High to Medium          | Mixed Use (MU)                                       | OR                            | 17 units per acre      |
|                         |  | R6                            | 17 units per acre      |
|                         |  | R6A                           | 9 units per acre       |
|                         | Uptown Neighborhood (UN)                             | R6S                           | 7 units per acre       |
|                         | Traditional Neighborhood, Medium-High Density (TNMH) | R6                            | 17 units per acre      |
|                         |  | R6A                           | 9 units per acre       |
|                         |  | R6S                           | 7 units per acre       |
| Medium to Low           | Traditional Neighborhood, Low-Medium Density (TNLM)  | R9                            | 6 units per acre       |
|                         |  | R9S                           | 5 units per acre       |
|                         |  | R15S                          | 3 units per acre       |
|                         | Residential, Low-Medium Density (LMHR)               | R9S                           | 5 units per acre       |
|                         |  | R15S                          | 3 units per acre       |
|                         |  | RA20                          | 4 units per acre       |
|                         |  | MRS                           | 4 units per acre       |

\* The residential density of the CD zoning district is based on the size of the mechanically conditioned floor area. See Section 9-4-153 in the City Code for development standards.

\*\*\* Maximim allowable density in the respective zoning district.



## City of Greenville, North Carolina

Meeting Date: 4/11/2019  
Time: 6:00 PM

---

**Title of Item:** Ordinance to annex Blackwood Ridge, Phase 3 involving 3.6167 acres located between Corey Road and County Home Road and adjacent to Blackwood Ridge Subdivision

**Explanation:** **Abstract:** The City received a voluntary annexation petition to annex Blackwood Ridge, Phase 3 involving 3.6167 acres located between Corey Road and County Home Road and adjacent to Blackwood Ridge Subdivision. The subject area is currently undeveloped and is anticipated to yield 3 single-family lots.

### ANNEXATION PROFILE

#### A. SCHEDULE

1. Advertising date: April 1, 2019
2. City Council public hearing date: April 11, 2019
3. Effective date: April 11, 2019

#### B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 3.6167
4. Voting District: 5
5. Township: Winterville
6. Zoning: R9S (Residential - Single-family) proposed

7. Land Use: Existing: Vacant  
 Anticipated: Three (3) single-family lots

8. Population:

|  | Formula   | Number of People |
|--|-----------|------------------|
| Total Current                          | -----     | 0                |
| Estimated at full development          | 3 x 2.18* | 7                |
| Current Minority                       | -----     | 0                |
| Estimated Minority at full development | 7 x 43.4% | 3                |
| Current White                          | ----      | 0                |
| Estimated White at full development    | 7 - 3     | 4                |

\* average household size

9. Rural Fire Tax District: Rural Winterville

10. Greenville Fire District: Station #3 (Distance of 4.0 miles)

11. Present Tax Value: \$70,000  
 Estimated Future Tax Value: \$1,333,747

**Fiscal Note:** The total estimated tax value at full development is \$1,333,747.

**Recommendation:** Approve the attached ordinance to annex Blackwood Ridge, Phase 3

ATTACHMENTS:

- ☐ **Ordinance\_Blackwood\_etal\_ordinance\_1106574**
- ☐ **Survey**

ORDINANCE NO. 19-  
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF  
THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville has been petitioned under G.S. 160A-31, 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 6:00 p.m. on the 11<sup>th</sup> day of April, 2019, after due notice by publication in The Daily Reflector on the 1<sup>st</sup> day of April, 2019; and

WHEREAS, the City Council does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended.

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

Section 1. That by virtue of the authority vested in the City Council of the City of Greenville, North Carolina, under G. S. 160A-31, as amended, the following described contiguous territory is annexed:

TO WIT: Being all of that certain property as shown on the annexation map entitled “Blackwood Ridge, Phase 3” involving 3.6167 acres as prepared by Malpass & Associates.

LOCATION: Lying and being situated in Winterville Township, Pitt County, North Carolina, located between Corey Road and County Home Road and adjacent to Blackwood Ridge Subdivision.

GENERAL DESCRIPTION:

Lying and being situate in Winterville Township, Pitt County, North Carolina and being more particularly described as follows:

Beginning at a point in the northern line of the James G. Faulkner property as recorded in deed book 3171, page 135 of the Pitt County Registry said point being located S 81-36-44 E – 395.74’, thence N 79-55-13 E – 345.00’ from the intersection of the eastern right of way of Sedbrook Lane and the southern property line of the Blackwood, Parrott & Roberson, LLC property as recorded in deed book 3380, page 280 , thence from said point of beginning N 10-04-47 W – 278.00’, thence N 75-09-41 W – 195.75’, thence N 14-50-19 E – 366.48’ to a point in the southern line of the Johnny B. Worthington, Jr. Estate as recorded in Estate File 1990, page 369, thence with the southern line of the Johnny B. Worthington, Jr. Estate S 87-24-50 E – 72.21’, thence S 65-00-00 E – 170.68’, thence S 09-01-47 E – 68.46’ to the northwest corner of the Janette Evans Haddock Heirs property as recorded in DC 100, page 465, thence with the western line of the Janette Evans Haddock Heirs property S 09-01-47 E – 510.55’ to the northern line of the aforesaid James G. Faulkner property, thence with the northern line of the James G. Faulkner property S 79-55-13 W – 176.40’ to the point of beginning containing 3.6167 acres.

Section 2. 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 five. 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 five.

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 territory now within the City of Greenville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 4. 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 11<sup>th</sup> day of April, 2019.

ADOPTED this 11<sup>th</sup> day of April, 2019.

\_\_\_\_\_  
P.J. Connelly, Mayor

ATTEST:

\_\_\_\_\_  
Carol L. Barwick, City Clerk

NORTH CAROLINA  
PITT COUNTY

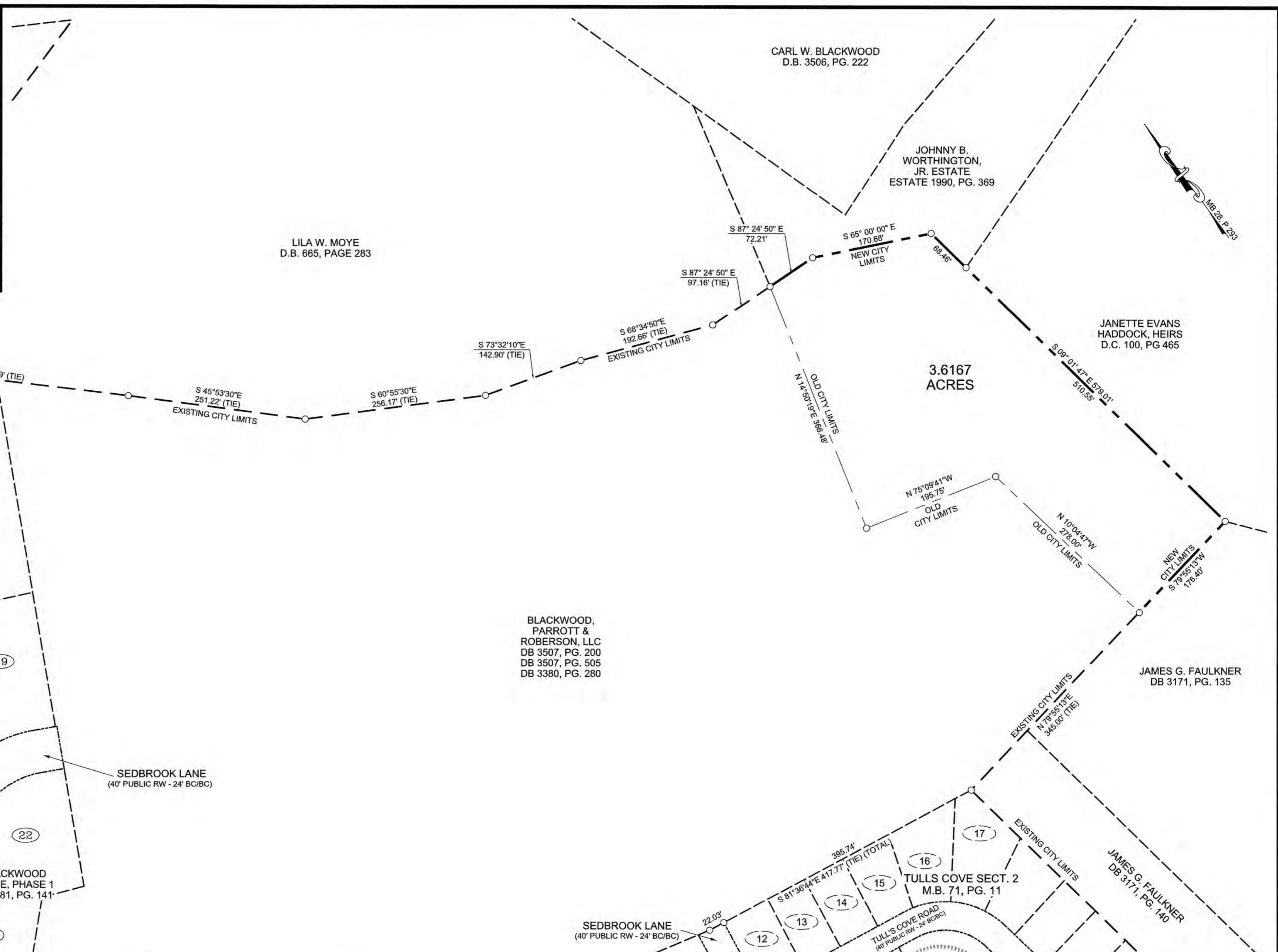
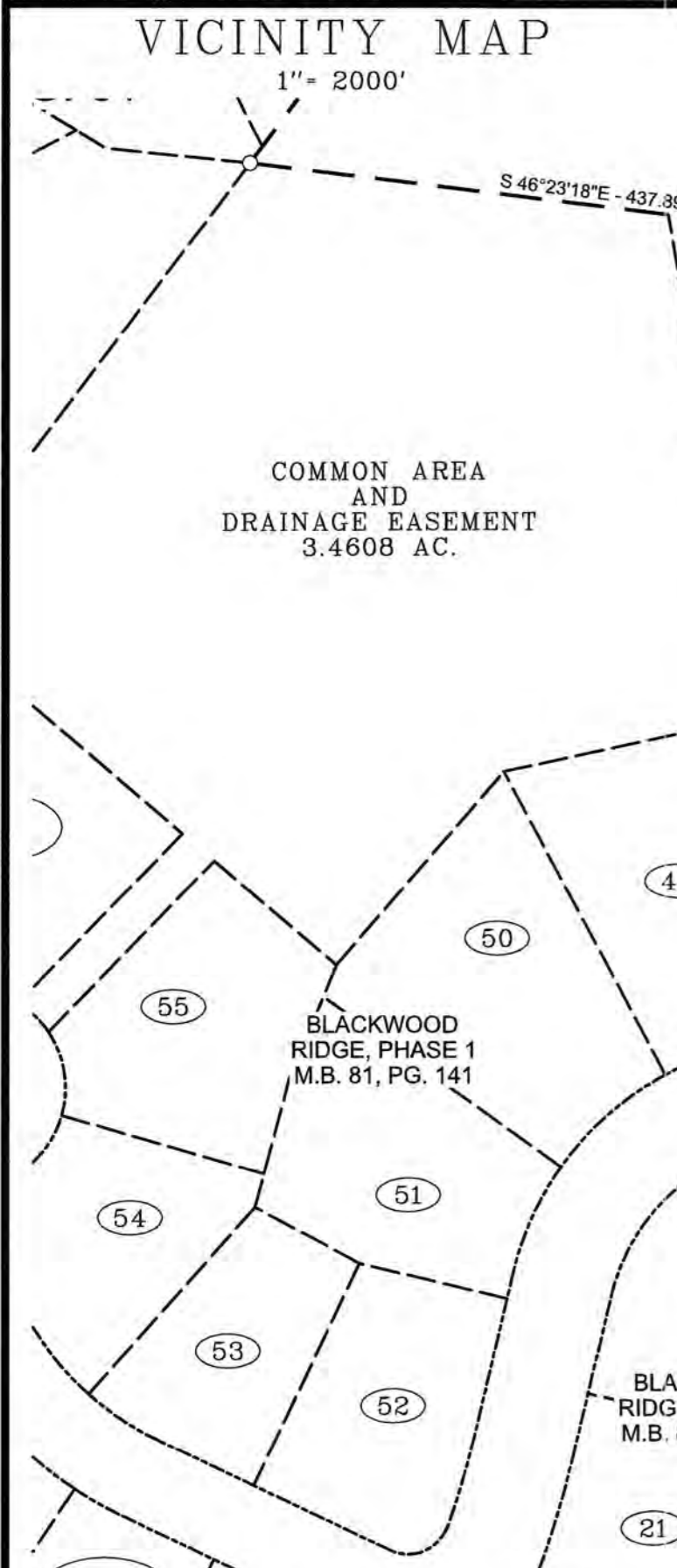
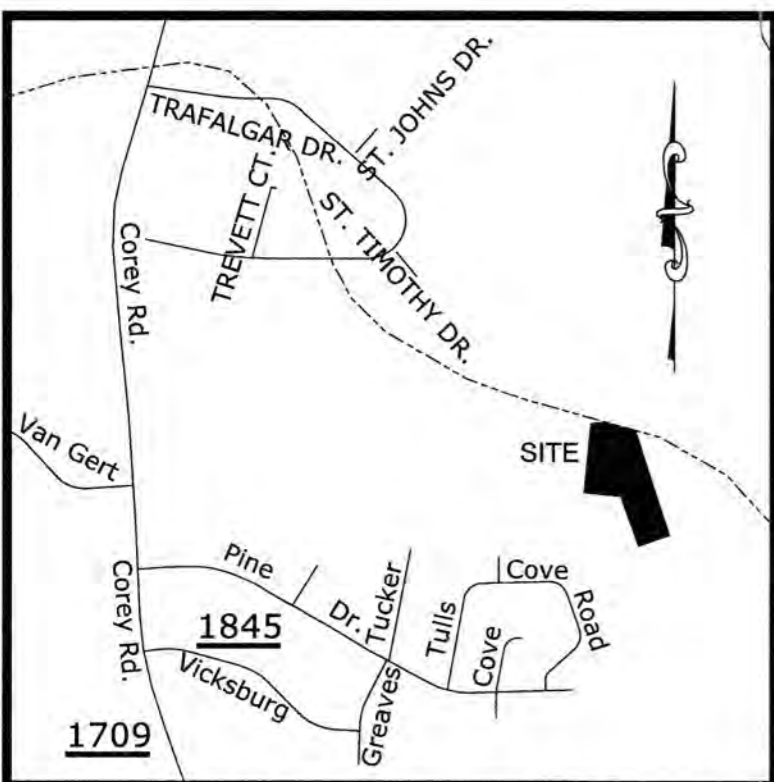
I, Polly Jones, a Notary Public for said County and State, certify that Carol L. Barwick personally came before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument 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 \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

1106574



PARCEL NUMBER 84930

**ANNEXATION MAP FOR**  
**BLACKWOOD, PARROTT & ROBERSON, LLC**  
 REFERENCE DEED BOOK 3727, PAGE 85,  
 OF THE PITT COUNTY REGISTRY

WINTERVILLE TOWNSHIP      PITT COUNTY      NORTH CAROLINA

OWNER: BLACKWOOD, PARROTT & ROBERSON, LLC  
 ADDRESS: PO BOX 20157  
 GREENVILLE, NC  
 PHONE: (252) 531-5824

**MALPASS & ASSOCIATES**  
 1645 E. ARLINGTON BLVD., SUITE D  
 GREENVILLE, N.C. 27858  
 (252) 756-1780

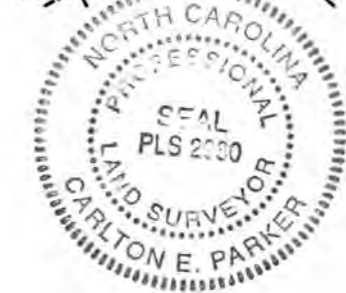
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|---------------|------------------|
| SURVEYED: CEP | APPROVED: CEP    |
| DRAWN: WCO    | DATE: 10/29/18   |
| CHECKED: CEP  | SCALE: 1" = 100' |

**LEGEND**

NEW CITY LIMITS =

EXISTING CITY LIMITS =

OLD CITY LIMITS =



| MAP NO. | PLATS RECORDED | BOOK | PAGE |
|---------|----------------|------|------|
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**MAP SHOWING AREA ANNEXED BY**  
**THE CITY OF GREENVILLE, N.C.**

DATE: \_\_\_\_\_ ; ORDINANCE NUMBER: \_\_\_\_\_ ; AREA: 3.6167 ACRES

WINTERVILLE      TOWNSHIP, PITT COUNTY, NORTH CAROLINA

I, CARLTON E. PARKER CERTIFY THAT THIS MAP WAS DRAWN BY ME OR UNDER MY SUPERVISION FROM AN ACTUAL SURVEY BY ME OR UNDER MY SUPERVISION, THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN \_\_\_\_\_, PAGE \_\_\_\_\_

WITNESS MY ORIGINAL SIGNATURE,  
 REGISTRATION NUMBER AND SEAL

THIS 25<sup>th</sup> DAY OF FEBRUARY A.D., 2019.

CARLTON E. PARKER      L-2980





## City of Greenville, North Carolina

Meeting Date: 4/11/2019  
Time: 6:00 PM

---

**Title of Item:**

Ordinance requested by Blackwood, Parrott & Roberson, LLC to rezone 3.6167 acres located east of Corey Road and adjacent to Blackwood Ridge Subdivision from RR (Rural Residential – Pitt County’s Jurisdiction) to R9S (Residential-Single-family)

**Explanation:**

**Abstract:** The City has received a request from Blackwood, Parrott & Roberson, LLC to rezone 3.6167 acres located east of Corey Road and adjacent to Blackwood Ridge Subdivision from RR (Rural Residential – Pitt County’s Jurisdiction) to R9S (Residential-Single-family).

