



Agenda

Greenville City Council

September 10, 2015
6:00 PM
City Council Chambers
200 West Fifth Street

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 - Council Member Blackburn

III. Pledge of Allegiance

IV. Roll Call

V. Approval of Agenda

- **Public Comment Period**

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

VI. Appointments

1. Appointments to Boards and Commissions

VII. Consent Agenda

2. Minutes from the April 9, 2015, City Council meeting
3. Reclassification of two positions in the Public Works Department and resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan)

4. Resolution amending the City of Greenville Personnel Policies
5. Resolution accepting dedication of rights-of-way and easements for Davenport Farms at Emerald Park Phase 1, Section 3, and Phase 2, Section 1 and Langston West Section 6
6. Resolution of Intent to Close a Portion of Charles Street
7. Approval for the Police Department to enter into a five-year lease with TASER International to replace aging TASER devices and create a scheduled payment
8. Approval of the Greenville Housing Energy Efficiency Improvement Program
9. Report on bids and contracts awarded
10. Various tax refunds greater than \$100
11. Budget ordinance amendment #2 to the 2015-2016 City of Greenville budget (Ordinance #15-032) and amendments to the GTAC Capital Project Fund (Ordinance #07-41), the Special Revenue Grant Fund (Ordinance #11-003), and the West Greenville Revitalization Capital Project Fund (Ordinance #05-50)

VIII. New Business

Public Hearings

12. Ordinance requested by Julian W. Rawl to rezone 5.11 acres located 650+/- feet south of West 5th Street and 700+/- feet west of B's Barbeque Road from MR (Medical-Residential [High Density Multi-family]) to MRS (Medical-Residential [single-family only])
13. Ordinance requested by POHL, LLC to rezone 3.28 acres located 300+/- feet south of Fire Tower Road and along Bayswater Road from R6MH (Residential-Mobile Home [High Density Multi-family]) to CG (General Commercial)
14. Ordinance requested by the Greenville Planning and Zoning Commission to rezone certain properties, containing a total of 12.67 acres, in the general area bounded by Reade Circle, Dickinson Avenue, the CSX Railroad, and Bonners Lane from CDF (Downtown Commercial Fringe) and IU (Unoffensive Industry) to CD (Downtown Commercial)
15. Ordinance requested by Bill Clark Homes to amend the Future Land Use Plan Map for the properties located near the southeast corner of the intersection of NC Highway 43 and Ivy Road, containing 41+/- acres, from suburban residential (SR) and residential-agricultural (RA) categories (Pitt County's Jurisdiction) to medium density residential (MDR) and conservation/open space (COS) categories (City of Greenville's Jurisdiction)
16. Ordinance to amend the Zoning Ordinance by adding a wine, beer and keg store as an allowed

land use within the CN (Neighborhood Commercial) zoning district, subject to an approved special use permit, and establishing specific criteria

17. Approval of the Draft 2014-15 Consolidated Annual Performance and Evaluation Report (CAPER)
18. Resolution Approving Conveyance of Property and a Lease for the Sidewalk Project

Other Items of Business

19. Update on Air Service - Jerry Vickers, Executive Director, Pitt-Greenville Airport
20. Resolution authorizing the sale of property located on West Fifth Street and Albemarle Avenue by the negotiated offer, advertisement, and upset bid method
21. Amendment to South Greenville Architectural Services Contract
22. 2016 City Council Meetings Schedule
23. Tar River West Access Point
24. Introduction of ECU Student Government Association Officers
25. Railroad crossings
26. ADA compliant crosswalks and ADA issues for crosswalks on Highway 43 North near the hospital
27. Long-term bond strategy

IX. Comments from Mayor and City Council

X. City Manager's Report

28. Monthly Update on Performance Management System

XI. Closed Session

- To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, said law rendering the information as privileged or confidential being the Open Meetings Law
- To consult with an attorney employed or retained by the public body in order to preserve the

attorney-client privilege between the attorney and the public body

XII. Adjournment



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Appointments to Boards and Commissions

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

Explanation: City Council appointments need to be made to the Community Appearance Commission, Environmental Advisory Commission, Firefighters' Relief Fund Committee, Greenville Bicycle & Pedestrian Commission, Human Relations Council, Pitt-Greenville Convention & Visitors Authority, Public Transportation & Parking Commission, and Youth Council.

Fiscal Note: No direct fiscal impact.

Recommendation: Make appointments to the to the Community Appearance Commission, Environmental Advisory Commission, Firefighters' Relief Fund Committee, Greenville Bicycle & Pedestrian Commission, Human Relations Council, Pitt-Greenville Convention & Visitors Authority, Public Transportation & Parking Commission, and Youth Council.

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[Muni_Report_2015_Appointments_to_Boards_and_Commissions_998631](#)

Appointments to Boards and Commissions

September 2015

Community Appearance Commission

Council Liaison: Council Member Rick Smiley

Name	District #	Current Term	Reappointment Status	Expiration Date
Danielle Greene	5	Filling unexpired term	Resigned	April 2017
Rebecca Powers	4	First term	Resigned	July 2017
Joanne Robertson	4	First term	Not seeking an additional term	April 2015
Fred Wright	4	First term	Resigned	April 2016

Environmental Advisory Commission

Council Liaison: Council Member Marion Blackburn

Name	District #	Current Term	Reappointment Status	Expiration Date
Scott Anderson <i>(Professional Engineer)</i>	5	First term	Not seeking an additional term	April 2015
Owen Burney <i>(Building contractor, land developer, or someone familiar with construction techniques)</i>	1	Second term	Ineligible	April 2015
J.C. Woodley <i>(Lawyer or someone with knowledge of environmental practices or regulations)</i>	5	First term	Resigned	April 2017

Firefighters' Relief Fund Committee

Council Liaison: Not Applicable

Name	District #	Current Term	Reappointment Status	Expiration Date
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William Franklin 4 Third term Ineligible January 2015

Greenville Bicycle & Pedestrian Commission

Council Liaison: Council Member Rick Smiley

Name	District #	Current Term	Reappointment Status	Expiration Date
Harry Stubbs	4	First term	Deceased	June 2016

Human Relations Council

Council Liaison: Council Member Rose Glover

Name	District #	Current Term	Reappointment Status	Expiration Date
Marvin Arrington	5	Second term	Ineligible	Sept. 2015
Robert Hudak	4	Second term	Ineligible	Sept. 2014
Shaterica Lee <i>(Shaw University)</i>	2	Second term	Did not meet attendance Requirement	Oct. 2015
Heena Shah	1	First term	Eligible	Sept. 2015
Jake Srednicki	3	Filling unexpired term	Eligible	Sept. 2015
Maurice Whitehurst <i>(Pitt Community College)</i>	2	Second term	Did not meet attendance Requirement	Oct. 2015

Pitt Greenville Convention & Visitors Authority

Council Liaison: Council Member Rose Glover

Name	District #	Current Term	Reappointment Status	Expiration Date
Robert Sheck <i>(2 – Member of Tourist or Convention-related business)</i>	County	Second term	Ineligible	July 2015

- (1) Owners/operators of hotels/motels
- (2) Members of tourist or convention-related business
- (3) Residents not involved in tourist or convention-related business

Public Transportation & Parking Commission

Council Liaison: Council Member Richard Croskery

Name	District #	Current Term	Reappointment Status	Expiration Date
W. Scott Alford	4	Filling unexpired term	Resigned	January 2016

Youth Council

Council Liaison: Mayor Pro-Tem Calvin Mercer

Name	District #	Current Term	Reappointment Status	Expiration Date
Asha Armistead		Filling unexpired term	Eligible	Sept. 2015
Jacob Barondes		Second term	Eligible	Sept. 2015
Roman Bilan		Filling unexpired term	Eligible	Sept. 2015
Lily Huo		Second term	Eligible	Sept. 2015
Nicole Jones		Filling unexpired term	Eligible	Sept. 2015
Jair Nino-Espino		First term	Eligible	Sept. 2015
Tatiana Staton		Filling unexpired term	Eligible	Sept. 2015
Robert Wood		Third term	Eligible	Sept. 2015

12 Available Spots

Applicants for Community Appearance Commission

Jorgette Turner Mullins
527 #E Spring Forest Road
Greenville, NC 27834

Application Date: 7/7/2015

Home Phone: (252) 367-7068

Business Phone: (252) 353-5253

Email: jorgemullins316@aol.com

District #: 1

Applicants for Environmental Advisory Commission

Orrin Allen Beasley
925 Spring Forest Road #7
Greenville, NC 27858

Application Date: 2/3/2014

District #: 1

Home Phone: (252) 216-6099
Business Phone: (252) 216-6099
Email: oab0119@gmail.com

Elaine U. Brestel
106 Christenbury Drive
Greenville, NC 27858

Application Date: 1/21/2014

District #: 4

Home Phone: (252) 752-2255
Business Phone:
Email: ebrestel@suddenlink.net

Sherryl Gregory
1303 E. 10th Street Apt N
Greenville, NC 27858

Application Date: 2/3/2014

District #:

Home Phone: (252) 559-9049
Business Phone:
Email:

Wendy Klein
318 Rutledge Road
Greenville, NC 27858

Application Date: 2/10/2014

District #: 4

Home Phone: (252) 329-7005
Business Phone: (252) 902-9005
Email: wakspg1@suddenlink.net

Matthew Mellis
529 Spring Forest Road Apt. H
Greenville, NC

Application Date: 3/6/2014

District #: 1

Home Phone: (252) 702-3429
Business Phone: (252) 752-5938
Email: mellism@pitt.k12.nc.us

F. Durward Tyson
3201 Meeting Place
Greenville, NC 27858

Application Date: 8/25/2015

District #: 4

Home Phone: (252) 355-9283
Business Phone: (252) 551-2048
Email: durktyson@gmail.com

Applicants for Firefighters' Relief Fund Committee

Mary Ellen Cole
912 Bremerton Drive
Greenville, NC 27858

Application Date: 3/12/2015

District #: 5

Crystal M Kuegel
1200 B Glen Arthur Avenue
Greenville, NC 28540

Application Date: 2/23/2015

District #: 4

Home Phone: (252) 917-1590

Business Phone:

Email: maxierules@gmail.com

Home Phone: (252) 885-9245

Business Phone: (252) 885-9245

Email: crystal.kuegel@gmail.com

Applicants for Greenville Bicycle & Pedestrian Commission

None.

Applicants for Human Relations Council

Crystal M Kuegel
1200 B Glen Arthur Avenue
Greenville, NC 28540

Application Date: 2/23/2015

District #: 4

Home Phone: (252) 885-9245

Business Phone: (252) 885-9245

Email: crystal.kuegel@gmail.com

Deborah J. Monroe
1308 Old Village Road
Greenville, NC 27834

Application Date: 1/15/2015

District #: 1

Home Phone: (252) 714-0969

Business Phone:

Email: debj.monroe@gmail.com

Bridget Moore
4128A Bridge Court
Winterville, NC 28590

Application Date: 8/28/2014

District #: 5

Home Phone: (252) 355-7377

Business Phone: (252) 355-0000

Email: bmoore2004@netzero.com

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

Application Date:

District #: 5

Home Phone: (252) 412-4584

Business Phone:

Email:

Applicants for Pitt-Greenville Convention & Visitors Authority (County)

Applicant Interest Listing

Convention & Visitors Authority

Debbie Avery
3010 Sapphire Lane
Winterville NC 28590

Day Phone: (252) 531-4590
Evening Phone: (252) 756-9832
Fax:
E-mail: davery60@hotmail.com

Gender: F
Race: White
District: 4
Priority:

Applied for this board on: 1/16/2009 Application received/updated: 01/20/2011

Applicant's Attributes: County Planning Jurisdiction
 District 4

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)			
	Organization	Description	Date(s)
Education	East Carolina	BS - Education	
Education	Ayden Grifton High		
Experience	First State Bank		1978-1984
Experience	ECU School of Medicine	Standardized Patient	2007-present
Experience	Pitt County Schools	Middle School Science Teacher	30 years
Experience	Winterville Chamber of Commer	Executive Director	
Volunteer/Prof. Associations	Winterville Kiwanis Club		
Volunteer/Prof. Associations	Winterville Watermelon Festival		

<u>Boards Assigned To</u>	
Development Commission	12/31/2013 to 12/31/2016

Thomas Gould
4803 Rountree Road
Winterville NC 28590

Day Phone: (252) 493-7406
Evening Phone: (336) 504-3567
Fax:
E-mail: tgould@email.pittcc.edu

Gender: M
Race: White
District: 6
Priority:

Applied for this board on: 4/25/2014 Application received/updated: 04/25/2014

Applicant Interest Listing

Applicant's Attributes: County Planning Jurisdiction
South of the River

<u>Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)</u>			
	Organization	Description	Date(s)
Education	UNC-Greensboro	Ph.D, English	
Education	NCSC	MA, English	
Education	Ramapo College	BA, Potential Science	
Education	Indian Hills High		
Experience	Durham Technical Community C		
Experience	Pitt Community College	Vice President, Academic Affairs	

<u>Boards Assigned To</u>			
	Development Commission		8/4/2014 to 12/31/2014
	P.C. Nursing Home/Adult Care Community Advisory		10/20/2014 to 10/20/2015

Ralph Hall Jr
111 Hardee Street
Greenville NC 27858

Day Phone:
Evening Phone: (252) 756-0262
Fax:
E-mail: bajhall@aol.com

Gender: M
Race: White
District: 6
Priority: 0

Applied for this board on: 2/26/2003

Application received/updated: 02/26/2003

Applicant's Attributes: District 6
Greenville ETJ

<u>Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)</u>			
	Organization	Description	Date(s)
Education	University of South Carolina	Civil Engineering	1955-1957
Education	Edenton High		

Applicant Interest Listing

Experience	Phillippines Construction	Project Manager	1962-1966
Experience	Foreign Service Staff Officer	Civil Engineer	1966-1969
Experience	Odell Associates	Hospital Construction Engineer	1969-1973
Experience	PCMH	Vice-President of Facilities	1973-2001
Volunteer/Prof. Associations	N.C. Bio-Medical Association		
Volunteer/Prof. Associations	N.C. Association of Health Care		
Volunteer/Prof. Associations	American Society of Health Care		
Volunteer/Prof. Associations	American Cancer Society		
Volunteer/Prof. Associations	State Board of Directors		

<u>Boards Assigned To</u>	
Industrial Revenue & Pollution Control Authority	3/15/2004 to 3/15/2007

Russell Hemby
270 River Crest Drive
Greenville NC 27858

Day Phone: (252) 916-0395
Evening Phone: (252) 830-3609
Fax:
E-mail: business4rj@gmail.com

Gender: M
Race: African
District: 3
Priority:

Applied for this board on: 12/11/2014

Application received/updated: 12/11/2014

Applicant's Attributes: Simpson ETJ
South of the River

<u>Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)</u>			
	<u>Organization</u>	<u>Description</u>	<u>Date(s)</u>
Education	J.H. Rose High		
Experience	Birds Media Group		
Volunteer/Prof. Associations	Greenville Citizen Academy Gra		
Volunteer/Prof. Associations	West Greenville Regional After S		
Volunteer/Prof. Associations	City of Greenville		

Applicant Interest Listing

Boards Assigned To

P.C. Nursing Home/Adult Care Community Advisory 3/16/2015 to 3/17/2016

Anthony Herring

1245 Lewis Dudley Rd
PO Box 931
Greenville NC 27835

Day Phone: (252) 481-1614
Evening Phone: (252) 481-1614
Fax:
E-mail: Herringfour@yahoo.com

Gender: M
Race: African
District: 2
Priority:

Applied for this board on: 3/26/2015

Application received/updated: 03/26/2015

Applicant's Attributes: Greenville ETJ
North of the River

<u>Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)</u>			
	<u>Organization</u>	<u>Description</u>	<u>Date(s)</u>
Education	Elizabeth City State University	BA Political Science	
Education	Ahoskie High School		
Experience	NC RCCC Tech Prep Advisor		
Experience	Military - NC Dept of Pub Safety		
Experience	Mid-East Comm Reg Governmen		
Experience	2nd Chance		
Experience	Roanoke Chowan Comm College		
Experience	Roanoke Chowan Industries Sup		
Experience	NC Dept of Corr & NC Dept Pub		
Experience	NC Comm Coll Job Train Partner		
Volunteer/Prof. Associations	Cleanup 90yr-100yr old citizen's		
Volunteer/Prof. Associations	Southern Christian Leadership C		
Volunteer/Prof. Associations	Little Willie Center		12-2014
Volunteer/Prof. Associations	Golden Living		

Applicant Interest Listing

Volunteer/Prof. Associations	Soup Kitchen
Volunteer/Prof. Associations	Greenville Homeless Shelter

Michelle Joyner
264 Cooper Street
Winterville NC 28590

Day Phone: (252) 341-0634 Gender: F
 Evening Phone: (252) 756-5546 Race: Other
 Fax: District: 6
 E-mail: michellejoyner28590@gma Priority:

Applied for this board on: 3/27/2015

Application received/updated: 03/27/2015

Applicant's Attributes: Winterville City Limits
South of the River

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)			
	Organization	Description	Date(s)
Education	Everest University	Criminal Justice	
Education	Farmville Central HS		
Experience	NC Education System		
Experience	Philanthropist & Civil Activist		
Experience	Asso Minister in PC & Eastern N		
Volunteer/Prof. Associations	Parks & Recreations		
Volunteer/Prof. Associations	The Civitan Club		
Volunteer/Prof. Associations	Chamber of Commerce		
Volunteer/Prof. Associations	Ruritian Club		
Volunteer/Prof. Associations	WHR Library Sci Program		
Volunteer/Prof. Associations	WH Robinson Ele School BED P		

Ernis Lee
834 Aspen Lane
Greenville NC 27834

Day Phone: (252) 341-5696 Gender: M
 Evening Phone: (252) 689-2381 Race: African
 Fax: (252) 321-4626 District: 2

Convention & Visitors Authority
Tuesday, April 21, 2015

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Applicant Interest Listing

E-mail: elee@email.pittec.edu Priority:

Applied for this board on: 2/10/2015 Application received/updated: 02/06/2015

Applicant's Attributes: District 2
County Planning Jurisdiction

<u>Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)</u>			
	Organization	Description	Date(s)
Education	Elizabeth City State University	B. A.	
Education	Roanoke High		
Experience	PCC Putreach w/ Emis Lee	Radio Broadcaster	
Experience	Pitt Community College	Director of College Outreach	
Experience	United States Army	2nd Lieutenant	
Volunteer/Prof. Associations	Mentor		
Volunteer/Prof. Associations	West Greenville Community Dev	Board Member	
Volunteer/Prof. Associations	Eastern Carolina Counseling Cen	Former Board Member	

<u>Boards Assigned To</u>	
P.C. Nursing Home/Adult Care Community Advisory	3/16/2015 to 3/17/2016

Steve Little
3314 NC 33 W
Greenville NC 27834

Day Phone: (252) 714-3559 Gender: M
Evening Phone: (252) 758-2040 Race: White
Fax: District: 2
E-mail: steve.little@nashfinch.com Priority:

Applied for this board on: 1/5/2007 Application received/updated: 02/28/2012

Applicant's Attributes: District 2
County Planning Jurisdiction
North of the River

Applicant Interest Listing

<u>Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)</u>			
	<u>Organization</u>	<u>Description</u>	<u>Date(s)</u>
Education	East Carolina University		
Education	Belvoir Elementary		
Experience		NC Real Estate Broker License	
Experience	Nash Finch	Division Manager	
Volunteer/Prof. Associations	Pitt County Planning Board		6 years

<u>Boards Assigned To</u>			
	Pitt County Board of Adjustment		12/3/2012 to 1/1/2016
	North of the River		

Earnest Lubiani
4036 West Avenue
Ayden nc 28513

Day Phone: (252) 714-0581
Evening Phone: (252) 318-0019
Fax:
E-mail: esluby80@yahoo.com

Gender: M
Race: White
District: 6
Priority:

Applied for this board on: 5/20/2013

Application received/updated: 05/20/2013

Applicant's Attributes: Ayden City Limits
South of the River

<u>Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)</u>			
	<u>Organization</u>	<u>Description</u>	<u>Date(s)</u>
Education	University of Memphis	Bs of Professional Studies - Tourism	
Education	Catholic High School	High School Diploma	
Experience	East Caroline Village of Yesterye	Director	
Experience	ACATS Productions	Owner/CEO	
Volunteer/Prof. Associations	Pitt County United Way		3 years
Volunteer/Prof. Associations	March of Dimes		3 years
Volunteer/Prof. Associations	Ayden Collard Festival		5 years

Applicant Interest Listing

Volunteer/Prof. Associations	Ayden Chamber of Commerce	5 years
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Danny Smith 5725 Whichard Road Stokes NC 27884	Day Phone: (252) 758-6958 Evening Phone: (252) 758-8787 Fax: (252) 758-6960 E-mail: danny@theseahorserestaura	Gender: M Race: White District: 2 Priority:
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Applied for this board on: 1/24/2014

Application received/updated: 01/24/2014

Applicant's Attributes: County Planning Jurisdiction
North of the River

<u>Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)</u>			
	Organization	Description	Date(s)
Education	East Carolina University	BA Economics, MBA	
Education	North Pitt High School	High School Diploma	
Volunteer/Prof. Associations	Pitt County United Way	Volunteer	

<u>Boards Assigned To</u>			
	Board of Equalization & Review	4/21/2014	to 2/28/2016
	P.C. Nursing Home/Adult Care Community Advisory	10/20/2014	to 10/20/2015
	Pitt County Planning Board	10/1/2014	to 10/1/2017
	District 1		
	District 2		

Michael Weimar 671 Grasmere Street	Day Phone: (252) 378-5461 Evening Phone:	Gender: M Race: White
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Convention & Visitors Authority
Tuesday, April 21, 2015

Applicant Interest Listing

Winterville NC 28590

Fax:
E-mail: mpweimar@gmail.com

District: 4
Priority:

Applied for this board on: 11/18/2014

Application received/updated: 11/18/2014

Applicant's Attributes: Winterville City Limits
South of the River

<u>Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)</u>		
<u>Organization</u>	<u>Description</u>	<u>Date(s)</u>
Education	State University of NY at Brockp	B.S. Business Admin. /Marketing
Education	Spencerport High	
Experience	Sherwin-Williams Company	Sales Rep
Volunteer/Prof. Associations	Pitt County Republican Party	
Volunteer/Prof. Associations	Covenant Church	

<u>Boards Assigned To</u>	
P.C. Nursing Home/Adult Care Community Advisory	3/16/2015 to 3/17/2018

Eric Williams
527 Rachel Lane
Grimesland NC 27858

Day Phone: (252) 258-5002
Evening Phone:
Fax:
E-mail: logetw423@gmail.com

Gender: M
Race: African
District: 3
Priority:

Applied for this board on: 12/11/2014

Application received/updated: 12/11/2014

Applicant's Attributes: County Planning Jurisdiction
South of the River

<u>Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)</u>		
<u>Organization</u>	<u>Description</u>	<u>Date(s)</u>
Education	East Carolina University	
Education	J.H. Rose High	

Applicant Interest Listing

Experience	East Carolina University	Helpdesk Tech. Spec.
Experience	NC National Guard Army	
<u>Boards Assigned To</u>		
P.C. Nursing Home/Adult Care Community Advisory		3/16/2015 to 3/17/2016

Applicants for Public Transportation and Parking Commission

Richard Malloy Barnes
206 South Elm Street, Apt. N
Greenville, NC 27858

Application Date: 12/10/2014

District #: 3

Home Phone: (252) 752-5278

Business Phone:

Email: kiltedmile@aol.com

Kellie Gonzalez
3936 Dunhagen Rd.
Greenville, NC

Application Date: 9/12/2014

District #:

Home Phone: (919) 791-5841

Business Phone:

Email:

Applicants for Youth Council

None.



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Minutes from the April 9, 2015, City Council meeting

Explanation: Proposed minutes from the City Council meeting held on April 9, 2015, are presented for review and approval.

Fiscal Note: There is no direct cost to the City.

Recommendation: Review and approve minutes from the City Council meeting held on April 9, 2015.

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[Proposed_Minutes_of_the_April_9_2015_City_Council_Meeting_1010768](#)

PROPOSED MINUTES
MEETING OF THE CITY COUNCIL
CITY OF GREENVILLE, NORTH CAROLINA
THURSDAY, APRIL 9, 2015



A regular meeting of the Greenville City Council was held on Thursday, April 9, 2015 in the Council Chambers, located on the third floor at City Hall, with Mayor Allen M. Thomas presiding. Mayor Thomas called the meeting to order at 7:00 pm. Council Member Smith gave the invocation, followed by the Pledge of Allegiance.

Those Present:

Mayor Allen M. Thomas, Mayor Pro-Tem Calvin R. Mercer, Council Member Kandie Smith, Council Member Rose H. Glover, Council Member Marion Blackburn, Council Member Rick Smiley and Council Member Richard Croskery

Those Absent:

None

Also Present:

Interim Assistant City Manager Richard Hicks, City Attorney David A. Holec, City Clerk Carol L. Barwick and Deputy City Clerk Polly W. Jones

APPROVAL OF THE AGENDA

Interim Assistant City Manager Richard Hicks noted that Ward Holdings, LLC has asked that their rezoning request be continued to May 14th.

Upon motion by Council Member Croskery and second by Council Member Blackburn, the City Council voted unanimously to continue the Ward Holdings, LLC rezoning request to May 14, 2015 and adopt the agenda with all remaining items.

SPECIAL RECOGNITION

GREENVILLE RECREATION AND PARKS 12U ALL-STAR BASKETBALL TEAM

Mayor Thomas recognized the players and coaches of the Greenville Recreation and Parks 12 and Under All-Star Basketball Team for having won the State Championship with an 8-0 record over the course of two double-elimination tournaments. He then presented Certificates of Achievement to players Dewann Blackshear, Dan Collins, Jaylyn Daniels,



Tanner Fields, Collin Guilford, Nathan MacDonald, Logan Myers, Ryan Staton, Jackson Upchurch, and Will Ward and to Coaches Jim Collins, Rob Hall and Bill Upchurch.

EXCELLENCE IN COMMUNICATIONS AWARDS

Interim Assistant City Manager Hicks stated that members of the City's staff have been recognized by the North Carolina City and County Communicators (NC3C), which is a group of over 100 communications professionals representing cities, counties, school systems, universities, transit authorities, utilities and other professional organizations. Mr. Hicks then presented a 2nd place trophy for Regular TV Programming, for an episode of City Scene, to Communications Technician Jonathan Edwards, a 1st place trophy for Brochure to Communications Technician Jewel Jones and a 1st place trophy for Website Design to Communications Manager/Public Information Officer Steve Hawley and Systems Analyst IV Jeremiah Simmons.

APPOINTMENTS

APPOINTMENTS TO BOARDS AND COMMISSIONS

Affordable Housing Loan Committee

Council Member Blackburn continued all appointments.

Community Appearance Commission

Council Member Smiley made a motion to reappoint Andrew Bowers to a first three-year term that will expire April 2018. Council Member Croskery seconded the motion, which carried unanimously. Council Member Smiley continued all remaining appointments.

Environmental Advisory Commission

Council Member Blackburn made a motion to appoint Ernest Larkin to the At-Large with skills and interest in environmental health, safety, and/or medicine seat for a first three-year term that will expire April 2018 in replacement of Michael Behm, who did not seek a second term. Council Member Glover seconded the motion, which carried unanimously. Council Member Blackburn continued all remaining appointments.

Firefighters Relief Fund Committee

Appointments were continued.



Historic Preservation Commission

Council Member Smith made a motion to reappoint Kerry Carlin to a second three-year term that will expire January 2018, reappoint Charles Gee and David Hursh to first three-year terms, each expiring in January 2018. Council Member Council Member Croskery seconded the motion, which carried unanimously.

Human Relations Council

Council Member Glover made a motion to appoint Isaac Chemennam to fill an unexpired term that will expire September 2016, in replacement of Hassam Kandil, who did not meet the attendance requirement. She further moved to appoint Jake Srednicki to fill an unexpired term that will expire September 2015 in replacement of Sierra Plato, who had resigned. Council Member Croskery seconded the motion, which carried unanimously. Council Member Glover continued all remaining appointments.

Police Community Relations Committee

Council Member Blackburn continued the appointment for District 3.

Public Transportation and Parking Commission

Council Member Croskery continued all appointments.

Recreation & Parks Commission

Council Member Blackburn continued all appointments.

Youth Council

Mayor Pro-Tem Mercer continued all appointments.

APPOINTMENTS TO THE COMPREHENSIVE PLAN COMMITTEE

A Comprehensive Plan Committee is being established to provide input on and review the preparation of the City of Greenville's new comprehensive plan. The Committee will consist of 22 members, with the Mayor and City Council Members asked to appoint one member each. Remaining members are to be selected by various City Boards and community partners. The following appointments were made:

- Mayor Thomas – Bruce Sauter
- Mayor Pro-Tem Mercer – Brian Farkas
- Council Member Smith – Bryant Kittrell
- Council Member Glover – Kevin Faison
- Council Member Blackburn – Ann Maxwell
- Council Member Smiley – Harry Stubbs
- Council Member Croskery – Jon Day



NEW BUSINESS

PUBLIC HEARINGS

ORDINANCE REQUESTED BY BRIGHTON PARK APARTMENTS, LLC TO REZONE 0.63 ACRES LOCATED ALONG THE WESTERN RIGHT-OF-WAY OF BRIGHTON PARK DRIVE AND 250+ FEET NORTH OF WEST 5TH STREET FROM MO (MEDICAL-OFFICE) TO MR (MEDICAL RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) - (Ordinance No. 15-016)

Planner Chantae Gooby stated Income Investments, LLC have requested to rezone 0.63 acres located at the western right-of-way of Brighton Park Drive and 250+/- feet north of West 5th Street from MO (Medical Office) to MR (Medical Residential [High Density Multi-Family]). The subject area is located in Vision Area F.

According to Ms. Gooby, the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) in 1986 and zoned MD-3 and MD-5. Later, these districts were renamed to MO (Medical Office) and MR (Medical Residential) respectively.

There are no known historical designations on the site, nor are there any known environmental conditions/constraints.

Surrounding land uses and zoning are as follows:

North: MR – Brighton Park Apartments

South: MO - Vacant

East: MO - Vacant

West: MO – Carolina Ortho Prosthetics

Ms. Gooby stated under the current zoning (MO), the site could yield 5,200+/- square feet of medical office space. Under the proposed zoning (MR), the site could accommodate 6-8 multi-family units (1, 2 and 3 bedrooms). The anticipated build-out time is within one year.

Ms. Gooby stated that, in staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map, and the Medical District Land Use Plan Update (2007). "In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.



Ms. Gooby stated the Planning and Zoning Commission voted to recommend approval of the request at its March 17, 2015, meeting.

Mayor Thomas declared the public hearing for the proposed rezoning open at 7:35 pm and invited anyone wishing to speak in favor to come forward.

Mike Baldwin – No Address Given

Mr. Baldwin indicated he was present on behalf of the applicant, Reggie Spain, who had to be out of town. He stated this request is a housekeeping issue intended to square some things up and provide better utility of the land. Mr. Spain has indicated that his existing multi-family units are full and he is seeking a location to build two-bedroom units. He stated Mr. Spain intends to keep the medical buffer between the apartments and the highway.

Hearing no one else wishing to comment in favor of the application to rezone, Mayor Thomas invited comment in opposition. Hearing none, Mayor Thomas closed the public hearing at 7:37 pm.

Council Member Smith moved to adopt the ordinance to rezone 0.63 acres located at the western right-of-way of Brighton Park Drive and 250+/- feet north of West 5th Street from MO (Medical Office) to MR (Medical Residential [High Density Multi-Family]). Council Member Blackburn seconded the motion, which passed by unanimous vote.

ORDINANCE REQUESTED BY HAPPY TRAIL FARMS, LLC TO REZONE 67.652 ACRES LOCATED SOUTH OF STANTONSBURG ROAD AND WEST OF PITT COUNTY LANDFILL FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO I (INDUSTRY) AND IU (UNOFFENSIVE INDUSTRY) – (Ordinance No. 15-017)

Planner Chantae Gooby stated Happy Trail Farms, LLC has requested to rezone 67.652 acres located south of Stantonsburg Road and west of the Pitt County Landfill from RA20 (Residential-Agricultural) to I (Industry) and IU (Unoffensive Industry). The subject area is located in Vision Area F.

According to Ms. Gooby, Stantonsburg Road, between US Highway 264 and the proposed interchange with the Southwest Bypass, is considered a "connector" corridor which transitions to a "residential" corridor continuing west. The proposed Southwest Bypass is considered a "limited access corridor".

Connector corridors are anticipated to contain a variety of higher intensive 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 of the focus area should be prohibited. Limited access facilities are to facilitate the smooth flow of high-



speed traffic. Industrial uses are acceptable providing these are screened from the highway.

The Comprehensive Plan specifically states that, "... all of the industrial areas indicated on the Land Use Plan Map have been buffered with either office, institutional and multi-family, or conservation/open space land uses. Buffering has been provided to help prevent land use conflicts between industrial developments and neighboring land uses."

There is a recognized industrial employment focus area at Woodridge Industrial Park just south of the Pitt County Landfill. Employment areas are for uses generating significant employment. Office and institutional development is encouraged as a transition between higher and lower intensities and is encouraged in locations proximate to residential areas.

There is a recognized neighborhood focus area at the intersection of Landfill Road and Allen Road. These nodes typically contain less than 40,000 square feet of conditioned floor space.

The Future Land Use Plan Map recommends commercial (C) at the southwest corner of the intersection of the US Highway 264 and the proposed Southwest Bypass and transitioning to office/institutional/multi-family (OIMF) and conservation/open space (COS) to act as a buffer to the interior industry (I).

The Future Land Use Plan Map recommend commercial (C) at the intersection of Landfill Road and Allen Road transitioning to conservation/open space (COS) to buffer to the interior industry (I).

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.

Based on the analysis comparing the existing zoning (1,819 daily trips) and requested rezoning, Ms. Gooby stated the proposed rezoning classification could generate 1,734 trips to and from the site on Stantonsburg Road, which is a net decrease of 85 less trips per day. Since the traffic analysis for the requested rezoning indicates that the proposal would generate less traffic than the existing zoning, a traffic volume report was not generated.

In 2001, the subject property was part of a large-scale extra-territorial jurisdiction (ETJ) extension and was zoned RA20 (Residential-Agricultural).



Surrounding land uses and zoning are as follows:

North: RA20 – Wooded

South: IU - Wooded

East: I and RA20 – Pitt County Landfill and wooded (owned by Pitt County)

West: RA20 – Vacant and wooded

Ms. Gooby stated under the current zoning (RA20), Tract 1 could yield 125-135 single-family lots. Under the proposed zoning (I), Tract 1 could accommodate 270,403+/- square feet of industrial/warehouse uses. Tract 2 could yield 30-40 single-family lots under its current zoning (RA20). Under the proposed zoning (IU), Tract 2 could accommodate 78,582+/- square feet of industrial/warehouse uses. Tract 3 could yield 10-15 single-family lots under its current zoning (RA20). Under the proposed zoning (I), Tract 3 could accommodate 32,496+/- square feet of industrial/warehouse uses. The anticipated build-out time for all tracts is within 3-5 years.

Ms. Gooby stated that, in staff's opinion, the requests for Tracts 1 and 3 are in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map. "In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

Ms. Gooby further stated that, in staff's opinion, the request is not in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map. "Not in compliance with the comprehensive plan" should be construed as meaning the requested zoning (i) is specifically noncompliant with plan objectives and recommendations including the range of allowable uses in the proposed zone, etc... and/or is of a scale, dimension, configuration or location that is not objectively in keeping with plan intent and (ii) does not promote or preserve the desired urban form. The requested zoning is considered undesirable and not in the public interest, and staff recommends denial of the requested rezoning.

Ms. Gooby stated the Planning and Zoning Commission voted to recommend approval of Tracts 1 and 3 at its March 17, 2015, meeting and to deny the request for Tract 2.

Mayor Thomas declared the public hearing for the proposed rezoning open at 7:48 pm and invited anyone wishing to speak in favor to come forward.

Mike Baldwin – No Address Given

Mr. Baldwin, speaking on behalf of applicant, stated that since Tracts 1 and 3 are in compliance, he will primarily focus his comments on Tract 2. Office-Multi-Family, which is



the recommended land use for Tract 2, has a higher land sale value and generates more traffic than Unoffensive Industry. Unoffensive Industry is a transition zoning from Industrial to Office-Multi-Family. Due to the nature of the work being done and the equipment being used at the Pitt County Landfill, the surrounding area would be better suited to uses that would fall under IU, such as landscaping businesses, veterinary offices, farming equipment stores and other similar uses rather than Office-Multi-Family. He stated he feels this is a blip in the Comprehensive Plan that doesn't fit the use that is out there. He offered to answer any questions.

Council Member Smiley asked if perhaps this rezoning request was a little premature. A good portion of this property will be used for road construction.

Mr. Baldwin stated that about 40% of the property is expected to be used for the road, which is three years in the future, adding that he feels the timing of the request is right in line.

Council Member Smiley asked if the value of the land will change if the rezoning request is approved, to which Mr. Baldwin replied that it was fair to assume that it would.

Mayor Pro-Tem Mercer asked if the City Council could designate a different zoning than what has been requested. He asked if the client would like Tracts 1 and 3 zoned as Unoffensive Industry. He stated he is concerned about drainage into Green Mill Run.

Mr. Baldwin stated his client would not be interested in changing his request.

City Attorney Dave Holec stated the City Council could impose a more restrictive zoning classification or apply the zoning to a lesser area than what was advertised.

Council Member Glover expressed concern that the line of questioning was, perhaps, a little unfair toward the applicant.

Mr. Baldwin noted this was the first time in his 26 years appearing before the City Council on various matters that he'd been asked these types of questions.

Hearing no one else wishing to comment in favor of the application to rezone, Mayor Thomas invited comment in opposition.

Hap Maxwell – No Address Given

Mr. Maxwell stated he is opposed to the request because he is concerned that if industrial zoning is allowed in the area, potential spills and accidents so close to Green Mill Run could be harmful to Greenville.



Mayor Thomas asked about the threat of the landfill there. He asked if there have been any issues with lime and other landfill operations.

City Engineer Scott Godefroy stated there were no issues he was aware of, but the lime operation is relatively new and he is not personally well-versed in State requirements related to that.

Brenda Harrison – No Address Given

Ms. Harrison stated she grew up in the area proposed for rezoning and knows what has occurred there. The County allowed much toxic waste from a fire to be buried on what was commonly referred to as the Don Lewis property. When the County gets an environmental issue, they get someone to evaluate who is playing on their team. Some of the things the County has allowed – look at the lawsuit with Don Lewis – he sold his farm to the County. They were trying to buy it for pennies but he got \$800,000 to \$900,000 in the lawsuit. There was some cover-up and more environmental impact than what the County would ever admit. Look at water quality and medical issues over the years. She urged the City Council to look into this before taking action.

Ann Maxwell – No Address Given

Ms. Maxwell stated she'd met with the Neighborhood Advisory Board in District 1 a few months ago and listened to the situations people have experienced there. They've had trees cut in their yards and some of their homes had to be purchased. When the airport was built, there was nothing around it, but development occurred and residents have had to suffer the pain because previous City Councils have allowed things to be placed there that never should have been allowed. She feels this will become a waste of taxpayer money if the State has to buy a large portion of the land and asked that the City Council put this idea on hold until more is known about their plans.

Hearing no one else wishing to comment in opposition to the application to rezone, Mayor Thomas closed the public hearing at 8:54 pm.

Council Member Glover moved to adopt the zoning map amendment ordinance for Tracts 1 and 2, and to deny the request to rezone Tract 2 based on the finding and determination that the rezoning request is inconsistent with the adopted comprehensive plan including, but not limited to Objective UF 20 to concentrate higher intensity uses in employment and focus areas, and further that the denial of the rezoning request is reasonable and in the public interest due to the rezoning request does not promote, in addition to the furtherance of other goals and objectives, the safety and general welfare of the community by concentrating higher intensive uses in focus areas which helps to preserve the carrying capacity of streets. Council Member Smith seconded the motion.

Council Member Blackburn noted that it had been mentioned that the bypass goes through this area. She felt it would be prudent to investigate the impact of the bypass on the land



before making this decision. It appears that the target use is less intensive than the land use plan allows.

Ms. Gooby stated the request for Tracts 1 and 3 is for what the plan allows. On Tract 2, intensity is less intensive for traffic, but for some uses, it may be more.

