



Agenda

Greenville City Council

December 13, 2007
7:00 PM
City Council Chambers

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

I. Call Meeting To Order

II. Invocation - Mayor Dunn

III. Pledge of Allegiance

IV. Roll Call

V. Approval of Agenda

VI. Special Recognitions

VII. Appointments

1. Appointments to Boards and Commissions

VIII. Consent Agenda

2. Minutes of the November 5 regular City Council meeting, November 8 special City Council/Greenville Utilities Commission meeting, November 8 regular City Council meeting, November 19 special City Council meeting, and November 19, 2007 regular City Council meeting
3. Request from Place Properties for 30' easement on First Street property
4. Resolution accepting dedication of rights-of-way and easements for Manning Forest Subdivision
5. Interlocal Agreement with the City of Kinston for building inspection services

6. Grant from the United States Environmental Protection Agency for Brownfield Assessment in West Greenville
7. Report on bids awarded
8. Various tax refunds

IX. New Business

9. Presentations by boards and commissions
 - a. Investment Advisory Committee
 - b. Public Transportation and Parking Commission
 - c. Police Community Relations Committee

Public Hearings

10. Public hearing and second reading of an ordinance for G-Vegas Limo Service to operate two limousines from 3211 South Memorial Drive
11. Ordinance requested by David Hill to rezone 1.6177 acres located at the southeast corner of the intersection of Greenville Boulevard and Belvedere Drive from R9S (Residential [Medium Density]) and O (Office) to O (Office) and CG (General Commercial)
12. Ordinance requested by Antonio and Elizabeth Ponce to rezone 0.24± acres located along the eastern right-of-way of Memorial Drive and 100± feet north of Pine Street from R6S (Residential-Single-family [Medium Density]) to O (Office)
13. Ordinance requested by Alva W. Worthington to rezone 57.297 acres located along the eastern right-of-way of County Home Road and adjacent to The Bellamy Apartments and Kittrell Farms Subdivision from RA20 (Residential-Agricultural) to R6 (Residential [High Density Multi-family]) and R6A (Residential [Medium Density Multi-Family]).
14. Ordinance requested by Springshire Retirement, LLC to rezone 7.990 acres located 1,100± feet north of NC Highway 43 and 400± feet west of Martin Luther King, Jr. Highway from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family])
15. Ordinance requested by Donald R. Hatcher to rezone 13.78 acres located along the southern right-of-way of Davenport Farm Road and adjacent to Brighton Place Subdivision from RA20 (Residential-Agricultural) to R6S (Residential-Single-family [Medium Density])
16. Ordinance requested by Bill Clark Homes of Greenville, LLC to rezone 27.58 acres located 2,000± feet south of Greenville Boulevard and adjacent to Oakdale Park and Langston Farms Subdivision from RA20 (Residential-Agricultural) to R6S (Residential-Single-family [Medium Density])
17. Ordinance requested by Alma Paramore Heirs, Snodie Paramore, Jr., Thomas Moye, Darwin Paramore et. al. to rezone 15.0824 acres located at the northeast corner of the intersection of

Evans Street and Fire Tower Road from RA20 (Residential-Agricultural) to CG (General Commercial) and O (Office)

18. Ordinance requested by Sheila M. Johnson to rezone 0.399 acres located along the western right-of-way of Dickinson Avenue, 100± feet south of Westwood Drive, and 250± feet north of Arlington Boulevard from R9 (Residential [Medium Density]) to O (Office)
19. Zoning ordinance amendment requested by the Community Development Department to amend the RA20 district table of uses by deleting the use entitled "Hospital" as a special use and to amend the MS and MO district table of uses to include the use entitled "Hospital" as a permitted use
20. Ordinance to annex Emerald Park, Phase 1, Section 2 containing 13.3455 acres located north of Davenport Farm Road and west of Thomas Langston Road
21. Ordinance to annex Ward Holdings, LLC property containing 2.50 acres located north of Thomas Langston Road and east of Langston Townhomes
22. Ordinance to annex Tucker Commercial Park Future Lots 4, 5, 6, and 7 containing 8.53 acres located east of Memorial Drive and south of Whitley Drive
23. Ordinance requiring the repair or the demolition and removal of the dwelling located at 703 Douglas Avenue

Public Comment Period

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

Other Items of Business

24. Acceptance of gift of property from E.R. Lewis Construction Co., Inc.
25. Economic Development Administration (EDA) Grant for Greenville Utilities Commission Aquifer Storage & Recovery (ASR) Project
26. North Carolina Rural Center Grant for Greenville Utilities Commission Aquifer Storage & Recovery (ASR) Project
27. Bid award for two 75-foot heavy-duty aluminum pumper/ladder fire trucks
28. Contract award for the Dickinson Avenue Relocation Project

29. Budget ordinance amendment #5 to the 2007-2008 City of Greenville budget and to ordinance 97-1 Convention Center Capital Project, and an ordinance establishing a special revenue budget for the Community Oriented Policing Services (COPS) Law Enforcement Technology Grant

30. 2008 City Council Meeting Schedule

X. Comments from Mayor and City Council

XI. City Manager's Report

XII. Adjournment



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Appointments to Boards and Commissions

Explanation: City Council appointments need to be made to the Community Appearance Commission and Redevelopment Commission, and Council Member Joyner needs to announce his appointee to the Police Community Relations Committee.

Fiscal Note: No fiscal impact.

Recommendation: To make appointments to the Community Appearance Commission and Redevelopment Commission, and for Council Member Joyner to announce his appointee to the Police Community Relations Committee.

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

Appointments To Boards and Commissions

December 13, 2007

Community Appearance Commission

Council Liaison: Council Member Larry Spell

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Ginger Eckermann	Second term	Resigned	July 2009
Kishen Rao	First term	Resigned	July 2010

Police Community Relations Committee

Council Liaison: Council Member Rose Glover

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
John Reed (District #5)	First term	Resigned	October 2007

Redevelopment Commission

Council Liaison: Council Member Max Joyner, Jr.

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Minnie Anderson (Council Member Glover)	Initial/Final term	Ineligible	November 2007

Applicants for Community Appearance Commission

Robert Waddell
109-B Sara Lane
Greenville, NC 27834

Application

6/19/2007

373-2909

Applicants

Board/Commission: Police Community Relations Committee

Norwood Bradshaw 4099 Countrydown Drive Greenville, NC 27834	Home Phone: 758-4872	Application Date: 06/18/2007	District: 1
Terry King 1310 Thomas Langston Road, Unit 7 Winterville, NC 28590	Home Phone: 321-6996	Application Date: 09/10/2007	District: 5
Bari Muhammed 302 Sedgefield Drive Greenville, NC 27834	Home Phone: 301 367-3690	Application Date: 09/24/2007	District: 2
Chad Reynolds 104 Marion Drive Greenville, NC 27858	Home Phone: 321-6311	Application Date: 9/18/2007	District: 5
Wayne Whipple 3102 Cleere Court Greenville, NC 27858	Home Phone: 321-0611	Application Date: 07/18/2007	District: 4

Applicants for Redevelopment Commission

Marvin Arrington 1812 Bradford Drive, Apt. 68 Greenville, NC 27858	258-1921	Application	11/19/2007
Melissa Grimes 3006 Phillips Road Greenville, NC 27834	355-3078	Application	11/9/2007
Jeremy Jordan 707-A West 4th Street Greenville, NC 27834	551-9091	Application	11/16/2006
Evan Lewis 3402 Dunhaven Drive Greenville, NC 27834	353-6997	Application	7/17/2007
Wayne M. Whipple 3102 Cleere Court Greenville, NC 27858	321-0611	Application	7/18/2007



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Minutes of the November 5 regular City Council meeting, November 8 special City Council/Greenville Utilities Commission meeting, November 8 regular City Council meeting, November 19 special City Council meeting, and November 19, 2007 regular City Council meeting

Explanation: The minutes of the November 5 regular City Council meeting, November 8 special City Council/Greenville Utilities Commission meeting, November 8 regular City Council meeting, November 19 special City Council meeting, and November 19, 2007 regular City Council meeting have been prepared and are ready for Council consideration.

Fiscal Note: None

Recommendation: Approval of the minutes of the November 5 regular City Council meeting, November 8 special City Council/Greenville Utilities Commission meeting, November 8 regular City Council meeting, November 19 special City Council meeting, and November 19, 2007 regular City Council meeting.

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Attachments / click to download

- [November 5 2007 City Council Minutes 728629](#)
- [November 8 2007 Joint City Council Greenville Utilities Commission Minutes 731476](#)
- [November 8 2007 City Council Minutes 728456](#)
- [November 19 2007 Special Meeting City Council Minutes 731477](#)
- [November 19 2007 City Council Meeting Minutes 731490](#)

MINUTES PROPOSED FOR ADOPTION BY CITY COUNCIL

Greenville, NC
November 5, 2007

The Greenville City Council met in a regular meeting on the above date at 6:00 PM in the City Council Chambers, third floor of City Hall, with Mayor Robert D. Parrott presiding. The meeting was called to order, followed by the invocation by Council Member Ray Craft and the pledge of allegiance to the flag. The following were present.

Mayor Robert D. Parrott
Mayor Pro-Tem Mildred A. Council
Council Member Ray Craft
Council Member Pat Dunn
Council Member Rose H. Glover
Council Member Chip Little
Council Member Larry Spell
Wayne Bowers, City Manager
Wanda T. Elks, City Clerk
David A. Holec, City Attorney

APPROVAL OF AGENDA

Motion was made by Council Member Craft and seconded by Council Member Spell to approve the agenda as presented. Motion carried unanimously.

SPECIAL RECOGNITIONS

Mrs. Gloria Kesler and Mr. Eric Griffin, Co-Chairs of the United Way Campaign, presented the annual report to Council, indicating that it has gone far beyond what was anticipated for this year. The goal was set at \$75,000, and over \$90,000 was raised. In addition to the traditional softball tournament, chili cook-off, and hammock raffle, new ideas were implemented this year, including a golf tournament. The golf tournament raised \$3000 with only four months to plan. This year, the Fire/Rescue Department raised over \$23,854, almost doubling the goal set for them. She thanked everyone on the committee.

City Manager Bowers stated that six years ago, \$40,000 was raised and this year \$90,000 was raised. The co-chairs and the committee have done an outstanding job. The City Manager presented certificates of participation to Mrs. Kesler and Mr. Griffin for their leadership.

Mayor Parrott recognized Pack 340 Bear Cubs from St. James United Methodist Church, led by Greg House.

CONSENT AGENDA - APPROVED

Motion was made by Council Member Craft and seconded by Council Member Spell to approve all items listed on the consent agenda. Motion carried unanimously.

- 1) Minutes from the October 8, 2007 and October 11, 2007 City Council meetings
- 2) Revision of Board and Commission Policy
- 3) Various tax refunds

<u>Payee</u>	<u>Description</u>	<u>Amount</u>
BMW Financial Services	Refund of City Taxes Paid	\$316.24
Wheels, Limited	Refund of City Taxes Paid	\$142.94
Nancy & Stephen Speers	Refund of City Taxes Paid	\$112.97

- 4) First reading of an ordinance granting a limousine franchise to G-Vegas Limo Service to operate two limousines

PRESENTATIONS BY BOARDS AND COMMISSIONSRedevelopment Commission

Mrs. Minnie Anderson, Chairperson of the Redevelopment Commission, reviewed the "Redevelopment Commission of Greenville Work Plan Update" for the first quarter of 2007-08. She thanked the Redevelopment Commission and the City Council for their hard work and dedication. Mrs. Anderson concluded by stating that there have been many changes in the Redevelopment Commission in the last five years; it has truly made a difference and allowed for positive change. She stated that her term is expiring on the Commission, and it has been a wonderful experience. She will continue to volunteer her services to the homeless and the needy.

Mayor Parrott and Council Member Glover thanked Mrs. Anderson for her service, stating that they owe her a thank you for what she has done for this community.

REVIEW OF NOVEMBER 8, 2007 CITY COUNCIL AGENDA

The Council did a cursory review of the items on the November 8, 2007 City Council meeting agenda and reviewed the appointments to Boards and Commissions.

COMMENTS FROM MAYOR AND CITY COUNCIL

All Council Members reminded the citizens to vote on November 6. The candidates have worked hard for the past three months and have participated in numerous forums and events. Everyone should get out and exercise their right to vote.

Mayor Pro-Tem Council thanked Sylvia Horne and Gwen Turnage from the Community Development Department and Dallas Mayo from the Public Works Department for chaperoning the youth to the Third Annual Youth Summit in Fayetteville in October. Eleven young people attended from Greenville. She thanked the Council Members who supported the youth with

monetary donations. Mayor Pro-Tem Council further stated that the 4-H All-Stars are planning their Mess of Sweet Potatoes project for residents of University Towers.

Council Member Dunn thanked the City employees for the outstanding job on the United Way campaign and for the good leaders.

Mayor Parrott announced that he has called a special meeting for Monday, November 19, at 5:00 in Room 337 of City Hall.

CITY MANAGER'S REPORT

City Manager Bowers asked that a special meeting be called for Thursday, November 8, in Room 337 at 6:30 to meet with the Greenville Utilities Commissioners to discuss the annual renewal of the health insurance program.

Motion was made by Council Member Little and seconded by Council Member Spell to have a special meeting with the Greenville Utilities Commission on Thursday, November 8, in Room 337 of City Hall at 6:30 to discuss the annual renewal of the health insurance program. Motion carried unanimously.

City Manager Bowers reminded the Council that the last regular meeting of this Council will be held on November 19, 2007, at 6:00 p.m. Following the meeting, a reception will be held for the Council Members and their families.

ADJOURN

Motion was made by Council Member Spell and seconded by Council Member Dunn to adjourn the meeting at 6:45 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks, MMC
City Clerk

MINUTES PROPOSED FOR ADOPTION BY CITY COUNCIL

Greenville, NC
November 8, 2007

The Greenville City Council and Greenville Utilities Commission met in a special meeting on the above date at 6:30 PM in Room 337 of City Hall, with Mayor Pro-Tem Mildred A. Council and Greenville Utilities Commission Chair Louis Zincone presiding. The meeting was called to order and the following were present.

Commission Members Present

Chairman L. H. Zincone, Jr.
Commissioner Lester Brown
Commissioner Wayne Bowers
Commissioner Julie Carlson
Commissioner Lynn Evans
Commissioner Don Edmonson
Commissioner Vickie Joyner
Commissioner Freeman Paylor
General Manager Ron Elks

City Council Members

Mayor Pro-Tem Mildred A. Council
Council Member Pat Dunn
Council Member Ray Craft
Council Member Larry spell
Council Member Chip Little
Council Member Rose Glover

Absent: Mayor Robert D. Parrott

APPROVAL OF AGENDA

Motion was made by Council Member Craft and seconded by Council Member Spell to approve the agenda as presented. The motion carried unanimously.

Motion was made by Commissioner Brown and seconded by Commissioner Edmonson to approve the agenda as presented. The motion carried unanimously.

CONSIDERATION OF JOINT COMPENSATION AND BENEFITS COMMITTEE RECOMMENDATIONS FOR HEALTH INSURANCE

City Manager Wayne Bowers stated that the Joint City/Greenville Utilities Commission Compensation and Benefits Committee met and unanimously developed recommendations for

the 2008 health insurance program. The committee members were Council Members Pat Dunn and Rose Glover and Commissioners Julie Carlson and Lester Brown. City Manager Wayne Bowers, GUC General Manager Ron Elks, Assistant City Manager Thom Moton, Greenville Utilities Commission Assistant General Manager Tony Cannon, City Human Resources Director Gerry Case and Greenville Utilities Commission Human Resources Director Patrice Alexander provided staff assistance.

City Manager Bowers pointed out that the recommendation proposed by the Committee was to renew the CIGNA contract for health insurance services beginning January 1, 2008, with a renewal rate increase of 6.0%. Funds are available in the FY 07-08 adopted budgets for both organizations including funding for up to a 10% premium rate increase at mid-year. City Manager Bowers pointed out that only one benefit change is being recommended. Due to recent legislative action, the co-payment for chiropractic care will revert back to the same level as that for other specialist office visits.

Greenville Utilities Commission General Manager Ron Elks thanked the committee members for their work on this process. He pointed out that the proposed 6% increase is one half of the statewide medical inflation trend of 12%. The rate increase and benefit adjustments for 2007 successfully tempered the amount of the 2008 premiums and the need for benefit reductions. The previous renewals have been as follows: 2007 (increase of 7.98% by raising out-of-pocket expenses for co-payments on visits to the primary physician and co-payments for all prescription drugs), 2006 (increase of 5% with no benefit reductions), and 2005 (increase of 9.44% with several reductions in benefit levels).

Motion was made by Council Member Craft and seconded by Council Member Dunn to approve the recommendation made by the Joint City/Greenville Utilities Commission Compensation and Benefits Committee. The motion carried unanimously.

Motion was made by Commissioner Paylor and seconded by Commissioner Brown to approve the recommendation made by the Joint City/GUC Compensation and Benefits Committee. The motion carried unanimously.

ADJOURN

There being no further business to discuss, motion was made by Council Member Craft and seconded by Council Member Spell to adjourn the meeting at 6:38 p.m. Motion carried unanimously.

There being no further business to discuss, motion was made by Commissioner Brown and seconded by Commissioner Evans to adjourn the meeting at 6:38 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks, MMC
City Clerk

MINUTES PROPOSED FOR ADOPTION BY CITY COUNCIL

Greenville, NC
November 8, 2007

The Greenville City Council met in a regular meeting on the above date at 7:00 PM in the City Council Chambers, third floor of City Hall, with Mayor Pro-Tem Mildred A. Council presiding. The meeting was called to order, followed by the invocation by Council Member Dunn and the pledge of allegiance to the flag. The following were present.

Mayor Pro-Tem Mildred A. Council
Council Member Ray Craft
Council Member Pat Dunn
Council Member Rose H. Glover
Council Member Chip Little
Council Member Larry Spell
Wayne Bowers, City Manager
Wanda T. Elks, City Clerk
David A. Holec, City Attorney

ABSENT: Mayor Robert D. Parrott

APPROVAL OF AGENDA

City Manager Bowers asked that the public hearing and second reading of the ordinance for G-Vegas Limousine Service be continued until December 13, 2007. He also indicated that Minnie Anderson would be continuing her comments from the Monday night meeting.

Motion was made by Council Member Craft and seconded by Council Member Spell to approve the agenda as amended. Motion carried unanimously.

SPECIAL RECOGNITIONS

Mr. Cecil Jones was presented with a plaque upon his retirement with 25 years and 2 months of service in the Public Works Department.

Mr. Donald Reese was presented with a plaque upon his retirement with 33 years of service in the Recreation and Parks Department.

Mrs. Minnie Anderson apologized to Council Member Craft for not recognizing him at the meeting on Monday night. She indicated that he has been a great resource for her and her endeavors, and she apologized and wished him much success in the future.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Human Relations Council

Motion was made by Council Member Dunn and seconded by Council Member Spell to reappoint Ariel Lopez and Ben Stephenson to a third one-year term expiring September 2008 and to reappoint Keisha Staton and Stanley Howard to a second one-year term expiring September 2008. Motion carried unanimously.

Investment Advisory Committee

Motion was made by Council Member Little, in the absence of Mayor Parrott, and seconded by Council Member Spell to appoint David Damm to a second three-year term expiring November 2010. Motion carried unanimously.

Police Community Relations Committee

Council Member Craft announced the appointment of Diane Kulik to replace Ronald Mullis to a first two-year term expiring October 2009.

Council Member Little announced that the appointment to replace John Reed, who does not wish to be reappointed, will be continued until December.

Redevelopment Commission

Council Member Craft asked that the replacement for Minnie Anderson, who is not eligible for reappointment, be continued until December 13, 2007.

Motion was made by Council Member Little and seconded by Council Member Craft to appoint Terri Williams to the Redevelopment Commission to replace Max Joyner, for a first five-year term to expire November 14, 2012, replacing Max Joyner, Jr., who was elected as Council Member at the recent election. Motion carried unanimously.

Youth Council

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Spell to appoint JerNettie Burney to the Youth Council to represent Farmville High School for a term to expire September 2008. Motion carried unanimously.

APPOINTMENTS TO THE BLUE RIBBON TASK FORCE TO END CHRONIC HOMELESSNESS

Director of Community Development Merrill Flood reminded the Council that on April 9, 2007, the City Council joined 17 other North Carolina communities by adopting a resolution to support the development and implementation of a Ten-Year Plan to End Chronic Homelessness. Beginning in January 2008, a 30+ member Blue Ribbon Task Force of Pitt County residents will begin work to develop that plan. The management team instrumental in advocating for a plan is

made up of staff members from the City of Greenville, Pitt County, United Way, and the Greenville Community Shelter. This is a request for City Council to approve and appoint the proposed City of Greenville residents invited to serve on the Blue Ribbon Task Force. The list of persons was developed by the management team. City Council may add or delete City representatives recommended for the committee. Pitt County Commissioners will approve all other Pitt County residents. The development of ten-year plans by communities nationwide to end chronic homelessness is a national goal to be completed by 2012. The proposed members are all City residents and include David Batie, Margaret Blackmon, Cassandra Campbell, Raymond Carney, James Corbett, Frank Dawkins, Don Edmonson, Cecil Hardy, Jennifer Holtz, Pam Kesegi, Van Madray, Sharon McLaughlin, Earl Phipps, Omar Skinner, Cheryl Walters and J'Leigh Whalen.

Motion was made by Council Member Craft and seconded by Council Member Dunn to appoint David Batie, Margaret Blackmon, Cassandra Campbell, Raymond Carney, James Corbett, Frank Dawkins, Don Edmonson, Cecil Hardy, Jennifer Holtz, Pam Kesegi, Van Madray, Sharon McLaughlin, Earl Phipps, Omar Skinner, Cheryl Walters and J'Leigh Whalen to represent the City of Greenville for a one-year period from January 2008 through December 2008 on the Blue Ribbon Task Force to End Chronic Homelessness and to allow the Community Development Director to appoint a staff member from the Community Development Department's Housing Division to serve as staff liaison to the committee. Motion carried unanimously.

ORDINANCE REQUESTED BY KEVIN HALTIGAN TO AMEND THE FUTURE LAND USE PLAN MAP FOR THE AREA LOCATED ALONG THE EASTERN RIGHT-OF-WAY OF ALLEN ROAD, SOUTH OF BRIARCLIFF DRIVE, NORTH OF GREEN MILL RUN FROM A "HIGH DENSITY RESIDENTIAL" CATEGORY TO AN "OFFICE/INSTITUTIONAL/MULTI-FAMILY" CATEGORY – ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on October 29 and November 5, 2007 setting this time, date and place for a public hearing to consider a request by Kevin Haltigan, to amend the Future Land Use Plan Map for the area located along the eastern right-of-way of Allen Road, 450± feet south of Briarcliff Drive, 150± feet north of Green Mill Run, and 550± feet deep, containing approximately 24± acres, from a "High Density Residential" category to an "Office/Institutional/Multi-family" category. The Planning and Zoning Commission, at its October 16, 2007 meeting, voted to recommend approval of the request.

Ms. Chantae Gooby, Planner, reminded the Council that it recently changed the process so that a land use plan map amendment and rezoning request could not be heard in the same meeting. Therefore, there is no rezoning request amendment to be considered tonight for this amendment. Ms. Gooby explained the request and stated that it is in compliance with the Comprehensive Plan.

Mayor Pro-Tem Council declared the public hearing open and solicited comments from the audience.

Mr. Ken Malpass, representing the petitioner, stated that this amendment would fill in the hole on the west, north and south of the property and would bring it into conformance with what would be more appropriate to be on a future five-lane road.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Little and seconded by Council Member Spell to adopt the ordinance amending Future Land Use Plan Map for the area located along the eastern right-of-way of Allen Road, south of Briarcliff Drive, north of Green Mill Run, containing approximately 24± acres, from a “High Density Residential” category to an “Office/Institutional/Multi-family category. Motion carried unanimously. (Ordinance No. 07-140)

ORDINANCE REQUESTED BY WARD HOLDINGS, LLC TO AMEND THE FUTURE LAND USE PLAN MAP FOR THE AREA LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF GREENVILLE BOULEVARD AND FOURTEENTH STREET, ALONG GREENVILLE BOULEVARD FROM AN “OFFICE/INSTITUTIONAL/MULTIFAMILY” CATEGORY TO A “COMMERCIAL” CATEGORY AND TO REZONE THE PROPERTY FROM R9S TO CH - DENIED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on October 29 and November 5, 2007 setting this time, date and place for a public hearing to consider a request by Ward Holdings, LLC, to amend the Future Land Use Plan Map for the area located at the southeast corner of the intersection of Greenville Boulevard and Fourteenth Street, 320± feet along Greenville Boulevard and 200± feet deep, containing approximately 1.5 acres from an “Office/Institutional/Multifamily category to a Commercial” category. The Planning and Zoning Commission, at its October 16, 2007 meeting, voted to not recommend approval of the request. To be considered in conjunction with this request is an ordinance and public hearing to consider a request by Ward Holdings, LLC to rezone 1.52 acres located at the southeast corner of the intersection of Greenville Boulevard and Fourteenth Street from R9S to CH. The Planning and Zoning Commission, at its August 21, 2007 meeting, voted to recommend approval of the request. A valid protest petition has been submitted for this rezoning request.

Ms. Chantae Gooby, Planner, provided a history of this request, and stated that staff recommends denial of the land use plan amendment, as it offers no buffer from the homes. Staff also recommends denial of the rezoning. If Council approves the land use request, staff recommends neighborhood commercial instead of heavy commercial. The protest petition represents 25% of the property, and only 5% is required.

Mayor Pro-Tem Council declared the public hearing open and solicited comments from the audience.

Mr. Jim Ward stated that he talked with members of the last three land use planning committees, who indicated that this area was not considered because it was obvious that this corner would be developed, and that the other three corners set the tone. The community is changing. The houses occupying the lots were created as early as the 1950s when Greenville Boulevard only

generated a few thousand trips per day; now it generates 50,000. Changing this property would increase public safety by decreasing the driveway cuts from seven to two. The tax base on the property is now \$400,000, and, if developed as proposed, it would be between \$3 and \$4 million, generating \$45,000 in additional tax revenue that could go toward fighting crime. Most of the homes are rental properties, and people would prefer a nice commercial development. This buffer for the commercial is the strictest of all commercial zones in the city. In 30 years of development, he has never had a protest petition filed against him. He has had discussion with both petitioners, both of whom do not occupy the property that allows them to protest. The property owners want no change to these properties. Mr. Ward stated that the existing land use plan allows for change to occur, and he feels that even if a request is presented that is in conformance with the land use plan, it will be accompanied by a protest petition. The area is in drastic need of a face lift. One of the residents on the corner had tremendous concerns about the safety at this area, and he assured her and those protesting that he would keep their welfare of utmost concern. Mr. Ward asked the Council to consider this request based on the facts. It meets the requirements, and residential property at this location is obsolete. If there was not an active lease on the properties, the houses would have already been removed. He read letters from adjoining property owners stating that they had no problem with the request. Mr. Ward concluded by asking the Council to do what is practical and what best serves the area now and in the future, that being to approve changing the category from Office/Residential to a commercial category.

Mr. John Jackson appeared before Council and stated that his uncle farmed that farm, and that is where his mother and aunt moved to. His mother has passed away; however, his aunt still lives there and would like to continue living on the land without being bothered by high traffic. Mr. Jackson asked the Council to help to keep the land like it is so that his aunt can live and enjoy life the rest of her days.

There being no further comments, the public hearing was closed.

Council Members asked questions of Ms. Gooby regarding the zoning of surrounding properties. Ms. Gooby stated that the entire area, including the Sports Connection, was rezoned to single-family in 2006. The zoning of the Sports Connection was OR when the recreation facility was constructed. As far as the neighborhood commercial area in the vicinity meeting the need, there is a BP station, Trade Mart and car wash on the opposite corners. All the lots on the back side are single-family homes except for one vacant lot. Residential and offices would buffer the single-family neighborhood to commercial property across the street.

Mr. Harry Hamilton, Chief Planner, stated that he presented the recommendations to the Comprehensive Planning Committee, and he is not aware of any consensus or agreement that this intersection would be changed. It was to remain as a buffer transitioning the neighborhood. He is not aware of any intent to rezone this property.

Motion was made by Council Member Spell and seconded by Council Member Craft to deny the request to amend the Future Land Use Plan Map for the area at the southeast corner of the intersection of Greenville Boulevard and Fourteenth Street, along Greenville Boulevard, containing approximately 1.5 acres from an "Office/Institutional/Multifamily category to a Commercial" category. Motion carried unanimously.

Motion was made by Council Member Craft and seconded by Council Member Spell to deny the request to rezone the property and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan. Motion carried unanimously.

ORDINANCE REZONING MARJORIE R. HARRIS PROPERTY LOCATED ALONG THE SOUTHERN RIGHT-OF-WAY OF EAST TENTH STREET, WEST OF OXFORD ROAD, AND EAST OF OLD COURTHOUSE DRIVE FROM RA20 AND R6A TO O - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on October 29 and November 5, 2007 setting this time, date and place for a public hearing to consider a request by Marjorie R. Harris to rezone 2.0447 acres located along the southern right-of-way of East Tenth Street, 220± feet west of Oxford Road, and 250± feet east of Old Courthouse Drive, from RA20 and R6A to O. The Planning and Zoning Commission, at its August 21, 2007 meeting, voted to recommend approval of the request.

Ms. Chantae Gooby, Planner, delineated the property on a map and explained the request. This street does have long term diminished livability. The floodway portion cannot be developed and has been left out of the request.

Mayor Pro-Tem Council declared the public hearing open and solicited comments from the audience.

Mr. Steve Spruill, representing the owner, stated that he first requested that the entire parcel be rezoned to office, and staff requested a buffer. Therefore, the plat was amended to include a buffer. Some of the property is undevelopable, and there is a 20-foot easement and a stream, with floodway limitations and wetlands as well. There is as much as a 115-foot buffer from the area of the property line to the southern line of Brook Valley at the request of the Community Development Department. Bill Clark, an adjoining property owner, sent an e-mail to the Community Development Department stating that he is in favor of this request, which he considers to be a reasonable request.

Mr. Carl Darden, speaking in favor of the request, stated that he lives in Brook Valley, which is not in the proximity of this area. He is in favor of the Council approving this request, as it is a very restrictive zone.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Glover and seconded by Council Member Craft to adopt the ordinance rezoning 2.0447 acres located along the southern right-of-way of East Tenth Street, west of Oxford Road, and east of Old Courthouse Drive, from RA20 to R6A to O. Motion carried unanimously. (Ordinance No. 07-141)

ORDINANCE REZONING DAVID HILL PROPERTY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF GREENVILLE BOULEVARD AND BELVEDERE DRIVE FROM R9 AND O TO O AND CG – CONTINUED TO DECEMBER 13, 2007

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on October 29 and November 5, 2007 setting this time, date and place for a public hearing to consider a request by David Hill to rezone 1.6177 acres located at the southeast corner of the intersection of Greenville Boulevard and Belvedere Drive from R9 and O to O and CG. The Planning and Zoning Commission, at its August 21, 2007 meeting, voted to recommend approval of the request.

Ms. Chantae Gooby, Planner, delineated the property on a map and explained the request. The proposed office zoning is in compliance with the comprehensive plan. Staff has no objection to the request.

Mayor Pro-Tem Council declared the public hearing open and solicited comments from the audience.

Mr. Ken Malpass, representing David Hill, stated that he has developed several properties on Greenville Boulevard.

Mr. David Hill stated that he has developed several properties in town, such as McAlisters and the building across the street, where he recently tore down the old gas station and fixed a mirror image of the McAlisters building. He has met with the adjoining property owners to make sure they had no negative feelings about having the property rezoned, and everyone was positive about what he has planned for the property. He has also met with the trustees and deacons of the church, and everyone was happy that he would be developing this property.

Mr. John Hutchens, a member of the Westhaven Neighborhood Association, stated that he has no objection to the “Office” rezoning and feels that it is appropriate; however, he does have some concern about the rest of the rezoning request. He was a party to the rezoning of Brown & Wood and met several times with the developer during that process. The developer was very receptive to extraordinary buffering. They had extensive discussions and everything the neighborhood asked for, they got. The neighborhood association has not met with Mr. Hill and feels that the neighborhood will not be properly protected. It is impossible to get in and out of the neighborhood as it is, particularly at certain times of the day. He asked that the Council keep in mind that it is not just the immediate neighbors that will be impacted; it is the entire neighborhood.

Council Member Craft expressed concern about there being no opposition expressed from the neighborhood association or anyone else at the Planning and Zoning Commission. Mr. Hill has taken the time to meet with the neighbors and was not aware of any opposition.

Discussion occurred about the buffering that would be required with the requested zoning and with other zonings that might be considered.

Mr. Hutchens stated that the neighborhood association met with the City and Mr. Hill about 10 days ago regarding the request.

Ms. Gooby stated that staff met with three people from the neighborhood last Friday who had questions and concerns.

Mr. Harry Hamilton, Chief Planner, stated that three people from the neighborhood did briefly talk to staff about the rezoning request and staff explained what Mr. Hill was asking for. The residents discussed at length with staff other issues such as the convention center, drainage, etc. Mr. Hill was not a part of this group.

Mr. Hill was asked if he could meet with the neighborhood association and work something out. He responded that he would and apologized for not meeting prior to the Council meeting. He stated that he could have taken care of their concerns. There is currently a traffic light to go in and out of the neighborhood. The rezoning would not interfere with the neighborhood entrance.

There being no one else to speak, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Glover to adopt the ordinance rezoning 1.6177 acres located at the southeast corner of the intersection of Greenville Boulevard and Belvedere Drive from R9 and O to O and CG.

Discussion occurred about the neighborhood meeting with Mr. Hill to try to work out some of the concerns.

A motion was made by Council Member Spell and seconded by Council Member Dunn to continue this request until the December 13, 2007 meeting. Motion failed with a 3:3 vote. (Council Members Dunn, Council and Spell voted in favor of the request. Council Members Craft, Glover and Little voted in opposition.)

The motion originally made by Council Member Craft and seconded by Council Member Glover to adopt the ordinance rezoning 1.6177 acres located at the southeast corner of the intersection of Greenville Boulevard and Belvedere Drive from R9 and O to O and CG was then voted on and failed with a 3:3 vote. (Council Members Craft, Glover and Little voted in favor of the motion. Council Members Dunn, Council and Spell voted in opposition.)

Motion was made by Council Member Spell and seconded by Council Member Dunn to continue this request until the December 13, 2007 meeting. Motion carried unanimously.

ORDINANCE REZONING COLLICE MOORE, ET. AL. PROPERTY LOCATED ALONG THE NORTHERN RIGHT-OF-WAY OF EAST TENTH STREET AND SOUTHEAST OF PORT TERMINAL ROAD, FROM RA20 TO CG - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on October 29 and November 5, 2007 setting this time, date and place for a public hearing to consider a request by Collice Moore et. al. to rezone 0.4622 acres along the northern right-of-way of East Tenth Street and southeast of Port Terminal Road, from RA20 to CG. The

Planning and Zoning Commission, at its August 21, 2007 meeting, voted to recommend approval of the request.

Ms. Chantae Gooby, Planner, delineated the property on a map and explained the request

Mayor Pro-Tem Council declared the public hearing open and solicited comments from the audience.

Mr. Ken Malpass was present to answer questions about the request.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Little to adopt the ordinance rezoning 0.4622 acres along the northern right-of-way of East Tenth Street and southeast of Port Terminal Road, from RA20 to CG. Motion carried unanimously. (Ordinance No. 07-142)

ORDINANCE REZONING READE VENTURES, LLC PROPERTY LOCATED BETWEEN READE CIRCLE AND WEST EIGHTH STREET, ALONG THE SOUTHERN RIGHT-OF-WAY OF DICKINSON AVENUE AND WEST OF EVANS STREET, FROM CDF TO CD - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on October 29 and November 5, 2007 setting this time, date and place for a public hearing to consider a request by Reade Ventures, LLC to rezone 2.4839 acres located between Reade Circle and West Eighth Street, along the southern right-of-way of Dickinson Avenue and 200+ feet west of Evans Street, from CDF to CD. The Planning and Zoning Commission, at its August 21, 2007 meeting, voted to recommend approval of the request.

Ms. Chantae Gooby, Planner, delineated the property on a map and explained the request

Mayor Pro-Tem Council declared the public hearing open and solicited comments from the audience.

Mr. Ken Malpass was present to answer questions about the request.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Little to adopt the ordinance rezoning 2.4839 acres located between Reade Circle and West Eighth Street, along the southern right-of-way of Dickinson Avenue and 200+ feet west of Evans Street, from CDF to CD. Motion carried unanimously. (Ordinance No. 07-143)

ORDINANCE REZONING CITY CENTER, LLC PROPERTY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF DICKINSON AVENUE AND WEST EIGHTH STREET FROM CDF TO CD - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on October 29 and November 5, 2007 setting this time, date and place for a public hearing to consider a request by City Center, LLC to rezone 0.3912 acres located at the southeast corner of the intersection of Dickinson Avenue and West Eighth Street from CDF to CD. The Planning and Zoning Commission, at its August 21, 2007 meeting, voted to recommend approval of the request.

Ms. Chantae Gooby, Planner, delineated the property on a map and explained the request. She stated that this is in compliance with the Center City Revitalization Plan and the Comprehensive Plan.

Mayor Pro-Tem Council declared the public hearing open and solicited comments from the audience.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Dunn and seconded by Council Member Spell to adopt the ordinance rezoning 0.3912 acres located at the southeast corner of the intersection of Dickinson Avenue and West Eighth Street from CDF to CD. Motion carried unanimously. (Ordinance No. 07-144)

ORDINANCE REQUESTED BY EAST CAROLINA CONSTRUCTION COMPANY TO AMEND THE SINGLE-FAMILY RESIDENTIAL ACCESSORY BUILDING STANDARDS TO ALLOW AN ADDITIONAL AND SEPARATE ELECTRIC SERVICE UNDER SPECIFIC CONDITIONS - APPROVED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on October 29 and November 5, 2007 setting this time, date and place for a public hearing to consider a request by East Carolina Construction Company, to amend the single family residential accessory building standards to allow an additional and separate electric service under specific conditions. The Planning and Zoning Commission, at its October 16, 2007 meeting, voted to approve the request.

Mr. Harry Hamilton, Chief Planner, stated that under the proposed regulations, a single-family dwelling that has an existing 400 amperage electric service and no reserve capacity sufficient to serve an accessory building may have a separate electric service for the accessory building. Current rules prohibiting accessory building use as a dwelling are maintained, as well as all applicable accessory building setback and location restrictions. The proposed ordinance will provide reasonable relief in the case of "maxed-out" residential electric service. 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.

Mayor Pro-Tem Council declared the public hearing open and solicited comments from the audience.

Mr. John Paul Corey of East Carolina Construction informed the Council that he requested this amendment, as he is building a pool house, and the electrical service for the house is maxed out. There is not an additional dwelling unit or additional kitchen involved. It is on one piece of property.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Little and seconded by Council Member Craft to adopt the ordinance amending the single family residential accessory building standards to allow an additional and separate electric service under specific conditions. Motion carried unanimously. (Ordinance No. 07-145)

ORDINANCE AMENDING HORIZONS: GREENVILLE'S COMMUNITY PLAN TO INCORPORATE BY REFERENCE THE LAKE ELLSWORTH, CLARK'S LAKE, AND TRIPP SUBDIVISIONS NEIGHBORHOOD REPORT AND PLAN - ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on October 29 and November 5, 2007 setting this time, date and place for a public hearing to consider an ordinance amending Horizons: Greenville's Community Plan to incorporate by reference the Lake Ellsworth, Clark's Lake, and Tripp Subdivision Neighborhood Report and Plan. The Planning and Zoning Commission, at its August 21, 2007 meeting, voted to recommend approval of the request.

Ms. Chantae Gooby, Planner, informed the Council that as part of the Task Force on Preservation of Neighborhoods and Housing's recommendations, City Council's 2006-2007 goals, and Horizons: Greenville's Community Plan recommendations, the Community Development Department has prepared the Lake Ellsworth, Clark's Lake and Tripp Subdivisions Neighborhood Report and Plan. This plan is intended to guide policy and investment decisions for the Lake Ellsworth, Clark's Lake and Tripp Subdivisions.

Mayor Pro-Tem Council declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Spell and seconded by Council Member Little to adopt the ordinance amending Horizons: Greenville's Community Plan to incorporate by reference the Lake Ellsworth, Clark's Lake, and Tripp Subdivision Neighborhood Report and Plan. Motion carried unanimously. (Ordinance No. 07-146)

ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 1307 CHESTNUT STREET - ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on October 29 and November 5, 2007 setting this time, date and place for a public

hearing to consider an ordinance requiring the repair or the demolition and removal of the dwelling located at 1307 Chestnut Street.

Mr. Merrill Flood, Director of Planning and Community Development, stated that the structure located at 1307 Chestnut Street has been vacated and closed for a period of at least six months pursuant to the enforcement of the Minimum Housing Code, to repair or demolish and remove the dwelling located at 1307 Chestnut Street. The ordinance provides that the owner has 90 days to repair or demolish and remove the dwelling and if the owner fails to accomplish this within 90 days, then the City will proceed with repairing or demolishing and removing the dwelling. The initial notice of violation was sent by certified mail on February 27, 2007 to the property owner informing the owner of the minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice to the owner was sent on March 20, 2007, and advised the owner that the dwelling was considered an abandoned structure. The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since June 29, 2003. The tax value on the property as of October 11, 2007 is \$57,900, with a building value of \$13,910 and a land value of \$42,900. The estimated cost to repair the property is \$33,150.

Mayor Pro-Tem Council declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the ordinance requiring the repair or the demolition and removal of the dwelling located at 1307 Chestnut Street. Motion carried unanimously. (Ordinance No. 07-147)

ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 1911 MCCLELLAN STREET - ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on October 29 and November 5, 2007 setting this time, date and place for a public hearing to consider an ordinance requiring the repair or the demolition and removal of the dwelling located at 1911 McClellan Street.

Mr. Merrill Flood, Director of Planning and Community Development, stated that the structure located at 1911 McClellan Street has been vacated and closed for a period of at least six months pursuant to the enforcement of the Minimum Housing Code, to repair or demolish and remove the dwelling located at 1911 McClellan Street. The ordinance provides that the owner has 90 days to repair or demolish and remove the dwelling and if the owner fails to accomplish this within 90 days, then the City will proceed with repairing or demolishing and removing the dwelling. The initial notice of violation was sent by certified mail on March 13, 2007 to the property owner informing the owner of the minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice to the owner was sent on April 4, 2007, and advised the owner that the dwelling was considered an abandoned structure. The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since December 15, 2004. The tax

value on the property as of October 11, 2007 is \$11,392, with a building value of \$9,012 and a land value of \$2,380. The estimated cost to repair the property is \$35,500.

Mayor Pro-Tem Council declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Spell to adopt the ordinance requiring the repair or the demolition and removal of the dwelling located at 1911 McClellan Street. Motion carried unanimously. (Ordinance No. 07-148)

SECOND READING OF AN ORDINANCE GRANTING A LIMOUSINE FRANCHISE TO G-VEGAS LIMO SERVICE TO OPERATE TWO LIMOUSINES – CONTINUED TO DECEMBER 13, 2007

PUBLIC COMMENT PERIOD

Mr. Frank Schenck reported that he is the Vice Chairman for GPAT. He stated that the channel gave candidates free air time to promote their candidacies. The plan was to double the 11% turnout of two years ago. Mr. Schenck thanked the administration and recognized Steve Hawley for giving the City the best government public access channel. He is proud of what GPAT has done with the money the City has granted them. He thanked the Council personally and stated that he wants to continue the good work that has been started. GPAT wants to serve the 400 nonprofits that serve Pitt County.

UPDATE ON DROUGHT

Mr. Ron Elks, General Manager of Greenville Utilities reported that the entire state of North Carolina is now facing a serious drought, with all counties experiencing exceptional to severe drought conditions. The latest state drought monitor report lists Pitt County as suffering from exceptional drought, which is the most severe category. Availability of water treatment capacity has not been a problem for Greenville Utilities thus far; however, no one knows what challenges the future may hold. Many North Carolina water systems have enacted some form of voluntary or involuntary conservation measures due to lack of available raw water or limitations on plant capacity. With no significant rainfall predicted in the near future, these drought conditions will persist and are likely to worsen. A combination of geographical location and an adequate surface water supply has worked in Greenville Utilities' favor and allowed it to meet customers' needs without interruption. At this point, there is no immediate plan to impose mandatory restrictions on water usage. Instead, it is urging customers to voluntarily conserve. It has always communicated the importance of water conservation, but under current conditions, it is important to make the message more visible. On October 22, Governor Easley announced that he was calling upon all North Carolinians to voluntarily cut water consumption by 50%. In addition, each of the State's public water systems, including Greenville Utilities, is being asked to record daily water usage and report this information to the Department of Environment and Natural Resources each week. This data will be used to determine future steps that may be enacted to reduce water consumption during these drought conditions. Greenville Utilities has incorporated the Governor's request to cut water consumption by 50% in ads, television spots and other communications to customers. General Manager Elks concluded by stating that Greenville

Utilities is increasing the frequency and intensity of messages to make the citizens aware of the situation.

Mr. Barrett Lasater, Manager of Plants for Greenville Utilities, displayed and explained State maps that reflected the changes in the drought condition as of May 1, October 23 and October 30, 2007. Pitt County was in the moderate drought range as of May 1, the extreme drought range on October 23, and the moderate/severe drought range on October 30. Pictures were displayed showing the extremely dry condition of the Tar River at Rocky Mount at Highway 97, Tarboro at NC 33, the Old Sparta Bridge, Greenville at the Water Treatment Plant Intake, the Town Common, the Grimesland Bridge, and the Washington Bridge at Highway 17. The pictures reflected extremely dry conditions to the west of Greenville, becoming less so in Greenville. Mr. Lasater explained how the river generally flows easterly; however, there are two times a day when there is a change and it flows in the opposite direction, allowing more water to flow through Greenville, which has a positive and negative effect. The positive effect is that the Tar River contains more water in Greenville than it does farther west. The negative effect is that the salty water could have an effect when it reaches the Water Treatment Plant. It currently reaches as far west as the Grimesland Bridge. The saltwater moving back and forth is a natural phenomenon.