\*\* There is a voluntary annexation request in conjunction with this rezoning.

**Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on March 5, 2019.

On-site sign(s) posted on March 5, 2019.

City Council public hearing notice (property owner and adjoining property owner letter) mailed on March 26, 2019.

Public hearing legal advertisement published on April 1 and 8, 2019.

**Comprehensive Plan:**

The Future Land Use and Character Map recommends traditional neighborhood, low-medium density (TNLM) between Corey Road and County Home Road just south of Windsor and Farrington Subdivisions and north of Worthington Road.

**Traditional Neighborhood, Low-Medium Density**

Residential area with a mix of housing types on small lots with a single-family neighborhood appearance. Traditional neighborhoods should have a walkable street network of small blocks, a defined center and edges, and connections to surrounding development.

**Intent:**

- Provide streetscape features such as sidewalks, street trees, and lighting
- Introduce neighborhood-scale commercial centers at key intersections

**Primary uses:**

Single-family residential  
Two-family residential  
Attached residential (townhomes)

**Secondary uses:**

Multi-family residential  
Small-scale Institutional/Civic (churches and school)

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

Since the current zoning and the proposed zoning will accommodate the same use and density, a traffic volume report was not generated.

**History/Background:**

This property is currently located in Pitt County's Jurisdiction and zoned RR (Rural Residential). There is a voluntary annexation request associated with this rezoning to incorporate this property into the City of Greenville's jurisdiction and apply City zoning.

**Present Land Use:**

Woodland

**Water/Sewer:**

Water and sanitary sewer are available.

**Historic Sites:**

There are no known effects on historic sites.

**Environmental Conditions/Constraints:**

There is a blue line stream along the northern property line, which will require a 50-foot riparian buffer along the bank. There is not a mapped flood plain along the stream. Hydric soils may be present requiring a wetland delineation and possible permits before approval of a development plan.

The property is located in the Fork Swamp Tributary 1 Watershed. If stormwater rules apply, it would require 25-year detention and nitrogen reduction.

**Surrounding Land Uses and Zoning:**

North: RR - Farmland  
South: RR - Farmland  
East: RR - Woodland and farmland  
West: R9S - Blackwood Ridge Subdivision

**Density Estimates:**

Under the current and proposed zoning, the site could accommodate three (3) single-family lots.

The anticipated build-out time is 2-3 years.

**Fiscal Note:**

No cost to the City.

**Recommendation:**

In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map. Therefore, staff recommends approval.

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

The Planning and Zoning Commission voted unanimously to approve the request at its March 19, 2019 meeting.

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 City 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 comprehensive plan, there is a more appropriate zoning classification and, therefore, denial is reasonable and in the public interest.

Note: In addition to the other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the existing and proposed districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

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**ATTACHMENTS:**

- ▣ Ordinance\_-\_Blackwood\_rezoning\_1106575**
- ▣ Minutes\_-\_Blackwood\_rezoning\_1106577**
- ▣ Attachments**

ORDINANCE NO. 19-  
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 the 11<sup>th</sup> day of April, 2019, at 6:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance 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;

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the ordinance zoning the following described property is consistent with the adopted comprehensive plan and other officially adopted plans that are applicable and that the adoption of the ordinance zoning the following described property is reasonable and in the public interest due to its consistency with the comprehensive plan and other officially adopted plans that are applicable and, as a result, its furtherance of the goals and objectives of the comprehensive plan and other officially adopted plans that are applicable;

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Policy 1.1.1 guide development with the Future Land Use and Character Map and Policy 1.1.6 guide development using the Tiered Growth Approach; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, promote the safety and general welfare of the community because the requested zoning is consistent with the recommended Future Land Use and Character designation and is located in a Secondary Service Area;

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

Section 1. That the following described territory is rezoned from RR (Rural Residential - Pitt County's Jurisdiction) to R9S (Residential-Single-family).

TO WIT: Blackwood, Parrott and Roberson, LLC Property

LOCATION: Located between Corey Road and County Home Road and adjacent to Blackwood Ridge Subdivision.

DESCRIPTION: Lying and being situate in Winterville Township, Pitt County, North Carolina and being more particularly described as follows:

Beginning at a point in the northern line of the James G. Faulkner property as recorded in deed book 3171, page 135 of the Pitt County Registry said point being located S 81-36-44 E – 395.74', thence N 79-55-13 E – 345.00' from the intersection of the eastern right of way of Sedbrook Lane and the southern property line of the Blackwood, Parrott & Roberson, LLC property as recorded in deed book 3380, page 280 , thence from said point of beginning **N 10-04-47 W – 278.00'**, thence **N 75-09-41 W – 195.75'**, thence **N 14-50-19 E – 366.48'** to a point in the southern line of the Johnny B. Worthington, Jr. Estate as recorded in Estate File 1990, page 369, thence with the southern line of the Johnny B. Worthington, Jr. Estate **S 87-24-50 E – 72.21'**, thence **S 65-00-00 E – 170.68'**, thence **S 09-01-47 E – 68.46'** to the northwest corner of the Janette Evans Haddock Heirs property as recorded in DC 100, page 465, thence with the western line of the Janette Evans Haddock Heirs property **S 09-01-47 E – 510.55'** to the northern line of the aforesaid James G. Faulkner property, thence with the northern line of the James G. Faulkner property **S 79-55-13 W – 176.40'** to the point of beginning containing **3.6167 acres.**

Section 2. That the Director of Community Development is directed to amend the zoning 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 April, 2019.

\_\_\_\_\_  
P. J. Connelly, Mayor

ATTEST:

\_\_\_\_\_  
Carol L. Barwick, City Clerk  
1106575

**Excerpt from the draft Planning & Zoning Commission Minutes (3/19/2019)**

ORDINANCE REQUESTED BY BLACKWOOD, PARROTT & ROBERSON, LLC TO REZONE 3.6167 ACRES LOCATED EAST OF COREY ROAD AND ADJACENT TO BLACKWOOD RIDGE SUBDIVISION FROM RR (RURAL RESIDENTIAL – PITT COUNTY’S JURISDICTION) TO R9S (RESIDENTIAL-SINGLE-FAMILY) - APPROVED

Ms. Gooby stated the property is located within Pitt County’s jurisdiction. Therefore, an annexation request and this rezoning be considered by City Council at the same meeting. This is because the developer wants sewer. The property is already zoned residential under Pitt County’s Jurisdiction. This request is for single-family under the city zoning. There is a blue line stream that runs along the northern property line. There may be hydric soils which would require wetland delineation. It is in the Fork Swamp Watershed and will require 25-year stormwater retention and nitrogen reduction. Because the property is zoned residential in both jurisdictions, there was no change in density. Therefore, no traffic report was generated. In staff’s opinion, the request is in compliance with the Horizons 2026: Greenville’s Community Plan and the Future Land Use Character Map. Staff recommends approval.

Mr. King opened the public hearing.

Mr. Ken Malpass, Malpass & Associates, spoke in favor, on behalf of the applicant. He stated this piece would be combined with the 2 acres to the south resulting in 7 single-family lots in Blackwood Ridge, Phase 3.

No one spoke in opposition

Mr. King closed the public hearing.