Council Blackburn what will happen on Tract 2 is unknown and said she feels this is like making a decision with the lights off and describing what is on a chalkboard. Some of this land will soon be acquired by the State. She questioned whether this action would increase what the State will have to pay the land owner.

City Attorney Dave Holec stated the purchase is based on the value of the land and zoning does have an impact. This action would increase the value, so the State would have to pay more.

Council Member Blackburn stated that making a decision tonight will increase the cost of the bypass. It is unknown how this decision will affect the use of the land and she would struggle with making any type of zoning change tonight. She feels she cannot support the request at this time.

Council Member Croskery noted that Tract 1 has significant portions adjacent to the railroad tracks and is surrounded by industrial uses so it would be feasible to put something there that would benefit from proximity to the railroad. He understands the concerns about pollution and toxic waste, but a number of those conditions already exist in the area now. He stated he does have reservations about Tract 2.

Council Member Smiley said it is regrettable that this conversation is offensive to some individuals, but he feels it is appropriate to have direct conversation. The applicant has acknowledged that the action would enrich him at the expense of taxpayers. The City is not obligated to be complicit in that. For the City to assist the land owners to profit at the expense of taxpayers would not be good policy for the City. He feels this is inappropriate timing for the rezoning and a poor time to be changing the value of this land in light of the public use that has already been designed and planned.

Council Member Glover stated that since people learned the bypass is going through this area, they have bought property to sell to the State. She questioned why this applicant would be singled out when this applicant is just one of many who will benefit.

Council Member Smiley agreed there has been private speculation on this and that is okay, but in this particular case, the applicant is asking the City to participate in a change that will benefit the applicant at the expense of citizens. He feels it is the role of the City Council to evaluate the actions.



Mayor Pro-Tem Mercer asked about the timeline for the Watershed Master Plan. City Engineer Scott Godefroy stated it is currently underway, but he is unsure of the expected completion date. He noted that Green Mill Run is part of the plan.

Council Member Croskery asked if the zoning is changed for this property, will that add significant impervious surface to the area. Mr. Godefroy stated he feels there is potential that it will.

Mayor Pro-Tem Mercer stated he is open to considering rezoning on any property, but the timing here does concern him. He stated he would like to have Wastewater Management Plan in hand and know exactly where the road is going before casting a vote. He is not opposed to rezoning, but he needs more information to make a good decision.

Council Member Smith stated the City has professionals who deal with these issues on a daily basis. Feedback from staff is that Tracts 1 and 3 are in alignment with the plan, but Tract 2 is not. She can support approval of Tracts 1 and 3, but not Tract 2 – as was noted in the motion – because this is consistent with the professional recommendations. She stated she does not feel the change will significantly impact runoff since the road is going through the area regardless.

Mayor Thomas stated there is about to be significant development in this area that will cause runoff. The City Council should guard against speculation and, when in doubt, follow its plans.

There being no further discussion, the motion to adopt the zoning map amendment ordinance for Tracts 1 and 2, and to deny the request to rezone Tract 2 passed by a vote of 4 to 3. Council Members Smith, Glover and Croskery voted in favor of the motion and Mayor Pro-Tem Mercer and Council Members Blackburn and Smiley voted against the motion. Mayor Thomas voted in favor of the motion to break the tie.

ORDINANCE REQUESTED BY HARDEE 3 ENTERPRISES, INCORPORATED TO REZONE 9.816 ACRES LOCATED ALONG THE SOUTHERN RIGHT-OF-WAY OF EAST 10TH STREET AND 275+ FEET WEST OF L. T. HARDEE ROAD FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO CG (GENERAL COMMERCIAL) – (Ordinance No. 15-018)

Planner Chantae Gooby stated Hardee Enterprises, Inc. has requested to rezone 9.816 acres located along the Southern right-of-way of East 10th Street and 275+ feet west of L. T. Hardee Road from RA20 (Residential-Agricultural) to CG (General Commercial). The subject area is located in Vision Area C.

According to Ms. Gooby, East 10th Street is considered a gateway corridor from its intersection with Greenville Boulevard and continuing East. Gateway corridors serve as primary entranceways into the City and help define community character. There is a



recognized intermediate focus area to the east of the intersection of East 10th Street and Portertown Road. Intermediate focus areas generally contain 50,000 to 150,000 square feet of conditioned floor space. The Future Land Use Plan Map recommends C (Commercial) at the southwest corner of the intersection of East 10th Street and L. T. Hardee Road.

Based on possible uses permitted by the requested zoning, the proposed rezoning classification could generate 5,529 trips to and from the site on East 10th Street, which is a net increase of 5,165 trips per day. During the review process, measures to mitigate traffic will be determined.

In 1989, the property was incorporated into the City's ETJ and zoned RA20 (Residential-Agricultural).

Surrounding land uses and zoning are as follows:

North: RA20 – 3 single-family residences, 1 mobile home residence and a commercial building

South: Norfolk Southern Railroad

East: CG – Denton Landscaping and Vacant

West: CH and CG – Walmart Shopping Center

Ms. Gooby stated under the current zoning (RA20), the site could yield 35+/- single-family lots. Under the proposed zoning (CG), the site could yield 94,069+/- square feet of retail/conventional and fast food restaurant uses. The anticipated build-out time is within 1-2 years.

Ms. Gooby stated that, in staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map. "In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

Ms. Gooby stated the Planning and Zoning Commission voted to recommend approval of the request at its March 17, 2015, meeting.

Mayor Thomas declared the public hearing for the proposed rezoning open at 8:49 pm and invited anyone wishing to speak in favor to come forward.

Mike Baldwin – No Address Given

Mr. Baldwin, speaking on behalf of applicant Dan Hardee and his brothers, Billy and Lewis, stated this request is in compliance with the Future Land Use Plan Map. The road was built



before the demand was there, the surrounding uses are compatible and the owner is working on plans to bring in sewer service. He offered to answer any questions.

Hearing no one else wishing to comment in favor of the application to rezone, Mayor Thomas invited comment in opposition.

Eric Brestel – No Address Given

Dr. Brestel recalled that when rezoning request for the Walmart on 10th Street and Portertown Road went before the Planning and Zoning Commission, one of the members, Dr. Jerry Weitz, was disconcerted that this area was recommended as commercial. He gave Dr. Weitz's credentials as a faculty member at East Carolina University with an expertise in Urban Design and Planning. He stated that Dr. Earl Trevathan was a member of the City Council in the 1960's and he had warned against the same progression along Greenville Boulevard. He asked that the City Council not go down this road again.

Hearing no one else wishing to comment in opposition to the application to rezone, Mayor Thomas closed the public hearing at 8:54 pm.

Council Member Glover moved to adopt the ordinance to rezone 9.816 acres located along the Southern right-of-way of East 10th Street and 275+ feet west of L. T. Hardee Road from RA20 to CG. Council Member Croskery seconded the motion.

Council Member Blackburn stated Dr. Brestel spoke eloquently, recalling words from the past. Commercial creep has turned 10th Street into the new Greenville Boulevard. Conditions changed because Councils changed them. She stated she cannot support this request.

Council Member Smiley stated he will vote for this, but feels in the future it would be beneficial to know if what has already been done in an area maxes out the road capacity prior to being asked to approve intensive impact changes.

Council Member Croskery stated that Greenville "Boulevardization" is a bad thing to happen anywhere and City Councils should strive to prevent it from happening elsewhere. It is imperative to be cognizant of first impressions of the community and to consider gateway corridors and how best to keep them clean, modern, and efficient with proper lighting and signage.

Mayor Pro-Tem Mercer said he agrees with previous comments made, but will support this request. Greenville Boulevard has businesses that everyone loves, but accessing them is not a positive experience. It is important to build the City in a way that will be attractive and accessible.



There being no further discussion, the motion to adopt the rezoning ordinance passed by a vote of 5 to 1, with Council Member Blackburn casting the dissenting vote.

ORDINANCE REQUESTED BY WARD HOLDINGS, LLC TO REZONE 2.0361 ACRES LOCATED ALONG THE SOUTHERN RIGHT-OF-WAY OF EAST 10TH STREET AND 270+ FEET WEST OF ELM STREET FROM R9 (RESIDENTIAL [MEDIUM DENSITY MULTI-FAMILY]) TO R6 (RESIDENTIAL [HIGH DENSITY MULTI-FAMILY])

This item was continued to May 14, 2015.

ORDINANCE TO AMEND THE ZONING ORDINANCE BY EXPANDING THE EXISTING WINE SHOP REGULATIONS TO ADD THE ALLOWANCE OF CRAFT BEER SHOPS IN THE SAME ZONING DISTRICTS WHERE WINE SHOPS ARE ALLOWED TO OPERATE – (Ordinance No. 15-019)

Chief Planner Tom Weitnauer stated the City has received an application to amend the Zoning Ordinance by expanding the existing wine shop definition and provisions to include the allowance of craft beer. The current Zoning Ordinance does not allow craft beer shops. Omission of a particular land use is interpreted to mean uses not listed are prohibited.

The amendment proposes craft beer shops in the same zones where wine shops are allowed. This text amendment permits craft beer shops within the CH (Heavy Commercial) zoning district by right, and within the MCG (Medical General Commercial), MCH (Medical Health Commercial), CD (Downtown Commercial), CDF (Downtown Commercial Fringe), and CG (General Commercial) zoning districts through special use permits.

Mr. Weitnauer stated it is staff's opinion that the proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan (2009-2010 Update). The Planning and Zoning Commission voted to recommend approval of the request at its March 17, 2015 meeting.

Mayor Thomas asked if the proposed amendment adheres to separation requirements. Mr. Weitnauer stated that it does.

Council Member Blackburn expressed some hesitation, asking if this type of business would operate as a public or private club. Mr. Weitnauer stated it would not.

Council Member Blackburn asked what distinguishes a craft beer location from a regular bar. Mr. Weitnauer stated what sets them apart is the limitation on on-site consumption. If it is considered like a wine shop, people make purchases and take the product to consume elsewhere, although there may be occasional tastings on-site. Many cities allow this by right as retail, but since Greenville already had rules for wine shops, it seemed appropriate to add the regulation which provides a mechanism of control. Community Development



Director Merrill Flood added that this is more of a retail establishment rather than a brewing operation or place of entertainment.

Mayor Thomas declared the public hearing for the proposed text amendment open at 9:15 pm and invited anyone wishing to speak in favor to come forward.

Jerry Benjamin – No Address Given

Mr. Benjamin stated he is the owner of Basil's on Firetower Road. He saw a need for something that didn't exist in Greenville. He said he doesn't want to sell wine. If he did, he would not be here tonight. This request is a retail use like a wine shop, but only 40% of the alcohol sales can be consumed on site. The rest must go out to be consumed. The beer is stored on shelves and it is not cold, so it is unlikely patrons would want to consume it on site. Mr. Benjamin stated they do not want this to be a bar in disguise. They will offer no entertainment and cannot sell mainstream beers like Budweiser or Miller. There are 55 of these shops in Raleigh, 2 in Wilson and 2 in New Bern.

Hearing no one else wishing to comment in favor of the proposed test amendment, Mayor Thomas invited comment in opposition. Hearing none, Mayor Thomas closed the public hearing at 9:22 pm.

Council Member Croskery expressed support for the request, stating he feels there may be some misunderstanding of what is being requested. Over the years, there has been a cache about appreciating wines. Beer has been around just as long, but beer and craft breweries appeal more to today's young professionals. Council Member Croskery stated he sees this as an unoffensive use because patrons can purchase most of these beers at grocery stores.

Upon motion by Council Member Croskery and second by Council Member Smith, the City Council voted unanimously to approve the amendment to the Zoning Ordinance expanding the existing wine shop definition and provisions to include the allowance of craft beer.

- ❖ Mayor Thomas declared a brief recess at 9:26 pm. He called the meeting back to order at 9:34 pm.

ORDINANCE TO AMEND THE ZONING ORDINANCE BY ADDING LIVE PERFORMANCE THEATERS AS AN ALLOWED LAND USE WITHIN THE CD (DOWNTOWN COMMERCIAL) ZONING DISTRICT, SUBJECT TO AN APPROVED SPECIAL USE PERMIT, AND ESTABLISHING SPECIFIC CRITERIA – (Ordinance No. 15-020)

Community Development Director Merrill Flood stated that currently, the Zoning Ordinance does not allow live performance theaters in the CD (Downtown Commercial) zoning district. The proposed amendment would allow live performance theaters in the CD zoning district through a special use permit. Planning Division staff contacted other North Carolina cities to research whether they have provisions to regulate live



performance theaters. The research did not produce examples to incorporate into the proposed text amendment.

On December 16, 2014, the Planning and Zoning Commission recommended approval of a proposed text amendment to add live performance theaters as an allowed use within the CD (Downtown Commercial) zoning district. The item was then considered by the City Council on January 15, 2015 and the City Council unanimously voted to refer the text amendment back to the Planning and Zoning Commission for further review and revision to distinguish this use from a public or private club, while allowing its development as a viable venue, with input from the Redevelopment Commission, Uptown Greenville, and the potential buyer.

Mr. Flood stated that, in response to City Council's concerns, Community Development staff collaborated with the Redevelopment Commission, Uptown Greenville, and the potential buyer to revise the proposed ordinance. The revised ordinance was presented at the March 3, 2015 Redevelopment Commission meeting and received the Commission's support. The revised ordinance was presented at the Planning and Zoning Commission's March 17, 2015 meeting, and the Commission voted unanimously to recommend approval of the request. Community Development staff has also kept Uptown Greenville abreast of revisions made to the proposed ordinance since the January 15, 2015 City Council meeting, and their staff is in support of the revised text amendment.

Revisions made to the proposed ordinance since the City Council reviewed it on January 15, 2015 are comprised of the following four changes:

- Subsections 9-4-86RR(5) was added which states, *"Recorded music events may be held by touring acts provided the same act does not return to the venue more than three times per calendar year. The maximum percentage of recorded music events shall not exceed 30% of total shows per calendar year."*
- Subsection 9-4-86RR(8) was revised to increase the minimum square footage of live performance theaters from 5,000 square feet to 7,500 square feet so that it now states, *"Minimum square footage of live performance theaters shall be 7,500 square feet."*
- Subsections 9-4-86RR(9) was added which states, *"The facility shall have a fixed permanent stage platform of 800 square feet minimum."*
- Subsections 9-4-86RR(12) was added which states, *"Closing time shall be no later than 1:00 A.M."*

Mr. Flood stated that, in staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan and the Center City West Greenville Revitalization Plan. On March 3, 2015, the Redevelopment Commission voted to recommend approval of the revised text amendment and the Planning and Zoning Commission did likewise on March 17, 2015.



Mayor Thomas declared the public hearing for the proposed text amendment open at 9:41 pm and invited anyone wishing to speak in favor to come forward.

Mitchell Edway – No Address Given

Mr. Edway stated he feels having a theatre in the downtown area will be a cultural benefit to the community. He expressed a concern about the 30% limitation on recorded music.

Hearing no one else wishing to comment in favor of the proposed test amendment, Mayor Thomas invited comment in opposition. Hearing none, Mayor Thomas closed the public hearing at 9:43 pm.

Council Member Smith asked if the 30% can be increased in the future. Mr. Flood replied that it could, adding that the 30% was selected based on discussion with the developer. That number was agreeable to them.

Council Member Smith then moved to amend the Zoning Ordinance by adding live performance theaters as an allowed land use within the CD (Downtown Commercial) Zoning District, subject to an approved Special Use Permit, and establishing specific criteria. Council Member Croskery seconded the motion, which passed following a brief discussion.

ORDINANCE AMENDING HORIZONS: GREENVILLE'S COMMUNITY PLAN TO INCORPORATE BY REFERENCE THE SOUTH GREENVILLE ELEMENTARY SCHOOL AREA REPORT AND PLAN – (Ordinance No. 15-021)

Planner Chantae Gooby stated that, as part of the goals of City Council and ongoing work to improve Greenville neighborhoods, the Community Development Department's Planning Division developed a neighborhood plan for the South Greenville Elementary School Area with assistance from City departments and other outside agencies. The plan is intended to guide policy and investment decisions for the South Greenville Elementary School Area.

Ms. Gooby stated the goal of the plan is to create, maintain and enhance a sustainable neighborhood. Objectives of the plan are to identify, by analysis and citizen input, the strengths and weaknesses of neighborhood issues affecting sustainability and to create broad support for recommended improvement strategies. If approved, the City Council would use this plan to guide public policy and investment decisions within the South Greenville Elementary School Area.

Ms. Gooby then discussed the following capital improvement and implementation strategies:

- Assist the neighborhood in the establishment of a Neighborhood Association and a Community Watch Program



- Increase owner-occupancy and homeownership of single-family dwellings
- Consider streetscape and entrance enhancement to Brownhill Cemetery
- Consider initiation of zoning amendment(s) in the neighborhood and/or adjacent areas properties that are zoned inconsistently with the Comprehensive Plan and/or FLUPM recommendations
- Assess street lighting levels and cause the installation of additional lamps and/or trimming of vegetation

Council Member Smith asked if there is a timeline to begin working on these things. Ms. Gooby stated there is not. Some will go through the budgetary process and some will require involvement of other departments – the lighting for example will require Public Works to do a survey and make recommendations on what is needed.

Council Member Smith asked how beautification of the cemetery would be addressed. Ms. Gooby stated she is not aware of a specific line item in the budget for neighborhood processes. Council Member Smith stated she does not want to see the plan sit on a shelf because it has been in process for some time and it gets people in the neighborhoods excited about possible improvements. The City Council must be very intentional about allocating money for these plans to be implemented, otherwise it is a waste of staff time to prepare them.

Council Member Blackburn stated the Tar River University Area was the first neighborhood in the City to have a neighborhood plan. There were some elements for the City to participate in but some were for the neighborhood to work on. She stated she likes the idea of having a neighborhood line item and agreed the cemetery area needs dressing up.

Council Member Glover stated this is one of Greenville's oldest cemeteries and nothing has been done in the community to improve the area. The City needs to look at making it better and she feels starting with a better entranceway would help. Nothing has been done in the cemetery and it brings the community down. One of the two original two African American City Council Members is buried in Brownhill Cemetery. She'd like to identify his grave and do something in honor of him to dress the cemetery up.

Mayor Thomas declared the public hearing for proposed amendment open at 10:06 pm and invited anyone wishing to speak in favor to come forward. Hearing no one, he invited anyone wishing to speak in opposition to come forward. Also hearing none, Mayor Thomas closed the Public Hearing at 10:07 pm.

Council Member Smith moved to approve the ordinance amending Horizons: Greenville's Community Plan to incorporate by reference the South Greenville Elementary School Area Report and Plan. Council Member Croskery seconded the motion, which passed by unanimous vote.



FINAL PUBLIC HEARING AND RESOLUTION ENDORSING THE 2015-2016 ANNUAL ACTION PLAN FOR THE CDBG AND HOME INVESTMENT PARTNERSHIPS FUNDS – (Resolution No. 023-15)

Senior Planner Niki Jones stated the Community Development Department has identified activities for the Fiscal Year 2015-2016 Annual Action Plan based upon recommendations of the adopted Consolidated Plan. As a requirement to receiving funding from the U.S. Department of Housing and Urban Development, the City must prepare an Annual Action Plan each year. The plan details all planned activities, projects, and their associated funding amounts. The following are the activities and projects which the Housing Division has vetted and intends to deliver to the community:

- Planning and Administration
- Owner-Occupied Home Rehabilitation
- Down Payment Assistance
- New Construction
- Acquisition of Substandard Properties
- Public Service
- Public Facility Improvements
- Demolition and Clearance
- Economic Development

Mr. Jones stated this is a request to approve the Affordable Housing Loan Committee's recommendation of fiscal year 2015-2016 funding awards to local non-profit organizations. These organizations carry out public services and activities that benefit low to moderate income individuals and families. The total amounts requested and funded per organization are identified below:

Non-Profit Group	Requested Amount	Recommended Amount
Literacy Volunteers	\$17,250.00	\$17,250.00
Intergenerational Center	\$15,000.00	\$15,000.00
Center for Family Violence Prevention	\$27,200.00	\$27,200.00
Boys and Girls Clubs	\$40,000.00	\$40,000.00

Mr. Jones stated that staff has received an unofficial notice of funding for the 2015-2016 fiscal year. The proposed funding is as follows: HOME Investment Partnerships = \$329,316 and Community Development Block Grant (CDBG) = \$800,219. The total amount requested



from the non-profit organizations is \$99,450, and the City has made available \$100,000 through the "Public Service" line item.

Mayor Thomas declared the public hearing for the Annual Action Plan open at 10:10 pm and invited anyone wishing to speak in favor to come forward. Hearing no one, he invited anyone wishing to speak in opposition to come forward. Also hearing none, Mayor Thomas closed the Public Hearing at 10:11 pm.

Council Member Blackburn moved to adopt resolution endorsing the 2015-2016 Annual Action Plan for the CDBG and HOME Investment Partnership funds. Council Member Smith seconded the motion, which passed by unanimous vote.

- ❖ Council Member Glover made a motion to hear the update from the Human Resources Department immediately following the Public Comment period. Council Member Smith seconded the motion, which passed by unanimous vote.

PUBLIC COMMENT PERIOD

Mayor Thomas opened the public comment period at 10:15 pm, explaining procedures which should be followed by all speakers.

Dave Barham – No Address Given

Mr. Barham stated that he has gathered information about the Transportation Bond through local media, such as the radio, from elected officials, and from the Greenville Summit that took place the previous day. He feels that the roads that are maintained by the City are in terrible shape, but he does not feel that the greenway portion should be included. He asked that the City Council remove the greenway portion from the bond.

Keith Cooper – PO Box 30103 – Greenville

Mr. Cooper stated that there are City employees that have made complaints about the hiring process, but he is encouraged that the Mayor has requested the Human Resources to look into the City's hiring practices. He asked that the City Manager show leadership during these times.

Connelly Branch – 236 Windsor Road - Greenville

Mr. Connelly spoke on behalf of Wayne and Patricia Williamson, who would like to be able to utilize Greenville Utilities Commission's (GUC) pump station, which is approximately 30 ft. behind the Williamsons' property. They hope to develop their property into lots and solve their existing septic tank issues. Their request appears later on this agenda. Mr. Connelly noted that Mr. Linwood Stroud, with Stroud Engineering, has stated that the property, including the Williamsons' lot, would not pass today's standard for soil types for septic tanks. He stated that GUC had written a letter in support and he listed advantages of the request, including improving Mr. Williamson's septic issues and the benefits that



Chicod School would receive in appearance and security with the addition of new homes being built in the area.

Linwood Stroud – 107B Commerce Street – Greenville

Mr. Linwood Stroud stated that the wastewater in the pump station stays stagnant for six days until it is pumped and during that time emits a strong smell. He said that the addition of the extra flow will reduce that time significantly, benefiting not only the Williamsons, but citizens of Pitt County as well as GUC.

Kristen King – Elm Street - Greenville

Ms. Kristen King, co-founder of the Pet Food Pantry of Eastern North Carolina, founder of the Imperial Street Cat Project and a member of the Community Cat Coalition, stated that the Imperial Street Cat Project had been designed to assist pet owners in West Greenville. She stated that there were several community cats in the area with owners that were concerned with the amount of litters being born, but lacked the funds to have the cats spayed or neutered. The Imperial Street Cat Program was designed to address those needs. She noted that she has seen an improvement in the overall health of the cats and a reduction in litters being born. She expressed her concerns with current City ordinances that hinder her ability to implement her program for fear of being penalized. Ms. King asked that she and interested parties be included in the writing and the crafting of a new City ordinance that addresses Trap-Neuter-Return (TNR).

There being no one else present who wished to address the City Council, Mayor Thomas closed the public comment period at 10:34 pm.

OTHER ITEMS OF BUSINESS

UPDATE FROM HUMAN RESOURCES DEPARTMENT

Human Resources Director Leah Futrell began with a brief overview of the City's hiring process and merit principles. She stated that the City recruits and selects individuals for appointments and promotions based on education, training, ability, experience and other characteristics which best suit the individual to the job to be performed. Decisions regarding recruitment and selection are made solely on the basis of job-related criteria and the person's ability to perform the essential functions of the position successfully, with our without reasonable accommodations.

Mayor Thomas asked if hiring managers are trained on how to rank prospective employees and if they must justify their final decision. Ms. Futrell stated they are trained on how to interview and how to rate, then must forward their ratings of those interviewed to Human Resources.



Council Member Smith asked if the City still accepts paper applications. Ms. Futrell stated paper applications are acceptable, and those received in that format are scanned into the electronic system, but very few applications received on paper.

Council Member Smith asked about the Ban-the-Box initiative. Ms. Futrell responded that the City no longer asks questions about convictions, except for Police Officers, because for that position it is a State requirement.

Council Member Blackburn noted that the City Council had previously agreed in principle to non-discrimination practices with regard to its hiring practices. She asked if that is incorporated in the new policies. Ms. Futrell stated non-discrimination is addressed.

Ms. Futrell stated the City's Personnel Policies were last updated in 1993. In 2014, review and revisions to these policies began with assistance of a qualified consultant and a focus group of City employees. Every current article within the City's Personnel Policies has been reviewed and contains revisions, some new policies have been added and policies which previously existed only in memo form have been incorporated. The updated policies will be reviewed by department heads and shared with the focus group prior to formal presentation to the City Council in June.

Once policies have been approved by the City Council, Ms. Futrell stated that supervisors and employees would receive training to ensure a consistent understanding. Employees will be asked to sign a receipt acknowledging they've been trained and received a copy of the new policies and refresher training will be offered periodically.

Ms. Futrell stated the City has entered into a contract with Segal Waters to develop a new Performance Appraisal System and completion is expected in October. Segal Waters, formerly known as Waters Consulting Group, conducted the Comprehensive Classification and Compensation Study in 2010. The scope of work will include on-site interviews with managers and employees, development of a performance management strategy, performance appraisal tools and a performance pay matrix. It will also include orientation sessions for employees and the development of a training manual for supervisors and managers.

Segal Waters will also be engaged in a 5-Year True-Up Market Study which will serve as a "pulse check" to ensure market competitiveness of pay plan. Results of that study will be presented at the April 20th Joint City/Greenville Utilities Commission Meeting.

Mr. Futrell stated some positions are being realigned within the Human Resources Department. Specialist roles are being converted to generalist roles to better serve City departments. Generalists are assigned to serve a group of departments to have a more robust connection to their operational needs.



Mayor Thomas noted that, although no action was required regarding Ms. Futrell's presentation, he would like to have a copy of the updated grievance policy by April 21st and requested that Ms. Futrell provide an update on the merit process at upcoming Council meetings to keep the public informed on progress.

- ❖ Council Member Glover, who was still recovering from a recent surgery, asked to be excused for health reasons. Upon motion by Council Member Smith and second by Council Member Croskery, Council Member Glover was excused from the meeting by unanimous vote. Council Member Glover departed at 11:59 pm.

SANITARY SEWER CONNECTION REQUEST BY WAYNE WILLIAMSON

Community Development Director Merrill Flood stated that Wayne Williamson has submitted a request to the City Council to allow connection of his property, which is adjacent to Chicod School, to the sanitary sewer line near his property. Mr. Williamson owns 10.23 acres on 3 tracts of land adjacent to the School and proposes to develop a residential subdivision on the property, consisting of 24 lots. The current tax value of the 3 combined parcels is \$181,892. The property is closer to Craven County than it is to the Greenville city limits, being approximately 5.17 miles from the Craven County line and 7.03 miles outside of the Greenville city limits.

The Greenville Utilities Commission (GUC) Charter, as amended in 1991, requires prior approval by the City Council for sanitary sewer extensions and connections to properties that are outside of the City's ETJ. The petitioner is also required to submit a voluntary annexation petition. This condition for consideration has given the City Council time for careful evaluation of the reasons for such extensions in connection with adopted land use policies on a case-by-case basis, thus allowing the City Council to make decisions that are in the best interest of the City's future growth.

Mr. Flood stated that, in the past, the City has extended sanitary sewer services to four (4) Pitt County schools (Belvoir Elementary School, Stokes Elementary School, D.H. Conley High School, and Chicod School), which are all outside of the ETJ, and to the Towns of Bethel and Grimesland through interlocal agreements. The City Council has also authorized extension of sanitary sewer to individual homeowners within the ETJ with failing septic systems. In recent years, and in these situations, the homeowner has been required to submit a voluntary delayed annexation agreement.

To date, the City Council has not provided sanitary sewer services to an individual development project located outside of the ETJ that would not be annexed into Greenville. In 1997, a similar request was made of the City to extend sanitary sewer to a mobile home park outside of the ETJ near Belvoir Elementary School. The request was not approved because it would not promote orderly growth for the city and could not be



annexed into the city. Over the years, as requests were made, City staff members have advised owners and developers of the sewer extension and connection policy along with the concerns of the City, although owners were still entitled to make the request for sewer service.

The provision of sanitary sewer is the primary means by which the City grows and increases tax base. Those receiving sanitary sewer are required to voluntarily annex into the city and then receive municipal services. Connection to sanitary sewer benefits a property owner or developer by allowing them to develop their properties at greater densities. In Mr. Williamson's case, if the connection is allowed, the City would not be able to annex the property because of its distance from the City's existing corporate limits and it is unlikely that the City will experience growth into this area within the next 20 years or more.

Although GUC has approved the request and indicated that their ability to serve the property with sanitary sewer contingent upon City Council approval, Mr. Flood stated City staff does not recommend approval of the sanitary sewer connection request. Connection to the sanitary sewer service outside of the ETJ for individual development projects is generally cost-prohibitive to the City, and to date these requests have not been approved. Other reasons to deny such connections include the following:



Staff Recommendations

Staff **does not** recommend approval of the request for the following reasons:

- A. The action will result in a loss of tax base for the city.
- B. The request is inconsistent with existing policies requiring annexation of property into the City that receives sanitary sewer unless it is part of an inter-local agreement.
- C. Extension of sewer will promote sprawl leading to haphazard uncontrolled growth
- D. The action will incent and invite growth outside of Greenville that will ultimately be subsidized by city residents and thus cost taxpayers in the future.
- E. There is no benefit to the city by the requested action.

Find yourself in good company

Council Member Smiley stated that staff has recommended that approval of Mr. Williamson's request is not in the best interest of the City. He said he feels the real issue is the precedent which would be set if approved. He is opposed to granting the extension.



Council Member Blackburn stated this was a very difficult issue for her. It is clear that approval would mean extending sewer service to an area that will never become part of the City, so the City would essentially be subsidizing the service and she does not feel that is good City policy.

Council Member Croskery stated this would be a difficult decision for him, but he feels that approval would be the City Council a precedent that could be interpreted differently by a future Council. He did express concern that some of the staff reasons for denial felt more like excuses than reasons, but said "b" and "e" are probably sufficient to warrant denial.

Council Member Smith stated she has some of the same concerns that have been expressed about the distance and the cost to connect this service, but she does not feel this action would be without benefit to the City. GUC would benefit from this action and GUC is a part of the City.

There being no further discussion, upon motion by Council Member Smiley and second by Council Member Blackburn, the City Council voted 4 to 1 to deny the request to allow connection of Wayne Williamson's property to the sanitary sewer line near his property.

CONTRACT AWARD TO CLARION ASSOCIATES, LLC, TO PREPARE THE CITY OF GREENVILLE'S NEW COMPREHENSIVE PLAN

Chief Planner Thomas Weitnauer stated the City's Comprehensive Plan, Horizons: Greenville's Community Plan, is scheduled for a 10-year update. When Horizons was adopted on January 9, 1992, a commitment was made to review the plan every 5 years and complete a full review of the plan every 10 years from the last adoption date. Staff issued a qualifications-based request for proposals for consultants to assist staff in the update of the plan and received nine proposals.

The Community Development Department created a Comprehensive Plan Consultant Committee comprised of staff members from the Community Development Department's Administration and Planning Divisions, the Public Works Department, and the Purchasing Division. The Consultant Selection Committee ranked consulting firms that responded to the RFQ and interviewed the top two ranked consulting teams. Clarion Associates, LLC is the recommended consulting firm for the preparation of the new 10-year long-range plan which will update Horizons: Greenville's Community Plan. Mr. Weitnauer stated funds for the project have been included in the current year budget for \$140,000.

Following a brief discussion, Council Member Blackburn moved to approve the award of a contract to Clarion Associates, LLC for preparation of the City's new Comprehensive Plan. Council Member Croskery seconded the motion, which passed by unanimous vote.



CLARIFICATION OF DATES FOR CITY-SPONSORED ONE-STOP VOTING SITES

Interim City Manager Hicks stated that the City Council voted on February 9, 2015 to host two additional One-Stop Early Voting sites, one at the County Office Building/PATS Conference Room and the other at the Willis Building. An actual cost estimate for 2015 was not available at that meeting, but has since been provided. Estimated cost for these two sites from October 22-31, which is three days longer than the additional sites were operated in 2013, is \$9,507.65. Comparable dates for operating the two additional sites for a period more similar to 2013 would be from October 26-31, with an expected cost of \$6,300.

Clarification is needed on the specific operating dates desired by the City Council for the additional One-Stop Early Voting sites for the 2015 Municipal Election.

Following a brief discussion, Council Member Smiley moved to host additional One-Stop Early Voting sites at the County Office Building/PATS Conference Room and the Willis Building from Thursday, October 22 to Saturday, October 31, 2015. Council Member Croskery seconded the motion, which passed by unanimous vote.

COMMENTS FROM THE MAYOR AND CITY COUNCIL

The Mayor and City Council made comments about past and future events.

CITY MANAGER'S REPORT

Mr. Hicks gave no report.

ADJOURNMENT

Council Member Blackburn moved to adjourn the meeting, seconded by Council Member Croskery. There being no further discussion, the motion passed by unanimous vote and Mayor Thomas adjourned the meeting at 12:32 a.m.



Respectfully submitted,

A handwritten signature in cursive script that reads "Carol L. Barwick".

Carol L. Barwick, CMC
City Clerk



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Reclassification of two positions in the Public Works Department and resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan)

Explanation: **Abstract:** To maximize departmental effectiveness and efficiency, the Public Works Department is proposing to reclassify two supervisory positions to better align with departmental operations and long-term needs.

Explanation: Two supervisory positions in the Public Works Department are proposed for reclassification to better align with department operations and long-term needs. The reclassification requests are as follows:

Current position title	Current pay grade	Proposed position title	Proposed pay grade
Building & Grounds Crew Leader	111	Landscape Supervisor	114
Cemetery Supervisor	116	Cemetery Supervisor	114

The Public Works Department is proposing to reclassify a Building and Grounds Crew Leader position to Landscape Supervisor. The position will supervise the landscape, tree, and turf maintenance sections of the Building and Grounds Division. The position is proposed to be retitled to Landscape Supervisor because of its focus on landscape enhancements and the planting and cultivating of trees, flowers, shrubs, etc. The proposed Landscape Supervisor position will perform the full range of supervisory responsibilities over Grounds Maintenance Technicians, Laborers, and the Right-of-Way Maintenance Technician. Currently, supervisory responsibilities are limited as a crew leader. Additionally, the position will supervise the community service work program for the Public Works Department.

The Public Works Department is also proposing to reclassify the Cemetery

Supervisor position from a managerial, exempt position to a non-exempt supervisory position. The fundamental reason for the change is due to the need for the position to both oversee and participate in the work of cemetery operations. As a result of the change in duties and responsibilities, the consultant deemed the reclassified Cemetery Supervisor position to be a non-exempt position. The position will be responsible for organizing, prioritizing, leading, and participating in the operations and maintenance of four City-owned cemeteries. The Cemetery Supervisor position is currently vacant. Segal Waters Consulting has evaluated the proposed Landscape Supervisor and Cemetery Supervisor positions and has recommended placement of the positions in pay grade 114.

Fiscal Note: The increase in personnel costs for the Landscape Supervisor position will be offset by the decrease in personnel costs for the Cemetery Supervisor position.

Recommendation: Approve the resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan) to incorporate the proposed changes.

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 [resolution_amending_the_pay_plan_effective_9_10_15_1011184](#)

RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY OF GREENVILLE
ASSIGNMENT OF CLASSES TO SALARY GRADES AND RANGES (PAY PLAN)

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA,
RESOLVES:

Section 1. The City of Greenville Assignment of Classes to Salary Grades and Ranges is hereby amended by adding the following classifications:

<u>Classification Title</u>	<u>Pay Grade</u>
Cemetery Supervisor	114
Landscape Supervisor	114

Section 2. The City of Greenville Assignment of Classes to Salary Grades and Ranges is hereby amended by deleting the following classifications:

<u>Classification Title</u>	<u>Pay Grade</u>
Building & Grounds Crew Leader	111
Cemetery Supervisor	116

Section 3. All inconsistent provisions of former resolutions, ordinances, or policies are hereby repealed.

Section 4. This resolution shall be effective September 10, 2015.

Adopted this the 10th day of September, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

1011184



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Resolution amending the City of Greenville Personnel Policies

Explanation: **Abstract:** City staff has drafted a revised Personnel Policies Manual which updates the City's policies to current laws and practices.

Explanation: City staff drafted a revised Personnel Policies Manual which updates the City's policies to current laws and practices. A City Council Workshop to discuss the revised Personnel Policies was held on August 13, 2015. The changes denoted by City Council at the August 13, 2015 meeting have been made to the draft personnel policies.

The changes made are as follows:

Article VIII, Section 9.0

Issue: Definition of spouse for FMLA purposes

Previous definition of Spouse:

Spouse – a husband or wife recognized by the State of North Carolina.

Changed to read as follows (bolded to show change):

Spouse – a husband or wife recognized by **applicable law**.

Article XI, Section 3.0

Issue: Shorten length of time that a written warning is active from 24 months to 18 months

Previous wording:

(a) Active Written Warning- A written warning is active for a period of twenty-four (24) months after being issued. After twenty-four (24) months of

satisfactory job performance as documented by a satisfactory performance evaluation, the written warning shall become inactive and is not to be used as the basis for any human resources action from that point forward. Any additional active written warning received during the 24-month period will extend the active period of the initial warning by the full period of the subsequent warning (s). Serious disciplinary actions (i.e., suspension without pay, demotion, dismissal) shall not be expunged.

Changed to read as follows (bolded to show change):

(a) Active Written Warning- A written warning is active for a period of **eighteen (18) months** after being issued. After **18 (eighteen) months** of satisfactory job performance as documented by a satisfactory performance evaluation, the written warning shall become inactive and is not to be used as the basis for any human resources action from that point forward. Any additional active written warning received during the **18-month** period will extend the active period of the initial warning by the full period of the subsequent warning(s). Serious disciplinary actions (i.e., suspension without pay, demotion, dismissal) shall not be expunged.

Article XII, Section 4.0

Issue: Codify the number of days for the Director of Human Resources to forward to the employee's department head all information received relating to the grievance

Previous wording:

Filing a Grievance. An employee or former employee shall begin the grievance process by filing a written grievance request with the Director of Human Resources within fifteen (15) days of the occurrence or decision the employee is grieving. After determining that the grievance is a grievable issue and that it has been filed in a timely fashion, the Director of Human Resources shall forward to the employee's department head all information received relating to the grievance.

Changed to read as follows (bolded to show change):

Filing a Grievance. An employee or former employee shall begin the grievance process by filing a written grievance request with the Director of Human Resources within fifteen (15) days of the occurrence or decision the employee is grieving. After determining that the grievance is a grievable issue and that it has been filed in a timely fashion, the Director of Human Resources shall forward **within three (3) days** to the employee's department head all information received relating to the grievance.

Article VIII, Section 9.0

Current wording:

(d) *Both Parents Employed by the City*: If both parents requesting leave are City employees, a combined total of twelve (12) workweeks during a twelve-month period is available to the parents for the birth or adoption of a child or placement for foster care.

Issue: Staff was asked to explore providing both parents employed by the City the full 12-week FMLA leave entitlement for the birth or adoption of a child or placement for foster care.

HR staff conducted a survey of other benchmark cities with regard to their policy related to this issue. Following are the survey results:

City of Raleigh - permits a combined total of 12 workweeks
City of Greensboro - permits a combined total of 12 workweeks
City of Durham - permits a combined total of 12 workweeks
City of Winston-Salem – permits each employee to take up to 12 workweeks
City of Fayetteville – permits a combined total of 12 workweeks
City of Wilmington - permits a combined total of 12 workweeks
City of High Point - permits a combined total of 12 workweeks
City of Asheville - permits a combined total of 12 workweeks
City of Concord - permits a combined total of 12 workweeks
City of Gastonia - permits a combined total of 12 workweeks
City of Rocky Mount - permits a combined total of 12 workweeks

Staff's recommendation is to maintain the current wording.