Mr. Lasater explained that the operational strategies that are being implemented are maximizing well production, utilizing impoundment storage, and implementing a water shortage response plan. The short-term contingency plan includes identifying EMS resources for temporary treatment and evaluating alternative water sources (salt mines). The long-term contingency planning including maximizing aquifer storage recovery capacity, evaluating permanent treatment options, evaluating additional raw water storage, and pursuing water system interconnections.

PROGRESS REPORT ON CITY WIRELESS ACCESS

Mr. Rex Wilder, Director of the Information Technology Department, reminded the Council that one of the 2006 and 2007 goals of the City Council was to continue expansion of access to Citywide wireless in order to increase the technological capabilities of the city. Three of the action items to do this were to (1) construct free wireless system in the downtown area, (2) expand existing wireless capabilities at recreation facilities, and (3) evaluate the usage and review technical issues of downtown wireless system to determine the feasibility of expanding the system Citywide. The first and second action items have been completed; Action Item 3 is in progress, and it is expected that a report will be presented prior to December 31. A presentation was made to the Uptown Group on July 26 and September 12, 2006. A conversation was then held with local wireless vendors, with a request for proposals being requested on December 1, 2006. Implementation took place April 14, 2007, with low profile marketing occurring April through October 2007. Testing, evaluation and system modifications took place April through October, 2007, as well. The wireless uptown Greenville high-speed internet access project aims to provide outdoor service to citizens, patrons and visitors in the area bounded by the Tar River to the north, Pitt Street to the west, Reade Circle to the south, and Reade Street to the east. The wireless project provides a competitive advantage and an added incentive to attract more patrons and businesses to the uptown area; provides a convenient and reliable service to the community; promotes Greenville's image as a progressive technology community; and serves as a pilot

project to evaluate feasibility of expansion to support municipal operations, extending service to all City-owned or controlled properties and possibly the entire city. The City wireless access is and will continue to be marketed via word of mouth, GTV-9, planned signs and decals.

Mr. Wilder continued by stating that the goal was to have 400 users by September 2007 and 800 by December 31, 2007. Through September, 560 users were registered, and 845 have been registered to date. There have been 19,766 connections, with an average of 217 per day. Thirty-two wireless locations are planned. Public wireless access for Uptown Wireless GNet, River Park North, Jaycee Park, Greenville Aquatics & Fitness Center, Riverbirch Tennis Center, Pitt-Greenville Airport, Boyd Lee Park and Bradford Creek, Public Works Department, Guy Smith Stadium, City Hall, Public Safety Building, Drug Task Force, Municipal Building, Teen Center, Eppes Center, Lucille Gorham Intergenerational Center and South Greenville has been completed. Additional planned wireless locations include Sheppard Memorial Library, Carver Library, East Branch Library, Evans Street/Eight Street, Evans Street/Tenth Street, Charles Boulevard/Tenth Street, Gardner Training Center and Peppermint Park.

Mr. Wilder concluded by stating that the next steps include enhanced marketing, solicitation of user feedback, Recreation Center cameras, new public safety system (field reporting and dispatching to the vehicle), and wireless infrastructure expansion (Sprint/Nortel and Wireless WiMax/Mesh. Signs will be placed at the locations stating, "Now Entering Wireless Internet Hot Zone—Provided by the City of Greenville."

NORTH CAROLINA DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY GRANT FOR THE FIRE/RESCUE DEPARTMENT - APPROVED

Chief of Fire/Rescue Mike Burton informed the Council that the North Carolina Department of Crime Control and Public Safety has proposed that grant funds be awarded to the City of Greenville Fire/Rescue Department in the amount of \$220,000. The grant funds would be used to improve the Department's search and rescue capabilities and water rescue capabilities. Significant sheltering assets for rescue personnel would be made available to the Department via the acquisition of portable structures. The portable structures are self-sufficient in nature with heating and cooling units and are compatible with other similar assets used within the state. The assets, training, and planning funded by this grant would have value in both a local setting and in the event of the deployment of City of Greenville resources to other locales.

Motion was made by Council Member Craft and seconded by Council Member Little to authorize the City Manager or his designee to execute the Project Detail Workbook, authorize the City Manager to accept the grant funds via a memorandum of agreement, and authorize the City Manager to spend up to \$15,000 from the general fund contingency account for this project. Motion carried unanimously. (Contract No. 1647)

2007-2008 CAPITAL RESERVE FUND DESIGNATIONS AND ORDINANCE - ADOPTED

The Council was informed that as a part of this request the Council is being asked to designate a grant match of \$661,631 for a police radio system and \$1,735,700 for new technology for public safety.

Motion was made by Council Member Spell and seconded by Council Member Craft to approve the 2007-2008 Capital Reserve Fund designations in the amount of \$661,631 for a police radio system and \$1,735,700 for new technology for public safety and to adopt the Capital Reserve Fund ordinance. Motion carried unanimously. (Ordinance No. 07-149)

BUDGET ORDINANCE AMENDMENT #4 TO THE 2007-2008 CITY OF GREENVILLE BUDGET - ADOPTED

Motion was made by Council Member Craft and seconded by Council Member Spell to adopt budget ordinance amendment #4 to the 2007-2008 City of Greenville budget. (Ordinance No. 07-150)

FISCAL YEARS 2008-2009 BUDGET AND 2009-2010 FINANCIAL PLAN SCHEDULE - APPROVED

Motion was made by Council Member Craft and seconded by Council Member Spell to adopt the Fiscal Years 2008-2009 Budget and 2009-2010 Financial Plan Schedule. Motion carried unanimously.

The schedule is as follows:

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DETAIL BUDGET AND CAPITAL IMPROVEMENT PROGRAM SCHEDULE
FISCAL YEAR(S) 2008-2009 and 2009-2010

Wednesday	October 17, 2007	Revenue projection and Capital Improvement Program (CIP) request forms distributed to departments at the department/division meeting
Wednesday	October 24, 2007	Department administrators new Budget Orientation
Thursday	November 8, 2007	Budget and CIP schedule presented to City Council
Tuesday	November 13, 2007	Revenue and Manual of Fee projections and impact submitted to Financial Services New position requests submitted to Human Resources Computer and Phone requests submitted to Information Technology
Wednesday	November 21, 2007	Revenue projections finalized by Financial Services CIP requests submitted to Financial Services
Friday-Friday	December 7-14, 2007	Department Head CIP Budget meetings with the City Manager, Assistant City Manager, and Director of Financial Services
Monday	December 10, 2007	New position, Computer, and Phone requests approved submitted to
Wednesday	December 19, 2007	Financial Services
Thursday	December 20, 2007	Budget targets and prior approvals distributed to departments
Saturday	January 26, 2008	HTE Budget preparation worksheets available and Budget kick-off meeting

City Council Planning Retreat and draft CIP presentation

Monday	February 11, 2008	Budget requests submitted to Financial Services
Monday-Friday	February 25-March 7, 2008	Department Head Budget meetings with City Manager, Assistant City Manager, and Director of Financial Services
Monday	March 10, 2008	CIP presentation to the City Council
Monday	April 7, 2008	City Council preview of proposed City Budget
Wednesday	April 16, 2008	Complete work on proposed City Budget
Monday	April 21, 2008	Proposed Budgets of the GUC, SML, and CVA submitted to Financial Services for distribution to City Council
Wednesday	April 30, 2008	Distribution to City Council of the proposed Budgets of the City, GUC, SML, and CVA
Monday	May 5, 2008	Presentation of proposed Budgets of the City, GUC, SML, and CVA
Thursday	May 8, 2008	Further discussion of proposed Budgets by City Council
Monday	May 19, 2008	City Council Budget review
Thursday	May 22, 2008	Public display of balanced budgets prior to the Public Hearing
Monday	June 2, 2008	Further Budget review by City Council (if needed)
Monday	June 9, 2008	Public Hearing - Fiscal Year 2008-2009 Budget and 2009-2010 Plan
Thursday	June 12, 2008	Consideration of adoption of the Fiscal Year 2008-2009 Budget and approval of the 2009-2010 Plan

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COMMENTS FROM MAYOR AND CITY COUNCIL

Council Member Glover thanked the voters.

Council Member Dunn also thanked the voters. She stated that this is the season of Thanksgiving and people need to remember what they have to be thankful for. Monday is Veterans Day.

Council Member Spell thanked the citizens for voting and stated that he was pleased to see that the turnout was almost double what it was two years ago. The voting rate was about 20%. He

thanked everyone who took the time to educate the citizens about the elections. He has had a great two years and thanked everyone who made him feel welcome.

Council Member Little read a poem in recognition of Veterans Day and thanked all veterans for all that they do. He congratulated Council Member Dunn on becoming the next mayor and stated that he truly wishes her the best. He congratulated Council Members Glover and Spell and Mayor Pro-Tem Council on their reelection. He stated that the newly elected people have a great group of people to work with. He looks forward to seeing great things happen and thanks everyone for the past six years—his wife, children and supporters. He stated that he is looking forward to spending more time at home.

Mayor Pro-Tem Council thanked the residents of District 1 for allowing her to be a champion for 20 years. She received a 20-year pin from the North Carolina League of Municipalities. She stated that she looks forward to working at least two more years to finish some things that need to be worked on. Mayor Pro-Tem Council stated that the Bethel Union class is celebrating 40 years. On December 3 from 6:00 until 9:00 p.m., the Shaw University Pitt County Alumni Association is doing an awards reception for ministers.

CITY MANAGER'S REPORT

City Manager Bowers reminded the Council Members of the Citizens Academy that will be held on November 19 at 7:00 in the City Council Chambers. He also reminded the Council that a special meeting has been called for November 19 in Room 337 of City Hall, and the regular meeting will be held at 6:00 p.m., followed by a reception for the outgoing Mayor and Council Members.

ADJOURN

Motion was made by Council Member Craft and seconded by Council Member Spell to adjourn the meeting at 10:20 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks, MMC
City Clerk

MINUTES PROPOSED FOR ADOPTION BY CITY COUNCIL

Greenville, NC
November 19, 2007

The Greenville City Council met in a special meeting on the above date at 5:00 PM in Room 337 of City Hall, with Mayor Robert D. Parrott presiding. The meeting was called to order and the following were present.

Mayor Robert D. Parrott
Mayor Pro-Tem Mildred A. Council
Council Member Ray Craft
Council Member Pat Dunn
Council Member Rose H. Glover
Council Member Chip Little
Council Member Larry Spell
Wayne Bowers, City Manager
Wanda T. Elks, City Clerk
David A. Holec, City Attorney

APPROVAL OF AGENDA

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Council to approve the agenda as presented. Motion carried unanimously.

CLOSED SESSION

Motion was made by Council Member Little and seconded by Council Member Glover to go into closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee. Motion carried unanimously.

OPEN SESSION

Motion was made by Council Member Little and seconded by Council Member Spell to return to open session. Motion carried unanimously.

Motion was made by Council Member Little and seconded by Council Member Dunn to give a two percent pay increase to the City Manager, City Attorney, and City Clerk, with an effective date of January 5, 2008. Motion carried unanimously.

ADJOURN

Motion was made by Council Member Craft and seconded by Council Member Spell to adjourn the meeting at 5:45 p.m. Motion carried unanimously.

2

Respectfully submitted,

Wanda T. Elks, MMC
City Clerk

MINUTES PROPOSED FOR ADOPTION BY CITY COUNCIL

Greenville, NC
November 19, 2007

The Greenville City Council met in a regular meeting on the above date at 6:00 PM in the City Council Chambers, third floor of City Hall, with Mayor Robert D. Parrott presiding. The meeting was called to order, followed by the invocation by Mayor Parrott and the pledge of allegiance to the flag. The following were present.

Mayor Robert D. Parrott
Mayor Pro-Tem Mildred A. Council
Council Member Ray Craft
Council Member Pat Dunn
Council Member Rose H. Glover
Council Member Chip Little
Council Member Larry Spell
Wayne Bowers, City Manager
Wanda T. Elks, City Clerk
David A. Holec, City Attorney

APPROVAL OF AGENDA

Motion was made by Council Member Little and seconded by Council Member Glover to approve the agenda as presented. Motion carried unanimously.

SPECIAL RECOGNITIONS

Mayor Parrott presented acknowledgement of recognition and appreciation to Council Member Craft and expressed appreciation for his service to the City of Greenville. Mayor Parrott spoke on the contributions that Council Member Craft has made during his tenure. A plaque with the following inscription was also presented.

“COPY”

THE CITY OF GREENVILLE,

NORTH CAROLINA

GRATEFULLY ACKNOWLEDGES

THE OUTSTANDING SERVICE

OF

RAY CRAFT

AS

COUNCIL MEMBER

DECEMBER 2001 – DECEMBER 2007

Mayor Don Parrott

Mayor Pro-Tem Mildred Council

Council Members

Pat Dunn
Chip Little

Rose Glover
Larry Spell

“COPY”

Upon presentation of the items, Council Member Craft spoke to the Council and citizens regarding his experience as Council Member, thanking them for their support.

Mayor Parrott then presented Council Member Chip Little with a similar plaque and spoke on what a great job Council Member Little had done, how he had always done his homework and how he was always well prepared for the meetings. An acknowledgement of recognition and appreciation was presented to Council Member Little that read as follows:

“COPY”

RECOGNITION AND APPRECIATION OF CHIP LITTLE

WHEREAS, Chip Little has faithfully and honorably served the citizens of Greenville with remarkable distinction as the Council Member for District 5 from 2001 until 2007;

WHEREAS, those years of service have been marked by progressive actions and exemplary dedication to the best interest of all citizens, as he has worked both professionally and civically for the betterment of the community;

WHEREAS, major accomplishments have taken place during his tenure as Council Member of the City of Greenville, including obtaining approximately \$14 million in federal earmarks for police technology, transportation needs, revitalization, and greenway expansions; formation of partnerships with East Carolina University, Pitt County Memorial Hospital, and other public and private entities; initiation and implementation of downtown and West Greenville revitalization efforts; stabilization of neighborhoods; and moving forward with essential transportation improvements and other capital needs; and

WHEREAS, Chip Little has provided outstanding public service to the citizens of Greenville through his conscientious efforts and it is recognized that all of Greenville has benefited as a result of his service as Council Member;

NOW, THEREFORE, Chip Little is hereby recognized and commended for providing excellent public service to the citizens of Greenville during his tenure as Council Member through his commitment, devotion, conscientiousness, thoroughness, good judgment, integrity and concern. Best wishes are extended to him in his future endeavors.

This 19th day of November, 2007.

/s/ Robert D. Parrott
Robert D. Parrott, Mayor

“COPY”

Council Member Little then addressed the citizens and the Council, thanking them for allowing him to have the opportunity to serve for six years. He expressed how much he had enjoyed being a Council Member and what a great staff the City has to work with. He stated that he is looking forward to having more time to spend at home and to attend the ballgames of his sons and nephew.

Mayor Pro-Tem Council then presented Mayor Parrott with a similar plaque and acknowledgement of recognition and appreciation. She thanked him for his forward thinking and his contributions to the City of Greenville.

Mayor Parrott thanked his wife and other family members for providing him the opportunity to serve as Mayor. He stated that he had enjoyed his tenure as Mayor and that the City has a great staff. He expressed his confidence that the newly elected Council would continue the work that was begun by this Council.

COMMENTS FROM MAYOR AND CITY COUNCIL

Mayor Pro-Tem Council read poetry from Mayor Ray Nagen from New Orleans.

Council Members Dunn, Glover and Spell, in addition to Mayor Pro-Tem Council, expressed their appreciation to the outgoing Council Members for their contributions to the City and stated how much they had enjoyed working with them. They indicated that they looked forward to working with the outgoing Council Members as community leaders in the future.

Council Member Dunn stated that she is looking forward to serving the citizens of Greenville as Mayor.

CITY MANAGER'S REPORT

City Manager Wayne Bowers thanked the families of the outgoing Council Members for allowing the City of Greenville to borrow their family members. He then invited everyone to a reception being held in honor of the outgoing Council Members that is being held in the gallery area immediately following this meeting.

ADJOURN

Motion was made by Council Member Craft and seconded by Council Member Little to adjourn the meeting at 7:00 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks, MMC
City Clerk



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Request from Place Properties for 30' easement on First Street property

Explanation: Greenville Utilities and the City of Greenville recently executed a long-term lease agreement with Place Properties, a student housing developer from Atlanta, for property located near GUC's old Power Plant site just off First Street near the Tar River. Place Properties plans to construct a multi-story student housing facility on the property they are purchasing adjacent to the site. The property being leased will be used for surface parking for the proposed facility.

Place Properties is requesting a 30' no-build easement on the property to allow ingress/egress for emergency vehicles. A survey map indicating the proposed easement is attached.

At their meeting on November 13, the GUC Board approved the granting of this easement and recommended similar action by the City Council.

Fiscal Note: No cost to the City of Greenville

Recommendation: Approval of 30' no-build easement for ingress/egress of emergency vehicles

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

Attachments / click to download

 [Map](#)



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Resolution accepting dedication of rights-of-way and easements for Manning Forest Subdivision

Explanation: In accordance with the City's Subdivision Regulations, rights-of-way and easements have been dedicated for Manning Forest (Map Book 67 at Pages 45-46). A resolution accepting the dedication of aforementioned rights-of-way and easements is attached for City Council consideration. The final plat showing the rights-of-way and easements is also attached.

Fiscal Note: Funds for the maintenance of these rights-of-way and easements are included within the FY 2007-2008 budget.

Recommendation: City Council adopt the attached resolution accepting dedication of rights-of-way and easements for Manning Forest Subdivision.

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

Attachments / click to download

[Manning Forest](#)

[December 2007 Right of Way and Easement Resolution 730417](#)

RESOLUTION NO. 07 _____
A RESOLUTION ACCEPTING DEDICATION TO THE PUBLIC OF
RIGHTS-OF-WAY AND EASEMENTS ON SUBDIVISION PLATS

WHEREAS, G.S. 160A-374 authorizes any city council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction; and

WHEREAS, the Subdivision Review Board of the City of Greenville has acted to approve the final plats named in this resolution, or the plats or maps that predate the Subdivision Review Process; and

WHEREAS, the final plats named in this resolution contain dedication to the public of lands or facilities for streets, parks, public utility lines, or other public purposes; and

WHEREAS, the Greenville City Council finds that it is in the best interest of the public health, safety, and general welfare of the citizens of the City of Greenville to accept the offered dedication on the plats named in this resolution.

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

Section 1. The City of Greenville accepts the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes offered by, shown on, or implied in the following approved subdivision plats:

Manning Forest

Map Book 67

Pages 45-46

Section 2. Acceptance of dedication of lands or facilities shall not place on the City any duty to open, operate, repair, or maintain any street, utility line, or other land or facility except as provided by the ordinances, regulations or specific acts of the City, or as provided by the laws of the State of North Carolina.

Section 3. Acceptance of the dedications named in this resolution shall be effective upon adoption of this resolution.

Adopted the 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

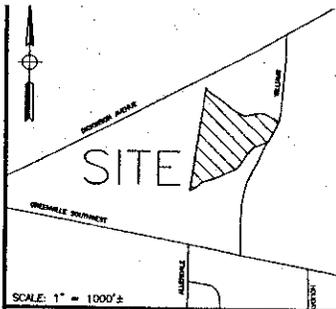
NORTH CAROLINA
PITT COUNTY

I, Patricia A. Sugg, a Notary Public, do hereby certify that Wanda T. Elks, City Clerk, personally appeared 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 notarial seal this 13th day of December, 2007.

Notary Public

My Commission Expires: 9/4/2011



SITE DATA

TOTAL AREA	.14182 AC
NUMBER OF UNITS CREATED	19
AREA IN COMMON AREA	0.445 AC
AREA IN PARKS, RECREATION AREAS, CEMETERIES AND THE LIKE	0
NUMBER OF LOTS CREATED	2

LEGEND

- EP = EXISTING IRON PIPE
- R/W = RIGHT-OF-WAY
- C/L = CENTERLINE
- EPKM = EXISTING PARKER KALON MAIL
- B/B = BACK OF CURB TO BACK OF CURB
- PT = POINT OF TANGENCY
- PC = POINT OF CURVATURE
- o = IRON PIPE SET UNLESS OTHERWISE NOTED

VICINITY MAP

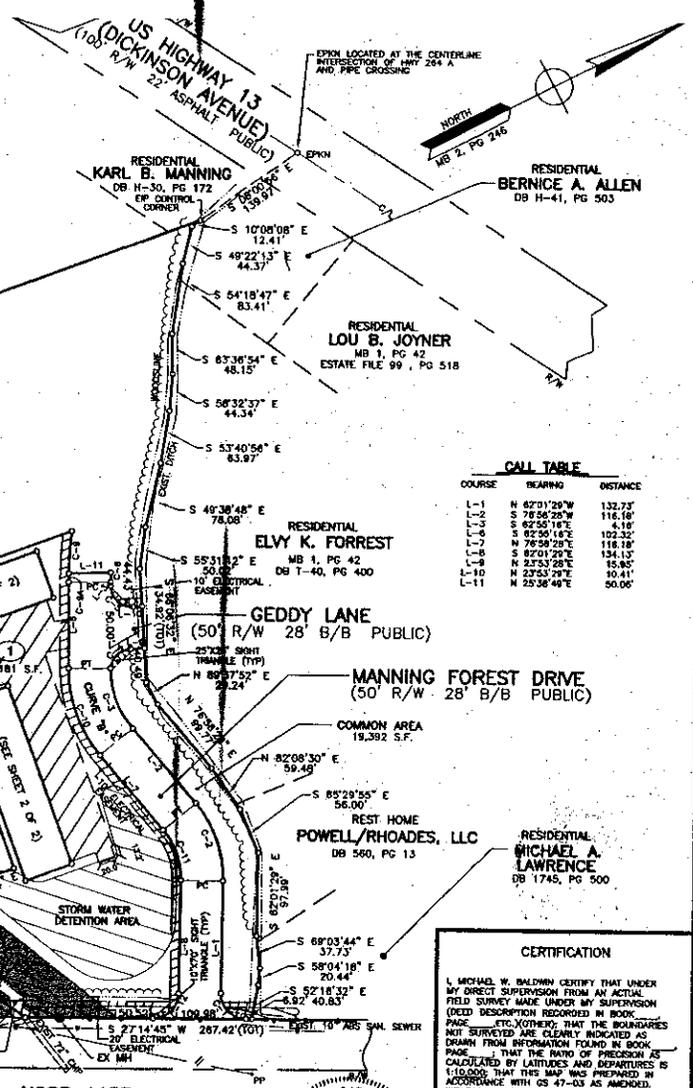
C/L CURVE DATA

CURVE "A"	CURVE "B"
R = 114.00'	R = 136.00'
Δ = 41000°3'	Δ = 40708°18'
L = 81.58'	L = 95.11'
T = 42.62'	T = 48.64'
Ch = N 82°31'30" W 78.85'	Ch = N 83°58'24" W 93.26'

CURVE "C"	CURVE "D"
R = 450.00'	R = 418.00'
Δ = 1318°28'	Δ = 3163°40'
L = 104.98'	L = 92.11'
T = 52.38'	T = 119.75'
Ch = N 88°17'02" W 104.02'	Ch = N 85°25'18" W 200.24'

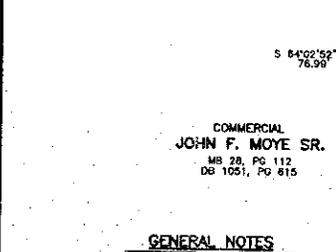
CURVE TABLE

CURVE	RADIUS	CHORD	CHL BEARING
C-1	30.00'	42.70'	S 72°38'36"W
C-2	138.00'	87.50'	N 82°31'31"W
C-3	111.00'	73.70'	N 83°38'10"W
C-4	25.00'	34.78'	S 87°10'40"W
C-5	23.00'	36.33'	S 72°29'00"W
C-6	423.00'	11.28'	N 82°08'42"W
C-7	475.00'	50.00'	S 86°47'20"E
C-8A	475.00'	10.01'	S 82°19'01"E
C-9	181.00'	110.41'	S 82°58'24"E
C-10	88.00'	82.34'	S 82°31'31"E
C-11	30.00'	42.13'	S 72°25'04"E



CALL TABLE

COURSE	BEARING	DISTANCE
L-1	N 82°01'29"W	132.73'
L-2	S 76°52'25"W	116.16'
L-3	S 62°55'18"E	4.10'
L-4	S 82°58'16"E	102.32'
L-5	N 78°58'25"E	118.18'
L-6	S 82°01'29"E	134.13'
L-7	S 82°58'25"E	165.80'
L-8	N 23°53'29"E	30.41'
L-9	N 23°53'29"E	30.41'
L-10	N 23°53'29"E	30.41'
L-11	N 23°53'29"E	30.41'



- GENERAL NOTES**
- ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
 - THIS MAP IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
 - THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY FEDERAL EMERGENCY MANAGEMENT AGENCY, REF: 3720467800 J DATED JANUARY 2, 2004.
 - THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRICAL LINES IS FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF SAID EASEMENT. THE EASEMENTS ARE NOT EXCLUSIVE AND WILL PERMIT THE INSTALLATION OF WATER, SANITARY SEWER GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
 - NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THEREON, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPERVIOUS SURFACES, SHALL ENCRUMB WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR APPROVAL OF THE CITY OF GREENVILLE.
 - NO POINT SET IN HARDEE'S RUN.

FINAL PLAN PARCEL #014256 SHEET 1 OF 2

MANNING FOREST
DIVISION OF BUILDINGS A & M
REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1989, PAGE 311 OF THE PITT COUNTY REGISTRY.
GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER: ALLEN C. NEWBOLD
ADDRESS: 4769 HIGHWAY 33 EAST GREENVILLE, NC 27858
PHONE: (252) 752-3319

Baldwin and Associates
ENGINEERING, LAND SURVEYING AND PLANNING
1015 CONFERENCE DRIVE GREENVILLE, NC 27858
(252) 756-1390

NOTARY PUBLIC
MICHAEL WEST BOLDWIN
GREENVILLE, N.C.

SOURCE OF TITLE
THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:
DEED BOOK 1989 PAGE 311
DEED BOOK 1989 PAGE 311
DEED BOOK 1989 PAGE 311

OWNERS STATEMENT
THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF
Allen C. Newbold
SWORN AND SUBSCRIBED BEFORE ME THIS DAY OF Jan, 2007.
Michael West Boldwin
NOTARY PUBLIC
MY COMMISSION EXPIRES: 03/26/2009

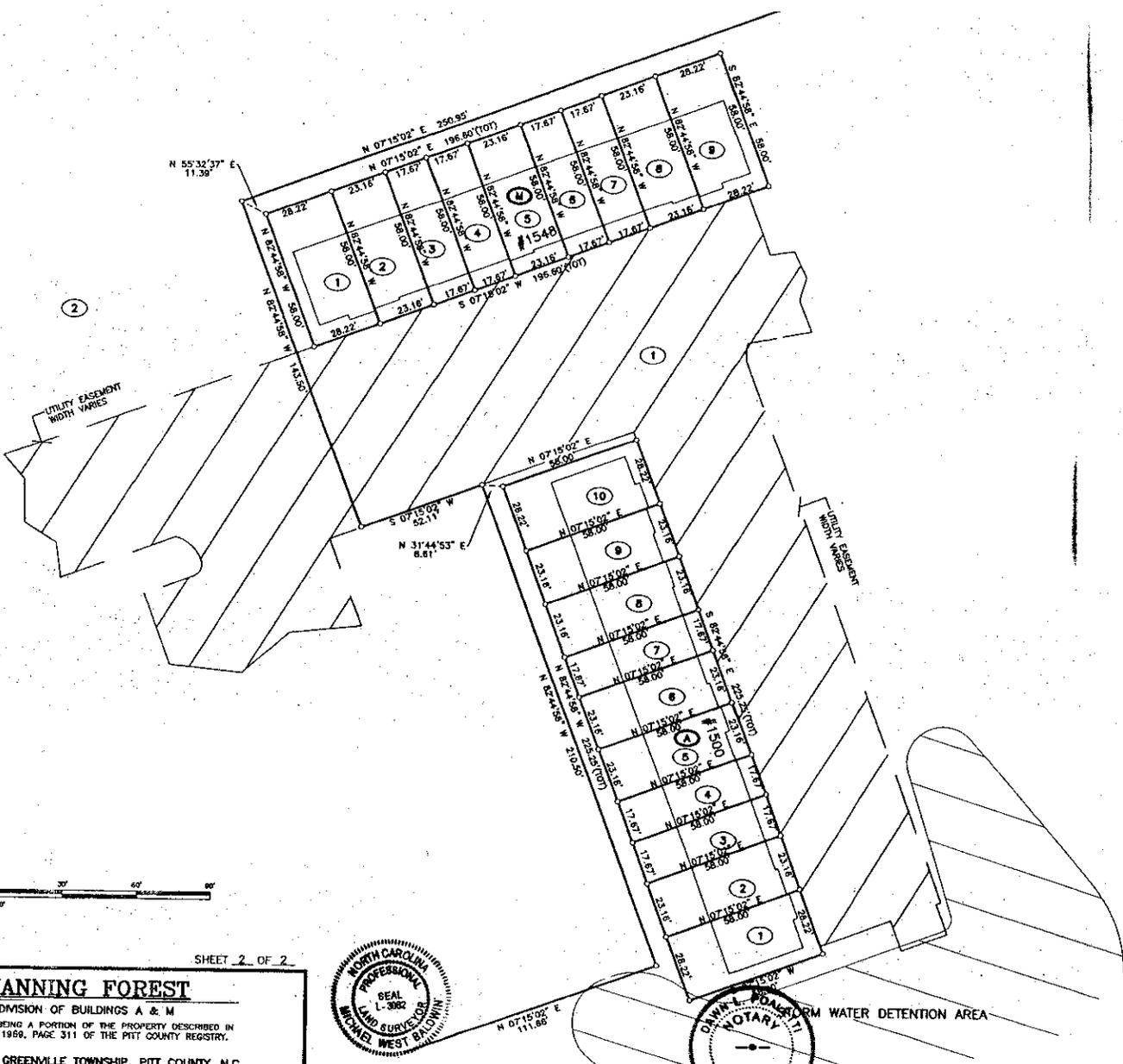
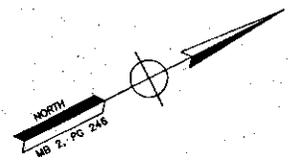
APPROVAL
THIS FINAL PLAN NO. 07-01 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE DAY OF Jan, 2007.
Allen C. Newbold
SIGNED: Allen C. Newbold
CITY CLERK # 4

DEDICATION
THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAN AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAN.
Allen C. Newbold
SIGNED: Allen C. Newbold
ATTEST: *Michael West Boldwin*

CERTIFICATION
I, MICHAEL W. BOLDWIN, CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE 170 VORTH; THAT THE BOUNDARIES SURVEYED ARE CLEARLY INDICATED AS DEDICATED FROM INFORMATION FOUND IN BOOK PAGE 170 VORTH; THAT THE INFO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH GS 47-03 AS AMENDED; WITNESS MY HAND AND SEAL THIS 22ND DAY OF Jan, 2007.
Michael West Boldwin
SIGNATURE: Michael West Boldwin REGISTRATION NO. L-3082

REVIEW OFFICER'S CERTIFICATE
Andrew Thomas Jr.
REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
Andrew Thomas Jr. 1/16/07
REVIEW OFFICER DATE

NORTH CAROLINA, PITT COUNTY
FILED FOR RECORDATION THIS 22 DAY OF JAN, 2007, AT GREENVILLE, N.C.
JUDY J. TAYLOR, REGISTER OF DEEDS
BY: Michael West Boldwin DEPUTY REGISTER OF DEEDS



LOT AREAS

BUILDING A		BUILDING M	
LOT 1	1,338 S.F.	LOT 1	1,338 S.F.
LOT 2	1,343 S.F.	LOT 2	1,343 S.F.
LOT 3	1,025 S.F.	LOT 3	1,025 S.F.
LOT 4	1,025 S.F.	LOT 4	1,025 S.F.
LOT 5	1,343 S.F.	LOT 5	1,343 S.F.
LOT 6	1,343 S.F.	LOT 6	1,025 S.F.
LOT 7	1,025 S.F.	LOT 7	1,025 S.F.
LOT 8	1,343 S.F.	LOT 8	1,343 S.F.
LOT 9	1,343 S.F.	LOT 9	1,338 S.F.
LOT 10	1,338 S.F.		

0009120002 Type: CDP
 Recorded: 01/12/2007 at 09:58:02 AM
 Fee: \$42.00 Page 1 of 2
 Pitt County, NC
 Judy J. Tart Register of Deeds
 67 4546



CERTIFICATION

I, MICHAEL W. BALDWIN CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE, ETC.) (OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH GS 47-63 AS AMENDED; WITNESS MY HAND AND SEAL THIS 22ND DAY OF DEC. AD 2006.

SIGNED: *[Signature]* REGISTRATION NO. L-3082

REVIEW OFFICER'S CERTIFICATE

REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 REVIEW OFFICER: *[Signature]* DATE: 11/16/07

NORTH CAROLINA - PITT COUNTY
 FILED FOR REGISTRATION THIS THE DAY OF OCTOBER A.D. 2007
 BY: JUDY J. TART, REGISTER OF DEEDS
 DEPUTY REGISTER OF DEEDS



FINAL PLAT SHEET 2 OF 2

MANNING FOREST
 DIVISION OF BUILDINGS A & M
 REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1989, PAGE 311 OF THE PITT COUNTY REGISTRY.
 GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER: ALLEN C. NEWGOLD
 ADDRESS: 4769 HIGHWAY 33 EAST GREENVILLE, NC 27858
 PHONE: (252) 752-3319



SOURCE OF TITLE
 THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:
 DEED BOOK 1989 PAGE 311
 DEED BOOK PAGE
 DEED BOOK PAGE
 REGISTRATION NO. L-3082

OWNERS STATEMENT
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF
[Signature]
 SWORN AND SUBSCRIBED BEFORE ME THIS DAY OF 2007.
[Signature]
 NOTARY PUBLIC
 MY COMMISSION EXPIRES: 03/28/2009

APPROVAL
 THIS FINAL PLAT NO. 07-01 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 9 OF THE GREENVILLE CITY CODE ON THE DAY OF 2007. MINOR ALTERATION
 SIGNED: *[Signature]* #4
 CITY TOWNSHIP

DEDICATION
 THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE THESE FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.
 SIGNED: *[Signature]*
 ATTEST: *[Signature]*

Baldwin and ASSOCIATES
 ENGINEERING, LAND SURVEYING AND PLANNING
 1015 CONFERENCE DRIVE
 GREENVILLE, NC 27858
 (252) 756-1390

SURVEYED: TS APPROVED: MWB
 DRAWN: SCB DATE: 12/27/2006
 CHECKED: MWB SCALE: 1" = 30'



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Interlocal Agreement with the City of Kinston for building inspection services

Explanation: Pursuant to an Interlocal Agreement, the City of Greenville and the City of Kinston have an arrangement during 2007 which provides Greenville with supplemental inspection services as a result of Kinston providing an inspector to Greenville for three days a week. The arrangement allows Greenville to meet the demands for inspection services within its corporate limits and the extraterritorial jurisdictional area and allows Kinston to maintain its staff during a period of reduced workload. The arrangement benefits both cities. The Interlocal Agreement is set to expire on December 31, 2007. In order to continue the arrangement, a new Interlocal Agreement is required.

A copy of the proposed Interlocal Agreement is attached. It provides for the following:

1. Kinston provides Greenville with an experienced inspector with Level III certification in all trades (plumbing, mechanical, electrical, general building, and fire).
2. The inspector works 3 days per week in Greenville. The city managers of Greenville and Kinston can agree to a lesser or greater number of days per week.
3. Greenville pays Kinston \$37.50 per hour worked by the inspector in Greenville. The rate in the current agreement of \$35.00 per hour has been adjusted to recognize increased salary and benefit costs. Greenville also provides a vehicle to the inspector while he performs inspection services in Greenville.
4. The Agreement is for an initial term of 6 months but can be extended for additional terms of 6 months by agreement of the city managers of Greenville and Kinston. Also, it can be terminated at any time upon 15 days notice.

Fiscal Note: Funds for the supplemental inspection service personnel are included within the FY 2007-2008 budget

Recommendation: City Council approve the attached Interlocal Agreement for supplemental inspection services to be provided by the City of Kinston and authorize the City Manager to execute the agreement on behalf of the City of Greenville.

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

Attachments / click to download

[2007_City_of_Kinston_Building_Inspection_Services__Interlocal_Agreement_731537](#)

**NORTH CAROLINA
PITT COUNTY**

**INTERLOCAL
AGREEMENT**

THIS AGREEMENT, made and entered into this the ___ day of _____, 2007, 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 GREENVILLE, and the City of Kinston, a municipal corporation organized and existing pursuant to the laws of the State of North Carolina, Party of the Second Part and hereinafter referred to as KINSTON;

WITNESSETH:

WHEREAS, GREENVILLE and KINSTON have agreed to cooperate with each other in order to provide building inspection services within the territorial jurisdiction of GREENVILLE;

WHEREAS, North Carolina General Statute 160A-413 authorizes GREENVILLE and KINSTON to enter into an agreement relating to one city providing inspection services for another city; and

WHEREAS, Part 1 of Article 20 of Chapter 160A of the North Carolina General Statutes empowers GREENVILLE and KINSTON to enter into an interlocal agreement in order to execute an undertaking whereby a unit of local government exercises any power, function, public enterprise, right, privilege, or immunity either jointly with or on behalf of another unit of local government;

NOW, THEREFORE, for and in consideration of the mutual benefits, covenants, and promises contained herein, the parties hereto agree as follows:

1. In accordance with the terms and conditions of this Agreement, KINSTON will provide to GREENVILLE the services of an experienced building inspector in order to provide inspection services within the territorial jurisdiction of GREENVILLE, said building inspector being hereinafter referred to as the Assisting Officer. The Assisting Officer shall be certified in the State of

North Carolina as a Level III Inspector in the trades of Plumbing, Mechanical, Electrical, General Building, and Fire. Prior to providing the Assisting Officer, KINSTON shall identify to GREENVILLE the person who will be the Assisting Officer. GREENVILLE has the authority, at any time, to approve or disapprove the person who KINSTON provides as the Assisting Officer. If GREENVILLE disapproves the person, and provided that KINSTON has another person available, then KINSTON shall identify another person as the Assisting Officer. The inspection services will be provided three (3) days per each week during the term of this Agreement on a schedule mutually agreed upon by GREENVILLE and KINSTON. With the written agreement of the city managers of GREENVILLE and KINSTON, the services may be provided a lesser or greater number of days per week.

2. GREENVILLE will pay KINSTON for the provision of inspection services within the territorial jurisdiction of GREENVILLE by the Assisting Officer at the rate of THIRTY SEVEN AND 50/100THS DOLLARS (\$37.50) for every hour that the Assisting Officer is providing inspection services for GREENVILLE and for any time required for conducting or participating in code or statutory enforcement proceedings or court proceedings arising from the inspection services provided under this Agreement, and for his commuting time in traveling to and from the worksite designated by GREENVILLE and the jurisdiction of KINSTON. The payment of said hourly rate is the full compensation which GREENVILLE will pay KINSTON for the provision of inspection services within the territorial jurisdiction of GREENVILLE by the Assisting Officer. Payment will be made within ten (10) days after the receipt by GREENVILLE of an invoice from KINSTON for the inspection services within the territorial jurisdiction of GREENVILLE by the Assisting Officer provided during the previous month.

3. While providing inspection services within the territorial jurisdiction of GREENVILLE, the Assisting Officer will have the same authority as building inspectors employed

by GREENVILLE and shall be subject to the supervision of the Chief Building Inspector of GREENVILLE.

4. It is understood and agreed that at all times, the Assisting Officer is an employee of KINSTON and is not an employee of GREENVILLE. The Assisting Officer shall not receive any employee benefits from GREENVILLE. KINSTON shall provide the Assisting Officer employee benefits which are regularly provided to its employees pursuant to its policies.

5. KINSTON shall ensure that the Assisting Officer is covered, during the time the Assisting Officer is providing inspection services within the territorial jurisdiction of GREENVILLE, by the Workers Compensation insurance which KINSTON regularly provides to its employees pursuant to its policies.

6. GREENVILLE will provide the Assisting Officer with a vehicle while the Assisting Officer is conducting inspection services within the territorial jurisdiction of GREENVILLE. KINSTON will be responsible for providing the Assisting Officer any commuting expense to and from the territorial jurisdiction of GREENVILLE which KINSTON regularly provides to its employees pursuant to its policies.

7. GREENVILLE will hold harmless and indemnify KINSTON for any claims or damages, other than workers compensation related claims, resulting from the provision of inspection services within the territorial jurisdiction of GREENVILLE by the Assisting Officer which are within the scope of the authority of the Assisting Officer as a building inspector.

8. The term of this Agreement shall be for a period of six (6) months commencing on January 2, 2008, and terminating on June 30, 2008, unless sooner terminated pursuant to the provisions of paragraph 9. This Agreement may be extended for additional terms of six (6) months upon mutual written agreement of the city managers of KINSTON and GREENVILLE.

9. This Agreement may be terminated by mutual agreement of the parties or by either

party, at any time, by the provision of at least fifteen (15) days written notice to the other party.

GREENVILLE will pay KINSTON for all services rendered prior to the effective date of termination.

10. All notices, approvals, consents, requests or demands required or permitted to be given under this Agreement shall be in writing and shall be deemed sufficiently given when deposited in the mail, first-class postage prepaid, and addressed to the respective parties as follows:

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

KINSTON:
City Manager
City of Kinston
P.O. Box 339
Kinston, NC 28502

or to such other addresses as either party shall subsequently designate by notice given in accordance with this section.

11. This Agreement constitutes the entire understanding of the parties.

12. This Agreement shall be binding upon the successors and assigns of the parties.

13. The parties will make and execute all further instruments and documents required to carry out the purposes and intent of this Agreement.

14. This Agreement shall not be modified or otherwise amended except in writing signed by the parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, in duplicate originals, as of the day and year first above written, all pursuant to authority duly granted.

CITY OF GREENVILLE

By: _____

Wayne Bowers, City Manager

CITY OF KINSTON

By: _____
Scott Stevens, City Manager

APPROVED AS TO FORM:

David A. Holec, City Attorney
City of Greenville

PRE-AUDIT CERTIFICATION

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

Bernita Demery, Finance Director
City of Greenville

APPROVED AS TO FORM:

James P. Cauley, City Attorney
City of Kinston

PRE-AUDIT CERTIFICATION

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

Keith Fiaschetti, Finance Director
City of Kinston



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Grant from the United States Environmental Protection Agency for Brownfield Assessment in West Greenville

Explanation: In May 2007, the City of Greenville was awarded a \$200,000 Brownfield Assessment Grant from the Environmental Protection Agency (EPA) to assess the environmental conditions of properties in the West Greenville Certified Redevelopment Area. Since that time, staff has been working with the assigned EPA Project Manager to complete the Work Agreement and complete other steps necessary for the City to receive and spend the grant funds.

Brownfield assessment will enable the City to promote the redevelopment of properties in West Greenville while identifying and evaluating potential threats to human health and the environment. Assessment will also enable the City to improve the redevelopment prospect of up to 30 former industrial properties that may appear a high risk for contamination. Examples include facilities such as the closed tobacco warehouses, railroad facilities, and abandoned service stations.

The grant will support the City's efforts to inventory and prioritize brownfield sites in West Greenville for public investment and redevelopment and to support community outreach activities.

Fiscal Note: Acceptance of the grant award does not commit the City of Greenville to contribute funds to brownfields assessment. The cooperative Work Plan Agreement with the EPA and project budget does assume that the City will contribute in-kind staff services (program oversight). For a budget breakdown, see attached Cooperative Agreement Work Plan.

Recommendation: The City Council accept the grant award from the EPA for the West Greenville Redevelopment Area brownfields assessment.

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

Attachments / click to download

 [Brownfields Grant Fact Sheet](#)

 [Brownfields Work Agreement](#)



Brownfields 2007 Grant Fact Sheet

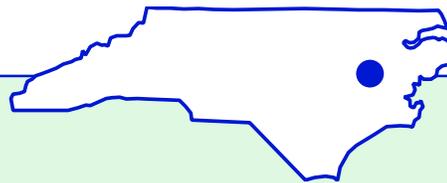
Greenville, NC

EPA Brownfields Program

EPA's Brownfields Program empowers states, communities, and other stakeholders to work together to prevent, assess, safely clean up, and sustainably reuse brownfields. A brownfield site is real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. On January 11, 2002, President George W. Bush signed into law the Small Business Liability Relief and Brownfields Revitalization Act. Under the Brownfields Law, EPA provides financial assistance to eligible applicants through four competitive grant programs: assessment grants, revolving loan fund grants, cleanup grants, and job training grants. Additionally, funding support is provided to state and tribal response programs through a separate mechanism.