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

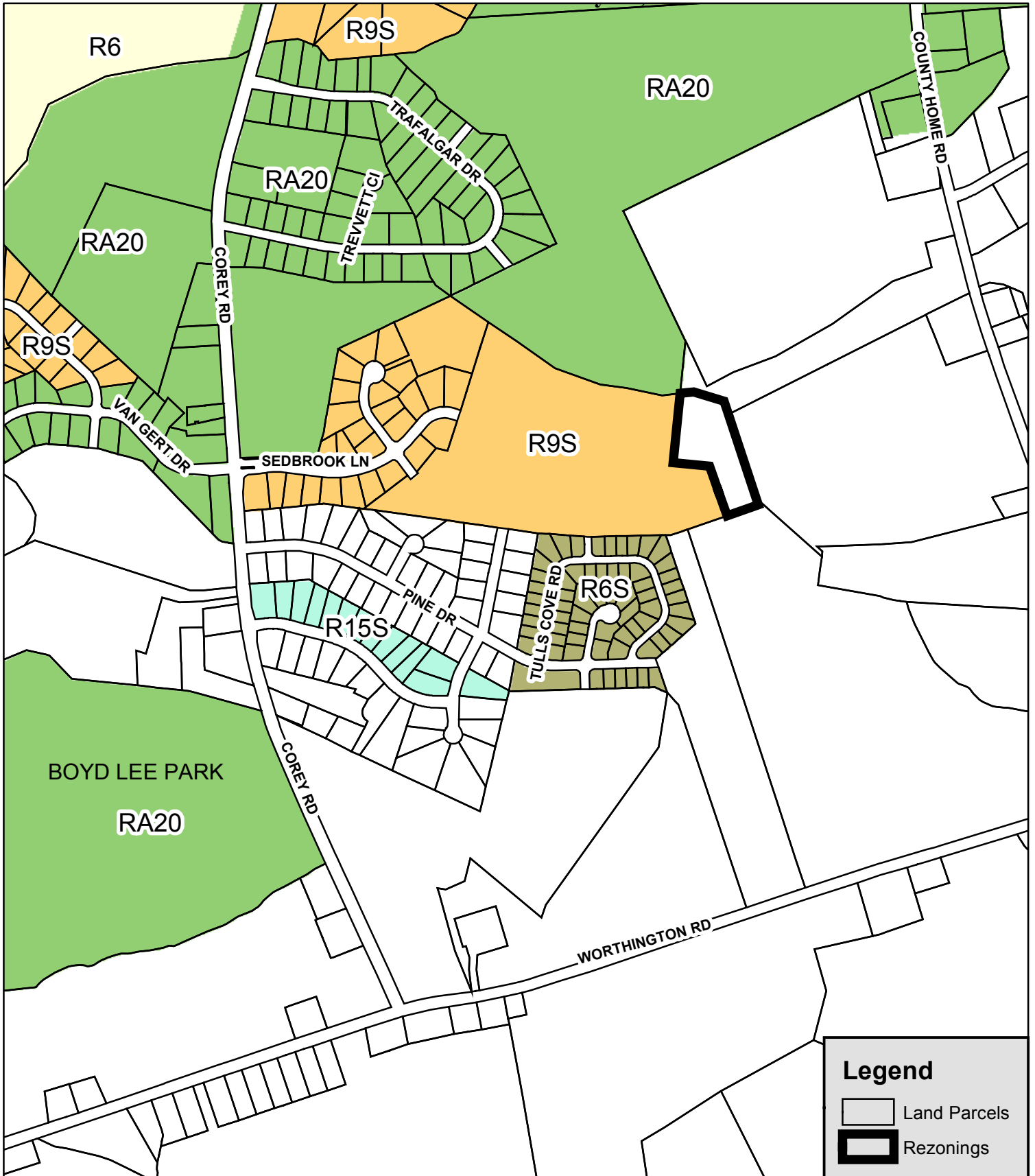
**Blackwood, Parrott & Roberson, LLC**

**Acres: 3.6167**

**From: RR (Rural Residential - Pitt County's Jurisdiction)**

**To: R9S (Residential-Single-family)**

**March 1, 2019**





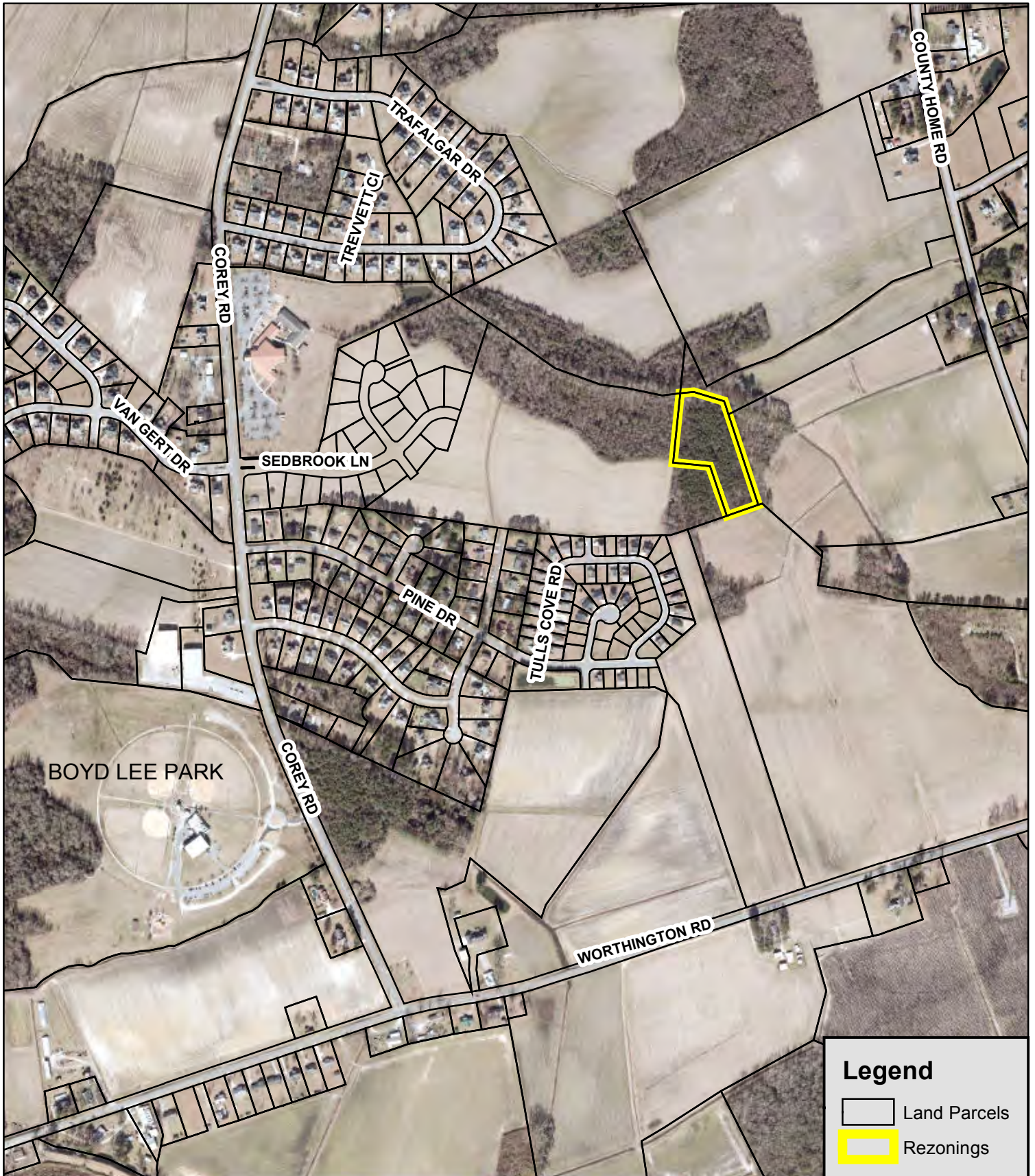
**Blackwood, Parrott & Roberson, LLC**

**Acres: 3.6167**

**From: RR (Rural Residential - Pitt County's Jurisdiction)**

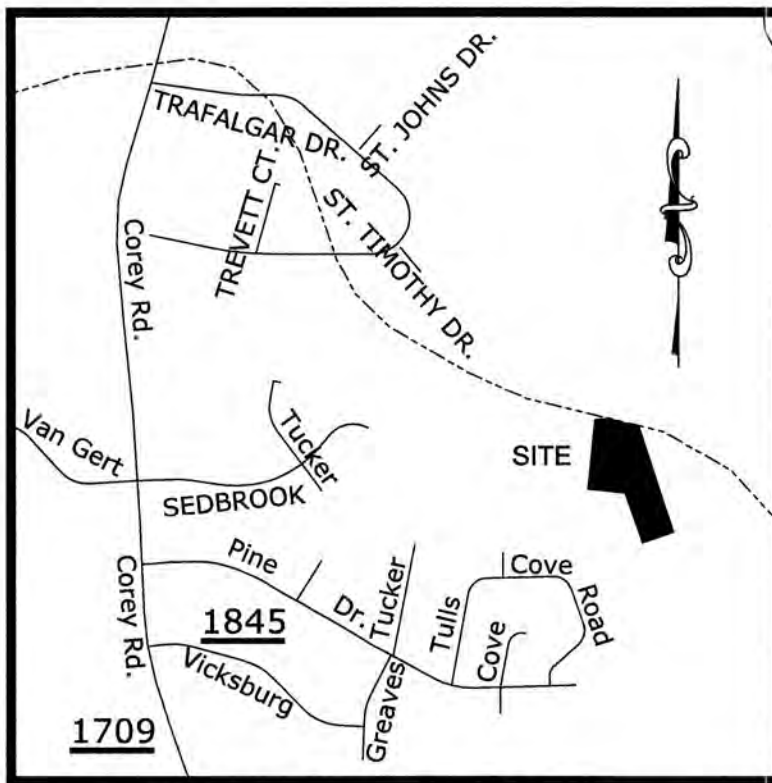
**To: R9S (Residential-Single-family)**

**March 1, 2019**

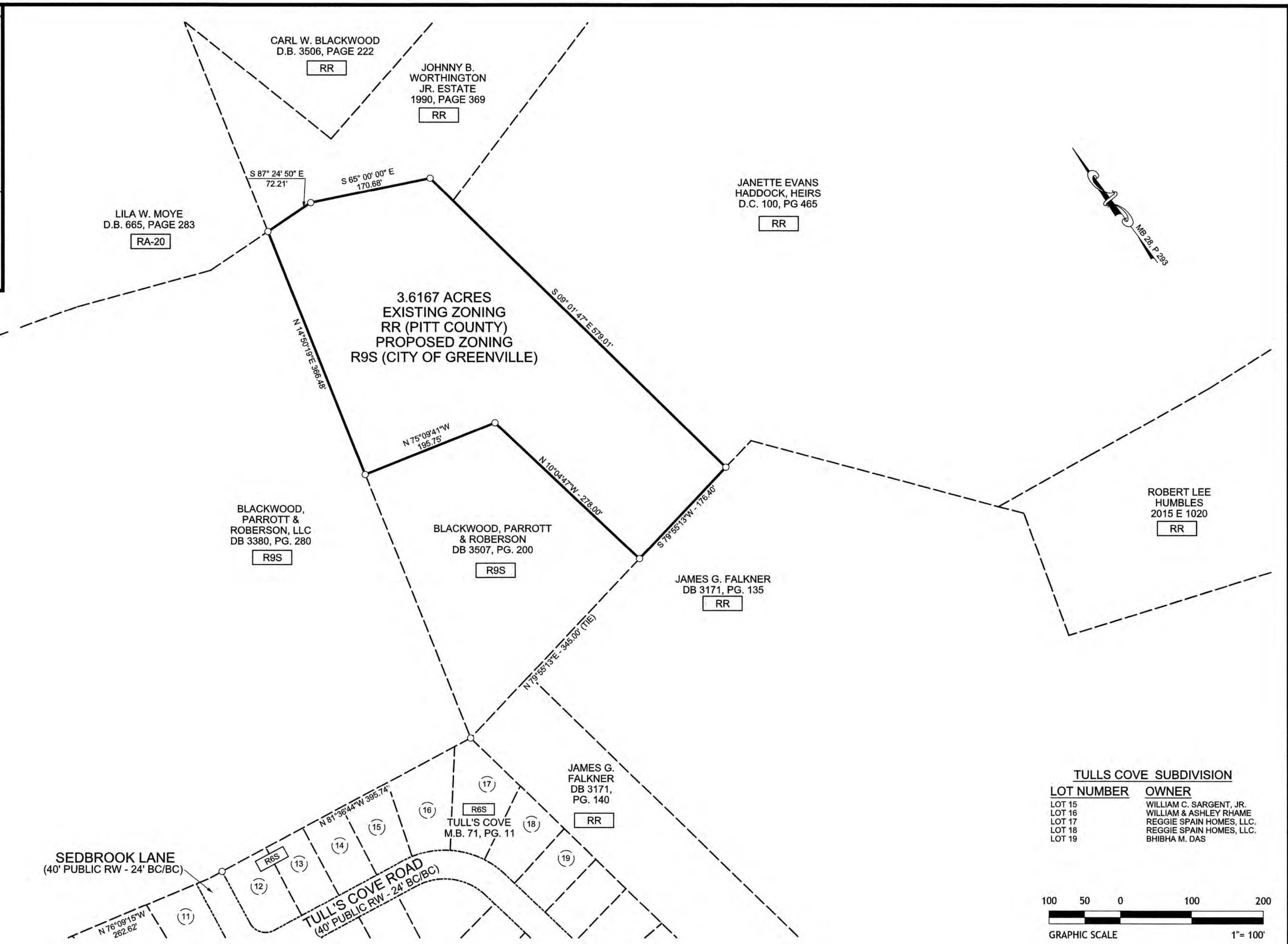


**Legend**

- Land Parcels
- Rezoning



VICINITY MAP  
1" = 1000'



TULLS COVE SUBDIVISION

| LOT NUMBER | OWNER                    |
|------------|--------------------------|
| LOT 15     | WILLIAM C. SARGENT, JR.  |
| LOT 16     | WILLIAM & ASHLEY RHAME   |
| LOT 17     | REGGIE SPAIN HOMES, LLC. |
| LOT 18     | REGGIE SPAIN HOMES, LLC. |
| LOT 19     | BHIBHA M. DAS            |



*Carlton E. Parker*  
CARLTON E. PARKER, PLS 2980

REZONING MAP FOR  
**BLACKWOOD, PARROTT & ROBERSON, LLC**

REFERENCE DEED BOOK 3727 PAGES 85-91  
OF THE PITT COUNTY REGISTRY

WINTERVILLE TOWNSHIP    PITT COUNTY    NORTH CAROLINA

OWNER: BLACKWOOD, PARROTT & ROBERSON, LLC    SURVEYED: CEP

ADDRESS: 2635A CHARLES BLVD.  
GREENVILLE, NC 27858    DRAWN: WKM

PHONE: (252) 531-5824    APPROVED: CEP

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

DATE: 02/04/19  
SCALE: 1" = 100'  
SHEET 1 OF 1

L:\dgn\p1100\_p1199\p-1153\_blackwood ridge, Don Parrott\p1153-rez2.dgn 3/13/2019 8:46:34 AM

| EXISTING ZONING   |   |
|---|---|
| RR (Rural Residential) - County Zoning                              |   |
| Per zoning permit and by-right subject to standards (selected uses) |   |
| Residential   |   |
|   | Single-family dwelling – (25,000 sq. ft. lot per each detached unit)                      |
|   | Duplex dwelling (37,500 sq. ft. lot for 2 attached units)                                 |
|   | Mobile home on individual lot   |
|   | Mobile home park (5 or less units per park)   |
|   | Nursing home  |
|   | Multi-family dwelling (less than 5 units per lot) – (62,500 sq. ft. for 4 attached units) |
| Agricultural/Mining   |   |
|   | Farming   |
| Recreational/Entertainment  |   |
|   | Private campground and RV Park  |
|   | Athletic fields   |
|   | Swim and tennis club  |
|   | Private club or recreational center   |
| Services  |   |
|   | Church or place of worship  |
|   | Civic, social, and fraternal associations   |
|   | Emergency shelter   |
|   | Day care center   |
|   | Retreat or conference center  |
|   | Bed and breakfast inn   |
|   | Communication towers (60 feet in height or less)  |
| PROPOSED ZONING   |   |
| R9S (RESIDENTIAL-SINGLE-FAMILY) - PERMITTED USES                    |   |
| (1) General   |   |
|   | a. Accessory use or building  |
|   | c. On-premise signs per Article N   |
| (2) Residential   |   |
|   | a. Single-family dwelling   |
|   | f. Residential cluster development per Article M  |
|   | k. Family care homes (see also 9-4-103)   |
|   | q. Room renting   |
| (3) Home Occupations - None   |   |
| (4) Governmental  |   |
|   | b. City of Greenville municipal government building or use (see also section 9-4-103)     |
| (5) Agricultural/Mining   |   |
|   | a. Farming; agricultural, horticulture, forestry (see also section 9-4-103)               |
|   | l. Beekeeping; minor use (see also section 9-4-103)                                       |
| (6) Recreational/Entertainment                                      |   |
|   | f. Public park or recreational facility   |
|   | g. Private noncommercial park or recreational facility                                    |

|  |  |
|--|--|
| (7) Office/Financial/Medical - None                                  |  |
| (8) Services   |  |
|  | o. Church or place of worship (see also section 9-4-103)                               |
| (9) Repair - None  |  |
| (10) Retail Trade - None   |  |
| (11) Wholesale/Rental/Vehicle-Mobile Home Trade - None               |  |
| (12) Construction  |  |
|  | 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 |  |
| <b>R9S (RESIDENTIAL-SINGLE-FAMILY) - SPECIAL USES</b>                |  |
| (1) General - None   |  |
| (2) Residential - None   |  |
| (3) Home Occupations   |  |
|  | a. Home occupation; not otherwise listed   |
| (4) Governmental   |  |
|  | a. Public utility building or use  |
| (5) Agricultural/Mining  |  |
|  | l. Beekeeping; minor use (see also section 9-4-103)                                    |
| (6) Recreational/Entertainment                                       |  |
|  | a. Golf course; 18-hole regulation length (see also section 9-4-103)                   |
|  | a(1). Golf course; 9-hole regulation length (see also section 9-4-103)                 |
|  | c(1). Tennis club; indoor and outdoor facilities                                       |
| (7) Office/Financial/Medical - None                                  |  |
| (8) Services   |  |
|  | d. Cemetery  |
|  | g. School; junior and senior high (see also section 9-4-103)                           |
|  | h. School; elementary (see also section 9-4-103)                                       |
|  | i. School; nursery and kindergarten (see also section 9-4-103)                         |
| (9) Repair - None  |  |
| (10) Retail Trade - None   |  |
| (11) Wholesale/Rental/Vehicle-Mobile Home Trade - None               |  |
| (12) Construction - None   |  |
| (13) Transportation - None   |  |
| (14) Manufacturing/Warehousing - None                                |  |
| (15) Other Activities (not otherwise listed - all categories) - None |  |

## 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<br>4 small evergreens<br>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<br>6 small evergreens<br>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<br>8 small evergreens<br>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<br>10 small evergreens<br>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 CHART

| Density Level           | Future Land Use and Character Type                   | Applicable Zoning District(s) | Units per Acre***      |
|-------------------------|--|-------------------------------|------------------------|
| High                    | Uptown Edge (UE)                                     | CDF and CD*                   | CDF: 17 units per acre |
|                         | Mixed Use, High Intensity (MUHI)                     | OR                            | 17 units per acre      |
|                         |  | R6                            | 17 units per acre      |
|                         | Residential, High Density (HDR)                      | R6                            | 17 units per acre      |
|                         |  | R6MH                          | 17 units per acre      |
| Medical-Transition (MT) | MR   | 17 units per acre             |                        |
| High to Medium          | Mixed Use (MU)                                       | OR                            | 17 units per acre      |
|                         |  | R6                            | 17 units per acre      |
|                         |  | R6A                           | 9 units per acre       |
|                         | Uptown Neighborhood (UN)                             | R6S                           | 7 units per acre       |
|                         | Traditional Neighborhood, Medium-High Density (TNMH) | R6                            | 17 units per acre      |
|                         |  | R6A                           | 9 units per acre       |
|                         |  | R6S                           | 7 units per acre       |
| Medium to Low           | Traditional Neighborhood, Low-Medium Density (TNLM)  | R9                            | 6 units per acre       |
|                         |  | R9S                           | 5 units per acre       |
|                         |  | R15S                          | 3 units per acre       |
|                         | Residential, Low-Medium Density (LMHR)               | R9S                           | 5 units per acre       |
|                         |  | R15S                          | 3 units per acre       |
|                         |  | RA20                          | 4 units per acre       |
|                         |  | MRS                           | 4 units per acre       |

\* The residential density of the CD zoning district is based on the size of the mechanically conditioned floor area. See Section 9-4-153 in the City Code for development standards.

\*\*\* Maximim allowable density in the respective zoning district.



## City of Greenville, North Carolina

Meeting Date: 4/11/2019  
Time: 6:00 PM

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### **Title of Item:**

Ordinance requested by Ocean Reef Investments, LLC to amend the Future Land Use and Character Map for 3.058 acres from the Residential, High Density (HDR) land use character to the Commercial (C) land use character for the property located on the southeastern corner of the intersection of MacGregor Downs Road and B's Barbeque Road

### **Explanation:**

**Abstract:** The City received a request from Ocean Reef Investments, LLC to amend the Future Land Use and Character Map for 3.058 acres from the Residential, High Density (HDR) land use character to the Commercial (C) land use character for the property located on the southeastern corner of the intersection of MacGregor Downs Road and B's Barbeque Road.

#### **Comprehensive Plan:**

Current Land Use Character: Residential, High Density

Residential areas composed primarily of multi-family housing in various forms. Defined by existing development patterns where building size and style tend to be consistent within a development, with large blocks, and limited connectivity between different building types and uses. Future development should take a more traditional neighborhood pattern where different residential types are connected in a walkable pattern. High density residential is typically appropriate near activity centers and corridors.

#### **Intent:**

- Provide better vehicular and pedestrian connectivity between developments
- Improve architectural variety and site design for new developments
- Improve streetscape features such as consistent sidewalks, lighting and street trees

#### **Primary uses:**

Multi-family residential  
Two-family residential

Attached residential (townhomes)

Secondary uses:

Office

Single-family residential detached (small lot)

Institutional/civic (churches and schools)

Proposed Land Use Character: Commercial

Primarily community- and regional-scale commercial development situated near and along major roadway corridors. Existing development is characterized by buildings set back from streets behind surface parking. That existing pattern should evolve to become more walkable with shorter blocks, buildings near streets, shared parking, and connections to surrounding development.

Intent:

- Provide connectivity to nearby uses (paths, streets)
- Locate new buildings near street on at least one side and accommodate parking to the side or rear of buildings
- Improve/provide public realm features such as signs, sidewalks, landscaping
- Reduce access-points into development for pedestrian and vehicular safety
- Reduce and consolidate surface parking

Primary uses:

Commercial (small and large format)

Office

Secondary uses:

Institutional/civic

### **History:**

On September 8, 2016, the City Council adopted Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

During 2015-2016, the Comprehensive Plan Committee (CPC) held nine meetings to update Horizons: Greenville's Comprehensive Plan. The CPC was comprised of representatives from eight city boards and/or commissions along with invited representation from East Carolina University, Vidant Medical Center, Uptown Greenville, the Home Builders Association, Pitt County Committee of 100, Greenville-Pitt County Chamber of Commerce, and Mayor and City Council Member appointees.

In addition to attendance by the appointed 24 CPC members, Community Partners were also invited to all Committee meetings to review drafts and provide input throughout development of the plan. The Community Partners invited to participate included representatives from various City of Greenville departments, the Town of Winterville, Pitt County Government (Planning Department), Pitt County Schools,



Greenville Utilities Commission, and NCDOT. Presentations and summaries from the CPC meetings were posted online following each meeting at the project website.

In addition to these meetings, two open houses were held at the Convention Center and a 2-day workshop was held at the Willis Building.

All meetings, workshops, open houses, public hearings were advertised in The DailyReflector. All information related to CPC meetings was posted on the City's website.

The Horizons 2026 update was an important opportunity to study current trends and conditions, re-evaluate the community's priorities, and create a renewed vision for Greenville.

The comprehensive plan serves as a tool that expresses the values, aspirations, and vision of the community, along with goals, policies, and strategies to achieve that vision. It sets forth long-range planning in categories including transportation, housing, environment, and economic development, and weaves these elements through thematic topics.

Horizons 2009-2010 is the City's previous comprehensive plan, and prior plans were adopted in 2004, 1997, and 1992. There are several reasons the Horizons 2010 plan needed to be updated, including:

- Many of the action items have been accomplished;
- The population has grown and changed, resulting in new needs and demands;
- Local, regional, national, and global changes have resulted in a new social, economic, and environmental context; and
- New research and information have expanded the knowledge and thinking about community planning best practices.

During the November 16, 2015 and January 26, 2016 CPC meetings and the 2-day workshop, the draft Future Land Use and Character Map was specifically discussed.

At the 2-day workshop on November 4 and 5, 2015, the draft Future Land Use and Character Maps were presented to gather ideas, input and comments from all interested parties.

At the January 25, 2016 CPC meeting, the principles discussed related to the draft Future Land Use and Character map were:

1. Infill and redevelopment are priorities
2. Quality design
3. Greater intensity of development in some locations
4. Create well-connected places
5. A vibrant Uptown
6. Create neighborhoods, maintain established ones
7. Protect natural features/amenities

## 8. Sustainable development practices

Similarities to the past plan:

1. Reduce "strip commercialization" emphasize nodal development
2. Incorporate mixed uses
3. Promote inter-connectivity
4. Create walkable (human-scale) developments

In conclusion, the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map are the result of a year-long process of CPC meetings, workshops, and open houses. A public meeting was held by the Planning and Zoning Commission, and a public hearing was held by City Council.

On August 8, 2016, the Comprehensive Plan Committee voted unanimously to endorse the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

On August 16, 2016 the Planning and Zoning Commission voted unanimously to recommend approval of the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

On September 8, 2016, the City Council voted unanimously to approve the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map.

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

Based on the analysis comparing the existing land use category (384 daily trips) and requested land use category, the proposed land use category could generate approximately 274 trips to and from the site on B's BBQ Road, which is a net *decrease* of 110 trips less trips per day. Since the traffic analysis indicates that the proposal would generate less traffic than the existing land use category, a traffic volume report was not generated.

During the review process, measures to mitigate the traffic will be determined.

### **Zoning and Density:**

Currently, the property is zoned MO (Medical-Office) which meets the intent of the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map because office is a secondary use in the Residential, High Density land use character.

Under the current category, the site could accommodate 34,850+/- square feet of office space.

Under the proposed category, the site could accommodate 109,600+/- square feet of mini-storage.

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

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

**Recommendation:** In staff's opinion, the current Future Land Use and Character Map recommendations for this area still fulfill the principles that guided the Comprehensive Plan Committee. There have been no unexpected changes in development patterns that would warrant an amendment to the Future Land Use and Character Map since its adoption on September 8, 2016. Also, the property is currently zoned MO (Medical-Office) which meets the intent of the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map because office is a secondary use in the Residential, High Density land use character.

Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map are the results of multiple opportunities of public-engagement and input from all interested parties.

The Planning and Zoning Commission voted unanimously to approve the request at its March 19, 2019 meeting.

Staff recommends denial of the request.

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ATTACHMENTS:

- ❑ **Ordinance\_-\_FLUCM\_Ocean\_Reef\_1106599**
- ❑ **Minutes\_-\_FLUC\_Ocean\_Reef\_1106602**
- ❑ **Map**
- ❑ **Survey**
- ❑ **Zoning Map**

ORDINANCE NO. 19-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE AMENDING  
HORIZONS 2026: 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 the 11<sup>th</sup> day of April, 2019, at 6:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the Future Land Use and Character Map for the following described territory;

WHEREAS, the Horizons 2026: Greenville's Community Plan was adopted on September 8, 2016, by the City Council by the adoption of Ordinance No. 15-055 and includes text and a Future Land Use and Character Map;

WHEREAS, the Horizons 2026: Greenville's Community Plan serves as the City of Greenville's comprehensive plan for zoning purposes and will from time to time be amended by the City Council; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Greenville have reviewed the proposed amendment to the Future Land Use and Character 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 and Character Map is hereby amended by re-designating the "Residential, High Density" category to the "Commercial" category for the area located on the southeastern corner of the intersection of MacGregor Downs Road and B's BBQ Road.