Fiscal Note: None

Recommendation: Adopt the resolution amending the City of Greenville Personnel Policies

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Attachments / click to download

 [Resolution approving adoption of personnel policies 1009523](#)

RESOLUTION NO. _____
A RESOLUTION AMENDING THE CITY OF GREENVILLE
PERSONNEL POLICIES

WHEREAS, the City of Greenville Personnel Policies were approved on June 11, 1993, by resolution; and

WHEREAS, since that time, there have been new legislation and best practices with regard to human resources management, requiring revisions to the current Personnel Policies; and

WHEREAS, City staff has completed an extensive redrafting and revision of the City of Greenville's Personnel Policies Manual which updates the policies to current laws and practices; and

WHEREAS, the City Council has considered these revised personnel policies at its workshop on August 13, 2015, and all changes have been incorporated;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, RESOLVES:

Section 1. The revised City of Greenville Personnel Policies, dated September 10, 2015, be and are hereby adopted herein by reference.

Section 2. All inconsistent provisions of former resolutions, ordinances, or policies are hereby repealed.

Section 3. This resolution shall be effective upon its adoption.

ADOPTED this the 10th day of September, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

1009523



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

-
- Title of Item:** Resolution accepting dedication of rights-of-way and easements for Davenport Farms at Emerald Park Phase 1, Section 3, and Phase 2, Section 1 and Langston West Section 6
- Explanation:** **Abstract:** This item proposes a resolution to accept dedication of rights-of-way and easements for Davenport Farms at Emerald Park Phase 1, Section 3, and Phase 2, Section 1 and Langston West Section 6.
- Explanation:** In accordance with the City's Subdivision regulations, rights-of-way and easements have been dedicated for Davenport Farms at Emerald Park Phase 1, Section 3, and Phase 2, Section 1 (Map Book 76 at Pages 188-191) and Langston West Section 6 (Map Book 78 at Page 79). A resolution accepting the dedication of the aforementioned rights-of-way and easements is attached for City Council consideration. The final plats showing the rights-of-way and easements are also attached.
- Fiscal Note:** Funds for the maintenance of these rights-of-way and easements are included within the fiscal year 2015-2016 budget.
- Recommendation:** Adopt the attached resolution accepting dedication of rights-of-way and easements for Davenport Farms at Emerald Park Phase 1, Section 3, and Phase 2, Section 1 and Langston West Section 6

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

Attachments / click to download

[Davenport Farm at Emerald Park](#)

[Langston West](#)

[September 2015 Right of Way Resolution 1010456](#)

RESOLUTION NO.
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:

Davenport Farms at Emerald Park	
Phase 1, Section 3 and Phase 2, Section 1	Map Book 76 Pages 188-191
Langston West Section 6	Map Book 78 Page 79

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 10th day of September, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

NORTH CAROLINA
PITT COUNTY

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

WITNESS my hand and official seal this the 10th day of September, 2015.

Attachment number 1
Page 2 of 2

Notary Public

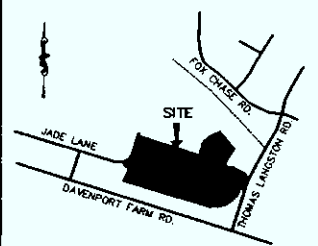
My Commission Expires: August 5, 2016

SURVEY NOTES

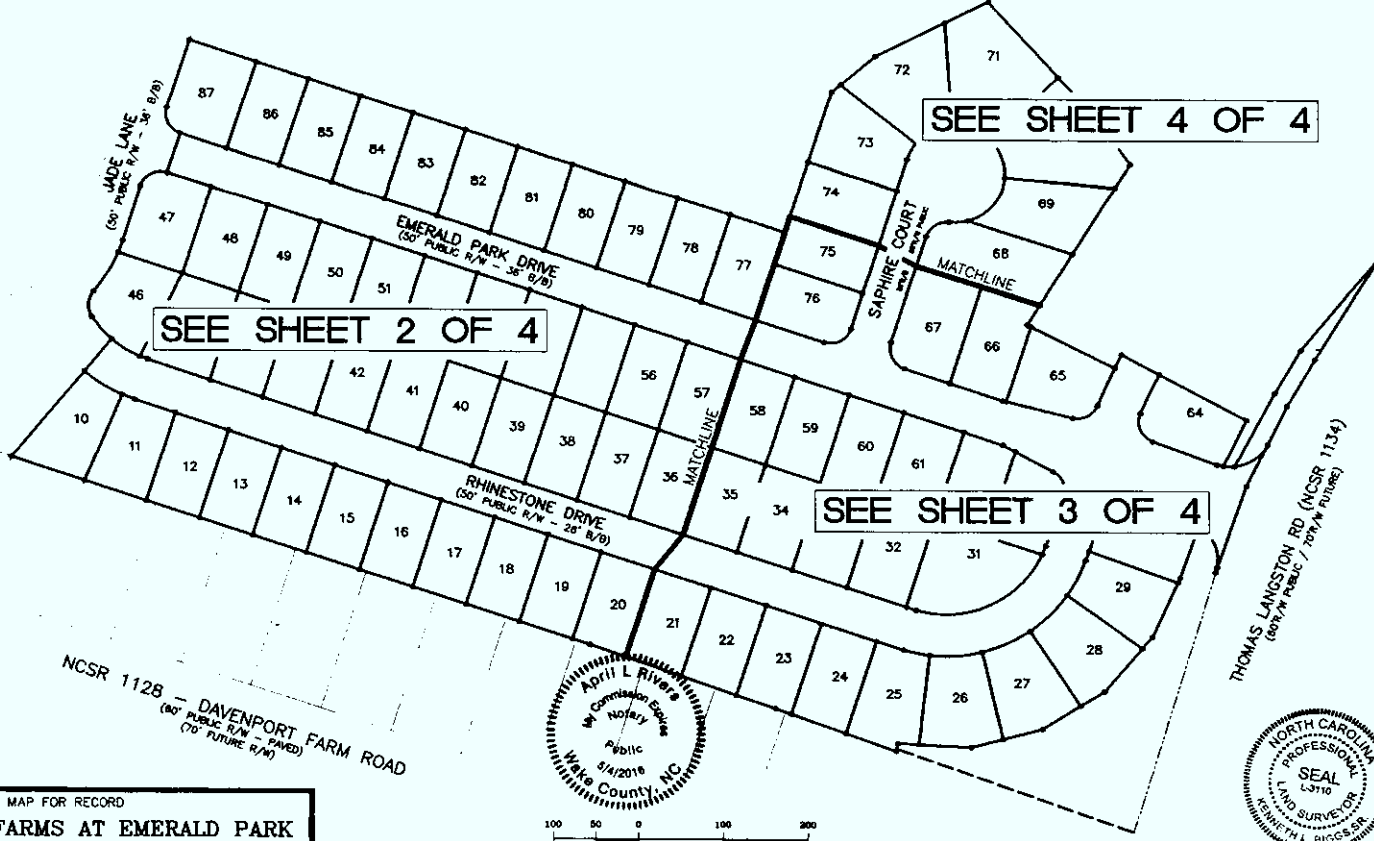
- ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS UNLESS SHOWN OTHERWISE.
- LOT AREA COMPUTED BY COORDINATE GEOMETRY METHOD.
- THIS PROPERTY IS NOT LOCATED IN ZONE AE AND IS NOT IN A SPECIAL FLOOD HAZARD AREA AS TAKEN FROM THE N.F.I.P. RATE MAPS DATED JANUARY 2, 2004 AND PRELIMINARY REVISION DATE OF JUNE 8, 2011, COMMUNITY PANEL NUMBER 3720466500 AND 3720466500-K.
- PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY, AND RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD.
- NO N.C.G.S. CONTROL MONUMENTS FOUND WITHIN 2000 FEET OF THE PROPERTY.
- NO TITLE OPINION OR TITLE COMMENT WAS PROVIDED TO COASTAL CAROLINA SURVEYORS, PLLC AT THE TIME OF THIS SURVEY.
- IRON PIPES ARE SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.
- THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- INTERIOR R/W SUBJECT TO 25' X 25' SIGHT TRIANGLE, TYPICAL.
- NCDDOT R/W SUBJECT TO 10' X 70' SIGHT TRIANGLE.
- STORM DRAINAGE EASEMENTS ARE CENTERED ON PIPE AS INSTALLED.
- NO BUILDING, STRUCTURES OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS AND APPURTENANCES THERETO, SIGNAGE, FENCES, WALLS MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIAL, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPROVED SURFACES SHALL ENCROUGH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.
- THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRIC LINES IS FOR THE PURPOSE OF ESTABLISH THE WIDTH OF SAID EASEMENT. THE EASEMENTS SHOWN ARE NOT EXCLUSIVE AND WILL PERMIT THE FUTURE INSTALLATION OF WATER, SANITARY SEWER, GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.

Doc ID: 0118526004 Type: GSP
 Recorded: 07/18/2013 at 04:07:44 PM
 Fee Amt: \$84.00 Page 1 of 4
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 Bk 76 Pg 188-191

CERTIFICATE OF HIGHWAYS DISTRICT ENGINEER CERTIFICATE
 I HEREBY CERTIFY THAT THE NCSR 1134 HIGH LANE AS DEPICTED HEREON BEING IS NOT CONSISTANT WITH THE REQUIREMENTS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
 [Signature] DISTRICT ENGINEER
 [Signature] DATE
 Reference Sheets 3 of 4 and 4 of 4.



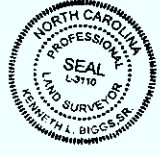
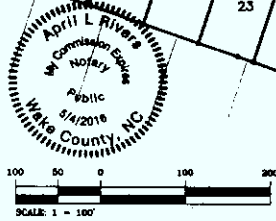
VICINITY SKETCH
 1" = 100'



LEGEND
 EIP - EXISTING IRON PIPE
 IPS - IRON PIPE SET
 NPS - NO POINT SET
 MNS - MAG NAIL SET
 R/W - RIGHT OF WAY
 C-1 - CURVE DATA
 NTS - NOT TO SCALE
 ST - SIGHT TRIANGLE
 DI - DROP INLET

SITE DATA
 TOTAL ACREAGE.....17.87 ACRES
 NUMBER OF LOTS.....77
 SUBDIVISION RIGHT OF WAY.....3.73 ACRES
 SUBDIVISION ACREAGE.....13.97 ACRES
 COMMON AREA ACREAGE.....0.07 ACRES
 PROPOSED RIGHT OF WAY.....0.10 ACRES

CERTIFICATION
 STATE OF NORTH CAROLINA
 PITT COUNTY
 I, KENNETH BIGGS, SR., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. DEED DESCRIPTION RECORDED IN BOOK 2281 PAGE 274. THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS BEING FROM INFORMATION FOUND IN BOOK _____ PAGE _____ THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000. THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.
 I, THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
 WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 23RD DAY OF MAY, A.D. 2013.
 SEAL OR STAMP
 [Signature] KENNETH L. BIGGS, SR., L.S.M.



SHEET NO. 1 OF 4

MAP FOR RECORD

DAVENPORT FARMS AT EMERALD PARK

PHASE - 1, SECTION - 3 AND PHASE - 2, SECTION - 1
 BEING PITT COUNTY TAX PARCELS 75971 AND 33365 AS RECORDED IN DEED BOOK 2891, PAGE 274 OF THE PITT COUNTY REGISTRY

GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: REDUS NC ALL LLC C/o Chris Willard ADDRESS: 3365 PHILLIPS HWY, SUITE 601E JACKSONVILLE, FL 32207 PHONE: (919) 334-2628	ECC, LLC (Local Agent) C/o Howard Nichols PO BOX 20714 GREENVILLE, NC 27858 (252) 327-8623
COASTAL CAROLINA SURVEYORS, PLLC LAND SURVEYORS P-0760 PO BOX 2768, WINTERVILLE, NC 28580 CELL (262) 702-1427, FAX (262) 321-8021 landaggs@sho.com	SURVEYED: KLB DRAWN: KLB CHECKED: KLB APPROVED: DATE: 03-12-13 SCALE: 1" = 100'

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 2891 PAGE 274
 POEED BOOK _____ PAGE _____
 DEED BOOK _____ PAGE _____
 DEED BOOK _____ PAGE _____
 MAP BOOK 25 PAGE 86

[Signature] KENNETH L. BIGGS, SR.
 NORTH CAROLINA LICENSE NO. L-3110

OWNER'S STATEMENT

THIS IS EVIDENCE THAT THIS FINAL (RECOMBINATION) IS MADE AT THE REQUEST OF REDUS NC ALL LLC BY KENNETH L. BIGGS, SR., L.S.M. AND SUBSCRIBED BEFORE ME THIS 23RD DAY OF MAY, 2013.

[Signature] KENNETH L. BIGGS, SR.
 NOTARY PUBLIC
 MY COMMISSION EXPIRES: 5-4-16

APPROVAL

THIS FINAL PLAT NO. 13-09 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 22ND DAY OF MARCH, 2013.

SIGNED [Signature] CITY PLANNER

DEDICATION

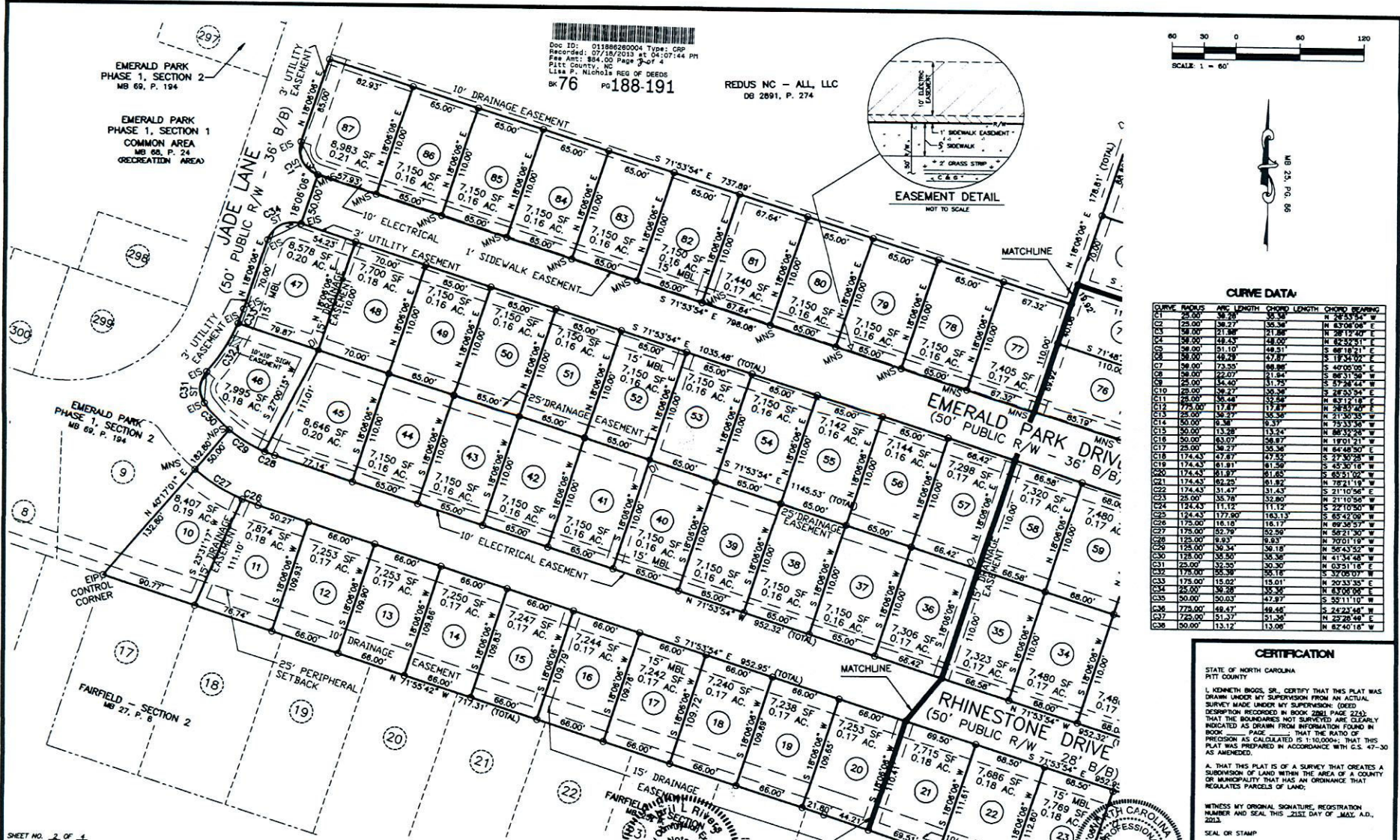
THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATE(S) TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

SIGNED [Signature]
 ATTEST [Signature]

REVIEW OFFICER

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

[Signature] 7/16/13
 REVIEW OFFICER D.T.H.



Doc ID: 0188626004 Type: GPD
 Recorded: 07/18/2013 at 04:07:44 PM
 Fee Amt: \$84.00 Page 2 of 4
 Pitt County, NC
 Lisa P. Rhinestone REG OF DEEDS
 BK 76 Pg 188-191

REDUS NC - ALL, LLC
 DB 2891, P. 274



EASEMENT DETAIL
 NOT TO SCALE

CURVE DATA

CURVE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C01	25.00	39.28	N 248.50° E
C02	125.00	191.77	N 82.00° E
C03	58.00	21.88	N 281.20° E
C04	58.00	48.43	N 42.21° E
C05	58.00	51.10	N 48.81° E
C06	58.00	58.28	N 57.30° E
C07	58.00	73.35	N 68.00° E
C08	58.00	92.07	N 81.94° E
C09	58.00	114.40	N 97.24° E
C10	58.00	140.27	N 123.91° E
C11	75.00	35.44	N 279.10° E
C12	75.00	48.27	N 312.87° E
C13	25.00	39.28	N 21.30° E
C14	50.00	78.56	N 42.60° E
C15	50.00	117.84	N 63.90° E
C16	50.00	157.12	N 85.20° E
C17	25.00	39.28	N 106.50° E
C18	174.43	47.87	S 72.50° W
C19	174.43	61.91	S 85.30° W
C20	174.43	81.87	S 108.10° W
C21	174.43	111.82	S 130.90° W
C22	174.43	141.77	S 153.70° W
C23	25.00	39.28	N 11.30° W
C24	50.00	78.56	N 22.60° W
C25	50.00	117.84	N 33.90° W
C26	174.43	157.12	N 55.20° W
C27	174.43	196.40	N 76.50° W
C28	174.43	235.68	N 97.80° W
C29	174.43	274.96	N 119.10° W
C30	174.43	314.24	N 140.40° W
C31	25.00	39.28	N 161.70° W
C32	50.00	78.56	N 173.00° W
C33	50.00	117.84	N 184.30° W
C34	174.43	157.12	N 205.60° W
C35	174.43	196.40	N 226.90° W
C36	174.43	235.68	N 248.20° W
C37	25.00	39.28	N 269.50° W
C38	50.00	78.56	N 280.80° W

CERTIFICATION

STATE OF NORTH CAROLINA
 PITT COUNTY

I, KENNETH BIGGS, SR., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 2891 PAGE 224); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

A. THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL, THIS 23RD DAY OF MAY, A.D., 2013.

SEAL OR STAMP

Kenneth L. Biggs, Sr.
 KENNETH L. BIGGS, SR., L-3110



SHEET NO. 2 OF 4
 MAP FOR RECORD
DAVENPORT FARMS AT EMERALD PARK
 PHASE - 1, SECTION - 3 AND PHASE - 2, SECTION - 1
 BEING PITT COUNTY TAX PARCELS 75971 AND 33365 AS RECORDED IN DEED BOOK 2891, PAGE 274 OF THE PITT COUNTY REGISTRY
 GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: REDUS NC ALL LLC
 C/o Chris Willard
ADDRESS: 3553 PHILLIPS HWY, SUITE 601E
 JACKSONVILLE, FL 32207
PHONE: (919) 334-2628

ECC, LLC (Local Agent)
 C/o Howard Nichols
 PO BOX 20714
 GREENVILLE, NC 27858
 (252) 327-9623

COASTAL CAROLINA SURVEYORS, PLLC
 LAND SURVEYORS P-0790
 PO BOX 2768, WINTERVILLE, NC 28590
 CELL (252) 702-1427, FAX (252) 321-8621
 kenbiggs1@yahoo.com

SURVEYED: KLB
DRAWN: KLB
CHECKED: KLB

APPROVED: KLB
DATE: 03-12-13
SCALE: 1" = 60'

DEED BOOK 2891 PAGE 274
DEED BOOK PAGE
MAP BOOK 25 PAGE 86

Wanda L. Biggs, Sr.
 NORTH CAROLINA LICENSE NO. C-3110

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:

OWNER'S STATEMENT
 THIS IS EVIDENCE THAT THIS FINAL PLAT (RECOMBINATION) IS MADE AT THE REQUEST OF REDUS NC ALL, LLC
 BY: Chris Willard
 SWORN AND SUBSCRIBED BEFORE ME THIS 23RD DAY OF MAY, 2013.
 Wanda L. Biggs, Sr.
 NOTARY PUBLIC
 MY COMMISSION EXPIRES: 5-4-16

APPROVAL
 THIS FINAL PLAT NO. 13-09 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 22TH DAY OF MARCH, 2013.

Chris Willard
 SIGNED CITY PLANNER

DEDICATION
 THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATE(S) TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

Chris Willard
 SIGNED
 ATTEST

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

Andrew Thomas, Jr.
 REVIEW OFFICER

REDUS NC - ALL, LLC
DB 2891, P. 274

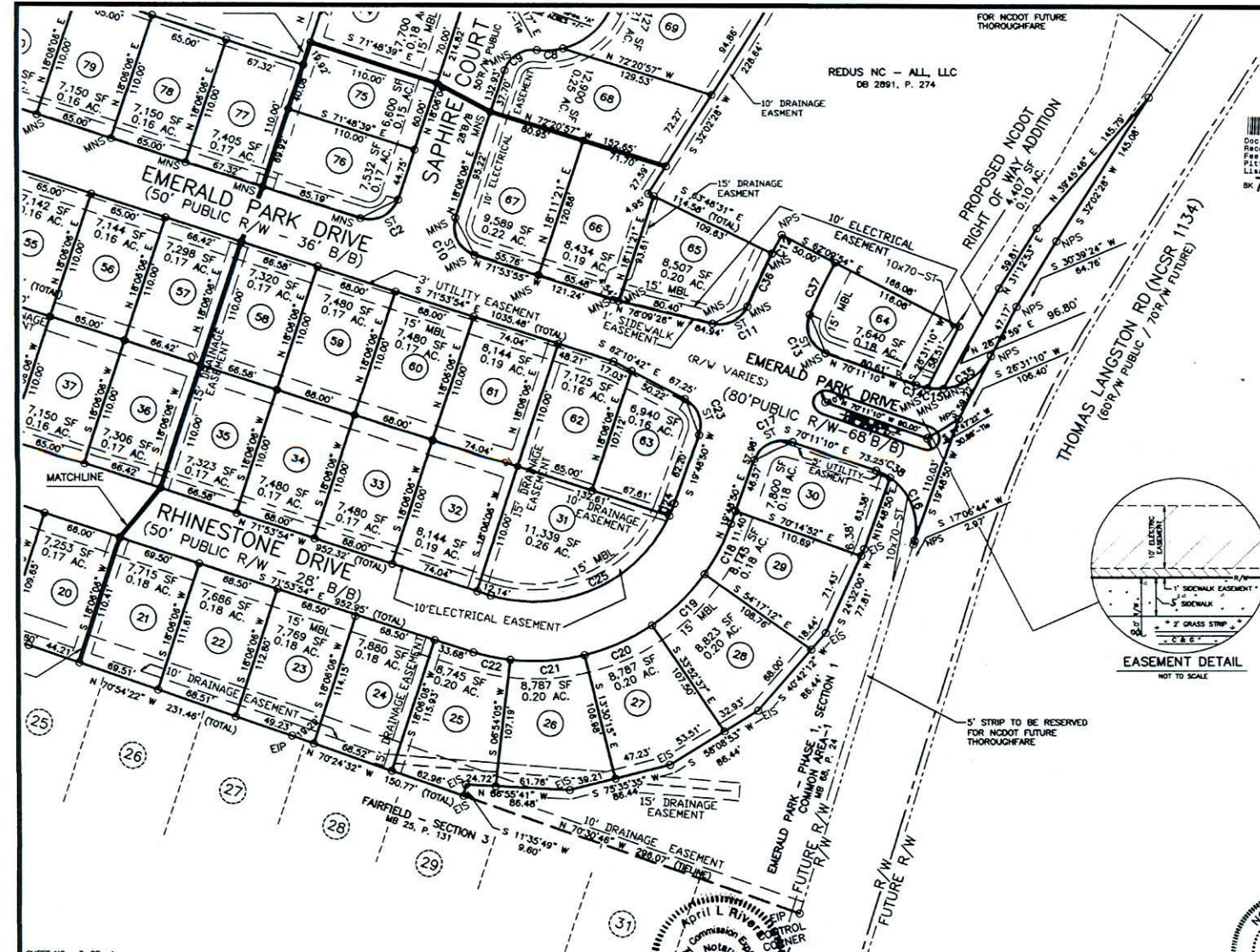
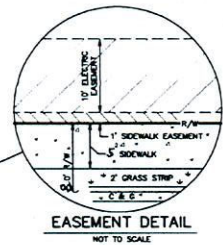


Doc ID: 0188656004 Type: CAP
Recorded: 07/18/2013 at 04:07:44 PM
Fee Amt: \$84.00 Page 3 of 4
Pitt County, NC
Lisa P. Nichols, REG. OF DEEDS
BK 76 PG 188-191



CURVE DATA

CURVE	ADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C01	25.00	38.28	35.38	N 283.954° W
C02	69.00	21.88	21.88	N 281.740° E
C03	38.00	48.25	48.00	N 82.325° E
C04	69.00	21.88	21.88	N 89.181° E
C05	38.00	48.25	47.72	N 37.034° E
C06	69.00	21.88	21.88	S 40.080° E
C07	69.00	21.88	21.88	N 83.178° E
C08	69.00	21.88	21.88	N 83.178° E
C09	69.00	21.88	21.88	N 21.302° E
C10	69.00	21.88	21.88	N 21.302° E
C11	69.00	21.88	21.88	N 78.533° E
C12	69.00	21.88	21.88	N 78.533° E
C13	69.00	21.88	21.88	N 19.012° W
C14	69.00	21.88	21.88	N 64.482° E
C15	69.00	21.88	21.88	S 27.252° E
C16	69.00	21.88	21.88	N 19.012° W
C17	69.00	21.88	21.88	N 64.482° E
C18	174.43	51.47	51.43	S 27.252° E
C19	174.43	51.47	51.43	S 42.301° W
C20	174.43	51.47	51.43	S 68.510° E
C21	174.43	51.47	51.43	N 78.211° W
C22	124.43	11.12	11.12	S 27.252° E
C23	124.43	11.12	11.12	S 42.301° W
C24	124.43	11.12	11.12	S 27.252° E
C25	124.43	11.12	11.12	N 78.211° W
C26	175.00	16.18	16.17	N 69.365° W
C27	175.00	16.18	16.17	N 58.213° W
C28	125.00	8.97	8.97	N 70.011° W
C29	125.00	8.97	8.97	N 58.435° W
C30	125.00	8.97	8.97	N 41.344° W
C31	125.00	8.97	8.97	N 43.511° W
C32	175.00	16.18	16.17	N 58.435° W
C33	175.00	16.18	16.17	N 20.333° E
C34	175.00	16.18	16.17	N 43.008° W
C35	175.00	16.18	16.17	N 20.333° E
C36	175.00	16.18	16.17	N 24.234° W
C37	175.00	16.18	16.17	N 22.240° E
C38	50.00	13.12	13.06	N 62.401° W



CERTIFICATION

STATE OF NORTH CAROLINA
PITT COUNTY

I, KENNETH BIGGS, SR., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. (DEED DESCRIPTION RECORDED IN BOOK 2881 PAGE 2243) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK _____ PAGE _____ THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

A. THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 23RD DAY OF JUNE, A.D. 2013.

SEAL OR STAMP

Kenneth Biggs, Sr.
KENNETH BIGGS, SR., L-3110

SHEET NO. 3 OF 4

MAP FOR RECORD

DAVENPORT FARMS AT EMERALD PARK

PHASE - 1, SECTION - 3 AND PHASE - 2, SECTION - 1
BEING PITT COUNTY TAX PARCELS 75971 AND 33365 AS RECORDED IN DEED BOOK 2891, PAGE 274 OF THE PITT COUNTY REGISTRY

GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: REDUS NC ALL LLC
C/O Chris Wilford
ADDRESS: 3563 PHILLIPS HWY, SUITE 601E
JACKSONVILLE, FL 32207
PHONE: (919) 334-2628

COASTAL CAROLINA SURVEYORS, PLLC
LAND SURVEYORS P-6790
PO BOX 2768, WINTERVILLE, NC 28590
CELL (202) 702-1427, FAX (202) 321-9821
kambig@ccs-surveyors.com

SURVEYED: KLB
DRAWN: KLB
CHECKED: KLB

APPROVED: DATE: 03-12-13
SCALE: 1" = 60'

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 2891 PAGE 274
PDEED BOOK _____ PAGE _____
DEED BOOK _____ PAGE _____
MAP BOOK 25 PAGE 86

Kenneth Biggs, Sr.
NORTH CAROLINA LICENSE NO. L-3110

OWNER'S STATEMENT

THIS IS EVIDENCE THAT THIS FINAL PLAT (RECOMBINATION) IS MADE AT THE REQUEST OF REDUS NC ALL LLC
By: *Kenneth Biggs, Sr.*
Notary Public
MY COMMISSION EXPIRES: 5-4-16

APPROVAL

THIS FINAL PLAT NO.13-09 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 22ND DAY OF MARCH, 2013.

SIGNED *Andrew Johnson*
CITY PLANNER

DEDICATION

THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATE(S) TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

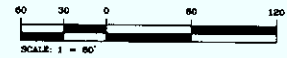
SIGNED *[Signature]*
ATTEST *[Signature]*

REVIEW OFFICER

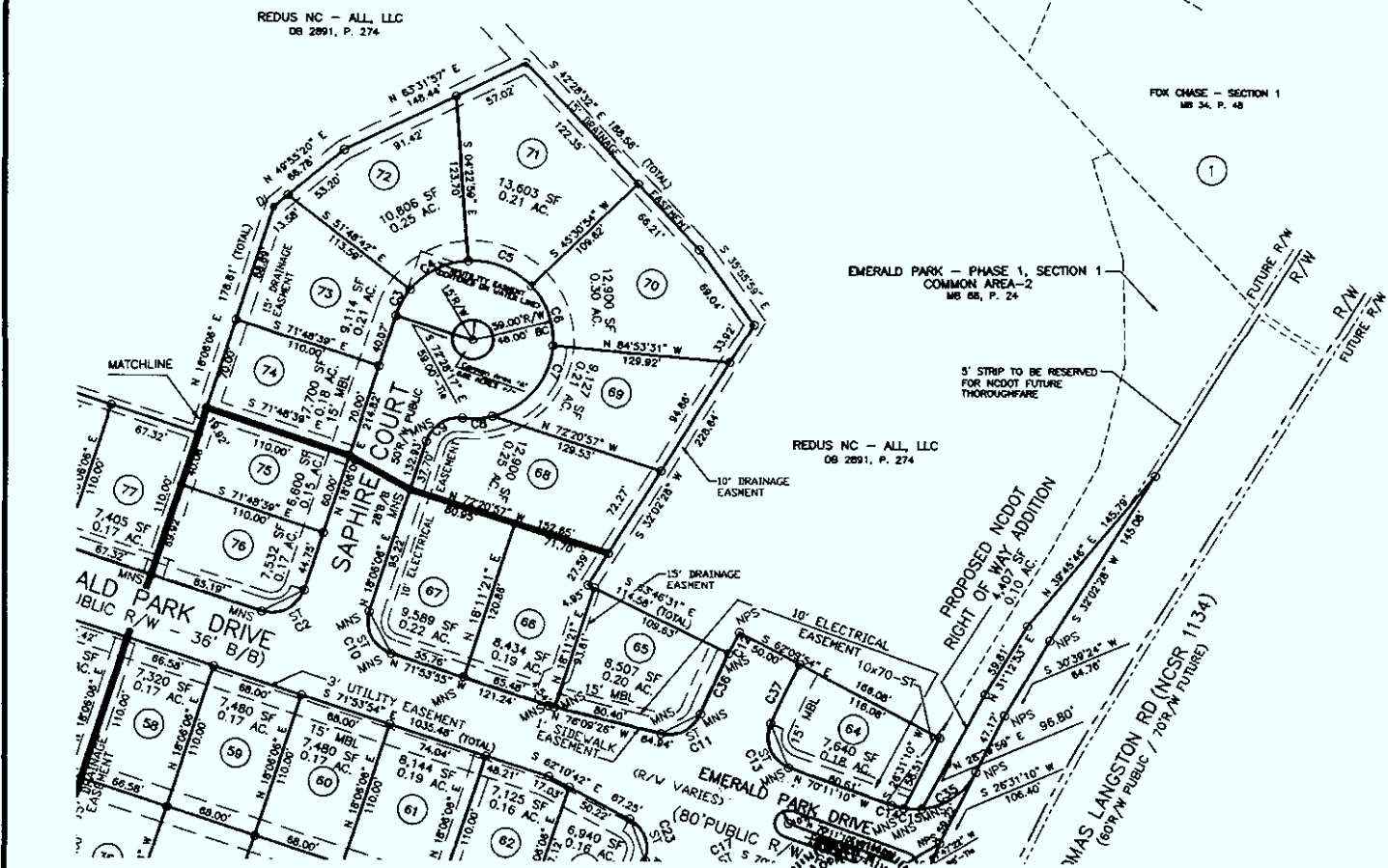
I, *Andrew Thomas*, REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Andrew Thomas
REVIEW OFFICER DATE: 7/15/13

Doc ID: 0188260004 Type: SPT
 Recorded: 07/18/2013 at 04:07:44 PM
 Fee Amt: \$4.00 Page# of 4
 File County: NC
 LISA P. NICHOLS REG OF DEEDS
 EK 76 PG 188-191



MB 25, PG. 86



CURVE DATA

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C01	25.00	38.28	35.38	N 28°49'44" W
C02	18.00	27.18	25.28	N 28°49'44" W
C03	18.00	27.18	25.28	N 28°49'44" W
C04	20.00	28.27	26.00	N 28°49'44" W
C05	20.00	28.27	26.00	N 28°49'44" W
C06	20.00	28.27	26.00	N 28°49'44" W
C07	20.00	28.27	26.00	N 28°49'44" W
C08	20.00	28.27	26.00	N 28°49'44" W
C09	20.00	28.27	26.00	N 28°49'44" W
C10	20.00	28.27	26.00	N 28°49'44" W
C11	20.00	28.27	26.00	N 28°49'44" W
C12	20.00	28.27	26.00	N 28°49'44" W
C13	20.00	28.27	26.00	N 28°49'44" W
C14	20.00	28.27	26.00	N 28°49'44" W
C15	20.00	28.27	26.00	N 28°49'44" W
C16	20.00	28.27	26.00	N 28°49'44" W
C17	20.00	28.27	26.00	N 28°49'44" W
C18	174.43	43.87	41.82	N 27°20'25" W
C19	174.43	43.87	41.82	N 27°20'25" W
C20	174.43	43.87	41.82	N 27°20'25" W
C21	174.43	43.87	41.82	N 27°20'25" W
C22	174.43	43.87	41.82	N 27°20'25" W
C23	25.00	38.28	35.38	N 21°05'58" W
C24	124.43	17.12	17.12	N 22°10'50" W
C25	124.43	17.12	17.12	N 22°10'50" W
C26	124.43	17.12	17.12	N 22°10'50" W
C27	124.43	17.12	17.12	N 22°10'50" W
C28	124.43	17.12	17.12	N 22°10'50" W
C29	124.43	17.12	17.12	N 22°10'50" W
C30	124.43	17.12	17.12	N 22°10'50" W
C31	124.43	17.12	17.12	N 22°10'50" W
C32	124.43	17.12	17.12	N 22°10'50" W
C33	124.43	17.12	17.12	N 22°10'50" W
C34	124.43	17.12	17.12	N 22°10'50" W
C35	124.43	17.12	17.12	N 22°10'50" W
C36	124.43	17.12	17.12	N 22°10'50" W
C37	124.43	17.12	17.12	N 22°10'50" W
C38	124.43	17.12	17.12	N 22°10'50" W
C39	124.43	17.12	17.12	N 22°10'50" W
C40	124.43	17.12	17.12	N 22°10'50" W
C41	124.43	17.12	17.12	N 22°10'50" W
C42	124.43	17.12	17.12	N 22°10'50" W
C43	124.43	17.12	17.12	N 22°10'50" W
C44	124.43	17.12	17.12	N 22°10'50" W
C45	124.43	17.12	17.12	N 22°10'50" W
C46	124.43	17.12	17.12	N 22°10'50" W
C47	124.43	17.12	17.12	N 22°10'50" W
C48	124.43	17.12	17.12	N 22°10'50" W
C49	124.43	17.12	17.12	N 22°10'50" W
C50	124.43	17.12	17.12	N 22°10'50" W

CERTIFICATION

STATE OF NORTH CAROLINA
 PITT COUNTY

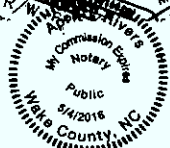
I, KENNETH BODGE, SR., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. (SEE DESCRIPTION RECORDED IN BOOK 2881, PAGE 2255.) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK _____, PAGE _____ THAT THE BIRTH OF PRESSION AS CALCULATED IS 1:10,000. THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

A. THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 20th DAY OF MAY, A.D., 2013.

SEAL OR STAMP

Matthew L. Bodge, Sr.
 KENNETH BODGE, SR., L-3110



SHEET NO. 1 OF 1

MAP FOR RECORD

DAVENPORT FARMS AT EMERALD PARK

PHASE - 1, SECTION - 3 AND PHASE - 2, SECTION - 1
 BEING PITT COUNTY TAX PARCELS 75971 AND 33365 AS RECORDED IN DEED BOOK 2891, PAGE 274 OF THE PITT COUNTY REGISTRY

GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: REDUS NC ALL LLC
 C/o Chris Wilford
ADDRESS: 3563 PHILLIPS HWY, SUITE 601E
 JACKSONVILLE, FL 32207
PHONE: (919) 334-2628

ECC, LLC (Local Agent)
 C/o Howard Nichols
 PO BOX 20714
 GREENVILLE, NC 27858
 (252) 327-9523

COASTAL CAROLINA SURVEYORS, PLLC
 LAND SURVEYORS P-0780
 PO BOX 2768, WINTERVILLE, NC 28590
 CELL (252) 702-1427, FAX (252) 321-8821
 kambi@gattly.com

SURVEYED: KLB
APPROVED: KLB
DRAWN: KLB
DATE: 05-12-13
CHECKED: KLB
SCALE: 1" = 60'

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 2891 PAGE 274
 PDEED BOOK _____ PAGE _____
 DEED BOOK _____ PAGE _____
 MAP BOOK 25 PAGE 86

Matthew L. Bodge, Sr.
 NORTH CAROLINA LICENSE NO. L-3110

OWNER'S STATEMENT

THIS IS EVIDENCE THAT THIS FINAL PLAT (RECOMBINATION) IS MADE AT THE REQUEST OF REDUS NC ALL LLC
 I, *Chris Wilford*,
 SHOWN AND SUBSCRIBED BEFORE ME THIS 12th DAY OF MAY, 2013.

Chris Wilford
 PRIVATE PUBLIC
 MY COMMISSION EXPIRES: 5-4-16

APPROVAL

THIS FINAL PLAT NO. 13-09 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 27TH DAY OF MAY, 2013.