Community Description

The City of Greenville was selected to receive a brownfields assessment grant. Located in the largely rural coastal plain of eastern North Carolina, Greenville (population 133,798) has experienced significant poverty. The West Greenville Redevelopment Area was once a bustling complex of tobacco warehouses, industrial facilities, commercial buildings, and railroad facilities. With the decline in the local tobacco industry in the 1980s, jobs were lost and neighborhoods began to deteriorate. The West Greenville Redevelopment Area is located in an area where per capita incomes are extremely low. According to the 2000 Census, the per capita incomes for the two census tracts in the area were \$10,457 and \$9,986, respectively. The West Greenville Redevelopment Area experienced additional stress in September 1999,



Assessment Grant

New
2007

\$200,000 for hazardous substances

EPA has selected the City of Greenville for a brownfields assessment grant. Hazardous substances grant funds will be used to inventory and prioritize sites in the West Greenville Redevelopment Area for assessment. In addition, grant funds will be used to conduct up to 15 Phase I and at least four Phase II environmental site assessments, and to support community outreach activities.

Contacts

For further information, including specific grant contacts, additional grant information, brownfields news and events, and publications and links, visit the EPA Brownfields web site at: www.epa.gov/brownfields.

EPA Region 4 Brownfields Team
404-562-8792
<http://www.epa.gov/region4/waste/bf/index.htm>

Grant Recipient: City of Greenville, NC
252-329-4514

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

when Tropical Storm Dennis and Hurricane Floyd struck the area. Over 1,800 structures experienced flood damage at a cost of more than \$90 million. Brownfields assessment will enable the city to identify and evaluate potential threats to human health and the environment and facilitate site reuse.

Budget Categories	Task 1: Proj. Mgt & Reporting	Task 2: Outreach & Education	Task 3: Inventory, GIS, ID, Selection	Task 4: Phase I & II ESAs	Task 5: Visioning	Task 6: Remediation Planning	Total
Personnel*	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Travel**	\$4,500	\$0	\$0	\$0	\$0	\$0	\$4,500
Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Supplies	\$600	\$1,500	\$600	\$200	\$1,200	\$400	\$4,500
Contractual	\$0	\$10,000	\$24,000	\$120,000	\$25,000	\$12,000	\$191,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$5,100	\$11,500	\$24,600	\$120,200	\$26,200	\$12,400	\$200,000

*City of Greenville staff will provide in-kind management and facilitation of all brownfield program activities, including but not limited to the following: GIS data compilation, analysis, and management (mapping); staff management of and/or support for public outreach, prioritization & visioning, and remediation planning activities (meeting facilitation, production of advertisements & public relations materials, writing reports); and general program management tasks.



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Report on bids awarded

Explanation: The Director of Financial Services reports that the following bids were awarded in the months of October and November and are to be included on the City Council agenda for information.

Date Awarded	Description	Vendor	Amount	M/WBE Yes/No
10/31/07	Installation of Playground at Jaycee Park	Miracle Recreation Equipment Company	\$92,222	No
11/08/07	Demolition of the Taft Furniture Store	W. A. Powell	\$50,250	No

Fiscal Note: Funds are available for these projects in the amended 2007-2008 Budget.

Recommendation: That the bid award information be reflected in the City Council minutes.

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Attachments / click to download

[Bid Tabulation JCP Playground Nick Glennon Grant 726588](#)

[Bid Tabulation Demolition of Taft Furniture Store 729461](#)

BID TABULATION SHEET
City of Greenville, North Carolina
Financial Services Department

Description: JCP Playground (Nick Glennon Grant)

Informal Bid#2007/08-14

Contractor	Address	Bid Bond	Base Bid	Add Alternates	Total Bid with Alternates
Miracle Recreation Equipment	P.O. Box 8307 Greensboro, NC 27416	n/a	\$92,222.00		
Hasley Recreation and Design, Inc.	P.O. Box 936 Greensboro, GA 30642	n/a	\$102,374.00		
Churchich Recreational Design	20 Towne Drive PMB 186 Bluffton, SC 29910	n/a	\$105,474.00		
*Highlighted bidder received award					

_____ Angelene E. Brinkley, CLGPO, MPA Purchasing Manager

Date: _____

Item # 7

Document Number: 726588

BID TABULATION SHEET
City of Greenville, North Carolina
Financial Services Department

Description: Demolition of the "Old" Taft Furniture Store located at 535 Dickinson Avenue

Bid Opening: October 9, 2007 - 2:00 p.m.

Contractor	Address	Rcv'd Add #1		Base Bid	MWBE Forms	
		Yes	No		Yes	No
W.A. Powell	5142 Stantonsburg Rd Greenville, NC 27834	X		\$47,850.00		X
D.H. Griffin	3804 Park Avenue Suite B Wilmington, NC 28403	X		\$55,800.00		X
Tripp Bros Inc	PO Box 128 Ayden, NC 28513	X		\$69,500.00		X
Lyon Excavation	PO Box 698 Whitakers, NC 27891	X		\$103,400.00		X
Smith Contracting	9035 NC Hwy 43 N Rocky Mount, NC 27801	X		\$118,000.00		X
Jerry Bullock Construction	PO Box 273 Battleboro, NC 27809	X		\$119,900.00		X
Harrelson Smith	1588 NC 102 E Ayden, NC 28513	X		\$128,949.00		X
Carolina Earth Movers	2252 Alpine Taylor Rd Greenville, NC 27834	X		\$136,500.00		X
*Highlighted bidder received award						
					Date _____	
					Angelene Brinkley, Purchasing Manager	



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Various tax refunds

Explanation: The Director of Financial Services reports the refund of the following taxes:

<u>Payee</u>	<u>Description</u>	<u>Amount</u>
Fannie Jenkins	Refund of City taxes paid	\$ 115.64
Irvin Raper	Refund of City taxes paid	\$ 105.94

Fiscal Note: The total amount to be refunded is \$221.58.

Recommendation: Approval of tax refunds by City Council

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City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Presentations by boards and commissions

- a. Investment Advisory Committee
- b. Public Transportation and Parking Commission
- c. Police Community Relations Committee

Explanation: The Investment Advisory Committee, the Public Transportation and Parking Commission, and the Police Community Relations Committee will make their annual presentations to City Council at the December 13, 2007 meeting.

Fiscal Note: N/A

Recommendation: No action recommended; for information only.

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City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Public hearing and second reading of an ordinance for G-Vegas Limo Service to operate two limousines from 3211 South Memorial Drive

Explanation: On November 5, 2007, the City Council approved on first reading an ordinance for G-Vegas Limo Service to operate two limousines from 3211 South Memorial Drive and scheduled the public hearing and second reading of the ordinance for November 8, 2007. At the November 8 City Council meeting, there were some issues that had not been resolved, and the item was continued until December 13, 2007. At this time, the issues are still being worked on, so it is being requested that the item be continued until January 10, 2008 in order to allow time for all issues to be addressed.

Fiscal Note: None

Recommendation: Continuance of the public hearing and second reading of an ordinance for G-Vegas Limo Service to operate two limousines from 3211 South Memorial Drive.

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Attachments / click to download

[Ordinance Granting a Limousine Franchise to G Vegas Limo Service 726099](#)

ORDINANCE NO. 07-_____
GRANTING A LIMOUSINE FRANCHISE
TO G-VEGAS LIMO SERVICE

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

WHEREAS, the City of Greenville has adopted an ordinance, Title 1 of Chapter 11 of the Greenville City Code, requiring the operators of limousine businesses within the City to obtain a franchise for the City permitting said operation, and said ordinance sets forth certain requirements and criteria that must be satisfied in order to obtain and maintain the franchise for the operation of a limousine business; and

WHEREAS, G-Vegas Limo Service is an applicant for a franchise permitting the operation of two limousines within the City limits; and

WHEREAS, following investigation into the qualifications of the applicant, the City Council has determined that the applicant satisfies the requirements and conditions for the operation of a limousine business within the City and has presented evidence substantiating the public convenience and necessity of such a business;

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

Section 1. A limousine franchise is hereby issued to G-Vegas Limo Service to permit the operation within the City of Greenville of not more than two limousines.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

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

First reading passed on the 5th day of November, 2007.

Adopted on second reading on the 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

APPLICATION FOR LIMOUSINE FRANCHISE

To the Mayor and City Council of the City of Greenville

The undersigned hereby makes application for a limousine franchise under the provisions of Chapter 564, Session Laws 1945, and presents the following information:

- 1. The applicant is familiar with the ordinances of the City of Greenville relating to liability insurance, drivers regulations, regulations of rates, and other matters pertaining to the operation of limousines.
- 2. The individual, corporate or trade name and business address of the applicant is:
G-Vegas Limo Service 321 S Memorial Dr Greenville NC 27458
- 3. The Applicant is:
 - A. An individual and sole owner of the limousine business to be operated under the above name.
 - B. A corporation chartered under the laws of the State of North Carolina in the year _____, and the officers of the corporation are _____
 - C. A partnership, as shown by articles hereto attached, and the names of partners are:
Richard Williams
Joseph Buttermilk
- 4. The Applicant operates in the following cities: Greenville NC
- 5. The Applicant is requesting franchise to operate 2 limousines.
- 6. In support of this application, the following Exhibits are attached:
 - Exhibit A. A full statement of facts which, if supported by substantial testimony at the hearing, will support a finding of public convenience and necessity for this operation.
 - Exhibit B. A complete list of Applicant's motor equipment showing year, make, model, and carrying capacity of each unit.
 - Exhibit C. Financial statement showing assets, liabilities and net worth of applicant.
 - Exhibit D. Statement showing applicant has made complete arrangement for off-street parking of all motor vehicles.
 - Exhibit E. Statement of proposed fares for transportation of persons and property.
 - Exhibit F. Statement of experience of applicant in conducting limousine business.

HAND PRINT OR TYPE

LAST NAME <u>Williams</u>		FIRST NAME <u>Richard</u>		MIDDLE NAME <u>Bruce</u>	
ALIAS OR NICKNAME		SEX <u>M</u>	AGE <u>49</u>	WEIGHT <u>220</u>	HEIGHT <u>65</u>
ADDRESS <u>506 Ashburton Dr Greenville NC</u>		HAIR <u>Brown</u>	EYES <u>Hazel</u>	COMPLEXION <u>C</u>	
OCCUPATION <u>VP Sales - Carolina Area Group</u>					
PLACE OF BIRTH <u>Prine George County</u>					

Signature of Applicant

[Handwritten Signature]

Subscribed and sworn to before me this 15 day of October, 2007.

[Handwritten Signature]
Notary Public

My Commission Expires: 9/17/12

We feel Greenville is growing at an enormous rate, with daily visits from professionals arriving at Kinston Regional, RDU and Greenville airports, with transportation needs on a corporate level not currently being met.

We hope to fill that need by initially offering affordable, professional transportation services to and from Greenville that would parallel that found in larger cities.

We will initially be starting service with a 2003 Lincoln Town car 120" stretch Executive series limousine. This vehicle has a maximum capacity of 12 people.

Carolina Auto Group, LLC
BALANCE SHEET
As of August 31, 2007

ASSETS

CURRENT ASSETS

Cash - First South Bank	\$ 736.33
Total Current Assets	<u>736.33</u>

PROPERTY AND EQUIPMENT

Office Equipment & Fixtures	13,962.91
Signage	6,419.05
Buildings	274,873.88
Land	1,919,791.51
Land Improvements	59,886.65
Less: Accumulated Depreciation	<u>(15,806.31)</u>
Net Property and Equipment	<u>2,259,127.69</u>

OTHER ASSETS

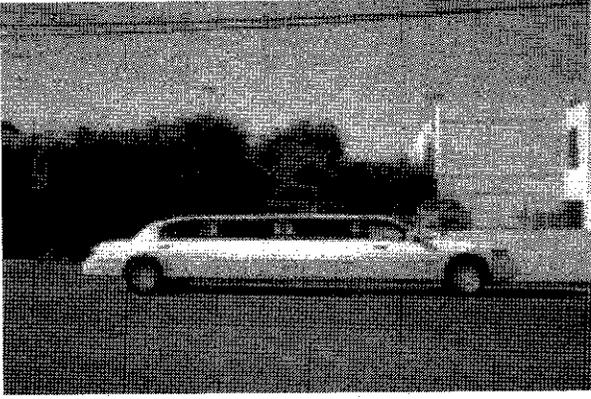
Intangibles	5,000.00
Accum Amortization	<u>(833.33)</u>
Total Other Assets	<u>4,166.67</u>

TOTAL ASSETS	<u>\$ 2,264,030.69</u>
---------------------	------------------------

We currently own and operate AutoMax which is a used car lot and will store vehicles at this location.

The rates we intend to charge are as follows:

Rental rates will be based on a three hour minimum of 350 dollars and an additional 110 dollars for each hour after that. Rates will be subject to changes in the market to allow us to remain competitive with our competition.





GREENVILLE POLICE DEPARTMENT

MEMORANDUM

October 29, 2007

TO: Pat Sugg, Deputy City Clerk

FROM: William J. Anderson, Chief of Police

SUBJECT: G-Vegas Limo Service

The Greenville Police Department has received a copy of the application for Limousine Franchise accompanied by a request for review and recommendation. The information received is not sufficient for the Department to conduct a review or a recommendation. The following information is lacking:

1. Proof of insurance in the amounts required by ordinance.
2. Fingerprints for owners and drivers.
3. Complete information on the two purported owners in order to conduct the required background check.
4. The notary public and at least one purported owner appear to be related. NC law prohibits a family member from acting as a notary for another family member.
5. No partnership agreement was attached to the application as required by paragraph 3C.
6. The application indicates a plan to operate two limousines, but only one person is listed as a driver. Who else plans to drive?
7. It appears the assets and liabilities are those of AutoMax and not for this business. There is no way to determine if the partners have sufficient financial assets to operate the business.



FINANCIAL SERVICES MEMORANDUM

TO: Wanda Elks, City Clerk's Office
FROM: Brenda Matthews, ^{BM} Financial Services, Collections
DATE: October 18, 2007
SUBJECT: G-Vegas Limo Service

We have checked Collections records for taxes, licenses, citations, parking, rescue transports and miscellaneous receivables owed in the names of G-Vegas Limo Service, Richard Bruce Williams, and Joseph Butterworth. We have not found amounts owed to the City in those names.

If I can provide further assistance, please call.

CC: Bernita Demery, Director of Financial Services
Kimberly Branch, Financial Services Manager

Doc # 177282

MEMORANDUM

To: Wanda Elks, City Clerk
From: Merrill Flood, Community Development Director 
Date: October 22, 2007
Subject: **Proposed Limousine Service Application: 3211 S. Memorial Drive**

Please find attached the staff report for the proposed limousine service at 3211 S. Memorial Drive. You will find that the property is zoned appropriately for the use. Additional permits may be required of the applicant but there are no objections to the proposed use at this location with regard to zoning.

Please contact me if you have additional questions.

Memorandum

To: Merrill Flood, Director, Community Development Department

cc: Harry Hamilton, Chief Planner

From: Seth Laughlin, Planner (329-4486)

Date: October 22, 2007

Subject: Proposed Limousine Service Application: 3211 S. Memorial Drive

The subject location (PIN 15864) is currently zoned CH. Taxi or Limousine Service is a permitted use by-right in the CH zone per Section 9-4-78(f)(13)c of Greenville City Code.

Other permits including site plan approval may be required in the individual case.

The Community Development Department Staff has no objection to the proposed use.

Doc# 724914



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Ordinance requested by David Hill to rezone 1.6177 acres located at the southeast corner of the intersection of Greenville Boulevard and Belvedere Drive from R9S (Residential [Medium Density]) and O (Office) to O (Office) and CG (General Commercial)

Explanation: **Rezoning Request Report**

Applicant:

Rezoning requested by David Hill for 1.6177 acres located at the southeast corner of the intersection of Greenville Boulevard and Belvedere Drive from R9S (Residential [Medium Density]) and O (Office) to O (Office) and CG (General Commercial).

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

Required Notice

Planning and Zoning Commission - letters mailed on October 2, 2007.
Sign - posted October 2, 2007.
City Council - letters mailed November 27, 2007.
Legal Advertisement - published on December 3rd and 10th, 2007.

Requested Change:

Current Zoning:

Tract 1: R9S (Residential-Single family [Medium Density]) Acreage: 0.5150

Tract 2: O (Office)

Acreage: 1.1027

Proposed Zoning:

Tract 1: O (Office)
Tract 2: CG (General Commercial)

Comprehensive Plan:

The subject site is located in Vision Area E.

Greenville Boulevard is designated as a connector corridor from its intersection at Charles Boulevard to its intersection at Dickinson Avenue. Connector corridors are anticipated to contain a variety of higher intensity activities and uses whereas residential corridors are preferred to accommodate lower intensity residential uses.

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

There is an intermediate focus (50,000 – 150,000 sq. ft. of conditioned floor space) area to the north of Greenville Boulevard at and a regional focus area (400,000+ sq. ft. of conditioned floor space) to the west of the Belvedere and Club Pines Subdivisions.

The Comprehensive Plan states “Office/institutional/multi-family development should be used as a buffer between light industrial and commercial development and adjacent lower density residential land uses.”

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 180 trips to and from the site on Greenville Boulevard, which is a net increase of 120 trips per day.

During the review process, measures to mitigate traffic impacts will be determined. These measures may include the construction of a turn lane into the development.

Detailed Report Attached

History/Background:

In 1969, both tracts were zoned R9 (Residential). In 1985, Tract 2 was rezoned from R9 to O (Office). In 1987, Tract 1 was part of a neighborhood rezoning (Club Pines, Belvedere, and Westhaven Subdivisions) from R9 to R9S (single-family only).

Present Land Use:

Vacant

Utilities:

Public water and sanitary sewer are available to the subject tracts.

Cultural Resources:

There is no known effect on designated sites.

Environmental Conditions/Constraints:

There are no known environmental conditions.

Surrounding Land Uses:

North: CH: Golden Corral, Kentucky Fried Chicken, Wendy's Fast Food Restaurant
South: R9S: Five (5) single-family residences with associated outbuildings (Belvedere Subdivision)
East: O and R9S: University Church of Christ
West: O: Vacant

Density Estimates:

Tract 1
Gross Acreage: 0.5150 acres

Currently, the subject property is vacant, but could accommodate one (1) single-family residence under the current zoning. At the proposed zoning (O), staff would anticipate the site to yield a 2,100 (approx.) square foot office building with associated parking.

Tract 2
Gross Acreage: 1.1027 acres

At the current zoning (O), the site could yield a 4,500 (approx.) square foot office building with associated parking. At the proposed zoning (CG), staff would anticipate the site to yield a 10,450 (approx.) square foot commercial/office building with associated parking.

The anticipated build-out is 1-2 years.

Additional Staff Comments:

Of primary concern is the protection of the Belvedere Subdivision entrance and the residential interests of the adjoining property owners. The intersection of Greenville Boulevard and Belvedere Drive serves as a primary entrance into a substantial single-family neighborhood.

The proposed Office zoning allows a compatible mix of business and office uses and serves as a transition between the commercial activities and the residential

dwellings on the interior. Office zoning is the most restrictive non-residential zoning district. There is no residential option under the office zone. Currently, the opposite corner of the subject intersection is zoned O (Office).

In 1995, there was a similar request to rezone property from Office (O) to Heavy Commercial (CH) located east of the intersection of Crestline Boulevard (another major entrance to this neighborhood) and Greenville Boulevard. The property is currently a portion of Brown and Wood Car Dealership. The request maintained an Office zoned buffer (100 feet) along Crestline Boulevard while creating additional commercial property (auto lot expansion) along Greenville Boulevard. In addition, by private agreement with the neighborhood, certain improvements including a landscape berm and plantings were installed. (See Brown and Wood Dealership Map.)

Identical conditions and benefits apply to the proposed site as applied at the Crestline Boulevard entrance described above. Any specific improvements above minimum bufferyard and street tree requirements, including additional plantings and the like, which the applicant may voluntarily offer, would be by private agreement. The City cannot participate in the development of, or in the enforcement of, any private agreements associated with any rezoning.

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

For information or questions, contact Greenville Community Development Department Staff: Chantae M. Gooby, 329-4507, or Harry V. Hamilton, Jr., 329-4511.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the proposed O (Office) zoning (Tract 1) is in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

In staff's opinion, the proposed CG (General Commercial) zoning (Tract 2) would not be in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map in the absence of adequate buffer or other condition(s) determined sufficient to protect the interest of the abutting single-family neighborhood. The inclusion of transitional zoning (marginally beneficial in this case due to the limited depth of the property), or other private conditions of development that are agreeable to the affected neighborhood residents, may accomplish the intent of the Plan.

The designation of the intermediate and regional focus areas referenced above demonstrates the City's intent to encourage intensive commercial development in the abutting Greenville Boulevard and Memorial Drive corridors. The Plan also recommends that buffers to that commercial development be provided to minimize negative impacts on low density residential developments in proximity. Accomplishment of that objective is the primary concern.

The Planning and Zoning Commission, at their October 16, 2007 meeting, voted to approve the request.

If City Council determines to approve the rezoning 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 request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

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

Attachments / click to download

- [📎 Locational Map](#)
- [📎 Survey](#)
- [📎 Bufferyard and Vegetation Chart and Residential Density Chart](#)
- [📎 Adjoining Property Owner Letter of Support](#)
- [📎 Brown and Wood Dealership](#)
- [📎 Ordinance David Hill 719548](#)
- [📎 Rezoning Case 07 28 David Hill 720915](#)
- [📎 P and Z minutes David Hill 723993](#)
- [📎 List of Uses R9S O to CG 708731](#)

ORDINANCE NO. 07-__
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 December 13, 2007 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

Section 1. That the following described territory is rezoned from R9S (Residential-Single-family) to O (Office).

TO WIT: David and Stacy Hill Property, Tract 1.

LOCATION: Located at the southeast corner of the intersection of Greenville Boulevard and Belvedere Drive.

DESCRIPTION: Lying and being situated in Greenville, Winterville Township, Pitt County, North Carolina and being further described as follows:

Beginning at the southeast intersection of the rights-of-way of Belvedere Drive and SW Greenville Boulevard, thence from said point of beginning with the southern right-of-way of SW Greenville Boulevard N 63°23'00" E, 130.00 feet to the western line of Lot 13 Belvedere Subdivision Section 3 as recorded in Map Book 14, Page 95, thence leaving the southern right-of-way of SW Greenville Boulevard with the western line of Lot 13 Belvedere Subdivision Section 3 S 26°37'00" E, 200.00 feet to the northern line of Lot 3

Belvedere Subdivision Section 2 as recorded in Map Book 12, Page 40, thence with the northern line of Lot 3 Belvedere Subdivision Section 2 and continuing with the northern line of Lot 2 Belvedere Subdivision Section 1 S 88°31'00" W, 158.58 feet to the eastern right-of-way of Belvedere Drive, thence with the eastern right-of-way of Belvedere Drive 80.54 feet along the arc of a curve said curve being to the left having a radius of 236.70 feet and a chord bearing N 16°52'21" W, 80.15 feet, thence N 26°37'00" W, 53.65 feet to the point of beginning containing 0.5150 acres and being all of Lot 1 Belvedere Subdivision Section 1 as recorded in Map Book 11, Page 82.

Section 2. That the following described territory is rezoned from O (Office) to CG (General Commercial).

TO WIT: David and Stacy Hill Property, Tract 2.

LOCATION: Located along the southern right-of-way of Greenville Boulevard, 100± feet east of Belvedere Drive, and 350± feet west of Crestline Boulevard.

DESCRIPTION: Lying and being situated in Greenville, Winterville Township, Pitt County, North Carolina and being further described as follows:

Beginning at a point in the southern right-of-way of SW Greenville Boulevard, said point being located N 63°23'00" E, 130.00 feet from the southeast intersection of the rights-of-way of Belvedere Drive and SW Greenville Boulevard, thence from said point of beginning with the southern right-of-way of SW Greenville Boulevard N 63°23'00" E, 240.16 feet to the western line of the University Church of Christ Property as recorded in Deed Book 1463, Page 564, thence leaving the southern right-of-way of SW Greenville Boulevard with the western line of the University Church of Christ Property S 26°37'00" E, 200.00 feet to the northern line of Lot 6 Belvedere Subdivision Section 3 as recorded in Map Book 14, Page 95, thence with the northern line of Lot 6 Belvedere Subdivision Section 3 and continuing with the northern line of Lots 5 and 4 Belvedere Subdivision Section 3 and the northern line of Lot 3 Belvedere Subdivision Section 2 as recorded in Map Book 12, Page 40 S 63°23'00" W, 240.16 feet to the eastern line of Lot 1 Belvedere Subdivision Section 1 as recorded in Map Book 11, Page 82, thence with the eastern line of Lot 1 Belvedere Subdivision Section 1 N 26°37'00" W, 200.00 feet to the point of beginning containing 1.1027 acres.

Section 3. That the Director of Community Development is directed to amend the zoning

map of the City of Greenville in accordance with this ordinance.

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

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

ADOPTED this 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 07-28

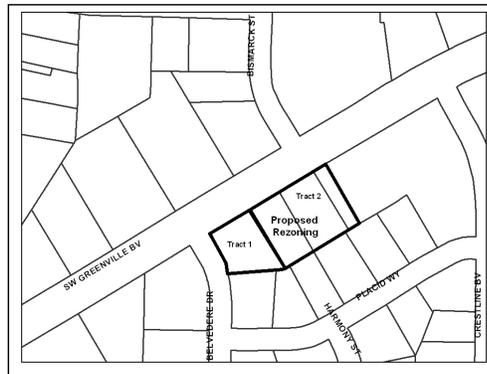
Applicant: David Hill

Property Information

Current Zoning: Tract 1: R9S
Tract 2: O

Proposed Zoning: Tract 1: O (Office)
Tract 2: CG (General Commercial)

Current Acreage: Tract 1: 0.5150 acres
Tract 2: 1.1027 acres
Total 1.6177 acres



Location: Greenville Blvd btw Belvedere Drive & Bismark St

Points of Access: Greenville Blvd

Location Map

Transportation Background Information

1.) Greenville Blvd - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	5-lane curb & gutter	7-lane curb & gutter
Right of way width (ft)	100	110
Speed Limit (mph)	45	45
Current ADT:	34,000(*)	Design ADT: 45,000 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along Greenville Blvd that service this property.	

Notes: (*) 2006 NCDOT count
(**) Traffic volume based on an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: MPO recommending that NCDOT include in the 2009-2015 STIP.

Trips generated by proposed use/change:

Current Zoning: 60 -vehicle trips/day (*) **Proposed Zoning:** 180 -vehicle trips/day (*)

Estimated Net Change: increase of 120 -vehicle trips/day (assumes full-build out)

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

Impact on Existing Roads

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

1.) Greenville Blvd, East of Site (“No build” ADT of 34,000)

Estimated ADT with Proposed Zoning (full build) – 34,090
Estimated ADT with Current Zoning (full build) – 34,030
Net ADT change – 60 (< 1% increase)

2.) Greenville Blvd, West of Site (“No build” ADT of 34,000)

Estimated ADT with Proposed Zoning (full build) – 34,090
Estimated ADT with Current Zoning (full build) – 34,030
Net ADT change – 60 (< 1% increase)

Staff Findings/Recommendations:

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 180 trips to and from the site on Greenville Blvd, which is a net increase of 120 trips per day.

During the review process, measures to mitigate traffic impacts will be determined. These measures may include the construction of a turn lane into the development.

Excerpt from the approved Planning and Zoning Commission meeting minutes (10/16/07)

REQUEST BY DAVID HILL – APPROVED

Chairman Tozer stated that the next item of business is a request by David Hill to rezone 1.6177 acres located at the southeast corner of the intersection of Greenville Boulevard and Belevedere Drive from R9 (Residential [Medium Density]) and O (Office) to O (Office) and CG (General Commercial).

Ms. Gooby stated this request is to rezone 1.5 acres to Office and General Commercial. The property is located in the southern section of the city along Greenville Boulevard, west of Brown & Wood Dealership. Ms. Gooby explained that Tract 1 is proposed for Office and the intervening tracts between there and the church are proposed for General Commercial. The property abuts Belvedere Subdivision. There is no multi-family in the general vicinity. The proposed rezoning could generate a net increase of 120 trips. There is an intermediate focus area north of the site and regional focus area to the west. The Land Use Plan Map recommends Office and Multi-family along Greenville Boulevard. The proposed Office could be used for parking for uses within the proposed commercial area. A primary concern is the entrance to Belvedere Subdivision and the interest of the adjoining property owners. Ms. Gooby stated that in staff's opinion the proposed Office is recommended because it is at the entrance to a neighborhood, however, with respect to the proposed commercial there are some concerns however the Commission was presented a letter from adjoining property owners in support of the request. Ms. Gooby explained that taking that into consideration if the Commission feels the commercial zoning is appropriate the request would be in compliance with the Plan in that the adjoining property owners do not object to the commercial that will back up to their property.

Mr. Ken Malpass, representing the applicant, spoke on behalf of the request. Mr. Malpass reiterated that Mr. David Hill has spoken with the adjoining property owners and obtained their signatures which the Commission has been presented. Mr. Malpass stated that Mr. Hill and Mr. Ward Parker of the church were in attendance if the Commission had questions.

No one spoke in opposition.

Motion was made by Mr. Gordon, seconded by Mr. Stokes, to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Those voting in favor: Randall, Baker, Stokes, Lehman, Wilson, Ramey and Gordon. Those voting in opposition: Moyer. Motion carried.

EXISTING 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 home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

- 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

R9S (Residential-Single-Family)
Special Uses

(1) General:

* None

(2) Residential:

* None

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)

(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

EXISTING AND PROPOSED ZONING

O (Office)

Permitted Uses

(1) General:

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

(2) Residential:

* None

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

- f. Public park or recreational facility

(7) Office/ Financial/ Medical:

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

(8) Services:

- c. Funeral home
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- o. Church or place of worship (see also section 9-4-103)
- p. Library
- q. Museum
- r. Art Gallery
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- e. Barber or beauty shop

(9) Repair:

* None

(10) Retail Trade:

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

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

O (Office)

Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

* None

(7) Office/ Financial/ Medical:

* None

(8) Services:

a. Child day care facilities

b. Adult day care facilities

j. College and other institutions of higher learning

l. Convention center; private

bb. Civic organizations

cc. Trade and business organizations

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) *Construction:*

* None

(13) *Transportation:*

* None

(14) *Manufacturing/ Warehousing:*

* None

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

* None

PROPOSED ZONING

CG (General Commercial)

Permitted Uses

(1) *General:*

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

(2) *Residential:* * None

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

*None

(4) *Governmental:*

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

(5) *Agricultural/ Mining:*

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

(6) *Recreational/ Entertainment:*

- f. Public park or recreational facility
- h Commercial recreation; indoor only, not otherwise listed
- j. Bowling alleys
- n. Theater; movie or drama, indoor only
- q. Circus, carnival or fair, temporary only (see also section 9-4-103)
- s. Athletic Club; indoor only

(7) *Office/ Financial/ Medical:*

- a. Office; professional and business, not otherwise listed
- b. Operation/processing center
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
- g. Catalogue processing center

(8) Services:

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- o. Church or place of worship (see also section 9-4-103)
- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor
or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- y.(1) Television and/or radio broadcast facilities including receiving and transmission equipment and towers not exceeding 200 feet in height or cellular telephone and wireless communication towers not exceeding 200 feet in height
(see also section 9-4-103)
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

(9) Repair:

- g. Jewelry, watch, eyewear or other personal item repair

(10) Retail Trade:

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

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

- b. Rental of home furniture, appliances or electronics and medically related products (see also (10)k.)
- c. Rental of cloths and accessories; formal wear, etc.

(12) Construction:

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

(13) Transportation:

- c. Taxi or limousine service
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

* None

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

* None

**CG (General Commercial)
Special Uses**

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

- c. Office; customer services, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- 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

(9) Repair:

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

(10) Retail Trade:

- b. Gasoline or automotive fuel sales; accessory or principal use, retail
- j. Restaurant; regulated outdoor activities
- n. Appliances; commercial use, sales and accessory repair, excluding outside storage

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

- d. Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
- f. Automobile, truck, recreational vehicle, motorcycle and boat sales and service (see also major and minor repair)

(12) Construction:

* None

(13) Transportation:

* None

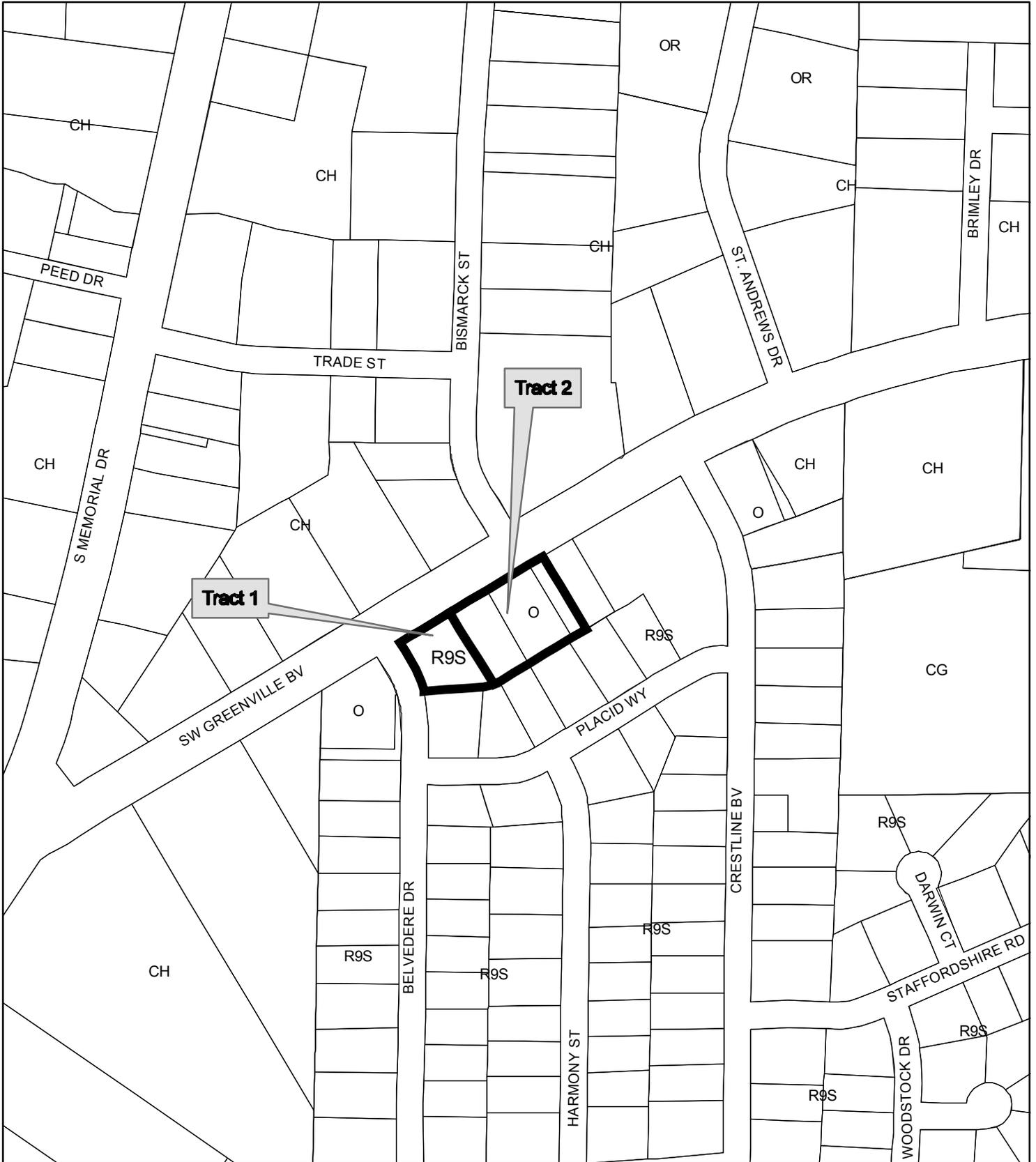
(14) Manufacturing/ Warehousing:

- k. Mini-storage warehouse, household; excluding outside storage

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

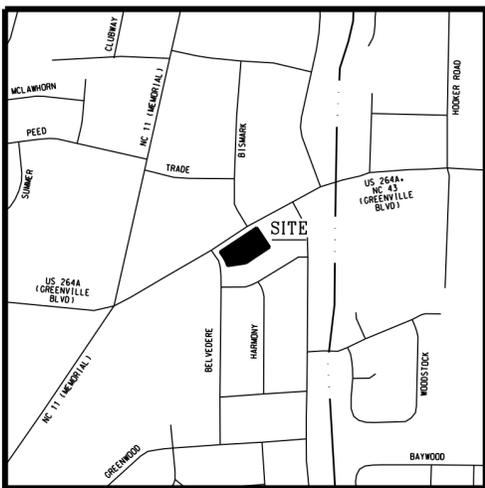
- a. Other activities; personal services not otherwise listed
- b. Other activities; professional activities not otherwise listed
- c. Other activities; commercial services not otherwise listed
- d. Other activities; retail sales not otherwise listed

David Hill (07-28)



Tract 1: R9S to O (0.5150 acres)
Tract 2: O to CG (1.1027 acres)

 Area Requested to be Rezoned
 Land Parcels



VICINITY MAP
1" = 1000'



REVISIONS

BY	NO.	DATE	DESCRIPTION
WKM	1	9/18/07	CHANGE 0.5150 ACRE TRACT FROM OR TO O

REZONING MAP FOR
DAVID HILL
PROPERTY IN DEED BOOK 2223, PAGE 237 AS RECORDED IN THE PITT COUNTY REGISTRY
GREENVILLE WINTERVILLE TWPSP PITT CO NORTH CAROLINA

OWNER: DAVID HILL
ADDRESS: 730 GREENVILLE BLVD.
GREENVILLE, NC 27834
PHONE: (252) 355-2626

DESIGNED: WKM
DRAWN: JHT
APPROVED: WKM
DATE: 2/6/07
SCALE: 1" = 40'
SHEET 1 OF 1

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

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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

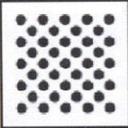
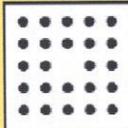
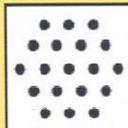
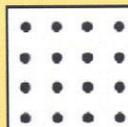
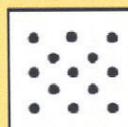
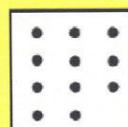
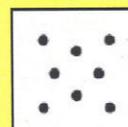
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

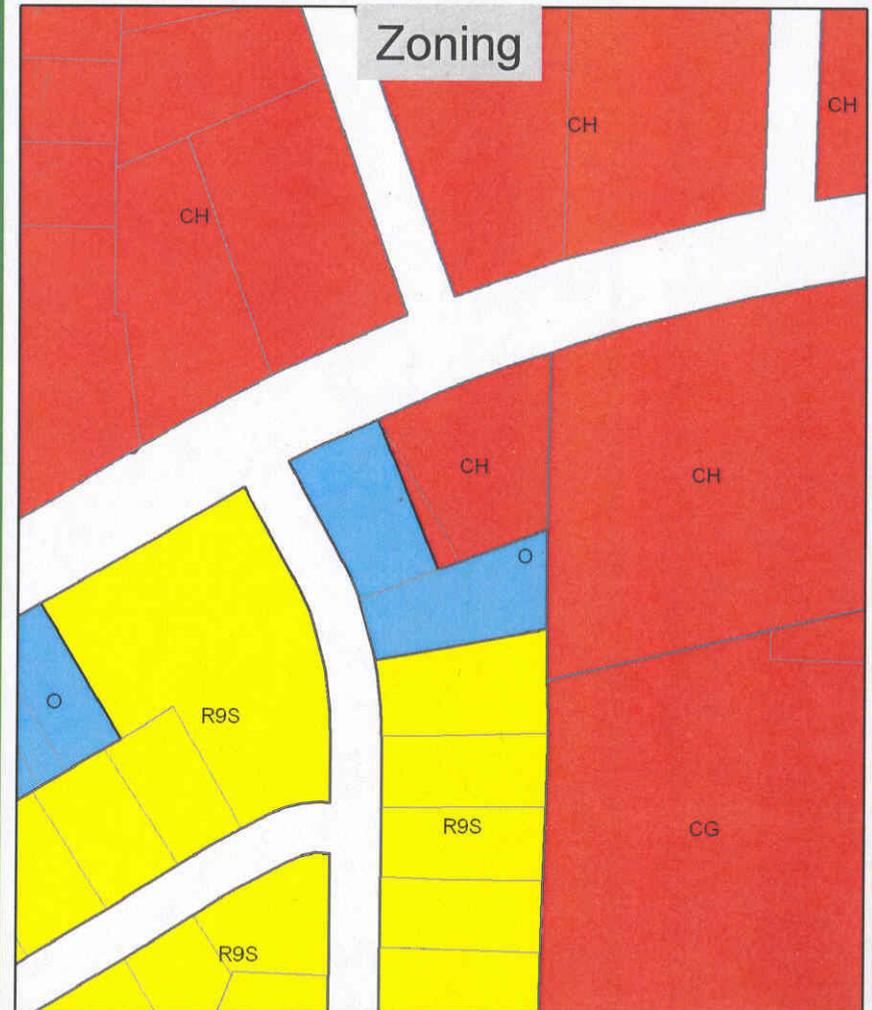
Illustration: Maximum allowable density in Residential Zoning Districts

Brown & Wood Dealership

Aerial View



Zoning





City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Ordinance requested by Antonio and Elizabeth Ponce to rezone 0.24± acres located along the eastern right-of-way of Memorial Drive and 100± feet north of Pine Street from R6S (Residential-Single-family [Medium Density]) to O (Office)

Explanation: **Rezoning Request Report**

Applicant :

Rezoning requested by Antonio and Elizabeth Ponce for 0.24± acres located along the eastern right-of-way of Memorial Drive and 100± feet north of Pine Street from R6S (Residential-Single-family [Medium Density]) to O (Office).

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

Required Notice:

Planning and Zoning Commission – letters mailed on November 5, 2007.

Sign - posted on November 5, 2007.

City Council – letters mailed on November 27, 2007.

Legal Advertisement – published on December 3rd and 10th, 2007.

Comprehensive Plan:

The subject site is located in Vision Area E.

Memorial Drive is designated as a connector corridor from the Tar River to Greenville Boulevard. Connector corridors are anticipated to contain a variety of higher intensity activities and uses whereas residential corridors are preferred to accommodate lower intensity residential uses.

The Future Land Use Plan Map recommends Office/Institutional/Multi-family (OIMF) along the eastern right-of-way of Memorial Drive between Sylvan Drive and Millbrook Street transitioning to medium density residential to the interior areas. There is an intermediate focus (50,000 – 150,000 sq. ft. of conditioned floor space) area along Memorial Drive south of Arlington Boulevard. The Comprehensive Plan states “Office/institutional/multi-family development should be used as a buffer between light industrial and commercial development and adjacent lower density residential land uses.”

The proposed Office (O) zoning is preferred in lieu of OR (office-residential) due to the absence of any multi-family option in the O district.

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

The possible impact on the existing road network associated with the requested rezoning is considered to be negligible. Therefore, an extensive traffic analysis was not performed.

Detailed Report Attached

History/Background:

In 1969 series zoning map indicated the property as being zoned R6 (Residential). In 2007, the property was included in a neighborhood rezoning (Hillsdale Subdivision) from R6 (single-, duplex and multi-family) to R6S (single-family only).

Present Land Use:

One (1) single-family residence.

Utilities:

GUCO water and sanitary sewer are available to the subject property.

Cultural Resources:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

There are no known environmental conditions.

Surrounding Land Uses and Zoning:

North: R6S: Hillsdale Subdivision (single-family)
South: R6S: Hillsdale Subdivision (single-family)
East: R6S: Hillsdale Subdivision (single-family)
West: CH: Value Max Auto Sales and vacant lot

Density Estimates:

Currently, the subject site contains a single-family residence (1,150± square feet of floor area). At the proposed zoning (O), staff would anticipate the single-family home to be converted to an office with associated parking.

Additional Staff Comments:

The subject property was rezoned to R6S (single-family) as part of the neighborhood rezonings as recommended by the Task Force on Preservation of Neighborhoods and Housing. In staff's opinion, the long-term livability of the dwelling will be diminished over time due to the lots frontage on Memorial Drive. The Office (O) district is the most restrictive nonresidential zone and will serve as a buffer between the thoroughfare street and abutting commercial development and the single-family neighborhood.

For information or questions, contact Greenville Community Development Department Staff: Chantae M. Gooby, 329-4507, or Harry V. Hamilton, Jr., 329-4511

Fiscal Note:

No cost to the City.

Recommendation:

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

The Planning and Zoning Commission, at their November 20, 2007 meeting, voted to approve the request.

If City Council determines to approve the rezoning 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 request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

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

Attachments / click to download

- [📄 Bufferyard and Vegetation Chart and Residential Density Chart](#)
 - [📄 Adjoining Property Owners](#)
 - [📄 Zoning Map](#)
 - [📄 Locational Map](#)
 - [📄 Ordinance Antonio and Elizabeth Ponce 728114](#)
 - [📄 Rezoning 07 31 Antonio and Elizabeth Ponce 727404](#)
 - [📄 Antonio and Elizabeth Ponce P and Z Minutes 730859](#)
 - [📄 List of Uses R6S to O 728518](#)
-

ORDINANCE NO. 07-
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 December 13, 2007 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

Section 1. That the following described territory is rezoned from R6S (Residential – Single-family) to O (Office).

TO WIT: Elizabeth Ramirez Property.

LOCATION: Located along the eastern right-of-way of Memorial Drive and 100± feet north of Pine Street.