Beginning at a point where the southern right-of-way of NCSR 1202 (MacGregor Downs Road) intersects the eastern right-of-way of NCSR 1204 (B's Barbeque Road), said point also being located S 64°33'17" E 79.63' as measured from an existing PK nail located at the centerline intersection of NCSR 1202 (MacGregor Downs Road) and NCSR 1204 (B's Barbeque Road). From the above described beginning, so located, running thence as follows:

With the southern right-of-way of NCSR 1202 (MacGregor Downs Road) S 86°41'18" E 72.32' and S 86°27'17" E 243.12', thence leaving the southern right-of-way of NCSR 1202 (MacGregor Downs Road) S 04°39'57" W 316.89', thence S 85°20'03" E 15.67', thence S 04°39'57" W 84.35', thence N 60°41'18" W 135.25', thence N 68°50'20" W 256.84', thence N 63°31'58" W 139.72' to a point on the eastern right-of-way of NCSR 1204 (B's Barbeque Road), thence with the eastern right-of-way of NCSR 1204 (B's Barbeque Road) N

32°26'21" E 183.30' and N 62°44'52" E 97.16' to the point of beginning containing 3.058 acres and being the property described in Deed Book 3337, Page 455 of the Pitt County Register of Deeds.

Section 2. That the Director of Community Development is directed to amend the Future Land Use and Character 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 April, 2019.

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P. J. Connelly, Mayor

ATTEST:

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Carol L. Barwick, City Clerk

Doc. # 1106599

**Excerpt from the draft Planning & Zoning Commission Minutes (3/19/2019)**

ORDINANCE REQUESTED BY OCEAN REEF INVESTMENTS, LLC TO AMEND THE FUTURE LAND USE AND CHARACTER MAP FOR 3.058 ACRES FROM THE RESIDENTIAL, HIGH DENSITY (HDR) LAND USE CHARACTER TO THE COMMERCIAL (C) LAND USE CHARACTER FOR THE PROPERTY LOCATED ON THE SOUTHEASTERN CORNER OF THE INTERSECTION OF MACGREGOR DOWNS ROAD AND B'S BBQ ROAD - APPROVED

Ms. Gooby delineated the property. This request is in anticipation of a rezoning request. Since the request is from high density multi-family to commercial, a decrease in traffic is anticipated since the commercial would not likely be a large traffic generator, such as retail. The property is located in the Harris Mill Run/Schoolhouse Branch Watershed and would require 10-year stormwater detention. There were many public engagements held in developing the Future Land Use and Character Map. One of the principles was: Sustainable development practices. Since the property is zoned Medical-Office and both of the characters allow office uses, it was staff's opinion that the intent of the Future Land Use and Character Map was met. There have been no unexpected changes in development pattern. Therefore, staff recommends denial.

Mr. King opened the public hearing.

Mr. Mike Baldwin, Baldwin Design Consultants, spoke in favor, on behalf of the applicant. He stated that he views the Future Land Use and Character Map as a general map and not specific for the 74,000 taxed parcels in Pitt County. This property has not had any prospects in the 5 years it has been on the market. It is now a bank-owned property. Commercial makes more sense for this corner.

Mr. Faison stated that there is no immediate shopping there. Commercial does lend itself to the area because there is nothing but Wal-Mart nearby.

Mr. Maxwell stated there is no way to walk there. What type of business could be there?

Ms. Gooby answered that offices such as, a doctor, dentist or optometrist.

No one spoke in opposition.

Mr. King closed the public hearing.

In staff's opinion, the current Future Land Use and Character Map recommendations for this area still fulfill the principles that guided the Comprehensive Plan Committee. There have been no unexpected changes in development patterns that would warrant an amendment to the Future Land Use and Character Map since it's adoption on September 8, 2016. Also, the property is currently zoned MO (Medical-Office) which meets the intent of the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map because office is a secondary use in the Residential, High Density land use character.

**Motion made by Mr. Schrade, seconded by Mr. Faison, to recommend approval of the proposed amendment. Motion passed unanimously**

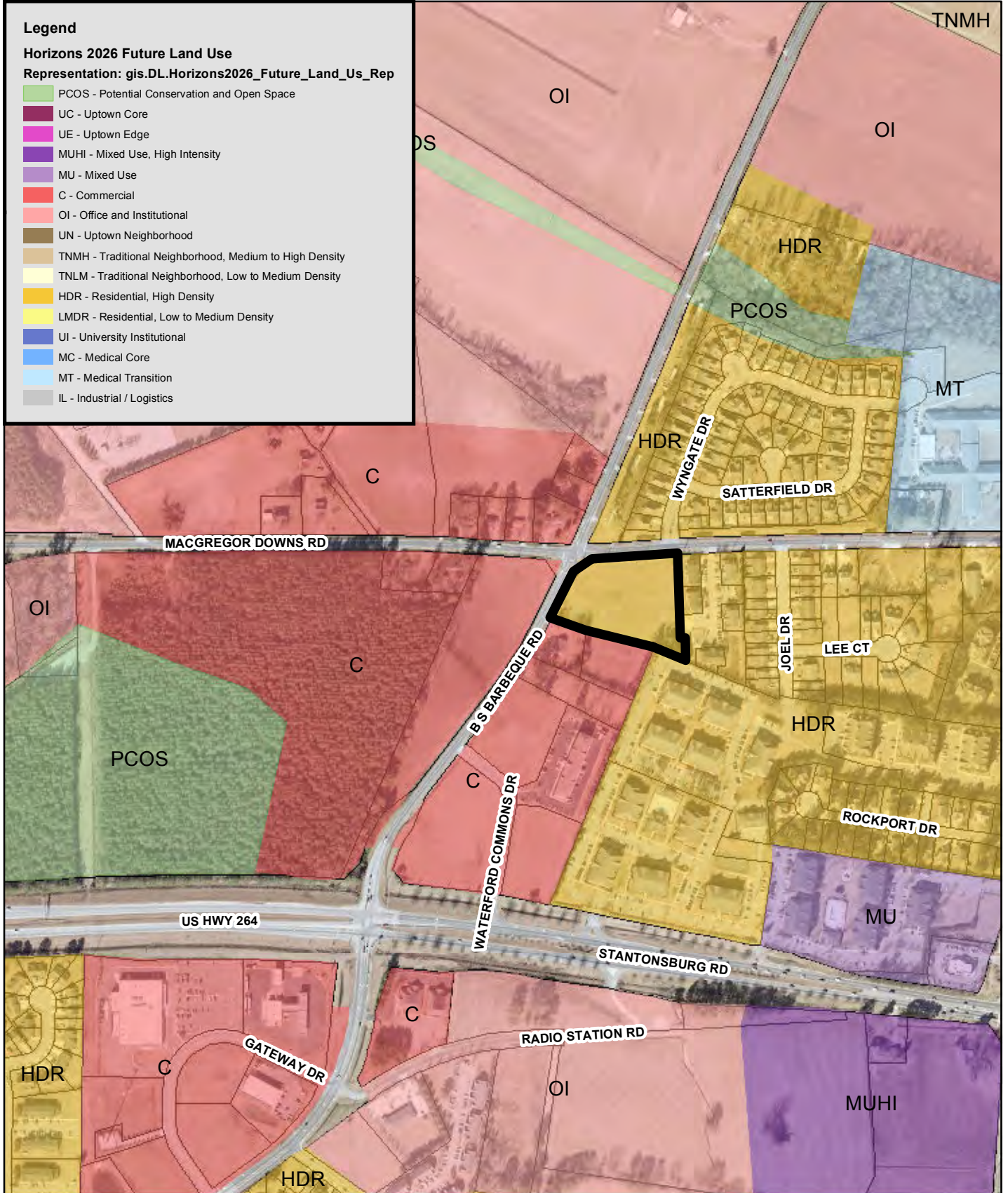
**Ocean Reef Investments, LLC**  
**Acres: 3.058**  
**From: HDR (Residential, High Density)**  
**To: C (Commercial)**  
**February 25, 2019**



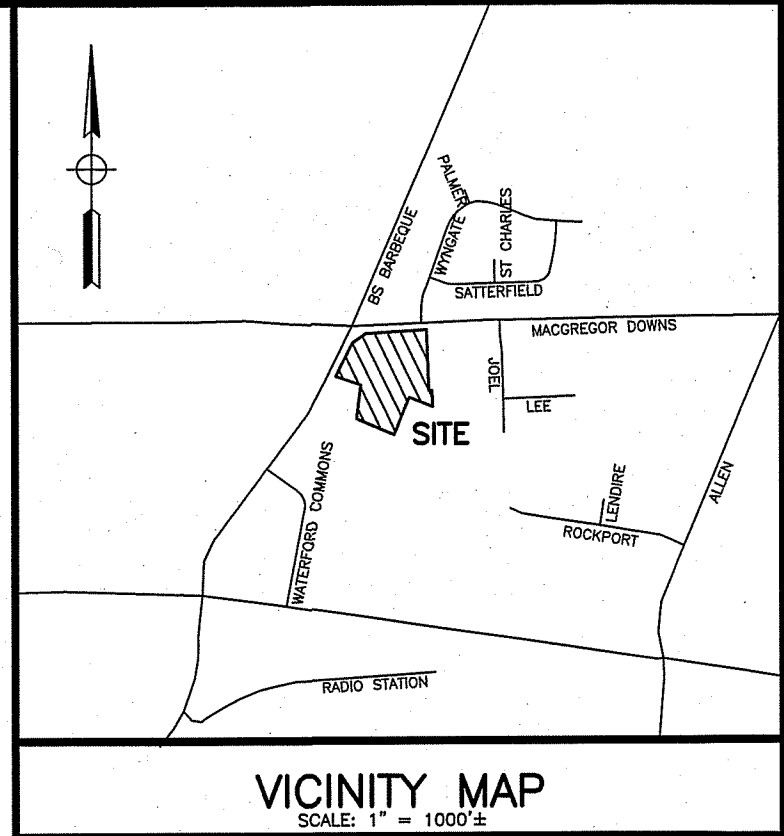
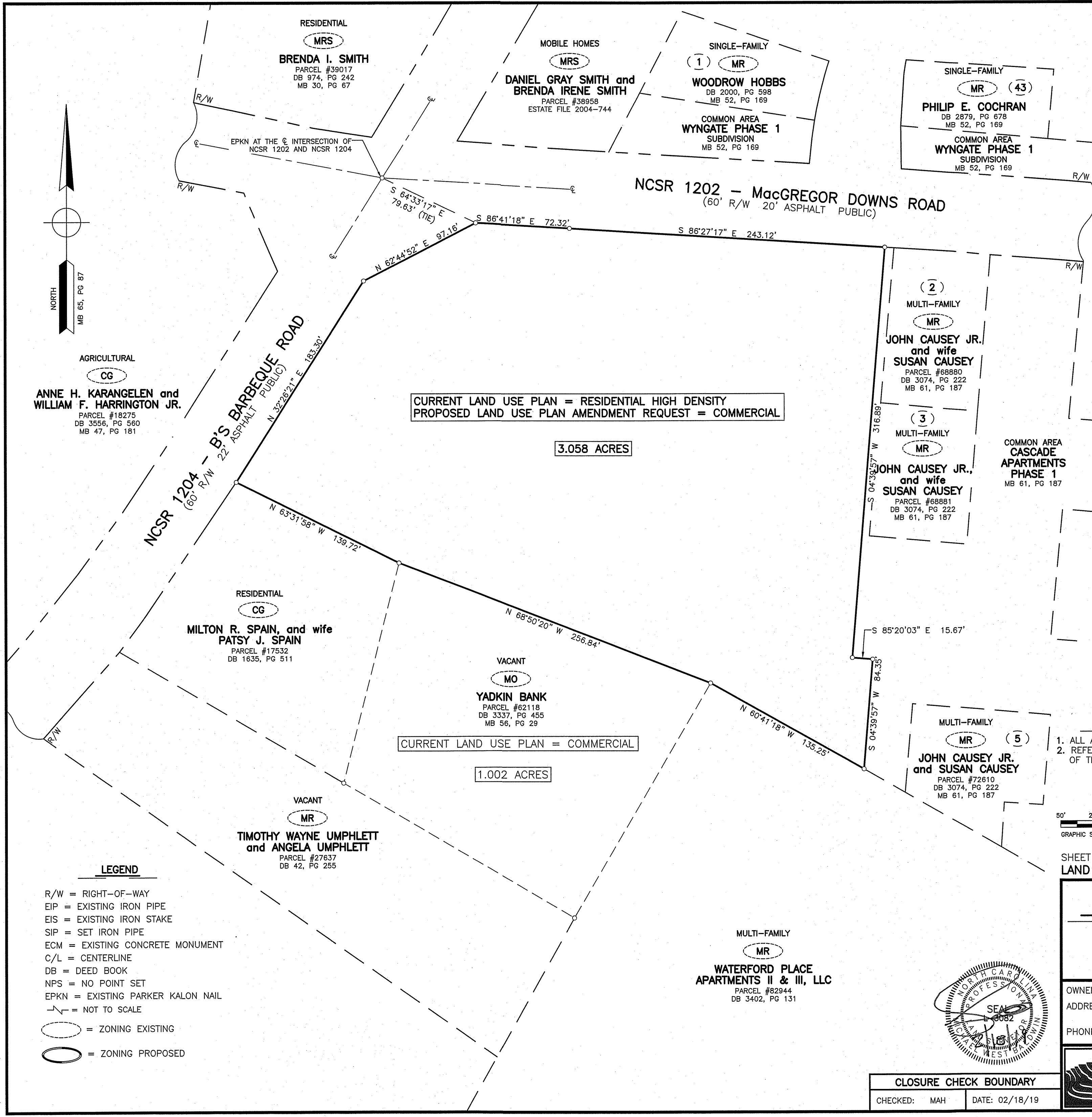
**Legend**

**Horizons 2026 Future Land Use**  
**Representation: gis.DL.Horizons2026\_Future\_Land\_Us\_Rep**

- PCOS - Potential Conservation and Open Space
- UC - Uptown Core
- UE - Uptown Edge
- MUHI - Mixed Use, High Intensity
- MU - Mixed Use
- C - Commercial
- OI - Office and Institutional
- UN - Uptown Neighborhood
- TNMH - Traditional Neighborhood, Medium to High Density
- TNLM - Traditional Neighborhood, Low to Medium Density
- HDR - Residential, High Density
- LMDR - Residential, Low to Medium Density
- UI - University Institutional
- MC - Medical Core
- MT - Medical Transition
- IL - Industrial / Logistics



Y:\DRAWINGS\19-018 OCEAN REEF INVESTMENTS, LLC\LAND USE.dwg Mon, Feb 18, 2019-5:01pm MHERREJON

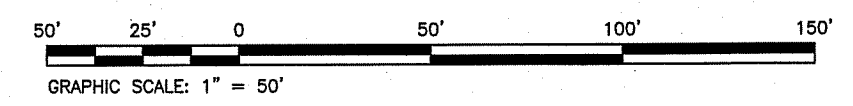


**PROPERTY OWNERS ADDRESSES  
WITHIN 100 FEET OF PROPERTY**

- |   |  |
|---|--|
| <b>BRENDA I. SMITH</b><br>833 DARRELL DRIVE<br>GREENVILLE, NC 27834                           | <b>WATERFORD PLACE APARTMENTS II &amp; III, LLC</b><br>PO BOX 566<br>GREENVILLE, NC 27835                  |
| <b>DANIEL GRAY SMITH, and<br/>BRENDA IRENE SMITH</b><br>PO BOX 434<br>BELHAVEN, NC 47810      | <b>MILTON R. SPAIN, and wife<br/>PATSY J. SPAIN</b><br>569 BRILEY ROAD<br>GREENVILLE, NC 27834             |
| <b>WOODROW HOBBS</b><br>22 CEDAR STREET<br>CENTRAL ISLIP, NY 11722                            | <b>ANNE H. KARANGELEN, and<br/>WILLIAM F. HARRING TO JR.</b><br>322 WHICHARD LANE<br>CHOCOWINITY, NC 27817 |
| <b>PHILIP E. COCHRAN</b><br>428 PIRATE COVE ROAD<br>WASHINGTON, NC 27889                      | <b>YADKIN BANK</b><br>3600 GLENWOOD AVENUE, SUITE 300<br>RALEIGH, NC 27612                                 |
| <b>JOHN CAUSEY JR., and wife<br/>SUSAN CAUSEY</b><br>301 SLANEY LOOP<br>WINTERVILLE, NC 28590 |  |

**NOTES**

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. REFERENCE: MAP BOOK 65, PAGE 87, OF THE PITT COUNTY REGISTER OF DEEDS.