SIGNED *Andrew Shantz*
 CITY PLANNER

DEDICATION

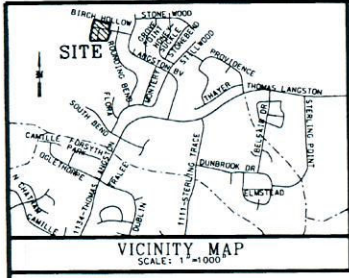
THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATE(S) TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

SIGNED *Andrew Shantz*
 ATTEST *[Signature]*

REVIEW OFFICER

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

Andrew Shantz 7/16/13
 REVIEW OFFICER DATE



CURVE DATA

CL	C2	C3
R= 25.00' Δ= 90°00'00" L= 39.28' Ch=N 70°14'05"E 35.36'	R= 350.00' Δ= 04°01'23" L= 24.58' Ch=N 23°13'42"E 24.57'	R= 350.00' Δ= 18°15'52" L= 111.57' Ch=N 12°04'47"E 111.10'
C4	C5	C6
R= 400.00' Δ= 11°35'44" L= 81.01' Ch=S 08°55'35"W 80.93'	R= 400.00' Δ= 10°30'10" L= 75.32' Ch=S 19°59'01"W 73.22'	R= 25.00' Δ= 90°00'00" L= 39.28' Ch=S 19°45'55"E 35.36'

SITE DATA

NUMBER OF LOTS CREATED.....	11
TOTAL AREA IN TRACT.....	4.4762 AC
AREA IN COMMON AREA.....	0
AREA IN PARKS, RECREATION AREAS AND THE LIKE.....	0

Doc ID: 01269120001 Type: CDP
 Recorded: 12/15/2014 at 04:13:43 PM
 Fee Amt: \$21.00 Page 1 of 1
 Pitt County, NC
 LISA P. MICHAEL REG OF DEEDS
 BK 78 Pg 79

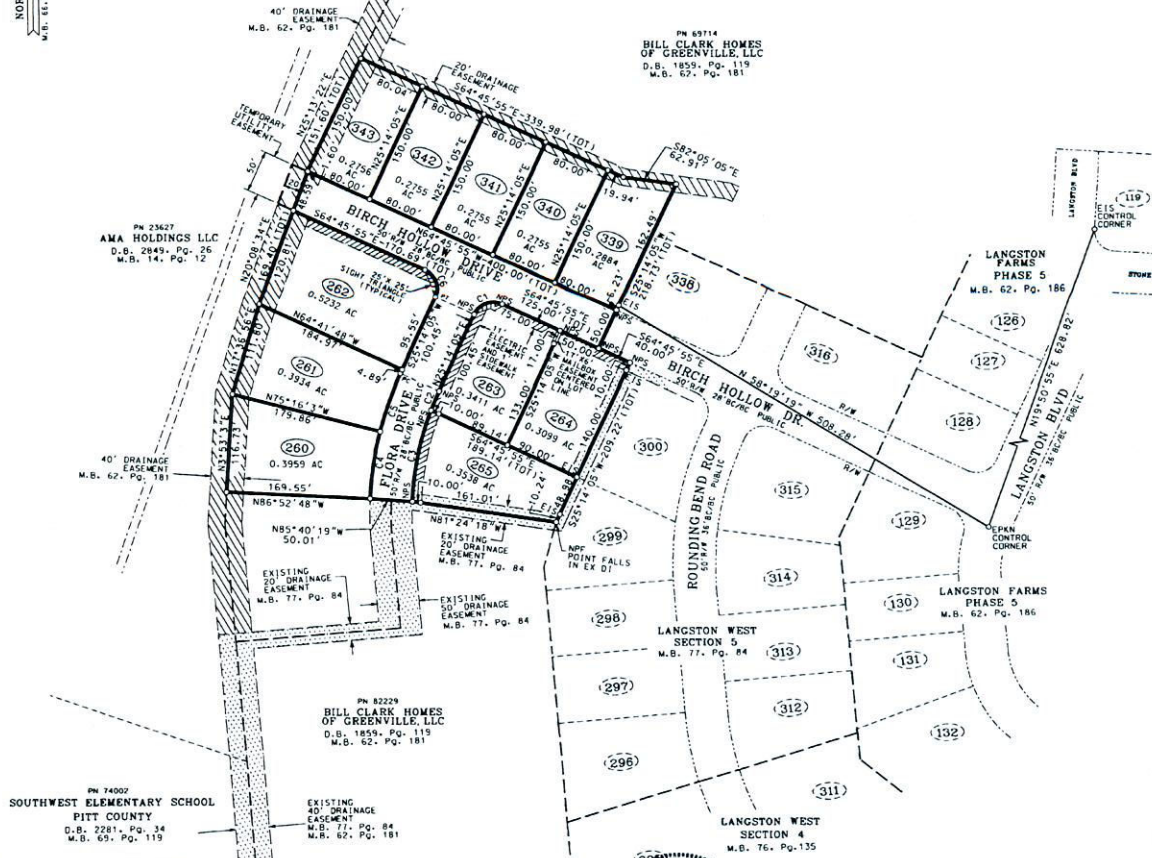
COPY

NOTES:

- THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRIC LINES IS FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF SAID EASEMENT. THE EASEMENTS SHOWN ARE NOT EXCLUSIVE AND WILL PERMIT THE FUTURE INSTALLATION OF WATER, SANITARY SEWER, GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
- ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
- THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM. REFERENCE: FIRM PANEL NUMBER 3720466000. PRELIMINARY DATE JUNE 8, 2011.
- IRON STAKES SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
- NO PERMANENT STRUCTURE(S), INCLUDING BUT NOT LIMITED TO SUBDIVISION SIGNAGE, FENCES OR STORAGE BUILDINGS, SHALL BE CONSTRUCTED OR LOCATED IN ANY DRAINAGE EASEMENT SHOWN ON THIS PLAT WITHOUT PRIOR APPROVAL FROM THE CITY OF GREENVILLE PUBLIC WORKS DEPARTMENT.
- NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERETO, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPERVIOUS SURFACES, SHALL ENDOACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.
- THERE IS A NEW SIDEWALK EASEMENT TO RUN PARALLEL TO THE SOUTHERN RIGHT-OF-WAY OF BIRCH HOLLOW DRIVE. THE EASEMENT IS TO EXTEND FROM THE SOUTHERN RIGHT-OF-WAY TO 1' INSIDE LOTS 264, 263, AND 262. THERE IS ALSO A NEW SIDEWALK EASEMENT THAT RUNS PARALLEL TO THE EASTERN RIGHT-OF-WAY OF FLORA DRIVE AND IS TO EXTEND TO 1' INSIDE LOTS 263 AND 265.

LEGEND

- NPS — NO POINT SET
- EIS — EXISTING IRON STAKE
- EIR — EXISTING IRON ROD
- CH — CHORD
- PT — POINT OF TANGENCY
- PC — POINT OF CURVATURE
- Δ — DELTA
- R — RADIUS
- BC — BACK OF CURB
- AC — ACRES
- L — CURVE LENGTH
- C — CENTERLINE
- R/W — RIGHT-OF-WAY
- EPKN — EXISTING PARKER KALON NAIL
- NIS — NEW IRON STAKE
- CC — CONTROL CORNER
- HSW — HOLE IN THE SIDEWALK
- SPKN — SET PARKER KALON NAIL
- NPf — NO POINT FOUND
- DI — DROP INLET



SURVEYOR'S CERTIFICATION

I, HOWARD O. BARTRAM, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION AND THAT I AM A LICENSED SURVEYOR IN THE STATE OF NORTH CAROLINA. I HAVE REVIEWED THE SURVEY AND CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THE RATIO OF PRECISION IS 1:10,000 AS AMENDED.

I, FURTHER CERTIFY PURSUANT TO G.S. 47-30 THAT THIS SURVEY WAS MADE UNDER MY SUPERVISION AND THAT I AM A LICENSED SURVEYOR IN THE STATE OF NORTH CAROLINA. I HAVE REVIEWED THE SURVEY AND CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THE RATIO OF PRECISION IS 1:10,000 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 10th DAY OF Dec, 2014.

SIGNED: *Howard O. Bartram*
 PROFESSIONAL LAND SURVEYOR L-3634

REVIEW OFFICER'S CERTIFICATE

I, *Aspen Thomas, Jr.*, 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: *Aspen Thomas, Jr.*
 DATE: *12/15/14*

PARCEL NUMBER 82230
 SHEET 1 OF 1 REFERENCE: DEED BOOK 1859, PAGE 119 AND MAP BOOK 62, PAGE 181

MAP FOR RECORD
LANGSTON WEST
SECTION 6
 GREENVILLE, WINTERVILLE TWP., PITT COUNTY, NORTH CAROLINA

OWNER: BILL CLARK HOMES OF GREENVILLE, LLC 200 E. ARLINGTON BLVD. GREENVILLE, NC 27858 (252) 335-5805	SURVEYED: HOB	APPROVED: HOB
DRAWN: G	DATE: 7-31-14	
CHECKED: HOB	SCALE: 1" = 100'	

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 NORTH CAROLINA IS: DEED BOOK 1859 PAGE 119 DEED BOOK PAGE DEED BOOK PAGE <i>Howard O. Bartram</i>	OWNERS STATEMENT THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF SEE ABOVE SIGNATURES OWNER SWORN AND SUBSCRIBED TO BEFORE ME THIS 10th DAY OF Dec, 2014 <i>Howard O. Bartram</i> NOTARY PUBLIC, MY COMMISSION EXPIRES ON
---	---

APPROVAL THIS FINAL PLAT, * 14-48 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 10TH DAY OF DECEMBER, 2014. SIGNED: <i>Aspen Thomas, Jr.</i> CITY PLANNER
--

DEDICATION THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAY-GROUNDS, OPEN SPACES AND EASEMENTS FOREVER, ALL AREAS AS SHOWN OR AS INDICATED ON SAID PLAT. SIGNED: SEE ABOVE SIGNATURES ATTEST: <i>E. A. ...</i>



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Resolution of Intent to Close a Portion of Charles Street

Explanation: **Abstract:** This item is to consider a resolution of intent to close a portion of Charles Street. Upon approval, the City will no longer receive Powell Bill funds for the closed section.

Explanation: The City received a petition from East Carolina University requesting the closure of a portion of Charles Street lying and being north of Tenth Street and at the current terminus of Charles Street. The State of North Carolina owns all of the property adjoining the street section requested to be closed.

The petition has been reviewed by City staff and the Greenville Utilities Commission. Greenville Utilities has requested the placement of an easement over and upon the utilities that will remain in the closed street right-of-way.

Fiscal Note: Budgeted funds for the maintenance of the street section will no longer be required upon adoption of a Resolution to Close by City Council. The City will no longer receive Powell Bill funds for the closed street section.

Recommendation: Approve the Resolution of Intent to Close a Portion of Charles Street setting a public hearing on October 8, 2015, to consider the resolution.

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

Attachments / click to download

 [Charles Street Map](#)

 [CC Resolution of Intent to Close portion of Charles St 1010534](#)

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
DECLARING ITS INTENT TO CLOSE A PORTION OF CHARLES STREET

WHEREAS, the City Council intends to close a portion of Charles Street in accordance with the provisions of G.S. 160A-299;

THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, North Carolina, that it is the intent of the City Council to close said street right-of-way, more particularly described as follows:

To Wit: Being a portion of the 50 foot wide right-of-way of Charles Street as shown on that plat entitled "Street Abandonment Map For a Portion of Charles Street" prepared by The East Group, Project Number 20130198.

Location: Lying and being situated in the City of Greenville, Greenville Township, Pitt County, North Carolina, and being located on the north side of Tenth Street at the current terminus of Charles Street.

Description: Beginning at an existing iron pipe located in the western right-of-way line of Charles Street, with said point being 139.71 feet north of Tenth Street and being the common corner between the property of Joseph Kadane recorded in Deed Book 295, Page 797 and the State of North Carolina property recorded in Deed Book 331, Page 556; thence from said beginning point and running along the western right-of-way line of Charles Street, N10°23'43"E – 79.70 feet to a point at the northern terminus of Charles Street; thence running along the northern terminus of Charles Street, a common line with the State of North Carolina property as recorded in Deed Book 288, Page 814, and Map Book 47, Page 38 (map showing prior closing of a portion of Charles Street), S78°19'48"E – 50.55 feet to an existing iron pipe in the eastern right-of-way line of Charles Street; thence running along the eastern right-of-way line of Charles Street, S10°23'43"W – 96.36 feet to a point; thence leaving the eastern right-of-way line of Charles Street and running across Charles Street, N60°13'12"W – 53.58 feet to an existing iron pipe in the western right-of-way line of Charles Street, the point of beginning, and containing about 4,449 square feet.

BE IT FURTHER RESOLVED that a public hearing will be held in the Council Chamber, City Hall, Greenville, North Carolina, on the 8th day of October, 2015, at 6:00 p.m., to consider the advisability of closing portions of the aforesaid street. At such public hearing, all objections and suggestions will be duly considered.

BE IT FURTHER RESOLVED that a copy of this resolution be published once a week for four (4) consecutive weeks in The Daily Reflector; that a copy of this resolution be sent by certified mail to the owners of property adjacent to the above described street, as shown on the

County tax records, and that a copy of this resolution be posted in at least two (2) places along the portions of the street to be closed.

Duly adopted this the 10th day of September, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

I, WILLIAM B. HILLIARD, PROFESSIONAL LAND SURVEYOR NO. L-4509, CERTIFY TO ONE OR MORE OF THE FOLLOWING AS INDICATED THIS, A OR B:

- A. THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;
- B. THAT THIS PLAT IS OF A SURVEY THAT IS LOCATED IN SUCH PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND;
- C. ANY OF THE FOLLOWING:
 1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET;
 2. THAT THE SURVEY IS OF AN EXISTING BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE; OR
 3. THAT THE SURVEY IS A CONTROL SURVEY.
- D. THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION;
- E. THAT THE INFORMATION AVAILABLE TO THIS SURVEYOR IS SUCH THAT I AM UNABLE TO MAKE A DETERMINATION TO THE BEST OF MY PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

SURVEYOR _____ DATE _____

NOTES:

- 1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.
- 2) THIS PROPERTY IS SUBJECT TO THE TAR/PAMLICO RIVER RIPARIAN BUFFER RULES.
- 3) THE SURVEYOR MADE NO ATTEMPT TO LOCATE OR DELINEATE ANY WETLANDS LOCATED ON THE SUBJECT PROPERTY.
- 4) THE SURVEYOR MAKES NO GUARANTEE THAT THERE ARE NO OTHER EASEMENTS THAT MAY BENEFIT OR BURDEN THE SUBJECT PROPERTY.
- 5) THIS PROPERTY IS LOCATED IN ZONE X AND IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS TAKEN FROM N.F.I.P. RATE MAP DATED JANUARY 2, 2004 COMMUNITY PANEL 3720467700J.
- 6) FOR BUILDING SETBACK RESTRICTIONS REFER TO THE CITY OF GREENVILLE ZONING REQUIREMENTS.

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF GREENVILLE HAS PASSED A RESOLUTION TO CLOSE A PORTION OF LAWRENCE STREET.

RESOLUTION: _____

SIGNED: _____

SIGNED: _____

STATE OF NORTH CAROLINA PITT COUNTY

I, WILLIAM B. HILLIARD, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; (DEED DESCRIPTION RECORDED IN BOOK _____ PAGE _____); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK _____ PAGE _____; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THE GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS WERE PERFORMED TO GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2: STANDARDS FOR GEODETIC NETWORKS AT THE CLASS A ACCURACY CLASSIFICATION (95% CONFIDENCE) AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE GPS SURVEY:

POSITION ACCURACY: < 0.10'
 TYPE OF FIELD PROCEDURE: RTK
 DATE(S) OF SURVEY: 09/15/14
 DATUM/EPOCH: NAD 83 (2011)
 PUBLISHED/FIELD CONTROL MONUMENTS USED: MESSICK & PLANT
 GEOD MODEL: GEOID99
 COMBINED GRID FACTOR: 0.99988921
 UNITS: U.S. SURVEY FEET

THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS DATE DAY OF MONTH, 20 15.

PRELIMINARY
 NOT FOR RECORDATION
 CONVEYANCE OR SALES

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

REVIEW OFFICER _____

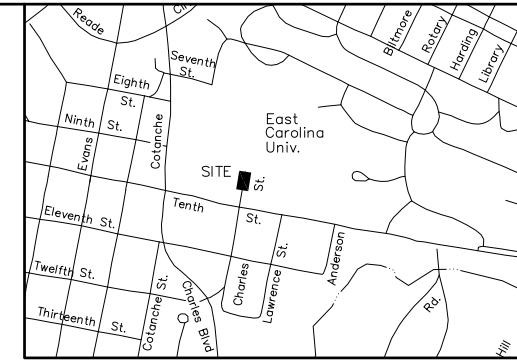
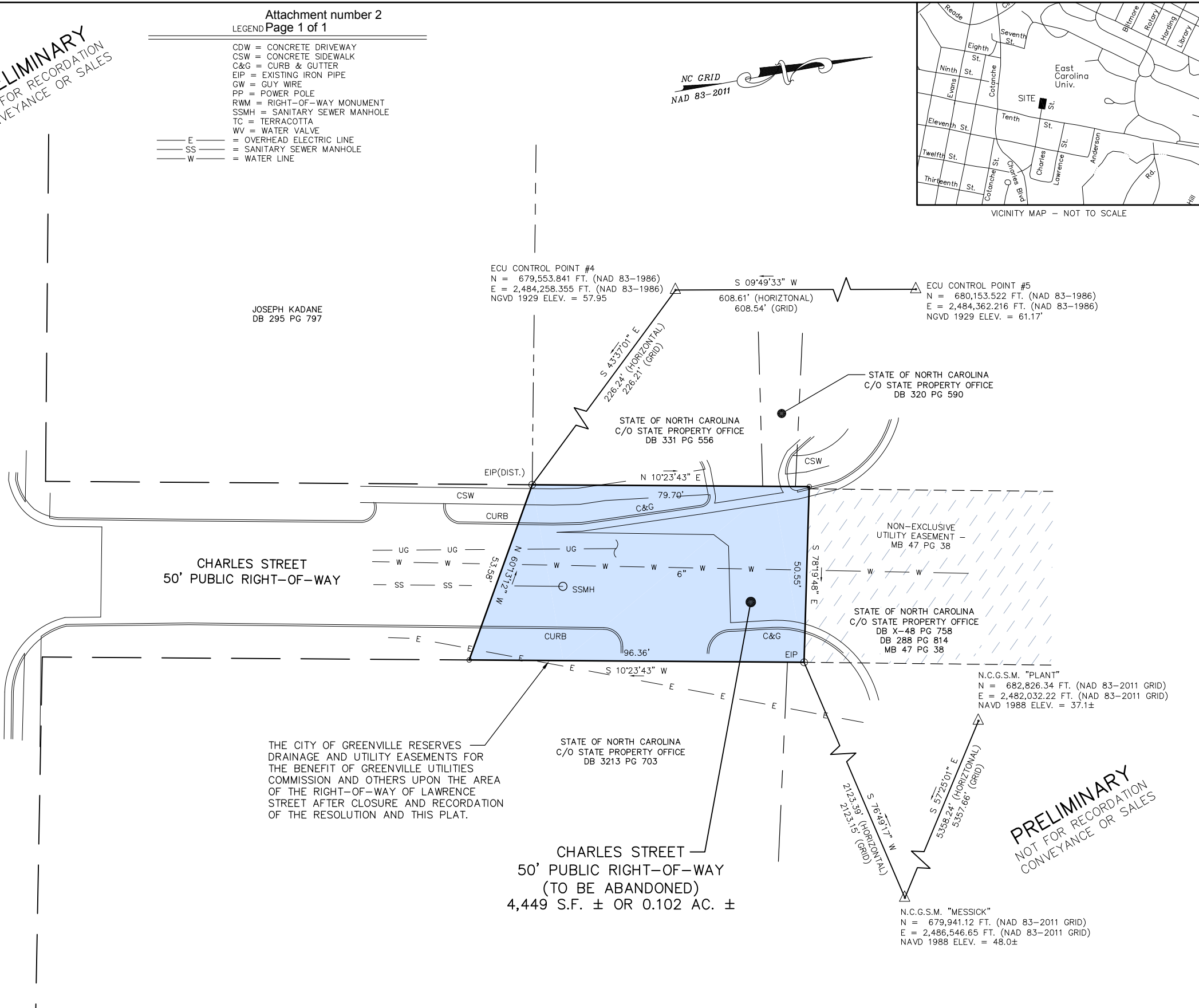
DATE _____

Attachment number 2
 Page 1 of 1

- LEGEND
- CDW = CONCRETE DRIVEWAY
 - CSW = CONCRETE SIDEWALK
 - C&G = CURB & GUTTER
 - EIP = EXISTING IRON PIPE
 - GW = GUY WIRE
 - PP = POWER POLE
 - RWM = RIGHT-OF-WAY MONUMENT
 - SSMH = SANITARY SEWER MANHOLE
 - TC = TERRACOTTA
 - WV = WATER VALVE
 - E — = OVERHEAD ELECTRIC LINE
 - SS — = SANITARY SEWER MANHOLE
 - W — = WATER LINE

PRELIMINARY
 NOT FOR RECORDATION
 CONVEYANCE OR SALES

TENTH STREET NCDOT PUBLIC RIGHT-OF-WAY VARIES



REVISION	DATE	INIT.

DRAWN BY: WBH	PROJECT NO.: 20130198
SURVEYED BY: GDF	DATE: DATE
SCALE: 1" = 20'	DRAWING NAME: charles-street-abandon

THE EAST GROUP
 324 S. EVANS ST. GREENVILLE, NC 27834 (252) 758-3746 CORPORATE LICENSE NO. C0206
 4325 LAKE BOONE TRAIL SUITE 311 RALEIGH, NC 27607 (919) 784-9330
 • Engineering • Architecture • Surveying • Technology

STREET ABANDONMENT
 MAP FOR A PORTION OF
 CHARLES STREET
 FOR THE
 STATE OF NORTH CAROLINA
 CITY OF GREENVILLE
 PITT COUNTY

Item # 6
 DATE _____
 NORTH CAROLINA



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Approval for the Police Department to enter into a five-year lease with TASER International to replace aging TASER devices and create a scheduled payment

Explanation: **Abstract:** The Police Department has 130 TASER electronic control devices in use. These units need to be replaced on a regular basis to ensure proper function and reliability. This lease will create a standard reoccurring payment and ensure replacement of these devices every five years.

Explanation: The Police Department currently has 130 TASERS in use. Thirty (30) of these devices are the X2 model, and the remainder are the X26 model. The X26s are the older units and have reached the end of their life span.


If purchased individually, the new units would cost \$1,605 each. If purchased as part of the five-year lease agreement, each unit will cost \$1,286. There will be an initial purchase to begin the lease and ensure all of the new units are delivered at the same time. This initial purchase will be made using the State Controlled Substance fund within the Police Department budget. This is an acceptable expenditure of these funds based on the State guidelines.

Fiscal Note: The five-year lease requires an initial payment of \$132,741.39, which will be made from the State of North Carolina Controlled Substance account within the budget of the Police Department. Each year thereafter, for the remaining four years of the lease, will require a payment of \$21,115 which will be made from the Contracted Services account of the Administrative Services Bureau within the Police Department. At the conclusion of the lease, the department will own all of the TASER units and will have the option to continue with an extension, thereby replacing all of the units and continuing with an annual payment.

Recommendation: Staff recommends approval of the five-year lease and expenditure of the North Carolina Controlled Substance Funds for the first-year lease payment.

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

Attachments / click to download

 [TASER Quote and Lease Agreement](#)

TASER International

Protect Truth

17800 N 85th St.
Scottsdale, Arizona 85255
United States
Phone: (800) 978-2737
Fax:



David Anderson
(252) 329-4300
danderson@greenvillenc.gov

Quotation

Quote: Q-31330-4
Date: 8/5/2015 5:24 PM
Quote Expiration:
Contract Start Date*: 7/22/2015
Contract Term: 5 years

Bill To:
Greenville Police Department - NC
500 S. GREENE STREET
GREENVILLE, NC 27858
US

Ship To:
David Anderson
Greenville Police Department - NC
500 S. GREENE STREET
GREENVILLE, NC 27858
US

SALESPERSON	PHONE	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Matt Deane		mdeane@taser.com	Fedex - Ground	Net 30

*Note this will vary based on the shipment date of the product.

All Hardware and Year 1 TAP

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
1	22013	KIT, DATAPORT DOWNLOAD, USB, X2/ X26P	USD 164.75	USD 164.75	USD 0.00	USD 164.75
100	85047	TASER ASSURANCE PLAN CEW, X2	USD 0.00	USD 0.00	USD 0.00	USD 0.00
100	85049	TASER ASSURANCE PLAN CEW ANNUAL PAYMENT, X2	USD 211.15	USD 21,115.00	USD 20,000.00	USD 1,115.00
25	22501	HOLSTER, BLACKHAWK, RIGHT, X2, 44HT01BK-R-B	USD 65.85	USD 1,646.25	USD 0.00	USD 1,646.25
75	22504	HOLSTER, BLACKHAWK, LEFT, X2, 44HT01BK-L-B	USD 65.85	USD 4,938.75	USD 0.00	USD 4,938.75
100	22011	APPM, BATTERY PACK, AUTO SHUT OFF, X2/X26P	USD 65.85	USD 6,585.00	USD 0.00	USD 6,585.00
100	85047	TASER ASSURANCE PLAN CEW, X2	USD 0.00	USD 0.00	USD 0.00	USD 0.00
100	22003	HANDLE, YELLOW, CLASS III, X2	USD 1,029.95	USD 102,995.00	USD 0.00	USD 102,995.00
3	22003	HANDLE, YELLOW, CLASS III, X2	USD 1,029.95	USD 3,089.85	USD 3,089.85	USD 0.00
All Hardware and Year 1 TAP Total Before Discounts:						USD 140,534.60
All Hardware and Year 1 TAP Net Amount Due:						USD 117,444.75

Year 2 TAP

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
100	85049	TASER ASSURANCE PLAN CEW ANNUAL PAYMENT, X2	USD 211.15	USD 21,115.00	USD 0.00	USD 21,115.00
Year 2 TAP Total Before Discounts:						USD 21,115.00
Year 2 TAP Net Amount Due:						USD 21,115.00

Year 3 TAP

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
100	85049	TASER ASSURANCE PLAN CEW ANNUAL PAYMENT, X2	USD 211.15	USD 21,115.00	USD 0.00	USD 21,115.00
Year 3 TAP Total Before Discounts:						USD 21,115.00
Year 3 TAP Net Amount Due:						USD 21,115.00

Year 4 TAP

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
100	85049	TASER ASSURANCE PLAN CEW ANNUAL PAYMENT, X2	USD 211.15	USD 21,115.00	USD 0.00	USD 21,115.00
Year 4 TAP Total Before Discounts:						USD 21,115.00
Year 4 TAP Net Amount Due:						USD 21,115.00

Year 5 TAP

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
100	85049	TASER ASSURANCE PLAN CEW ANNUAL PAYMENT, X2	USD 211.15	USD 21,115.00	USD 0.00	USD 21,115.00
Year 5 TAP Total Before Discounts:						USD 21,115.00
Year 5 TAP Net Amount Due:						USD 21,115.00

Subtotal	USD 201,904.75
Estimated Shipping & Handling Cost	USD 1,163.30
Estimated Tax	USD 14,133.34
Grand Total	USD 217,201.39

SIG \$200 Discount Applied

TASER International, Inc.'s Sales Terms and Conditions for Direct Sales to End User Purchasers

By signing this Quote, you are entering into a contract and you certify that you have read and agree to the provisions set forth in this Quote and TASER's current Sales Terms and Conditions for Direct Sales to End User Purchasers or, in the alternative, TASER's current Sales Terms and Conditions for Direct Sales to End User Purchasers for Sales with Financing if your purchase involves financing with TASER. If your purchase includes the TASER Assurance Plan (TAP), then you are also agreeing to TASER's current Sales Terms and Conditions for the AXON Flex™ and AXON Body™ Cameras TASER Assurance Plan (U.S. Only) and/or Sales Terms and Conditions for the X2/X26P and TASER CAM HD Recorder TASER Assurance Plan (U.S. Only), as applicable to your product purchase. All of the sales terms and conditions, as well as, the TAP terms and conditions are posted at <http://www.taser.com/sales-terms-and-conditions>. If your purchase includes AXON hardware and/or EVIDENCE.com services you are also agreeing to the terms in the EVIDENCE.com Master Service Agreement posted at <https://www.taser.com/serviceagreement14>. If your purchase includes Professional Services, you are also agreeing to the terms in the Professional Service Agreement posted at <https://www.taser.com/professional-services-agreement>. If your purchase includes Integration Services, you are also agreeing to the terms in the SOW posted at <https://www.taser.com/integrationstatementofwork14>. You represent that you are lawfully able to enter into contracts and if you are entering into this agreement for an entity, such as the company, municipality, or government agency you work for, you represent to TASER that you have legal authority to bind that entity. If you do not have this authority, do not sign this Quote.

Signature: Ted D. Sauls Jr. Date: 8/20/15
Name (Print): TED D. SAULS JR. Title: INTERIM CHIEF OF POLICE
PO# (if needed): _____

Please sign and email to Matt Deane at mdeane@taser.com or fax to

THANK YOU FOR YOUR BUSINESS!

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**TASER International, Inc.'s Sales Terms and Conditions for the
X2/X26P and TASER CAM HD Recorder TASER Assurance Plan (U.S. Only)
(Effective May 20, 2015)**

These Sales Terms and Conditions ("Terms") apply to your purchase of the TASER® X2™ or X26P™ conducted electrical weapon (CEW), TASER CAM™ HD recorder, related accessories, and the TASER Assurance Plan ("TAP"). The Covered Products and TAP are expressly subject to and conditioned upon the terms set forth below. By signing a quote, issuing a purchase order, or accepting delivery of the products, you accept and are bound to these Terms. Any different or additional terms set forth by you, whether in your purchase order or another communication, are expressly objected to and will not be binding on TASER.

TASER Assurance Plan (TAP). TAP provides you with hardware extended warranty coverage, Spare Products, and Upgrade Models at the end of the TAP term. TAP only applies to the X2 CEW, X26P CEW, and the TASER CAM HD recorder; depending on the product you purchase ("Covered Product"). TAP's purchase price does not include the cost of the Covered Product or any other hardware accessories or software services. TAP does not apply to software or services offered for, by, on, or through the TASER.com or Evidence.com websites. You may not buy more than one TAP for any one Covered Product.

TAP Warranty Coverage. See TASER's current *Hardware Warranty, Limitations and Release for Law Enforcement CEW Products and On-Officer Cameras* at www.TASER.com ("Hardware Warranty"). TAP includes the extended warranty coverage as described in the current Hardware Warranty, starting on the date of initial receipt of the Covered Product. TAP warranty coverage starts at the beginning of the TAP term and continues as long as you continue to pay the required annual fees for TAP. You may not have both an optional extended warranty and TAP on the Covered Product.

Spare Products. TASER will provide a predetermined number of spare CEWs or TASER CAM HD recorders, whichever is applicable, (collectively "Spare Products") to you to keep at your agency location to replace broken or non-functioning units in order to improve the availability of the units to officers in the field. You must return to TASER, through TASER's RMA process, any broken or non-functioning units for which a Spare Product is utilized, and TASER will repair or replace the non-functioning unit with a replacement product. TASER warrants it will repair or replace the unit which fails to function for any reason not excluded by the TAP warranty coverage, during the TAP term with the same product or a like product, at TASER's sole option. You may not buy a new TAP for the

replacement product or the Spare Product.

Within 30 days of the end of the TAP term you must return to TASER all Spare Products. You will be invoiced for and are obligated to pay to TASER the MSRP then in effect for all Spare Products not returned to TASER. If all the Spare Products are returned to TASER, then TASER will refresh your allotted number of Spare Products with Upgraded Models if you purchase a new TAP for the Upgraded Models.

TAP Upgrade Models. After final payment for the 5th year of the TAP term, you must contact TASER at sales@taser.com to arrange return of the Covered Products to TASER. TASER will upgrade those Covered Products, free of charge, with a new unit that is the same product or a like product, in the same weapon class ("Upgrade Model"). For example: (a) if the Covered Product is a single bay CEW, then you may choose any single bay CEW model as your Upgrade Model; (b) if the Covered Product is a multi-bay CEW, then you may choose any multi-bay CEW model as your Upgrade Model; and (c) if the Covered Product is a TASER CAM recorder, then you may choose any TASER CAM model as your Upgrade Model. To continue TAP coverage for the Upgrade Model, you must elect TAP and will be invoiced for the first year payment at the time the upgrade is processed. The TAP payment amount will be the rate then in effect for TAP.

You may elect to receive the Upgrade Model anytime in the 5th year of the TAP term as long as you have made the final TAP payment.

TAP Contract Start Date. The TAP term start date is based upon the shipment date of the Covered Product. If the shipment of the Covered Product occurred in the first half of the month, then the TAP term starts on the 1st of the following month. If the shipment of the Covered Product occurred in the second half of the month, then the TAP term starts on the 15th of the following month.

TAP Early Cancellation or Termination. If written notification of cancellation is received by TASER or an invoice for TAP is more than 30 days past due, then TASER may terminate TAP and all outstanding TAPs for Covered Products with your agency. TASER will provide notification to you that coverage is terminated. Once TAP coverage is terminated, then:

1. TAP coverage will terminate as of the date of cancellation/termination.

**TASER International, Inc.'s Sales Terms and Conditions for the
X2/X26P and TASER CAM HD Recorder TASER Assurance Plan (U.S. Only)
(Effective May 20, 2015)**

2. You will not be eligible to receive TAP coverage in the future for CEW or TASER CAM products.
3. TASER will not and has no obligation to provide the free Upgrade Models at the end of the TAP term.
4. If you made two or more TAP payments, then you will: retain the extended warranty coverage; receive a 50% credit for the difference between TAP payments paid prior to termination and the extended warranty price then in effect for each CEW covered under TAP; and have until the date listed on the termination notification to apply that credit toward the purchase of any TASER products. The credit amount available and expiration date of the credit will be provided to you as part of the termination notification.
5. If you made only one TAP payment, then you may elect to pay the difference between the price for the extended warranty then in effect and the payments made under TAP to continue extended warranty coverage. This election must be made when written notice of cancellation is submitted by you. If you do not elect to continue with an extended warranty, then warranty coverage will terminate as of the date of cancellation/termination.
6. If you received a credit towards your first TAP payment as part of a trade-in promotion, then upon cancellation/termination you will be assessed a \$100 cancellation fee for each Covered Product.
7. You will be invoiced for and are obligated to pay to TASER the MSRP then in effect for all Spare Products provided to you under TAP. If the Spare Products are returned within 30 days of the Spare Product invoice date, credit will be issued and applied against the Spare Product invoice.

TAP Payment Terms. TAP may only be purchased at the point of sale and at time of upgrade under TAP. TASER will separately invoice you on an annual basis for the cost of TAP and you are responsible for payment within 30 days of the invoice (even if TASER does not receive an annual purchase order from you prior to issuing the invoice). The payment due date is based upon the TAP term start date. If multiple purchases of the Covered Products have been made, each purchase may have a separate TAP payment due date. Payment will be considered past due if not paid in full or if not received within 30 days of the invoice date.

Sales Terms. TASER's current *Sales Terms and Conditions for Direct Sales to End User Purchasers*, located at <https://www.taser.com/legal>, are also applicable to your purchase.

No Assignment. You may not assign TAP or any related order and you may not delegate your duties under these Terms without TASER's prior written consent, which will not be unreasonably withheld.

Entire Agreement. These Terms, along with the quote, sales order acknowledgement, *Sales Terms and Conditions for Direct Sales to End User Purchasers*, Hardware Warranty, license and service agreement(s), constitute the entire agreement between the parties for the purchase of the Covered Products and TAP. These Terms supersede and replace any prior agreement or understanding between the parties, including any oral representations concerning the subject matter of this agreement.


TASER International, Inc.

Name: _____
Title: _____
Signature Date: _____

Address:
17800 N. 85th Street
Scottsdale, AZ 85050
Attn: General Counsel
Fax: 480-905-2027
Email: legal@taser.com

Agency Name: GREENVILLE POLICE DEPT.
By: INTERIM CHIEF OF POLICE
Name: TED D. SAULS JR. T.D. Sauls Jr.
Title: DEPUTY CHIEF
Signature Date: 8/20/15

Address:
500 S. GREENE ST.
GREENVILLE, N.C. 27834

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City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Approval of the Greenville Housing Energy Efficiency Improvement Program

Explanation: **Abstract:** The Greenville Utilities Commission has provided funding to the City of Greenville in the amount of \$100,000 for repairs to homes that require energy efficiency improvements.

Explanation: The Greenville Utilities Commission included in their 2015-16 fiscal year budget \$100,000 to the City of Greenville for increasing the energy efficiency of owner-occupied homes in the City of Greenville. Realizing that many homes are not energy efficient, leading to increased energy usage and increased utility costs, this program is designed to address these issues and lower utility costs to homeowners. Some of the major factors that lead to increased energy costs include lack of proper insulation, inefficient heating and cooling systems, and air leaks in the roof systems, windows and doors.

The City of Greenville Community Development Department implements energy efficiency programs and strategies within the substandard housing rehabilitation program. Additionally, the Department has implemented energy improvement grant programs in the past and is currently a recipient of a similar grant from the NC Housing Finance Agency (NCHFA) for urgent repairs. The proposed local grant program will be implemented in a similar method as the grant from the NCHFA because of their similarities. Staff envisions the programs working together in some cases as a result.

Because of the limited funding for these programs, it must be stressed that this program is not a full housing rehabilitation program. However, energy efficiency improvement programs are very effective in reducing energy consumption and related costs. As a general overview, the program will be available to owner-occupants residing within the city limits of Greenville and with an annual income at or below 100% of the area median income as adjusted by family size. For a family of 4, this represents a combined household income of \$53,000 annually.

Eligible home improvements would include the following:

- A. Replacement of inefficient HVAC systems (including upgrades to electrical or gas infrastructure within the home to handle the new system).
- B. Upgrade and/or installation of proper insulation
- C. Replacement of inefficient and air leaky doors and windows
- D. Roof repair when it is evident that it is leading to energy inefficiency

The repair items listed above do not necessarily mean that all of these improvements will be made to each home repaired in the program and are only provided as examples of eligible repairs that might be completed to add to the energy efficiency of a home participating under the program.

Properties with significant repair needs other than energy efficiency improvement needs would not be eligible. In addition, properties with unpaid taxes, significant liens/judgments and/or heir title issues that indicate questionable ownership would not be eligible. Finally, homes having received rehabilitation assistance from the City of Greenville in the past 10 years would not be eligible.

The maximum amount of assistance would be up to \$8,000 in the form of a 5-year deferred loan amortized at 20% of the loan amount annually. The loan would be secured by a Deed of Trust and Promissory Note under the terms identified above.

Homeowners would be invited to apply for assistance from the Community Development Department and selected on a first come first serve pending program eligibility determination basis.

Fiscal Note: \$100,000 in funds provided from the Greenville Utilities Commission.

Recommendation: Approve the program and authorize staff to implement the program.

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Attachments / [click to download](#)



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Report on bids and contracts awarded

Explanation: **Abstract:** The Director of Financial Services reports monthly the bids and/or contracts awarded over a certain dollar threshold by the Purchasing Manager and City Manager.

Explanation: The Director of Financial Services reports that the following bids and contracts were awarded during the month of July, 2015.

Date Awarded	Description	Vendor Purchase Order No.	Amount	MWBE Vendor?	Does Local Preference Apply?
7/2/15	Provide labor and equipment for Right of Way mowing contracts 1 & 2 per bid	C&C Total Lawn Service 16000033	\$67,650.00	No	Yes
7/20/15	Street Sweeper HGACBuy Contract#SW04-14	Johnston North America Inc. 16000156	\$259,115.00	No	No

Fiscal Note: Funds to cover Right of Way Mowing Contracts 1 & 2 in the amount of \$85,000 were approved in the 2015-2016 General Fund Budget.

Funds to cover the Street Sweeper in the amount of \$260,000 were approved in the 2015-2016 Vehicle Replacement Fund Budget.