DESCRIPTION: Being all of Block A, Lot 2 of the Hillsdale Subdivision as recorded in Map Book 3, Page 135 of the Pitt County Register of Deeds containing 0.24+ 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 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

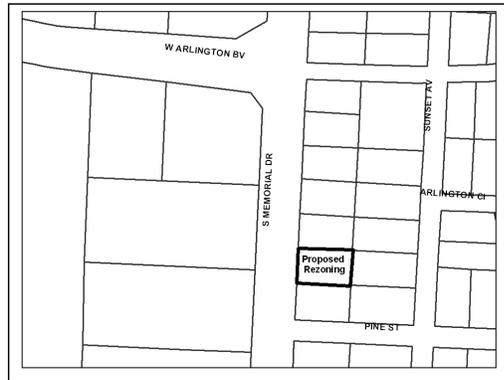
REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 07-31

Applicant: Antonio & Elizabeth Ponce

Property Information

Current Zoning: R6S (Residential Single-Family)
Proposed Zoning: O (Office)
Current Acreage: 0.24 acres
Location: S Memorial Drive btw Arlington Blvd & Pine St
Points of Access: S Memorial Drive



Location Map

Transportation Background Information

1.) Memorial Drive - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	5-lane curb & gutter	5-lane curb & gutter
Right of way width (ft)	100	100
Speed Limit (mph)	45	45
Current ADT:	37,400(*)	Design ADT: 33,500 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along Memorial Drive that service this property.	

Notes: (*) 2007 City count
 (**) Traffic volume based an operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Projects Planned.

Trips generated by proposed use/change:

Current Zoning: 10 -vehicle trips/day (*) **Proposed Zoning:** 13 -vehicle trips/day (*)

Estimated Net Change: increase of 3 - 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.)

The impact on the existing Roadway network is considered to be negligible, and does not warrant an extensive traffic analysis.

Excerpt from the draft Planning and Zoning Commission meeting minutes (11/20/07)

REQUEST BY ANTONIO AND ELIZABETH PONCE – APPROVED

Chairman Tozer stated that the first item of business is a request by Antonio and Elizabeth Ponce to rezone 0.24± acres located along the eastern right-of-way of Memorial Drive and 100± feet north of Pine Street from R6S (Residential-Single-family [Medium Density]) to O (Office).

Ms. Gooby stated this request is to rezone 0.24 acres from Residential-Single Family to Office. The property is located in the central part of the city. The subject property is located on the east side of Memorial Drive and south of Arlington Boulevard. Currently, the property is used as a single family residence. There is commercial development across Memorial Drive. There is no multi-family development in the immediate area. The subject property is located along a major thoroughfare, Memorial Drive. The property is located within the vicinity of a focus area. The intent of the Land Use Plan is to provide a Office buffer from the interior single family homes and the commercial development on the opposite side of Memorial Drive. Ms. Gooby stated that it has been recognized the single family homes along Memorial Drive do have a diminished long-term livability. Ms. Gooby stated that this area was one of the single family neighborhoods rezoned as part of the recommendations by the Task Force and at that time the Office area to the north and Office-Residential were left out because they were in keeping with the Land Use Plan Map. Ms. Gooby explained the Office district is the most restrictive non-residential zone. Ms. Gooby stated that in staff's opinion the request is in general compliance with the Land Use Plan Map and the Comprehensive Plan.

Mr. Antonio Ponce spoke on behalf of the request. Mr. Ponce stated he would answer any questions the Commission has.

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

EXISTING ZONING

R6S (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 home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

- 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

R6S (Residential-Single-Family)
Special Uses

(1) General:

* None

(2) Residential:

* None

(3) Home Occupations (see all categories):

- b. Home occupation; excluding barber and beauty shops
- c. Home occupation; excluding manicure, pedicure or facial salon
- d. Home occupation; including bed and breakfast inn (historic district only)

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

PROPOSED ZONING

O (Office)

Permitted Uses

(1) General:

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

(2) Residential:

* None

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

- f. Public park or recreational facility

(7) Office/ Financial/ Medical:

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

(8) Services:

- c. Funeral home
- e. Barber or beauty shop
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- o. Church or place of worship (see also section 9-4-103)
- p. Library
- q. Museum
- r. Art Gallery
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- x. Dance studio

(9) Repair:

* None

(10) Retail Trade:

- s. Book or card store, news stand

w. Florist

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

O (Office)
Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

* None

(7) Office/ Financial/ Medical:

* None

(8) Services:

a. Child day care facilities

b. Adult day care facilities

j. College and other institutions of higher learning

l. Convention center; private

bb. Civic organizations

cc. Trade and business organizations

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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

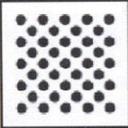
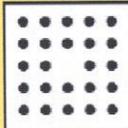
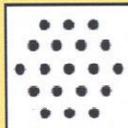
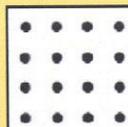
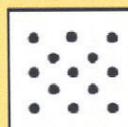
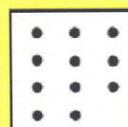
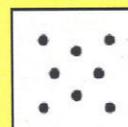
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Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A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

Illustration: Maximum allowable density in Residential Zoning Districts



Antonio Ponce Rezoning

R6S to O

November 5th 2007



- Land Parcels
- Rezoning Boundary



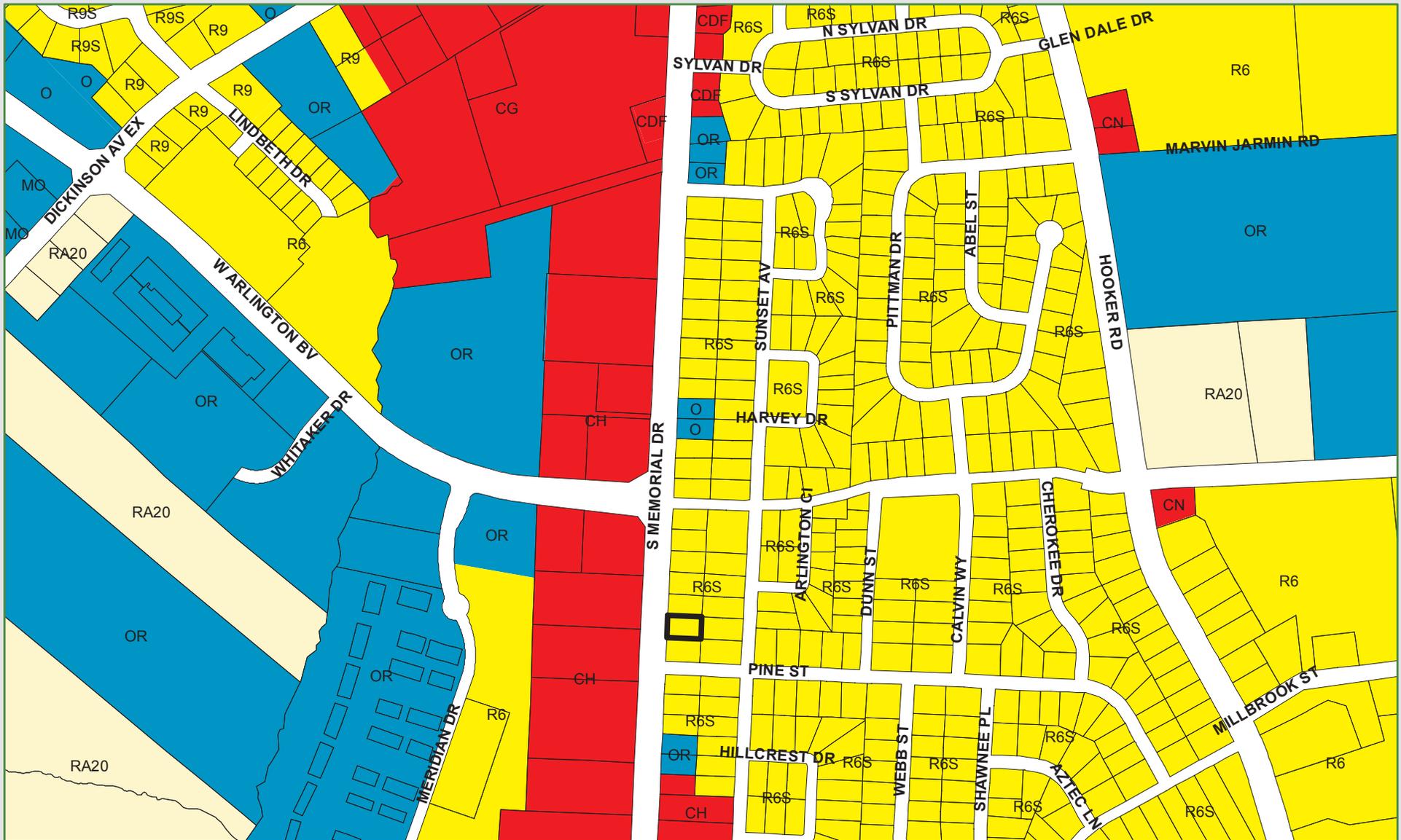
**Adjacent
Property Owners**



Antonio Ponce Rezoning

R6S to O

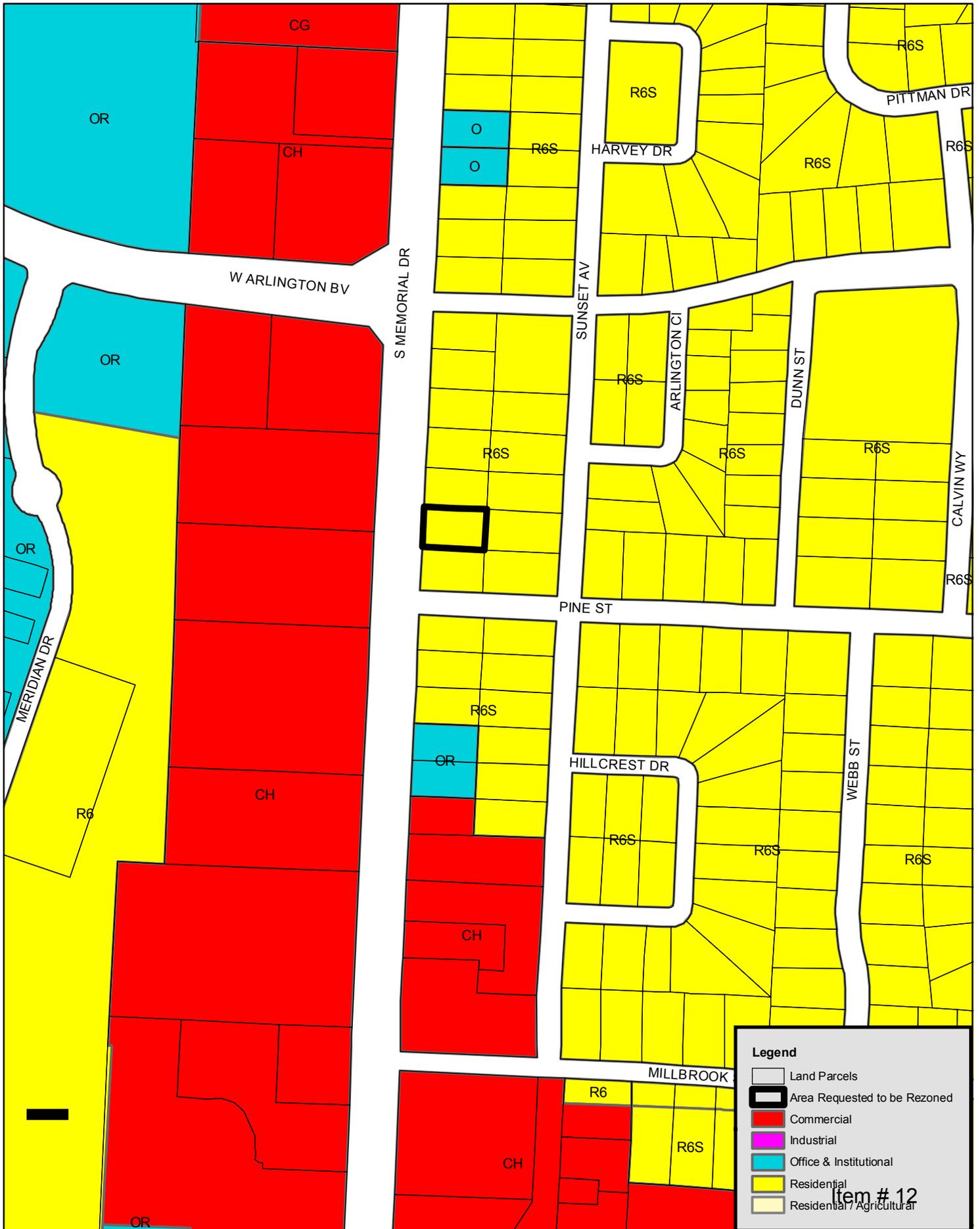
November 5th 2007



- Land Parcels
- Rezoning Boundary



Current Zoning





City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Ordinance requested by Alva W. Worthington to rezone 57.297 acres located along the eastern right-of-way of County Home Road and adjacent to The Bellamy Apartments and Kittrell Farms Subdivision from RA20 (Residential-Agricultural) to R6 (Residential [High Density Multi-family]) and R6A (Residential [Medium Density Multi-Family]).

Explanation: **Rezoning Request Report**

Applicant :

Rezoning requested by Alva W. Worthington for 57.297 acres located along the eastern right-of-way of County Home Road and adjacent to The Bellamy Apartments and Kittrell Farms Subdivision from RA20 (Residential-Agricultural) to R6 (Residential [High Density Multi-family]) and R6A (Residential [Medium Density Multi-Family]).

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

Required Notice

Planning and Zoning Commission - letters mailed on November 5, 2007.

Sign - posted November 5 2007.

City Council - letters mailed November 27, 2007.

Legal Advertisement - published on December 3rd and 10th, 2007.

Requested Change:

Current Zoning:

Tracts 1 and 2: RA20 (Residential-Agricultural)

Proposed Zoning:

Tract 1: R6 (Residential [High Density Multi-Family] Acreage: 21.302
Tract 2: R6A (Residential [Medium Density Multi-Family] Acreage: 35.995

Comprehensive Plan:

The subject site is located in Vision Area D.

County Home Road is designated as a residential corridor from its intersection with Bell’s Chapel Road continuing south. Along residential corridors, office, service and retail activities should be specifically restricted to the associated focus area and linear expansion outside the focus area node should be prohibited.

In the general area east of County Home Road, the Future Land Use Plan Map recommends High Density Residential (HDR) for those properties closest to the Bell’s Chapel Road intersection, and Medium Density Residential (MDR) for those properties approaching the Wintergreen School and the Pitt County Council on Aging site/facility. The extension of the Signature Drive (minor thoroughfare) will intersect County Home Road approximately 700 feet north of the Pitt County property and may adequately serve as the appropriate density-transition point.

In staff’s opinion high density residential zoning should not be extended south of the Signature Drive intersection.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 2,618 trips to and from the site on County Home Road, which is a net increase of 1,933 trips per day. Also, the proposed rezoning classification could generate 1,410 trips to and from the site on Charles Boulevard (NC-43 South), which is a net increase of 1,041 trips per day.

During the review process, measures to mitigate traffic impacts will be determined. These measures may include the construction of turn lanes into the development.

Detailed Report Attached

History/Background:

In 1993, the subject site was incorporated into the City’s jurisdiction and was zoned RA20 (Residential-Agricultural).

Present Land Use:

Farmland and woodlands.

Utilities:

GUCO water is available along County Home Road and sanitary sewer is available at the southwest corner of the subject property.

Cultural Resources:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

There are no known environmental conditions.

Surrounding Land Uses and Zoning:

North: R6A: The Bellamy Apartments and Kittrell Farms Subdivision (single-family)

South: RA20: Pitt County Senior Citizen Center (under construction) & Pitt County Intergenerational Center

East: RA20: Woodlands

West: RA20: Nine (9) single-family residences

Density Estimates:

Tract 1

Gross Acreage: 21.302 acres

Net Acreage: 19 acres (minus 10% rights-of-way)

At the current zoning (RA20), staff would anticipate the site to yield 40-45 single-family lots. At the proposed zoning (OR), staff would anticipate the site to yield 266 multi-family units (2 & 3 bedrooms) based on similar site comparison of Willoughby Park at 14 units per net acre. At maximum density, the site would yield 323 multi-family units (1, 2 & 3 bedrooms) based on 17 units per net acre.

Tract 2

Gross Acreage: 35.995 acres

Net Acreage: 32 acres (minus 10% rights-of-way)

At the current zoning (RA20), staff would anticipate the site to yield 60-65 single-family lots. At the proposed zoning (R6A), staff would anticipate the site to yield 256 multi-family units (2 & 3 bedrooms) based on similar site comparison of The Vineyards at 8 units per net acre. At maximum density, the site would yield 288 multi-family units (1, 2 & 3 bedrooms) at 9 units per net acre.

The anticipated build-out is 4 to 6 years.

For information or questions, contact Greenville Community Development Department Staff: Chantae M. Gooby, 329-4507, or Harry V. Hamilton, Jr., 329-4511.

Fiscal Note: No cost to the City.

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

The Planning and Zoning Commission, at their November 18, 2007 meeting, voted to approve the request.

If City Council determines to approve the rezoning 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 request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

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

Attachments / click to download

- [📄 Locational Map](#)
- [📄 Survey](#)
- [📄 Bufferyard and Vegetation Chart](#)
- [📄 Ordinance Alva W. Worthington 728125](#)
- [📄 Rezoning 07 32 Alva W Worthington 727548](#)
- [📄 Alva W. Worthington P and Z Minutes 730475](#)
- [📄 List of Uses RA20 to R6 R6A 671965](#)

ORDINANCE NO. 07-
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 December 13, 2007, at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

Section 1. That the following described territory is rezoned from RA20 (Residential–Agricultural) to R6 (Residential).

TO WIT: Alva Wayne and Lois D. Worthington Property, Tract 1.

LOCATION: Located along the eastern right-of-way of County Home Road and adjacent to The Bellamy Apartments and Kittrell Farms Subdivision.

DESCRIPTION: Situate and being in Winterville Township, Pitt County, North Carolina, and beginning at an existing iron pipe on the east side of County Home Road (NCSR 1725) in the PL Greenville II, L.P. line, and running thence with the line of the PL Greenville II, L.P. lands S 55°50'31" E, 1,310.05 feet to an existing iron pipe; thence with the line of S 02°58'23" E, 237.90 feet, S 19°06'20" W, 258.25 feet, S 43°38'38" W 268.71 feet, S 68°14'56" W 259.59 feet, N 89°57'21" W, 316.70 feet, thence with the east side of County Home Road (NCSR 1725) N 05°26'42" E, 11.69 feet, N 01°14'43" E, 138.24 feet, N 02°30'15" W, 134.97 feet, N 06°34'05" W 132.08 feet, N 10°50'45" W, 137.98 feet, N 12°37'21" W,

280.27 feet, N 13°12'36" W, 142.97 feet, N 12°46'02" W, 320.22 feet, N 11°13'39" W, 235.58 feet to the beginning, containing 21.302 acres, and being the same tract of land conveyed to Alva Wayne Worthington as referenced in Deed Book R33, Page 387 and Deed Book 1558, Page 508 of the Pitt County Registry.

Section 2. That the following described territory is rezoned from RA20 (Residential–Agricultural) to R6A (Residential).

TO WIT: Alva Wayne and Lois D. Worthington Property, Tract 2.

LOCATION: Located eastern of County Home Road and adjacent to The Bellamy Apartments and Kittrell Farms Subdivision.

DESCRIPTION: Situate and being in Winterville Township, Pitt County, North Carolina, and beginning at an existing iron pipe on the east side of County Home Road (NCSR 1725) in the Pitt County Council on Aging, Inc, line and running thence with the line of the Pitt County Council on Aging, Inc. lands N 85°32'16" W, 514.78 feet to an existing iron pipe, thence with the line of Pitt County N 85°32'16" W, 929.73 feet to an existing iron pipe; thence with the line of Rosalind T. Branch S 32°48'27" W, 527.81 feet to an axle; thence with the line of Vivian G. Branch and Mary L.B. Worthington S 32°21'30" W, 421.30 feet to an existing iron pipe; thence with the line of Clark Land Company, LLC S 54°58'49" E, 330.40 feet to an existing iron pipe; thence with the line of Carole G. Dowty and Merdith A. Dowty S 55°50'31" E, 246.94 feet; thence with the line of Rosewood Farms, LLC S 55°50'31" E, 631.46 feet to an existing iron pipe; thence with the line of S 02°58'23" E, 237.90 feet, S 19°06'20" W, 258.25 feet, S 43°38'38" W, 268.71 feet, S 68°14'56" W, 259.59 feet, N 89°57'21" W, 316.70 feet, thence with the east side of County Home Road (NCSR 1725) N 05° 26'42" E, 122.77 feet, N 09°16'49" E, 129.86 feet, N 13°15'40" E, 142.77 feet, N 15°34'27" E, 216.61 feet to the beginning, containing 35.995 acres, and being the same tract of land conveyed to Alva Wayne Worthington as referenced in Deed Book R33, Page 387 and Deed Book 1558, Page 508 of the Pitt County Registry.

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

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

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

ADOPTED this 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 07-32

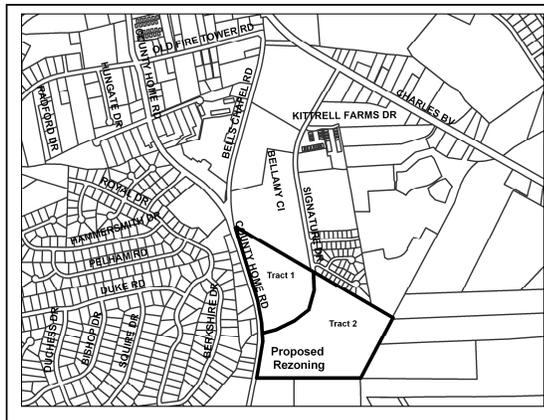
Applicant: Alva W. Worthington

Property Information

Current Zoning: Tract 1: RA20 (Residential Agricultural)
Tract 2: RA20 (Residential Agricultural)

Proposed Zoning: Tract 1: R6 (Residential [High Density MF])
Tract 2: R6A (Residential [Med Density MF])

Current Acreage: Tract 1 21.302 acres
Tract 2 35.995 acres
Total = 57.297 acres



Location: County Home Road south of Bell's Chapel intersection.

Points of Access: County Home Road, Signature Drive

Location Map

Transportation Background Information

1.) County Home Road - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lane w/ paved shoulders	5-lane curb & gutter
Right of way width (ft)	60	90
Speed Limit (mph)	45	45
Current ADT:	8,850(*)	Design ADT: 35,000 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along County Home Road that service this property.	

Notes: (*) 2004 NCDOT count adjusted with a 3% growth rate for 2007
(**) Traffic volume based on an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: From Priority List: Spot Safety Improvements for County Home Road (between Bell's Chapel Road and Wintergreen Elementary), including the addition of a continuous turn lane.

2.) Charles Blvd. / NC 43 South - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lane w/ paved shoulders	4-lane w/raised median, curb & gutter
Right of way width (ft)	60	100
Speed Limit (mph)	45	45
Current ADT:	14,000(*)	Design ADT: 35,000 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along Charles Blvd. that service this property.	

Notes: (*) 2007 City Count
(**) Traffic volume based on an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: From Priority List (currently unfunded): Widen existing 2 and 3 lane Blvd (Charles Boulevard / NC-43 South) to a multi-lane urban section.

Trips generated by proposed use/change:

Current Zoning: 1053 -vehicle trips/day (*) **Proposed Zoning:** 4027 -vehicle trips/day (*)

Estimated Net Change: increase of 2974 - 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 County Home Road and Charles Boulevard are as follows:

1.) County Home Road, North of Site (“No build” ADT of 8,850)

Estimated ADT with Proposed Zoning (full build) – 11,266
Estimated ADT with Current Zoning (full build) – 9,482
Net ADT change – 1,784 (16 % increase)

2.) County Home Road, South of Site (“No build” ADT of 8,850)

Estimated ADT with Proposed Zoning (full build) – 9,051
Estimated ADT with Current Zoning (full build) – 8,903
Net ADT change – 148 (2 % increase)

3.) Charles Blvd, North of Signature Drive (“No build” ADT of 14,000)

Estimated ADT with Proposed Zoning (full build) – 15,208
Estimated ADT with Current Zoning (full build) – 14,316
Net ADT change – 892 (6 % increase)

4.) Charles Blvd, South of Signature Drive (“No build” ADT of 14,000)

Estimated ADT with Proposed Zoning (full build) – 14,201
Estimated ADT with Current Zoning (full build) – 14,053
Net ADT change – 148 (1 % increase)

Staff Findings/Recommendations:

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 2,618 trips to and from the site on County Home Road, which is a net increase of 1,933 trips per day. Also, the proposed rezoning classification could generate 1,410 trips to and from the site on Charles Blvd. (NC-43 South), which is a net increase of 1,041 trips per day

During the review process, measures to mitigate traffic impacts will be determined. These measures may include the construction of turn lanes into the development.

Excerpt from the draft Planning and Zoning Commission meeting minutes (11/20/07)

REQUEST BY ALVA W. WORTHINGTON – APPROVED

Chairman Tozer stated that the next item is a request by Alva W. Worthington to rezone 57.297 acres located along the eastern right-of-way of County Home Road and adjacent to The Bellamy Apartments and Kittrell Farms Subdivision from RA20 (Residential-Agricultural) to R6 (Residential [High Density Multi-family]) and R6A (Residential [Medium Density Multi-Family]).

Ms. Gooby stated this is a request to rezone 57 acres from Residential-Agricultural to High Density Multi-family and Medium Density Multi-family. The property is located in the southeast quadrant of the city and east of Windsor Subdivision. Ms. Gooby indicated the extension of Signature Drive on the map and the boundary between Tracts 1 and 2. Tract 1 is requested for High Density Multi-family and Tract 2 is requested for Medium Density Multi-family. Ms. Gooby indicated the multi-family developments in the area on the map. This rezoning could generate a net increase of 2,974 trips which will be divided between Charles Boulevard and County Home Road. There is a commercial focus area at the intersection of Fire Tower Road and Arlington Boulevard. The Land Use Plan Map recommends high density residential near the Bells Chapel Road intersection and then transitioning into medium density approaching Wintergreen School. Ms. Gooby stated that it is staff's opinion that to the north of the proposed Signature Drive should be the dividing line between high density and medium density multi-family. There is R6A and R6 zoning adjacent to the north. Ms. Gooby stated that under the current zoning, staff would anticipate 100 to 115 single-family lots and under the proposed zoning, staff would anticipate 500 units of multi-family. Ms. Gooby stated that in staff's opinion the request is in general compliance with the Comprehensive Plan and the Land Use Plan Map.

Mr. Bell stated that in staff's opinion it was stated that multi-family zoning should not be extended to the south of Signature Drive and asked if this would put Signature Drive at its maximum.

Ms. Gooby stated that Signature Drive is a connector street and the increase would not put Signature Drive over capacity.

Mr. Wayne Worthington, son of the applicant, spoke on behalf of the request. Mr. Worthington stated that he helped develop the application. Mr. Worthington stated that in developing the application three major areas were focused upon (1) conformance with the Comprehensive Plan (2) compatibility with surrounding zoning and (3) compatibility with surrounding and future land uses. Mr. Worthington stated that this request was submitted at this time to ensure the long-term development goals for the area to be realized in a predictable manner. Mr. Worthington stated that they believe the request is in compliance with the Comprehensive Plan and compatible with the surrounding zoning and future land uses.

Mr. Fred Mattox, representing the applicant, stated the request is compatible with the existing Land Use Plan. There is R6 zoning adjacent to the proposed R6 zoning and R6A adjacent to the proposed R6A zoning. Signature Drive is designed to be a minor thoroughfare. Mr. Mattox stated that the street would be installed by the applicant. Mr. Mattox stated that this is an appropriate transition point for different zoning. Mr. Mattox stated that in his opinion the Signature Drive is better transition point than to have one particular zone adjacent to a second zone which could be incompatible. Mr. Mattox explained that the traffic issues will be addressed when plans are submitted to the city for review. Mr. Mattox reiterated that staff has stated that

the request is in conformity with the Horizons Greenville's Community Plan and would ask for approval of the request.

Ms. Meredith (Dowty) Hall, resident of 4132 Hillard Lane, is the only resident in the adjacent subdivision to the subject property. Ms. Hall stated her property backs up to the Worthington property and has concerns in regards to environmental issues, stormwater run-off, lighting and paving for multi-family. Ms. Hall stated that in reference to Signature Drive it is possible that the increase in traffic would max out the capacity of the road because other development will have access to this road. Ms. Hall stated with the other developments in the area she feels the area is being over populated.

Chairman Tozer stated that the applicants would have to comply with stormwater regulations and bufferyard regulations initiated by the city.

Ms. Kelly Hurley, resident of the Berkshire Drive, Windsor Subdivision, stated that other residents of the area didn't receive letters. Ms. Hurley stated that there are residents that are concerned in regards to this request. Ms. Hurley stated that with the amount of current building in the area that County Home Road is congested already. Ms. Hurley stated that Signature Drive will not eliminate the congestion. Ms. Hurley asked if the Worthington's had considered a park in the area as an alternative.

Ms. Gooby advised the Commission that staff posted signs on November 5, 2007 along County Home Road and at the terminus of Signature Drive. Notices were mailed on the same day. Ms. Gooby advised that notices were mailed to homes that front County Home Road and the homes on the east side of Berkshire Drive in the Windsor Subdivision which was in excess of those required to receive mailed notice.

Ms. Hurley reiterated that residents that were not notified have concerns but were unable to attend the meeting and asked that the request not be heard in order for those residents to voice their concerns.

Mr. Randall noted that adjacent to this property there is construction on the Pitt County Council on Aging facility and a park is under construction behind that facility.

Mr. Thomas Atkinson, resident on County Home Road, stated that he has concerns in regards to drainage. Mr. Atkinson stated that he already has a problem with drainage.

Chairman Tozer advised Mr. Atkinson to contact Pitt County Planning in reference to his concerns regarding drainage and the ditch problem.

No one spoke in rebuttal.

Motion was made by Mr. Baker, seconded by Mr. Stokes, to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Those voting in favor: Baker, Stokes, Bell, Gordon, Moye, Lehman, Basnight. Those voting in opposition: Randall. Motion carried.

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
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(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
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

- b. Greenhouse or plant nursery; including accessory sales

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- ee. Hospital

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

PROPOSED ZONING

R6 (Residential)

Permitted Uses

(1) General:

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

(2) Residential:

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

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

R6 (Residential)

Special Uses

(1) General:

* None

(2) Residential:

- d. Land use intensity multifamily (LUI) development rating 50 per Article K
- e. Land use intensity dormitory (LUI) development rating 67 per Article K
- l. Group care facility
- n. Retirement center or home
- p. Board or rooming house
- r. Fraternity or sorority house
- o.(1). Nursing, convalescent center or maternity home; minor care facility

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- m. Multi-purpose center
- t. Guest house, college and other institutions of higher learning

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

R6A (Residential)

Permitted Uses

(1) General:

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

(2) Residential:

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

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

- 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

R6A (Residential)

Special Uses

(1) General:

* None

(2) Residential:

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

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

l. Group care facility

n. Retirement center or home

p. Board or rooming house

r. Fraternity or sorority house

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

(3) Home Occupations (see all categories):

a. Home occupation; including barber and beauty shops

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

(4) Governmental:

a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

a. Golf course; regulation

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

a. Child day care facilities

b. Adult day care facilities

d. Cemetery

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

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

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

m. Multi-purpose center

t. Guest house, college and other institutions of higher learning

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

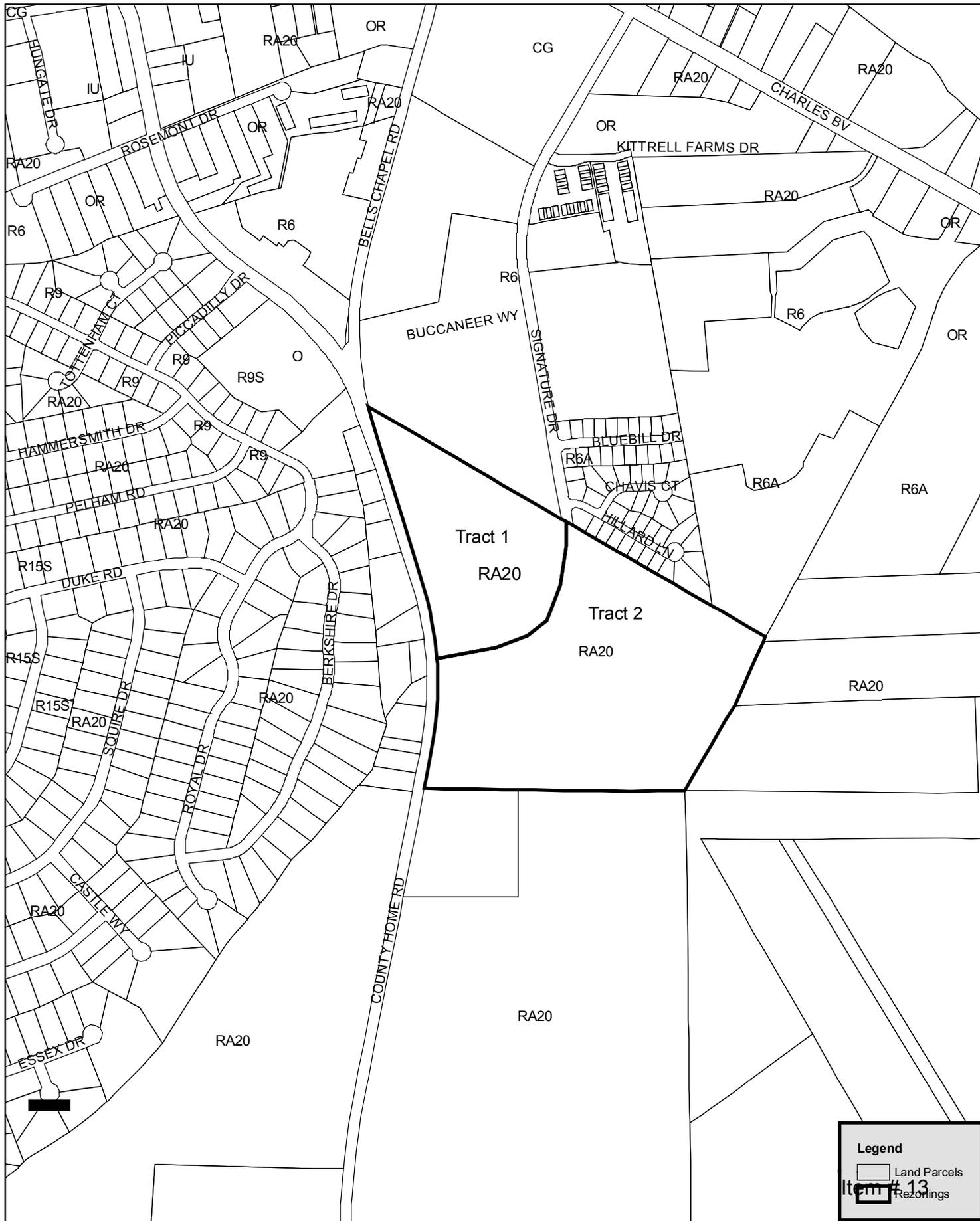
(14) Manufacturing/ Warehousing:

* None

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

* None

Alva W. Worthington
Tract 1: RA20 to R6 (21.302 acres)
Tract 2: RA20 to R6A (35.995 acres)
October 30, 2007



BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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

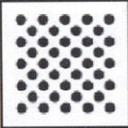
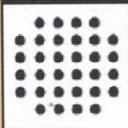
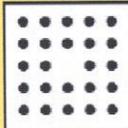
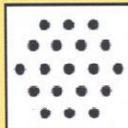
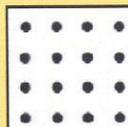
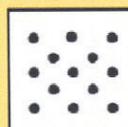
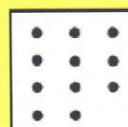
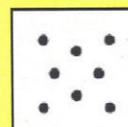
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Ordinance requested by Springshire Retirement, LLC to rezone 7.990 acres located 1,100± feet north of NC Highway 43 and 400± feet west of Martin Luther King, Jr. Highway from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family])

Explanation: **Rezoning Request Report**

Applicant :

Rezoning requested by Springshire Retirement, LLC for 7.990 acres located 1,100± feet north of NC Highway 43 and 400± feet west of Martin Luther King, Jr. Highway from RA20 (Residential-Agricultural) to O R (Office-Residential [High Density Multi-family]).

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

Required Notice:

Planning and Zoning Commission - letters mailed on November 5, 2007.

Sign - posted on November 5, 2007.

City Council - letters mailed on November 27, 2007.

Legal Advertisement - published on December 3rd and 10th, 2007.

Comprehensive Plan:

The property is located in Vision Area F.

NC Highway 43 is designated as a gateway corridor between Memorial Drive and Rock Springs Road. Gateway corridors serve as primary entranceways into

the City and help define community character.

The Future Land Use Plan Map recommends Office/Institutional/Multi-family (OIMF) as the western buffer west of the designated focus area at the intersection of Martin Luther King, Jr. Highway (US 264) and NC Highway 43. The Future Land Use Plan Map further recommends conservation/open space north of the subject tract to the Tar River.

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

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 784 trips to and from the site on NC Highway 43, which is a net increase of 593 additional trips per day.

During the review process, measures to mitigate traffic impacts will be determined. These measures may include the construction of turn lanes into the development.

Detailed Report Attached

History/Background:

In 2001, the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned RA20 (Residential-Agricultural).

Present Land Use:

Woodlands

Utilities:

GUCO water is available along NC Highway 43, and sanitary sewer is available at Golf View Drive.

Cultural Resources:

There is no known effect on designated sites.

Environmental Conditions/Constraints:

There are no known constraints.

Surrounding Land Uses and Zoning:

North: RA20: Woodlands
South: RA20: Woodlands
East: RA20: Woodlands
West: OR: Vacant

Density Estimates:

Gross Acreage: 7.990 acres
Net Acreage: 7 acres

At the current zoning (RA20), staff would anticipate the site to yield 15-20 single-family lots. At the proposed zoning (OR), staff would anticipate the site to yield 98 multi-family units (2 & 3 bedrooms) based on similar site comparison of Willoughby Park at 14 units per net acre. At maximum density, the site would yield 119 multi-family units (1, 2 & 3 bedrooms) based on 17 units per net acre.

The proposed zoning will also allow a retirement/nursing home.

The anticipated build-out is 2 to 3 years.

For information or questions, contact Greenville Community Development Department Staff: Chantae M. Gooby, 329-4507, or Harry V. Hamilton, Jr., 329-4511.

Fiscal Note:

No cost to the City.

Recommendation:

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

The Planning and Zoning Commission, at their November 20, 2007 meeting, voted to approve the request.

If City Council determines to approve the rezoning 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 request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive

plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

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

Attachments / click to download

- [Survey](#)
 - [Bufferyard and Vegetation Chart and Residential Density Chart](#)
 - [Locational Map](#)
 - [Ordinance Springshire Retirement LLC 728126](#)
 - [Rezoning 07 33 Springshire Retirement LLC 727642](#)
 - [Springshire Retirement P and Z Minutes 730413](#)
 - [List of Uses from RA20 to OR 728559](#)
-

ORDINANCE NO. 07-
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 December 13, 2007, at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

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

TO WIT: Springshire Retirement, LLC Property.

LOCATION: Located 1,100± feet north of NC Highway 43 and 400± feet west of Martin Luther King, Jr. Highway.

DESCRIPTION: Being all that property located in Falkland Township, Pitt County, North Carolina, bounded on the west by Springshire Development, LLC, on the north, east and south by McAlister Family Properties, LP, ET AL, and more particularly described as follows:

Beginning at an existing iron pipe located in the northerly right-of-way of NC Highway 43, said pipe being the southwesterly property corner of McAlister Family Properties, LP., et al, recorded in Deed Book 1094, Page 577 and the southeasterly corner of Springshire Retirement, LLC, recorded in Deed Book 2289, Page 645; thence with the common property line of the aforementioned N 36°06'57" E, 1,177.44 feet to a point, the TRUE

POINT OF BEGINNING, passing through an existing iron pipe at 620.01 feet; thence from the TRUE POINT OF BEGINNING with the common property line of McAlister Family Properties, LP and Springshire Retirement, LLC N 36°06'57" E, 1,430.00 feet to a point, passing through a disturbed iron pipe at 442.45 feet; said point also being located S 39°02'57" W, 12.16 feet from an existing iron pipe; thence cornering with a new line across the McAlister Family Properties, LP., et al, recorded in Deed Book 1094, Page 577, S 08°53'03" E, 296.98 feet to a point; thence S 36°06'57" W, 600.00 feet to a point; thence S 08°53'03" E, 197.99 feet to point; thence S 36°06'57" W, 360.00 feet to a point; thence S 81°06'57" W, 169.71 feet to a point; thence N 53°53'03" W, 230.00 feet to a point; the TRUE POINT OF BEGINNING, containing 7.990 acres more or less and being all of the Springshire Retirement, LLC Property, recorded in Deed Book 2400, Page 258 and shown on a Zoning Map prepared by Rivers and Associates, Inc. for Springshire Retirement, LLC, dated October 8, 2007, drawing number Z-2441 and incorporated herein by reference.

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 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

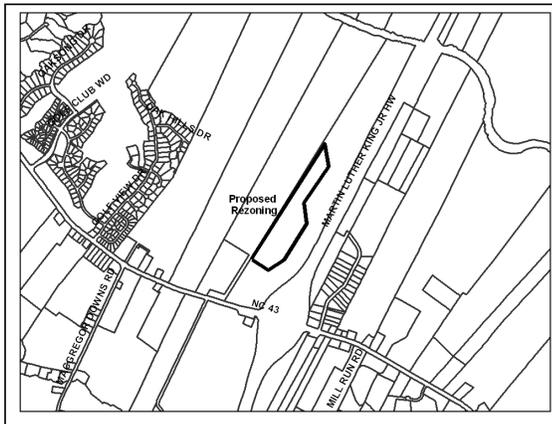
REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 07-33

Applicant: Springshire Retirement, LLC

Property Information

Current Zoning: RA20 (Residential-Agricultural)
Proposed Zoning: OR (Office-Residential [High Density MF])
Current Acreage: 7.990 acres
Location: NC 43, West of MLK Jr. Hwy.
Points of Access: NC Highway 43



Transportation Background Information

1.) NC Highway 43 - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lane with paved shoulders	5-lane with curb and gutter
Right of way width (ft)	100	100
Speed Limit (mph)	55	
Current ADT:	6,800(*)	Design ADT: 33,500 vehicles/day (**)
Controlled Access	no	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along NC Highway 43 that service this property.	

Notes: (*) 2005 NCDOT count adjusted with a 2% growth rate for 2007
 (**) Traffic volume based on an operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Transportation Improvement Program Status: Add two-foot paved shoulders, turn lanes, milling and shoulder reconstruction from the Edgecombe County Line to US 13-NC 11 to be completed by 12/1/2007.

Trips generated by proposed use/change:

Current Zoning: 191 -vehicle trips/day (*) **Proposed Zoning:** 784 -vehicle trips/day (*)

Estimated Net Change: increase of 593 -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 NC Hwy 43 are as follows:

1.) NC Hwy 43, East of Site (“No build” ADT of 6,800)

Estimated ADT with Proposed Zoning (full build) – 7,506
 Estimated ADT with Current Zoning (full build) – 6,972
Net ADT change – 534 (7% increase)

Case No: 07-33

Applicant: Springshire Retirement, LLC

2.) NC Hwy 43, West of Site (“No build” ADT of 6,800)

Estimated ADT with Proposed Zoning (full build) – 6,878

Estimated ADT with Current Zoning (full build) – 6,819

Net ADT change – 59 (<1% increase)

Staff Findings/Recommendations:

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 784 trips to and from the site on NC Hwy 43, which is a net increase of 593 additional trips per day.

During the review process, measures to mitigate traffic impacts will be determined. These measures may include the construction of turn lanes into the development.

Excerpt from the draft Planning and Zoning Commission meeting minutes (11/20/07)

REQUEST BY SPRINGSHIRE RETIREMENT, LLC – APPROVED

Chairman Tozer stated that the next item is request by Springshire Retirement, LLC to rezone 7.990 acres located 1,100± north of NC Highway 43 and 400± west of Martin Luther King, Jr. Highway from RA20 (Residential-Agricultural) to OR (Office-Residential [High Density Multi-family]).

Ms. Gooby stated this request is to rezone approximately 8 acres to Office-Residential. The property is located in the northeast quadrant of the city, north of Highway 43 and east of Ironwood Subdivision and Country Club. The subject property is surrounded by vacant land. The property is impacted by the 100-year floodplain associated with the Tar River. The requested rezoning could generate a net increase of almost 600 trips with the majority toward the city. There are focus areas located at MacGregor Downs Road and Martin Luther King, Jr. Highway. The Land Use Plan Map recommends commercial zoning at the northeast quadrant of the intersection transitioning into Office /Institutional/Multi-family. Conservation/open space is recommended to the north due to the river and floodplain. Under the current zoning, staff would anticipate 25 single-family lots and under the proposed zoning, staff would anticipate approximately 100 multi-family units. There is Office-Residential zoning adjacent to the property and the remaining is Residential-Agricultural. Ms. Gooby stated that in staff's opinion the request is in compliance with the Comprehensive Plan and Land Use Plan Map.

Mr. Durk Tyson, Rivers and Associates, spoke on behalf of the applicants. Mr. Tyson stated that the Commission rezoned the property to the west several months ago. Mr. Tyson stated that Springshire has purchased the property from their neighbor and would like it rezoned for their overall development.