SHEET 1 OF 1 TAX MAP# 4668-80-2869  
LAND USE MAP PLAN AMENDMENT REQUEST PARCEL# 62118

**OCEAN REEF INVESTMENTS, LLC**

REFERENCE: DEED BOOK 3337, PAGE 455  
OF THE PITT COUNTY REGISTER OF DEEDS

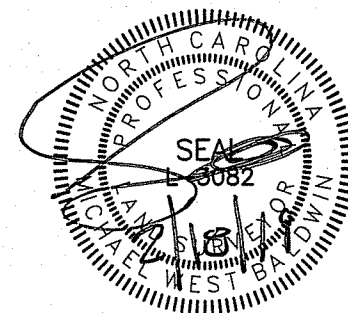
**GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NC**

OWNER: YADKIN BANK  
ADDRESS: 3600 GLENWOOD AVENUE, SUITE 300  
RALEIGH, NC 27612  
PHONE: (919) 847-4461

**Baldwin Design Consultants, PA**  
ENGINEERING - SURVEYING - PLANNING  
1700-D EAST ARLINGTON BOULEVARD  
GREENVILLE, NC 27858 252.756.1390

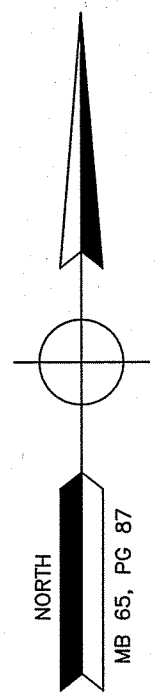
|               |                 |
|---------------|-----------------|
| SURVEYED: N/A | APPROVED: MWB   |
| DRAWN: MAH    | DATE: 02/18/19  |
| CHECKED: MWB  | SCALE: 1" = 50' |

|                               |                |
|-------------------------------|----------------|
| <b>CLOSURE CHECK BOUNDARY</b> |                |
| CHECKED: MAH                  | DATE: 02/18/19 |



**LEGEND**

- R/W = RIGHT-OF-WAY
- EIP = EXISTING IRON PIPE
- EIS = EXISTING IRON STAKE
- SIP = SET IRON PIPE
- ECM = EXISTING CONCRETE MONUMENT
- C/L = CENTERLINE
- DB = DEED BOOK
- NPS = NO POINT SET
- EPKN = EXISTING PARKER KALON NAIL
- - - = NOT TO SCALE
- = ZONING EXISTING
- = ZONING PROPOSED



**CURRENT LAND USE PLAN = RESIDENTIAL HIGH DENSITY  
PROPOSED LAND USE PLAN AMENDMENT REQUEST = COMMERCIAL**

**3.058 ACRES**

**CURRENT LAND USE PLAN = COMMERCIAL**

**1.002 ACRES**

**MULTI-FAMILY  
MR  
WATERFORD PLACE  
APARTMENTS II & III, LLC**  
PARCEL #82944  
DB 3402, PG 131

**(2)  
MULTI-FAMILY  
MR  
JOHN CAUSEY JR.  
and wife  
SUSAN CAUSEY**  
PARCEL #68880  
DB 3074, PG 222  
MB 61, PG 187

**(3)  
MULTI-FAMILY  
MR  
JOHN CAUSEY JR.,  
and wife  
SUSAN CAUSEY**  
PARCEL #68881  
DB 3074, PG 222  
MB 61, PG 187

**(5)  
MULTI-FAMILY  
MR  
JOHN CAUSEY JR.  
and SUSAN CAUSEY**  
PARCEL #72610  
DB 3074, PG 222  
MB 61, PG 187

**AGRICULTURAL  
CG  
ANNE H. KARANGELEN and  
WILLIAM F. HARRINGTON JR.**  
PARCEL #18275  
DB 3556, PG 560  
MB 47, PG 181

**RESIDENTIAL  
CG  
MILTON R. SPAIN, and wife  
PATSY J. SPAIN**  
PARCEL #17532  
DB 1635, PG 511

**RESIDENTIAL  
MRS  
BRENDA I. SMITH**  
PARCEL #39017  
DB 974, PG 242  
MB 30, PG 67

**VACANT  
MO  
YADKIN BANK**  
PARCEL #62118  
DB 3337, PG 455  
MB 56, PG 29

**MOBILE HOMES  
MRS  
DANIEL GRAY SMITH and  
BRENDA IRENE SMITH**  
PARCEL #38958  
ESTATE FILE 2004-744

**SINGLE-FAMILY  
(1) MR  
WOODROW HOBBS**  
DB 2000, PG 598  
MB 52, PG 169

**COMMON AREA  
WYNGATE PHASE 1  
SUBDIVISION**  
MB 52, PG 169

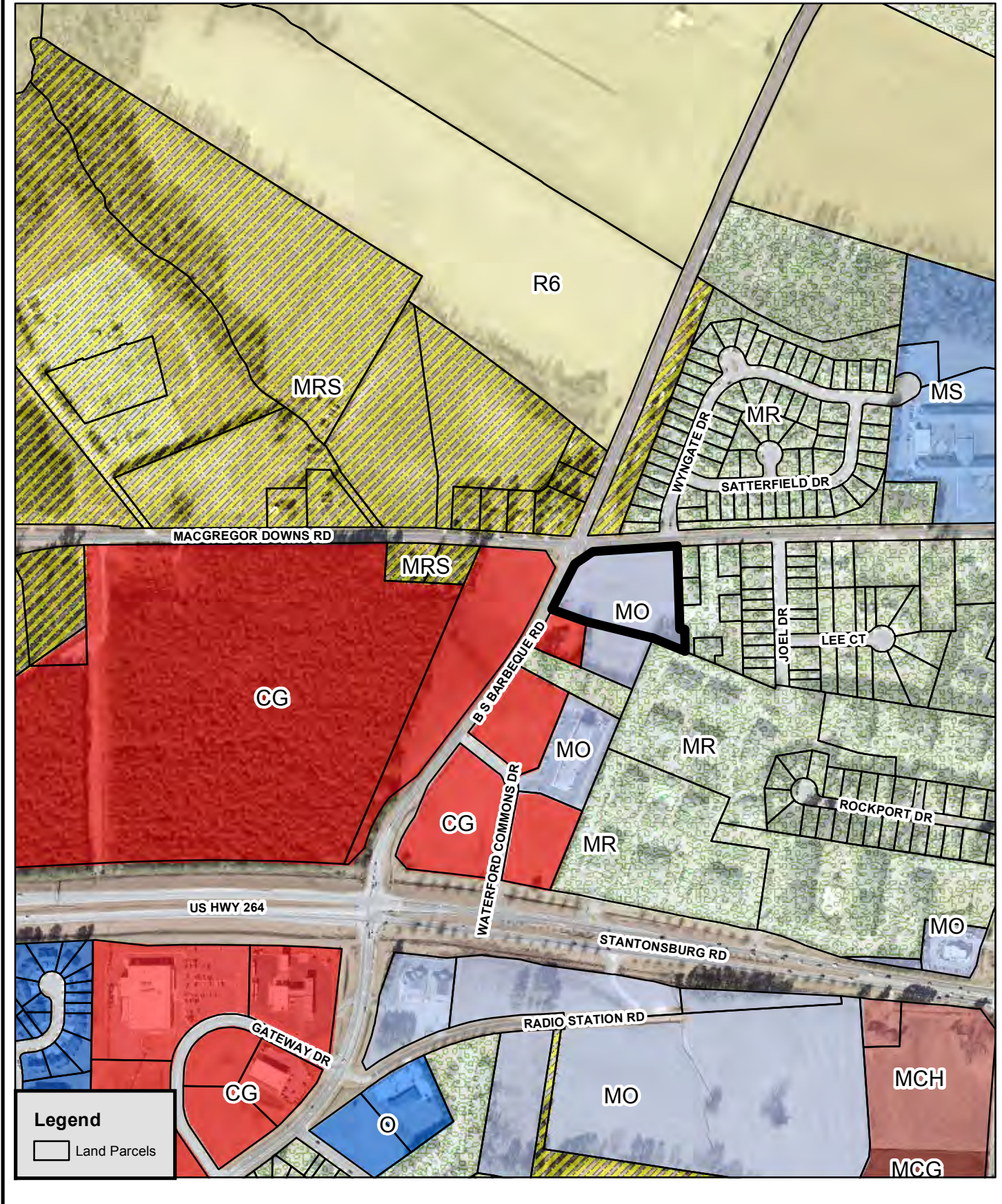
**SINGLE-FAMILY  
MR (43)  
PHILIP E. COCHRAN**  
DB 2879, PG 678  
MB 52, PG 169

**COMMON AREA  
WYNGATE PHASE 1  
SUBDIVISION**  
MB 52, PG 169

**VACANT  
MR  
TIMOTHY WAYNE UMPHLETT  
and ANGELA UMPHLETT**  
PARCEL #27637  
DB 42, PG 255



# Ocean Reef Investments, LLC Zoning Map





## City of Greenville, North Carolina

Meeting Date: 4/11/2019  
Time: 6:00 PM

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**Title of Item:**

Ordinance requested by the Community Development Department to amend Title 9, Chapter 4, Article U, Table of Uses (c) (3) to allow barber and beauty shops as a home occupation with a special use permit in the R9S and R15S zoning districts

**Explanation:**

**Abstract:** The City of Greenville received a text amendment application to amend Title 9, Chapter 4, Article U, Table of Uses (c) (3) to allow barber and beauty shops as a home occupation with a special use permit in the R9S and R15S zoning districts.

\*\*This request has been amended to omit the R6S district from this request.

**Explanation:** The City of Greenville received a text amendment application from Ms. Sharnisha Little to amend the table of uses that would allow a barber and beauty shop as a home occupation. The applicant's property was zoned R9S, which is zoned for single-family. After researching the proposed text amendment, staff determined that the text amendment should be more broad and include other zoning districts to meet the intent and definition of a home occupation. Therefore, staff refunded the applicant's fee and determined it should be a staff initiated request in order to meet the intent of home occupations.

### ARTICLE B. DEFINITIONS

#### Section 9-4-22 Words and Terms Defined

Home occupation. An activity conducted for financial gain as an accessory use to a detached single-family dwelling unit by a member of the family residing in the dwelling unit.

### ARTICLE E. STANDARDS AND CRITERIA FOR SPECIAL USES

#### 9-4-86 Listed Uses; Specific Criteria

(U) Home occupations.

(1) Except as otherwise provided, all home occupations shall comply with all of the following standards:

- (a) Shall only be permitted within single-family dwelling units;
- (b) Shall not be permitted within any detached accessory structure or building;
- (c) Shall constitute an accessory use to the principal use;
- (d) Shall not occupy more than 20% of the mechanically conditioned enclosed floor space of the dwelling unit;
- (e) Shall not employ more than one person other than those persons legally residing within the principal use dwelling;
- (f) Shall not be visible from any public right-of-way or adjacent property line;
- (g) Shall not involve the on-site sales of products;
- (h) Shall not involve any outside storage of related materials, parts or supplies;
- (i) Shall have signage in accordance with Article N; and
- (j) Shall not create any hazard or nuisance to the occupants residing or working within the principal use dwelling or to area residents or properties.

(3) Barber and beauty shop; manicure, pedicure or facial salon; and other similar personal service activities not otherwise listed: shall be limited to not more than one operator or service provider at all times. Concurrent and/or shift employment shall not be permitted.

#### Article N. SIGNS

##### SEC. 9-4-233 SPECIAL PROVISIONS FOR CERTAIN SIGNS.

(H) Home occupations.

- (1) Freestanding signs shall be prohibited.
- (2) Except as otherwise provided, wall signs shall be limited to two square feet of total sign display area.

#### ARTICLE O. PARKING

##### SEC. 9-4-252 SCHEDULE OF REQUIRED PARKING SPACES

Dwelling, single-family 2 spaces

Barber or beauty shop; principal or accessory use 2 spaces per barber, beautician or other employee

All home occupations require a special use permit from the Board of Adjustment in the permissible zoning districts.

In summary, there are no changes to the standards for home occupations, but the proposed text amendment would allow home occupations (with an approved special use permit) in three additional single-family zoning districts.

#### **Comprehensive Plan**

In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with the following adopted policy in Horizons 2026: Greenville's Community Plan.

Chapter 4, Growing the Economic Hub, Goal 4.1 A Vibrant and Growing Economic Hub

*Policy 4.2.5 Support Home Offices and Telecommuting*

*Support the use of home offices as an essential workspace for small business and small firms. Many entrepreneurs begin working out of their own home before committing to designated office space. Support infrastructure necessary for telecommuting, which can provide flexibility for workers and businesses to expand.*

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

**Recommendation:** In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and Chapter 4, Growing the Economic Hub, Goal 4.1 A Vibrant and Growing Economic Hub *Policy 4.2.5 Support Home Offices and Telecommuting Support the use of home offices as an essential workspace for small business and small firms. Many entrepreneurs begin working out of their own home before committing to designated office space. Support infrastructure necessary for telecommuting, which can provide flexibility for workers and businesses to expand.* Therefore, staff recommends approval.

The Planning and Zoning Commission voted unanimously to approve the request at its March 19, 2019 meeting.

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 City Council determines to deny the request, in order to comply with this statutory requirement, it is recommended that the motion be as follows:

"Motion to deny the requested text amendment, to make a finding and determination that the required text amendment is inconsistent with the comprehensive plan or other applicable plans, including but not limited to Horizons 2026: Greenville's Community Plan, Chapter 4, Growing the Economic Hub, Goal 4.1 A Vibrant and Growing Economic Hub *Policy 4.2.5 Support Home Offices and Telecommuting Support the use of home offices as an essential workspace for small business and small firms. Many entrepreneurs begin working out of their own home before committing to designated office space. Support infrastructure necessary for telecommuting, which can provide flexibility for workers and businesses to expand.*

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ATTACHMENTS:

- ▣ **Ordinance\_home\_occupation\_1105559**
- ▣ **Minutes\_-\_Home\_occupation\_barber\_and\_beauty\_shops\_1106603**
- ▣ **Current Districts Map**
- ▣ **Additional districts Map**

ORDINANCE NO. 19-  
AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on April 11, 2019, at 6:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of the ordinance involving the text amendment is consistent with the adopted comprehensive plan and other officially adopted plans that are applicable and that the adoption of the ordinance involving the text amendment is reasonable and in the public interest due to its consistency with the comprehensive plan and other officially adopted plans that are applicable and, as a result, its furtherance of the goals and objectives of the comprehensive plan and other officially adopted plans that are applicable;

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Horizons 2026: Greenville's Community Plan, Chapter 4, Growing the Economic Hub, Goal 4.1 A Vibrant and Growing Economic Hub, Policy 4.2.5 Support Home Offices and Telecommuting Support the use of home offices as an essential workspace for small business and small firms. Many entrepreneurs begin working out of their own home before committing to designated office space. Support infrastructure necessary for telecommuting, which can provide flexibility for workers and businesses to expand.

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

Section 1: That Title 9, Chapter 4, Article U, Appendix A Table of Uses (3)c, of the City Code is hereby amended by adding "Home occupation; barber and beauty shop" as a special use in the R9S (Residential-Single-family) and R15S (Residential-Single-family) zoning districts.

Section 2. That any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

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

Adopted this 11<sup>th</sup> day of April, 2019.

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P. J. Connelly, Mayor

ATTEST:

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Carol L. Barwick, City Clerk

1105559

**Excerpt from the draft Planning & Zoning Commission Minutes (3/19/2019)**

ORDINANCE REQUESTED BY COMMUNITY DEVELOPMENT DEPARTMENT STAFF TO AMEND TITLE 9, CHAPTER 4, ARTICLE U, TABLE OF USES (C) (3) TO ALLOW BARBER AND BEAUTY SHOPS AS A HOME OCCUPATION WITH A SPECIAL USE PERMIT IN THE R6S, R9S AND R15S ZONING DISTRICTS - APPROVED

Ordinance requested by Community Development Department Staff to amend Title 9, Chapter 4, Article U, Table of Uses (c) (3) to allow barber and beauty shops as a home occupation with a special use permit in the R6S, R9S and R15S zoning districts.

Ms. Gooby explained that a citizen had submitted a text amendment to allow barber and beauty shops as a home occupation in the R9S district (single-family). After research, staff determined that since this type of home occupation is only allowed in single-family dwellings, it made sense that this should be an allowable use in single-family zoning districts. Therefore, staff decided to process this request as staff initiated. Home occupation is defined as an activity conducted for financial gain as an accessory use to a detached single-family dwelling unit by a member of the family residing in the dwelling unit. The standards are:

- (a) Shall only be permitted within single-family dwelling units;
- (b) Shall not be permitted within any detached accessory structure or building;
- (c) Shall constitute an accessory use to the principal use;
- (d) Shall not occupy more than 20% of the mechanically conditioned enclosed floor space of the dwelling unit;
- (e) Shall not employ more than one person other than those persons legally residing within the principal use dwelling;
- (f) Shall not be visible from any public right-of-way or adjacent property line;
- (g) Shall not involve the on-site sales of products;
- (h) Shall not involve any outside storage of related materials, parts or supplies;
- (i) Shall have signage in accordance with Article N; and
- (j) Shall not create any hazard or nuisance to the occupants residing or working within the principal use dwelling or to area residents or properties.

The intent of the standards is to keep the activity minimal and unobtrusive to neighboring properties. In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and Chapter 4, Growing the Economic Hub, Goal 4.1 A Vibrant and Growing Economic Hub *Policy 4.2.5 Support Home Offices and Telecommuting Support the use of home offices as an essential workspace for small business and small firms. Many entrepreneurs begin working out of their own home before committing to designated office space. Support infrastructure necessary for telecommuting, which can provide flexibility for workers and businesses to expand.*

Mr. King opened the public hearing.

No one spoke in favor.