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

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

Attachments / click to download

 [Bid Tabulation-Right of Way Mowing Contracts](#)

 [HGACBuy Contract for Sweeper](#)

BID TABULATION SHEET
City of Greenville, North Carolina
Public Works Department

Project Name:	City Right of Way Mowing Contracts #1-4	Project No.	BFC-0027
Opening Location:	Public Works Administrative Building 1500 Beatty Street, Greenville, NC	Bid Opening Date:	Thursday, April 23, 2015 @ 10:00 AM

Contractor Name	Pre-Bid	Contract 1 per cycle	Contract 2 per cycle	Contract 3 per cycle	Contract 4 per cycle	Total per cycle
Creative Cuts	Yes	No Bid	No Bid	\$390.00	\$225.00	Total for Contracts 3 & 4 \$615.00
BT Carawan Lawn Care	Yes	\$2,320.00	\$4,210.00	\$1,800.00	\$600.00	\$8,930.00
J & J Turf	Yes	No Bid	No Bid	No Bid	No Bid	No Bid
WAC Corporation	Yes	\$1,175.00	\$2,685.00	\$395.00	\$180.00	\$4,435.00
C & C Total Lawn Care	Yes	\$470.00	\$1,180.00	\$250.00	\$125.00	\$2,025.00
Precision Lawn Care	Yes	No Bid	No Bid	No Bid	No Bid	No Bid

Certified by: _____

Mike Watson, Building Facilities Coordinator

Bid Award:
Contracts 1+2 - C & C Total Lawn Care
Contracts 3+4 - WAC Corporation

COG 978062 V52



City of Greenville
 Financial Services / Purchasing
 P.O. Box 7207
 Greenville, NC 27835
 Telephone: 252-329-4664
 Email: purchasing@greenvillenc.gov

Fiscal Year 2016 Page 1 of 1

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.
 Purchase Order # **16000033-00**

Delivery must be made within doors of specified destination.

B I L L T O

PB
 PUBLIC WORK BLDG & GROUND
 BUILDING & GROUNDS DIV.
 1500 BEATTY STREET
 GREENVILLE NC 27834

V E N D O R

C & C TOTAL LAWN SERVICE
 PO BOX 1451
 WINTERVILLE NC 28590

S H I P

PUBLIC WORK BLDG & GROUND
 BUILDING & GROUNDS DIV.
 1500 BEATTY STREET
 GREENVILLE NC 27834

Vendor Phone Number	Vendor Fax Number	Requisition Number	Delivery Reference
(252)814-9100	(252)227-4183	16000008	

Date Ordered	Vendor Number	Date Required	Freight Method/Terms	Department/Location
07/02/2015	7784			PW-Building & Grounds

Item#	Description/Part No.	Qty	UOM	Unit Price	Extended Price
1	Right of Way mowing contracts The Above Purchase Order Number Must Appear On All Correspondence - Packing Sheets And Bills Of Lading Provide labor and equipment for Right of Way mowing contracts 1 & 2 per the bid dated April 23, 2015. 010-00-55-61-000-000-521500- 33,825.00 011-00-55-61-000-000-521500- 33,825.00	1.0	EACH	\$67,650.000	\$67,650.00

THIS INSTRUMENT HAS BEEN PREAUDITED IN THE MANNER REQUIRED BY THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT.

By Angeline G. Brinkley
 Purchasing Manager

By Bernita W. Demery
 Director of Financial Services
PURCHASING COPY

Total Ext. Price	67,650.00
PO Total	\$67,650.00

Item # 9

Angelene Brinkley

From: Mike Watson
Sent: Monday, August 24, 2015 2:52 PM
To: Angelene Brinkley
Subject: RE: Call Me when you get a minute

Tried calling you a couple of times. I am getting ready to be away from my desk. Hope this helps.

Contract 1:	\$ 470.00	per mowing cycle	(mowing cycle is once a week)
Contract 2:	\$ 1,180.00	per mowing cycle	(mowing cycle is once a week)
Total	\$ 1,650.00		

Awarded to same contractor so combined on one PO.

Mowing contract (cycles) start on July 1st (start of fiscal year) and ends on Dec 1 of calendar year.
Picks back up on March 1 to June 30 (end of fiscal year) the next calendar year.

July 1 - Dec 1	22	weeks	
March 1 - June 30	18	weeks	
	<u>40</u>	weeks	sub-total
	+ 1	week	additional week to cover possible extra cycle (if needed)
	<u>41</u>	weeks	total of PO
	x \$1,650.00		amount of combined each cycles
	<u>\$67,650.00</u>		total amount on original PO

Mike

From: Angelene Brinkley
Sent: Monday, August 24, 2015 12:57 PM
To: Mike Watson
Subject: Call Me when you get a minute

Mike—can you call me when you get back to your desk. I have a question to ask you about the Bid Award to C & C Total Lawn Care. I have to put that one on my Monthly report to City Council this time and I want to make sure I understand the calculations correctly. It is PO#16000033.

Thanks,
Angelene

Angelene E. Brinkley, CLGPO, MPA, CPPO
Purchasing Manager
City of Greenville, NC

Angelene Brinkley

From: Mike Watson
Sent: Monday, August 24, 2015 3:06 PM
To: Angelene Brinkley
Subject: RE: Call Me when you get a minute

Budget for contract 1 & 2 was \$85,000.00

Contract 3 & 4 was not awarded to C & C Total Lawn Care per Kevin Heifferon. He felt that the contractor could not comply with the scope of work in the contracts if he was awarded all 4.

WAC was awarded Contract 3 cause of the LPP over Creative Cuts

From: Angelene Brinkley
Sent: Monday, August 24, 2015 12:57 PM
To: Mike Watson
Subject: Call Me when you get a minute

Mike—can you call me when you get back to your desk. I have a question to ask you about the Bid Award to C & C Total Lawn Care. I have to put that one on my Monthly report to City Council this time and I want to make sure I understand the calculations correctly. It is PO#16000033.

Thanks,
Angelene

Angelene E. Brinkley, CLGPO, MPA, CPPO
Purchasing Manager
City of Greenville, NC
abrinkley@greenvillenc.gov
www.greenvillenc.gov
252-329-4462



Find yourself in good company



CONTRACT PRICING WORKSHEET
For Standard Equipment Purchases

Contract No.:

SW04-14

Date Prepared:

4/22/2015

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	City of Greenville, NC	Contractor:	Johnston North America
Contact Person:	Angel Maldonado	Prepared By:	Mark Ahlstrom for Todd Parsons
Phone:	252-329-4831	Phone:	704-588-4522 / 936-499-7689
Fax:		Fax:	
Email:	amaldonado@greenvillenc.gov	Email:	todd.parsons@johnstonnorthamerica.com

Product Code:	BC01	Description:	Johnston VT-651 vacuum sweeper
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A. Product Item Base Unit Price Per Contractor's H-GAC Contract: 134,000

B. Published Options - Itemize below - Attach additional sheet if necessary - Include Option Code in description if applicable
(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
FL M2-VT-651-2014 Freightliner M2 chassis	81,000	VT651-40 In-cab gutter broom lateral control	1,025
VT651-30 John Deere 115 HP auxiliary engine	4,000	VT651-42 Simultaneous sweeping capability	1000
VT651-32 In cab gutter broom down pressure control	1,600	VT651-50 Hopper screen vibrators, pneumatic	2000
VT651-34 In cab gutter broom tilt control - dual	3,600	VT651-52 Hopper deluge washout system	900
K30811 Fire extinguisher 5.0 lbs	325	VT651-08 Hydraulic catch basin cleaner	6600
VT651-22 Rear vision camera system	1,850	VT651-06 Aluminum catch basin extensions in lieu of std.	1000
A375157 Allison parts manual	225	VT651-18 High pressure power scrub with spray bars	7000
A375158 Allison service manual	300		
JD247496 John Deere parts manual	400		
JD247497 John Deere technical manual	550	Subtotal From Additional Sheet(s):	
VT651-20 Catwalk	475	Subtotal B:	113850

C. Unpublished Options - Itemize below - Attach additional sheet if necessary
(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
Aluminum head gutter brooms in lieu of standard	100	Cummins engine warranty to 5 years / 150K miles	1700
First aid kit, triangle kit, flares	150	Allison engine warranty to 5 years / 150K miles	2,800
Chassis maintenance, parts and technical manuals	500	LED split arrowstick	1250
2nd year sweeper parts warranty	2750	Amber cab mounted strobe light with limb guard	715
Two spare rims - 1 front and 1 rear	400	Subtotal From Additional Sheet(s):	
Factory service training for 1 man w/ lodging & meals	200	Subtotal C:	10565

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). For this transaction the percentage is: 4%

D. Total Cost before any other applicable Charges, Trade-Ins, Allowances, Discounts, Etc. (A+B+C)

Quantity Ordered:	1	X Subtotal of A + B + C:	258415	=	Subtotal D:	258415
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E. Other Charges, Trade-Ins, Allowances, Discounts, Etc.

Description	Cost	Description	Cost
		Transportation, prep and fuel	700
		Subtotal E:	700

F. Total Purchase Price (D+E): 259115

Delivery Date:



City of Greenville
 Financial Services / Purchasing
 P.O. Box 7207
 Greenville, NC 27835
 Telephone: 252-329-4664
 Email: purchasing@greenvillenc.gov

Attachment number 2
 Page 2 of 2
Purchase Order

Fiscal Year 2016 Page 1 of 1

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS
 Purchase Order # **16000156-00**

Delivery must be made within doors of specified destination.

BILL TO

PG
 PUBLIC WORKS GARAGE
 GARAGE DIVISION
 1500 BEATTY STREET
 GREENVILLE NC 27834

VENDOR

JOHNSTON NORTH AMERICA INC
 606 PERFORMANCE RD.
 MOORESVILLE NC 28115

SHIP TO

PUBLIC WORKS GARAGE
 GARAGE DIVISION
 1500 BEATTY STREET
 GREENVILLE NC 27834

Vendor Phone Number		Vendor Fax Number		Requisition Number		Delivery Reference			
Date Ordered		Vendor Number		Date Required		Freight Method/Terms		Department/Location	
(704)658-1333				16000061					
07/20/2015		8644		07/02/2015				PW-Fleet	
Item#	Description/Part No.	Qty	UOM	Unit Price	Extended Price				
1	Sweeper The Above Purchase Order Number Must Appear On All Correspondence - Packing Sheets And Bills Of Lading Specialty Vehicles - Street sweeper 016-01-55-69-000-000-530240-	1.0	EACH	\$259,115.000	\$259,115.00				
					259,115.00				

THIS INSTRUMENT HAS BEEN PREAUDITED IN THE MANNER REQUIRED BY THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT.

By Anneleen G. Brinkley
 Purchasing Manager

By Berita W. Demery
 Director of Financial Services

Total Ext. Price	259,115.00
PO Total	\$259,115.00

Item # 9
 259,115.00
\$259,115.00

PURCHASING COPY



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Various tax refunds greater than \$100

Explanation: **Abstract:** Pursuant to North Carolina General Statute 105-381, refunds are being reported to City Council. These are refunds created by a change or release of value for City of Greenville taxes by the Pitt County Tax Assessor. Pitt County Commissioners have previously approved these refunds; they are now before City Council for their approval as well. These refunds will be reported as they occur when they exceed \$100.

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

Payee	Adjustment Refunds	Amount
Brady Trane Service, Inc.	Registered Motor Vehicles	\$181.13
Lucero Correa-Alfonso	Individual Personal Property	\$168.19
Phyllis S. Crandol	Registered Motor Vehicles	\$108.43
Dalton R. Daniels	Registered Motor Vehicles	\$110.71
Dwight B. Foster	Registered Motor Vehicles	\$120.24
David Smith Gray	Registered Motor Vehicles	\$241.60
Juan de la Cruz Hernandez	Individual Personal Property	\$534.91
Phillip W. Howard, IV	Registered Motor Vehicles	\$428.70
Taylor A. McGrath	Registered Motor Vehicles	\$175.39
Nacco Materials Handling Group, Inc.	Registered Motor Vehicles	\$126.32
Bobby R. Smith	Registered Motor Vehicles	\$158.21
Karen T. Stewart	Registered Motor Vehicles	\$266.93
Michael R. Ussery	Individual Personal Property	\$185.27

Fiscal Note: The total to be refunded is \$2,806.03.

Recommendation: Approval of tax refunds by City Council

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City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Budget ordinance amendment #2 to the 2015-2016 City of Greenville budget (Ordinance #15-032) and amendments to the GTAC Capital Project Fund (Ordinance #07-41), the Special Revenue Grant Fund (Ordinance #11-003), and the West Greenville Revitalization Capital Project Fund (Ordinance #05-50)

Explanation: **Abstract:** This budget amendment is for City Council to review and approve proposed changes to the adopted 2015-2016 budget and the other funds as identified.

Explanation: Attached for consideration at the September 10, 2015, City Council meeting is an ordinance amending the 2015-2016 City of Greenville budget (Ordinance #15-032) and amending the GTAC Capital Project Fund (Ordinance #07-41), the Special Revenue Grant Fund (Ordinance #11-003), and the West Greenville Revitalization Capital Project Fund (Ordinance #05-50). 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 unspent funds received during previous years as donations. The amendment is consistent with prior year(s) based on spending through year-end (\$189,141).

B To update the budget for the Greenville Transportation Activity Center (GTAC) to reflect all funds approved to date. Some funds for GTAC have been included in the Transportation Fund's budget for fiscal year 2015-2016. Therefore, this amendment will also reallocate those funds into the GTAC Fund (\$532,417). Additional funds of \$109,137 are requested to cover the City's share on this project. Total budget for GTAC is established at \$8,796,417.

C To appropriate Program Income funds received for HOME and CDBG activity during fiscal year 2014-2015 that is eligible for spending this fiscal year (\$25,862).

D To appropriate additional funds needed for the third round of debt for

Sanitation carts. These additional funds will be used towards the Roll Out Cart Exchange Program, which has become part of the 5-year plan (\$95,000).

E To appropriate a donation to the Police Department for Animal Control. This is an annual donation that has been given to the Department (\$2,678).

F To appropriate funds granted by the North Carolina Housing Finance Agency (NCHFA) to perform emergency home repairs within the City limits (\$50,000).

G To update the budget for the West Greenville Revitalization Capital Project Fund to allocate interest earnings that have been received by this fund over the course of the project. Additional funds will be used to acquire additional substandard properties within the revitalization areas (\$77,869).

Fiscal Note:

The budget ordinance amendment affects the following budgets: increases the General Fund by \$210,755; increases the Housing Fund by \$25,862; decreases the Transportation Fund by \$532,417; increases the Sanitation Fund by \$95,000; increases the GTAC Capital Project Fund by \$7,110,799; increases the Special Revenue Grant Fund by \$50,000; and increases the West Greenville Revitalization Capital Project Fund by \$77,869.

Fund Name	Original /Amended Budget	Proposed Amendment	Amended Budget 9/10/2015
General	\$78,393,680	\$ 210,755	\$78,604,435
Housing	1,443,370	25,862	1,469,232
Transportation	3,499,635	(532,417)	2,967,218
Sanitation	7,801,578	95,000	7,896,578
GTAC Capital Project	1,685,618	7,110,799	8,796,417
Special Revenue Grant Fund	2,702,629	50,000	2,752,629
West Greenville Revitalization	6,024,895	77,869	6,102,764

Recommendation:

Approve the budget ordinance amendment #2 to the 2015-2016 City of Greenville budget (Ordinance #15-032) and amendments to the GTAC Capital Project Fund (Ordinance #07-41), the Special Revenue Grant Fund (Ordinance #11-003), and the West Greenville Revitalization Capital Project Fund (Ordinance #05-50)

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 [Budget Amendment FY 2016 1009148](#)

ORDINANCE NO. 15-
CITY OF GREENVILLE, NORTH CAROLINA
Ordinance (#2) Amending the 2015-2016 Budget (Ordinance #15-032), amendment to the GTAC
Capital Project Fund (Ordinance #07-41), amendment to the Special Revenue Grant Fund
(Ordinance #11-003), and amendment to the West Greenville Revitalization Capital Project Fund (Ordinance #05-50)

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

Section I: Estimated Revenues and Appropriations. **General Fund**, of Ordinance 15-032, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2015-2016 BUDGET		#2 Amended 9/10/15		Total Amendments		Amended 2015-2016 Budget
ESTIMATED REVENUES							
Property Tax	\$ 32,020,369		\$ -		\$ -		\$ 32,020,369
Sales Tax	16,627,515		-		-		16,627,515
Video Prog. & Telecom. Service Tax	904,000		-		-		904,000
Rental Vehicle Gross Receipts	126,929		-		-		126,929
Utilities Franchise Tax	6,052,187		-		-		6,052,187
Motor Vehicle Tax	1,018,705		-		-		1,018,705
Other Unrestricted Intergov't Revenue	806,227		-		-		806,227
Powell Bill	2,235,741		-		-		2,235,741
Restricted Intergov't Revenues	1,018,844	E	2,678		2,678		1,021,522
Licenses, Permits and Fees	4,418,874		-		-		4,418,874
Rescue Service Transport	3,085,803		-		-		3,085,803
Parking Violation Penalties, Leases, & Meters	362,600		-		-		362,600
Other Sales & Services	427,400		-		-		427,400
Other Revenues	292,446		-		-		292,446
Interest on Investments	553,761		-		-		553,761
Transfers In GUC	6,500,000		-		-		6,500,000
Other Financing Sources	62,596		-		-		62,596
Appropriated Fund Balance	1,591,683	A,B	208,077		496,077		2,087,760
TOTAL REVENUES	\$ 78,105,680		\$ 210,755		\$ 498,755		\$ 78,604,435
APPROPRIATIONS							
Mayor/City Council	\$ 511,661		\$ -		\$ -		\$ 511,661
City Manager	1,619,586		-		-		1,619,586
City Clerk	259,086		-		-		259,086
City Attorney	468,242		-		-		468,242
Human Resources	2,527,943		-		80,000		2,607,943
Information Technology	3,028,347		-		-		3,028,347
Fire/Rescue	13,421,532	A	18,700		18,700		13,440,232
Financial Services	2,479,816	A	1,738		1,738		2,481,554
Recreation & Parks	7,600,386	A	143,561		153,361		7,753,747
Police	23,353,229	A,E	25,125		25,125		23,378,354
Public Works	8,825,596		-		-		8,825,596
Community Development	2,657,084	A	2,694		2,694		2,659,778
OPEB	450,000		-		-		450,000
Contingency	200,000	B	(90,200)		(100,000)		100,000
Indirect Cost Reimbursement	(1,268,214)		-		-		(1,268,214)
Capital Improvements	3,034,892		-		70,000		3,104,892
Total Appropriations	\$ 69,169,186		\$ 101,618		\$ 251,618		\$ 69,420,804
OTHER FINANCING SOURCES							
Transfers to Other Funds	\$ 8,936,494	B	\$ 109,137		\$ 247,137		\$ 9,183,631
	\$ 8,936,494		\$ 109,137		\$ 247,137		\$ 9,183,631
TOTAL APPROPRIATIONS	\$ 78,105,680		\$ 210,755		\$ 498,755		\$ 78,604,435

Section II: Estimated Revenues and Appropriations. **Housing Fund**, of Ordinance 15-032, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2015-2016 BUDGET		Amended 9/10/15	Total Amendments	Amended 2015-2016 Budget
ESTIMATED REVENUES					
Annual CDBG Grant Funding	\$ 800,219		\$ -	\$ -	\$ 800,219
HUD City of Greenville	329,316		-	-	329,316
Program Income	-	C	25,862	25,862	25,862
Transfer from General Fund	313,835		-	-	313,835
TOTAL REVENUES	\$ 1,443,370		\$ 25,862	\$ 25,862	\$ 1,469,232
APPROPRIATIONS					
Sanitation Fund	\$ 1,443,370	C	25,862	\$ 25,862	\$ 1,469,232
Total Expenditures	\$ 1,443,370		\$ 25,862	\$ 25,862	\$ 1,469,232
TOTAL APPROPRIATIONS	\$ 1,443,370		\$ 25,862	\$ 25,862	\$ 1,469,232

Section III: Estimated Revenues and Appropriations. **Transportation Fund**, of Ordinance 15-032, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2015-2016 BUDGET		Amended 9/10/15	Total Amendments	Amended 2015-2016 Budget
ESTIMATED REVENUES					
Operating Grant 2015-2016	\$ 1,280,972			\$ -	\$ 1,280,972
Capital Grant 2015-2016	758,038	B	\$ (418,734)	(418,734)	339,304
Planning Grant 2015-2016	32,103		-	-	32,103
State Maintenance Assistant Program	285,000		-	-	285,000
Hammock Source	955		-	-	955
Other Revenue	1,912		-	-	1,912
Pitt Community College Bus Fare	9,553		-	-	9,553
Bus Fares	250,292		-	-	250,292
Bus Ticket Sales	109,224		-	-	109,224
Pitt County Bus Service	4,776		-	-	4,776
Transfer from General Fund	683,784	B	(113,683)	(113,683)	570,101
Appropriated Fund Balance	83,026		-	-	83,026
TOTAL REVENUES	\$ 3,499,635		\$ (532,417)	\$ (532,417)	\$ 2,967,218
APPROPRIATIONS					
Transportation Fund	\$ 3,499,635	B	(532,417)	\$ (532,417)	\$ 2,967,218
Total Expenditures	\$ 3,499,635		\$ (532,417)	\$ (532,417)	\$ 2,967,218
TOTAL APPROPRIATIONS	\$ 3,499,635		\$ (532,417)	\$ (532,417)	\$ 2,967,218

Section IV: Estimated Revenues and Appropriations. **Sanitation Fund**, of Ordinance 15-032, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2015-2016 BUDGET		Amended 9/10/15	Total Amendments	Amended 2015-2016 Budget
ESTIMATED REVENUES					
Refuse Fees	\$ 7,116,078		\$ -	\$ -	\$ 7,116,078
Extra Pickup	5,000		-	-	5,000
Recycling Revenue	10,000		-	-	10,000
Cart and Dumpster	140,000		-	-	140,000
Solid Waste Tax	54,000		-	-	54,000
Bond Proceeds	146,500	D	95,000	95,000	241,500
Appropriated Fund Balance	330,000		-	-	330,000
TOTAL REVENUES	\$ 7,801,578		\$ 95,000	\$ 95,000	\$ 7,896,578

APPROPRIATIONS

Sanitation Fund	\$ 7,801,578	D	95,000	\$ 95,000	\$ 7,896,578
Total Expenditures	\$ 7,801,578		\$ 95,000	\$ 95,000	\$ 7,896,578

TOTAL APPROPRIATIONS \$ 7,801,578 \$ 95,000 \$ 95,000 \$ 7,896,578

Section V: Estimated Revenues and Appropriations. **GTAC Capital Project Fund**, of Ordinance 07-41, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ADJUSTED BUDGET		Amended 9/10/15	Total Amendments	Amended 2014-2015 Budget
ESTIMATED REVENUES					
Spec State/Fed/Loc Grants	\$ 950,500	B	\$ 6,905,945	\$ 6,905,945	\$ 7,856,445
Transfer from Other Funds	735,118	B	204,854	\$ 204,854	939,972
TOTAL REVENUES	\$ 1,685,618		\$ 7,110,799	\$ 7,110,799	\$ 8,796,417

APPROPRIATIONS

Engineering - Design	\$ 1,443,218	B	1,583,099	\$ 1,583,099	\$ 3,026,317
Construction	242,400	B	4,989,110	4,989,110	5,231,510
Equipment	-	B	538,590	538,590	538,590
Total Expenditures	\$ 1,685,618		\$ 7,110,799	\$ 7,110,799	\$ 8,796,417

TOTAL APPROPRIATIONS \$ 1,685,618 \$ 7,110,799 \$ 7,110,799 \$ 8,796,417

Section VI: Estimated Revenues and Appropriations. **Special Revenue Grant Fund**, of Ordinance 11-003, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ADJUSTED BUDGET		Amended 9/10/15	Total Amendments	Amended 2015-2016 Budget
ESTIMATED REVENUES					
Special Fed/State/Loc Grant	\$ 2,171,408	F	\$ 50,000	\$ 421,935	\$ 2,593,343
Transfer from General Fund	79,286		-	-	79,286
Transfer from Pre-1994 Entitlement	80,000		-	-	80,000
TOTAL REVENUES	\$ 2,330,694		\$ 50,000	\$ 421,935	\$ 2,752,629

APPROPRIATIONS

Personnel	\$ 114,387		\$ -	\$ -	\$ 114,387
Operating	1,399,405		-	-	1,399,405
Capital Outlay	816,902	F	50,000	421,935	1,238,837
Total Expenditures	\$ 2,330,694		\$ 50,000	\$ 421,935	\$ 2,752,629

TOTAL APPROPRIATIONS \$ 2,330,694 \$ 50,000 \$ 421,935 \$ 2,752,629

Section VII: Estimated Revenues and Appropriations. **West Greenville Revitalation Capital Project Fund**, of Ordinance 05-50, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ADJUSTED BUDGET		Amended 9/10/15	Total Amendments	Amended 2015-2016 Budget
ESTIMATED REVENUES					
Sales and Services	\$ 400,520	G	\$ (5,021)	\$ (5,021)	\$ 395,499
Investment Earnings	203,058	G	(76,431)	(76,431)	126,627
Lease Rentals	-	G	127,483	127,483	127,483
Other Income	421,317	G	7,995	7,995	429,312
Bond Proceeds	5,000,000	G	23,843	23,843	5,023,843
TOTAL REVENUES	\$ 6,024,895		\$ 77,869	\$ 77,869	\$ 6,102,764

APPROPRIATIONS

Acquisition	\$ 2,830,367	G	\$ 77,869	\$ 77,869	\$ 2,908,236
Rehab Owner Occupied	213,035	G	-	-	213,035
Demolition	404,279	G	-	-	404,279
Infrastructure	1,404,015	G	-	-	1,404,015
Relocation Costs	268,518	G	-	-	268,518
Development Financing	194,266	G	-	-	194,266
Construction	605,175	G	-	-	605,175
Bond Acquisition Costs	60,272	G	-	-	60,272
Capital Outlay	44,968	G	-	-	44,968
Total Expenditures	<u>\$ 6,024,895</u>		<u>\$ 77,869</u>	<u>\$ 77,869</u>	<u>\$ 6,102,764</u>
TOTAL APPROPRIATIONS	<u>\$ 6,024,895</u>		<u>\$ 77,869</u>	<u>\$ 77,869</u>	<u>\$ 6,102,764</u>

Section VIII: All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Adopted this 10th day of September, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Ordinance requested by Julian W. Rawl to rezone 5.11 acres located 650+/- feet south of West 5th Street and 700+/- feet west of B's Barbeque Road from MR (Medical-Residential [High Density Multi-family]) to MRS (Medical-Residential [single-family only])

Explanation: **Abstract:** The City has received a request from Julian W. Rawl to rezone 5.11 acres located 650+/- feet south of West 5th Street and 700+/- feet west of B's Barbeque Road from MR (Medical-Residential [High Density Multi-family]) to MRS (Medical-Residential [single-family only]).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on August 4, 2015.
On-site sign(s) posted on August 4, 2015.
City Council public hearing notice (property owner and adjoining property owner letter) mailed on August 25, 2015.
Public hearing legal advertisement published on August 31 and September 7, 2015.

Comprehensive Plan:

The subject site is located in Vision Area F and the recognized Medical District.

Management Actions for Vision Area F:

F6. Strengthen/support the medical district plan.

There is a recognized intermediate focus area located at the southeast corner of the intersection of West 5th Street and B's Barbeque Road. These nodes typically contain 50,000-150,000 square footage of conditioned floor space.

The Future Land Use Plan Map recommends office/institutional/multi-family

(OIMF) at the southwest corner of the intersection of West 5th Street and B's Barbeque Road transitioning to high-density residential (HDR) to the south. Further, conservation/open space is recommended along Harris Mill Run.

The Future Land Use Plan Map identifies certain areas for conservation/open space (COS) uses. The map is not meant to be dimensionally specific and may not correspond precisely to 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 Future Land Use Plan designations, contextual considerations, and the general policies of the comprehensive plan.

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

Based on the analysis comparing the existing zoning (399 daily trips) and requested rezoning, the proposed rezoning classification could generate 172 trips to and from the site on B's Barbeque Road, which is a net decrease of 227 trips per day. Since the traffic analysis for the requested rezoning indicates that the proposal would generate less traffic than the existing zoning, a traffic volume report was not generated.

History/Background:

In 1976, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned RA20. In 1985, the Medical District was adopted by City Council. The subject site was included as part of the Medical District and rezoned to MR (Medical-Residential).

The intermediate focus area at the southeast corner of the intersection of West 5th Street and B's Barbeque Road was added in the Medical District Land Use Plan Update (2007).

Present Land Use:

Wooded

Water/Sewer:

Water and sanitary sewer are available to the property.

Historic Sites:

There are no known effects on the designated site.

Environmental Conditions/Constraints:

The 100-year floodplain associated with Harris Mill Run runs along the northern property boundary.

Surrounding Land Uses and Zoning:

North: RA20 - One single-family residence (under common ownership of the applicant)

South: MR - Wooded and vacant

East: MRS and MR - Wooded and vacant

West: R6 and R15S - Wooded and vacant

Density Estimates:

Under the current zoning (MR), the site could accommodate 55-60 multi-family units (1, 2 and 3 bedrooms).

Under the proposed zoning (RA20), the site could accommodate 16-18 single-family lots.

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

Fiscal Note:

No cost to the City.

Recommendation:

In staff's opinion, the request is not in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map, and the Medical District Land Use Plan Update (2007).

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

The Planning and Zoning Commission voted to approve the request at its August 18, 2015 meeting.

If the City Council determines to approve the zoning map amendment, a motion to adopt the attached zoning map amendment 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 zoning map amendment, 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 rezoning request is inconsistent with the adopted comprehensive plan

including, but not limited to, Objective UF20 to concentrate higher intensity uses in employment and focus areas, and further that the denial of the rezoning request is reasonable and in the public interest due to the rezoning request will not promote, in addition to the furtherance of other goals and objectives, a sustainable and a vibrant medical and residential environment.

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

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- [Attachments](#)
 - [Ordinance__Julian_Rawl_1010645](#)
 - [Minutes__Julian_Rawl_1010639](#)
 - [List_of_Uses_for_MR_to_MRS_900329](#)
-

ORDINANCE NO. 15-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 10th day of September, 2015, at 6:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Objective H17 to encourage innovative ways of buffering multi-family housing from single-family housing; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, promote the safety and general welfare of the community by maintaining neighborhood character and identity; and

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

Section 1. That the following described territory is rezoned from MR (Medical-Residential) to MRS (Medical-Residential-Single-family).

TO WIT: Julian W. Rawl Property

LOCATION: Located 650+/- feet south of West 5th Street and 700+/- feet west of B's Barbeque Road.

DESCRIPTION: Lying and being in Falkland Township, Pitt County, North Carolina and lying west of NCSR 1204 B's Barbeque Road and southwest of NC Highway 43 and being bounded on the northeast by Magnolia Creek Subdivision as recorded in Map Book 33, Page 115, on the southeast by Rownetree Woods Apartments as recorded in Map Book 46, Page 19, on the south and southwest by William H. Clark, William S. Bost and Rufus H. Knott property as recorded in Deed Book D51, Page 216, and on the northwest by Dorothy W. Harrington property as shown in Map Book 46, Page 57 all of the Pitt County Registry, and being more particularly described as follows:

Beginning at a magnetic nail in the centerline intersection of NCSR 1204 B's Barbeque Road and Cedar Creek Road, thence from the nail S45-01-09W - 538.66' to a point, thence leaving the centerline of NCSR 1204 B's Barbeque Road N26-42-02W - 190.05' to the northeast corner of Westhills Townhomes Section I, Tract III as recorded in Map Book 31, Page 229, thence leaving the Westhills Townhomes boundary and following the line common to Rownetree Woods Townhomes Section One (Map Book 32, Page 265) and Clark, Bost, and Knott property N26-42-02W - 519.39' to a point in the eastern line of Rownetree Woods Apartments (Map Book 46, Page 19), the True Point of Beginning. Thence from the True Point of Beginning, leaving the eastern line of Rownetree Woods Apartments and turning into the lands of Clark, Bost and Knott, following a calculated line, the following calls: S63-17-58W - 66.16', thence N51-33-58W - 821.72' to a point in the common line of Dorothy W. Harrington and Clark, Bost and Knott, thence along that common line so described N38-36-38E - 322.97' to a corner of Lot 2, Magnolia Creek Subdivision as shown in Map Book 33, Page 115, thence along the boundary of Lot 2 the following calls: S86-43-39E - 132.19', thence S49-04-25E - 118.68', thence S 69-22-19E - 109.95' to a point, thence leaving the boundary of Lot 2 and following the western line of Rownetree Woods Apartments (Map Book 46, Page 19), S28-37-58W - 141.00', thence continuing along the Rownetree Woods Apartments line S26-42-02E - 543.61' to the true point of beginning, containing 5.11 Acres and being a portion of Parcel No. 35623 as filed with the Pitt County Tax Assessor's Office.

Also contained within the above described tract lies an area reserved for the future extension of sanitary sewer. That area is described as follows:

Thence from the True Point of Beginning as located above, along the western line of Rownetree Woods Apartments (Map Book 46, Page 19), N26-42-02W - 101.42' to a point, the true beginning of the reserved area. Thence from the true beginning of the reserved area, leaving the western line of Rownetree Woods Apartments S63-18-27W - 113.17' to a point on the calculated boundary of the above described Tract, thence along that new line N51-33-58W - 22.04', thence leaving the new line and turning N63-18-27E - 122.44' to a point in the western line of the Rownetree Woods Apartments, thence along the Rownetree Woods Apartments boundary S26-42-02E - 20.00' to the true point of beginning of the reserved area, containing 0.05 Acre.

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 10th day of September, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Doc. # 1010645

Excerpt from the DRAFTED Planning & Zoning Commission Minutes (08/18/2015)

ORDINANCE REQUESTED BY JULIAN W. RAWL TO REZONE 5.11 ACRES LOCATED 650+/- FEET SOUTH OF WEST 5TH STREET AND 700+/- FEET WEST OF B'S BARBEQUE ROAD FROM MR (MEDICAL-RESIDENTIAL [HIGH DENSITYMULTI-FAMILY]) TO MRS (MEDICAL-RESIDENTIAL [SINGLE-FAMILY ONLY]). - APPROVED

Ms. Gooby delineated the property. It is located in the western section of the City near the intersection of West 5th Street and B's Barbeque Road. The property is landlocked and is only accessible through the parking lot of Rownetree Wood Apartments. Harris Mill Run runs along the northern property line. The applicant owns the properties on the other side of the creek. The property is vacant. It is zoned multi-family and the request is for single-family. Since the rezoning could generate less traffic than the existing zoning, a traffic volume report was not generated. There is a small area of 100-year floodplain associated with Harris Mill Run. In 1985, the property was incorporated into the City's ETJ and zoned MR. The subject site is included in the Medical District. Under the current zoning (MR), the site could accommodate 55-60 multi-family units (1, 2 and 3 bedrooms). Under the proposed zoning (RA20), the site could accommodate 16-18 single-family lots. The Future Land Use Plan Map recommends office/institutional/multi-family (OIMF) at the southwest corner of the intersection of West 5th Street and B's Barbeque Road transitioning to high density residential (HDR) to the south. The requested zoning is part of the HDR category. Further, conservation/open space is recommended along Harris Mill Run. In staff's opinion, the request is not in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map, and the Medical District Land Use Plan Update (2007).

Ms. Reid asked if the other surrounding areas were zoned multi-family.

Ms. Gooby stated there is multi-family zoning on the east and west of the property.

Mr. Schrade asked if any properties were zoned single-family.

Ms. Gooby stated there was single-family zoning on the adjacent parcels between the multi-family zoning and the residential-agricultural zoning.

Mr. Connelly asked if the cul-de-sac at the apartment complex accessed the property.

Ms. Gooby stated yes.

Ms. Darden asked if there was any access from West 5th Street.

Ms. Gooby stated no.

Chairman Parker opened the public hearing.

Mr. Connelly Branch, representative of the applicant, spoke in favor of the request. He stated the vacant property acts as a buffer to the applicant's home. The request is to downgrade the zoning

so the applicant can have privacy. He also stated the property is unusable because the sewer line is in the southern portion and a pump station would be needed. This would not be practical due to the cost. The applicant has no development plans for this land.

Ms. Reid asked why he needs to rezone the property, if he owns it.

Mr. Branch stated it is because of the valuation process and so that his property will have single-family zoning.

No one spoke in opposition of the request.

Chairman Parker closed the public hearing and opened for board discussion.

Ms. Bellis stated she feels it would be consistent to have it single-family.

Motion made by Ms. Reid, seconded by Mr. Smith, to recommend approval of the proposed amendment to advise that, although the proposed amendment is not consistent with the Comprehensive Plan, in this instance it is an appropriate zoning classification, and to adopt the staff report which addresses plan consistency. In favor: King, Bellis, Smith, Reid, Leech, Schrade, and Darden. Oppose: Connelly. Motion carried.

EXISTING ZONING

MR (Medical-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 recreation 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*

MR (Medical-Residential)

Special Uses

(1) General: None*

(2) Residential:

- d. Land use intensity multifamily (LUI) development rating 50 per Article K
- l. Group care facility
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- o.(1). Nursing, convalescent center or maternity home; minor care facility

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining: None*

(6) Recreational/ Entertainment:

- 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
- 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

MRS (Medical-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)

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 uses

(6) *Recreational/ Entertainment:*

f. Public park or recreational facility

g. Private noncommercial park or recreation 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

MRS (Medical-Residential-Single-Family)

Special Uses

(1) *General:** None

(2) *Residential:** None

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

b. Home occupations; excluding barber and beauty shops

d. Home occupations; excluding manicure, pedicure or facial salon

(4) *Governmental:*

a. Public utility building or use

c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair

(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:

- 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)
- y. Television, and/or radio broadcast facilities including receiving and transmission equipment and towers or cellular telephone and wireless communication towers [unlimited height, except as provided by regulations]

*(9) Repair: * None*

*(10) Retail Trade: * None*

*(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade: * None*

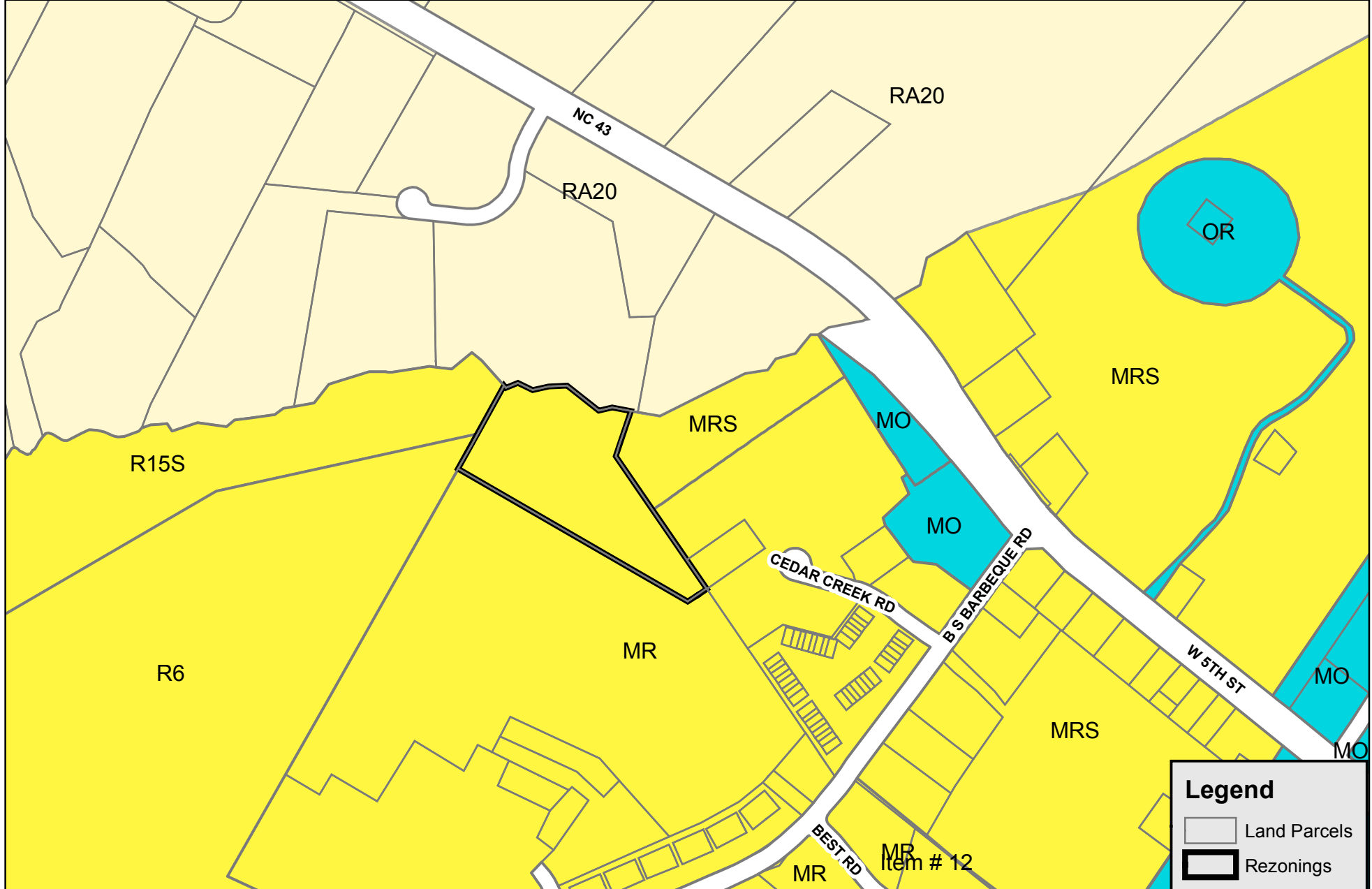
*(12) Construction: * None*

*(13) Transportation: * None*

*(14) Manufacturing/ Warehousing: * None*

*(15) Other Activities (not otherwise listed - all categories): * None*

Julian W. Rawl (15-06)
From: MR To: MRS
5.11 acres
August 4, 2015

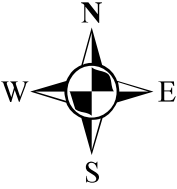


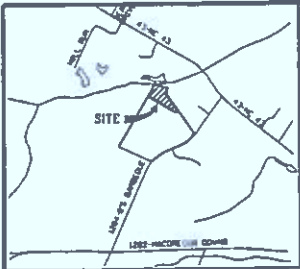
Legend

- Land Parcels
- Rezoning

MR Item # 12

Julian W. Rawl (15-06)
From: MR To: MRS
5.11 acres
August 4, 2015

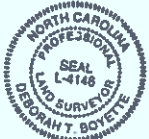




VICINITY MAP
SCALE 1"=200'

LEGEND

- SM=SET MAGNETIC NAIL
- EM=EXISTING MAGNETIC READING
- ES=EXISTING IRON STAKE
- EIP=EXISTING IRON PIPE
- NPS=NO POINT SET
- NPS=NO POINT FOUND
- R=RIGHT-OF-WAY
- DB=DEED BOOK
- MB=MAP BOOK
- C=CENTERLINE
- PN=PARCEL NUMBER
- TPCB=TRUE POINT OF BEGINNING



I, DEBORAH T. BOYETTE, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY DIRECTION AND SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY DIRECTION AND SUPERVISION, THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1: 55,782. LINES NOT SURVEYED ARE SHOWN AS BROKEN/DASHED LINES FROM MAPS AND DEEDS REFERENCED HEREON.