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

EXISTING ZONING

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
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(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
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

- b. Greenhouse or plant nursery; including accessory sales

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- ee. Hospital

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

PROPOSED ZONING

OR (Office-Residential)

Permitted Uses

(1) General:

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

(2) Residential:

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

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

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

- o. Church or place of worship (see also section 9-4-103)
- p. Library
- q. Museum
- r. Art Gallery
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- x. Dance studio
- bb. Civic organizations
- cc. Trade or business organizations

(9) Repair:

* None

(10) Retail Trade:

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

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

OR (Office-Residential)

Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

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

(9) Repair:

- * None

(10) Retail Trade:

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

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

- * None

(12) Construction:

- * None

(13) Transportation:

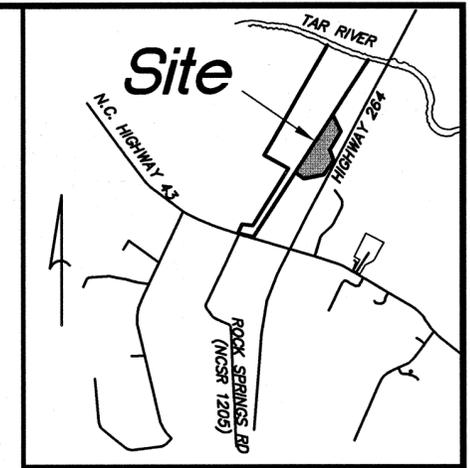
- h. Parking lot or structure; principle use

(14) Manufacturing/ Warehousing:

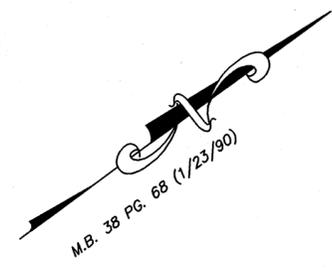
- * None

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

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



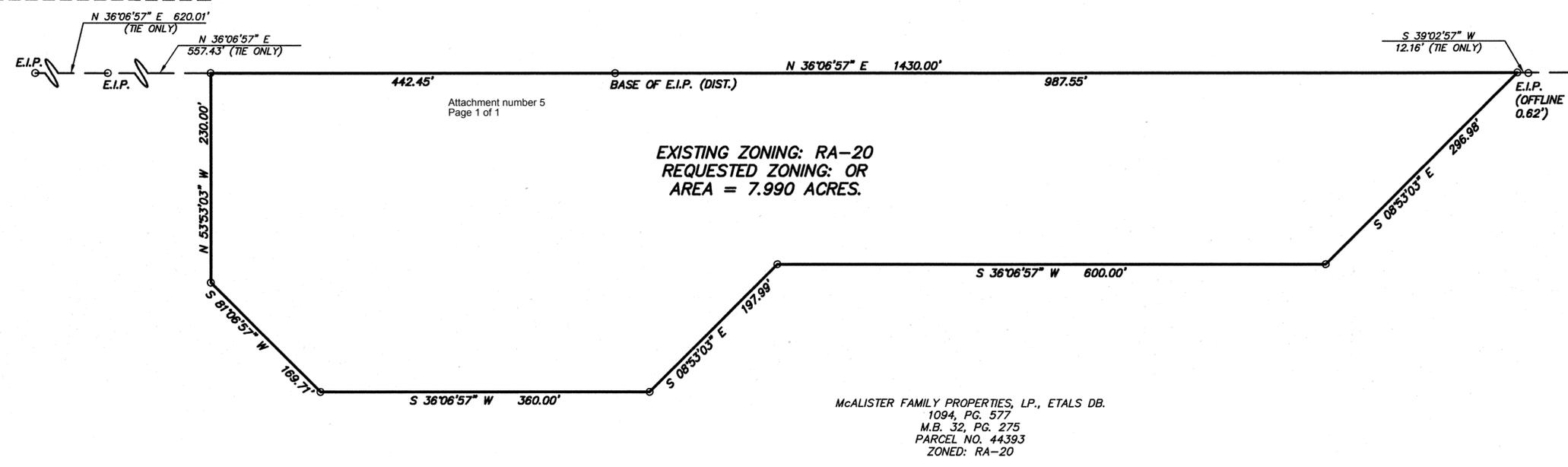
Vicinity Map SCALE: 1" = 4000'



M.B. 38 PG. 68 (1/23/90)

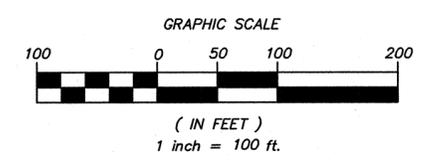
N/F
DAVID W. AMMONS
D.B. 2289, PG. 648
M.B. 38, PG. 68
PARCEL NO. 7280
ZONED: OR

SPRINGSHIRE RETIREMENT, LLC
D.B. 2289, PG. 645
M.B. 38, PG. 68
PARCEL NO. 74363
ZONED: OR



Reference:

PARCEL NO. 044393
D.B. 2400 PG. 258
D.B. 2289 PG. 645
D.B. 1094 PG. 577
M.B. 69, PG. 36
M.B. 39 PG. 68



Notes:

1. ALL DISTANCES ARE HORIZONTAL MEASUREMENTS.
2. AREA DETERMINED BY COORDINATES
3. NO POINT SET AT ANY CORNER UNLESS OTHERWISE NOTED.
4. THIS MAP WAS PREPARED FOR REZONING PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON.
5. BOUNDARY INFORMATION TAKEN FROM REFERENCED INFORMATION SHOWN HEREON. THIS IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN AND IS NOT TO BE USED FOR SALES OR CONVEYANCES.
6. THIS MAP IS AN EXCEPTION TO THE DEFINITION OF A SUBDIVISION AND DOES NOT CONFORM TO G.S. 47-30.

Legend

N/F	NOW OR FORMERLY
PARCEL NUMBER	PARCEL NO. , P.N.
MAP BOOK	M.B.
PAGE	PG.
DEED BOOK	D.B.
DISTRUBED	DIST.

Owners :

SPRINGSHIRE RETIREMENT, LLC
2304 WESVILL COURT
SUITE 310
RALEIGH, N.C. 27607
(919) 783-0044

REVISIONS

	Rivers & Associates, Inc. <small>Since 1918</small> 107 East Second Street Greenville, NC 27858 (252) 752-4135		Engineers Planners Surveyors
	6131 Falls of Neuse Road, Suite 300 Raleigh, NC 27609 (919) 848-3347		
REZONING MAP FOR SPRINGSHIRE RETIREMENT, LLC			
FALKLAND TOWNSHIP, PITT COUNTY, NORTH CAROLINA			
DATE 10/08/07	SURVEY W.G. DESIGN	DRAFT PH/SV CHECK P.W.H.	SCALE 1" = 100' DRAWING NO. Z-2441 SHEET 1 OF 1

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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

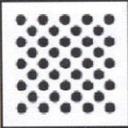
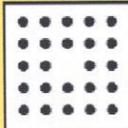
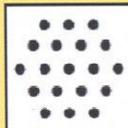
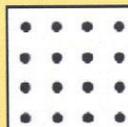
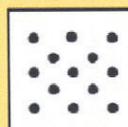
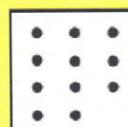
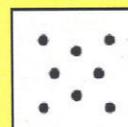
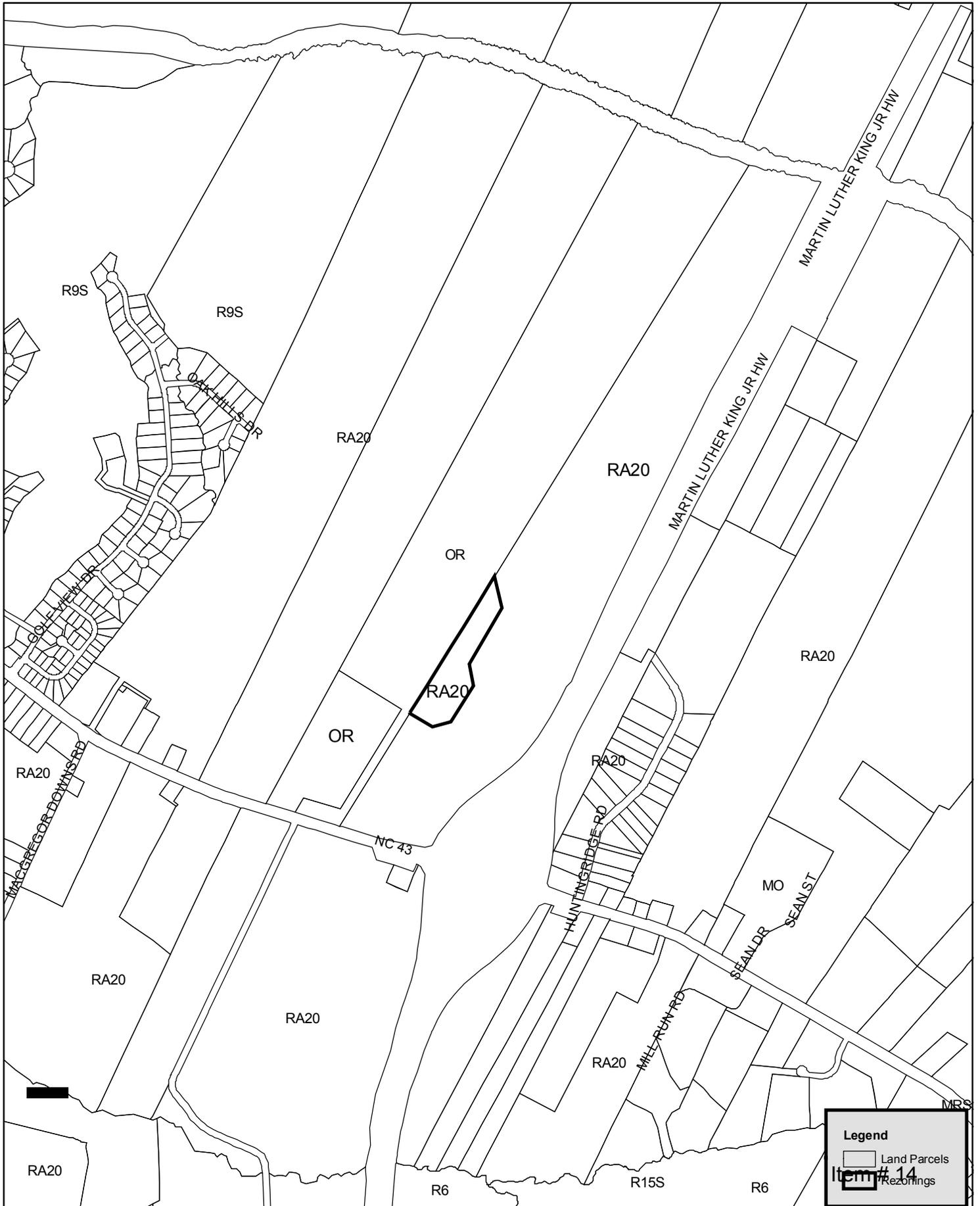
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts





City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Ordinance requested by Donald R. Hatcher to rezone 13.78 acres located along the southern right-of-way of Davenport Farm Road and adjacent to Brighton Place Subdivision from RA20 (Residential-Agricultural) to R6S (Residential-Single-family [Medium Density])

Explanation: **Rezoning Request Report**

Applicant :

Rezoning requested by Donald R. Hatcher for 13.78 acres located along the southern right-of-way of Davenport Farm Road and adjacent to Brighton Place Subdivision from RA20 (Residential-Agricultural) to R6S (Residential-Single-family [Medium Density]).

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

Required Notice:

Planning and Zoning Commission - letters mailed on November 5, 2007.

Sign - posted on November 5, 2007.

City Council - letters mailed on November 27, 2007.

Legal Advertisement - published on December 3rd and 10th, 2007.

Comprehensive Plan:

The property is located in Vision Area E.

Davenport Farm Road is designated as a residential corridor from its intersection with Dickinson Avenue Extension to its intersection with Reedy Branch Road. Along residential corridors, office, service and retail activities should be specifically restricted to the associated focus area and linear expansion outside

the focus area node should be prohibited.

The Future Land Use Plan Map recommends Medium Density Residential (MDR) for the area south of Davenport Farm Road and the interior areas adjacent to the recognized focus area and the Office/Institutional/Multi-family buffer at the intersection of Davenport Farm Road and Frog Level Road.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 184 trips to and from the site on Frog Level Road, which is a net increase of 53 additional trips per day. The proposed reclassification could generate 151 trips to and from the site on Davenport Farm Road, which is a net increase of 43 trips per day.

Current zoning: 239 – vehicle trips/day

Proposed zoning: 335 – vehicle trips/day

During the review process, measures to mitigate traffic impacts will be determined. These measures may include the construction of turn lanes into the development.

Detailed Report Attached

History/Background:

In 2001, the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned RA20 (Residential-Agricultural).

Present Land Use:

One (1) single-family residence.

Utilities:

GUCO water and sanitary sewer are available at Taberna Drive.

Cultural Resources:

There is no known effect on designated sites.

Environmental Conditions/Constraints:

There are no known environmental constraints.

Surrounding Land Uses and Zoning:

North: R9S: Taberna Subdivision (single-family)

South: RA20: Brighton Place Subdivision (single-family)

East: RA20: One (1) single-family residence; R9S: Vacant; O: Vacant
West: RR: Farmland (Pitt County's Jurisdiction)

Density Estimates:

Gross Acreage: 13.78 acres

Net Acreage: 12.5 acres (minus 10% for future rights-of-way)

At the current zoning (RA20), staff would anticipate the site to yield 20-25 single-family cluster lots. At the proposed zoning (R6S), staff would anticipate the site to yield 30-35 single-family cluster lots.

The anticipated build-out is 3 to 4 years.

For information or questions, contact Greenville Community Development Department Staff: Chantae M. Gooby, 329-4507, or Harry V. Hamilton, Jr., 329-4511.

Fiscal Note:

No cost to the City.

Recommendation:

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

The Planning and Zoning Commission, at their November 20, 2007 meeting, voted to approve this request.

If City Council determines to approve the rezoning 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 request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

Attachments / click to download

- [📄 Locational Map](#)
 - [📄 Survey](#)
 - [📄 Bufferyard and Vegetation Chart and Residential Density Chart](#)
 - [📄 Ordinance Donald R. Hatcher 728140](#)
 - [📄 Rezoning 07 34 Donald R. Hatcher 727730](#)
 - [📄 Donald R. Hatcher P and Z Minutes 730404](#)
 - [📄 List of Uses RA20 to R6S 728517](#)
-

ORDINANCE NO. 07-
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 December 13, 2007, at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

Section 1. That the following described territory is rezoned from RA20 (Residential–Agricultural) to R6S (Residential – Single-family).

TO WIT: Donald R. Hatcher Property.

LOCATION: Located along the southern right-of-way of Davenport Farm Road and adjacent to Brighton Place Subdivision.

DESCRIPTION: Lying and being in the City of Greenville, Winterville Township, Pitt County, North Carolina, lying west of Frog Level Road (NCSR 1127) and north of Forlines Road (NCSR 1126) and beginning at the centerline intersection of Frog Level Road and Davenport Farm Road (NCSR 1128), thence along the centerline of Davenport Farm Road the following calls: N 72°30'58" W, 90.20 feet, thence N 69°50'36" W, 76.87 feet, thence N 66°18'40" W, 100.00 feet, thence N 63°18'30" W, 100.00 feet, thence N 62°07'50" W, 629.44 feet, thence N 62°07'50" W, 175.00 feet to the true point of beginning.

Thence from the true point of beginning, leaving the centerline of Davenport Farm Road S 27°52'10" W, 30.00 feet to the southern right-of-way of Davenport Farm Road, thence leaving the right-of-way and following the western line of William E. Nave S 27°52'10" W, 235.00 feet, thence along the southern line of Nave and of Brighton Place Section 2 (Revised) as recorded in Map Book 62, Page 3 S 62°07'50" E, 705.22 feet to a corner common to Lot 3 of Brighton Place and Kenneth M. Buck, thence along the western Buck line S 11°28'08" E, 108.56 feet to the northern line of Brighton Place Section 3 as recorded in Map Book 65, Page 39, thence along the northern line of Brighton Place Section 3 S 89°53'44" W, 1,050.32 feet, thence S 55°22'05" W, 49.25 feet to a point in a canal, thence along the centerline of the canal the following calls: N 34°37'50" W, 93.05 feet, thence N 31°35'54" W, 112.04 feet, thence N 03°01'14" W, 112.68 feet, thence N 29°29'52" E, 160.15 feet, thence N 09°25'19" E, 557.28 feet to the centerline of Davenport Farm Road, thence along the centerline of Davenport Farm Road S 62°07'50" E, 585.00 feet to the true point of beginning, containing 13.78 Acres including area in the right-of-way of Davenport Farm Road and being all of Parcel number 47446 as filed with the Pitt County Tax Assessor's Office.

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 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 07-34

Applicant: Donald R. Hatcher

Property Information

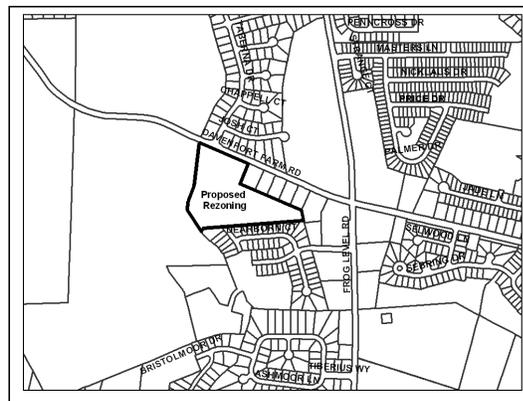
Current Zoning: RA20 (Residential-Agricultural)

Proposed Zoning: R6S (Residential-Single-Family)

Current Acreage: 13.78 acres

Location: Davenport Farm Road west of Frog Level Road.

Points of Access: Davenport Farm Road, Frog Level Road



Location Map

Transportation Background Information

1.) Davenport Farm Road - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lane with paved shoulders	2-lane with curb and gutter
Right of way width (ft)	60	70
Speed Limit (mph)	55	
Current ADT:	3,570 (*)	Design ADT: 12,000 vehicles/day (**)
Controlled Access	no	
Thoroughfare Plan Status:	Minor Thoroughfare	
Other Information:	There are no sidewalks along Davenport Farm Road that service this property.	

Notes: (*) 2006 NCDOT count adjusted with a 2% growth rate for 2007
 (**) Traffic volume based an operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Projects Planned

2.) Frog Level Road - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lane with paved shoulders	2-lane with curb and gutter
Right of way width (ft)	60	70
Speed Limit (mph)	45	
Current ADT:	7,140(*)	Design ADT: 12,000 vehicles/day (**)
Controlled Access	no	
Thoroughfare Plan Status:	Minor Thoroughfare	
Other Information:	There are no sidewalks along Frog Level Road that service this property.	

Notes: (*) 2006 NCDOT count adjusted with a 2% growth rate for 2007
 (**) Traffic volume based an operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Transportation Improvement Program Status: (Currently Unfunded) Widen to meet tolerable lane width requirements and to serve as a connector to US13/264A and NC-903.

Case No: 07-34

Applicant: Donald R. Hatcher

Trips generated by proposed use/change:

Current Zoning: 239 -vehicle trips/day (*) **Proposed Zoning:** 335 -vehicle trips/day (*)

Estimated Net Change: increase of 96 -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 Davenport Farm Road and Frog Level Road are as follows:

1.) Davenport Farm Road, East of Site (“No build” ADT of 3,570)

Estimated ADT with Proposed Zoning (full build) – 3,704
Estimated ADT with Current Zoning (full build) – 3,666
Net ADT change – 38 (1% increase)

2.) Davenport Farm Road, West of Site (“No build” ADT of 3,570)

Estimated ADT with Proposed Zoning (full build) – 3,587
Estimated ADT with Current Zoning (full build) – 3,582
Net ADT change – 5 (<1% increase)

3.) Frog Level Road, North of Site (“No build” ADT of 7,140)

Estimated ADT with Proposed Zoning (full build) – 7,308
Estimated ADT with Current Zoning (full build) – 7,260
Net ADT change – 48 (<1% increase)

4.) Frog Level Road, South of Site (“No build” ADT of 7,140)

Estimated ADT with Proposed Zoning (full build) – 7,157
Estimated ADT with Current Zoning (full build) – 7,152
Net ADT change – 5 (<1% increase)

Staff Findings/Recommendations:

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 184 trips to and from the site on Frog Level Road, which is a net increase of 53 additional trips per day. The proposed reclassification could generate 151 trips to and from the site on Davenport Farm Road, which is a net increase of 43 trips per day.

During the review process, measures to mitigate traffic impacts will be determined. These measures may include the construction of turn lanes into the development.

Excerpt from the draft Planning and Zoning Commission meeting minutes (11/20/07)

REQUEST BY DONALD R. HATCHER – APPROVED

Chairman Tozer stated that the next item is a request by Donald R. Hatcher to rezone 13.78 acres located along the southern right-of-way of Davenport Farm Road and adjacent to Brighton Place Subdivision from RA20 (Residential-Agricultural) to R6S (Residential-Single-family [Medium Density]).

Ms. Gooby stated this is a request to rezone 14 acres to single-family. The property is located in the southwest quadrant of the city, south of Davenport Farm Road and across from Taberna Subdivision. The surrounding property is single-family or vacant and there is no multi-family development in the immediate area. The proposed rezoning could generate a net increase of 96 trips with the majority to the east on Davenport Farm Road and north on Frog Level Road. There is a neighborhood focus area located at the intersection of Davenport Farm Road and Frog Level Road. The Land Use Plan Map recommends commercial at this intersection transitioning into Office/Institutional/Multi-family to buffer the Medium Density Residential. Ms. Gooby stated the R6S district is considered medium density. Under the current zoning, staff would anticipate the site to yield approximately 25 single-family lots and under the proposed zoning, staff would anticipate the site could yield 35 single-family lots. Ms. Gooby stated that in staff's opinion the request is in compliance with the Comprehensive Plan and Land Use Plan Map.

Mr. Linwood Stroud, Stroud Engineering, spoke on behalf of the request. Mr. Stroud stated he would answer any questions.

No one spoke in opposition.

Mr. Gordon stated that the properties surrounding this parcel are zoned R9S and RA20 which is at the bottom of the medium density category. This request is in the middle of the category and will be a higher density. Mr. Gordon asked staff's opinion.

Ms. Gooby stated that the request is within the medium density range, however, it is a higher range and would allow for smaller lots.

Motion was made by Mr. Bell, seconded by Mr. Randall, to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Those voting in favor: Bell, Randall, Moye, Baker, Lehman, Stokes and Basnight. Those voting in opposition: Gordon. Motion carried.

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
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(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
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

- b. Greenhouse or plant nursery; including accessory sales

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- ee. Hospital

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

PROPOSED ZONING

R6S (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 home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

- 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

R6S (Residential-Single-Family)
Special Uses

(1) General:

* None

(2) Residential:

* None

(3) Home Occupations (see all categories):

- b. Home occupation; excluding barber and beauty shops
- c. Home occupation; excluding manicure, pedicure or facial salon
- d. Home occupation; including bed and breakfast inn (historic district only)

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

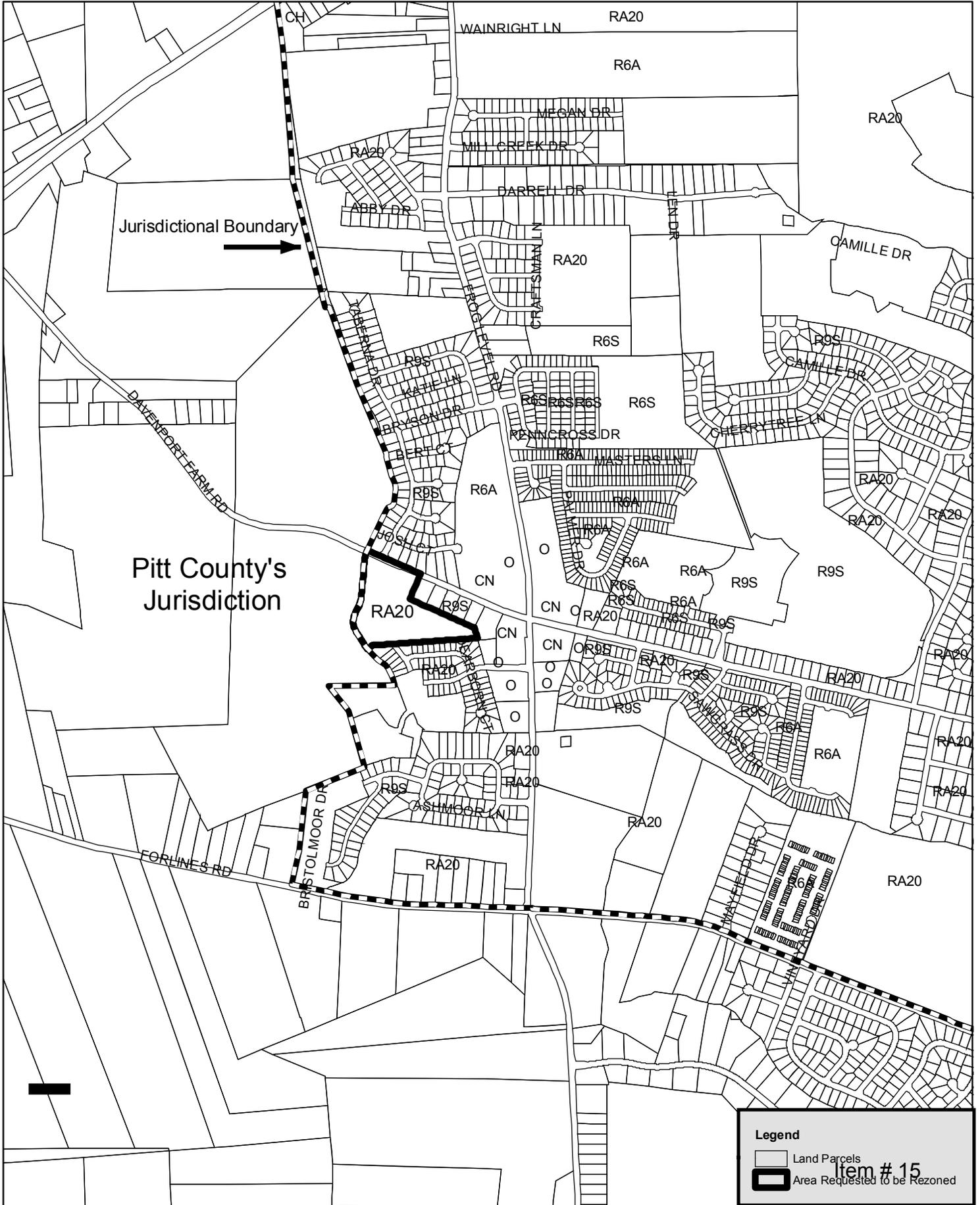
* None

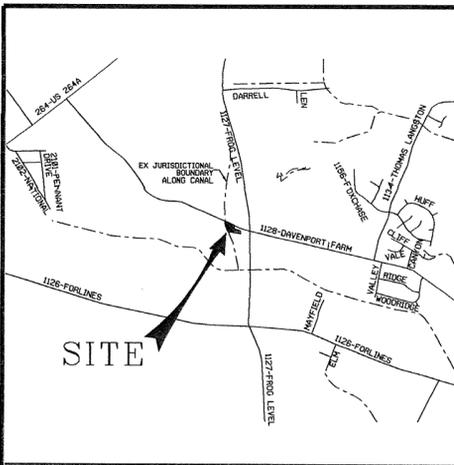
(14) Manufacturing/ Warehousing:

* None

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

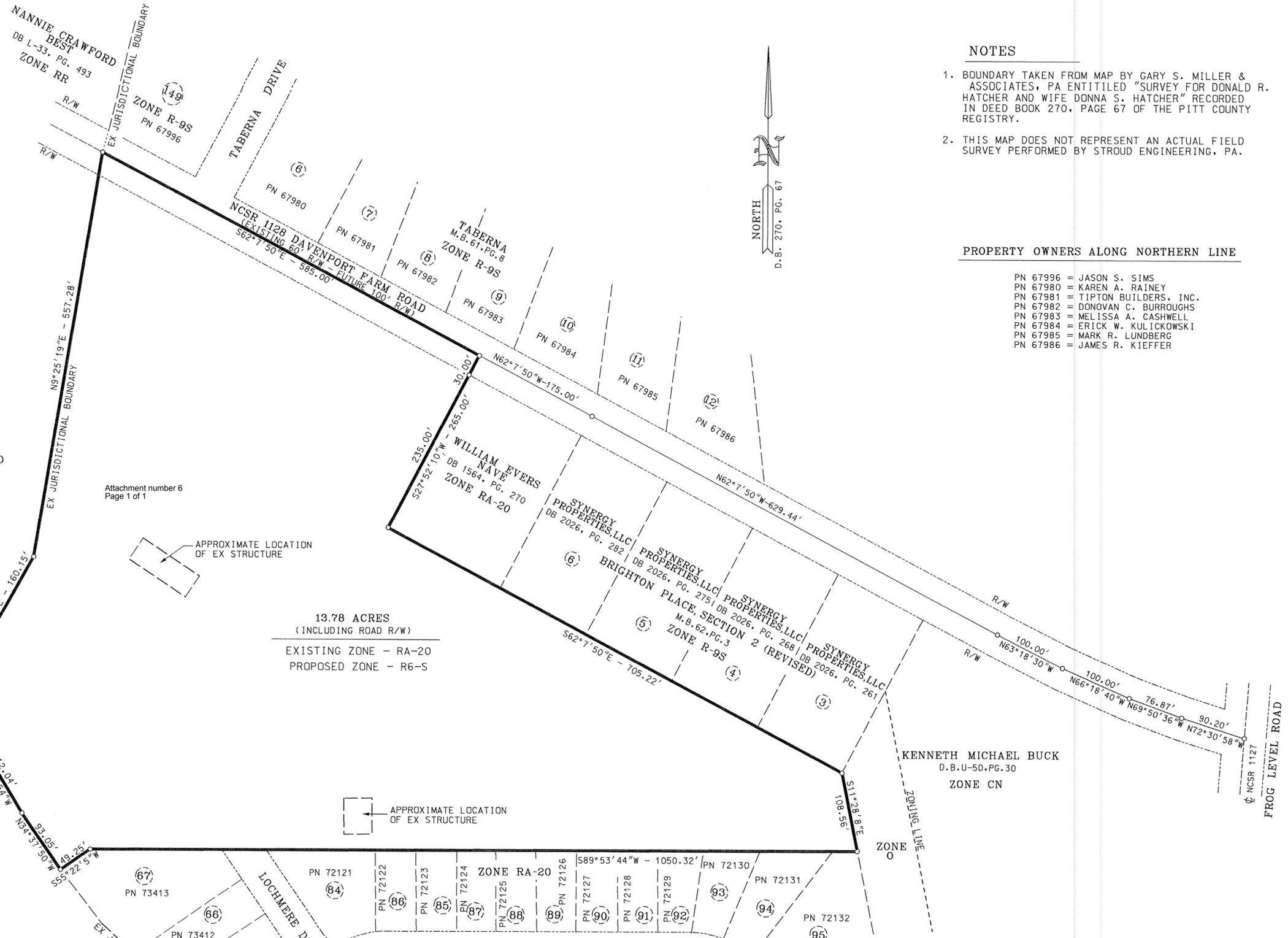
* None





VICINITY MAP
SCALE: 1" = 3500' +/-

CHARLOTTE TYSON CRAWFORD
NO DEED REFERENCE
ZONE RR
(COUNTY ZONING)



13.78 ACRES
(INCLUDING ROAD R/W)
EXISTING ZONE - RA-20
PROPOSED ZONE - R-6-S

- NOTES**
- BOUNDARY TAKEN FROM MAP BY GARY S. MILLER & ASSOCIATES, PA ENTITLED "SURVEY FOR DONALD R. HATCHER AND WIFE DONNA S. HATCHER" RECORDED IN DEED BOOK 270, PAGE 67 OF THE PITT COUNTY REGISTRY.
 - THIS MAP DOES NOT REPRESENT AN ACTUAL FIELD SURVEY PERFORMED BY STROUD ENGINEERING, PA.

PROPERTY OWNERS ALONG NORTHERN LINE

PN 67996	=	JASON S. SIMS
PN 67980	=	KAREN A. RAINEY
PN 67981	=	TIPTON BUILDERS, INC.
PN 67982	=	DONOVAN C. BURROUGHS
PN 67983	=	MELISSA A. CASHWELL
PN 67984	=	ERICK W. KULICKOWSKI
PN 67985	=	MARK R. LUNDBERG
PN 67986	=	JAMES R. KIEFFER

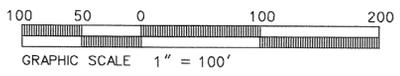
PROPERTY OWNERS ALONG SOUTHERN LINE

- PN 73412 = BRIGHTON PLACE OF GREENVILLE, LLC
- PN 73413 = SAK DEVELOPMENT, INC.
- PN 72121 = SAK DEVELOPMENT, INC.
- PN 72122 = BRIGHTON PLACE OF GREENVILLE, LLC
- PN 72123 = BRIGHTON PLACE OF GREENVILLE, LLC
- PN 73124 = BRIGHTON PLACE OF GREENVILLE, LLC
- PN 72125 = BRIGHTON PLACE OF GREENVILLE, LLC
- PN 72126 = BRIGHTON PLACE OF GREENVILLE, LLC
- PN 72127 = BRIGHTON PLACE OF GREENVILLE, LLC
- PN 72128 = BRIGHTON PLACE OF GREENVILLE, LLC
- PN 72129 = BRIGHTON PLACE OF GREENVILLE, LLC
- PN 72130 = BRIGHTON PLACE OF GREENVILLE, LLC
- PN 72131 = BRIGHTON PLACE OF GREENVILLE, LLC
- PN 72132 = BRIGHTON PLACE OF GREENVILLE, LLC



THIS MAP IS OF A SURVEY OF ANOTHER CATEGORY AND IS AN EXCEPTION TO THE DEFINITION OF A SUBDIVISION.

Deborah T. Boyette 11-7-07
PROFESSIONAL LAND SURVEYOR L-4146



REZONING MAP FOR
DONALD R. HATCHER
REFERENCE: DEED BOOK 889, PAGE 590 OF THE PITT COUNTY REGISTRY

GREENVILLE WINTERVILLE TOWNSHIP PITT COUNTY NORTH CAROLINA

OWNER: DONALD R. HATCHER	SURVEYED: N/A
ADDRESS: 219A COMMERCE ST. GREENVILLE, NC 27858	DRAWN: DM
PHONE: 252-355-3186	APPROVED: HOB
STROUD ENGINEERING, P.A. 107B COMMERCE ST. GREENVILLE, NC (252) 756-9352	DATE: 10-23-07
	SCALE: 1" = 100'
	SHEET 1 OF 1

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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

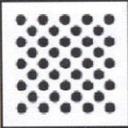
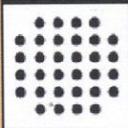
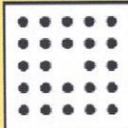
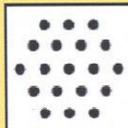
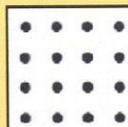
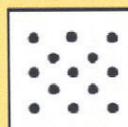
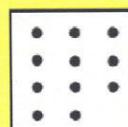
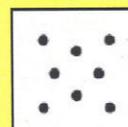
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Ordinance requested by Bill Clark Homes of Greenville, LLC to rezone 27.58 acres located 2,000± feet south of Greenville Boulevard and adjacent to Oakdale Park and Langston Farms Subdivision from RA20 (Residential-Agricultural) to R6S (Residential-Single-family [Medium Density])

Explanation: **Rezoning Request Report**

Applicant :

Rezoning requested by Bill Clark Homes of Greenville, LLC for 27.58 acres located 2,000± feet south of Greenville Boulevard and adjacent to Oakdale Park and Langston Farms Subdivision from RA20 (Residential-Agricultural) to R6S (Residential-Single-family [Medium Density]).

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

Required Notice

Planning and Zoning Commission - letters mailed on November 5, 2007.
Sign - posted November 5, 2007.
City Council - letters mailed on November 27, 2007.
Legal Advertisement - published on December 3rd and 10th, 2007.

Comprehensive Plan:

The property is located in Vision Area E.

Thomas Langston Road is designated as a residential corridor. Greenville Boulevard is designated as a connector corridor between 14th Street to Allen Road. Connector corridors are anticipated to contain a variety of higher intensity

activities and uses whereas residential corridors are preferred to accommodate lower intensity residential uses. Along residential corridors, office, service and retail activities should be specifically restricted to the associated focus area and linear expansion outside the focus area node should be prohibited.

The Future Land Use Plan Map recommends Medium Density Residential (MDR) for the subject and abutting properties.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 287 trips to and from the site on Thomas Langston Road, which is a net increase of 96 additional trips per day. Additionally, the proposed rezoning classification could generate 431 trips to and from the site on Greenville Boulevard, which is a net increase of 143 additional trips per day.

Detailed Report Attached

History/Background:

In 1972, the property was included in the City's original extra-territorial jurisdiction (ETJ) and was zoned RA20.

Present Land Use:

Woodlands

Utilities:

GUCO water and sanitary sewer are available at Honeysuckle Drive.

Cultural Resources:

There is no known effect on designated sites.

Environmental Conditions/Constraints:

There are no known environmental constraints.

Surrounding Land Uses and Zoning:

North: R9S: Oakdale Park and Oakdale Subdivision; RA20 - Vacant
South: R6S: Langston Park Subdivision and Providence Place Subdivision, Section 3 (Approved preliminary plat - 67 single-family lots)
East: R6A: Vacant
West: RA20: Woodlands

Density Estimates:

Gross Acreage: 27.58 acres
Net Acreage: 25 (minus 10% for future rights-of-way)

At the current zoning (RA20), staff would anticipate the site to yield 45-50 single-family lots. At the proposed zoning (R6S), staff would anticipate the site to yield 70-75 single-family lots.

The anticipated build-out is 3 to 4 years.

For information or questions, contact Greenville Community Development Department Staff: Chantae M. Gooby, 329-4507, or Harry V. Hamilton, Jr., 329-4511.

Fiscal Note: No cost to the City.

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

The Planning and Zoning Commission, at their November 20, 2007 meeting, voted to approve the request.

If City Council determines to approve the rezoning 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 request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

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

Attachments / click to download

- [📎 Locational Map](#)
- [📎 Survey](#)
- [📎 Bufferyard and Vegetation Chart and Residential Density Chart](#)

[Ordinance Bill Clark Homes of Greenville LLC 728141](#)

[Rezoning 07 35 Bill Clark Homes of Greenville LLC 728007](#)

[Bill Clark Homes of Greenville Pand Z minutes 730399](#)

[List of Uses RA20 to R6S 728517](#)

ORDINANCE NO. 07-
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 December 13, 2007, at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

Section 1. That the following described territory is rezoned from RA20 (Residential–Agricultural) to R6S (Residential – Single-family).

TO WIT: Mrs. G. T. Evans Heirs c/o David Evans, Jr. Property.

LOCATION: Located 2,000± feet south of Greenville Boulevard and adjacent to Oakdale Park and Langston Farms Subdivision.

DESCRIPTION: Lying and being in Winterville Township, Pitt County, North Carolina and being west of NC Highway 11, north of Stone Wood Drive and being bounded on the northwest by Red Oak Subdivision, Section No. 2 as recorded in Map Book 18, Page 18, on the north by Nesa Page Worthington as recorded in Will Book 9, Page 334 and the City of Greenville as recorded in Deed Book 111, Page 279, on the northeast by Mary Baker Kerr as recorded in Deed Book V30, Page 288, on the east by Arborvitae, LLC as recorded in Deed Book 2224, Page 729 and Deed Book 2265, Page 476, on the south by TMH Properties, LLC as recorded in Deed Book 1864, Page 419, William H. Clark as recorded in Deed Book 954, Page 133 and Deed Book 954, Page 149, Langston Farms,

Phase 8A as recorded in Map Book 65, Page 183 and by Langston Farms, Phase 8B as recorded in Map Book 65, Page 182, and on the west by Dan R. Morgan as recorded in Estate File 03E, Page 685. Beginning at a point in the centerline intersection of Grove Pointe Drive and Stone Wood Drive, thence along the centerline of Stone Wood Drive N 87°04'51" E, 300.00 feet to a point in the centerline intersection of Stone Wood Drive and Honeysuckle Drive, thence from said intersection point N 06°53'18" E, 146.76 feet to the northwestern corner of Lot 108, Langston Farms, Phase 8A as recorded in Map Book 65, Page 183, the true point of beginning.

Thence from the true point of beginning, leaving Lot 108, and following the northern line of Langston Farms, Phase 8A and Phase 8B S 87°03'49" W, 470.25 feet to a point in the northern line of Lot 114, Langston Farms, Phase 8B as recorded in Map Book 65, Page 182, a corner common to Dan R. Morgan, thence leaving the Langston Farms boundary and following the eastern line of Morgan N 01°37'20" W, 675.05 feet to the southeast corner of Lot 13, Red Oak Subdivision, Section No. 2 as recorded in Map Book 18, Page 18, a corner also common to Nesa Page Worthington, thence along the southern line of Worthington S 77°00'35" E, 905.45 feet to the southwest corner of the City of Greenville, thence along the City of Greenville's southern line S 77°03'52" E, 933.98 feet to a corner common to the City of Greenville, Mary Baker Kerr and Arborvitae, LLC, thence along the western line of Arborvitae, LLC property S 03°12'07" E, 709.00 feet to the northern line of the TMH Properties, LLC boundary, thence along the northern line of TMH Properties, LLC S 87°40'52" W, 654.98 feet to an eastern corner of William H. Clark, thence along the northeastern line of Clark and Langston Farms, Phase 8A N 38°01'55" W, 648.95 feet, thence S 87°03'49" W, 289.53 feet to the true point of beginning, containing 27.58 Acres and being all of Parcel No. 07205 as filed with the Pitt County Tax Assessor's Office.

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 13th day of December, 2007.

ATTEST:

Patricia C. Dunn, Mayor

Wanda T. Elks, City Clerk

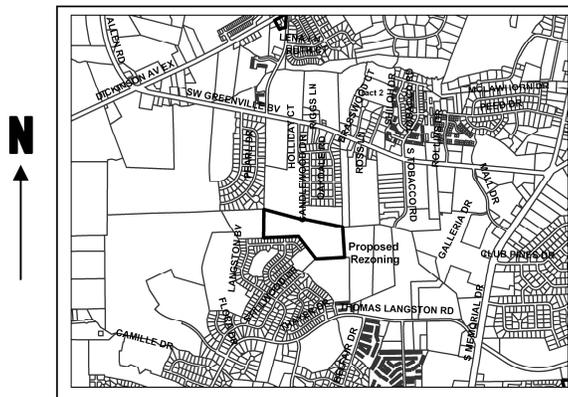
REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 07-35

Applicant: Bill Clark Homes of Greenville, LLC

Property Information

Current Zoning: RA20 (Residential-Agricultural)
Proposed Zoning: R6S (Residential-Single-Family)
Current Acreage: 27.58 acres
Location: Stonewood Drive & Honeysuckle Drive
Points of Access: Thomas Langston Road, Greenville Blvd.



Location Map

Transportation Background Information

1.) Thomas Langston Road - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lane with paved shoulders	3-lane with wide outside lanes & sidewalks
Right of way width (ft)	60	70
Speed Limit (mph)	45	
Current ADT:	6,200(*)	Design ADT: 12,000 vehicles/day (**)
Controlled Access	no	
Thoroughfare Plan Status:	Minor Thoroughfare	
Other Information:	There are no sidewalks along Thomas Langston Road that service this property.	

Notes: (*) 2007 City of Greenville Traffic Count
 (**) Traffic volume based an operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Projects Planned.

2.) Greenville Blvd. - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lane with paved shoulders	4-lane with wide outside lanes
Right of way width (ft)	100	100
Speed Limit (mph)	50	
Current ADT:	16,000 (*)	Design ADT: 30,000 vehicles/day (**)
Controlled Access	no	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along Greenville Blvd that service this property.	

Transportation Improvement Program Status: None

Notes: (*) 2006 NCDOT Traffic Count
 (**) Traffic volume based an operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Case No: 07-35

Applicant: Bill Clark Homes of Greenville, LLC

Trips generated by proposed use/change:

Current Zoning: 479 -vehicle trips/day (*) **Proposed Zoning:** 718 -vehicle trips/day (*)

Estimated Net Change: increase of 239 -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 Thomas Langston Road are as follows:

1.) Thomas Langston Road, East of Site (“No build” ADT of 6,200)

Estimated ADT with Proposed Zoning (full build) – 6,458
Estimated ADT with Current Zoning (full build) – 6,372
Net ADT change – 86 (1 % increase)

2.) Thomas Langston Road, West of Site (“No build” ADT of 6,200)

Estimated ADT with Proposed Zoning (full build) – 6,229
Estimated ADT with Current Zoning (full build) – 6,219
Net ADT change – 10 (<1% increase)

3.) Greenville Blvd, East of Site (“No build” ADT of 16,000)

Estimated ADT with Proposed Zoning (full build) – 16,388
Estimated ADT with Current Zoning (full build) – 16,259
Net ADT change – 129 (<1 % increase)

4.) Greenville Blvd, West of Site (“No build” ADT of 16,000)

Estimated ADT with Proposed Zoning (full build) – 16,043
Estimated ADT with Current Zoning (full build) – 16,029
Net ADT change – 14 (<1 % increase)

Staff Findings/Recommendations:

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 287 trips to and from the site on Thomas Langston Road, which is a net increase of 96 additional trips per day. Additionally, the proposed rezoning classification could generate 431 trips to and from the site on Greenville Blvd., which is a net increase of 143 additional trips per day.

Excerpt from the draft Planning and Zoning Commission meeting minutes (11/20/07)

REQUEST BY BILL CLARK HOMES OF GREENVILLE, LLC – APPROVED

Chairman Tozer stated that the next item is a request by Bill Clark Homes of Greenville, LLC for 27.58 acres located 2,000± feet south of Greenville Boulevard and adjacent to Oakdale Park and Langston Farms Subdivision from RA20 (Residential-Agricultural) to R6S (Residential-Single-family [Medium Density]).