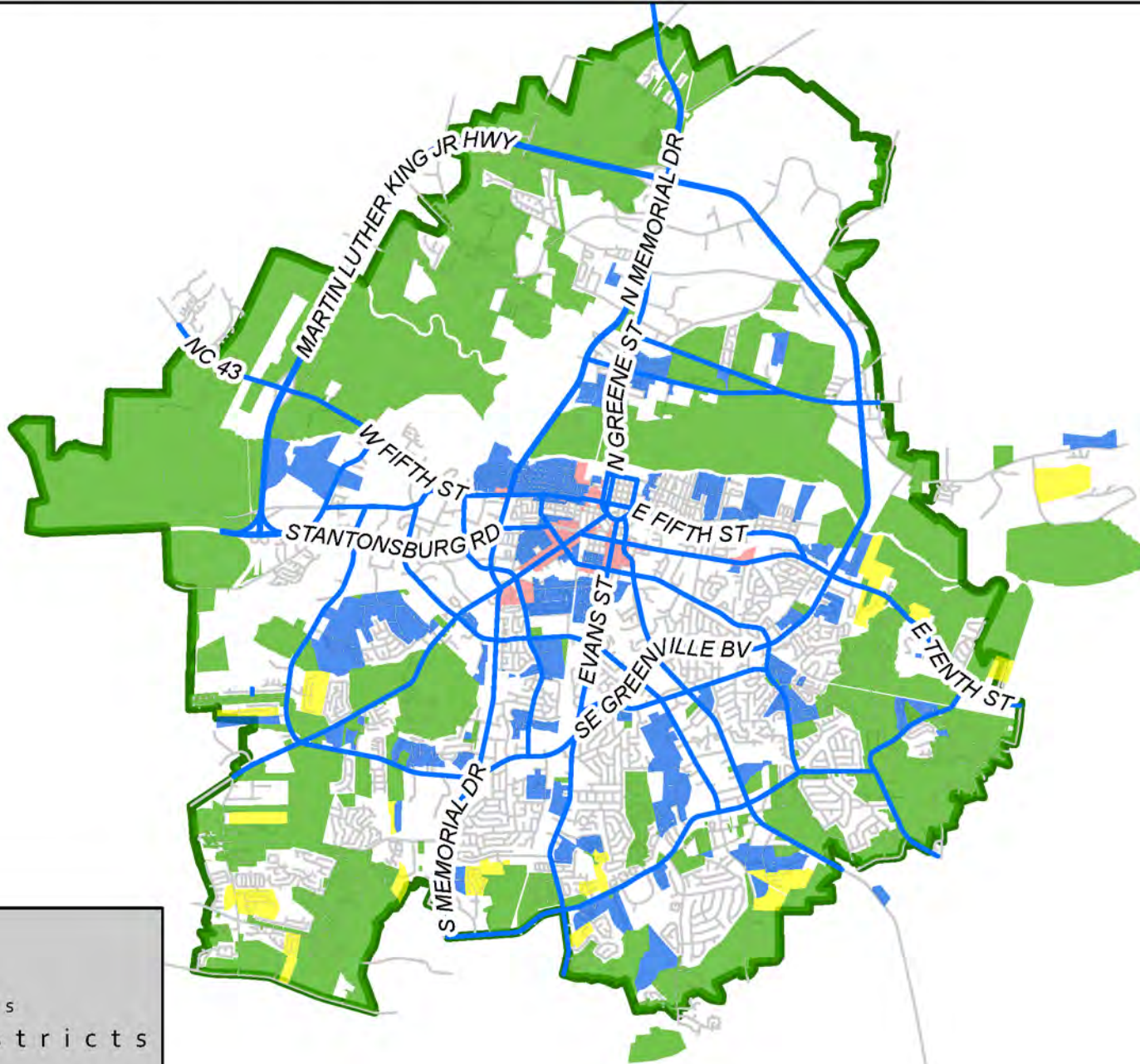
No one spoke in opposition.

Mr. King closed the public hearing.

**Motion made by Mr. Schrade, seconded by Mr. Collins, to recommend approval of the proposed amendment. Motion passed unanimously.**



Current zoning districts that allow barber and beauty shops as a home occupation.

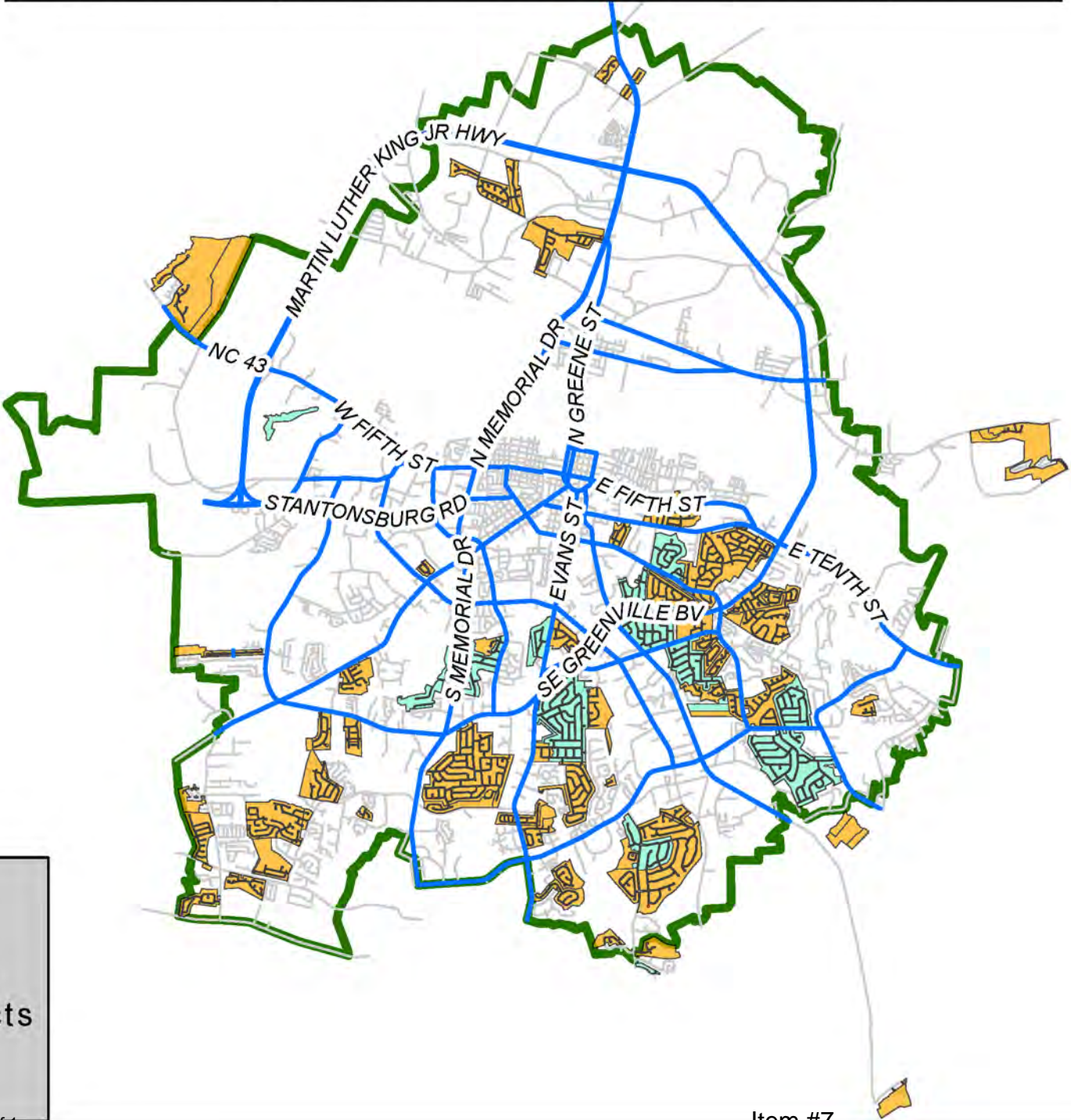


Legend

- ETJ
- Major Roads
- Zoning Districts
- CDF
- R 6
- R 6 A
- RA 20



Proposed additional zoning districts that would allow barber and beauty shops as a home occupation.



**Legend**

- ETJ
- Major Roads

**Zoning Districts**

- R15S
- R9S



## City of Greenville, North Carolina

Meeting Date: 4/11/2019  
Time: 6:00 PM

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**Title of Item:** Resolution approving a Job Creation Grant and economic development agreement with Taft Family Ventures

**Explanation:** **Abstract:** Taft Family Ventures, which is redeveloping property on Dickinson Avenue in order to relocate their headquarters, is seeking a Job Creation Grant as part of the project. At the March 14, 2019 City Council meeting, City staff recommended awarding a Job Creation Grant to Taft Family Ventures. City Council must hold a public hearing before considering awarding the grant.

**Explanation:** Taft Family Ventures is redeveloping a vacant building at 631 Dickinson Avenue for their new corporate headquarters. The relocation and expansion of their corporate headquarters will assist in the revitalization of the Dickinson Avenue Corridor and West Greenville Area. The project is expected to increase the taxable property base, stimulate the local economy, promote business, and provide employment opportunities. The anticipated headquarters will require roughly \$3.5 million in acquisition and renovation costs and locate 38 full-time jobs, 15 of which are new, to the Uptown area.

If the City does not issue this grant, Taft Family Ventures could relocate its headquarters to another city in North Carolina. In addition, the proposed vacant building to be renovated is in an Economic Development Investment (EDI) Zone that is a priority area established for economic development (see Job Creation Grant Program Guidelines).

The Job Creation Grant funding is based on an increase in property tax generated from the investment, with up to 75% of the increase being returned to the business as an incentive. Grants may be awarded in annual installments with a grant period ranging from 3 to 5 years, but up to 7 years for transformative projects.

The Job Creation Grant request for Taft Family Ventures was approved by the City Council Economic Development Committee on February 13, 2019. At the March 14, 2019 City Council meeting, staff recommended approval of the grant request.

**Fiscal Note:**

Based on Office of Economic Development estimates, a 7-year grant period for Taft Family Ventures will result in an incentive totaling \$69,560.40 (est). Due to the incentive being generated through a property tax offset, the incentive will have a net-neutral budget impact.

**Recommendation:**

City Council hold a public hearing on the Job Creation Grant (proposed economic development incentive), and authorize the execution of an economic development agreement with Taft Family Ventures awarding the Job Creation Grant in an amount not to exceed \$69,560.40.

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ATTACHMENTS:

- ☐ **Resolution\_TAFT\_Job\_Creation\_1107234**
- ☐ **Taft\_Job\_Creation\_Development\_Agreement\_1107231**

RESOLUTION NO. \_\_\_\_

RESOLUTION OF THE GREENVILLE CITY COUNCIL APPROVING AN ECONOMIC DEVELOPMENT INCENTIVE FOR TAFT FAMILY VENTURES

WHEREAS, North Carolina General Statute § 158-7.1 grants authority to the City of Greenville to make appropriations for the purposes of aiding and encouraging the location or expansion of certain business enterprises in the corporate limits of the City or for other purposes which the City Council finds, in its discretion, will increase employment, taxable property base, and business prospects of the City;

WHEREAS, the Greenville City Council has held a public hearing to consider whether to participate in an economic development project with Consolidated Management of Greenville Inc., dba Taft Family Ventures, by authorizing the Job Creation grant (cash incentive) be paid to Taft Family Ventures;

Whereas, the grant would be paid to Taft Family Ventures only upon proof that the company made the agreed-upon investment in its building, created full-time jobs, and paid its ad valorem taxes;

WHEREAS, Taft Family Ventures is redeveloping a vacant building at 631 Dickinson Avenue for its new corporate headquarters and if this grant was not approved the company may relocate elsewhere or not invest in this priority redevelopment area. The relocation and expansion of the corporate headquarters will assist in the revitalization of the Dickinson Avenue Corridor and West Greenville Area. The project is expected to increase the taxable property base, stimulate the local economy, promote business, and provide employment opportunities.

WHEREAS, the City Council does hereby find and determine that the proposed economic development project will tend to increase the taxable property base of the City, increase the business prospects of the City, and create high-paying jobs in a priority redevelopment area; and that it is in the public interest to provide assistance, as authorized by North Carolina General Statute § 158-7.1, in order to encourage Taft Family Ventures to redevelop 631 Dickinson Avenue for the purpose of establishing a new corporate headquarters.

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

- The City approves the appropriation and expenditure of up to \$9,937.20 annually for a seven-year period for the Taft Family Ventures headquarters as an economic development incentive.
- The attached Economic Development Agreement between the City of Greenville (the "City") and Taft Family Ventures (the "Company"), which includes terms that require the Company to redevelop 631 Dickinson Avenue (the "Property"), create 15 new jobs, and relocate their existing jobs to the Property, is hereby approved.

- New full-time job creation levels must be met each year prior to grant funds being dispersed. The Company shall create 3 new jobs per grant year, until the goal of 15 jobs is reached.
- In addition, all new full-time jobs must be maintained for three years beyond the completion of annual grant installments.
- The Mayor is authorized to execute this agreement, and any other documents necessary to the project on behalf of the City.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2019.

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P.J. Connelly, Mayor

ATTEST:

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Carol L. Barwick, City Clerk

**NORTH CAROLINA  
PITT COUNTY**

**ECONOMIC DEVELOPMENT  
AGREEMENT**

THIS AGREEMENT, is made and entered into this the \_\_\_ day of April, 2019, by and between the City of Greenville, a municipal corporation organized and existing pursuant to the laws of the State of North Carolina, Party of the First Part and hereinafter referred to as the “City”, and Consolidated Management of Greenville INC., D.B.A Taft Family Ventures, a company organized and existing under the laws of the State of North Carolina, hereinafter referred to as the “Company.”

**WITNESSETH:**

WHEREAS, North Carolina General Statute § 158-7.1 grants the authority to the City to make appropriations for the purposes of aiding and encouraging the location or expansion of certain business enterprises in the corporate limits of the City or for other purposes which the City Council of the City finds, in its discretion, will increase the population, taxable property base, and business prospects of the City;

WHEREAS, the Company is developing an economic development project consisting of redevelopment of a vacant building to be constructed within the corporate limits of Greenville which is expected to increase the taxable property base and to stimulate the local economy, promote business, and provide employment opportunities;

WHEREAS, the Company intends to redevelop a vacant building located at 631 Dickinson Avenue in Greenville, North Carolina (the “Property”), and the Company anticipates that it will invest in excess of three and one-half million dollars (\$3,500,000) in acquisition and renovation, to be located upon the Property (the “Improvements”), with the Improvements to be made between May 1, 2019, and December 31, 2019 (the “Improvement Period”);

WHEREAS, as an inducement to the Company, the City has approved the appropriations and expenditures as hereinafter set forth for the specific purpose of making economic development grants based upon the increased tax value resulting from the Improvements actually made during the Improvement Period and taxes actually paid by the Company to the City for the period beginning in calendar year 2021 and ending in calendar year 2027\_\_ (the “Grant Period”);

WHEREAS, in consideration of the economic development incentives, the Company agrees to comply with the covenants and conditions binding upon it as set forth in this Agreement; and

WHEREAS, the parties desire to reduce their agreement to written form, clearly stating their respective responsibilities under the Agreement, and setting forth provisions regarding remedies for breach of those responsibilities by the Company and for recapture of sums appropriated or expended by the City upon the occurrence of events specified in the Agreement, as required by North Carolina General Statute § 158-7.1(h).

NOW THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

#### Section I – The Company

1. In order to induce the City to enter into this Agreement and to appropriate and expend monies for payment of economic development incentives, the Company represents and warrants to the City that as of the execution date hereof:

1.1 Taft Family Ventures is a company duly organized and existing under the laws of the State of North Carolina, has a place of business within the State of North Carolina, and is in good standing and authorized to do business in the State of North Carolina.

1.2 The Company has the corporate power and authority to own its properties and assets



and to carry on its business and has the corporate power to execute and perform this Agreement.

1.3 The undersigned Manager of the Company has the right, authority, and duty to execute this Agreement in the name and on behalf of the Company.

1.4 This Agreement (i) is a valid and binding instrument and agreement of the Company, enforceable against the Company in accordance with its terms; (ii) does not violate any order of any court or other agency of government binding on the Company; the charter documents or operating agreement of the Company; or any provision of any indenture, agreement or other instrument to which the Company is a party; and (iii) does not conflict with, result in a breach of, or constitute an event of default, or an event which, with notice or lapse of time, or both, would constitute an event of default, under any indenture, agreement or other instrument to which the Company is a party.

1.5 There is no suit, claim, action or litigation pending, or to the best knowledge of the Company threatened, relating to the Improvements, the use of the Improvements for their intended purpose, or any other matter contained herein.

1.6 To the best of the Company's knowledge, there is no impediment to the use of the Property for the purposes contemplated by this Agreement.

1.7 The Company is not engaged in a business that would be exempt from property taxes.

2. The Company shall make investments in the Property and Improvements during the Improvement Period. It is expected that cumulative expenditures for said investments will meet or exceed three and one-half million dollars (\$3,500,000) by December 31, 2019, all of which will qualify and result in additional value for ad valorem tax purposes as determined by the Pitt County Tax Office. The Improvements to be made by the Company on the Property shall be a renovation of the property located at 631 Dickinson Avenue for the purposes of establishing a new headquarters for Taft Family Ventures and all of the businesses comprising it. The Company shall provide the City

with the final plans for its review for consistency with said depiction and the description of the Improvements as specified herein prior to a building permit being issued. During construction of the Improvements, the Company will allow the City access onto the property so that the City may conduct inspections of the work for consistency with said depiction and the description of the Improvements as specified herein. The Improvements shall be completed and available for occupancy, as evidenced by the issuance of a certificate of occupancy, no later than December 31, 2019. The Company will maintain Improvements in place, in good condition (ordinary wear and tear excepted) at least through December 31, 2027.

3. The Company shall be the owner of the Property and Improvements continuously during the period from the date of this Agreement until December 31, 2027. The Property and Improvements shall not be tax exempt for property tax purposes continuously during the period from the date of this Agreement until December 31, 2027.

4. The Company shall create a minimum of 3 new full-time jobs per year, until the goal of 15 new full-time jobs is reached. All new full-time jobs must be maintained for three (3) years following the completion of annual grant installments.