I FURTHER CERTIFY THAT THIS MAP IS OF A SURVEY OF ANOTHER CATEGORY AND IS AN EXCEPTION TO THE DEFINITION OF A SUBDIVISION.

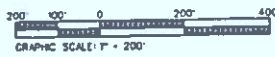
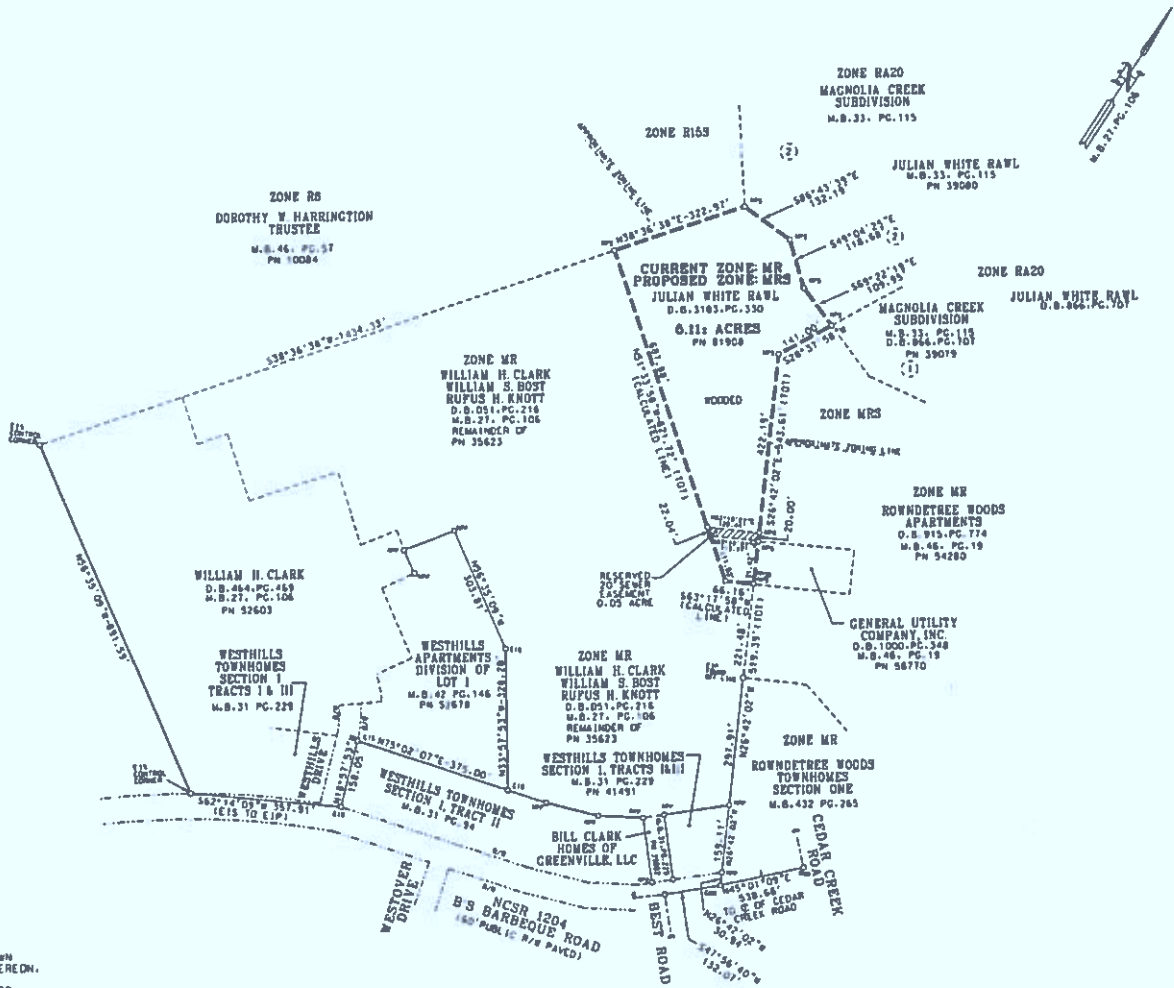
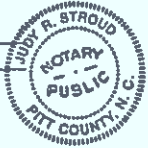
WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 11 DAY OF MAY, 2015.

SIGNED Deborah T. Boyette
DEBORAH T. BOYETTE, PLS L-4146

NORTH CAROLINA, PITT COUNTY

I, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT DEBORAH T. BOYETTE, A PROFESSIONAL LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP OR SEAL THIS 11 DAY OF MAY, 2015.

Judy R. Stroud
NOTARY PUBLIC
MY COMMISSION EXPIRES 2/12/2020



PARCEL NO: 01100 REVISED 6/1/15 CHANGED PROPOSED ZONE

REZONING MAP FOR
JULIAN W. RAWL

REFERENCE THE PROPERTY RECORDED IN DEED BOOK 3183, PAGE 330 AND DEED BOOK 3182, PAGE 97 OF THE PITT COUNTY REGISTRY.

FALKLAND TOWNSHIP PITT COUNTY NORTH CAROLINA

OWNER: JULIAN W. RAWL	SURVEYED/DTB/OWC
ADDRESS: 343 MAGNOLIA CREEK DRIVE GREENVILLE, NC 27834	DRAWN: <u>DB</u>
PHONE: (252) 756-0605	APPROVED-DTB
STROUD ENGINEERING, P.A. 1078 COMMERCIAL ST. GREENVILLE, NC (252) 756-9352	DATE: FEB. 21, 2014
	SCALE: 1" = 200'
	LICENSE NO. C-0647 SHEET 1 OF 1

04/30/07

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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


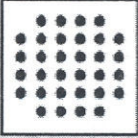
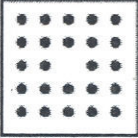
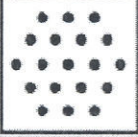

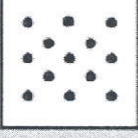
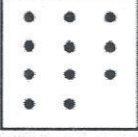
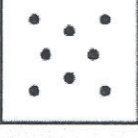
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons 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: 9/10/2015
Time: 6:00 PM

Title of Item: Ordinance requested by POHL, LLC to rezone 3.28 acres located 300+/- feet south of Fire Tower Road and along Bayswater Road from R6MH (Residential-Mobile Home [High Density Multi-family]) to CG (General Commercial)

Explanation: **Abstract:** The City has received a request by POHL, LLC, c/o V. Parker Overton, to rezone 3.28 acres located 300+/- feet south of Fire Tower Road and along Bayswater Road from R6MH (Residential-Mobile Home [High Density Multi-family]) to CG (General Commercial).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on August 4, 2015.
On-site sign(s) posted on August 4, 2015.
City Council public hearing notice (property owner and adjoining property owner letter) mailed on August 25, 2015.
Public hearing legal advertisement published on August 31 and September 7, 2015.

Comprehensive Plan:

The subject area is located in Vision Area D.

Management Actions:

D8. Restrict development north and south of Fire Tower Road to residential uses, outside of focus areas.

Fire Tower Road is designated as a residential corridor between Evans Street and Corey Road. Along residential corridors, office, service and retail activities should be specifically restricted to the associated focus area, and linear expansion outside of the focus area should be prohibited.

The Future Land Use Plan Map recommends commercial (C) along the southern right-of-way of Fire Tower Road between Bayswater Road and Swamp Fork Canal transitioning to office/institutional/multi-family (OIMF) to the south.

There is a designated regional commercial focus area at the intersection of Fire Tower Road and Bayswater Road. These nodes typically contain 400,000+ square feet of conditioned floor space.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1,638 trips to and from the site on Fire Tower Road, which is a net increase of 1,405 additional trips per day.

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

History/Background:

In 1988, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and was zoned R6MH (Residential-Mobile Home).

The subject property is part of the approved Fire Tower Junction Preliminary Plat.

The subject property was included in a Future Land Use Plan Map amendment that was approved in October 2014.

Existing Land Use:

Vacant

Water/Sewer:

Water and sanitary sewer are available at the property.

Historic Sites:

There are no known effects are on the designated property.

Environmental Conditions/Constraints:

There are no known effects are on the designated property.

Surrounding Land Uses and Zoning:

North: CG - Vacant

South: R6MH - Vacant

East: CG - Commercial buildings

West: R6 - Dudley's Grant Townhomes

Anticipated Density:

Under the current zoning, the site could yield 35+/- multi-family units (1, 2 and 3 bedrooms).

Under the proposed zoning, the site could yield 23,870+/- square feet of retail/conventional restaurant space.

The anticipated build-out for the subject properties is within one year.

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.

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

The Planning and Zoning Commission voted to approve the request at its August 18, 2015 meeting.

If the City Council determines to approve the zoning map amendment, a motion to adopt the attached zoning map amendment 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 zoning map amendment, 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 rezoning request is inconsistent with the adopted comprehensive plan including, but not limited to, Objective 17 to prohibit "strip development" along collector and thoroughfare streets and Objective UF 20 to concentrate higher intensity uses in employment and focus areas, and further that the denial of the rezoning request is reasonable and in the public interest due to the rezoning request does not promote, in addition to the furtherance of other goals and objectives, the safety and general welfare of the community by concentrating higher intensive uses in focus areas which helps to preserve the carrying capacity of streets.

Note: In addition to the other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the

existing and proposed zoning districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

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

Attachments / click to download

- [Attachments](#)
 - [Ordinance POHL 15 10 1010620](#)
 - [Minutes POHL 15 10 1010758](#)
 - [List of Uses R6MH to CG and OR 911650](#)
-

ORDINANCE NO. 15-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 10th day of September, 2015, at 6:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Objective UF17 to prohibit “strip development” along collector and thoroughfare streets and Objective UF20 to concentrate higher intensive uses in employment and focus areas; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, promote the safety and general welfare of the community by concentrating higher intensive uses in focus areas which helps to preserve the carrying capacity of streets; and

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

Section 1. That the following described territory is rezoned from R6MH (Residential-Mobile Home) to CG (General Commercial).

TO WIT: POHL, LLC Property

LOCATION: Located 300+/- feet south of Fire Tower Road and along Bayswater Road.

DESCRIPTION: Being a portion of existing Bayswater Road right of way and a portion of Pitt County Tax Parcel Number 74327 owned by POHL, LLC recorded in Deed Book 2278 Page 725 and Map Book 67 Page 122, bounded on the west by Dudley's Grant, Sections 2, 3 and 5, on the north by 43 Land Holdings, LLC and the east by The Rosemyr Corporation, and being more particularly described as follows:

Beginning at a point, the common front corner of Lot 7 and Lot 6, Block A, Firetower Junction, Section Three, recorded in Map Book 77 Page 38, said point also being located in the eastern right of way of Bayswater Road; thence from the Point of Beginning with a new Rezoning Line crossing the existing Bayswater Road right of way S 66°31'51" W 60.38 feet to a point; thence continuing with the new Rezoning Line S 74°03'36" W 312.84 feet to a point in the eastern line of Dudley's Grant, Section 5, recorded in Map Book 64 Page 95; thence cornering with the eastern line of Dudley's Grant, Section 5 recorded in Map Book 64 Page 95, Dudley's Grant Section 3, recorded in Map Book 62 Page 129, and Dudley's Grant Section 2, recorded in Map Book 62 Page 92 N 15°56'59" W 403.17 feet to a point in the southern line of 43 Land Holdings, LLC recorded in Deed Book 2468 Page 39; thence cornering with the southern line of 43 Land Holdings, LLC recorded in Deed Book 2468 Page 39 N 75°07'20" E 297.10 feet to a point in the western right of way of Bayswater Road, thence crossing Bayswater Road right of way N 75°07'58" E 5.52 feet to a point, N 62°22'08" E 44.92 feet to a point in the eastern right of way of Bayswater Road and common to the western line of The Rosemyr Corporation recorded in Deed Book 3212 Page 720; thence cornering and with the eastern right of way of Bayswater Road and the western line of Rosemyr Corporation recorded in Deed Book 3250 Page 720 and Deed Book 3250 Page 668 the following five (5) calls: (1) S 19°44'01" E 87.89 feet to a point, (2) N 73°59'29" E 3.58 feet to a point, (3) with a curve in clockwise direction, having a radius of 2,384.40 feet, an arc length of 73.77 feet, and chord bearing and distance of S 16°51'59" E 73.77 feet to a point, (4) S 15°58'47" E 113.99 feet to a point, (5) with a curve in a counter-clockwise direction, having a radius of 500.00 feet, an arc length of 124.60 feet and chord bearing and distance of S 23°07'08" E 124.28 feet to the Point of Beginning, containing 3.28 acres more or less and being a portion of Bayswater Road right of way recorded in Map Book 77 Page 38 and a portion the POHL, LLC property recorded in Deed Book 2278 Page 725 being Rezoned from R-6MH to CG and shown on a Rezoning Map prepared for POHL, LLC by Rivers and Associates, Inc., dated July 15, 2015, last revised August 6, 2015, drawing number Z-2602, 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 10th day of September, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Doc. # 1010620

Excerpt from the DRAFTED Planning & Zoning Commission Minutes (08/18/2015)

ORDINANCE REQUESTED BY POHL, LLC C/O V. PARKER OVERTON TO REZONE 3.28 ACRES LOCATED 300+/- FEET SOUTH OF FIRE TOWER ROAD AND ALONG BAYSWATER ROAD FROM R6MH (RESIDENTIAL-MOBILE HOME [HIGH DENSITY MULTI-FAMILY]) TO CG (GENERAL COMMERCIAL). - APPROVED

Ms. Gooby delineated the property. It is located in the southern section of the City along Fire Tower Road and adjacent to Dudley's Grant Townhomes. The subject property is part of the approved Fire Tower Junction Preliminary Plat. The majority of the area is vacant. The Winterville Academy School and Champions Fitness are locating in this area. Bayswater Road is a loop road that has two signalized intersections with Fire Tower Road. There is a designated regional commercial focus area in this location where commercial is encouraged and anticipated. These nodes typically contain 400,000+ square feet of conditioned floor space. Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate a net increase of 1,400 additional trips per day. Under the current zoning, the site could yield 35+/- multi-family units (1, 2 and 3 bedrooms). Under the proposed zoning, the site could yield 23,870+/- square feet of retail/ conventional restaurant space. The Future Land Use Plan Map recommends commercial (C) along the southern right-of-way of Fire Tower Road between Bayswater Road and Swamp Fork Canal transitioning to office/institutional/multi-family (OIMF) to the south. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

Chairman Parker opened the public hearing.

Mr. Jim Walker, Rivers and Associates, representative of the applicant, spoke in favor of the request. The proposal is for 3.28 acres of land and the Future Land Use Plan recommends commercial in this area. He would appreciate an approval on this request.

Mr. Joseph Surlles spoke in opposition of the request. He is the president of the Dudley's Grant Home Owners' Association. The request is adjacent to Dudley's Grant. The commercial zoning allows for almost anything. He would like to see a barrier between the property and Dudley's Grant to eliminate noise and preserve the quiet in the neighborhood.

Attorney Holec stated that Chairman Parker did not allow time for those who wanted to speak in favor and suggested he reopen that portion of the public hearing.

Mr. Michael Overton spoke in favor of the request. He stated there are covenants in place for the property. They have restricted the uses to make the area a positive community. He stated the intent is for an existing Greenville business of about 30 years to move into this property. He stated they are conscious of the uses and will do what they can to preserve the area.

Ms. Reid asked if they are going to install a buffer.

Mr. Overton stated that since the sewer line is along the property line it creates a nature buffer plus a buffer is required by the City. There is a natural buffer of mature trees already in place.

Mr. King asked if the developer had met with the Dudley's Grant Association.

Mr. Overton stated no but that they will.

Mr. Jack Morgan Jr. spoke in favor of the request. He stated he is going to relocate his business, Morgan's Printer Inc., to this property which is an 8am to 5pm business.

Attorney Holec reminded the Board that they cannot rely on any representation and must consider all the uses allowed within the zoning district.

No one spoke in favor rebuttal or in opposition rebuttal.

Chairman Parker closed the public hearing and opened for board discussion.

Ms. Leech stated that it would be appropriate to get public input and make sure all voices are heard. She is interested in the size of the buffer. She suggested tabling the request until after discussions with the Dudley's Grant Homeowners' Association.

Ms. Gooby displayed the Bufferyard Setback and Vegetation Screening Chart that shows the proposed area is required to have Bufferyard D. The buffer would be twenty feet wide and for every one hundred linear feet there would be four large evergreen trees, 6 small evergreens, and 16 evergreen shrubs. It can be reduced to ten feet wide if an opaque fence is installed.

Mr. Schrade asked if the buffer was enlarged after the sewer line was installed.

Mr. Overton stated the buffer is already there and since the sewer is there it creates a larger buffer area since you can't build on the easement.

Ms. Gooby showed the picture of the property which shows the existing vegetation.

Ms. Darden stated you can still see the townhomes.

Mr. Overton stated the existing buffer is thick and you basically only see are rooftops.

Mr. King asked Mr. Surles' his opinion.

Mr. Surles stated his issue is with the noise. When the sewer line was installed it created a lot of noise and homeowners complained. There is no hill or buffer from the noise when a business goes there it will make a lot of noise.

Mr. Overton stated whoever buys the property still needs to meet minimum vegetation requirements. Additional screening is possible but the City bufferyard requirements have already been met. He stated that they just completed major infrastructure by adding the road and sewer which caused a lot of noise. The goal is to have controlled development that won't harm the neighborhood and will be positive.

Chairman Parker stated that this is a good buffer compared to others. They could have cut all the trees downs and put in small trees and bushes.

Motion made by Mr. King, seconded by Ms. Darden, 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 passed unanimously.

EXISTING ZONING

R6MH (Residential-Mobile Home)

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
- g. Mobile home
- h. Mobile home park
- 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*

R6MH (Residential-Mobile Home)

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*: * None
- (7) *Office/ Financial/ Medical*: * None
- (8) *Services*:
 - a. Child day care facilities
 - b. Adult day care facilities
 - d. Cemetery
- (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
- k. Business or trade school
- 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*

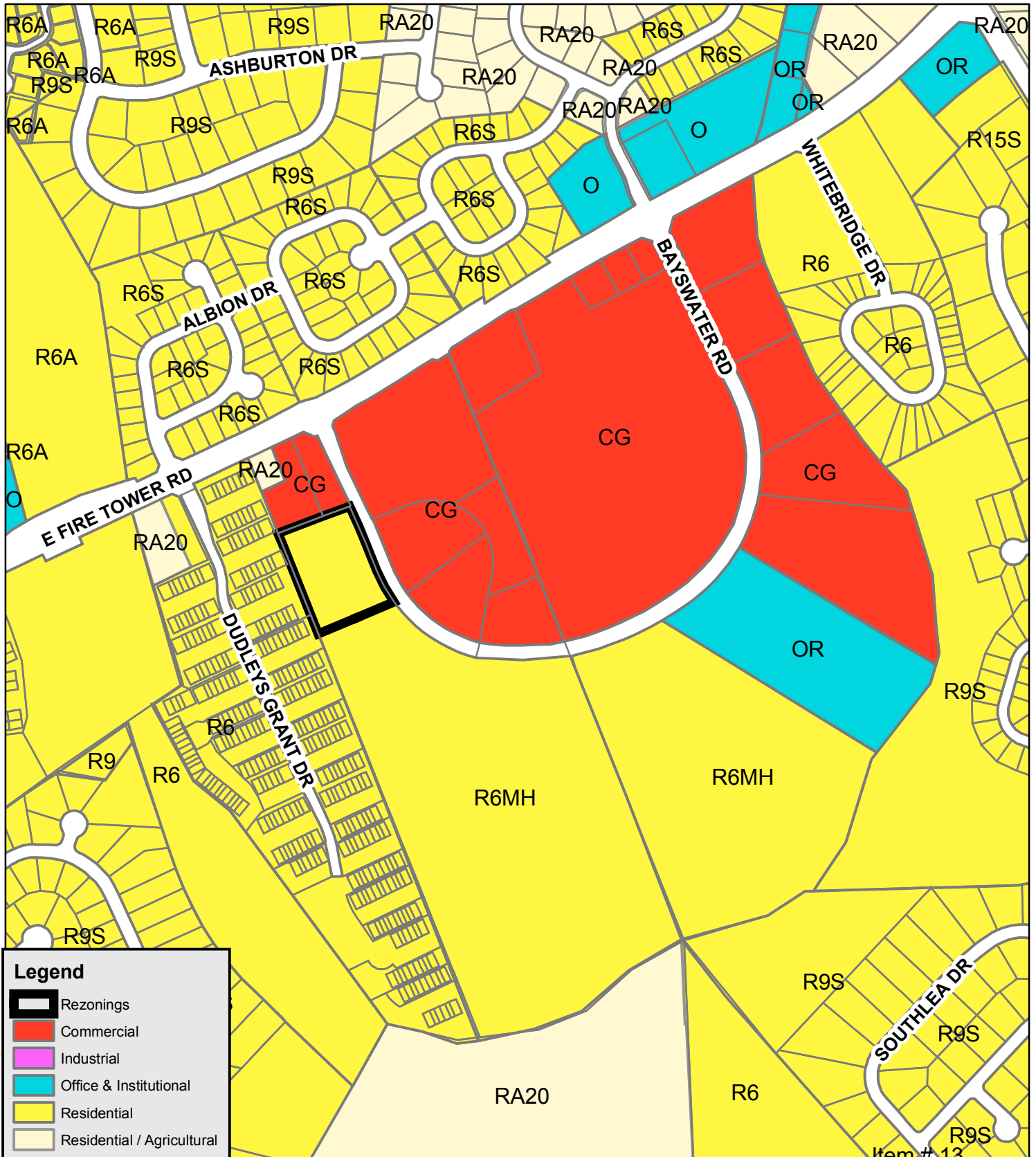
(14) Manufacturing/ Warehousing:

- 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

POHL, LLC c/o V. Parker Overton (15-10)
From: R6MH To: CG
3.28 acres
August 4, 2015

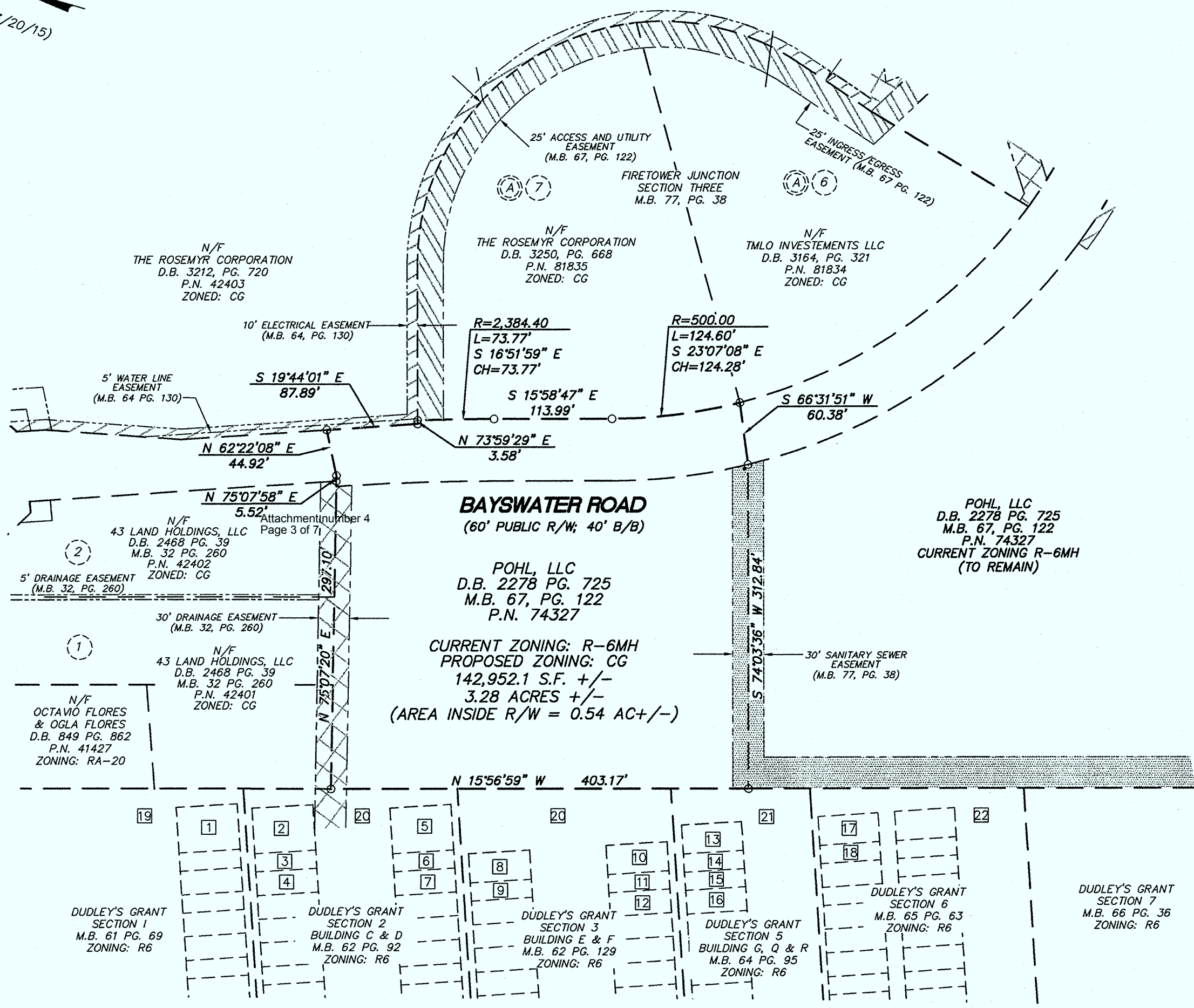
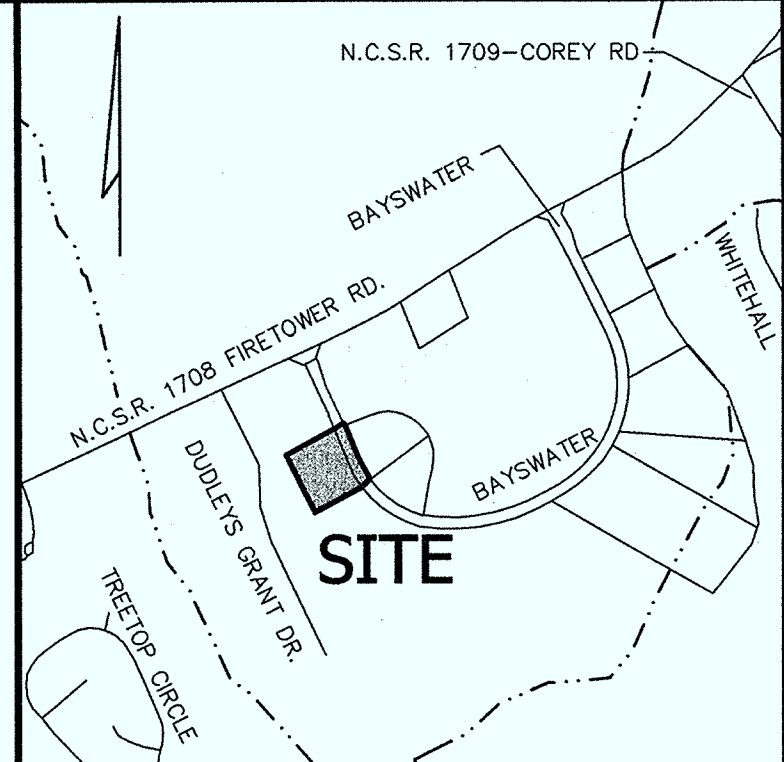
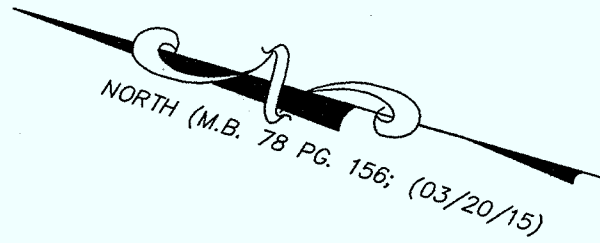


Legend

- Rezonings
- Commercial
- Industrial
- Office & Institutional
- Residential
- Residential / Agricultural

POHL, LLC c/o V. Parker Overton (15-10)
From: R6MH To: CG
3.28 acres
August 4, 2015





LEGEND

S.F.	SQUARE FEET
PARCEL NUMBER	P.N.
PAGE	PG.
MAP BOOK	M.B.
N/F	NOW OR FORMERLY
DEED BOOK	D.B.
RIGHT OF WAY	R/W
BACK TO BACK	B/B
REZONING LINE	---
EXISTING EASEMENT	---
ADJOINER LINE	---
PLATTED LOT INFORMATION	(A) (7)
OWNERSHIP MAP ID NUMBER	19

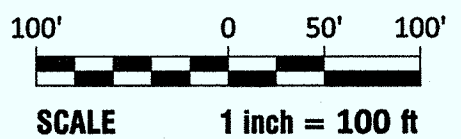
- NOTES**
1. AREA DETERMINED BY COORDINATES.
 2. ALL DISTANCES ARE HORIZONTAL MEASUREMENTS.
 3. NO POINT SET AT ANY CORNER UNLESS OTHERWISE NOTED.
 4. THIS MAP WAS PREPARED FOR REZONING PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON. THIS MAP NOT TO BE USED FOR SALES OR CONVEYANCE. NOT ALL EXISTING EASEMENTS OR IMPROVEMENTS ARE SHOWN HEREON. PROPERTY SUBJECT TO THOSE EASEMENTS OF RECORD AND RECORDED IN MAP BOOK 72 PAGE 129 AND DEED BOOK 3001 PAGE 10.
 5. EXISTING ZONING WAS TAKEN FROM THE PITT COUNTY ONLINE INFORMATION SYSTEM WEB SITE ON JULY 15, 2015.

OWNERSHIP DATA TABLE

MAP ID NUMBER	OWNER NAME	REFERENCE	PARCEL NUMBER
1	YOULANDER PATRICE THOMPSON	D.B. 1782 PG. 162	67871
2	KATHLENE H. ELLIS	D.B. 3164 PG. 809	69168
3	RAJASHREE RAM MOHAN	D.B. 3018 PG. 544	69167
4	DANIELLE BUCHANAN	D.B. 3238 PG. 850	69166
5	SONYA SALEEBY VOLIVA	D.B. 1868 PG. 859	69169
6	ANTONIO R MILTON	D.B. 2468 PG. 11	69170
7	VICKIE DIXON	D.B. 3216 PG. 163	69171
8	TAMMY PRICE ROWLAND	D.B. 2631 PG. 102	69557
9	MEREDITH P. ANDERSON	D.B. 2021 PG. 36	69556
10	RICK A. LUPTON	D.B. 1913 PG. 500	69558
11	ELIZBETH CRITES MORAN	D.B. 1884 PG. 250	69559
12	MARVIN LYLE QUINN ETAL.	D.B. 1892 PG. 68	69560
13	U.S. BANK NATIONAL ASSOCIATION, TRUSTEE	D.B. 3324 PG. 813	71092
14	JOYCE C. DAY	D.B. 2019 PG. 339	71091
15	ERNEST H. HOLT, II	D.B. 2324 PG. 566	70980
16	BERNARD AND ROBERTA KOTT	D.B. 2031 PG. 612	70979
17	NORMAN BLIZZARD, ETAL.	D.B. 2080 PG. 470	72167
18	NORMAN BLIZZARD, ETAL.	D.B. 2080 PG. 470	72168
19	DUDLEY'S GRANT HOMEOWNERS ASSOCIATION	D.B. 1702 PG. 163	COMMON AREA
20	DUDLEY'S GRANT HOMEOWNERS ASSOCIATION	D.B. 1884 PG. 760	COMMON AREA
21	DUDLEY'S GRANT HOMEOWNERS ASSOCIATION	D.B. 2018 PG. 543	COMMON AREA
22	DUDLEY'S GRANT HOMEOWNERS ASSOCIATION	D.B. 2090 PG. 394	COMMON AREA

REFERENCE

PARCEL NUMBER 74327
D.B. 2278, P.C. 725
D.B. 547 PG. 874
D.B. 2219 PG. 612
D.B. 2278 PG. 722
D.B. 2278 PG. 720
M.B. 78 PG. 156
M.B. 77 PG. 38
M.B. 75 PG. 130
M.B. 69 PG. 90
M.B. 67 PG. 122
M.B. 67 PG. 95
M.B. 59 PG. 35
M.B. 32 PG. 260
M.B. 23 PG. 69
D.B. 3162 PG. 571 (WITHDRAWAL AND TERMINATION OF PRIVATE EASEMENT/STREETS)

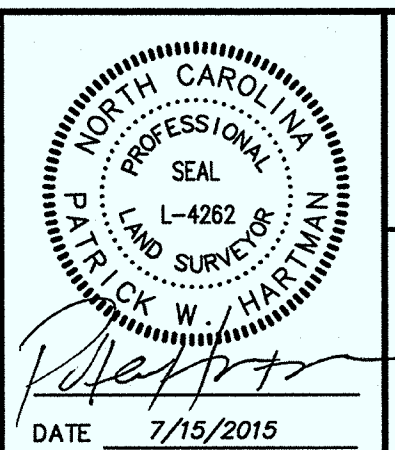


REVISIONS: #1 - 08/06/2015 - PER CITY COMMENTS AND REVIEW.

CERTIFICATION

I, PATRICK W. HARTMAN, PROFESSIONAL LAND SURVEYOR CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM DEEDS AND OR MAPS AS REFERENCED HEREON, AND DOES NOT REPRESENT A FIELD BOUNDARY SURVEY BY MYSELF OR RIVERS AND ASSOCIATES, INC.; I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (F)(11)d, THAT THIS SURVEY IS OF ANOTHER CATEGORY, REZONING MAP. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 15TH DAY OF JULY, 2015.

SIGNED: *Patrick W. Hartman*
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-4262



NC License: F-0334

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Greenville, NC 27858
(252) 762-4135

REZONING MAP FOR:
POHL, LLC
c/o V. Parker Overton
OWNER: POHL, LLC

CITY OF GREENVILLE, WINTERVILLE TWS., PITT CO., N.C.

SURVEY	DRAFT	PHW	SCALE	DRAWING NO.	PROJECT NO.	SHEET
DESIGN	CHECK	PH	1" = 100'	Z-2602	2015118	1 OF 1

P:\LandDev\Lewis - Firetower Junction Ph 4 - 2014045\CAD\ACAD-Z-2602 F.U. REZONING - R2007.dwg, Z-2602 (REZONING), Hartimp, Thu Aug 06, 2015 at 11:19am

Case No: 15-10

Applicant: POHL, LLC

Property Information

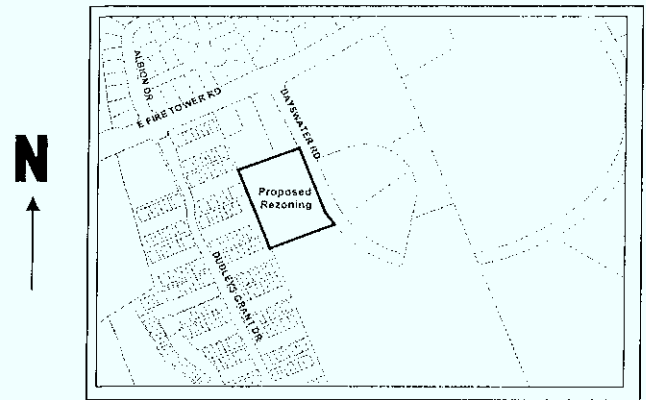
Current Zoning: R6MH (Residential [High Density Multi-family/Mobile Home])

Proposed Zoning: CG (General Commercial)

Current Acreage: 3.28 gross acres (including right-of-way)
2.74 net acres

Location: South side of Fire Tower Rd, on west Bayswater Rd

Points of Access: Fire Tower Road



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	4-lane with raised median	no change
Right of way width (ft)	100	no change
Speed Limit (mph)	45	no change
Current ADT:	33,290 (*)	Ultimate Design ADT: 39,700 vehicles/day (**)
Design ADT:	39,700 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	

Other Information: There are sidewalks along Fire Tower Rd that service this property.

Notes: (*) 2012 NCDOT count adjusted for a 2% annual growth rate
(**) Traffic volume based on an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No planned improvements.

Trips generated by proposed use/change

Current Zoning: 233 -vehicle trips/day (*) **Proposed Zoning:** 1,638 -vehicle trips/day (*)

Estimated Net Change: increase of 1405 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 are as follows:

1.) Fire Tower Rd , West of Site (60%): “No build” ADT of 33,290

Estimated ADT with Proposed Zoning (full build) – 34,273
 Estimated ADT with Current Zoning (full build) – 33,430
Net ADT change = 843 (3% increase)

2.) Fire Tower Rd , East of Site (40%): "No build" ADT of 33,290

Estimated ADT with Proposed Zoning (full build) – 33,945

Estimated ADT with Current Zoning (full build) – 33,383

Net ADT change = 562 (2% increase)

Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1638 trips to and from the site on Fire Tower Rd, which is a net increase of 1405 additional trips per day.

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

04/30/07

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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


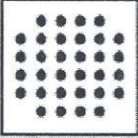
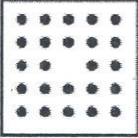
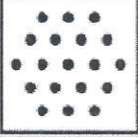

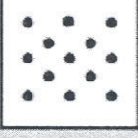
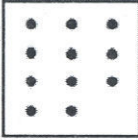
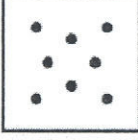
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons 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: 9/10/2015
Time: 6:00 PM

Title of Item: Ordinance requested by the Greenville Planning and Zoning Commission to rezone certain properties, containing a total of 12.67 acres, in the general area bounded by Reade Circle, Dickinson Avenue, the CSX Railroad, and Bonners Lane from CDF (Downtown Commercial Fringe) and IU (Unoffensive Industry) to CD (Downtown Commercial)

Explanation: **Abstract:** The City has received a request from the Greenville Planning and Zoning Commission to rezone certain properties, containing a total of 12.67 acres, in the general area bounded by Reade Circle, Dickinson Avenue, the CSX Railroad, and Bonners Lane from CDF (Downtown Commercial Fringe) and IU (Unoffensive Industry) to CD (Downtown Commercial).