Ms. Gooby stated this request is to rezone 27 acres to single family. The proposed site is located in the southwest quadrant of the city and adjacent to Langston Farms Subdivision. The surrounding property is single-family or vacant and there is no multi-family in the immediate area. The request could generate a net increase of 240 trips with equal trips on to Greenville Boulevard and Thomas Langston Road. There are several focus areas in the neighborhood. The Land Use Plan Map recommends medium density residential in the general area. Ms. Gooby stated that staff would anticipate approximately 50 single-family lots under the current zoning and under the proposed zoning staff would anticipate 70-75 single family lots. Ms. Gooby stated that in staff's opinion the request is in compliance with the Comprehensive Plan and Land Use Plan Map.

Mr. Linwood Stroud, representing the applicant, stated that the developer's intention is to continue the development of Langston Farms on this site. Mr. Stroud stated he would answer any questions.

No one spoke in opposition.

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

EXISTING ZONING

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
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(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
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

- b. Greenhouse or plant nursery; including accessory sales

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- ee. Hospital

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

PROPOSED ZONING

R6S (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 home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

- 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

R6S (Residential-Single-Family)
Special Uses

(1) General:

* None

(2) Residential:

* None

(3) Home Occupations (see all categories):

- b. Home occupation; excluding barber and beauty shops
- c. Home occupation; excluding manicure, pedicure or facial salon
- d. Home occupation; including bed and breakfast inn (historic district only)

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

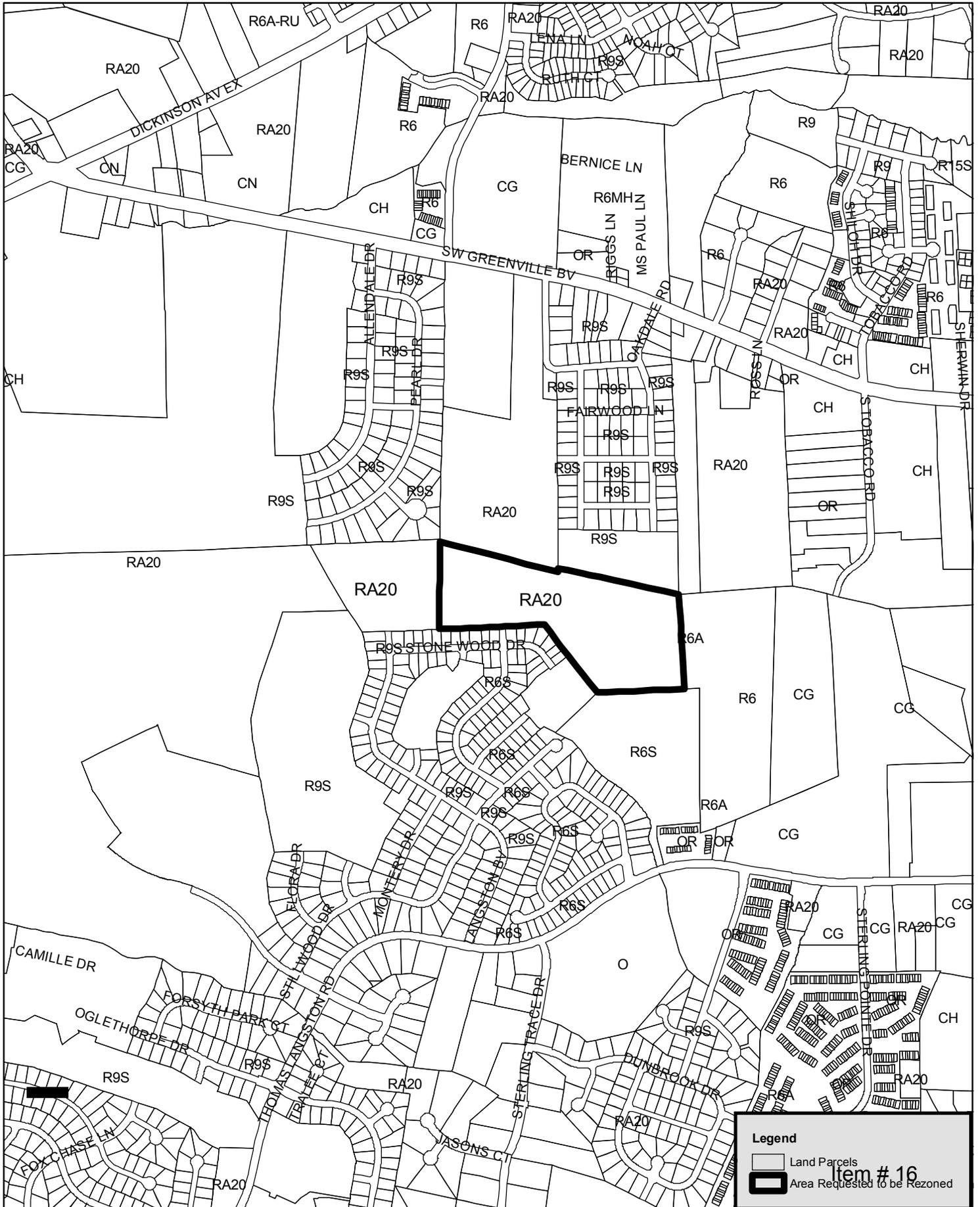
(14) Manufacturing/ Warehousing:

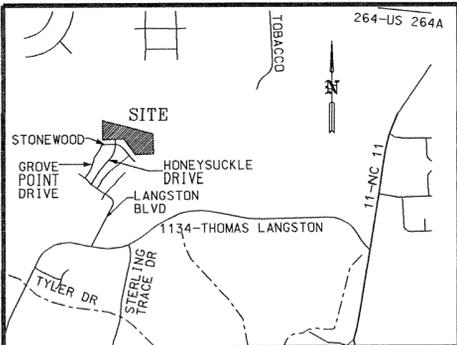
* None

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

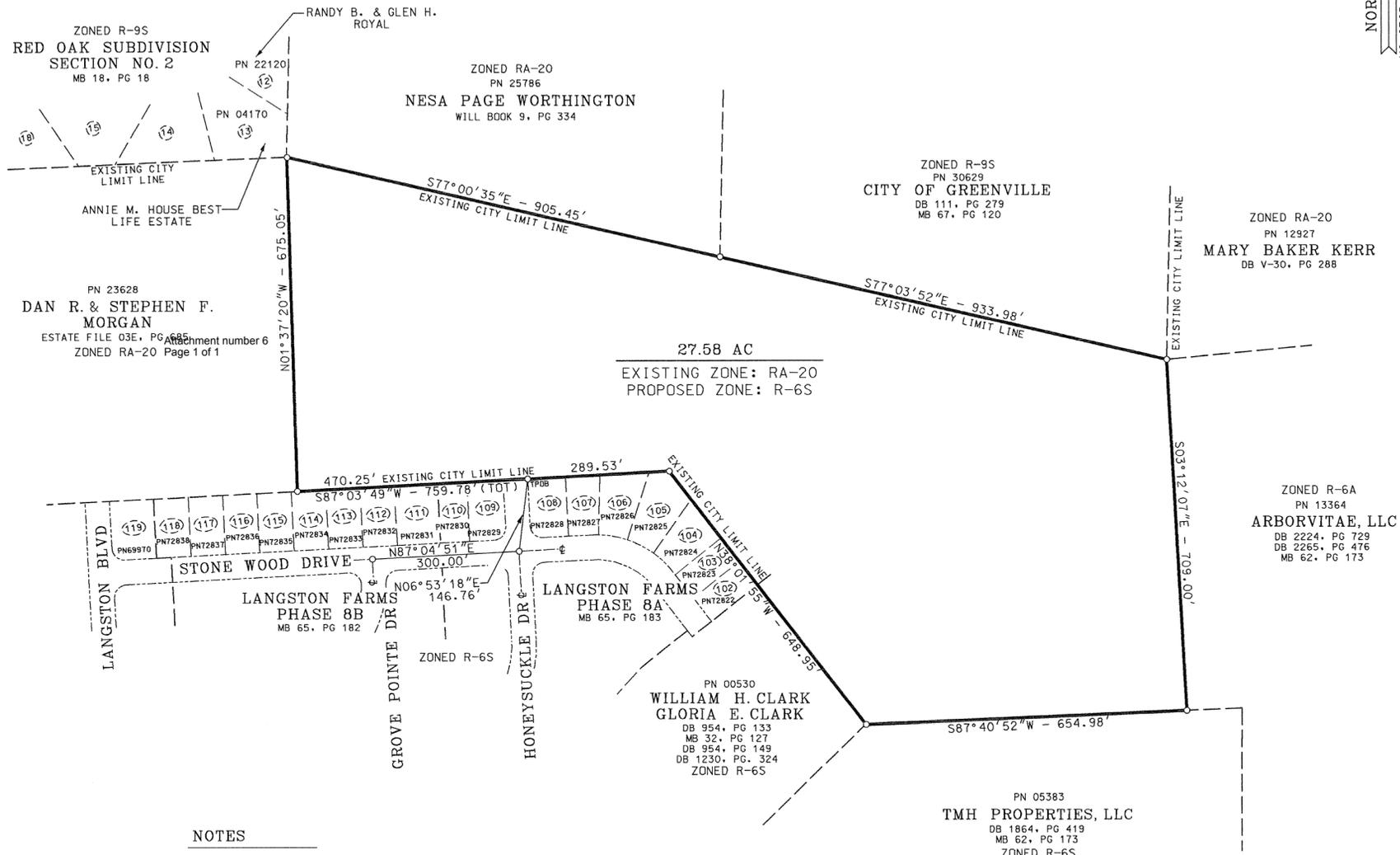
* None

Bill Clark Homes of Greenville, LLC
RA20 to R6S (27.58 acres)
October 30, 2007





VICINITY MAP
SCALE: 1" = 1735' +/-



LEGEND

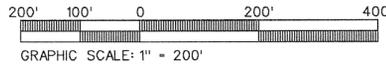
- EIS= EXISTING IRON STAKE
- EIP= EXISTING IRON PIPE
- EPKN= EXISTING PARKER KALON NAIL
- NPS= NO POINT SET
- R/W= RIGHT-OF-WAY
- C= CENTERLINE
- ERRS= EXISTING RAILROAD SPIKE
- TPOB= TRUE POINT OF BEGINNING

NOTES

1. LOTS 102 THROUGH 116 IN LANGSTON FARMS CURRENTLY LISTED IN THE NAME OF BILL CLARK HOMES OF GREENVILLE, LLC
2. BOUNDARY TAKEN FROM MAP BY RIVERS AND ASSOCIATES, INC. ENTITLED "BOUNDARY SURVEY OF: G.T. EVANS HEIRS, PORTION OF M.B. 21 P.G 94, SURVEYED FOR: DAVID EVANS" DATED OCTOBER 31, 2005, DRAWING NO. Z-2342. MAP IS UNRECORDED.
3. THIS MAP DOES NOT REPRESENT AN ACTUAL FIELD SURVEY PERFORMED BY STROUD ENGINEERING, PA.

THIS MAP IS OF A SURVEY OF ANOTHER CATEGORY AND IS AN EXCEPTION TO THE DEFINITION OF A SUBDIVISION.

Deborah D. Boyette
PROFESSIONAL LAND SURVEYOR L-4146
11-7-07
DATE



PARCEL NO. 07205

REZONING MAP FOR
BILL CLARK HOMES OF GREENVILLE, LLC
REFERENCE: DEED BOOK X-21, PAGE 141 OF THE PITT COUNTY REGISTRY

WINTERVILLE TWP., PITT COUNTY, NORTH CAROLINA

OWNER: MRS. G.T. EVANS HEIRS c/o DAVID EVANS, JR. ADDRESS: 701 W. 14TH STREET GREENVILLE, NC 27834 PHONE: (252) 752-2106	SURVEYED: N/A
	DRAWN: DTB
	APPROVED: HOB
	DATE: 10-30-07
	SCALE: 1" = 200'
	SHEET 1 OF 1

STROUD ENGINEERING, P.A.
107B COMMERCE ST.
GREENVILLE, NC
(252) 756-9352

PROJECT NO. P1051-2

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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

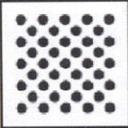
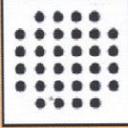
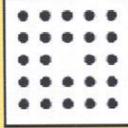
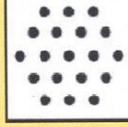
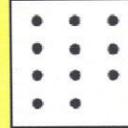
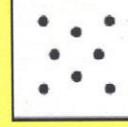
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Ordinance requested by Alma Paramore Heirs, Snodie Paramore, Jr., Thomas Moye, Darwin Paramore et. al. to rezone 15.0824 acres located at the northeast corner of the intersection of Evans Street and Fire Tower Road from RA20 (Residential-Agricultural) to CG (General Commercial) and O (Office)

Explanation: **Rezoning Request Analysis (Revised)**

Applicant:

Rezoning requested by Alma Paramore Heirs, Snodie Paramore, Jr., Thomas Moye, Darwin Paramore et. al. for 15.0824 acres located at the northeast corner of the intersection of Evans Street and Fire Tower Road from RA20 (Residential-Agricultural) to CG (General Commercial) and O (Office).

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

Required Notice

Planning and Zoning Commission – letters mailed on November 5, 2007.
Sign - posted November 5, 2007.
City Council – letters mailed on November 27, 2007.
Legal Advertisement – published on December 3rd and 10th, 2007.

Requested Change:

Current Zoning:

Tracts 1 & 2: RA20 (Residential-Agricultural)

Proposed Zoning:

Tract 1: CG (General Commercial)

Acreage: 6.9207

Comprehensive Plan:

The subject site is located in Vision Area D.

The Evans Street Extension and Fire Tower Road intersection area is designated as an intermediate focus area with an anticipated build-out of between 50,000 – 150,000 square feet of conditioned floor space. The anticipated non-residential use would be a combination of office, residential service delivery and general retail establishments. West Fire Tower Road and South Evans/Old Tar Road form the boundary between the Greenville and Winterville jurisdictions, and a portion of the anticipated focus area development is shared between the two cities. A majority of the existing and future retail (zoned) component is located within Winterville's jurisdiction. Greenville's Future Land Use Plan Map is augmented and supported by Winterville's adopted land use plan and current zoning pattern.

Major regional (retail) nodes which service the southern residential areas, as well as the outlying community, are centered on the Memorial Drive-Fire Tower Road and Arlington Boulevard-Fire Tower Road intersections both equal distant to the subject area. These major nodes will together supply upwards of a million square feet of service delivery and retail space, with an estimated build-out period of approximately 10 years.

Other area limited retail and service delivery points, designated as neighborhood focus areas, are located south of Fire Tower Road, centered on the Fire Tower Crossing Center (1/2 mile east on Fire Tower Road) and the undeveloped (commercial zoned) "Blount Tract" (1/2 mile north on Evans Street), north of the Coastal Chemical plant. In June 2007, an additional 24 acres of commercial zoning was approved at the Fire Tower Crossing Center effectively creating an Intermediate Focus Area in replacement of the plan recommended Neighborhood Focus Area. These planned commercial nodes in combination are located to provide a convenient and ample supply of necessary services for the anticipated residential population in proximity.

Evans Street is designated as a "residential corridor" from the Bedford Subdivision (Caversham Road) entrance to Main Street in Winterville. Fire Tower Road is designed as a "connector corridor" from Memorial Drive to Evans Street and as a "residential corridor" east to Corey Road.

Connector corridors are anticipated to contain a variety of higher intensity activities and uses whereas residential corridors are preferred to accommodate lower intensity residential uses. Along residential corridors, office, service and retail activities should be specifically restricted to the associated focus area, and linear expansion outside the focus area node should be prohibited.

The Future Land Use Plan Map recommends office/institutional/multi-family (office preferred) for the area fronting the northern right-of-way of Fire Tower

Road, from west of Evans Street to the Fork Swamp Canal crossing, and commercial south of Fire Tower Road, west of the Treetops (multi-family) subdivision. North of Fire Tower Road, in the transition areas between the designated focus nodes and the interior tracts, medium density residential development is preferred with higher density residential restricted to the thoroughfare frontage.

The Future Land Use Plan Map further recommends the subject office/institutional/multi-family area be restricted to a dimension and configuration which will focus non-residential activity to Fire Tower Road and prohibit such expansion north on Evans Street. The anticipated non-residential development along Fire Tower Road should be of a like manner, type and extent as exists south of South Hall subdivision. Further non-residential (office) use north along Evans Street would be in conflict with the preferred medium density residential pattern established by the existing single-family subdivisions (South Hall, White Oak Creek, Shamrock).

In the northern quadrants of Fire Tower Road and Evans Street, the limited (office) non-residential and medium density residential pattern is desired and encouraged as a result of community character preferences consistently expressed by area residents over the past 15-year period. To date, the future land use recommendations have supported that community character concern and objective.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 3,165 trips to and from the site on Fire Tower Road and Evans Street, which is a net increase of 3,136 additional trips per day. If Tracts 1 and 2 are rezoned, the rezoning of Tract 1 could have the most impact on Fire Tower Road and Evans Street. The traffic signal at the intersection of these roads could also be affected.

During the review process, measures to mitigate the traffic will have to be determined. These measures could include the construction of additional turn lanes and modification of the traffic signal operations at the Fire Tower Road/Evans Street and Fire Tower Road/Pine Branches Road intersections. Access to the tracts will also be reviewed.

Detail Report Attached

History/Background:

In 1972, the subject property was included in the City's original extra-territorial jurisdiction (ETJ) and was zoned RA20 (Residential-Agricultural).

In 2003, there was a request to rezone 10 acres at the corner of Evans Street and Fire Tower Road from RA20 (Residential-Agricultural) to CG (General Commercial). This request was withdrawn at the Planning and Zoning

Commission's March 2003 meeting.

In the latter part of 2003, there was a request to rezone a 54.7337 acre portion of the parent parcel from RA20 (Residential-Agricultural) to R6A (Residential [Medium Density Multi-family]), O (Office), and CA (Conservation Area) overlay zoning. The request was withdrawn after Planning and Zoning recommended denial of the request.

In 2004, under two (2) separate rezoning applications by the same applicant, the interior portions of the parent parcel of the subject property were rezoned as follows:

From	To	Acres
RA20	R9S	61.62
RA20	R9S-CA	4.16
RA20	R6A	32.10
RA20	R6A-CA	0.25
RA20	O	5.49
Total:		103.62

A portion of the property that was zoned R6A (15.27 acres) was gifted to the City and now contains Paramore Park.

Present Land Use:

Currently, there are three (3) single-family residences and associated out-buildings on the subject property.

Utilities:

GUCO water and sanitary sewer are available along Fire Tower Road.

Cultural Resources:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

There are no known environmental constraints.

Surrounding Land Uses and Zoning:

North: R9S/R6A: Paramore Farms Subdivision (Approved preliminary plat – 87 single-family lots and 79 single-family cluster lots)
South: CG: Vacant, Lighting by Design, Byung Lee Tae; OR: Treetops Office
R6: Treetops Pool, Falcon Children's Home, Two (2) single-family residences
East: O: Vacant
West: O: Vacant

Density Estimates

Tract 1
Gross Acreage: 6.9207 acres

Currently, the subject site contains two (2) single-family residences and associated out-buildings.

At the proposed zoning (CG), staff would anticipate the site to yield approximately 65,550 square feet of retail/restaurant/office space. This is in anticipation of a retail center and multiple out-parcel development including an anchor grocery store, multiple connecting units and one (1) financial institution (4,000 sq. ft.). The Bell's Fork Shopping Center is an example of the type and intensity of development most likely to occur under the proposed zoning.

Tract 2
Gross Acreage: 8.1616 acres

Currently, the subject site contains one (1) single-family residence and associated out-buildings.

At the proposed zoning (O), staff would anticipate the site to yield approximately 32,000 square feet of office space. The South Charles Professional Park is an example of type and intensity most likely to occur under the proposed zoning.

The anticipated build-out is 3 to 4 years

Note: Cross district parking is permitted by the zoning regulations; therefore, it is possible that commercial structures could be located on the proposed commercial area with the associated parking in the proposed office area.

For information or questions, contact Greenville Community Development Department Staff: Chantae M. Gooby, 329-4507, or Harry V. Hamilton, Jr., 329-4511

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the request is not in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map in that the intended buffer between the medium density residential to the north and the commercial to the south is not met by the proposed rezoning.

The Planning and Zoning Commission, at their November 20, 2007 meeting, voted to deny the request.

If City Council determines to approve the rezoning 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 request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

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

Attachments / click to download

- [📎 Locational Map](#)
 - [📎 Survey](#)
 - [📎 Bufferyard and Vegetation Chart](#)
 - [📎 Ordinance Alma Paramore Heirs et al 710952](#)
 - [📎 Rezoning Case 07 17 Alma Lee Paramore Heirs 709344](#)
 - [📎 Paramore et al P and Z Minutes 730849](#)
 - [📎 Paramore et al List of Uses 708598](#)
-

ORDINANCE NO. 07-
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 December 13, 2007, at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

Section 1. That the following described territory is rezoned from RA20 (Residential–Agricultural) to CG (General Commercial).

TO WIT: Alma Lee Dixon Paramore Heirs, Snodie Allen and Carrie Edwards Paramore, Jr., Thomas V. and Rebecca Moye, and Darwin Earl and Betty Lou Paramore Properties. (Tract 1)

LOCATION: Located at the northeast corner of the intersection of Evans Street and Fire Tower Road.

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

Beginning at the intersection of the northern right-of-way of Fire Tower Road (NCSR 1708) and the eastern right-of-way of Evans Street (NCSR 1700), thence from said point of beginning with the eastern right-of-way of Evans Street N 53°49'06" W, 43.54 feet, thence N 14°23'29 W, 86.45 feet, thence N 08°36'27" W, 95.45 feet, thence N 09°23'26" W, 41.56 feet', thence N 09°27'33" W,

4.34 feet, thence leaving the eastern right-of-way of Evans Street N 75°05'12" E, 885.60 feet, thence 243.43 feet along the arc of a curve said curve being to the right having a radius of 175.00 feet and a chord bearing S 65°01'49" E, 224.27 feet, thence S 25°10'49" E, 108.75 feet to the northern right-of-way of Fire Tower Road, thence with the northern right-of-way of Fire Tower Road S 64°49'11" W, 108.75 feet, thence 192.04 feet along the arc of a curve said curve being to the right having a radius of 1,859.86 feet and a chord bearing S 67°46'21" W, 191.95 feet, thence S 81°42'03" W, 57.20 feet, thence S 69°44'44" W, 123.73 feet, thence 121.51 feet along the arc of a curve said curve being to the right having a radius of 1,859.86 feet and a chord bearing S 79°04'03" W, 121.49 feet, thence S 82°56'46" W, 118.31 feet, thence S 80°01'11" W, 292.40 feet to the point of beginning containing 6.9207 acres.

Section 2. That the following described territory is rezoned from RA20 (Residential–Agricultural) to O (Office).

TO WIT: Alma Lee Dixon Paramore Heirs, Snodie Allen and Carrie Edwards Paramore, Jr., Thomas V. and Rebecca Moye, and Darwin Earl and Betty Lou Paramore Properties. (Tract 2)

LOCATION: Located at the northeast corner of the intersection of Evans Street and Fire Tower Road.

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

Beginning at a point in the eastern right-of-way of Evans Street said point being the southwest corner of Paramore Farms Phase 1 as recorded in Map Book 64, Page 138, thence from said point of beginning with the southern line of Paramore Farms Phase 1 N 75°07'12" E, 1,055.59 feet, thence S 69°12'03" E, 265.67 feet, thence S 25°10'49" E, 300.00 feet to the northern right-of-way of Fire Tower Road, thence with the northern right-of-way of S 64°49'11" W, 250.00 feet, thence leaving the northern right-of-way of Fire Tower Road N 25°10'49" W, 108.75 feet, thence 243.43 feet along the arc of a curve said curve being to the left having a radius of 175.00 feet and a chord bearing N 65°01'49" W, 224.27 feet, thence S 75°07'12" W, 885.60 feet, to the eastern right-of-way of Evans Street, thence with the eastern right-of-way of Evans Street N 09°27'33" W, 95.55 feet, thence N 12°10'31" W, 60.31 feet, thence S 78°43'04" W, 20.00 feet, thence N 12°05'26" W, 9.63 feet, thence N 08°45'56" W, 49.67 feet, thence

N 13°53'37" W, 28.50 feet to the point of beginning containing 8.1616 acres.

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

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

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

ADOPTED this 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 07-17

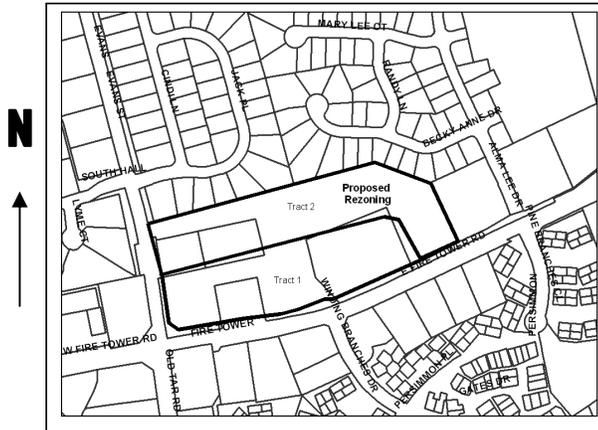
Applicant: Alma Lee Paramore Heirs

Property Information

Current Zoning: Tract 1: RA20
Tract 2: RA20

Proposed Zoning: Tract 1: CG
Tract 2: O

Current Acreage: Tract 1: 6.9207 acres
Tract 2: 8.1616 acres
Total: 15.0823 acres



Location: Corner of Fire Tower Rd & Evans St

Points of Access: Fire Tower Rd, Evans St

Location Map

Transportation Background Information

1.) Fire Tower Rd - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	3-lane with ditches	4-lane curb and gutter with median (Under Construction)
Right of way width (ft)	100	100
Speed Limit (mph)	45	
Current ADT:	East of Site: 24,650(*) West of Site: 21,450(*)	Design ADT: 35,000 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	At this time, there are no sidewalks along Fire Tower Road that service this property.	

Notes: (*) 2006 City count adjusted with a 2% growth rate for 2007
(**)Traffic volume based an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: State Project # U3613 Fire Tower Road Underway - Construct four-lane divided facility from Corey Road to Evans Street and a Five Lane facility from Evans Street to Memorial Drive (NC 11).

2.) Evans St - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	3-lane with ditches	4-lane divided with raised median
Right of way width (ft)	60	100
Speed Limit (mph)	45	
Current ADT:	North of Site: 15,750(*) South of Site: 12,750(*)	Design ADT: 35,000 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along Evans Street that service this property.	

Notes: (*) 2006 City count adjusted with a 2% growth rate for 2007
(**)Traffic volume based an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Projects Planned.

Case No: 07-17

Applicant: Alma Lee Paramore Heirs

Trips generated by proposed use/change:**Current Zoning:** 29 -vehicle trips/day (*) **Proposed Zoning:** 3,165 -vehicle trips/day (*)**Estimated Net Change:** increase of 3,136 -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 Rd and Evans St are as follows:****1.) Fire Tower Rd, East of Site (“No build” ADT of 24,650)**

Estimated ADT with Proposed Zoning (full build) – 25,600
 Estimated ADT with Current Zoning (full build) – 24,659
Net ADT change – 941 (4% increase)

2.) Fire Tower Rd, West of Site (“No build” ADT of 21,450)

Estimated ADT with Proposed Zoning (full build) – 22,083
 Estimated ADT with Current Zoning (full build) – 21,456
Net ADT change – 627 (3% increase)

3.) Evans St, North of Site (“No build” ADT of 15,750)

Estimated ADT with Proposed Zoning (full build) – 16,383
 Estimated ADT with Current Zoning (full build) – 15,756
Net ADT change – 627 (4% increase)

4.) Evans St, South of Site (“No build” ADT of 12,750)

Estimated ADT with Proposed Zoning (full build) – 13,700
 Estimated ADT with Current Zoning (full build) – 12,759
Net ADT change – 941 (7% increase)

Staff Findings/Recommendations:

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 3,165 trips to and from the site on Fire Tower Rd and Evans St, which is a net increase of 3,136 additional trips per day.

If Tracts 1 and 2 are rezoned, the rezoning of Tract 1 could have the most impact on Fire Tower Rd and Evans St. The traffic signal at the intersection of these roads could also be affected.

During the review process, measures to mitigate the traffic will have to be determined. These measures could include the construction of additional turn lanes and modification of the traffic signal operations at the Fire Tower Rd/Evans St and Fire Tower Rd/Pine Branches Rd intersections. Access to the tracts will also be reviewed.

Excerpt from the draft Planning and Zoning Commission meeting minutes (11/20/07)

REQUEST BY ALMA PARAMORE HEIRS, SNODIE PARAMORE, JR, THOMAS MOYE AND DARWIN PARAMORE – DENIED

Chairman Tozer stated that the next item is a request by Alma Paramore Heirs, Snodie Paramore, Jr., Thomas Moye, Darwin Paramore et al, for 15.0824 acres located at the northeast corner of the intersection of Evans Street and Fire Tower Road from RA20 (Residential-Agricultural) to CG (General Commercial) and O (Office).

Mr. Harry Hamilton stated that Tract 1 is requested for General Commercial and Tract 2 is requested for Office. Tract 1 requested for General Commercial is approximately 550 feet deep at its widest point and 1,300 feet east-west. Mr. Hamilton stated that it is anticipated that a commercial type development would be on this property in the scale of Bells Fork Shopping Center. There is cross districting parking allowed so that the building could be located in the General Commercial area and parking in the Office area. Fire Tower Road and Evans Street are major thoroughfares. Potential development on the site could generate over 3,000 trips. Fire Tower Road is under construction to be improved to a four-lane roadway. Currently Evans Street is a three-lane road with future plans to be a four-lane road. Mr. Hamilton presented a map of the focus areas in the vicinity of the subject site. There are two regional focus areas at the intersection of Highway 11. The Land Use Plan Map recommends medium density residential on the interior tracts away from thoroughfares and some type of a transition buffer between Fire Tower Road and the interior neighborhoods. Mr. Hamilton presented a map indicating the combined Land Use Plan and Zoning Map which indicates the existing zoning patterns follows the Land Use Plan recommendations. Mr. Hamilton stated that staff's opinion is that the similar office type buffer of similar dimension that separates South Hall from Fire Tower Road would be appropriate and recommended for this quadrant. The request as proposed is not in compliance with the Land Use Plan.

Mr. Baker asked if the staff would recommend the request if the applicant would include the buffer.

Mr. Hamilton explained that they have, as part of their request, included what they believe is adequate buffer of Office zoning. It is staff's opinion that the dimension of the buffer and its location with respect to the intersection and adjoining properties is not dimensionally and locationally appropriate.

There was discussion in regards to the parent tract rezoning.

Mr. Hamilton stated that there is adequate commercial space available to serve the resident and future population in the area. It is not necessary from a public policy standpoint to rezone the property to meet some other public need of commercial space.

Mr. Phil Dixon, representing the applicants, stated the request has been modified twice to achieve something palatable. Mr. Dixon stated that the property is located at the intersection of Fire Tower Road and Evans Street. Mr. Dixon explained that there has always been commercial development on the southside of Fire Tower Road but not on the northside. Mr. Dixon explained the applicants are puzzled because others have been successful in rezoning their properties to commercial and they have been faced with opposition. Mr. Dixon stated that the 8.161 acres of Office is a substantial amount as a buffer and has an impact on the traffic count. Mr. Dixon stated that he contacted members of the South Hall and Tree Tops Neighborhood Associations.

Ms. Meredith Stone, representing South Hall Neighborhood Association, spoke in opposition of the request. Ms. Stone stated that the neighborhood is against any more commercial development in the area. Ms. Stone reiterated that the request is not in compliance with the Land Use Plan. Ms. Stone stated that there is adequate commercial development in the area for the residents and future residents.

Mr. Lloyd Folks, representing neighbors, stated he was one of the persons who signed the petition. Mr. Folks stated his property is located across the road from the subject property. Mr. Folks stated that they oppose the request because it will adversely impact the value of their properties and there is currently adequate commercial development in the area.

Mr. Mark Mettler, President of Treetops Homeowners Association, spoke in opposition to the request.

Mr. Tommie Little, spoke in opposition to the request.

Mr. Dixon spoke in rebuttal by stating that South Hall has a traffic light and one of the things discussed was a right-turn onto Evans and a right-turn onto Fire Tower Road. Mr. Dixon stated he believes this is a reasonable request and would ask for the Commission's support.

Motion was made by Mr. Bell, seconded by Mr. Moye, to recommend denial of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Those voting in favor: Gordon, Moye, Randall, Lehman, Stokes, Bell and Basnight. Those voting in opposition: Baker. Motion carried.

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
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(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
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

- b. Greenhouse or plant nursery; including accessory sales

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- ee. Hospital

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) *Manufacturing/ Warehousing:*
* None

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

PROPOSED ZONING

CG (General Commercial) ***Permitted Uses***

(1) *General:*

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

(2) *Residential:* * None

(3) *Home Occupations (see all categories):*
*None

(4) *Governmental:*

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

(5) *Agricultural/ Mining:*

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

(6) *Recreational/ Entertainment:*

- f. Public park or recreational facility
- h Commercial recreation; indoor only, not otherwise listed
- j. Bowling alleys
- n. Theater; movie or drama, indoor only
- q. Circus, carnival or fair, temporary only (see also section 9-4-103)
- s. Athletic Club; indoor only

(7) *Office/ Financial/ Medical:*

- a. Office; professional and business, not otherwise listed
- b. Operation/processing center
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
- g. Catalogue processing center

(8) *Services:*

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- o. Church or place of worship (see also section 9-4-103)

- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- y.(1) Television and/or radio broadcast facilities including receiving and transmission equipment and towers not exceeding 200 feet in height or cellular telephone and wireless communication towers not exceeding 200 feet in height (see also section 9-4-103)
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

(9) Repair:

- g. Jewelry, watch, eyewear or other personal item repair

(10) Retail Trade:

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

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

- b. Rental of home furniture, appliances or electronics and medically related products (see also (10)k.)
- c. Rental of cloths and accessories; formal wear, etc.

(12) Construction:

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

- e. Building supply; lumber and materials sales, plumbing and/or electrical supply excluding outside storage
- f. Hardware store

(13) Transportation:

- c. Taxi or limousine service
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

* None

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

* None

CG (General Commercial)
Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

- c. Office; customer services, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- 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

(9) Repair:

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

(10) Retail Trade:

- b. Gasoline or automotive fuel sales; accessory or principal use, retail
- j. Restaurant; regulated outdoor activities
- n. Appliances; commercial use, sales and accessory repair, excluding outside storage

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

- d. Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
- f. Automobile, truck, recreational vehicle, motorcycle and boat sales and service (see also major and minor repair)

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

- k. Mini-storage warehouse, household; excluding outside storage

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

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

O (Office)

Permitted Uses

(1) General:

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

(2) Residential:

* None

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

- f. Public park or recreational facility

(7) Office/ Financial/ Medical:

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

(8) Services:

- c. Funeral home

- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- o. Church or place of worship (see also section 9-4-103)
- p. Library
- q. Museum
- r. Art Gallery
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- e. Barber or beauty shop

(9) Repair:

* None

(10) Retail Trade:

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

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

O (Office)

Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

* None

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- j. College and other institutions of higher learning
- l. Convention center; private
- bb. Civic organizations
- cc. Trade and business organizations

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

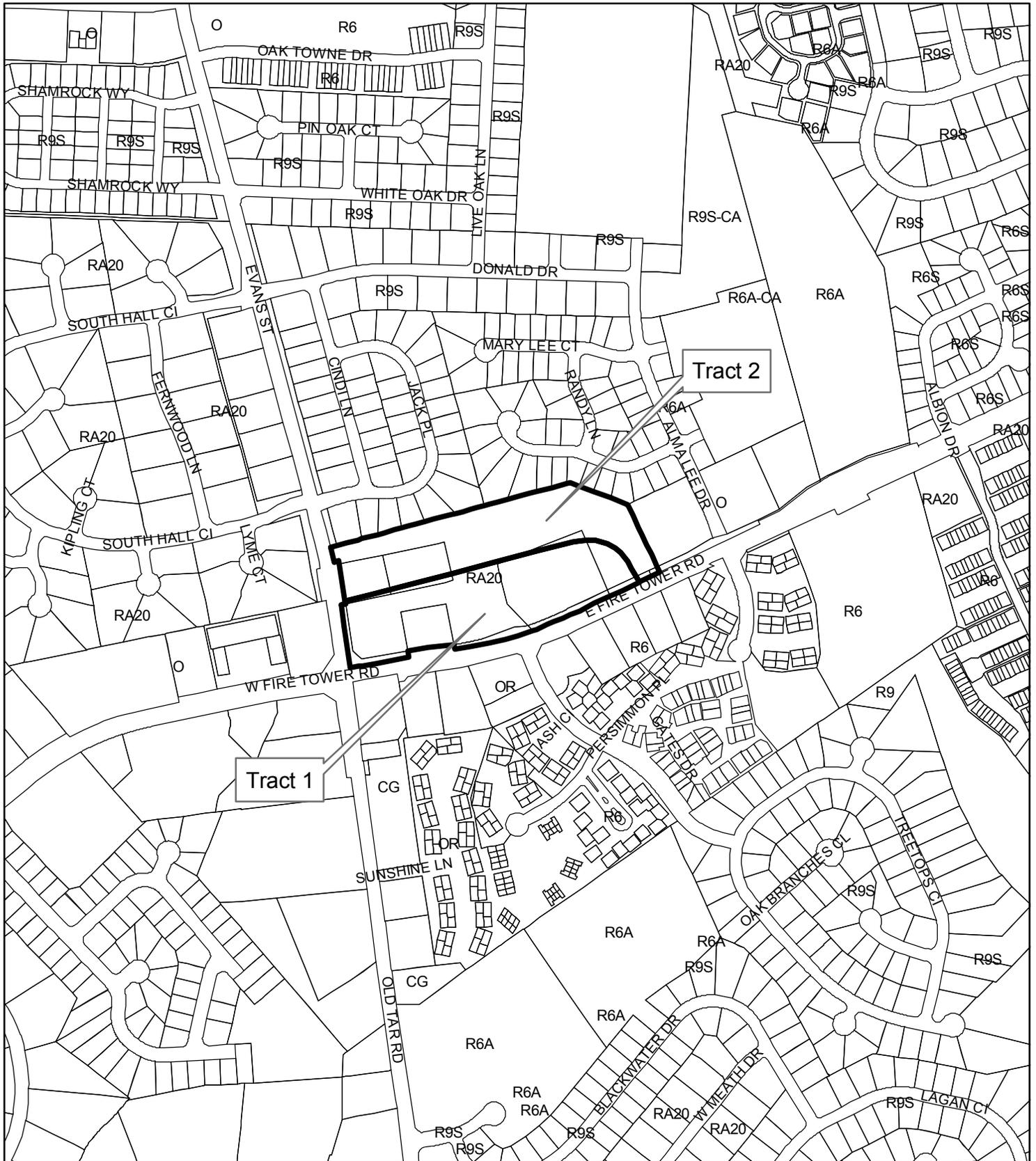
(14) Manufacturing/ Warehousing:

* None

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

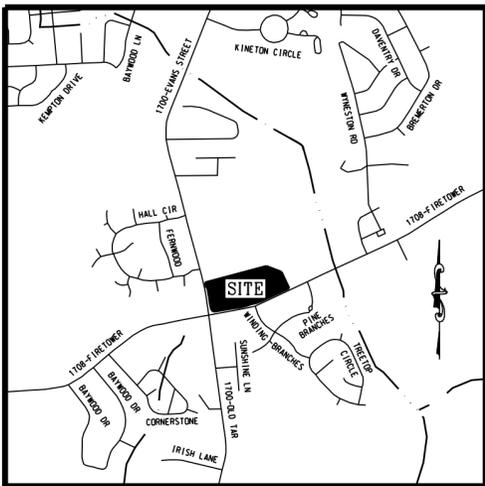
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**Alma Paramore Heirs, Snodie Paramore, Jr., Thomas Moye,
Darwin Paramore et al (07-17)
REVISED**

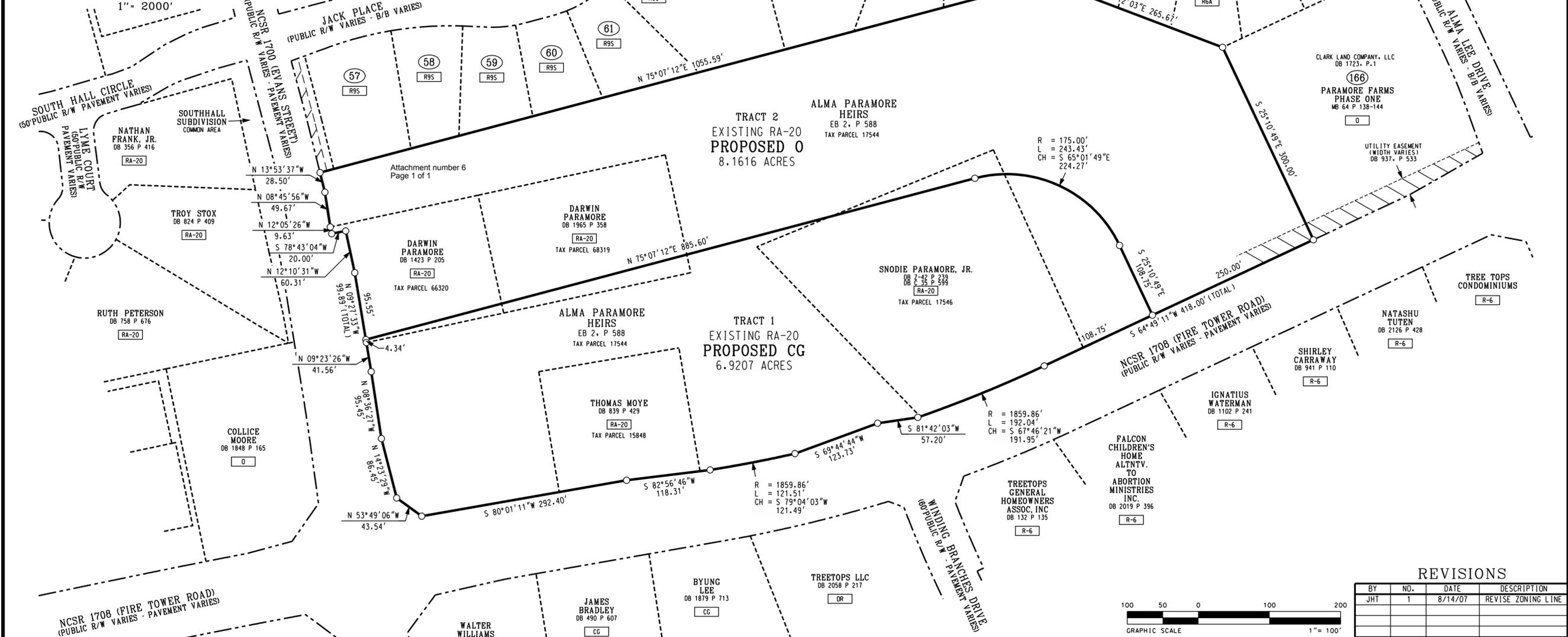


Tract 1: RA20 to CG (6.9207 acres)
Tract 2: RA20 to O (8.1616 acres)

Created
10/31/07
Item # 17



VICINITY MAP
1" = 2000'



REVISIONS

BY	NO.	DATE	DESCRIPTION
JHT	1	8/14/07	REVISE ZONING LINE



REZONING MAP FOR
ALMA LEE PARAMORE HEIRS, SNODIE PARAMORE JR., THOMAS MOYE AND DARWIN PARAMORE ET AL
 REFERENCE 02E, PAGE 588 OF THE PITT COUNTY REGISTRY
 GREENVILLE WINTERVILLE TWP PITT COUNTY NORTH CAROLINA

OWNER: PARAMORE HEIRS ADDRESS: 211 E. FIRE TOWER RD. WINTERVILLE, NC 28590 PHONE: (252) 756-1538	SNODIE PARAMORE JR. 211 E. FIRE TOWER RD. WINTERVILLE, NC 28590 (252) 756-1538	DESIGNED: WKM DRAWN: JHT
OWNER: DARWIN PARAMORE ADDRESS: 3975 EVANS ST. EXT. WINTERVILLE, NC 28590 PHONE: (252) 756-9693	THOMAS MOYE 203 BELLS ST. GREENVILLE, NC 27858 (252) 758-0840	APPROVED: WKM DATE: 5/31/07

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

SCALE: 1" = 100'
 SHEET 1 OF 1

CARLTON E. PARKER L-2980

Item # 17

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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

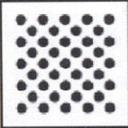
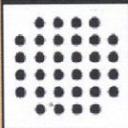
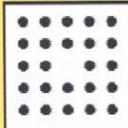
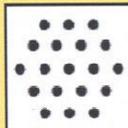
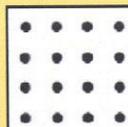
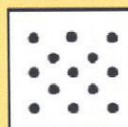
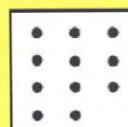
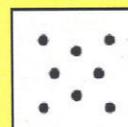
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Ordinance requested by Sheila M. Johnson to rezone 0.399 acres located along the western right-of-way of Dickinson Avenue, 100± feet south of Westwood Drive, and 250± feet north of Arlington Boulevard from R9 (Residential [Medium Density]) to O (Office)

Explanation: **Rezoning Request Report**

Applicant:

Rezoning requested by Sheila M. Johnson for 0.399 acres located along the western right-of-way of Dickinson Avenue, 100± feet south of Westwood Drive, and 250± feet north of Arlington Boulevard from R9 (Residential [Medium Density]) to O (Office).

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

Required Notice:

Planning and Zoning Commission – letters mailed on November 5, 2007.
Sign - posted on November 5, 2007.
City Council – letters mailed on November 27, 2007.
Legal Advertisement – published on December 3rd and 10th, 2007.

Comprehensive Plan:

The subject site is located in Vision Area F.