## Section II – The City

5. Subject to the understanding that the City will only make one incentive payment in each of its fiscal years, payment of economic development incentives in accordance with this Agreement will be paid each year, such payments will be based upon the completion of the Improvements during the Improvement Period, and shall be made for a seven (7) year period as follows:

6.1 For the seven (7) year Grant Period, the City will provide an annual grant payment equal to the lesser of (i) NINE THOUSAND, NINE HUNDRED THIRTY SEVEN DOLLARS AND TWENTY CENTS (\$9,937.20), or (ii) seventy five percent (75%) of the ad valorem taxes associated

with the additional incremental value of capital investments made by the Company during the Improvement Period from May 1, 2019, through December 31, 2019. Payment will be made after the ad valorem taxes for the Property and Improvements are paid to the City in a timely manner after the tax bills are sent, for a seven (7) year period, commencing with taxes payable for the tax values in January 1, 2021, and continuing with the taxes payable for the tax values in January 1 of the next six (6) years. The additional incremental value of capital investments shall be the difference in the amount of valuation for ad valorem tax purposes for the Property and Improvements as determined by the Pitt County Tax Assessor Office as of January 1 of each year during the Grant Period from the amount of valuation for ad valorem tax purposes of the property and improvements immediately before Improvement period (January 2019 property tax bill).

6.2 Said amounts shall be payable annually, beginning in calendar year 2021 and payable each year up to and including calendar year 2027, the Grant Period.

6.3 Upon payment of ad valorem taxes by the Company to the City, in a timely manner after the tax bills are sent, for each calendar year from 2021 through calendar year 2027, and certification by the Company, in the form or substantially in the form of the certificate attached hereto as Exhibit A, of Improvements made and proof of payment of ad valorem taxes, the City will, within sixty (60) days, pay to the Company an economic development incentive payment in the amount of the lesser of (i) NINE THOUSAND, NINE HUNDRED THIRTY SEVEN DOLLARS AND TWENTY CENTS (\$9,937.20), or (ii) the amount of which is calculated by multiplying 0.75 by the general ad valorem tax revenue received by the City attributable to the difference in the valuation for ad valorem tax purposes of the Property and Improvements as of January 1 of the year in which the tax bill is sent from the valuation for ad valorem tax purposes of the property and improvements. This same process will be followed by the City and the Company in each calendar

year from 2021 up to and including calendar year 2027. General ad valorem tax revenue for purposes of this calculation shall only include taxes actually paid for real and business personal property taxes, and shall not include any other taxes, payments or fees made by the Company for any applicable fire tax, emergency services tax, drainage district tax, interest, penalties, or otherwise.

6.4 The Company shall furnish to the City each calendar year, following the payment of ad valorem taxes, the certification required by this Section 6, as shown at Exhibit A, and proof of payment of all applicable taxes. If requested, the Company shall provide the City, at the City's expense, independent certification as to such expenditures.

### Section III – Additional Provisions

7. It shall be an Event of Default if any one or more of the following events shall occur for any reason whatsoever (and whether such occurrence shall be voluntary or involuntary or come about or be affected by operation of law or pursuant to or in compliance with any judgment, decree or order of any court or any order, rule or regulation of any administrative or governmental body):

7.1 If the Company shall commit a material breach of a material obligation hereunder including without limitation, the obligation to make the Improvements to the Property as specified in Section 2 by December 31, 2019, the obligation to remain the owner of the Property and Improvements at least through December 31, 2027, as specified in Section 3, and the obligation that the Property and Improvements not be tax exempt for property tax purposes at least through December 31, 2027, as specified in Section 1.

7.2 If any material representation, warranty or other statement of fact contained in this Agreement or in any writing, certificate, report or statement furnished by the Company to the City in connection with the transaction described in this Agreement, shall be false or misleading in any material respect when given;

7.3 If the Company shall be unable to pay its debts generally as they become due; file a petition to take advantage of any insolvency statute; make an assignment for the benefit of creditors; commence a proceeding for the appointment of a receiver, trustee, liquidator, or conservator of itself or of the whole or any substantial part of its property; file a petition or answer seeking reorganization or arrangement of similar relief under the federal bankruptcy laws or any other applicable law or statute of the United States of America or any state;

7.4 If a court of competent jurisdiction shall enter an order, judgment, or decree appointing a custodian, receiver, trustee, liquidator, or conservator of the Company or of the whole or any substantial part of its property, or approve a petition filed against the Company seeking reorganization or arrangement of similar relief under the federal bankruptcy laws or any other applicable law or statute; or if, under the provisions of any other law for the relief or aid of debtors, a court of competent jurisdiction shall assume custody or control of the Company or of the whole or any substantial part of its property; or

7.5 If the Company shall allow its taxable assets on the Property to fall below the value as of January 1, 2020, as determined by the Pitt County Tax Assessor Office, as each of the same pertain to the Improvements contemplated by this Agreement, less any depreciation of the Improvements for property tax purposes.

7.6 Any delay in the performance of any of the duties or obligations of the Company shall not be considered a breach of this Agreement and the time required for performance shall be extended for a period equal to the lesser of (i) the period of such delay or (ii) 24 months, provided that such delay has been caused by or is the result of any acts of God; acts of the public enemy; insurrections; riots; embargoes; labor disputes, including strikes, lockouts, job actions, or boycotts; shortages of materials or energy; fires; explosions; floods; changes in laws governing this type of

facility; or other unforeseeable causes beyond the control and without the fault or negligence of the Company, which delay affects the Company. The Company shall give prompt notice to the City of such cause, and shall take whatever reasonable steps are necessary to relieve the effect of such cause as promptly as possible. No such event shall excuse the payment of any sums due and payable hereunder on the due date thereof except any payment due upon the occurrence of any act or event for which delayed performance is excused as provided above.

8. Remedy: If an Event of Default occurs, the obligation of the City as set out herein shall immediately terminate. Additionally, if an Event of Default involves either the Company not being the owner of the Property and the Improvements or the Property and the Improvements being deemed tax exempt for property tax purposes, the Company shall make a repayment to the City of grant payments made by the City to the Company pursuant to this Agreement as follows:

(i) If such Event of Default occurs on or before December 31, 2023, the repayment amount shall be 100% of the grant payments.

(ii) If such Event of Default occurs on or after January 1, 2024, and on or before December 31, 2024, the repayment amount shall be 67% of the grant payments.

(iii) If such Event of Default occurs on or after January 1, 2025, and on or before December 31, 2025, the repayment amount shall be 34% of the grant payments.

9. The Company and the City acknowledge that any monies appropriated and expended by the City for economic development incentives, as provided in this Agreement, are for a bona fide public purpose and are extended in good faith reliance on North Carolina General Statute § 158-7.1. Such incentive grants may be paid by the City from any fund sources of its choice. In the event a court of competent jurisdiction, after final appeal, rules, to which either the Company or the City is a party, that all monies expended by the City pursuant to this Agreement were not offered and accepted in

good faith and in compliance with North Carolina General Statute § 158-7.1 and, further, that such monies must be repaid, the Company will make such repayment to the City. In the event one or more lawsuits are brought against the City or any City elected official, officer, agent or employee, or the Company, challenging the legality of this Agreement, then the City and the Company shall exercise their best efforts to defend against any and all such lawsuits.

10. All notices, certificates or other communications required or permitted to be given or served hereunder shall be deemed given or served in accordance with the provisions of this Agreement if the notice is (i) mailed in a sealed wrapper and is deposited in the United States mail, certified mail, return receipt requested, postage prepaid, or (ii) deposited with a national overnight courier service that retains receipts for its deliveries, properly addressed as follows:

City: City of Greenville  
Attn: City Manager  
P.O. Box 7207  
Greenville, NC 27835

Company: Taft Family Ventures  
Attn: Thomas F. Taft Sr.  
PO Box 566  
Greenville, NC 27835

The City or the Company may, by notice given to the other, designate any further or other different addresses to which notices, certificates, requests or other communications shall be sent.

11. This Agreement shall inure to the benefit of, and is binding upon, the City and the Company and their respective successors and assigns. However, neither this Agreement nor any rights, privileges, or claims created by this Agreement may be transferred by the Company without the prior, written approval of the City. An instrument shall be filed in the Office of the Register of Deeds of Pitt County which provides notice that the Property is subject to the conditions, requirements, and restrictions as contained in this Agreement. The instrument shall be indexed in

the name of the Company in the grantor index.

12. Except as otherwise provided in this Agreement, this Agreement may not be amended, changed, modified or altered except by written agreement of the parties.

13. If any provision of this Agreement is held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this Agreement.

14. This Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, and it shall not be necessary in making proof of this Agreement to produce or account for more than one such fully executed counterpart.

15. This Agreement shall be governed by and shall be construed in accordance with the laws of the State of North Carolina; venue of any action shall be in the general court of justice in Pitt County, or if in federal court, in the Eastern District of North Carolina.

16. The term of this Agreement shall commence on the date of execution and expire on January 1, 2028, unless earlier terminated as provided herein.

17. Both the Company and the City acknowledge and stipulate that this Agreement is the product of mutual negotiation and bargaining, and that it has been drafted by counsel for both the Company and the City. As such, the doctrine of construction against the drafter shall have no application to this Agreement.

18. E-Verify Requirements. (A) If this contract is awarded pursuant to North Carolina General Statutes (NCGS) 143-129 – (i) the Company represents and covenants that the Company and its subcontractors comply with the requirements of Article 2 of Chapter 64 of the NCGS; (B) If this contract is subject to NCGS 143-133.3, the Company and its subcontractors shall comply with the requirements of Article 2 of Chapter 64 of the NCGS.



IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year first above written.

City of Greenville

By: \_\_\_\_\_  
PJ Connelly, Mayor

Attest:  
(SEAL)

\_\_\_\_\_  
Carol L. Barwick, City Clerk

Taft Family Ventures

By: \_\_\_\_\_  
Thomas F. Taft, Sr., Manager

**APPROVED AS TO FORM:**

BY: \_\_\_\_\_  
Emanuel McGirt, City Attorney

**PRE-AUDIT CERTIFICATION:**

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

BY: \_\_\_\_\_  
Byron Hayes, CPA, Director of Financial Services

STATE OF NORTH CAROLINA  
COUNTY OF PITT

I, \_\_\_\_\_ a Notary Public of said county and state, certify that Carol L. Barwick personally came before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipal corporation, and that by authority duly given and as the act of the City of Greenville, the foregoing instrument was signed in its name by its Mayor, sealed with the City Seal, and attested by herself as City Clerk.

Witness my hand and seal this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF PITT

I, \_\_\_\_\_, Notary Public in and for the aforesaid County and State, do hereby certify that Thomas F. Taft, Sr., Manager of Consolidated Management of Greenville INC., D.B.A Taft Family Ventures, a limited liability company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of the limited liability company.

Witness my hand and seal this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

EXHIBIT A

ANNUAL CERTIFICATION

TO: City of Greenville  
ATTN: City Manager  
P.O. Box 7207  
Greenville, NC 27835

This Certificate is delivered pursuant to Section 6 of the Economic Development Agreement (the "Agreement") dated April \_\_\_\_, 2019, between the City of Greenville ("City") and Taft Family Ventures ("Company"). Any capitalized term not otherwise defined herein shall have the meaning assigned to such term in the Agreement. The terms of the Agreement are incorporated into this Certificate as if fully set forth herein.

I, \_\_\_\_\_, do hereby certify, for and on behalf of the Company, that

- (a) The following Improvements were made during the Improvement Period from May 1, 2019, through December 31, 2019:
- (b) The amount of the personal and real property valuations of the Property and Improvements, as of January 1, 20\_\_, are in the amount of \_\_\_\_\_.
- (c) Proof of taxes paid is attached to this certificate.

Certified, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Consolidated Management of Greenville INC., D.B.A Taft Family Ventures

By: \_\_\_\_\_

Title: \_\_\_\_\_



## City of Greenville, North Carolina

Meeting Date: 4/11/2019  
Time: 6:00 PM

---

**Title of Item:** Stormwater Utility Fee Alternatives

**Explanation:** **Abstract:** City staff presented recommendations and other alternatives in relation to future stormwater fees at the March 27, 2019 City Council Workshop. Council provided input at the meeting and directed staff to present two alternatives for stormwater fees at the April 11, 2019 City Council meeting. Staff will present the two alternatives.

**Explanation:** In August 2016, after presentation of the Watershed Master Plans to City Council, Public Works was directed to assemble a stakeholders group to complete a utility rate study linking maintenance, capital improvement needs, financing, and policy.

The Stormwater Advisory Committee (SWAC) met 14 times over the last two years and presented recommended changes to the extent and level of service, capital project implementation, and impacts to utility rate. City staff provided additional information on the SWAC recommendation and other alternatives for a sustainable Stormwater Management Program at the February 11, 2019 City Council Workshop. These alternatives detailed levels of service and capital project implementation for various utility rates.

Council provided input at the February workshop, which staff utilized to develop two additional alternatives. Staff presented an overview of the two alternatives at the March 25, 2019 City Council Workshop. At the March workshop, Council provided staff additional guidance and directed staff to present the two alternatives for stormwater fees at the April 11, 2019 City Council meeting.

The following is a summary of the two alternatives:

Alternative A: Includes a \$2.00 increase in the ERU rate over a five year period  
Alternative B: Includes a \$4.00 increase in the ERU rate over a five year period

Both alternatives include an increase in the level of preventive maintenance services to be provided in the future by the Stormwater Division. In addition, both alternatives include the funding of stormwater capital projects with a combination of debt and pay-as-you-go funding. Staff will provide a comparative overview of each alternative at the Council meeting.

**Fiscal Note:**

Both alternatives include an increase in the current ERU rate. The increase in rate under both alternatives is modeled to be implemented at the beginning of Fiscal Year 2020-21.

**Recommendation:**

City Council consider the information presented in relation to Alternative A and Alternative B.

---

ATTACHMENTS:

▣ **SW\_Council\_1106943**



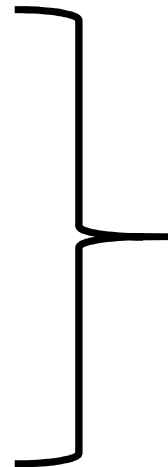
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**STORMWATER ANALYSIS**  
**UTILITY FEE ALTERNATIVES**

# STORMWATER ANALYSIS

## UTILITY FEE ALTERNATIVES

- **Alternative A**
- **Alternative B**



### Evaluated Based On:

1. **Funding Parameters**
2. **Preventive Maintenance Levels**
3. **Projects Funded**



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# **UTILITY FEE ALTERNATIVES**

## **FUNDING PARAMETERS**





# UTILITY FEE ALTERNATIVES

## FUNDING PARAMETERS

| Parameter                                 | Current Plan | Alt. A | Alt. B |
|---|--------------|--------|--------|
| Increase in Rate per ERU Over 5 Years     | \$0.00       | \$2.00 | \$4.00 |
| Monthly Administrative Charge per Account | \$0.00       | \$0.00 |        |
| Minimum Charge of 1 ERU per Account       | No           | No     |        |
| Pay-As-You-Go Funding of Projects         | Yes          | Yes    |        |
| Debt Financing Used to Fund Projects      | No           | Yes    |        |
| Long Range Debt Plan Methodology Used     | No           | Yes    |        |
| Fund Balance Used to Manage Projects      | No           | Yes    |        |



# UTILITY FEE ALTERNATIVES

## FUNDING PARAMETERS

| Year                     | Current Plan    | Alt. A             | Alt. B             |
|--------------------------|-----------------|--------------------|--------------------|
| <b>FY2019</b>            | <b>\$ 5.35</b>  | <b>\$ 5.35</b>     | <b>\$ 5.35</b>     |
| <b>FY 2020</b>           | <b>5.35</b>     | <b>5.35</b>        | <b>5.35</b>        |
| <b>FY 2021</b>           | <b>5.35</b>     | <b>6.35</b>        | <b>6.35</b>        |
| <b>FY 2022</b>           | <b>5.35</b>     | <b>7.35</b>        | <b>7.35</b>        |
| <b>FY 2023</b>           | <b>5.35</b>     | <b>7.35</b>        | <b>8.35</b>        |
| <b>FY 2024</b>           | <b>5.35</b>     | <b>7.35</b>        | <b>9.35</b>        |
| <br><b>5 Yr Increase</b> | <br><b>\$ -</b> | <br><b>\$ 2.00</b> | <br><b>\$ 4.00</b> |



# UTILITY FEE ALTERNATIVES

## FUNDING PARAMETERS

| Fee Type   | Current Plan | Alt. A      | Alt. B      |
|--|--------------|-------------|-------------|
| <b>Projected Monthly Fees at 5th Year:</b>             |              |             |             |
| Box Store  | \$ 866.70    | \$ 1,190.70 | \$ 1,514.70 |
| Fast Food Restaurant                                   | 107.00       | 147.00      | 187.00      |
| Residential (Tier II)                                  | 10.70        | 14.70       | 18.70       |
| Apartment (Multi-Story)                                | 1.76         | 2.42        | 3.08        |
| <b>Projected Monthly Difference From Current Plan:</b> |              |             |             |
| Box Store  |              | \$ 324.00   | \$ 648.00   |
| Fast Food Restaurant                                   |              | 40.00       | 80.00       |
| Residential (Tier II)                                  |              | 4.00        | 8.00        |
| Apartment (Multi-Story)                                |              | 0.66        | 1.32        |



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# **UTILITY FEE ALTERNATIVES**

# **PREVENTIVE MAINTENANCE LEVELS**



# UTILITY FEE ALTERNATIVES

## PREVENTIVE MAINTENANCE LEVELS

| Levels                                    | Current Plan  | Alt. A            | Alt. B |
|---|---------------|-------------------|--------|
| Inspections of New Infrastructure         | 10.0%         | 50.0%             |        |
| Public Channels Cleaned                   | Every 2 Years | Every Year        |        |
| Catch Basins Cleaned/Inspected            | Every 5 Years | Every 2.5 Years   |        |
| All Pipes Cleaned/Inspected               | As Needed     | Every 7 Years     |        |
| Utility Bill Audits                       | None          | Yes               |        |
| Condition Assessment                      | None          | 20 Yr Full Review |        |
| Annual Funding for Preventive Maintenance | \$0.00        | \$1,500,000       |        |