This request was initiated by the Planning and Zoning Commission at its July 21, 2015, meeting.

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on August 4, 2015.
On-site sign(s) posted on August 4, 2015.
City Council public hearing notice (property owner and adjoining property owner letter) mailed on August 25, 2015.
Public hearing legal advertisement published on August 31 and September 7, 2015.

This subject properties are included in Area Two in The Dickinson Avenue Corridor Study. This rezoning contains three separate tracts:

Tract 1: 11.35 acres
Tract 2: 0.74 acres
Tract 3: 0.58 acres
Total: 12.67 acres

Comprehensive Plan:

The subject properties are located in Vision Area G.

The Future Land Use Plan Map recommends commercial (C) for the area bounded by Reade Circle, Dickinson Avenue, the CSX Railroad, and Bonners Lane.

The subject properties are located in the designated regional focus area described as the central business district (Uptown area). These nodes typically contain 400,000 plus square feet of conditioned floor space.

The Dickinson Avenue Corridor Study (accepted by City Council on December 8, 2014) describes Area Two as:

Area Two: Arts District and Transit

North of Dickinson Avenue, near Reade Circle, this sub-area includes the new transit center (the GTAC). Early-phased development providing residential for both students and young professionals should be built adjacent to this transit resource - creating a TOD, or Transit-Oriented Development. Several existing streets in this zone should also be realigned both to improve accessibility/visibility to ECU and the Uptown District - this will better integrate the GTAC into other adjacent areas in the study area including the Imperial Site. This realignment will create larger parcels ideally configured for larger format, mixed-use residential. This sub-area also features significant pads for PDR (Production, Distribution and Repair) businesses - combining jobs and living spaces.

A majority of the area is already zoned CD (Downtown Commercial), which is the preferred zoning district. This has mainly been accomplished via private rezoning requests from property owners. The remaining portion of this area is currently zoned CDF (Downtown Commercial Fringe and IU (Unoffensive Industry)). The purpose of this rezoning request is to have the entire Area Two be zoned CD. This zoning district is preferred because it allows for more intensive and complementary uses for the Uptown District with zero-lot line setbacks, mixed use development, no vegetation requirements, and less restrictive parking standards.

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

This area includes the site of the future Greenville Transportation Activity Center (GTAC). The plans for this area are evolving and will modify the surrounding parcels and roadway network. Traffic analysis will be done as parcels are re-developed and the roadway network is modified to reflect a more accurate assessment of traffic impact. As such, a traffic report was not generated at this time.

History/Background:

In 1969, the properties were zoned IU (Unoffensive Industry) and CDF (Commercial Downtown Fringe).

Existing Land Uses:

Vacant, commercial, institutional, office and residential uses.

Water/Sewer:

Water and sanitary sewer are available to the properties.

Historic Sites:

The subject properties are located in the National Register Tobacco Warehouse Historic District. This is an honorary designation that does not regulate the appearance of structures contained within the district.

Environmental Conditions/Constraints:

There are no known effects are on the designated properties.

Fiscal Note:

No cost to the City.

Recommendation:

In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map, The Dickinson Avenue Corridor Study, and the West Greenville 45-Block Revitalization Plan.

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

The Planning and Zoning Commission voted to approve the request at its August 18, 2015 meeting.

If the City Council determines to approve the zoning map amendment, a motion to adopt the attached zoning map amendment 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 zoning map amendment, 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 rezoning request is inconsistent with the adopted comprehensive plan including, but not limited to, Objective H5 to improve and revitalize existing neighborhoods, Objective H11 to increase downtown housing, Objective M4 to coordinate the transportation plans of the City, ECU, and the University Medical Center of Eastern Carolina – Pitt County, E12 to revitalize the downtown area, and CC6 to promote residential development as part of mixed-use projects downtown; and further that the denial of the rezoning request is reasonable and in the public interest due to the rezoning request does not promote, in addition to the furtherance of other goals and objectives, the safety and general welfare of the community by bringing more retail and professional activities downtown and concentrating higher intensive uses in focus areas.

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

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

Attachments / click to download

- [Attachments](#)
- [Ordinance Dickinson Avenue Area 2 1010623](#)
- [Minutes P Z initiated rezoning for Dickinson Avenue Area 2 1010851](#)
- [List of Uses CDF to CD 719111](#)

ORDINANCE NO. 15-__
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 the 10th day of September, 2015, at 6:00 p.m., in the Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Objective H5 to improve and revitalize existing neighborhoods, Objective H11 to increase downtown housing, Objective M4 to coordinate the transportation plans of the City, ECU, and the University Medical Center of Eastern Carolina – Pitt County, E12 to revitalize the downtown area, and CC6 to promote residential development as part of mixed-use projects downtown; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, promote the safety and general welfare of the community by bringing more retail and professional activities downtown and concentrating higher intensive uses in focus areas; and

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

Section 1. That the following described territory is rezoned from CDF (Downtown Commercial Fringe) and IU (Unoffensive Industry) to CD (Downtown Commercial).

TO WIT: Tract 1

LOCATION: Being the area generally bounded by Reade Circle, Dickinson Avenue, Atlantic Avenue and Bonners Lane.

DESCRIPTION: Beginning at a known point, said point being the intersection of the northern right-of-way Reade Circle and the eastern right-of-way of South Pitt Street thence running along the southern right-of-way of Reade Circle in an easterly direction for 500+ feet; thence cornering and running along the northern right-of-way of Dickinson Avenue in a southwesterly direction for 300+/- feet; thence cornering and running along the eastern property line of the property identified as Pitt County parcel number 17466 in a northeasterly direction for 80+/- feet; thence cornering and running along the northern property line of the property identified as Pitt County parcel number 05237 in an easterly direction for 25+ feet; thence cornering and running along a portion of the western property lines of the properties identified as Pitt County parcel numbers 16544 and 09676 in a northwesterly direction for 35+ feet; thence cornering and running along the southern property line of the property identified as Pitt County parcel number 09676 in a westerly direction for 80+ feet; thence running along the eastern right-of-way of South Pitt Street in a southerly direction for 100+/- feet; thence cornering and running along a portion of the eastern property line of the property identified as Pitt County parcel number 23540 in a southeasterly direction for 20+/- feet; thence cornering and running along the northern property line of the property identified as Pitt County parcel number 08340 in a northeasterly direction for 45+ feet; thence cornering and running along the eastern property line of the property identified as Pitt County parcel number 08340 in a southeasterly direction for 80+ feet; thence cornering and running along the northern right-of-way of Dickinson Avenue in a southwesterly direction for 660+ feet; thence cornering and running along the western right-of-way of Clark Street in a northerly direction for 160+ feet; thence cornering and running along the southern property line of the property identified as Pitt County parcel number 22552 in a westerly direction for 160+ feet; thence cornering and running along the western property lines of the properties identified as Pitt County parcel numbers 22552, 20552, 22175, 15968 in a northerly direction for 300+/- feet; thence cornering and running along the northern property lines of the property identified as Pitt County parcel numbers 22175 and 15968 in an easterly direction for 90+/- feet; thence cornering and running along the western property lines of the properties identified as Pitt County parcel numbers 21972, 21971, 04318, 03938, 19874 in a northerly direction for 200+/- feet; thence cornering and running along a portion of the southern property line of the property identified as Pitt County parcel numbers 19874 in a westerly direction for 35+/- feet; thence cornering and running along the western property lines of the properties identified as Pitt County parcel numbers 19874 and 19875 in a northerly direction for 55+/- feet; thence cornering and running along the northern property line of the property identified as Pitt County parcel number 19875 in an easterly direction for 40+/- feet; thence cornering and running along the western property line of the property identified as Pitt County parcel number 15813 in a northerly direction for 80+/- feet; thence cornering and running along a portion of the southern property line of the property identified as Pitt County parcel number 01760 in a westerly direction for 20+/- feet; thence cornering and running along the western

property lines of the properties identified as Pitt County parcel numbers 01760, 13546 and 05512 in a northerly direction for 80+/- feet; thence cornering and running along the southern property line of the property identified as Pitt County parcel number 05512 in a westerly direction for 30+/- feet; thence cornering and running along the western property line of the property identified as Pitt County parcel number 05512 in a northerly direction for 75+/- feet; thence cornering and running along the southern right-of-way of Bonners Lane in an easterly direction for 500+/- feet; thence cornering and running along the western right-of-way of South Pitt Street in a northerly direction for 200+/- feet and returning to the point of beginning and containing 11.35 +/- acres.

Section 2. That the following described territory is rezoned from IU (Unoffensive Industry) to CD (Downtown Commercial).

TO WIT: Tract 2

LOCATION: Being the area bounded by Bonners Lane, Atlantic Avenue, South Alley Street and the CSX Railroad.

DESCRIPTION: Beginning at a known point, said point being the intersection of the northern right-of-way South Alley Street and the western right-of-way of Atlantic Avenue, thence running along the northern right-of-way of South Alley Street in a westerly direction for 130+/- feet; thence cornering and running along the eastern right-of-way of the CSX Railroad in a northerly direction for 240+/- feet; thence cornering and running along the southern right-of-way of Bonners Lane in an easterly direction for 130+/- feet; thence cornering and running along the western right-of-way of Atlantic Avenue in a southerly direction for 130+/- feet and returning to the point of beginning and containing 0.74 +/- acres.

Section 3. That the following described territory is rezoned from CDF (Downtown Commercial Fringe) to CD (Downtown Commercial).

TO WIT: Tract 3

LOCATION: Being the area bounded by South Alley Street, the CSX Railroad, Bonners Lane and Atlantic Avenue.

DESCRIPTION: Beginning at a known point, said point being the intersection of the northern right-of-way Dickinson Avenue and the western right-of-way of Atlantic Avenue, thence running along the northern right-of-way Dickinson Avenue in a southwesterly direction for 180+/- feet; thence running along the eastern right-of-way of the CSX Railroad in a northerly direction for 250+/- feet; thence cornering and running along the northern property line of the property identified as Pitt County parcel number 06333 in a westerly direction for 130+/- feet; thence cornering and running along the western right-of-way of Atlantic Avenue in a southerly direction for 130+/- feet and returning to the point of beginning and containing 0.58 +/- acres.

Section 4. That the Director of Community Development is directed to amend the zoning map of the City of Greenville in accordance with this ordinance.

Section 5. That any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 6. That this ordinance shall become effective upon its adoption.

ADOPTED this 10th day of September, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Excerpt from the DRAFTED Planning & Zoning Commission Minutes (08/18/2015)

ORDINANCE REQUESTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION TO REZONE CERTAIN PROPERTIES IN THE GENERAL AREA BOUNDED BY READE CIRCLE, DICKINSON AVENUE, THE CSX RAILROAD, AND BONNERS LANE FROM CDF (DOWNTOWN COMMERCIAL FRINGE) AND IU (UNOFFENSIVE INDUSTRY) TO CD (DOWNTOWN COMMERCIAL) CONTAINING A TOTAL OF 12.67 ACRES - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. It is located in the central section of the city. The property is included in The Dickinson Avenue Corridor Study that was accepted by City Council last year. The request is for Area Two from The Dickinson Avenue Corridor Study. It consists of three tracts: tract 1 is 11.35 acres, tract 2 is 0.74 acres and tract 3 is .58 acres. In the plan there are five action items: embrace and support the Transit Infrastructure Plan for Residential Development immediately adjacent to the GTAC; balance student and market rate housing; coordinate transit between Greenville and ECU; re-align streets to improve wayfinding and connectivity; and new street layout creates land parcels appealing to development. The 10th Street Connector is to the south. These tracts have either CDF (Downtown Commercial Fringe) or IU (Unoffensive Industry) zoning. The majority of the area is already zoned CD (Downtown Commercial), which is the preferred zoning district. The CD zoning has mainly been accomplished via private rezoning requests from property owners. The purpose of the rezoning request is to have the entire Area Two be zoned CD. This zoning district is preferred because it allows for more intensive and complementary uses for the Uptown District with zero-lot line setbacks, mixed use development, no vegetation requirements and less restrictive parking standards. The Future Land Use Plan Map recommends commercial (C) for the area bounded by Reade Circle, Dickinson Avenue, the CSX Railroad, and Bonners Lane. The subject properties are located in the designated regional focus area described as the central business district (Uptown area). The rezoning area is also included in the West Greenville 45-Block Revitalization area. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map, The Dickinson Avenue Corridor Study, and the West Greenville 45-Block Revitalization Plan.

Chairman Parker opened the public hearing.

No one spoke in favor or in opposition of the request.

Chairman Parker closed the public hearing and opened for board discussion.

No board comments made.

Motion made by Mr. Smith, seconded by Ms. Bellis, 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 passed unanimously.

EXISTING ZONING

CDF (Downtown Commercial Fringe)

Permitted Uses

(1) General:

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

(2) Residential:

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

*(3) Home Occupations (see all categories):*None*

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

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

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

(9) Repair:

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

(10) Retail Trade:

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

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

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

(12) Construction:

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

(13) Transportation:

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

(14) Manufacturing/ Warehousing:

- c. Bakery; production, storage and shipment facilities

(15) Other Activities (not otherwise listed - all categories): None*

CDF (Downtown Commercial Fringe)

Special Uses

(1) General: None*

(2) Residential:

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

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining: None*

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical: None*

(8) Services:

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

(9) Repair:

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

(10) Retail Trade:

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

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade: None*

(12) Construction:

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

(13) Transportation:

- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

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

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

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

IU (Unoffensive Industry)

Permitted Uses

(1) General:

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

(2) Residential: None*

*(3) Home Occupations (see all categories):*None*

(4) Governmental:

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

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)
- b. Greenhouse or plant nursery; including accessory sales
- d. Farmers market
- e. Kennel (see also section 9-4-103)
- 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
- p. Circus, carnival or fairs

(7) Office/ Financial/ Medical:

- b. Operation/processing center
- c. Office; customer service 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)
- g. Catalogue processing center

(8) Services:

- n. Auditorium
- 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)
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- bb. Civic organization
- gg. Vocational rehabilitation center
- mm. Commercial laundries; linen supply
- nn. Industrial laundries
- y. Television, and/or radio broadcast facilities including receiving and transmission equipment and towers or cellular telephone and wireless communication towers [unlimited height, except as provided by regulations]

(9) Repair:

- b. Minor repair; as an accessory or principal use
- c. Upholster; automobile, truck, boat or other vehicle, trailer or van
- d. Upholsterer; furniture
- f. Appliance; household and office equipment repair
- h. Appliance; commercial and industrial equipment repair not otherwise listed

(10) Retail Trade:

- b. Gasoline or automotive fuel sale; accessory or principal use, retail
- h. Restaurant; conventional
- i. Restaurant; fast food
- cc. Farm supply and commercial implement sales

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

- a. Wholesale; durable and nondurable goods, not otherwise listed
- d. Rental of automobile, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
- e. Rental of tractors and/or trailers, or other commercial or industrial vehicles or machinery

(12) Construction:

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

(13) Transportation:

- a. Railroad freight or distribution and/or passenger station
- d. Truck terminal or distribution center
- e. Parcel delivery service
- f. Ambulance service

- g. Airport and related activities; private
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

- a. Ice plant and freezer lockers
- b. Dairy; production, storage and shipment facilities
- c. Bakery; production, storage and shipment facilities
- d. Stone or monument cutting, engraving
- g. Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholster
- h. Engraving; metal, glass or wood
- j. Moving and storage; including outside storage
- k. Mini-storage warehouse, household; excluding outside storage
- l. Warehouse or mini-storage warehouse, commercial or industrial; including outside storage
- m. Warehouse; accessory to approved commercial or industrial uses within a district; excluding outside storage
- o. Feed and grain elevator, mixing, redrying, storage or sales facility
- p. Tobacco redrying or processing plant
- s. Manufacture of nonhazardous products; general, including nonhazardous and nontoxic chemicals and/or materials not otherwise listed
- t. Manufacture of nonhazardous medical supplies or medical products, including distribution
- u. Tire recapping or retreading plant
- v. Bottling or packing plant for nonhazardous materials or products
- y. Recycling collection station of facilities
- cc. Manufacture of pharmaceutical, biological, botanical, medical, and cosmetic products, and related materials

(15) Other Activities (not otherwise listed - all categories): None*

IU (Unoffensive Industry)

Special Uses

(1) General: None*

(2) Residential:

- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
- j. Residential quarters for resident manager, supervisor or caretaker; including mobile home
- o. Nursing, convalescent center or maternity home; major care facility

(3) Home Occupations (see all categories): None*

(4) Governmental: None*

(5) Agricultural/ Mining: None*

(6) Recreational/ Entertainment:

- e. Miniature golf or putt-putt course
- i. Commercial recreation; indoor and outdoor, not otherwise listed
- k. Firearm ranges; indoor or outdoor

(7) Office/ Financial/ Medical:

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

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- l. Convention center; private

- o. Church or place of worship (see also section 9-4-103)
- s.(1). Hotel, motel, bed and breakfast inn; extended stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)

(9) Repair:

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

(10) Retail Trade:

- j. Restaurant; regulated outdoor activities

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

- g. Mobile home sales including accessory mobile home office

(12) Construction: None*

(13) Transportation:

- c. Taxi and limousine service

(14) Manufacturing/ Warehousing:

- z. Metallurgy, steel fabrication, welding

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

- c. Other activities; commercial services not otherwise listed
- e. Other activities; industrial services not otherwise listed

PROPOSED ZONING

CD (Downtown Commercial)

Permitted Uses

(1) General:

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

(2) Residential:

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

*(3) Home Occupations (see all categories):*None*

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

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

(9) Repair:

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

(10) Retail Trade:

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

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

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

(12) Construction:

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

(13) Transportation:

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

(14) Manufacturing/ Warehousing:

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

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

* None

CD (Downtown Commercial)

Special Uses

*(1) General:** None

(2) Residential:

e.(1) Dormitory development

*(3) Home Occupations (see all categories):** None

(4) *Governmental*:* None

(5) *Agricultural/ Mining*:* None

(6) *Recreational/ Entertainment*:

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

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

(8) *Services*:

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

(9) *Repair*:

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

(10) *Retail Trade*:

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

(11) *Wholesale/ Rental/ Vehicle- Mobile Home Trade*:* None

(12) *Construction*:* None

(13) *Transportation*:* None

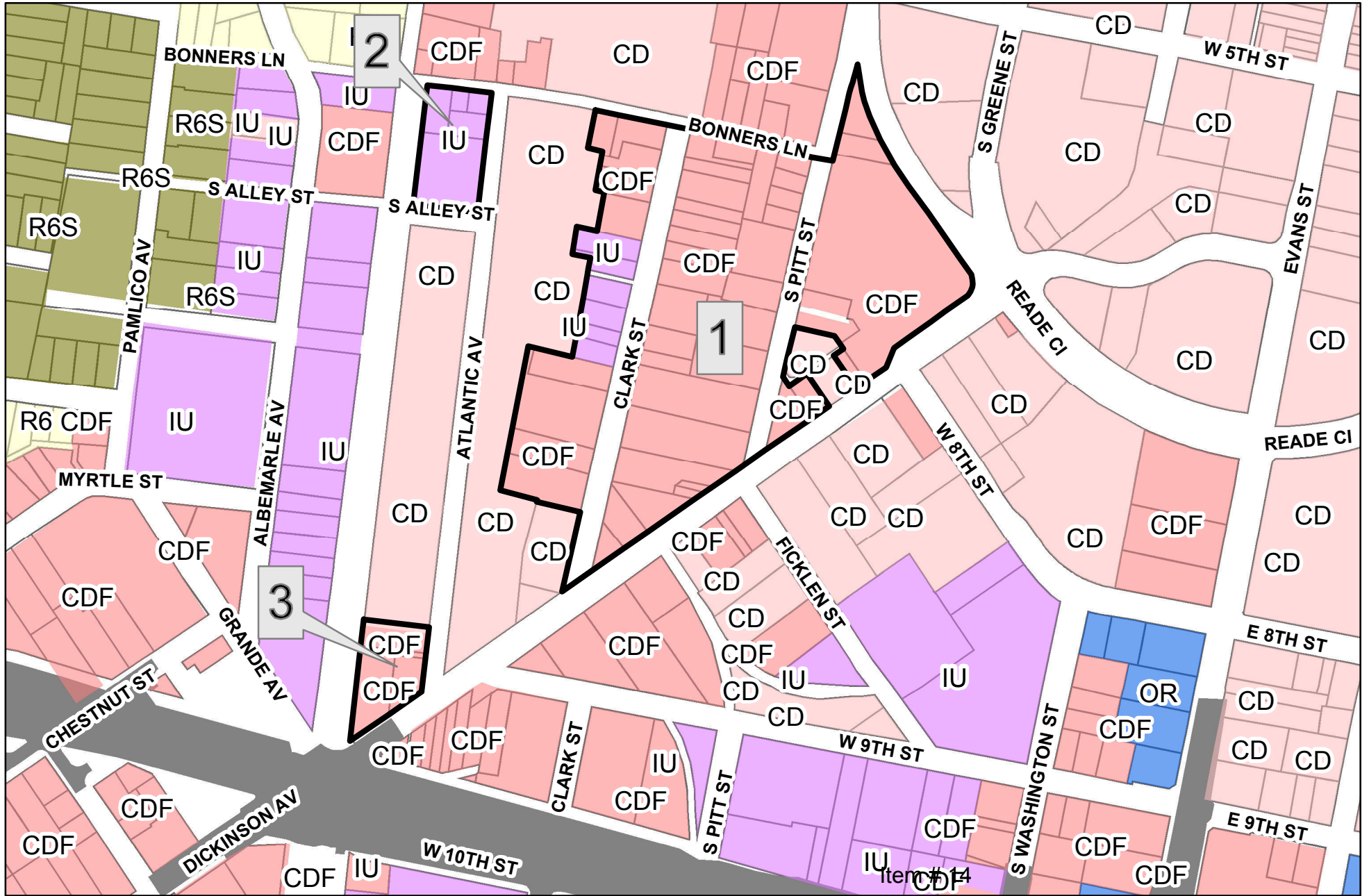
(14) *Manufacturing/ Warehousing*:

- y. Recycling collection station or facilities

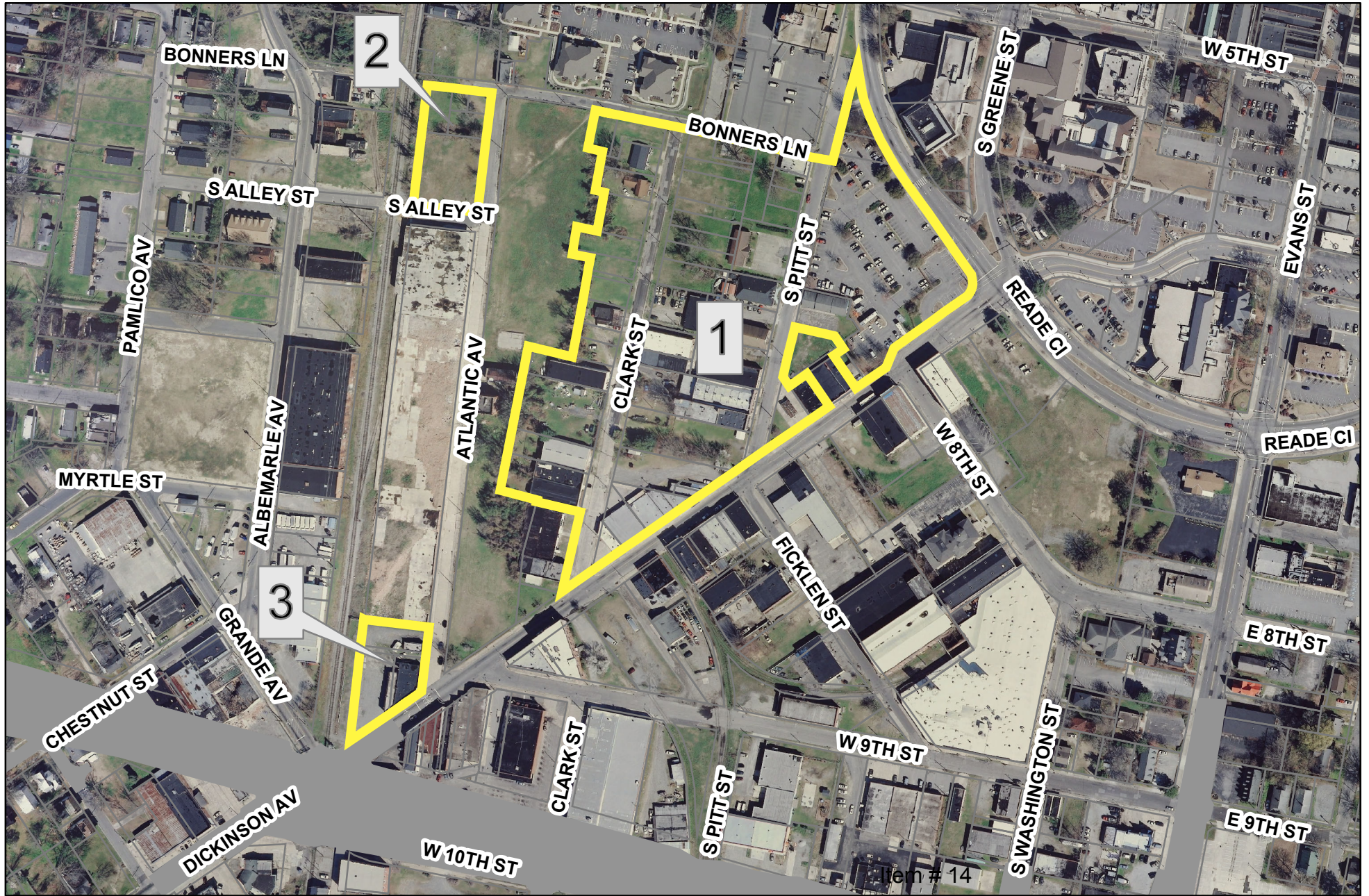
(15) *Other Activities (not otherwise listed - all categories)*:

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

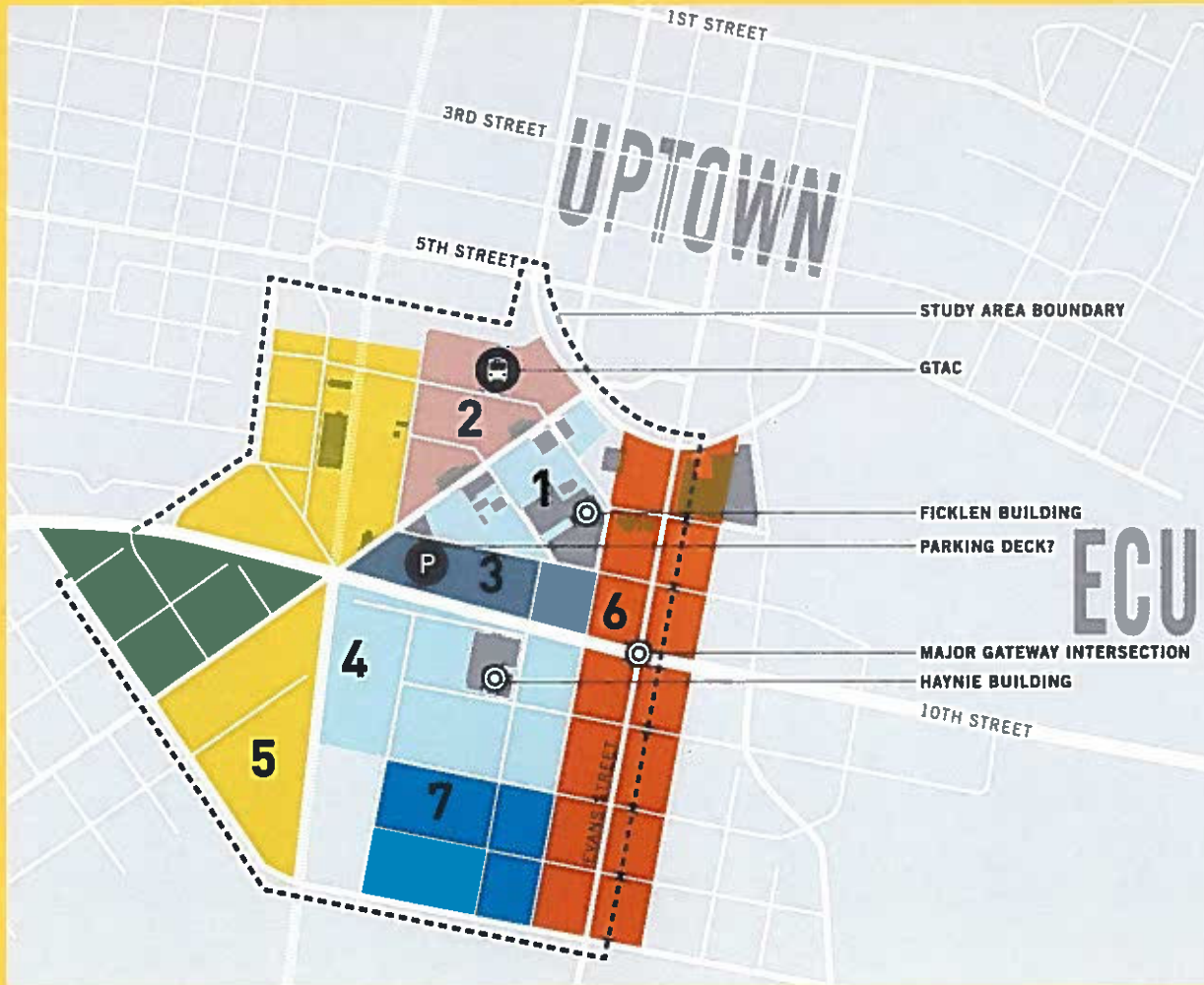
Dickinson Avenue (Area 2)
Tract 1: CDF, IU to CD (11.35 acres)
Tract 2: IU to CD (0.74 acres)
Tract 3: CDF to CD (0.58 acres)
July 23, 2015



Tract 1: CDF, IU to CD (11.35 acres)
Tract 2: IU to CD (0.74 acres)
Tract 3: CDF to CD (0.58 acres)
July 23, 2015



EIGHT DISTINCT SUB-AREAS



Legend

- AREA ONE: HISTORIC BUILDING INFILL
- AREA TWO: ARTS DISTRICT AND TRANSIT
- AREA THREE: 10TH STREET THRESHOLD
- AREA FOUR: INNOVATION ZONE
- AREA FIVE: PDR AREAS
- AREA SIX: EVANS CORRIDOR
- AREA SEVEN: EXISTING RESIDENTIAL NEIGHBORHOOD
- AREA EIGHT: ATHLETICS / RECREATION ZONE

ACTION AREA

GTAC TRANSIT-ORIENTED DEVELOPMENT

NEW STREETS TO CREATE MARKET READY SITES

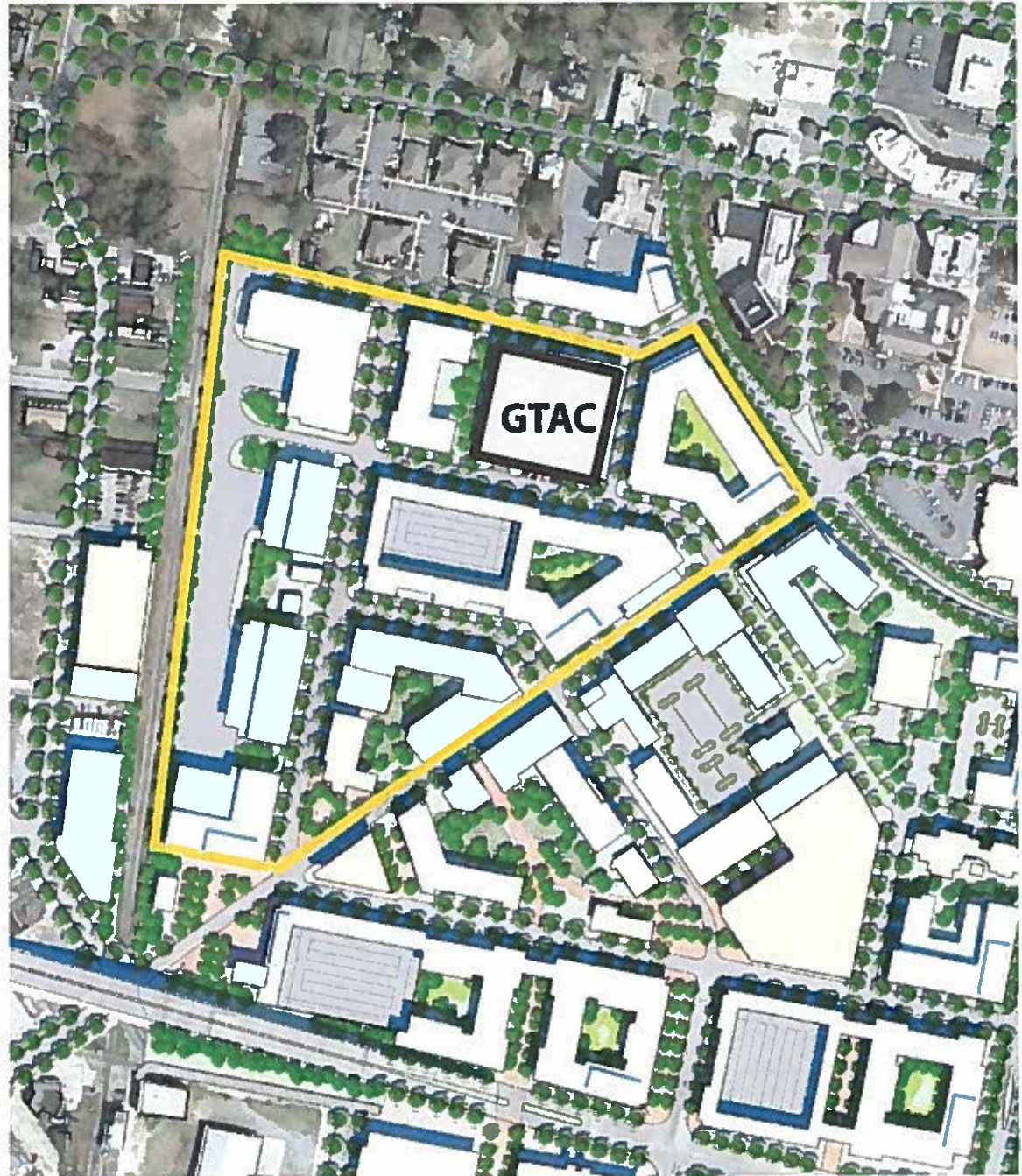
Embrace and Support the Transit Infrastructure –Plan for Residential Development Immediately Adjacent to the GTAC

Balance Student and Market-Rate Housing

Coordinate Transit between Greenville and ECU

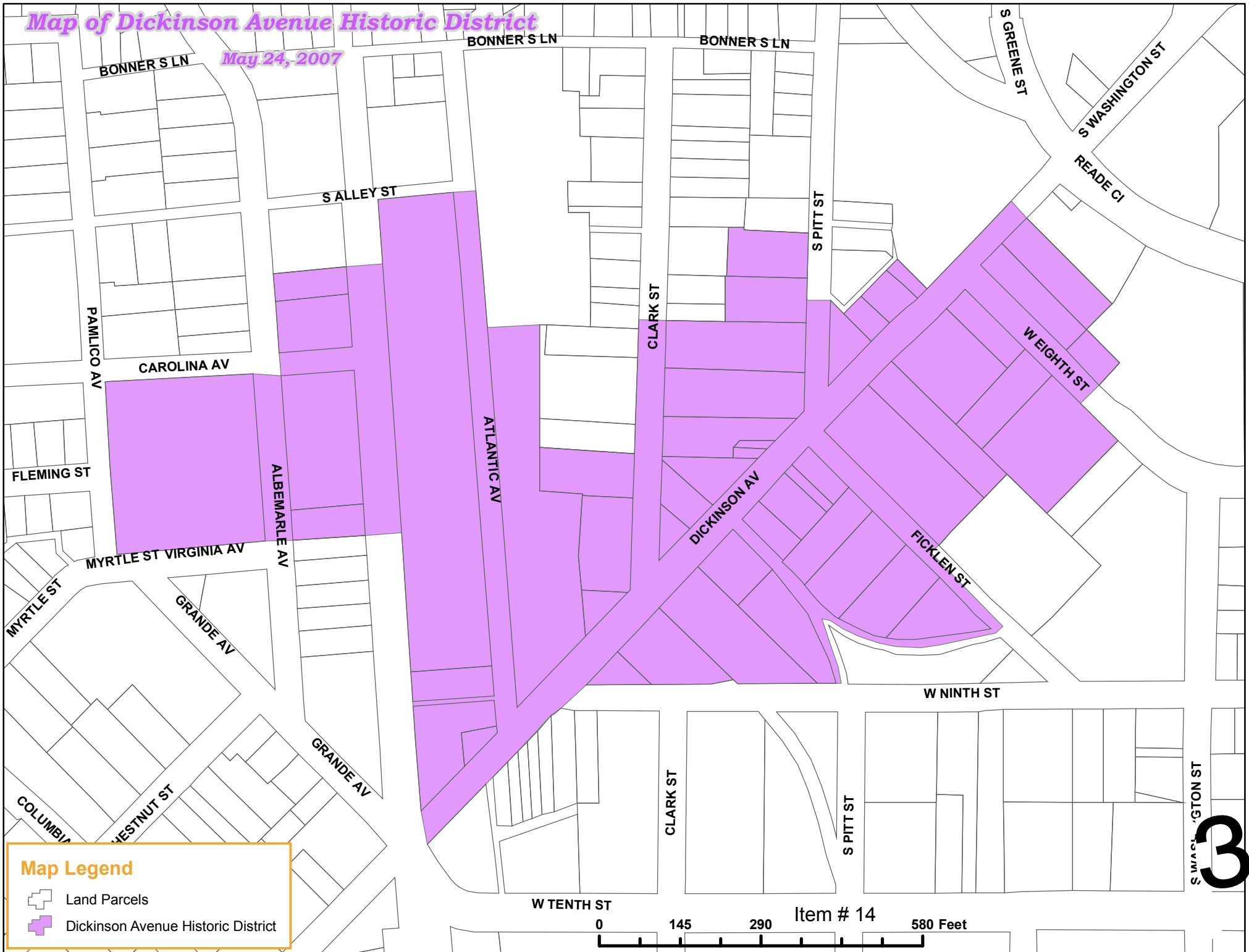
Realign Streets to Improve Wayfinding and Connectivity

New Street Layout Creates Land Parcels Appealing to Development





Map of Dickinson Avenue Historic District

May 24, 2007



Map Legend

-  Land Parcels
-  Dickinson Avenue Historic District

W TENTH ST

0 145 290 580 Feet

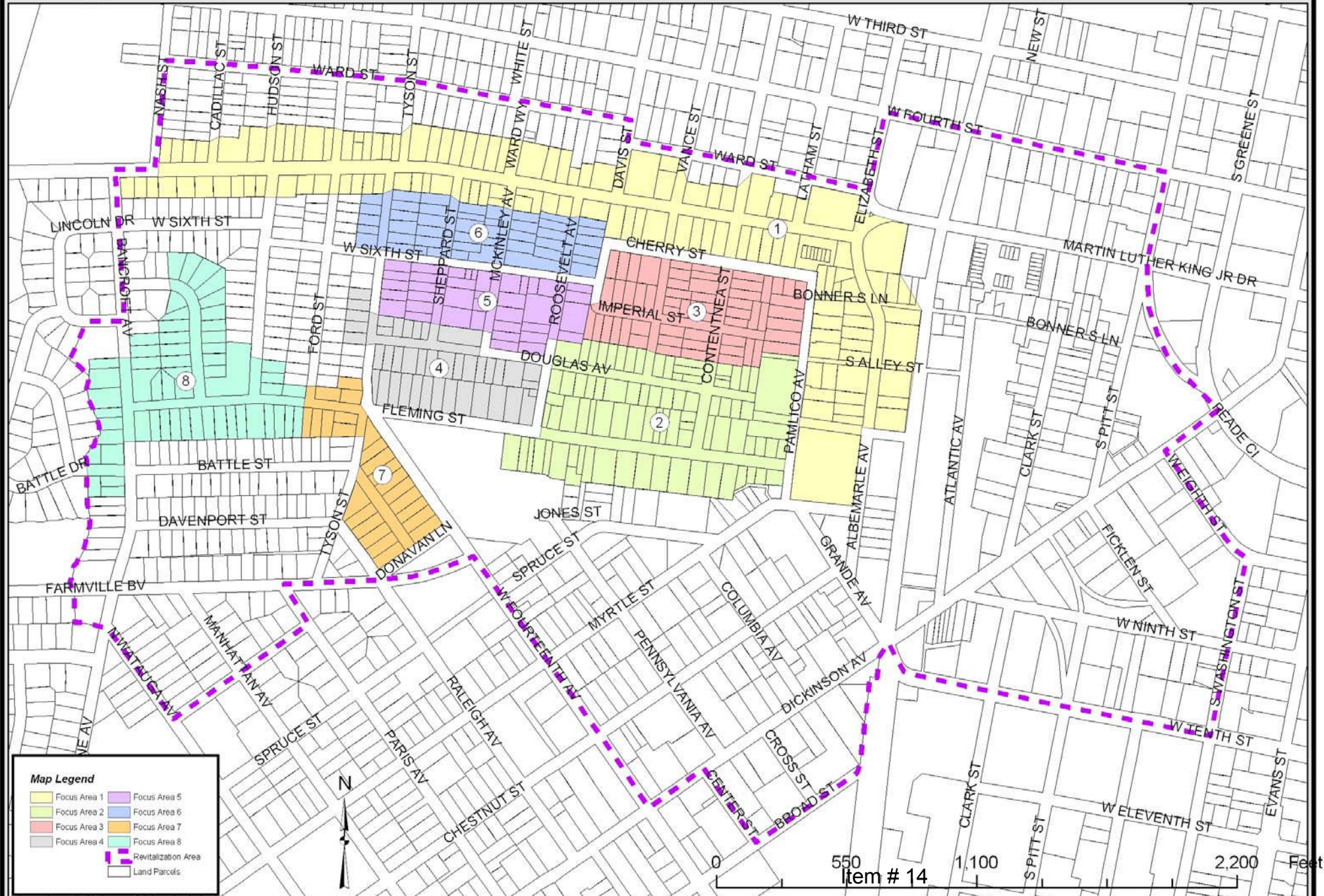
Item # 14

3



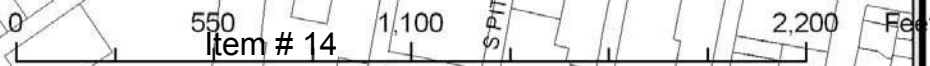
West Greenville Revitalization Area

June 9, 2005



Map Legend

- Focus Area 1
- Focus Area 2
- Focus Area 3
- Focus Area 4
- Focus Area 5
- Focus Area 6
- Focus Area 7
- Focus Area 8
- Revitalization Area
- Land Parcels



Item # 14

04/30/07

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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

Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
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: 9/10/2015
Time: 6:00 PM

Title of Item: Ordinance requested by Bill Clark Homes to amend the Future Land Use Plan Map for the properties located near the southeast corner of the intersection of NC Highway 43 and Ivy Road, containing 41+/- acres, from suburban residential (SR) and residential-agricultural (RA) categories (Pitt County's Jurisdiction) to medium density residential (MDR) and conservation/open space (COS) categories (City of Greenville's Jurisdiction)

Explanation: **Abstract:** The City has received a request from Bill Clark Homes to amend the Future Land Use Plan Map for the properties located near the southeast corner of the intersection of NC Highway 43 and Ivy Road, containing 41+/- acres, from suburban residential (SR) and residential-agricultural (RA) categories (Pitt County's Jurisdiction) to medium density residential (MDR) and conservation/open space (COS) categories (City of Greenville's Jurisdiction).