Dickinson Avenue is designated as a “connector corridor” from Reade Circle to Arlington Boulevard and as a “residential corridor” from Arlington Boulevard to Allen Road. Connector corridors are anticipated to contain a variety of higher intensity activities and uses whereas residential corridors are preferred to

accommodate lower intensity residential uses.

The Future Land Use Plan Map recommends Office/Institutional/Multi-family (OIMF) along the right-of-way of Dickinson Avenue and Medium Density Residential (MDR) for the single-family subdivision properties adjacent thereto (Westwood Subdivision). The Office (O) zoning option is preferred due to the proximity of the single-family dwellings within Westwood subdivision. The subject lot, which fronts directly onto Dickinson Avenue, was not platted as part of the Westwood Subdivision.

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

The possible impact on the existing road network associated with the requested rezoning is considered to be negligible. Therefore, an extensive traffic analysis was not performed.

Detailed Report Attached

History/Background:

The 1969 series zoning map indicated the property as being zoned R9 (Residential).

Present Land Use:

One (1) single-family residence.

Utilities:

GUCO water and sanitary sewer are available to the subject property.

Cultural Resources:

There is no known effect on designated sites.

Environmental Conditions/Constraints:

There are no known environmental constraints.

Surrounding Land Uses and Zoning:

North: R9: One (1) single-family residence
South: R9: Carolina Telephone and Telegraph Substation
East: R9/R6: Two (2) duplex buildings
West: R9S: Westwood Subdivision (single-family)

Density Estimates:

Currently, the subject site contains a single-family residence. At the proposed zoning (O), staff would anticipate the site to yield a 1,600 square foot office

building with associated parking.

The anticipated build-out is 1 to 2 years.

Additional Staff Comments:

In staff's opinion, the long-term livability of the dwelling is diminished due to its frontage on Dickinson Avenue. The proposed Office zoning allows a compatible mix of business and office uses and serves as a transition between the commercial activities and the residential dwellings on the interior. Office zoning is the most restrictive non-residential zoning district. There is no residential option under the office zone.

For information or questions, contact Greenville Community Development Department Staff: Chantae M. Gooby, 329-4507, or Harry V. Hamilton, Jr., 329-4511.

Fiscal Note: No cost to the City.

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

The Planning and Zoning Commission, at their November 20, 2007 meeting, voted to approve the request.

If City Council determines to approve the rezoning 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 statutorily requirement, it is recommended that the motion be as follows: Motion to deny the request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

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

Attachments / click to download

- [📁 Locational Map](#)
 - [📁 Survey](#)
 - [📁 Bufferyard and Vegetation Chart and Residential Density Chart](#)
 - [📁 Ordinance Sheila M. Johnson 719546](#)
 - [📁 Rezoning 07 25 Sheila M. Johnson 727741](#)
 - [📁 Sheila Johnson P and Z Minutes 730848](#)
 - [📁 List of Uses R9 to O 691994](#)
-

ORDINANCE NO. 07-__
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 December 13, 2007 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

Section 1. That the following described territory is rezoned from R9 (Residential) to O (Office).

TO WIT: Eloise Jenkins Mozingo c/o Sheila M. Johnson Property.

LOCATION: Located along the western right-of-way of Dickinson Avenue, 100± feet south of Westwood Drive, and 250± north of Arlington Boulevard.

DESCRIPTION: Beginning at an existing iron pipe on the western right-of-way of Dickinson Avenue, said iron pipe being the southeastern corner of the Carolina Telephone & Telegraph Property as described in Deed Book 544, Page 57 of the Pitt County Register of Deeds Office. From the above described beginning, so located, running thence as follows:

Leaving the western right-of-way of Dickinson Avenue, N 43°32'35" W, 161.85 feet to an existing iron pipe, thence N 42°51'42" E, 102.91 feet to an existing iron pipe, thence S 44°00'40" E, 174.15 feet to an existing iron pipe on the western right-of-way of Dickinson Avenue,

thence with the western right-of-way of Dickinson Avenue, S 49°40'01" W, 104.29 feet to the point of beginning containing 0.399 acres.

Section 2. That the Director of Planning 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 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clark

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 07-25

Applicant: Sheila M. Johnson

Property Information

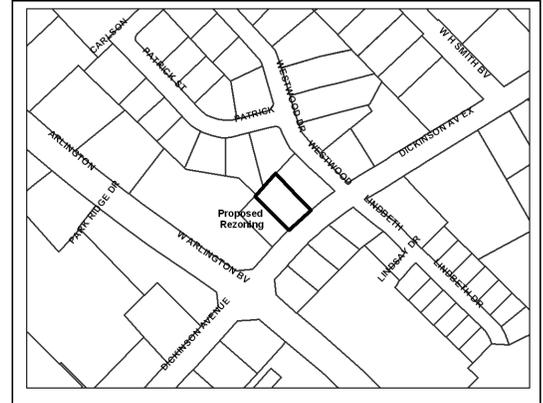
Current Zoning: R9 (Residential Medium Density)

Proposed Zoning: O (Office)

Current Acreage: 0.399 acres

Location: Dickinson Avenue, between Arlington Blvd. and Westwood Drive

Points of Access: Dickinson Avenue



Location Map

Transportation Background Information

1.) Dickinson Avenue - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lane curb & gutter	5 lanes, curb & gutter
Right of way width (ft)	80	100
Speed Limit (mph)	45	45
Current ADT:	13,300 (*)	Design ADT: 33,500 vehicles/day (**)
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along Dickinson Avenue that service this property.	

Notes: (*) 2007 City count
(**) Traffic volume based on an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Projects Planned.

Trips generated by proposed use/change:

Current Zoning: 10 -vehicle trips/day (*) **Proposed Zoning:** 18 -vehicle trips/day (*)

Estimated Net Change: increase of 8 - 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.)

The impact on the existing Roadway network is considered to be negligible, and does not warrant an extensive traffic analysis.

The possible impact on the existing road network associated with the requested rezoning is considered to be negligible. Therefore, an extensive traffic analysis was not performed.

Excerpt from the draft Planning and Zoning Commission meeting minutes (11/20/07)

REQUEST BY SHEILA M. JOHNSON – APPROVED

Chairman Tozer stated that the next item is a request by Sheila M. Johnson to rezone 0.399 acres located along the western right-of-way of Dickinson Avenue, 100± feet south of Westwood Drive, and 250± feet north of Dickinson Avenue from R9 (Residential [Medium Density]) to O (Office).

Ms. Gooby stated that the proposed rezoning is located in the central part of the city along Dickinson Avenue, east of Arlington Boulevard. Currently there is a single-family residence on the subject site. The proposed rezoning site is located along a gateway corridor. The Land Use Plan Map recommends Medium Density Residential adjacent to the Westwood Subdivision. Ms. Gooby stated the property is currently zoned Residential Medium Density and is requested to be rezoned to Office which is the most restrictive, non-residential district. Ms. Gooby stated that in staff's opinion the request is in compliance with the Land Use Plan and Comprehensive Plan.

Mr. Phil Dixon, representing the applicant, stated that they approached staff to inquiry as to what zoning would be appropriate for this site. Staff recommended office and stated it would be compatible with the current zoning in the area.

Ms. Nicole Trent, resident of Westwood Subdivision, stated she had some questions in regards to the proposed rezoning. Ms. Trent asked if the home will be demolished and a new building built. Ms. Trent asked what type of office uses would be allowed on the site.

Ms. Gooby stated that she would be happy to provide a list of office uses that are permitted and that would require a special use permit.

There was discussion in reference to the type of uses for the site and whether other homes would be purchased.

Mr. Tim Meineke, resident of Westwood Subdivision, spoke in opposition to the request by stating that the area has changed over the years. Mr. Meineke stated that the property values of the homes in the neighborhood will decrease and the increase in traffic will hinder residents from entering and exiting the neighborhood.

Mr. Dixon stated that the home is unsuitable to live it according to the family members. Mr. Dixon explained that the most that could be built on the site is a 1,500-1,600 square foot office building. Mr. Dixon explained that he believes the neighborhood and residents would not be impacted by the increase in traffic.

Mr. Curtis Teel, adjacent property owner, spoke in opposition to the request.

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

other matters. Those voting in favor: Gordon, Moye, Randall, Baker, Stokes, Bell and Basnight. Those voting in opposition: Lehman. Motion carried.

EXISTING ZONING

R9 (Residential)

Permitted Uses

(1) General:

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

(2) Residential:

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

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

R9 (Residential)
Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

b. Home occupation; excluding barber and beauty shops

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

(4) Governmental:

a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

a. Golf course; regulation

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

a. Child day care facilities

b. Adult day care facilities

d. Cemetery

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

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

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

PROPOSED ZONING

O (Office)

Permitted Uses

(1) General:

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

(2) Residential:

* None

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

- f. Public park or recreational facility

(7) Office/ Financial/ Medical:

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

(8) Services:

- c. Funeral home
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- o. Church or place of worship (see also section 9-4-103)
- p. Library
- q. Museum
- r. Art Gallery
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- e. Barber or beauty shop

(9) Repair:

* None

(10) Retail Trade:

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

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

O (Office)
Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

* None

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- j. College and other institutions of higher learning
- l. Convention center; private
- bb. Civic organizations
- cc. Trade and business organizations

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

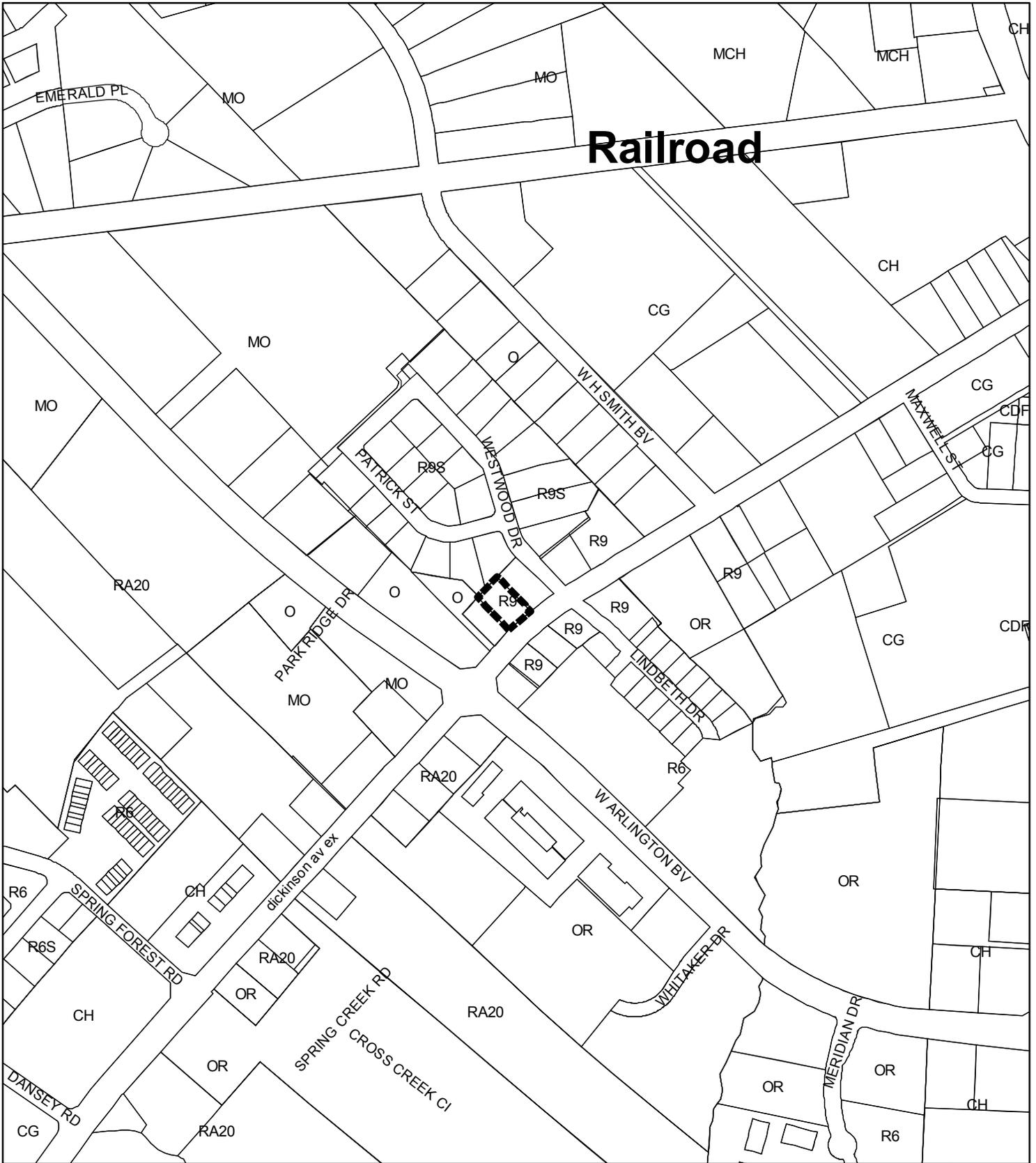
(14) Manufacturing/ Warehousing:

* None

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

* None

Sheila M. Johnson (07-25)



R9 to O (0.399 acres)

Legend

-  Land Parcels
-  Area Requested to be Rezoned

Item # 18
Created 9/21/07

COMMERCIAL
 O
 DIAMOND POINTE
 PROPERTIES, LLC
 DB 1984, PG 856

RESIDENTIAL
 R-9S
 BARBARA A.
 FUSSELL
 DB 1009, PG 351

RESIDENTIAL
 R-9S
 NICOLE TRENT
 DB 1939, PG 414

RESIDENTIAL
 R-9
 CAROLINA TEL.
 AND TEL.
 DB 544, PG 57

RESIDENTIAL
 R-9
 CURTIS E. TEEL &
 WIFE ANN L. TEEL
 DB 1026, PG 544

RESIDENTIAL
 R-9
 JULIUS G. DEES III &
 WIFE MARGARET B. DEES
 DB 124, PG 478

RESIDENTIAL
 R-6
 BLOUNT THREE
 PROPERTIES
 DB 1819, PG 191

RESIDENTIAL
 R-9
 RICKY HARRELL & WIFE
 LINDA HARRELL
 DB 2112, PG 266

N 42°51'42" E 102.91'

N 43°32'35" W 161.85'

S 44°00'40" E 174.15'

S 49°40'01" W 104.29'

105.00'±

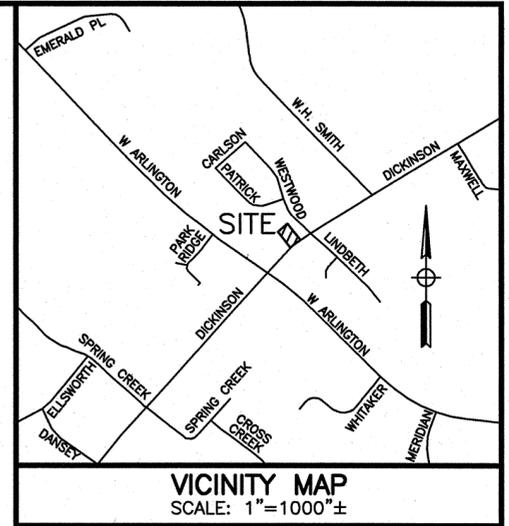
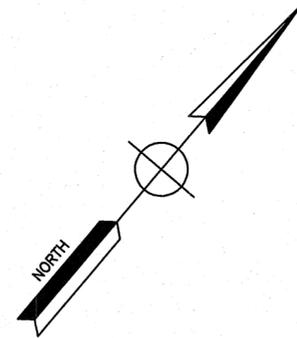
DICKINSON AVE
 (80' R/W PUBLIC)

WESTWOOD DRIVE
 (R/W VARIES PUBLIC)

LINDBETH DRIVE
 (R/W VARIES PUBLIC)

Attachment number 6
 Page 1 of 1

Item # 18

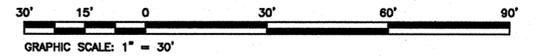


LEGEND

- R/W = RIGHT-OF-WAY
- EIP = EXISTING IRON PIPE
- (O) = EXISTING ZONING
- (O) = PROPOSED ZONING



TOTAL AREA TO BE REZONED = 0.399 AC.



REVISED: 09/26/07 (CITY COMMENTS)(BAW)
 PARCEL #15874

NOTES

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. THIS MAP IS OF A SURVEY OF ANOTHER CATEGORY.
3. NO SURVEY WAS PERFORMED IN THE PRODUCTION OF THIS MAP BY BALDWIN & ASSOCIATES, INFORMATION USED TO PRODUCE THIS MAP WAS TAKEN FROM PITT COUNTY TAX RECORDS.

REZONING MAP FOR SHEILA M. JOHNSON		
REFERENCE: DEED BOOK V-30, PAGE 473 THE PITT COUNTY REGISTRY GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA		
OWNER:	ELOISE JENKINS MOZINGO c/o SHEILA M. JOHNSON	
ADDRESS:	229 CHESNUT LANE WINSTON-SALEM, NC 27107 (336) 784-6998	
PHONE:		
	SURVEYED:	N/A
	DRAWN:	BAW
	CHECKED:	SCB
APPROVED:	MWB	DATE: 09/13/2007
SCALE: 1" = 30'		

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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

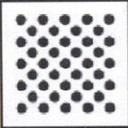
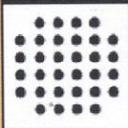
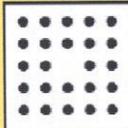
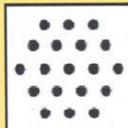
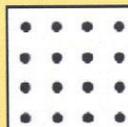
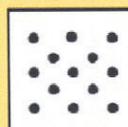
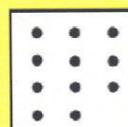
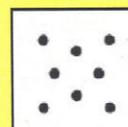
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Zoning ordinance amendment requested by the Community Development Department to amend the RA20 district table of uses by deleting the use entitled "Hospital" as a special use and to amend the MS and MO district table of uses to include the use entitled "Hospital" as a permitted use

Explanation: Currently, the use entitled "Hospital" is a special use in the RA20 (residential-agricultural) district and a permitted use in the MI (medical-institutional) district.

The Pitt County Memorial Hospital (PCMH) main facility is located entirely within the MI district. The PCMH Heart Hospital (under construction) is located partially within the MS district. Other PCMH associated facilities including the Surgicenter, Viquest, ACS McConnell-Raab Hope Lodge, PCMH satellite parking lots, PCMH Pre-Surgery Testing, and PCMH Management Properties (e.g., Doctors Park) are located within the MS and MO districts.

The proposed amendment will allow for the continued expansion of existing hospital-related uses in the core area of the medical district (hospital-medical school campus), as well as the establishment of new hospital facilities on properties zoned MI, MS and MO (medical) district.

Fiscal Note: No cost to the City

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

The Planning and Zoning Commission at the November 20, 2007 meeting voted to approve the request.

If City Council determines to approve the amendment request, a motion to adopt the attached 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 amendment request, in order to comply with this statutory requirement, it is recommended that the motion be as follows:

Motion to deny the request to amend the City Code and to make a finding and determination that the denial of the amendment is consistent with the adopted comprehensive plan and that the denial of the amendment is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

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

Attachments / click to download

 [Hospital_MO_and_MS_ordinance_729134](#)

 [Hospital_amendment_730888](#)

ORDINANCE NO. 07-__
AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on December 13, 2007 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

WHEREAS, the City Council does hereby find and determine that the adoption of said ordinance amending the City Code is consistent with the adopted comprehensive plan and that the adoption of the ordinance is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

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

Section 1: That Title 9, Chapter 4, Article D, Section 9-4-78(f)(8)ee., of the City Code, is hereby amended by deleting the use entitled "Hospital" as a special use in the RA20 (residential-agricultural) district.

Section 2: That Title 9, Chapter 4, Article D, Section 9-4-78(f)(8)ee., of the City Code, is hereby amended to include the use entitled "Hospital" as a permitted use in the MS (medical-support) and MO (medical-office) district.

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

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

ADOPTED this 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

Excerpt from the draft Planning and Zoning Commission meeting minutes (11/20/07)

REQUEST BY THE COMMUNITY DEVELOPMENT DEPARTMENT – APPROVED

Chairman Tozer stated that the next item is a request by the Community Development Department to (i) amend the RA20 district table of uses by deleting the use entitled “Hospital” as a special use, and (ii) amend the MS and MO district table of uses to include the use entitled “Hospital” as a permitted use.

Mr. Hamilton stated that currently a hospital is allowed as a special use within the RA20 (residential – agricultural) district and as a permitted use in the MI (medical – institutional) district. The proposed amendment would allow a hospital within any of the core medical districts including the MS (medical –support) and MO (medical – office) districts. Mr. Hamilton explained that he has had conversations with the hospital attorney and they support this amendment which will facilitate hospital expansion and/or the new construction of additional facilities within the medical core area. Mr. Hamilton stated that staff would recommend approval of the request.

No one spoke in favor or opposition of the request.

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



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Ordinance to annex Emerald Park, Phase 1, Section 2 containing 13.3455 acres located north of Davenport Farm Road and west of Thomas Langston Road

Explanation: ANNEXATION PROFILE

A. SCHEDULE

1. Advertising date: December 3, 2007
2. City Council public hearing date: December 13, 2007
3. Effective date: December 31, 2007

B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 13.3455 acres
4. Voting District: 5
5. Township: Winterville
6. Vision Area: E
7. Zoning District: R9S (Residential)
8. Land Use: Existing: Vacant
Anticipated: 61 single family homes

9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	61 x 2.35*	143
Current Minority	-----	0
Estimated Minority at full development	143 x 17.3%**	24
Current White	-----	0
Estimated White at full development	143 - 24	119

* 2.35 Average household size in Winterville Township, based on 2000 census data

** 17.3% minority population, based on 2000 census data taken from tract 6, block 2020

10. Rural Fire Tax District: Red Oak

11. Greenville Fire District: Station #5 (2.0 miles)

12. Present Tax Value: \$498,427
 Estimated Future Tax Value: \$9,648,427

Fiscal Note: Total estimated tax value at full development is \$9,648,427.

Recommendation: Approval of the ordinance to annex Emerald Park, Phase 1, Section 2.

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

Attachments / click to download

[Map](#)

[Emerald Park Ph 1 Sec 2 annexation 730900](#)

ORDINANCE NO.
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 7:00 p.m. on the 13th day of December, 2007 after due notice by publication in The Daily Reflector on the 3rd day of December, 2007; 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 that certain property as shown on the annexation map entitled "Emerald Park, Phase 1, Section 2" as prepared by Malpass and Associates.

LOCATION: Lying and being situated in Winterville Township, Pitt County, North Carolina, located north of Davenport Farm Road and west of Thomas Langston Road. This annexation involves 13.3455 acres.

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

Beginning at a point in the eastern right-of-way of Garnet Way said point being located N 09°24'10" E, 177.84 feet from the intersection of the northern right-of-way of NCSR 1128 (Davenport Farm Road) and the

eastern right-of-way of Garnet Way, thence from said point of beginning with the eastern right-of-way of Garnet Way 23.99 feet along the arc of a curve said curve being to the right having a radius of 193.00 feet and a chord bearing N 14°32'24" E, 23.98 feet, thence N 18°06'06" E, 57.43 feet, thence 39.27 feet along the arc of a curve said curve being to the right having a radius of 25.00 feet and a chord bearing N 63°06'06" E, 35.36 feet, thence S 71°53'54" E, 27.77 feet, thence N 18°06'06" E, 50.00 feet, thence N 71°53'54" W, 86.12 feet, thence N 26°05'22" E, 80.01 feet, thence N 39°20'52" E, 33.01 feet, thence S 71°53'54" E, 435.52 feet, thence N 18°06'06" E, 55.00 feet, thence S 71°53'54" E, 110.00 feet, thence N 18°06'06" E, 284.00 feet, thence S 71°53'54" E, 50.00 feet, thence S 18°06'06" W, 69.00 feet, thence S 71°53'54" E, 460.00 feet, thence S 18°06'06" W, 110.00 feet, thence S 71°53'54" E, 50.00 feet, thence S 18°06'06" W, 50.00 feet, thence N 71°53'54" W, 50.00 feet, thence S 18°06'06" W, 110.00 feet, thence S 71°53'54" E, 550.00 feet, thence S 18°06'06" W, 110.00 feet, thence S 71°53'54" E, 11.88 feet, thence 38.12 feet along the arc of a curve said curve being to the left having a radius of 125.00 feet and a chord bearing S 80°38'05" E, 37.97 feet, thence S 00°37'44" W, 50.00 feet, thence 53.37 feet along the arc of a curve said curve being to the right having a radius of 175.00 feet and a chord bearing N 80°38'05" W, 53.16 feet, thence N 71°53'54" W, 34.00 feet, thence S 18°06'06" W, 116.19 feet to the northern line of Fairfield Section 3 as recorded in Map Book 25, Page 131, thence with the northern line of Fairfield Section 3 and continuing with the northern line of Fairfield Section 2 as recorded in Map Book 27, Page 8 N 70°27'04" W, 84.16 feet, thence N 70°53'27" W, 231.37 feet, thence N 71°53'54" W, 1,031.62 feet, thence N 71°09'40" W, 147.09 feet, thence N 70°36'23" W, 77.51 feet to the point of beginning containing 13.3455 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 31st day of December, 2007.

ADOPTED this 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

NORTH CAROLINA
PITT COUNTY

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

WITNESS my hand and official seal, this the 13th day of December, 2007.

Patricia A. Sugg, Notary Public

My Commission Expires: September 4, 2011



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Ordinance to annex Ward Holdings, LLC property containing 2.50 acres located north of Thomas Langston Road and east of Langston Townhomes

Explanation: ANNEXATION PROFILE

A. SCHEDULE

1. Advertising date: December 3, 2007
2. City Council public hearing date: December 13, 2007
3. Effective date: December 31, 2007

B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 2.50 acres
4. Voting District: 5
5. Township: Winterville
6. Vision Area: E
7. Zoning District: CG (General Commercial)
8. Land Use: Existing: Vacant
Anticipated: Commercial Development

9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	-----	0
Current Minority	-----	0
Estimated Minority at full development	-----	0
Current White	-----	0
Estimated White at full development	-----	0

10. Rural Fire Tax District: Winterville

11. Greenville Fire District: Station #5 (1.5 miles)

12. Present Tax Value: \$93,370
Estimated Future Tax Value: \$518,370

Fiscal Note: Total estimated tax value at full development is \$518,370.

Recommendation: Approval of the ordinance to annex the Ward Holdings, LLC property.

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

Attachments / click to download

[Annexation Map](#)

[Ward Holdings LLC Annexation 730896](#)

ORDINANCE NO.
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 7:00 p.m. on the 13th day of December, 2007 after due notice by publication in The Daily Reflector on the 3rd day of December, 2007; 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 that certain property as shown on the annexation map entitled "Ward Holdings, LLC" as prepared by Rivers and Associates.

LOCATION: Lying and being situated in Winterville Township, Pitt County, North Carolina, located north of Thomas Langston Road and east of Langston Townhomes. This annexation involves 2.50 acres.

GENERAL DESCRIPTION: Being all that property located in Winterville Township, bounded on the west by Teddy Hines, on the north by Arborvitae, LLC, on the east by Ward Holdings, LLC and on the south by Thomas Langston Road (N.C.S.R. 1134), and more particularly described as follows:

Beginning at the southeasterly property corner of Arborvitae, LLC, recorded in Deed Book 2265, Page 476 and Map Book 62, Page 173;
Item # 21

thence from the point of beginning with the new city limits line S 01°49'59" W, 461.96 feet to a point in the northern right-of-way of Thomas Langston Road (N.C.S.R. 1134); thence cornering and running with the northerly right-of-way of Thomas Langston Road (N.C.S.R. 1134) N 80°10'12" W, 336.29 feet to a point in the westerly property line of Teddy Hines recorded in Deed Book 1570, Page 726 and Deed Book 1816, Page 551; thence cornering and leaving Thomas Langston Road (N.C.S.R. 1134) with the property of Teddy Hines, recorded in Deed Book 1570, Page 726 and Deed Book 1816, Page 551 N 18°03'49" E, 314.58 feet to a point in the southerly line of Arborvitae, LLC, recorded in Deed Book 2265, Page 476, thence cornering and running with the southerly line of Arborvitae, LLC N 67°03'21" E, 269.94 feet to the point of beginning, containing 2.50 acres more or less and being a portion of the Ward Holdings, LLC Property recorded in Deed Book 1051, Page 826 and Deed Book 824, Page 453 and Map Book 27, Page 162 and shown on an Annexation Map prepared by Rivers and Associates, Inc., drawing number Z-2436, dated September 24, 2007, last revised October 10, 2007, and incorporated herein by reference.

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 31st day of December, 2007.

ADOPTED this 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

NORTH CAROLINA
PITT COUNTY

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

WITNESS my hand and official seal, this the 13th day of December, 2007.

Patricia A. Sugg, Notary Public

My Commission Expires: September 4, 2011

Doc. # 730896

Item # 21

N/F
MARGA J. ROSS AND DOUGLAS
H. ROSS, LIFE ESTATE
D.B. 1853 P.G. 703
D.B. V-38 P.G. 685
P.N. 19292

N/F
BLUE LANDS, LLC
D.B. 1887 P.G. 350
M.B. 41 P.G. 172
P.N. 51931

N/F
TRIPLE B#6, LLC
D.B. 2166 P.G. 76
P.N. 21185

N/F
TRIPLE B#6, LLC
D.B. 2186 P.G. 236
M.B. 26 P.G. 145-146
P.N. 74354

WARD HOLDINGS, LLC
D.B. 1051 P.G. 826
D.B. 824 P.G. 453
P.N. 13377

WARD HOLDINGS, LLC
D.B. 1051 P.G. 826
D.B. 824 P.G. 453
M.B. 48 P.G. 183
M.B. 27 P.G. 162
P.N. 16475
P.N. 58132

N/F
TRIPLE B#6, LLC
D.B. 2186 P.G. 236
M.B. 26 P.G. 145-146
P.N. 74301

Attachment number 2
Page 1 of 1

N/F
ARBORVITAE, LLC
D.B. 2265 P.G. 476
M.B. 62 P.G. 173
P.N. 13364

N/F
TEDDY HINES
D.B. 1570 P.G. 726
D.B. 1816, P.G. 551
M.B. 15 P.G. 2
P.N. 13877

WARD HOLDINGS, LLC
D.B. 1051 P.G. 826
D.B. 824 P.G. 453
M.B. 48 P.G. 183
M.B. 27 P.G. 162
P.N. 16475
108,962.25 SF ±
2.50 AC ±

N/F
LOWES HOME CENTERS, INC.
D.B. 761 P.G. 688
D.B. 761, P.G. 716
M.B. 48 P.G. 198
P.N. 58138

N/F
VANRACK INC.
D.B. 1744 P.G. 465
P.N. 69493

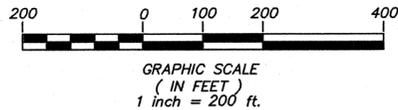
VANCROFT TOWNHOMES
M.B. 66 P.G. 186

ROBERT STANLEY LITTLE
D.B. K 50 P.G. 677
P.N. 31204

N/F
MITCHELL FAMILY, LLC
D.B. 2324 P.G. 583
P.N. 60926

N/F
JOSEPH D. SPEIGHT
AND WIFE
MAXINE A. SPEIGHT
D.B. 1069 P.G. 668
P.N. 13376

LINE	BEARING	LENGTH
L1	S 88°49'14" W	19.31



ANNEXATION MAP

WARD HOLDINGS, LLC

WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER **WARD HOLDINGS, LLC** C/O JAMES H. WARD, III
ADDRESS 503 CHESAPEAKE PLACE
GREENVILLE, N.C. 27858
PHONE (252) 355-7993

Rivers
& Associates, Inc.
Since 1918
Engineers
Planners
Surveyors
107 East Second Street
Greenville, NC 27858
(252) 752-4135

SURVEYED	APPROVED
DRAWN	DATE
CHECKED	SCALE
PH	1"=200'

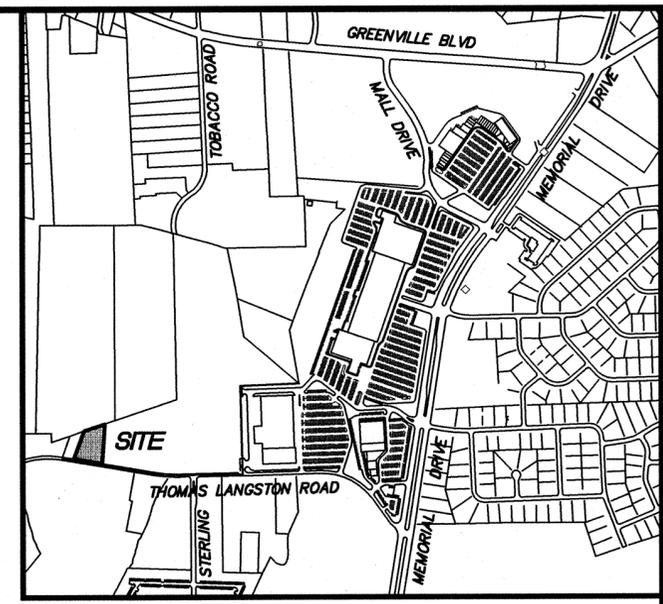
MAP NO.	PLATS RECORDED	BOOK	PAGE

MAP SHOWING AREA ANNEXED BY
THE CITY OF GREENVILLE, N.C.

EFFECTIVE DATE _____ ORDINANCE NO. _____

WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

2.50 ACRES
AREA



VICINITY MAP
SCALE: 1" = 1000'

REFERENCES

D.B. 824 P.G. 453
PORTION OF P.N. 16475
M.B. 27 P.G. 162
M.B. 48 P.G. 183

Legend

- NEW CITY LIMIT ————
- OLD CITY LIMIT ————
- CITY LIMIT - - - - -
- PARCEL NUMBER P.N.
- NOW OR FORMERLY N/F

Notes :

- AREA DETERMINED BY COORDINATES.
- ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS.
- NO POINT SET AT ANY CORNER UNLESS OTHERWISE NOTED.
- THIS MAP WAS PREPARED FOR ANNEXATION PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON OR TO BE USED FOR SALES OR CONVEYANCE.
- BOUNDARY INFORMATION WAS TAKEN FROM REFERENCE INFORMATION SHOWN HEREON. NO FIELD SURVEYING WAS PERFORMED FOR THE PREPARATION OF THIS MAP.
- CITY LIMITS WAS TAKEN FROM PITT COUNTY GEOGRAPHIC INFORMATION SYSTEM.
- PARCEL NUMBER 16475



CERTIFICATION

NORTH CAROLINA PITT COUNTY
I, PATRICK W. HARTMAN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM (DEED DESCRIPTION RECORDED IN BOOK _____ PAGE _____); THAT THE RATIO OF PRECISION IS 1:10,000; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f)(11)d AS TO THE FOLLOWING; THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS 24TH DAY OF SEPTEMBER, 2007.

SIGNED: *Patrick W. Hartman*
PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER L-4262



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Ordinance to annex Tucker Commercial Park Future Lots 4, 5, 6, and 7 containing 8.53 acres located east of Memorial Drive and south of Whitley Drive

Explanation: ANNEXATION PROFILE

A. SCHEDULE

1. Advertising date: December 3, 2007
2. City Council public hearing date: December 13, 2007
3. Effective date: December 31, 2007

B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 8.53 acres
4. Voting District: 5
5. Township: Winterville
6. Vision Area: E
7. Zoning District: CG (General Commercial)
8. Land Use: Existing: Vacant
Anticipated: Commercial Development

9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	-----	0
Current Minority	-----	0
Estimated Minority at full development	-----	0
Current White	-----	0
Estimated White at full development	-----	0

10. Rural Fire Tax District: Winterville

11. Greenville Fire District: Station #5 (1.7 miles)

12. Present Tax Value: \$1,151,550
Estimated Future Tax Value: \$3,151,550

Fiscal Note: Total estimated tax value at full development is \$3,151,550.

Recommendation: Approval of the ordinance to annex Tucker Commercial Park Future Lots 4, 5, 6, and 7.

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

Attachments / click to download

[Annexation Map](#)

[Tucker Commercial Park Lots 4 5 6 and 7 annexation 730897](#)

ORDINANCE NO.
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 7:00 p.m. on the 13th day of December, 2007 after due notice by publication in The Daily Reflector on the 3rd day of December, 2007; 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 that certain property as shown on the annexation map entitled "Tucker Commercial Park, Future Lots 4, 5, 6 and 7" as prepared by Rivers and Associates.

LOCATION: Lying and being situated in Winterville Township, Pitt County, North Carolina, located east of Memorial Drive and south of Whitley Drive. This annexation involves 8.53 acres.

GENERAL DESCRIPTION: All that certain tract or parcel of land lying and being situated in Winterville Township, Pitt County, North Carolina bounded on the north by Whitley Drive, on the east by The Tucker Company property, on the south by the Craig F. Goess property and on the west by Memorial Drive and being described by metes and bounds as follows:

Beginning at a point in the eastern right-of-way line of South Memorial Drive (N.C. Highway 11 / 903), said point being the point of intersection with the southern right-of-way line of Whitley Drive as shown on a map recorded in Map Book 60, Page 189, thence with the southern right-of-way line of Whitley Drive N 88°20'00" E, 185.94 feet to a point of curvature, thence continuing with said right-of-way along a curve in a counterclockwise direction, said curve having a radius of 540.00 feet, a chord bearing of N 85°56'50" E and a chord distance of 44.97 feet to a point of tangency, thence N 83°33'40" E, 69.37 feet to a point, thence leaving the southern right-of-way line of Whitley Drive and with a new line through The Tucker Company property recorded in Deed Book E53, Page 828 of the Pitt County Registry S 01°40'00"E, 997.24 feet to a point in the northern property line of the Craig F. Goess & Craig M. Goess property recorded in Deed Book 2132, Page 269, thence continuing with the Craig F. Goess & Craig M. Goess property line S 88°20'00" W, 300.00 feet to a point in the eastern right-of-way line of South Memorial Drive (N.C. Highway 11 / 903), thence S 88°20'00" W, 75.00 feet to a point in the centerline of the right-of-way of South Memorial Drive, thence N 01°40'00" W, 989.59 feet to a point, thence N 88°20'00" E, 75.00 feet to the point of beginning containing 8.53 acres and shown on Rivers and Associates, Inc. Drawing Z-2444 dated October 17, 2007, entitled "Annexation Map Tucker Commercial Park Future Lots 4, 5, 6 and 7 which by reference is made part hereof.

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 31st day of December, 2007.

ADOPTED this 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

NORTH CAROLINA
PITT COUNTY

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

WITNESS my hand and official seal, this the 13th day of December, 2007.

Patricia A. Sugg, Notary Public

My Commission Expires: September 4, 2011

Notes :

- ALL DISTANCES ARE HORIZONTAL.
- NO POINT SET AT CORNERS UNLESS OTHERWISE NOTED.
- AREA BY COORDINATES.
- PITT COUNTY PARCEL 22922
- BOUNDARY INFORMATION TAKEN FROM AN ALTA/ASCM LAND TITLE SURVEY PERFORMED FOR THE TUCKER COMPANY BY JOYNER, KEENEY, AND ASSOCIATES SIGNED AND SEALED JANUARY 26, 2006 BY WILLIAM T. ROBBINS, II, L-4192.
- EXISTING CITY LIMITS DERIVED FROM PITT COUNTY GEOGRAPHIC INFORMATION SYSTEM AND RECORDED ANNEXATION MAPS AS LISTED IN REFERENCES.

Legend

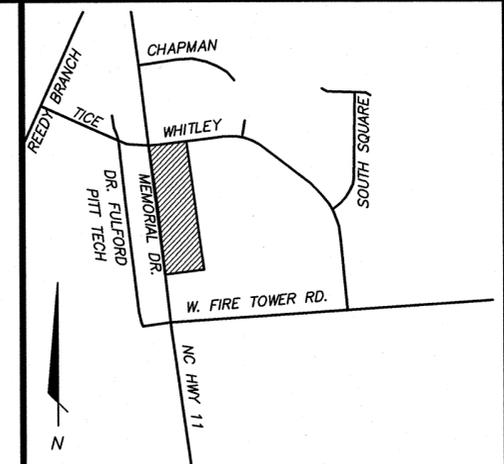
NEW CITY LIMIT	-----
OLD CITY LIMIT	- - - - -
CITY LIMIT	-----
RIGHT OF WAY	-----
PARCEL NUMBER	P.N.
RIGHT OF WAY	R/W

References

MB 60	PG 189
MB 64	PG 7
DB R52	PG 222
MB 5	PG 105

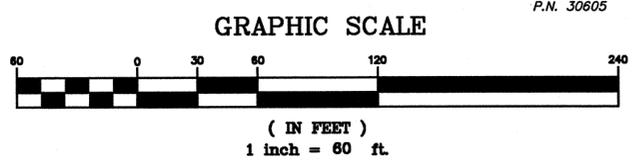
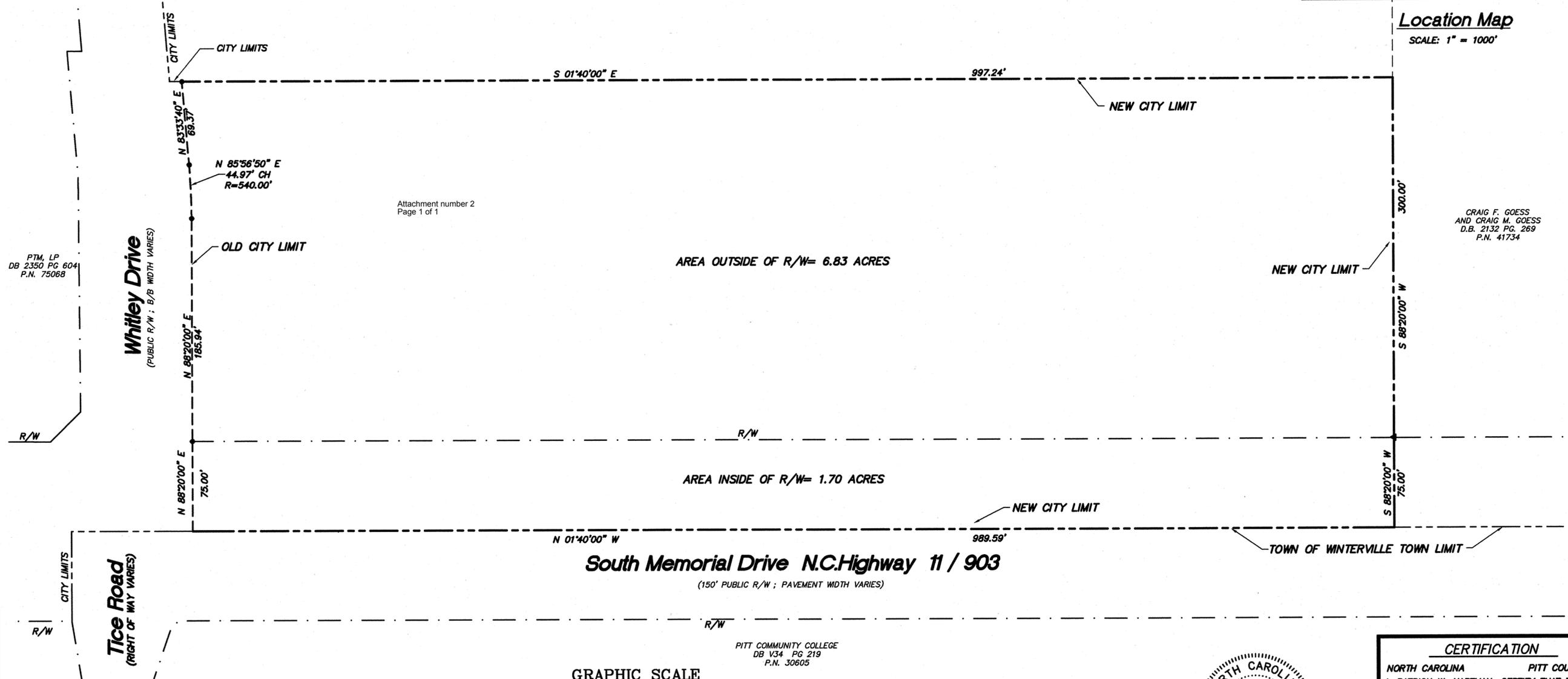
MB 32 PG 147
02/14/1985

THE TUCKER COMPANY
DB R52, PG 222
PARCEL 022922



Location Map

SCALE: 1" = 1000'



CERTIFICATION

NORTH CAROLINA PITT COUNTY
I, PATRICK W. HARTMAN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION. (DEED DESCRIPTIONS RECORDED IN BOOK _____ PAGE _____) THAT THE RATIO OF PRECISION IS 1:10,000; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 (F)(11)(d) AS TO THE FOLLOWING THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION. (ANNEXATION MAP) WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS 26ND DAY OF NOVEMBER 2007.

SIGNED *Patrick W. Hartman*
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-2624

ANNEXATION MAP
**TUCKER COMMERCIAL PARK
FUTURE LOTS 4, 5, 6, AND 7**
WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER TUCKER COMPANY, LLC
ADDRESS 2579 SEVEN PINES ROAD
GREENVILLE, NC 27834
PHONE (252) 753-2016

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

SURVEYED APPROVED
DRAWN DATE
CHECKED SCALE
PWH

MAP NO.	PLATS RECORDED	BOOK	PAGE
	TUCKER COMMERCIAL PARK WHITLEY DRIVE ANNEXATION	60	189
	BROWN FAMILY INVESTMENTS ANNEXATION THE TUCKER COMPANY ANNEXATION	64	7

MAP SHOWING AREA ANNEXED BY
THE CITY OF GREENVILLE, N.C.