# UTILITY FEE ALTERNATIVES

## PREVENTIVE MAINTENANCE LEVELS

| Service Levels                             |                    |
|--|--------------------|
| Inspections of New Infrastructure          | 50.0%              |
| Public Channels Cleaned                    | Every Year         |
| Catch Basins Cleaned/Inspected             | Every 2.5 Years    |
| All Pipes Cleaned/Inspected                | Every 7 Years      |
| Utility Bill Audits                        | Yes                |
| Condition Assessment                       | 20 Yr Full Review  |
| <b>Annual Funding for Preventive Maint</b> | <b>\$1,500,000</b> |

=

| Operational Requirements          |             |
|-----------------------------------|-------------|
| Staffing Requirements (Positions) |             |
| Stormwater Billing Technician     | 1.0         |
| Asset Manager                     | 1.0         |
| CCTV Inspection Coordinator       | 1.0         |
| Camera Operator                   | 1.0         |
| Construction Inspector            | 2.0         |
| Construction Workers              | 2.0         |
| Sr. Construction Worker           | 2.0         |
| Equipment Operator                | 2.0         |
| Heavy Equipment Operator          | 4.0         |
| <b>Total Positions</b>            | <b>16.0</b> |
| Equipment Requirements            |             |
| Inspector Vehicles                | 2.0         |
| Tracked Excavator                 | 1.0         |
| Regular Sized Truck               | 4.0         |
| Oversized Truck                   | 1.0         |
| Jet-Vac Truck                     | 1.0         |

**Preventive Maintenance Staffing to be Phased in Over Two Fiscal Years Starting FY2019-20 (i.e. Next Year)**



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# **UTILITY FEE ALTERNATIVES**

# **PROJECT FUNDING LEVELS**



## UTILITY FEE ALTERNATIVES PROJECT FUNDING LEVELS

| Projects Funded Over 5 Years |             |       |
|------------------------------|-------------|-------|
| Pay-As-You-Go                | Debt Funded | Total |

|              |              |      |              |
|--------------|--------------|------|--------------|
| Current Plan | \$ 5,000,000 | \$ - | \$ 5,000,000 |
|--------------|--------------|------|--------------|

|             |              |              |               |
|-------------|--------------|--------------|---------------|
| Alternate A | \$ 9,200,000 | \$ 6,000,000 | \$ 15,200,000 |
|-------------|--------------|--------------|---------------|

|             |               |               |               |
|-------------|---------------|---------------|---------------|
| Alternate B | \$ 10,500,000 | \$ 15,000,000 | \$ 25,500,000 |
|-------------|---------------|---------------|---------------|





# UTILITY FEE ALTERNATIVES

## ESTIMATED PROJECTS FUNDED

| Project   | Alt. A         | Alt. B         |
|---|----------------|----------------|
| <b>St. Andrews Stream Bank (SB) Stabilization</b>           | ✓              | ✓              |
| <b>Cedar Lane Pipe Network Upgrade</b>                      | ✓              | ✓              |
| <b>Elm Street Pipe Network Upgrade</b>                      | ✓              | ✓              |
| <b>GMR Floodplain Benching</b>                              | ✓              | ✓              |
| <b>Emergency Repairs</b>                                    | ✓              | ✓              |
| <b>Bank Stabilization (Private Property)</b>                | ✓              | ✓              |
| <b>Forest Hill Drive SB Stabilization</b>                   |                | ✓              |
| <b>Greenbrier Pipe Network Upgrade</b>                      |                | ✓              |
| <b>Cedar Lane SB Stabilization</b>                          |                | ✓              |
| <b>GMR Culvert Crossing Upgrades &amp; SB Stabilization</b> |                | ✓              |
| <b>Total</b>  | <b>\$15.2M</b> | <b>\$25.5M</b> |
| <b>5 Year Increase in ERU</b>                               | <b>\$2.00</b>  | <b>\$4.00</b>  |



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**STORMWATER ANALYSIS**  
**LOOKING FORWARD...**

| Year        | Alternate A |             | Alternate B |             |
|-------------|-------------|-------------|-------------|-------------|
|             | Rate        | Change      | Rate        | Change      |
| 2019        | \$ 5.35     | \$ -        | \$ 5.35     | \$ -        |
| 2020        | 5.35        | -           | 5.35        | -           |
| <b>2021</b> | 6.35        | <b>1.00</b> | 6.35        | <b>1.00</b> |
| 2022        | 7.35        | <b>1.00</b> | 7.35        | <b>1.00</b> |
| 2023        | 7.35        | -           | 8.35        | <b>1.00</b> |
| 2024        | 7.35        | -           | 9.35        | <b>1.00</b> |
| 2025        | 7.35        | -           | 9.35        | -           |
| 2026        | 8.35        | <b>1.00</b> | 9.35        | -           |
| 2027        | 8.85        | <b>0.50</b> | 9.35        | -           |
| 2028        | 8.85        | -           | 9.35        | -           |
| 2029        | 8.85        | -           | 10.35       | <b>1.00</b> |
| 2030        | 8.85        | -           | 10.85       | <b>0.50</b> |
| 2031        | 9.85        | <b>1.00</b> | 10.85       | -           |
| 2032        | 9.85        | -           | 10.85       | -           |
| 2033        | 9.85        | -           | 10.85       | -           |
| 2034        | 9.85        | -           | 11.85       | <b>1.00</b> |
| 2035        | 9.85        | -           | 11.85       | -           |
| 2036        | 10.85       | <b>1.00</b> | 11.85       | -           |
| 2037        | 10.85       | -           | 11.85       | -           |
| 2038        | 10.85       | -           | 11.85       | -           |
| 2039        | 10.85       | -           | 12.85       | <b>1.00</b> |
| 2040        | 10.85       | -           | 12.85       | -           |
| 2041        | 11.85       | <b>1.00</b> | 12.85       | -           |
| 2042        | 11.85       | -           | 12.85       | -           |
| 2043        | 11.85       | -           | 12.85       | -           |
| 2044        | 11.85       | -           | 13.85       | <b>1.00</b> |
| 2045        | 11.85       | -           | 13.85       | -           |

# STORMWATER ANALYSIS LOOKING FORWARD...

|               | Rate Increases |                | Projects Funded       |                       |
|---------------|----------------|----------------|-----------------------|-----------------------|
| Years         | Alt. A         | Alt. B         | Alt. A                | Alt. B                |
| Years 1 - 5   | \$ 2.00        | \$ 4.00        | \$ 15,000,814         | \$ 25,567,254         |
| Years 6 -10   | 1.50           | 1.50           | 20,847,590            | 28,230,502            |
| Years 11 - 15 | 1.00           | 1.00           | 23,741,926            | 31,946,649            |
| Years 16 - 20 | 1.00           | 1.00           | 27,927,407            | 33,927,407            |
| Years 21 - 25 | 1.00           | 1.00           | 38,545,679            | 45,345,679            |
| <b>Total</b>  | <b>\$ 6.50</b> | <b>\$ 8.50</b> | <b>\$ 126,063,416</b> | <b>\$ 165,017,491</b> |



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# **STORMWATER ANALYSIS**

## **SUMMARY**

## SUMMARY

| Parameter                                 | Alt. A            | Alt. B        |
|---|-------------------|---------------|
| Increase in Rater per ERU Over 5 Years    | \$2.00            | \$4.00        |
| Monthly Administrative Charge per Account | \$0.00            |               |
| Minimum Charge of 1 ERU per Account       | No                |               |
| Pay-As-You-Go Funding of Projects         | Yes               |               |
| Debt Financing Used to Fund Projects      | Yes               |               |
| Long Range Debt Plan Methodology Used     | Yes               |               |
| Fund Balance Used to Manage Projects      | Yes               |               |
| Inspections of New Infrastructure         | 50.0%             |               |
| Public Channels Cleaned                   | Every Year        |               |
| Catch Basins Cleaned/Inspected            | Every 2.5 Years   |               |
| All Pipes Cleaned/Inspected               | Every 7 Years     |               |
| Utility Bill Audits                       | Yes               |               |
| Condition Assessment                      | 20 Yr Full Review |               |
| Annual Funding for Preventive Maintenance | \$1,500,000       |               |
| Total Projects Over 5 Years               | \$ 15,200,000     | \$ 25,500,000 |

# UTILITY FEE ALTERNATIVES QUESTIONS





City of Greenville,  
North Carolina

Meeting Date: 4/11/2019  
Time: 6:00 PM

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**Title of Item:** Recommendations from the Environmental Advisory Commission regarding greenhouse gas emissions and proposed revisions to the federal definition of "Waters of the US" in the Federal Clean Water Act

**Explanation:** At their meeting on March 7, 2019, the Environmental Advisory Commission adopted resolutions pertaining to (1) greenhouse gas emissions and (2) the EPA proposed revisions to the federal definition of "Waters of the US" in the Federal Clean Water Act, and recommended that the resolutions be forwarded to City Council for their consideration. In accordance with the Policy on Mayor and Council Members Adding an Agenda Item, any member of City Council may place the recommendation on a City Council agenda for discussion or action, and Council Member Rick Smiley requested this item be placed on the agenda.

**Fiscal Note:** No direct cost to consider the request

**Recommendation:** Discuss the resolutions proposed by the Environmental Advisory Commission

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ATTACHMENTS:

- ▣ 2019\_EAC\_Greenhouse\_Emissions\_Resolution\_1106886
- ▣ 2019\_EAC\_WOTUS\_Resolution\_1106888



## Sustainable Energy Promise: resolution to the Environmental Advisory Commission and the Greenville City Council.

WHEREAS, in March of 2007 the City Council adopted a resolution to become part of the US Conference of Mayors Climate Protection Agreement, also known as Cool Cities; and said Climate Protection Agreement included a commitment to combat global warming by implementing procedures to curb the increase of man-made CO<sub>2</sub> and other greenhouse gas emissions; and various departments of city government initiated changes to increase efficiency of energy use and improve measures to incorporate sustainability in their operations; and an overall plan to reduce greenhouse gas emissions to include measures of current emissions, adoption of quantifiable goals and sustained community education was not developed; and

WHEREAS, The Fourth National Climate Assessment report, from the U.S. government's Global Change Research Program issued November 2018, states that Earth's climate is now changing faster than at any point in the history of modern civilization and such changes will lead to the increased frequency of extreme weather events, such as severe hurricanes, sea level rise and flooding; and emissions caused by use of fossil fuels in electric power generation and vehicular combustion engines are leading contributors to chronic health problems such as respiratory disease and cardiovascular illnesses; and such emissions are also affecting the health of oceans and marine fisheries; and

WHEREAS, the most recent analyses issued by the Intergovernmental Panel on Climate Change in October 2018 underline the benefit of limiting global warming to 1.5 C from preindustrial levels to avoid significant disruption of the environment; and such limit would require significant changes in our use of fossil fuels; and rapid progress is being made in the development of large-scale projects to produce affordable sustainable energy from wind and solar power and other sources, and vehicles are increasingly switching to electric powered motors, and efficiencies in energy use and conservation are constantly improving; and

WHEREAS, North Carolinians are increasingly aware of and supportive of the role of state and local government in bringing about the necessary changes; Governor Cooper has issued an Executive Order: The State of North Carolina will strive to reduce by 2025 statewide greenhouse gas emissions to 40% below 2005 levels; and in planning for city growth it was noted that "urban quality of life strongly determines whether cities can attract a smart workforce, as well as the innovative new companies employing them";

NOW, THEREFORE BE IT RESOLVED, that the Environmental Advisory Commission of the City of Greenville adopt this resolution, and refer said resolution to the City Council for its approval, and recommend that the Council:

1. Recommit to a goal of reducing greenhouse gas emissions.

2. Require that a plan of action to achieve this objective be incorporated in the work of all departments of city government and its adoption be promoted among all organizations and residents of the city.
3. Direct the creation within city government of an entity, to include staff and relevant stakeholders, which will be responsible for this program, to include responsibility for measuring greenhouse gas emissions, setting baseline, short- and long-term emission objectives consistent with scientifically established norms; development, implementation and evaluation of programs and activities that will achieve a transition to renewable energy.

11/26/18 Approved by the Sierra Club, Cypress Group

3/7/2019 Approved by the Environmental Advisory Commission with additions

#### **ADDITIONAL INFORMATION.**

A) City and County Resolutions in North Carolina

- June 2017 Asheville City Council endorsed a transition to a 100 % renewable energy economy by 2050 and committed to a reduction of emissions by 2% per year (increased to 4%);
- January 2017 Watauga County commissioners adopted a goal of 100% clean energy by 2050
- June 2018 Charlotte City Council adopted a plan to reduce CO2 emissions from 12tCO2/capita to 2tCO2/capita by 2050 and to source 100% of its energy use in municipal buildings and fleet from zero carbon sources by 2030
- 2018 The Town of Hillsborough committed to a transition to 80% renewable energy by 2030 and 100% renewable energy by 2050
- October 2018 Wake County Board of Commissioners voted to transition to 100% clean and renewable energy countywide by 2050;
- February 2019 Apex City Council adopted a goal of using 100% clean energy by 2050.

B) In October 2018 Governor Cooper issued Executive Order NO.80. The State of North Carolina will support the 2015 Paris Agreement goals and honor the state's commitments to the United States Climate Alliance. The State of North Carolina will strive to accomplish the following by 2025:

- Reduce statewide greenhouse gas emissions to 40% below 2005 levels;
- Increase the number of registered, zero-emission vehicles to at least 80,000;
- Reduce energy consumption per square foot in state-owned buildings by at least 40% from fiscal year 2002-2003 levels.

C) In 2018 the Intergovernmental Panel on Climate Change reported "In model pathways with no or limited overshoot of 1.5°C, global net anthropogenic CO2 emissions decline by about 45% from 2010 levels by 2030, reaching net zero around 2050.

**MEMORANDUM**

To the City Council of the City of Greenville, North Carolina  
From the Greenville Environmental Advisory Commission  
Subject: Resolution Regarding Proposed Changes to the Federal Clean Water Act  
Date: March 5, 2019

Since 1972, the Clean Water Act has provided much-needed protection of the waters of the United States from pollution. On February 14, 2019, the U. S. Environmental Protection Agency and the U. S. Army Corps of Engineers jointly published in the Federal Register a proposed “Revised Definition of the Waters of the United States” which would change the Clean Water Act by removing and weakening certain protections (Federal Register, February 14, 2019, pp. 4514 ff.).

The Environmental Advisory Commission of the City of Greenville (EAC) has reviewed the proposed changes to the Clean Water Act and has determined that the changes are not in the public interest of the citizens of Greenville. By removing Federal protection of certain small streams and wetlands, these changes would jeopardize environmental protection, threaten ground and surface water quality, increase the likelihood of flooding and storm damage, and increase the potential for global warming.

The EAC therefore presents the following Resolution to the City Council with the recommendation that it be adopted by Council and submitted through the official Comment process to the proper Federal agencies within the 60-day Comment Period of the proposal as established in the Federal Register notice. The Ending Date for Comments is April 15, 2019. Procedures for submission are given below.

**RESOLUTION TO SUPPORT CONTINUED PROTECTION OF SMALL STREAMS AND WETLANDS UNDER THE CLEAN WATER ACT**

**WHEREAS**, on February 14, 2019, the U.S. Environmental Protection Agency and U.S. Army Corps of Engineers published in the Federal Register proposed changes to the Clean Water Act as a Revised Definition of Waters of the United States, that would remove Federal protection from certain small streams and wetlands (Federal Register, vol. 84, No. 31, p. 4514 ff.);

**WHEREAS**, the Clean Water Act of 1972 was an historic Act passed by Congress to protect waters of the United States, which has succeeded in keeping our waters clean for nearly 50 years;

**WHEREAS**, the small streams and wetlands proposed to be excluded from protection are critical to the health of larger streams and rivers such as the Tar River which provides water to Greenville;

**WHEREAS**, groundwater is recharged and interconnected with small and intermittent streams and wetlands as well as with larger streams;

**WHEREAS**, the Tar River is the source water for the Greenville Utilities water treatment plant, and the Tar-Pamlico River basin provides drinking water, industrial water, and recreation opportunities to approximately 350,000 users in nineteen counties;

**WHEREAS**, the protection of small streams and wetlands serves to prevent and control flooding and storm impacts;

**WHEREAS**, the removal of Federal regulatory protections of small streams and wetlands would open the door to unregulated filling, dumping, and draining, which would aggravate downstream flooding and erosion, and endanger water supplies;

**WHEREAS**, much of eastern North Carolina including Greenville has experienced serious increased flooding and storm impacts in recent years;

**WHEREAS**, all wetlands, including isolated wetlands, act as carbon sinks which store excess carbon from the atmosphere, and loss of protection promotes their degradation and the release of significant amounts of carbon into the atmosphere, increasing global warming;

**WHEREAS**, the outdoor beauty and unspoiled nature of the Tar River and its tributaries are integral to recreation as well as attracting tourism to the region;

**WHEREAS**, the loss of Federal protections in these streams and wetlands would jeopardize water quality in the Tar River and local domestic, agricultural, and business water supplies, and would lead to increased flooding, thus adversely affecting our local economy;

**WHEREAS**, the City of Greenville has an interest in the protection of public health, protection of its water supply, protection from flooding and storm impacts, protection of natural and cultural resources, and promotion of economic and community development within the region; and Greenville also has an interest in how the loss of Federal protections for streams may affect its citizens.

**THEREFORE**, the City Council of the City of Greenville, North Carolina **HEREBY RESOLVES** that it is in the public interest of Greenville citizens to continue strong Federal protections of small streams and wetlands as part of the Clean Water Act, and resolves that the proposed new regulations removing such Federal protections are not in the public interest. Further, the City of Greenville submits this Resolution as Comments to the Revised Definition of Waters of the United States as published in the Federal Register on February 14, 2019. Comments are submitted to the U.S. Environmental Protection Agency and the U. S. Army Corps of Engineers referring to Docket No. EPA-HQ-OW-2018-0149, within the 60-day comment period ending April 15, 2019.