EFFECTIVE DATE _____ ORDINANCE NO. _____
8.53 ACRES AREA
WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Ordinance requiring the repair or the demolition and removal of the dwelling located at 703 Douglas Avenue

Explanation: The Code Enforcement Coordinator for the City of Greenville is requesting that the City Council approve an ordinance requiring the owner of a dwelling which has been vacated and closed for a period of at least six months pursuant to the enforcement of the Minimum Housing Code to repair or demolish and remove the dwelling located at 703 Douglas Avenue. The ordinance provides that the owner has 90 days to repair or demolish and remove the dwelling and if the owner fails to accomplish this within 90 days, then the City will proceed with repairing or demolishing and removing the dwelling.

The initial notice of violation was sent by certified mail on March 30, 1998 to the property owner informing the owner of the minimum housing code violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance. Since that date, there have been six certified notices regarding minimum housing violations of the dwelling. Staff has attempted to work with the owner, but no repairs have been made.

The most recent mailing to the owner was sent on October 31, 2007 and provided notice to the owner that the dwelling was considered as an abandoned structure. The dwelling has been vacated and closed for a period of at least six months. Utility services to the dwelling have been disconnected since March 24, 2004. Taxes on the property are current. The May 2007 Pitt County Tax Assessor's report valued the property at \$11,160 (the structure was valued at \$9,160 and the land was valued at \$2,000). The cost to repair the property is estimated to exceed \$40,000.

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

Recommendation: Approval of the ordinance requiring the repair or demolition and removal of the

dwelling located at 703 Douglas Avenue

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

Attachments / click to download

-  [Picture #1 for 703 Douglas Avenue](#)
 -  [Picture #2 for 703 Douglas Avenue](#)
 -  [Picture #3 for 703 Douglas Avenue](#)
 -  [Picture #4 for 703 Douglas Avenue](#)
 -  [Picture #5 for 703 Douglas Avenue](#)
 -  [Ordinance for 703 Douglas Ave 730004](#)
-

ORDINANCE NO. 07-____
ORDINANCE REQUIRING THE OWNER OF A DWELLING VACATED
AND CLOSED FOR A PERIOD OF AT LEAST SIX MONTHS PURSUANT TO THE
ENFORCEMENT OF THE MINIMUM HOUSING CODE TO REPAIR OR DEMOLISH
AND REMOVE THE DWELLING LOCATED AT 703 DOUGLAS AVE.
TAX PARCEL NUMBER 07598

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

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

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

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

Section 1. The owner(s), Quency Gardner, of the dwelling located at 703 Douglas Ave., in the City of Greenville, North Carolina, is hereby directed and required to either repair said dwelling so that it fully complies with the standards of the Minimum Housing Code or to demolish and remove said dwelling within ninety (90) days from the effective date of this ordinance.

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

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

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

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

This the 13th day of December 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

NORTH CAROLINA
PITT COUNTY

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

Witness my hand and Notarial Seal, this the 13th day of December, 2007.

Patricia A. Sugg, Notary Public

My Commission expires: 9/4/2011



Attachment number 2
Page 1 of 1



Attachment number 3
Page 1 of 1

Item # 23



Attachment number 4
Page 1 of 1



Attachment Number 5
Page 1 of 1

Item # 23





City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Acceptance of gift of property from E.R. Lewis Construction Co., Inc.

Explanation: By the attached letter dated November 26, 2007, E.R. Lewis Construction Co., Inc., has offered to make a gift to the City of property consisting of approximately 124.01 acres, north of and adjacent to the Tar River, and west of and adjacent to River Park North.

The location of this property directly adjacent to River Park North and the Tar River makes this property suited to recreational and greenway purposes. The Recreation and Parks Commission will consider the gift at its December 12, 2007, meeting and make a recommendation to Council concerning the gift.

Fiscal Note: Expenses associated with a conveyance of property will be incurred such as legal and recording costs.

Recommendation: If Council determines to accept the gift of this property from E.R. Lewis Construction Co., Inc., approval of a motion to accept the gift is necessary.

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

Attachments / click to download

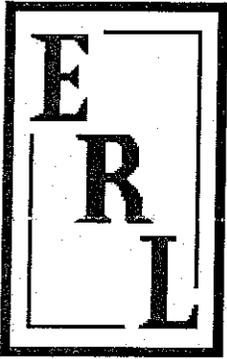
[Map of Property](#)

[Letter](#)



E.R. Lewis Construction Company Gift





E R LEWIS CONSTRUCTION CO INC

GRADING & EXCAVATING * WATER & SEWER * UTILITIES
CONTRACTORS



100 East Arlington Boulevard
PO Box 565
Greenville North Carolina 27835
252.321.1101 Office * 252.321.1102 Fax

November 26, 2007

The Honorable Robert D Parrott
City of Greenville
P O Box 7207
Greenville NC 27835

RE: Gift of Real Property

Dear Mayor Parrott:

ER Lewis Construction Co Inc offers a gift of real property to the City of Greenville consisting of Tax Parcel Numbers #019070 and #042773. This property consists of approximately 124.01 acres, is north of and adjacent to the Tar River, and west of and adjacent to other property owned by the City of Greenville which is the site of River Park North.

Thank you for your consideration of this offer. Also, thank you for your years of service as mayor of the City of Greenville

Sincerely,
ER LEWIS CONSTRUCTION CO INC

A handwritten signature in black ink, appearing to read 'Harvey R Lewis'.

Harvey R Lewis
President



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Economic Development Administration (EDA) Grant for Greenville Utilities Commission Aquifer Storage & Recovery (ASR) Project

Explanation: In April 2007, GUC staff submitted a grant pre-application to the U.S. Department of Commerce - Economic Development Administration (EDA) requesting 50% funding for the ASR Wellhead Facilities project. Staff was informed in early August 2007 that the pre-application had been approved by the EDA Finance Committee and a written invitation to submit a full application would be received. A full application was subsequently submitted by the City of Greenville and Greenville Utilities in mid-September.

On November 27, 2007, GUC received notification from the EDA that the joint grant application by GUC and the City for the ASR Wellhead Facilities project had been approved for a Financial Assistance Award in the amount of \$703,000. This follows notification by the NC Rural Center on November 5, 2007 that the ASR project had been conditionally awarded \$500,000 in grant funding based on the pre-application submitted by the City of Greenville on behalf of GUC. The two grant awards will provide a total of \$1,203,000 in funding for the estimated \$1,500,000 project.

The GUC Board will be asked to take action at their meeting on December 11 to authorize the Board Chair to execute the Financial Assistance Award for this grant and recommend authorization by the City Council for the Mayor to execute the Financial Assistance Award.

Fiscal Note: No cost to the City of Greenville

Recommendation: Authorize the Mayor to execute the Financial Assistance Award (attached), subject to similar approval by the GUC Board of Commissioners

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Attachments / click to download

 [Financial Award Form](#)

FORM CD-450
(REV 10-93)
DAO 203-26

U.S. DEPARTMENT OF COMMERCE

GRANT AGREEMENT COOPERATIVE AGREEMENT

FINANCIAL ASSISTANCE AWARD

AWARD PERIOD
From date of approval to 55 months after approval

RECIPIENT NAME
Greenville Utilities Commission and the City of Greenville

AWARD NUMBER
04-01-05985

STREET ADDRESS
410 S. Greene Street / 200 W. Fifth Street

FEDERAL SHARE OF COST
\$ 703,000

CITY, STATE, ZIP CODE
Greenville, North Carolina 27834-1977 / Greenville, North Carolina 27834-1824

RECIPIENT SHARE OF COST
\$ 704,375

AUTHORITY
Public Works and Economic Development Act of 1965, as amended, (42 U.S.C. §3121, *et seq.*)

TOTAL ESTIMATED COST
\$1,407,375

CDFA NO. AND PROJECT TITLE
11.300 Public Works Program / Construction of a well and Aquifer Storage and Recovery (ASR) wellhead facilities

BUREAU	FUND	FCFY	PROJECT TASK	ORGANIZATION	OBJECT CLASS
20	40	08	0405985-000	04	4110

This Award approved by the Grants Officer is issued in triplicate and constitutes an obligation of Federal funding. By signing the three documents, the Recipient agrees to comply with the Award provisions checked below and attached. Upon acceptance by the Recipient, two signed Award documents shall be returned to the Grants Officer and the third document shall be retained by the Recipient. If not signed and returned without modification by the Recipient within 30 days of receipt, the Grants Officer may declare this Award null and void.

- Department of Commerce Financial Assistance Standard Terms and Conditions
- Special Award Conditions (see attached Exhibit A)
- Line Item Budget (see attached Attachment No. 1)
- 15 CFR Part 14, Uniform Administrative Requirements for Grants and Cooperative Agreements with Institutions of Higher Education, Hospitals, Other Non-Profit, and Commercial Organizations
- 15 CFR Part 24, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations
- OMB Circular A-122, Cost Principles for Nonprofit Organizations
- OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments
- OMB Circular A-21, Cost Principles for Educational Institutions
- 48 CFR Part 31, Contract Cost Principles and Procedures
- Other(s): EDA Standard Terms and Conditions - Construction Program, dated March 1999 (see attached Exhibit B)

SIGNATURE OF DEPARTMENT OF COMMERCE GRANT OFFICER 	TITLE Director, Atlanta Region	DATE 11/27/07
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TYPED NAME AND SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL Louis H. Zincone, Jr.	TITLE Chairman, Greenville Utilities Commission	DATE
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TYPED NAME AND SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL The Honorable Patricia C. Dunn	TITLE Mayor, City of Greenville	DATE Item # 25
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City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: North Carolina Rural Center Grant for Greenville Utilities Commission Aquifer Storage & Recovery (ASR) Project

Explanation: The Rural Center provides funding for water and sewer infrastructure projects through the N.C. Economic Infrastructure Grants Program. Eligible applicants are units of local government in North Carolina. The Program will assist a unit of local government by funding up to \$10,000 per job created, for up to one-half of water and sewer infrastructure costs, or a maximum of \$500,000, in projects that result in the creation of private-sector jobs.

On September 14, 2007, a pre-application was submitted to the Rural Center by the City of Greenville on behalf of Greenville Utilities for the Aquifer Storage and Recovery (ASR) Wellhead Facilities Project. The pre-application requested \$500,000 in funding for the estimated \$1.4 million project based on the projected creation of 50 jobs at Pitt County Memorial Hospital.

The pre-application process included a conference call with Rural Center staff and representatives of the City, GUC, and PCMH on September 26, 2007. Requirements for the full application were discussed during the meeting, including a Performance Agreement between the City and PCMH that covers verification of job creation and repayment of the grant if the specified numbers of jobs are not created.

At that time, the conference call participants were informed that the Executive Committee of the Rural Center would meet the last week of October to review the pre-applications received and select the applicants that would be invited to submit a full application and executed Performance Agreement. Once the full application and Performance Agreement are received, reviewed, and approved by Rural Center staff, a recommendation is made to fully fund the project.

GUC staff was informed on October 26, 2007 that the Executive Committee of the Rural Center had selected GUC's ASR Wellhead Facilities Project and invited the City of Greenville to submit a full application.

At their meeting on November 13, 2007, the GUC Board took the following actions:

- 1) Recommended action by the City Council to adopt a resolution authorizing the Mayor to sign and submit the full grant application on behalf of GUC;
- 2) Recommended action by the City Council to authorize the Mayor to execute a Performance Agreement with Pitt County Memorial Hospital for job creation and repayment if specified numbers of jobs are not created; and,
- 3) Authorized the Board Chair to execute an Indemnification Agreement with the City of Greenville for repayment of any grant funds if the specified jobs are not created by PCMH and recommended execution of the agreement by the City Council.

Fiscal Note: No cost to City of Greenville

Recommendation:

- 1) Approval of attached resolution authorizing the Mayor to sign and submit the full grant application of behalf of GUC;
- 2) Authorization of Mayor to execute attached Performance Agreement with Pitt County Memorial Hospital for job creation and repayment if specified numbers of jobs are not created; and
- 3) Authorization of Mayor to execute attached Indemnification Agreement with Greenville Utilities for repayment of any grant funds if the specified jobs are not created by PCMH

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

Attachments / click to download

-  [Resolution](#)
-  [Performance Agreement](#)
-  [Idemnification Agreement](#)

**RESOLUTION AUTHORIZING THE EXECUTION AND FILING OF AN
APPLICATION FOR GRANT ASSISTANCE FROM THE ECONOMIC
INFRASTRUCTURE GRANTS PROGRAM WITH THE NORTH CAROLINA
RURAL ECONOMIC DEVELOPMENT CENTER**

WHEREAS, the North Carolina General Assembly passed House Bill 1352 authorizing the making of grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, that will result in job creation, and

WHEREAS, the City of Greenville has need for and intends to construct or rehabilitate a publicly-owned treatment works or an alternate wastewater system, for wastewater collection systems or for water supply and distribution systems, project described as the Aquifer Storage and Recovery Wellhead Facilities project which will include the design, construction and testing of injection and pumping facilities for one existing aquifer storage and recovery well and pumping facilities for one existing recovery only well; and

WHEREAS, the City of Greenville intends to request grant assistance from the Economic Infrastructure Grants Program for the project;

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF GREENVILLE:
That the City of Greenville will arrange financing for all remaining costs of the project, if approved for a grant.

That the City of Greenville will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Patricia C. Dunn, Mayor, and successors so titled, is hereby authorized to execute and file an application on behalf of the City of Greenville with the NCREDC (Rural Center) for a grant to assist in the construction of the project described above.

That Patricia C. Dunn, Mayor, and successors so titled, is hereby authorized and directed to furnish such information as the Rural Center may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the City of Greenville has substantially complied, or will substantially comply, with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this the 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk (Seal)

NORTH CAROLINA

PERFORMANCE AGREEMENT

PITT COUNTY

This PERFORMANCE AGREEMENT (the "Agreement") is entered into this ___ day of December 2007, by and between, PITT COUNTY MEMORIAL HOSPITAL, INC. (hereinafter referred to as the "Business"), and the CITY OF GREENVILLE, NORTH CAROLINA (hereinafter referred to as the "Governmental Unit"), which entities hereby agree as follows;

WITNESSETH:

WHEREAS, Governmental Unit will construct public infrastructure for the benefit of Business in order to stimulate and support economic development in the local geographic area; and

WHEREAS, a portion of such support has come from the Rural Economic Development Center, Inc. (the "Center") pursuant to its mission to stimulate and support economic development in the rural areas of North Carolina; and

WHEREAS, the Center required the Business to enter into this Performance Agreement as a condition of providing the support to the Governmental Unit for this project.

NOW, THEREFORE, for and in consideration of the mutual promises and other valuable considerations as shall be set out herein, the parties, hereto do mutually agree to the following terms and conditions

1. Program. The parties have agreed to develop, perform, and complete the work set out in the attached Project Description (hereinafter referred to as the "Project"), and said Project being that work described in the proposal entitled Aquifer Storage and Recovery, as approved by the Center.

2. Support. Governmental Unit hereby agrees to use Five Hundred Thousand Dollars (\$500,000.00) provided by the Center to fund the Project. The parties acknowledge that this amount

will be repayable to the Center only in the event the Business fails to achieve certain job creation goals described in paragraph 3 below. In the event such job creation goals are not achieved, Governmental Unit agrees to pay back to the Center the amount set forth in paragraph 5 below.

3. Job Creation. The Business hereby agrees to create fifty (50) Jobs (defined below) within one (1) year from the date of substantial completion of the Project (the "Substantial Completion Date"). The Business hereby acknowledges that the funding by the Center and Governmental Unit is predicated upon this covenant by the Business, that failure to achieve this objective will constitute a material default under the terms of this Agreement, and that any such failure shall not require the Business to repay any portion of the support provided by the Governmental Unit pursuant to the provisions of paragraph 5 below. For purposes of this Agreement, a "Job" shall mean a full-time job (consisting of at least thirty-five [35] hours per week of employment, and eligibility for all benefits generally available for full-time employees of the Business) with the Business, at a wage at least equal to minimum wage, and located in North Carolina.

4. Verification of Jobs. The Business' baseline Job numbers will be verified at the Rural Center's Award Date. Once the specified number of minimum Jobs has been obtained, the Business shall notify the Governmental Unit so that the Governmental Unit and the Center can verify satisfaction of the conditions. The Business Job numbers shall be verified at the date that is six (6) months following the creation of the minimum number of Jobs required. The Business shall provide to the Governmental Unit and the Center, or their respective designees, full and complete access to all records of the Business that would be reasonably necessary to verify the number and types of jobs created, and the wages paid to employees. Failure to provide such access upon reasonable request shall constitute a default under the terms of this Agreement.

5. Repayment. If the Business fails to create the required number of Jobs by the first anniversary of the Substantial Completion Date, or if the Business has created such Jobs by such date, but has not maintained the total number of Jobs until the date that is six (6) months following the Job verification date under paragraph 4, the Governmental Unit shall repay to the Center an amount equal to the product of: (i) Ten Thousand Dollars (\$10,000.00), and (ii) the number of Jobs required to be created under paragraph 3 above, minus the lesser of (A) the number of Jobs in existence on the date that is twelve (12) months following the Substantial Completion Date and (B) the number of Jobs in existence on the date that is eighteen (18) months following the Substantial Completion Date. If a requirement exists to repay any sums hereunder, the Governmental Unit shall pay such amount directly to the Center. All such amounts due hereunder shall be due upon demand by the Center. Upon default in such payment, the Center may employ an attorney to enforce its rights and remedies, and the Governmental Unit hereby agrees to pay the reasonable attorney fees for the Center, not exceeding a sum of fifteen percent (15%) of the outstanding balance owing hereunder, plus all other reasonable expenses incurred by such party in exercising any of its rights and remedies upon such defaults.

6. Records. The Business agrees to maintain full, accurate, and verifiable records, supporting documents, and all other pertinent data for this Project to enable the verification of the requirements contained in this Agreement. All such financial records, supporting documents, and other pertinent records related to the Project shall be maintained for a period of at least three (3) years from the Substantial Completion Date. In the event any such records are audited, all such records shall be retained beyond the three (3) year period until any and all audit findings have been resolved. The Business agrees to make available to the Governmental Unit, the Center, or their designated representatives, all of its records which relate to the Project and the creation of Jobs,

and agree to follow the Governmental Unit or the Center or their representatives to audit, examine, and copy any and all data, documents, proceedings, records, and notes of activity related in any way to the Project or such Job creation. Access to these records shall be allowed upon request at any time during normal business hours, and as often as the Governmental Unit or the Center or said representatives may deem necessary.

7. Representations and Warranties. The Business hereby represents and warrants that:

(a) It is duly organized and existing, and if a corporation, is duly incorporated under the laws of the State of North Carolina.

(b) The execution and delivery of this Agreement has been duly authorized by all necessary action, and are not in contravention of law nor in contravention of any certificate of authority, bylaws, or other applicable organizational documents of such party, nor the provisions of any indenture, agreement, or undertaking to which it is a party or by which it is bound.

(c) There is no action, suit, proceeding, or investigation at law or in equity for any court, public board, or body pending, or to such party's knowledge, threatened against or affecting it, that could or might adversely affect the Project, the creation of the Jobs, or any of the transactions contemplated by this Agreement, or the validity or enforceability of this Agreement or such party's ability to discharge its obligations under this Agreement. If it is subsequently found that any act, suit, proceeding, or investigation did or could threaten the development of the Project or the creation of such Jobs, such party shall be liable to the Governmental Unit and to the Center for repayment of the entire amount described in paragraph 5 above.

(d) Such party shall at all times preserve its legal existence, except that it may merge or consolidate with or into, or sell all or substantially all of its assets to any entity that expressly undertakes, assumes for itself, and agrees in writing to be bound by all of the obligations

and undertakings of such party contained in this Agreement. If such party so merges, consolidates, or sells its assets without such an undertaking being provided, such party agrees to repay to the Governmental Unit and the Center the full amount of sums advanced under this Agreement.

(e) No consent or approval is necessary from any governmental authority as a condition to the execution and delivery of this Agreement by such party or the performance of any of its obligations hereunder, or all such requisite governmental consents or approvals have been obtained. Such party shall provide the Governmental Unit or the Center with evidence of the existence of any such necessary consents or approvals at the time of the execution of this Agreement.

(f) Such party is solvent.

8. Special Provisions and Conditions.

(a) Non-discrimination. The Business agrees not to discriminate by reason of age, race, religion, color, sex, national origin, or handicap related to the activities of this Agreement.

(b) Compliance with Laws. The Business shall at all times comply with all laws, ordinances, and regulations of the State, Federal, and Local Governments, which may in any manner affect the performance of the Agreement.

(c) Non-assignability. The Business shall not assign any interest in the Agreement, nor should it transfer any interest in the same, without the written consent of the Governmental Unit; provided, however, that claims for money due to the Business from the Governmental Unit under this Agreement may be assigned to any commercial bank or other financial institution without such approval.

(d) Notice. All notices required or permitted hereunder, and all communications in respect hereof, shall be in writing and shall be deemed given when personally delivered or when

Performance Agreement
Page 7

NAME: City of Greenville, North Carolina

By: _____
PATRICIA C. DUNN, Mayor

Attest:

WANDA T. ELKS, City Clerk

[OFFICIAL SEAL]

BUSINESS

NAME: PITT COUNTY MEMORIAL
HOSPITAL, INC.

By: _____
Title: _____ President

Attest:

Secretary

[CORPORATE SEAL]

PROJECT DESCRIPTION

The proposed project is the initial phase of constructing an ASR (Aquifer Storage Recovery) system. ASR may be defined as the storage of water in a suitable aquifer (or aquifers) during times when water of good quality is available, and recovery of the water from the same aquifer during times when it is needed. Specifically, GUC proposes to withdraw surface water from the Tar River, treat the water at the existing surface water treatment plant, transmit the water to the ASR well site, and store the water in a deep (approximately 500 feet below land surface) aquifer called the Cretaceous Aquifer System. Treated surface water will be injected into the aquifer via an ASR Well, and the water will be recovered from the same well. In order to maximize the recovery of stored water, an additional on-site well will be operated in recovery-only mode (i.e., there is no storage of water via this well).

The ASR System will be a new facility, but it will be an essential part of an integrated water management strategy envisioned by GUC to meet the needs of a rapidly growing population in eastern North Carolina. Existing facilities include a run of the Tar River intake west of Greenville, a modern surface water treatment facility capable of treating and disinfecting up to 22.5 million gallons per day (MGD), and more than 530 miles of distribution piping and related infrastructure. In addition, GUC operates eight deep wells that withdraw groundwater from the Cretaceous Aquifer System, but withdrawals from these wells are limited by recent environmental regulations defined by the Central Coastal Plain Capacity Use Area Rule.

In 2000, the average daily demand for water from the GUC system was approximately 10.1 MGD, with maximum daily use of approximately 14.2 MGD. The maximum quantity of water currently producible from GUC's surface water treatment plant (WTP) located on the Tar River is 22.5 MGD, and eight production wells tapping deep aquifers can produce another 1.2 MGD under existing State regulations. However, the amount of water that can be withdrawn from the production wells must be lowered from 1.2 MGD to 0.3 MGD between mid-2008 and mid-2018 due to a North Carolina law mandating reduced groundwater withdrawals from these aquifers. GUC projects that the average daily demand in 2020 will be 18.6 MGD, with a maximum daily demand of 28.8 MGD. Water suppliers are required by law to have enough capacity to meet maximum daily demand. Therefore, the combined production capacity of the WTP and the water-supply wells in mid-2018 (22.8 MGD) is inadequate to meet GUC's projected maximum daily demand.

The only options available to GUC to meet this projected demand are to (1) expand the WTP and its associated storage infrastructure and/or (2) to identify and develop more groundwater resources. Expansion of the WTP is essentially limited by the maximum withdrawals that GUC can make from the Tar River (informally, 22.5 MGD). GUC is optimistic that additional withdrawal capacity can eventually be negotiated with State regulatory agencies, especially during seasonal periods of high flow in the river. Furthermore, expansion of the WTP would be expensive and would require significant time. State-mandated reductions from aquifers presently tapped by GUC's wells preclude additional development of those groundwater resources. Because of limited abundance and/or inferior water quality in other aquifers, there are no other significant groundwater resources readily available for development by GUC.

Artificial recharge of deep aquifers beneath Pitt County can be used by GUC to store essentially

unlimited quantities of treated water obtained from the Tar River. Injection and storage of treated excess available surface water from the WTP (roughly 12.4 MGD at current average daily demand), combined with on-demand recovery by wells, can be used to meet GUC's impending water shortfall. Implementing the ASR technology can allow GUC to process Tar River water at the maximum capacity of the treatment plant, inject and store the water underground in aquifers, and then to recover the water as needed to meet peak demands. GUC's average and maximum daily demands could be met through at least the year 2030 by employing a series of ASR wells to manage the current WPT excess water capacity. Regulatory requirements and feasibility analyses for developing the first ASR system in North Carolina have been completed by GUC, and the initial ASR well is ready for well head construction and injection/recovery (cycle) testing.

Based on testing and analysis of the existing ASR production well, we estimate that water can be stored in the aquifer at a rate of approximately 500 gallons per minute (gpm) continuously for up to nine months. Thus, the total volume of stored water is estimated to be approximately 200 million gallons. Aquifer test results indicate that we can recover stored groundwater at a rate of 700 gpm for the both the ASR well and a recovery-only well. Approximately 20 percent of the stored water (approximately 40 million gallons) will remain in the aquifer as a buffer at the end of any active recovery period. Therefore, the amount of time required to remove approximately 160 million gallons of stored water at a rate of 1400 gpm from two wells is approximately 80 days. Another way to think about this recovery rate is to envision the removal of about 2.016 MGD of stored water continuously for about 80 days, most likely during periods of drought or extreme emergency demands.

The proposed project involves construction and integration of the following additions to the facilities described above:

- A new ASR well located near the northeast limits of the City of Greenville.
- ASR Well Head facilities designed to allow injection of treated surface water from the existing plant by existing transmission lines into the Cretaceous Aquifer via the ASR well, and to recover this water when it is needed
- An additional well (TW1) located approximately 200 feet west of the ASR well that will be used for additional recovery of the stored water to maximize recovery rates.
- Well Head facilities for the recovery-only well TW1.
- Extensive "Cycle Testing" involving the systematic storage of water in the aquifer, followed by recovery of the stored water after varying periods of residence time in the aquifer, evaluation of the chemistry of the recovered water, and evaluation of the performance of the well during injection and recovery.
- Additional on-site piping for integration with the existing GUC distribution system.

This ASR project, the first of its kind in North Carolina, will be fully permitted by the State. Project-related activities completed to date include:

- Extensive evaluation of feasibility/applicability of ASR technology with existing GUC infrastructure
- Detailed aquifer analysis and testing during a comprehensive test well program,
- Permit applications and negotiations with the State of North Carolina to secure all necessary permits to construct and operate an ASR System.

- Construction of the ASR Well and the Recovery-only Well
- Extensive development and testing of the ASR Well and the Recovery-only Well

In summary, the feasibility analysis indicated that proper application of ASR technology would be of great benefit to GUC because it will allow the cost-effective storage and subsequent recovery of excess treated surface water from the existing treatment plant. GUC can use existing piping and infrastructure to transport the treated water to within a few thousand feet of the proposed ASR facility. The ASR project will be fully permitted by the State of North Carolina.

Design, bidding, construction, and testing of the two wells at the ASR facility have been completed at an approximate cost of \$1.5 Million.

The following specific tasks are required for successful completion of the ASR project:

- Design Well Head facilities for the ASR Well
- Design Well Head facilities for the Recovery-only Well TW1
- Design piping for connection with existing GUC distribution system
- Preparation of bid documents for competitive bid process
- Evaluation of competitive bids and selection of construction contractors
- Construction of Well Head facilities at both wells
- Extensive Cycle Testing of the ASR Well
- Construction of associated piping and connection to existing distribution system.

NORTH CAROLINA

AGREEMENT

PITT COUNTY

This AGREEMENT, made and entered into on this the ____ day of _____, 2007, effective 12:01 a.m. on the ____ day of _____, 2007, by and between GREENVILLE UTILITIES COMMISSION OF THE CITY OF GREENVILLE, NORTH CAROLINA (hereinafter referred to as "Commission"), and the CITY OF GREENVILLE, NORTH CAROLINA (hereinafter referred to as "Governmental Unit");

WITNESSETH:

THAT WHEREAS, contemporaneously with the execution of this Agreement, at the request of Commission, Governmental Unit has entered into a Performance Agreement with Pitt County Memorial Hospital, Inc. (hereinafter referred to as "PCMH") (a copy of which said Performance Agreement is marked Exhibit "D," and is attached hereto and made a part hereof), for the purpose of Governmental Unit making an application on behalf of Commission for a grant in the amount of the sum of Five Hundred Thousand Dollars (\$500,000.00) from the Rural Economic Development Center, Inc. (hereinafter referred to as "the Center") to stimulate and support economic development in the local geographic area; and

WHEREAS, Governmental Unit has agreed to use the said Five Hundred Thousand Dollars (\$500,000.00) to assist in funding a project for Commission entitled the Aquifer Storage and Recovery Project (hereinafter referred to as "Project"), in order to create at least fifty (50) jobs within one (1) year from the date of the substantial completion of the Project; and

WHEREAS, if PCMH fails to create the required number of jobs by the first anniversary date of the Substantial Completion Date, or if PCMH has created such jobs by such date, but has not maintained that total number of jobs until a date that is six (6) months following the Job Verification

Agreement
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Date as set forth in such Performance Agreement denominated Exhibit "D," Governmental Unit is required to repay to the Center an amount to be calculated under the terms of such Performance Agreement of up to Five Hundred Thousand Dollars (\$500,000.00); and

WHEREAS, Commission has agreed to indemnify and hold harmless both PCMH and the Governmental Unit from any liability or responsibility for any repayment of grant funds if it becomes necessary, and Commission has agreed to perform or comply with all grant requirements; and

WHEREAS, the parties desire to reduce to writing their agreements with respect to thereto.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants set forth herein, and other good and valuable consideration passing from each party to the other party, the receipt of which is hereby respectively acknowledged by each of the parties, Commission and Governmental Unit do hereby agree each with the other, as follows:

1. Governmental Unit hereby agrees to assist Commission by applying for a grant in the amount of Five Hundred Thousand Dollars (\$500,000.00) to assist in funding Commission's Aquifer Storage and Recovery Project.

2. Commission hereby agrees to perform or comply with all conditions required of the Governmental Unit as a result of the receipt of the grant in the amount of Five Hundred Thousand Dollars (\$500,000.00) to assist in funding Commission's Aquifer Storage and Recovery Project.

3. To the extent that PCMH fails to create the required number of jobs by the first anniversary of the Substantial Completion Date, or if PCMH has created such jobs by such date, but has not maintained the total number of jobs until the date that is six (6) months following the Job Verification Date as set forth in such Performance Agreement denominated Exhibit "D," then and in that event Commission hereby agrees to fully indemnify and hold harmless the Governmental Unit from any and all liability or responsibility for any repayment whatsoever as calculated under the terms of such Performance Agreement denominated Exhibit "D."

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4. To the extent that Governmental Unit is required to repay any portion of the grant from the Rural Center, Inc., then and in that event Commission hereby agrees to fully indemnify and hold harmless Governmental Unit from any and all liability or responsibility for any repayment whatsoever.

5. Commission acknowledges that Governmental Unit has assisted Commission in applying for a Five Hundred Thousand Dollars (\$500,000.00) grant from the Center in order to provide funding for the Project as described therein. It is anticipated that a substantially larger number of jobs than fifty (50) will be created by this grant from the US Department of Commerce, Economic Development Administration, Rural Economic Development Center, Inc.

IN TESTIMONY WHEREOF, each of the parties hereto has executed this Agreement pursuant to the authority of its Governing Board duly given, and has authorized the execution of this Agreement by the parties as hereinafter set forth. This Agreement is executed in multiple originals, one of which will be retained by each of the parties hereto.

CITY OF GREENVILLE, NORTH CAROLINA

By: _____
PATRICIA C. DUNN, Mayor

ATTEST:

WANDA T. ELKS, City Clerk

[OFFICIAL SEAL]

Agreement
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APPROVED AS TO FORM:

DAVID A. HOLEC, City Attorney

GREENVILLE UTILITIES COMMISSION
OF THE CITY OF GREENVILLE,
NORTH CAROLINA

By _____
L.H. ZINCONE, JR., Chair

ATTEST:

LESTER Z. BROWN, Secretary

[OFFICIAL SEAL]

APPROVED AS TO FORM:

PHILLIP R. DIXON, Commission Attorney

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NORTH CAROLINA
PITT COUNTY

I, _____, a Notary Public of the aforesaid County and State, certify that WANDA T. ELKS personally came before me this day and acknowledged that she is City Clerk of the City of Greenville, North Carolina, and that by authority duly given and as the act of the City of Greenville, North Carolina, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal and attested by her as its City Clerk.

WITNESS my hand and official stamp or seal, this the ____ day of _____, 2007.

NOTARY PUBLIC

My Commission Expires:

NORTH CAROLINA
PITT COUNTY

I, _____, a Notary Public of the aforesaid County and State, Certify that LESTER Z. BROWN personally came before me this day and acknowledged that he is Secretary of GREENVILLE UTILITIES COMMISSION and that by authority duly given and as an official act of the COMMISSION, the foregoing instrument was signed in its name by its Chair, L.H. ZINCONE, JR., sealed by him with its Commission seal and attested by LESTER Z. BROWN, as its Secretary.

WITNESS my hand and official stamp or Seal on the ___ day of _____, 2007.

NOTARY PUBLIC

My Commission Expires:



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Bid award for two 75-foot heavy-duty aluminum pumper/ladder fire trucks

Explanation: Requesting bid award for two 75-foot heavy-duty aluminum pumper/ladder combination fire trucks as a part of formal bid process 2007/08-1. These units will replace the 1992/1993 units at Station #4 (Staton Road) and Station #5 (Rollins Drive). The units being replaced will serve in a backup/reserve capacity for several more years.

Bids were solicited from 10 manufacturers. Bids were opened on November 1, 2007, and only one bid was received. A tabulation of the bids is attached. The total bid for both trucks with options was \$1,223,338.00. Through negotiation with the one bidder on options and other alternatives, the bid amount was reduced to \$1,195,462.

Payment will be made upon delivery and acceptance. The estimated delivery time is 9-10 months after the purchase contract is executed.

Fiscal Note: The award amount of \$1,195,462.00 falls within the amount available in the Vehicle Replacement Fund.

Recommendation: Award the bid to Pierce Manufacturing by Triad Fire, Inc.

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

Attachments / click to download

[Bid Tabulation 75 ft. Aerial Ladder Fire Trucks 726906](#)



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Contract award for the Dickinson Avenue Relocation Project

Explanation: Bids were received for the Dickinson Avenue Relocation Project on November 15, 2007. Attached is a bid tabulation. The lowest responsive bid was submitted by HML Corporation, Inc of Greenville, NC in the amount of \$345,247.60. The project includes demolition of portions of Dickinson Avenue, Sixth Street, and Washington Street; expansion of the Sixth Street Public Parking Lot; and construction of a relocated segment of Dickinson Avenue. The new road segment with sidewalks will begin at the intersection with Reade Circle and terminate at a point located just north of the Shepard Memorial Library.

Fiscal Note: Funding for this project is provided from the City's Capital Reserve and funds received from the Jarvis Memorial United Methodist Church, which is in accordance with the agreement between the Church and the City. In addition to the purchase and exchange of the properties associated with this project, the Church agreed to pay the City a lump-sum payment of \$400,000 as its share of all costs related to utility relocation, street demolition, building demolition, grading, and street construction. As part of this project, the Greenville Utilities Commission (GUC) will reimburse the City in the amount of \$19,582 for the construction of a new water main to be located under the new road.

Expenditures

Construction Contract	\$345,247.60
Construction Contingency (5%)	<u>\$ 17,262.40</u>
	\$362,510.00

Revenues

Project funds	\$342,928.00
GUC	<u>\$ 19,582.00</u>
	\$362,510.00

Recommendation: City Council award a construction contract for the Dickinson Avenue Relocation Project to HML Corporation, Inc. in the amount of \$345,247.60.

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

Attachments / click to download

 [Dickinson Avenue Relocation Project](#)

DICKINSON AVENUE RELOCATION

BID OPENING - NOVEMBER 15, 2007 10:00 AM

1500 BEATTY STREET, GREENVILLE, NC

CONTRACTOR	LIC NO.	ACK ADD #1	ACK ADD #2	5% BID BOND	MWBE	TOTAL BID
Atwell Construction, Greenville	45324	YES	YES	YES	YES	\$ 420,000.00
Barnhill Contracting, Kinston	3194	YES	YES	YES	YES	\$ 461,119.45
Burney & Burney, Greenville	30238	YES	YES	YES	YES	\$ 500,650.70
Carolina Earth Movers, Greenville	38881	YES	YES	YES	YES	\$ 383,825.37
Charles Hughes Cons, LaGrange	46469	YES	YES	YES	YES	\$ 424,632.40
Harrelson & Smith, Ayden	47823	YES	YES	YES	YES	\$ 449,403.00
Hines Sitework, Goldsboro	52225	YES	YES	YES	YES	\$ 549,795.00
HML Corporation, Greenville	55210	YES	YES	YES	YES	\$ 345,247.60
Lanier Construction, Snow Hill	18152	YES	YES	YES	YES	\$ 466,883.55
David T. Brown, PE, City Engineer <i>David T. Brown</i> Date <i>11-15-07</i>						



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: Budget ordinance amendment #5 to the 2007-2008 City of Greenville budget and to ordinance 97-1 Convention Center Capital Project, and an ordinance establishing a special revenue budget for the Community Oriented Policing Services (COPS) Law Enforcement Technology Grant

Explanation: 1) Attached is an amendment to the 2007-2008 budget ordinance for consideration at the December 13, 2007 City Council meeting. For ease of reference, a footnote has been added to each line item of the budget ordinance amendment, which corresponds to the explanation below:

A To appropriate grant funds received from the Division of Pollution and Environmental Assistance. These funds will be used to implement recycling centers in 30 multi-family dwelling units. Each center will be fenced and fitted with signage and roll-out carts. Total cost of project is \$18,288. Local share for this grant is expected to be \$1,663.

B To appropriate donated funds from the Nicholas Glennon Trust fund to be used to purchase new playground equipment at Jaycee Park (\$96,978).

C To carry over unspent donated funds to support the DARE program. Funds will be used to purchase supplies and materials for the DARE instructors for in-class use and program graduation (\$7,023).

D To close out the Convention Center Capital Project and transfer unused funds to the Capital Reserve for future unanticipated capital needs at the Convention Center site (\$204,190).

E To allocate grant funds from the U.S. Environmental Protection Agency. Funds will be used for an inventory assessment and reuse of Brownfield sites in the West Greenville certified area (\$200,000).

2) Attached is a 2007-2008 project budget ordinance to establish a special revenue fund for the Community Oriented Policing Services (COPS) Law

Enforcement Technology Grant. The funds granted to this program will be used to purchase a radio system that supports interoperability among Greenville Police, Pitt County Sheriff's Office, and other public safety agencies in Pitt County, including ECU, PCC, etc. The total cost of this project is estimated to be \$3,969,790. Local share, which is to be paid by area agencies including the City of Greenville, is estimated to be \$992,447.

Fiscal Note:

The budget ordinance amendment affects the following funds: increase General Fund by \$320,626, and increase the Capital Reserve Fund by \$204,190:

<u>Fund Name</u>	<u>Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
General Fund	\$69,581,496	\$ 320,626	\$69,902,122
Capital Reserve	\$ 5,926,697	\$ 204,190	\$ 6,130,887

Recommendation:

Approve budget ordinance amendment #5 to the 2007-2008 City of Greenville budget, amendment to ordinance 97-1 Convention Center Capital Project and the ordinance establishing the special revenue budget for the Community Oriented Policing Services (COPS) Law Enforcement Technology Grant.

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

Attachments / click to download

[Budget Amendments 2007 2008 FY 707984](#)

[Establish GREAT Special Revenue Fund December 729969](#)

ORDINANCE NO. 07-_____
CITY OF GREENVILLE, NORTH CAROLINA
ORDINANCE (#5) AMENDING ORDINANCE NO. 07-93 AND AMENDMENTS TO
ORDINANCE 97-1 CONVENTION CENTER CAPITAL PROJECT

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

Section I. Estimated Revenues. General Fund, of Ordinance 07-93, is hereby amended by increasing estimated revenues in the amount indicated:

<u>Account</u>	<u>Original/ Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
Recreation Donations ^B	50,000	96,978	146,978
Spec State/Fed/Loc Grants ^{A, E}	336,800	216,625	553,425
Appropriated Fund Balance ^C	4,067,472	7,023	4,074,495
Total Estimated Revenue		\$ 320,626	

Section II. Appropriations. General Fund, of Ordinance 07-93, is hereby amended by increasing appropriations in the amount indicated:

<u>Department</u>	<u>Original/ Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
Recreation and Parks ^B	\$ 5,220,578	\$ 96,978	\$ 5,317,556
Community Development ^E	1,946,803	200,000	2,146,803
Police ^C	18,046,710	7,023	18,053,733
Public Works ^A	11,369,516	18,288	11,387,804
Total Appropriations		\$ 322,289	

Section III. Appropriations. General Fund, of Ordinance 07-93, is hereby amended by decreasing appropriations in the amount indicated:

<u>Department</u>	<u>Original/ Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
Contingency ^A	\$ 40,781	\$ 1,663	\$ 39,118

Section IV. Appropriations. Convention Center Project, of Ordinance 97-1, is hereby amended by decreasing appropriations in the amount indicated:

<u>Account</u>	<u>Original/ Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
Furnishings ^D	\$ 271,199	\$ 204,190	\$ 67,009

Section V. Appropriations. Convention Center Project, of Ordinance 97-1, is hereby amended by increasing appropriations in the amount indicated:

<u>Department</u>	<u>Original/ Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
Transfer to Capital Reserve ^D	\$ 921,835	\$ 204,190	\$ 1,126,025

Section VI. Estimated Revenues. Capital Reserve Fund, of Ordinance 07-93, is hereby amended by increasing estimated revenues in the amount indicated:

<u>Account</u>	<u>Original/ Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
Transfer from Convention Center Project ^D	\$ 921,835	\$ 204,190	\$ 1,126,025

Section VII. Appropriations. Capital Reserve Fund, of Ordinance 07-93, is hereby amended by increasing appropriations in the amount indicated:

<u>Department</u>	<u>Original/ Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Revised Adjusted Budget</u>
Increase in Reserve ^D	\$ 4,017,642	\$ 204,190	\$ 4,221,832

Section VIII. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section IX. This ordinance will become effective upon its adoption.

Adopted this 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

ORDINANCE NO. 07-____
CITY OF GREENVILLE, NORTH CAROLINA
COMMUNITY ORIENTED POLICING SERVICES (COPS) LAW ENFORCEMENT
TECHNOLOGY
SPECIAL REVENUE
BUDGET ORDINANCE

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

Section I. Estimated Revenues. It is estimated that the following revenues will be available for the Community Oriented Policing Services (COPS) Law Enforcement Technology Special Revenue Fund:

126-0000-321.29-00	Spec State/Fed/Loc Grant	\$3,308,159
126-0000-370.04-00	Transfer from Capital Reserve	661,631

Section II. Appropriations. The following amount is hereby appropriated for the Community Oriented Policing Services (COPS) Law Enforcement Technology Special Revenue Fund:

126-5060.412.02-00	Travel/Training	\$ 6,360
126-5060-412.07-00	Supplies/Materials	2,363,430
126-5060-413.74-01	Capital Outlay	1,600,000

Section III. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section IV. This ordinance will become effective upon its adoption.

Adopted this 13th day of December, 2007.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



City of Greenville, North Carolina

Meeting Date:
12/13/2007
Time: 7:00 PM

Title of Item: 2008 City Council Meeting Schedule

Explanation: A listing of City Council meetings has been prepared for 2008 based on the meeting times as established in the City Code. The potential conflicts and/or traditional amendments have been so noted for Council to consider. Those that have been noted include:

- January 21--Martin Luther King, Jr. Holiday (City holiday.)
- March 24--Easter Monday (This is not a City holiday.)
- July 7, 10 and 21-- (The Council has traditionally taken the month of July as vacation.)
- December 22--Monday before Christmas (This is not a City holiday.)

Fiscal Note: None

Recommendation: Adoption of the 2008 Proposed City Council Meeting Schedule, noting any changes that may need to be made. Those specifically noted on the proposed schedule are as follows:

- January 21--Martin Luther King, Jr. Holiday (City holiday.)
- March 24--Easter Monday (This is not a City holiday.)
- July 7, 10 and 21-- (The Council has traditionally taken the month of July as vacation.)
- December 22--Monday before Christmas (This is not a City holiday.)

Attachments / click to download

 [Proposed 2008 City Council Meeting Schedule 726932](#)

PROPOSED 2008 CITY COUNCIL MEETING SCHEDULE
(All Meetings are Held in the Council Chambers Unless Otherwise Noted)

January 7—6:00 PM
January 10—7:00 PM
January 21 —6:00 PM (Martin Luther King, Jr. Holiday)
January 26—8:00 AM (Annual Planning Session)

February 11—6:00 PM
February 14—7:00 PM
February 25—6:00 PM

March 10—6:00 PM
March 13—7:00 PM
March 24—6:00 PM (Easter Monday—Not a City Holiday)

April 7—6:00 PM
April 10—7:00 PM
April 21—6:00 PM

May 5—6:00 PM
May 8—7:00 PM
May 19—6:00 PM

June 9—6:00 PM
June 12—7:00 PM
June 23—6:00 PM

July 7—6:00 PM (Traditional Vacation)
July 10—7:00 PM (Traditional Vacation)
July 21—6:00 PM (Traditional Vacation)

August 11—6:00 PM
August 14—7:00 PM
August 25—6:00 PM

September 8—6:00 PM
September 11—7:00 PM
September 22—6:00 PM

October 6—6:00 PM
October 9—7:00 PM
October 20—6:00 PM

November 10—6:00 PM
November 13—7:00 PM
November 24—6:00 PM

December 8—6:00 PM
December 11—7:00 PM
December 22—6:00 PM (Monday before Christmas)