History/Background:

On August 13, 2015, at the request of the property owners, these properties were annexed into the City of Greenville's jurisdiction. Currently, these properties are subject to Pitt County's 2030 Comprehensive Land Use Plan. Since they were annexed into the City and require city zoning, an amendment to the City's Future Land Use Plan Map is necessary prior to the rezoning request.

Under Pitt County's 2030 Comprehensive Land Use Plan:

The properties are recommended for SR (suburban residential) and RA (rural residential-agricultural) at the southeast corner of the intersection of NC Highway 43 and Ivy Road.

Land designated as SR is distinguished from land designated as RA by the greater potential for development and the inclusion of a broader range of land uses. Land within this category could develop with or without public sewer.

SR, Suburban Residential District. The SR, Suburban Residential District, is

intended to accommodate low density, single-family residential uses and their associated, supporting public and institutional uses in areas that have access to public or community water and sewer services or in areas that can readily be served by such systems. This district is intended to accommodate land uses that are served by public sewer service and is not intended to accommodate development that is served by septic tanks.

Horizons: Greenville's Community Plan:

The subject property will be included in Vision Area C.

The request is to amend the FLUPM to recommend medium density residential (MDR) and conservation/open space (COS) near the southeast corner of the intersection of NC Highway 43 and Ivy Road.

NC Highway 43 is considered a gateway corridor from its intersection with Fire Tower Road and continuing south. Gateway corridors serve as primary entranceways into the city and help define community character. These roads are designed to carry high volumes of traffic through and across the city.

Ivy Road is considered a residential corridor. Along residential corridors, office, service and retail activities should be specifically restricted to the associated focus area, and linear expansion outside of the focus area should be prohibited.

Urban Form Objectives

UF 15. To annex land and extend the ETJ when feasible.

Growth and Development Implementation Strategies

3(a). Amend the future land use plan map to reflect the city's water and sewer extension projects as they are planned.

Environmental Conditions/Constraints:

The subject property is impacted by the 500 and 100-year floodplains associated with the Indian Wells Swamp.

Surrounding Land Uses and Zoning:

North: RA- Scattered single-family residences

South: RA - One single-family residence and farmland

East: RA - Woodlands

West: RA - One (1) single-family residence

Water/Sewer:

Sanitary sewer is available via the Indian Wells Sewer Pump Station which became available in January 2015. Water is available from Eastern Pines Water Corporation.

The Horizons: Greenville's Community Plan 2010 Update provides criteria in determining if a change to the FLUPM is compatible.

The following are excerpts from the 2010 Update.

A FLUPM amendment request will be construed to be "compatible with the comprehensive plan" if:

(i) The proposed amendment is determined by Planning and Zoning Commission and City Council to be necessary as a result of changed conditions in the local development pattern, street pattern, environment or other major feature or plan, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the Current FLUPM; and

(ii) The location of the proposed classification(s) support the intent and objective of the current FLUPM, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan; and

(iii) The resulting anticipated land use is properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing land and future neighborhoods and businesses within and in proximity to the area of proposed amendment; and

(iv) The amendment is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.

Fiscal Note:

No cost to the City.

Recommendation:

Staff recommends approval of the ordinance requested by Bill Clark Homes to amend the Future Land Use Plan Map for the properties located near the southeast corner of the intersection of NC Highway 43 and Ivy Road, containing 41+/- acres, from suburban residential (SR) and residential-agricultural (RA) categories (Pitt County's Jurisdiction) to medium density residential (MDR) and conservation/open space (COS) categories (City of Greenville's Jurisdiction).

In consideration of the criteria listed in the 2010 Update regarding requests to amend the Future Land Use Plan Map and mitigating factors as previously mentioned, staff's opinion is that the request is **compatible** with the comprehensive plan based on the following criteria listed in the 2010 Update. The proposed MDR and COS categories:

- are a result of changed conditions in the local development pattern, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the Current FLUPM; and

- support the intent and objective of the current FLUPM, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan; and
- are properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing land and future neighborhoods and businesses within and in proximity to the area of proposed amendment; and
- are anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.

The Planning and Zoning Commission voted to deny the request at its August 18, 2015 meeting.

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

Attachments / click to download

- [Attachments](#)
 - [Ordinance Bill Clark Homes FLUPM Amendment 1010624](#)
 - [Minutes Bill Clark Home FLUPM amendment 1010640](#)
-

ORDINANCE NO. 15-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
AMENDING HORIZONS: GREENVILLE'S COMMUNITY PLAN

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on September 10, 2015, at 6:00 p.m. in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the Future Land Use Plan Map for the following described territory;

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

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

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

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

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

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

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

Section 1. The Future Land Use Plan Map is hereby amended by re-designating from a "Suburban Residential" category to a "Medium Density Residential" for the area described as being beginning at an existing nail in the centerline intersection of NC Highway 43 and NCSR 2241, Ivy Road, thence from the nail S 13-24-42 E 380.43' to a point in the common property line of Harrell Norman and Lydia Bryant Weathersby as recorded in Deed Book 2868 Page 828, The True Point of Beginning. Thence from the True Point of Beginning, leaving the eastern right-of-way of NC Highway 43, along common line of Harrell Norman and Lydia Bryant Weathersby the following calls: N 73-25-21 E 192.98', N 17-00-07 W 227.38' to the common corner of Harrell Norman and Lydia Bryant Weathersby and Johnnie Stokes, thence the common line of Johnnie Stokes N 55-33-16 E 341.95, to a point that is the common corner of Ervin Williams, and Ruth Forrest, thence N 20-51-09 E 29.78' to a point, thence along the southern

property line of Ruth Forrest and then Brewer Subdivision as recorded in Map Book 20, Page 4, and Map Book 21, Page 95, the following calls: N 66-22-13 E 377.04', N 40-41-13 E 109.08', N 62-32-08 E 100.03', N 62-36-46 E 100.02', N 62-03-11 E 100.16' to the southeast corner of Lot 7, Brewer Subdivision, thence N 27-32-35 W 199.55' to a point on the southern right-of-way of NCSR 2241, Ivy Road, thence along the right-of-way N 62-28-15 E 60.00', thence leaving the right-of-way S 27-24-39 E 200.02 to the south west corner of Lot 8, thence along the southern property line of Brewer Subdivision the following calls: N 62-33-23 E 399.79', N 63-15-34 E 100.10', N 64-43-17 E 99.91' to the southeast corner of Lot 13, thence N 27-23-43 W 200.65' to a point on the southern right-of-way of NCSR 2241, Ivy Road, thence along the right-of-way N 65-07-10 E 59.97, thence leaving the right-of-way S 27-23-43 E 200.35', thence cornering and running along a line for 1,300+/- feet in a southerly direction, thence along S 86-19-12 W, 140.00', N 67-24-09 W 221.77', S 66-23-57 W 218.29', S 65-50-51 W 1029.86' to a point on the eastern right-of-way of NC Highway 43, a common corner with Johnnie M. Smith, thence along the right-of-way the following calls: N 20-44-37 W 146.38', N 22-43-38 W 100.15', N 16-51-52 W 100.12', N 12-47-19 W 99.92, N 09-06-49 W 99.51, N 03-21-59 E 1.87' to the True Point of Beginning and containing 36+/- acres and being all or a portion of Parcels 23083, 02247, and 46270 as filed with the Pitt County Tax Assessor's Office.

Section 2. The Future Land Use Plan Map is hereby amended by re-designating from a "Suburban Residential" category and a "Rural Residential-Agricultural" category to a "Conservation/Open Space" category for the area along the right-of-way N 65-07-10 E 59.97, thence leaving the right-of-way S 27-23-43 E 200.35' as the point of beginning, thence N 65-31-13 E 100.08', N 27-24-50 W 200.70' to a point on the southern right-of-way of NCSR 2241, thence along the right-of-way N 65-21-46 E 200.25' to a common corner of Mac Ross, thence along the western property line of Mac Ross the following calls: S 14-46-24 W 136.76', S 15-00-26 W 157.23', S 10-53-47 W 108.00', S 13-31-47 W 178.84', S 11-56-59 E 193.68', S 13-31-45 E 216.79', S 15-32-56 E 209.93', S 04-46-06 E 216.36' to the common corner with Mac Ross and Johnnie M. Smith, thence along the line of Johnnie M. Smith the following calls: S 00-48-42 E 182.71', S 86-19-12 W 305.00, thence cornering and running along a line for 1,300.00' in a northerly direction and to the point of point of beginning and containing 5+/- acres and being a portion of Parcel 02247 as filed with the Pitt County Tax Assessor's Office.

Section 3. That the Director of Community Development is directed to amend the Future Land Use Plan Map of the City of Greenville in accordance with this ordinance.

Section 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 10th day of September, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

1010624

Excerpt from the DRAFTED Planning & Zoning Commission Minutes (08/18/2015)

ORDINANCE REQUESTED BY BILL CLARK HOMES TO AMEND THE FUTURE LAND USE PLAN MAP FOR THE PROPERTIES LOCATED NEAR THE SOUTHEAST CORNER OF THE INTERSECTION OF NC HIGHWAY 43 AND IVY ROAD FROM SUBURBAN RESIDENTIAL (SR) AND RESIDENTIAL-AGRICULTURAL (RA) CATEGORIES (PITT COUNTY'S JURISDICTION) TO MEDIUM DENSITY RESIDENTIAL (MDR) AND CONSERVATION/OPEN SPACE (COS) CATEGORIES (CITY OF GREENVILLE'S JURISDICTION) CONTAINING 41+/- ACRES - DENIED

Ms. Gooby delineated the property. She stated its located south of the City, in the County's Jurisdiction. On August 13, 2015, at the request of the property owners, these properties were annexed into the City of Greenville's Jurisdiction by City Council. Currently, these properties are subject to Pitt County's 2030 Comprehensive Land Use Plan. Since they were annexed into the City and require city zoning, an amendment to the City's Future Land Use Plan Map is necessary prior to the rezoning request. The surrounding uses are scattered single-family residences, farmland, and woodlands. The subject property is impacted by the 500 and 100-year floodplains associated with the Indian Wells Swamp. Under Horizons: Greenville's Community Plan, the subject properties will be included in Vision Area C. The request is to amend the FLUPM to recommend medium density residential (MDR) and conservation/open space (COS). NC Highway 43 is considered a gateway corridor from its intersection with Fire Tower Road and continuing south. Gateway corridors serve as primary entranceways into the city and help define community character. These roads are designed to carry high volumes of traffic through and across the city. Ivy Road is considered a residential corridor. Under Pitt County's 2030 Comprehensive Land Use Plan, the properties are recommended for suburban residential (SR) and rural residential-agricultural (RA). Land designated as SR is distinguished from land designated as RA by the greater potential for development and the inclusion of a broader range of land uses. Land within this category could develop with or without public sewer. This district is intended to accommodate land uses that are served by public sewer service and is not intended to accommodate development that is served by septic tanks. Sanitary sewer is available via the India Wells Sewer Pump Station which is located across Ivy Road from these properties. Sewer became available January, 2015. Water is available from Eastern Pines Water Corporation. The Horizons: Greenville's Community Plan 2010 Update provides criteria in determining if a change to the FLUPM is considered "compatible". To be considered compatible the request: is a result of changed conditions in the local development pattern, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the Current FLUPM; the request supports the intent and objective of the current FLUPM, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan; the request is properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing land and future neighborhoods and businesses within and in proximity to the area of proposed amendment; and the request is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation. Staff recommends approval of the proposed amendment because sanitary sewer just became available this year, the request is in character with the surrounding land uses, the property has several means of ingress/egress, and the request should result in a sustainable land use pattern that is equal to the land use category on the Pitt County Land Use Plan Map.

Chairman Parker opened the public hearing.

Mr. Ritchie Brown, Stroud Engineering spoke in favor of the request. The property owners are working with Bill Clark on this property and would appreciate approval of the amendment.

Mr. Bobby James spoke in opposition of the request. He stated the intersection of Highway 43 and Ivy Road is the worst intersection in Pitt County. There are many accidents due to the curvature of the road.

Additional egress/ingress on Highway 43 will make the situation worse. There a ditch in that area that flooded last year.

Ms. Reid asked if his property flooded.

Mr. James stated that water flooded the highway and his property across the road. He stated he has spoken to DOT about the flooding. He was told last year when the sewer line was put in that no one would be able to connect to sewer that is was specifically for Chicod School.

Chairman Parker asked if the ditch backed up due to lack of maintenance.

Mr. James stated it is not maintained properly and someone took the berms down. He stated he is not against development but is against development not handled properly.

Ms. Bellis asked who would be responsible to maintain the ditch.

Ms. Darden asked for the storm water drainage guidelines.

Mr. Scott Godefroy, City Engineer, stated that normally it would be Pitt County handle maintenance of the ditch. Any drainage issues would be handled during the review process at the time of development and plans submitted.

Attorney Holec stated it is not the City's responsibility. If development is to occur, the developer would have to address the storm water.

Mr. King asked if the development would be according to City standards.

Ms. Godefroy stated yes and there are new rules for residential storm water detention.

Mr. Schrade asked for clarification on what they are voting on.

Ms. Gooby stated that as of last Thursday the property was in the City's Jurisdiction. Therefore, the property needs city zoning so the property needs to be on the City's Future Land Use Map prior to the rezoning request. The applicant is requesting medium density residential use. The vote tonight is to change the designation from the Pitt County Land Use Plan Map categories to the City's Future Land Use Plan Map categories.

Mr. Schrade stated that it is already City. The developer will have to work out the water problem later. Tonight's vote has nothing to do with the water problem.

Ms. Gooby stated that the property owner requested annexation in order to tap onto sewer. In order to tap onto sewer, the property was annex into the City. The property will be developed under city standards.

Mr. Merrill Flood, Director of Community Development, stated that the preliminary plat will show how the site will be developed and how drainage will be handled. This will happen at a later date.

Ms. Leech stated she has a density concern since there already is a drainage issue. The future concentration of potential construction in the area with impervious surfaces could cause a greater impact. She prefers to see a lower density with less concrete for easier drainage.

Ms. Bellis asked if this came about due to the extension of sewer and the property owner requesting to be

annexed into the City and then higher densities create more residencies in the area. She asked if it was anticipated to have more development along the Highway 43 corridor where sewer is now located.

Ms. Gooby stated that it can be a domino effect. If sewer exists, development will be follow.

Mr. Flood stated at the June City Council meeting, staff advised Council of the interest in this area. He stated the City has growth boundary extension agreements with the Town of Winterville. There is infrastructure that is available and will spur development. Under the statues, if the request is within three miles of the City's Jurisdiction and there is the ability to extend services exists and it is closer to the City then another jurisdiction, it can be annexed. The City Council reviewed and approved this request.

Chairman Parker asked if staff is already working on water mitigation.

Mr. Godefroy stated that prior to last year no retention was necessary for residential property. Now there is a 10-year storm water retention residential requirement. This will need to be submitted as part of the development plan. There is a possibility it could require a 25-year storm plan.

Ms. Bellis asked which council district this property would be in.

Ms. Gooby stated it is closest to district four.

Mr. King asked if a traffic study had been done since many accidents occur in the area.

Ms. Gooby stated Ivy Road/Highway 43 are state maintained roads. When rezonings occur, the Engineering Department prepares a traffic report based on current development and anticipated development. The preliminary plat shows street connections and the number of lots. That information helps determine mitigation measures such as, turn lanes, deceleration lanes, etc...

Mr. King asked if the Greenville Police would be responsible for this area.

Ms. Gooby stated Greenville Police would respond to services call within the subdivision proper.

Ms. Leech asked if development would extend three miles south of this area.

Attorney Holec stated no. It would have to be a contiguous boundary wherever that occurs.

Ms. Lisa Herman, resident at 2682 Ivy Road, spoke in opposition of the request. She has concerns with the easement between her home and the neighbors because it appears it will be egress/ingress. A neighborhood would normally be about 35 mph speed limit but Ivy Road is 50 mph in front of her home. She is concerned with who will respond to Fire/Police calls when both City and County show up. Her property is across the street from the pump station.

Mr. Lee Spain spoke in opposition of the request. His property is at the corner of Highway 43 and Ivy Road. He has seen and heard many dangerous wrecks and many more close calls. He stated building a new neighborhood there would make safety worse.

Mr. Brown spoke in favor rebuttal. He stated that developers are required to keep pre-development and post-development water run off the same regardless of the density. He stated that DOT has required a turn lane on Ivy Road to head north on NC Highway 43.

Chairman Parker closed the public hearing and opened for board discussion.

Ms. Leech stated she would prefer a lower density.

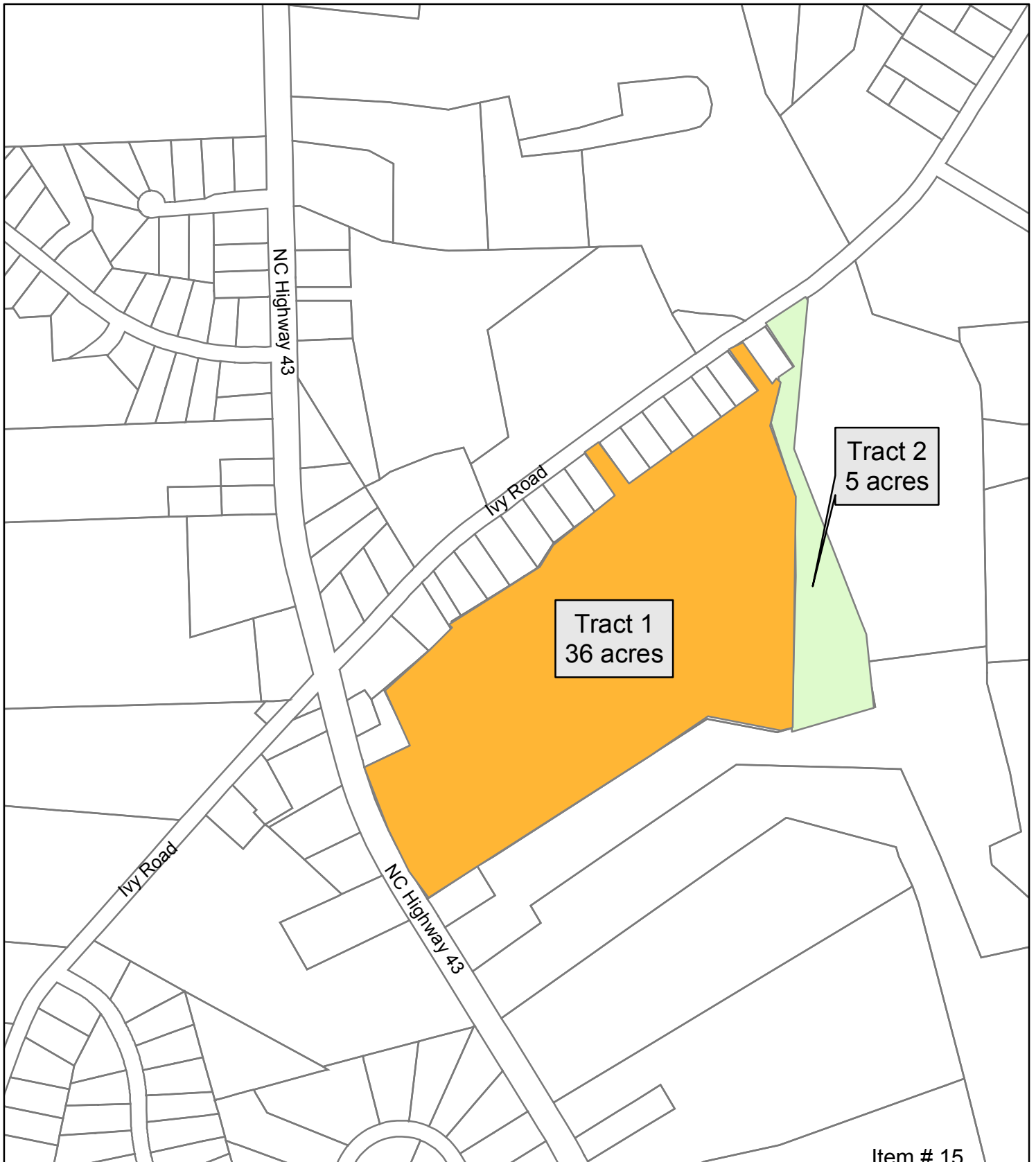
Ms. Darden agreed.

Attorney Holec stated the Commission must make a vote to approve or deny the request. Suggestions can be made after the vote.

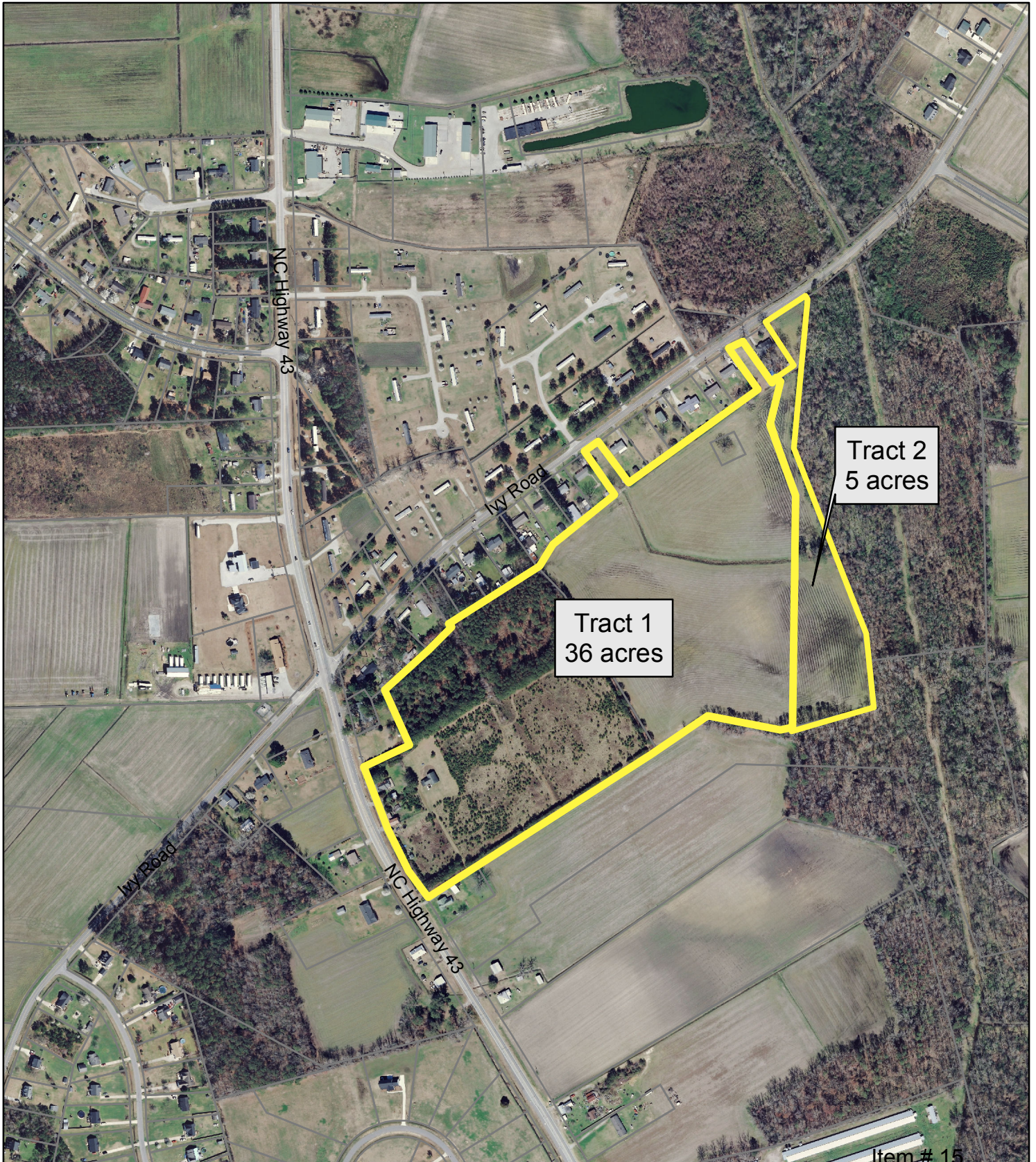
Motion made by Mr. Smith, seconded by Mr. Connelly, to recommend approval of the proposed amendment to advise that it is consistent with the Comprehensive Plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. In favor: Smith, Schrade, and Connelly. Oppose: Leech, Reid, Bellis, King, and Darden. Motion failed.

Motion made by Ms. Darden, seconded by Mr. King, to recommend low density residential. In favor: Leech, Reid, Bellis, King, and Darden. Oppose: Smith, Schrade, and Connelly. Motion carried.

Bill Clark Homes
Future Land Use Plan Map
Tract 1: Medium Density Residential
Tract 2: Conservation/Open Space
August 4, 2015

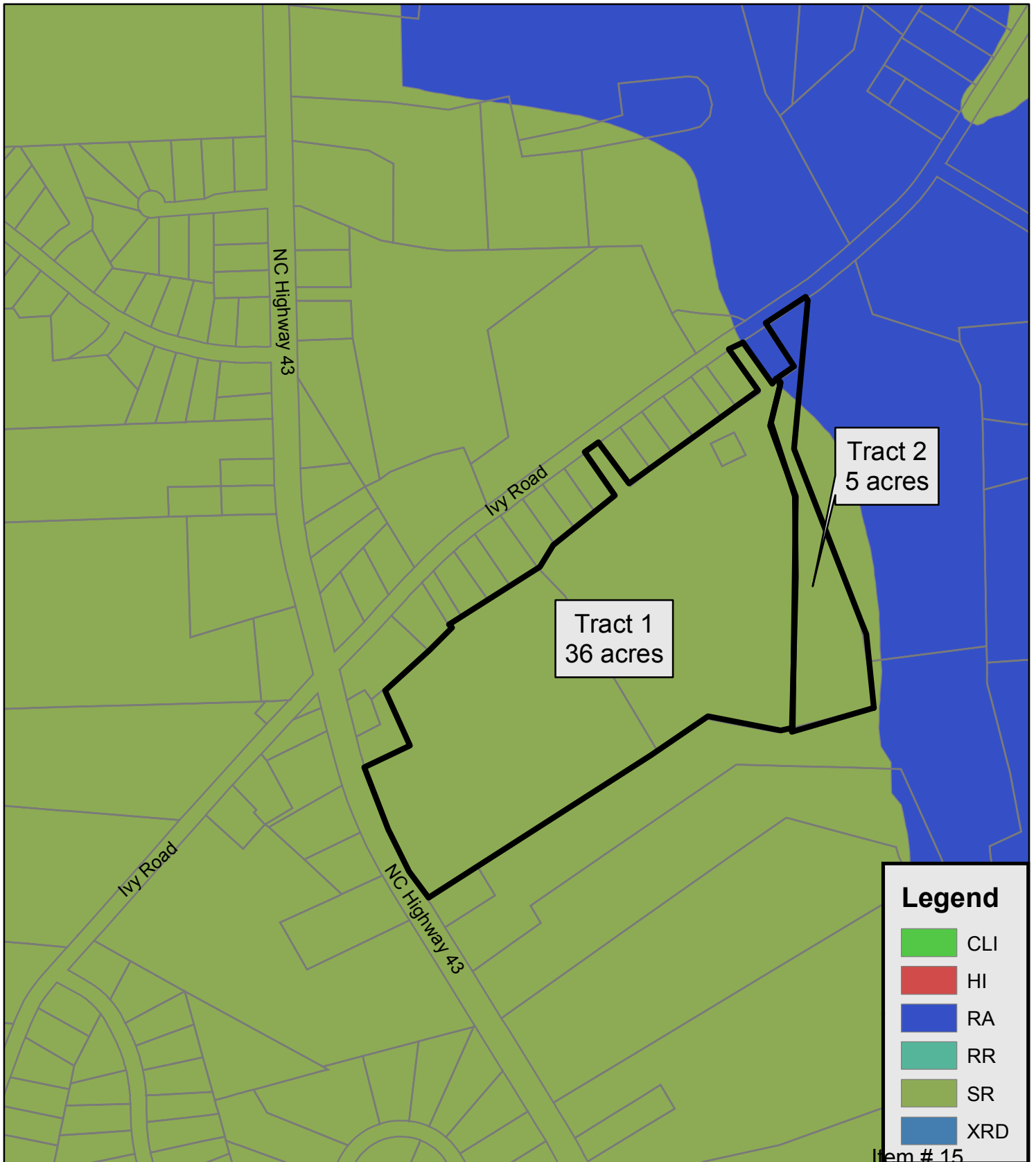


Bill Clark Homes
Future Land Use Plan Map
Tract 1: Medium Density Residential
Tract 2: Conservation/Open Space
August 4, 2015





Pitt County Future Land Use Plan Map



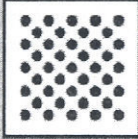
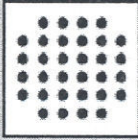
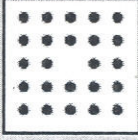
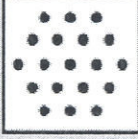

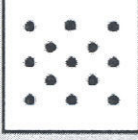
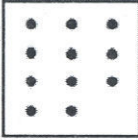
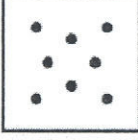
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons 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: 9/10/2015
Time: 6:00 PM

Title of Item: Ordinance to amend the Zoning Ordinance by adding a wine, beer and keg store as an allowed land use within the CN (Neighborhood Commercial) zoning district, subject to an approved special use permit, and establishing specific criteria

Explanation: **Abstract:** The City of Greenville received an application from Ms. Tandi Mahn for a Zoning Ordinance text amendment that proposes the addition of a definition and regulations to allow wine, beer and keg stores in the Neighborhood Commercial (CN) zoning district through special use permits and proposes review criteria and operational requirement for such stores.

Explanation: Greenville's Zoning Ordinance does not allow wine, beer and keg stores. Omission of a particular land use is interpreted to mean uses not listed are prohibited. The attached staff report provides details regarding this text amendment. The applicant's full application submittal is attached to the staff report in Appendix B. This text amendment application proposes to allow beer tastings which are limited to serving only two-ounce tastings and does not allow on-premise consumption of full-sized glasses of beer.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan, 2004, Plan Elements, Economy, Objective E1, which states, "To create conditions favorable for healthy economic expansion in the area." and Objective E2, which states, "To attract new industry and businesses which strengthen Greenville's role as a regional center."

The Planning and Zoning Commission voted to recommend approval of the request at its August 18, 2015 meeting. (Exhibit C)

If the City Council determines to approve the text amendment, a motion to adopt the attached text amendment 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 the City Council determines to deny the text amendment, in order to comply with statutory requirements, it is recommended that the motion be as follows:

"Motion to deny the requested text amendment, to make a finding and determination that the requested text amendment is inconsistent with the comprehensive plan or other applicable plans, including but not limited to the following; Horizons: Greenville's Community Plan, 2004, Plan Elements, Economy, Objective E1, to create conditions favorable for healthy economic expansion in the area, and Objective E2, to attract new industry and businesses which strengthen Greenville's role as a regional center."

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

Attachments / click to download

[Staff Report - 8-26-2015](#)

[Ordinance Wine Beer and Keg Store Text Amendment 1009650](#)

ORDINANCE NO. 15-
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 September 10, 2015, at 6:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

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

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Horizons: Greenville's Community Plan, 2004, Plan Elements, Economy, Objective E1 to create conditions favorable for healthy economic expansion in the area; Objective E2 to attract new industry and businesses which strengthen Greenville's role as a regional center;

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, attract new businesses;

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

Section 1: That Title 9, Chapter 4, Article B, Section 9-4-22 of the City Code is hereby amended by adding the following definitions for "Wine, Beer and Keg Store":

Wine, Beer and Keg Store. An establishment conducted pursuant to G.S. 18B-1001 as amended, and operated as a principal or accessory use, which is authorized to sell wine and malt beverages in the manufacturer's original container for consumption off the premises and the retail sale of malt beverages in a cleaned, sanitized, resealable container as defined in 4 NCAC 2T.0308(a) that is filled or refilled and sealed for consumption off the premises, provided however, the permittee shall be authorized to

conduct accessory and incidental malt beverage two-ounce tastings on the premises and is further authorized to sell malt beverages for on-premises consumption, limited to two-ounce tastings, as an accessory and incidental use to the "wine, beer and keg store", provided the establishment and operation is compliant with section 9-4-86(RR). Among the two limited types of alcoholic beverages that may be sold, a "wine, beer and keg store" must sell both wine and malt beverages for off-premises consumption and has all requisite state permit(s) that allows retail sales of malt beverages for consumption on premises. A "wine, beer and keg store" that does not meet the requirements of section 9-4-86(RR) shall be deemed a public or private club for the purpose of zoning and land use classification. Notwithstanding the foregoing, wine, beer and keg stores may offer retail products and prepared pre-packaged food for purchase as an incidental use. (see also section 9-4-86(RR)).

Section 2: That Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A), of the City Code, is hereby amended by adding the following new land uses:

(10) jj. "Wine, Beer and Keg Store (see also section 9-4-86(RR))"; by allowing this land use with a special use permit in the Neighborhood Commercial (CN) zoning district; and by assigning a LUC 4 to the land use.

Section 3: That Title 9, Chapter 4, Article E, Section 9-4-86, of the City Code, is hereby amended by adding the following new subsections:

SEC. 9-4-86 LISTED USES; SPECIFIC CRITERIA.

(RR) Wine, Beer and Keg Stores (see also section 9-4-22)

- (1) Properties eligible to be considered for a wine, beer and keg store through approval of a special use permit must be located within a CN (Neighborhood Commercial) zoning district and must be located within a 500-foot radius, including street rights-of-way, of a Regional, Community, Intermediate or Neighborhood Focus Area as identified in Horizons: Greenville's Community Plan, Focus Area Map, adopted in 2004 as measured from the center point of the Focus Area map label to the nearest lot line of properties zoned CN (Neighborhood Commercial).
- (2) A wine, beer and keg store may sell malt beverages for consumption on the premises, provided that the on-premises consumption of malt beverages is limited to only serving two-ounce tastings and constitutes an accessory and incidental use to the wine, beer and keg store.
- (3) A wine, beer and keg store that also has the requisite state permit(s) that allows retail sales of malt beverages for on-premises consumption, in accordance with G.S. 18B-1001 as amended, may sell only malt beverages for consumption on the premises, provided that the on-premises consumption of malt beverages is limited to the sale of two-ounce tastings and constitutes an accessory and incidental use to the primary retail use of the wine, beer and keg store.

- (4) For purposes of this section, on-premises consumption of malt beverages shall be deemed an accessory and incidental use to a wine, beer and keg store, provided the sale of malt beverages for consumption on the premises does not exceed 40% of the wine, beer and keg store's total sales of wine and malt beverages including both on-premises and off-premises consumption, for any 30-day period. The term "sale(s)" as used herein shall be the receipt of payment for the wine and malt beverages sold and/or consumed and shall not be a measure of the volume of wine and malt beverages sold and/or consumed.
- (5) Records related to the wine, beer and keg store's total sales of wine and malt beverages for both on-premises and off-premises consumption shall be maintained on the premises for not less than one year and shall be open for inspection and audit at all reasonable hours when the establishment is open for business by the Zoning Enforcement Officer. The Zoning Enforcement Officer may view the records on the premises or may request that copies of the written records be delivered to the city. The requirements of this subsection shall be for the purpose of determining compliance with subsection (4) above.
- (6) To help avoid high concentrations of businesses within close proximity that sell wine and malt beverages, no wine, beer and keg store that includes the on-premises consumption malt beverages, limited to two-ounce tastings, shall be located within a 25-foot radius, including street rights-of-way, of an existing or approved public or private club, dining and entertainment establishment, including a wine and craft beer shop or other wine, beer and keg store that includes the on-premises consumption of wine and malt beverages, limited to two-ounce tastings. The required measurement shall be from the building or structure containing the wine, beer and keg store to the nearest property line of the parcel containing the existing or approved public or private club, dining and entertainment establishment, including a wine and craft beer shop or other wine, beer and keg store that includes the on-premises consumption of wine and malt beverages.
- (7) A wine, beer and keg store shall not operate after 11:00 p.m. on Sunday, Monday, Tuesday, Wednesday, and Thursday or after 12:00 a.m. on Friday and Saturday.
- (8) A wine, beer and keg store shall not require a membership, cover or minimum charge for admittance or service during regular or special periods of operation.
- (9) A wine, beer, and keg store that does not meet the requirements of this section shall be deemed a public or private club for the purpose of zoning and land use classification.
- (10) The provisions of this section shall apply to all wine, beer and keg stores whether operated as a principal or accessory use.

Section 4. That any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

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

Adopted this 10th day of September, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

**Staff Report:
Wine, Beer and Keg Store – Text Amendment**

Applicant: Tandi Mahn

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**City of Greenville
Community Development Department - Planning Division
August 26, 2015**

Background

Greenville's Zoning Ordinance currently does not allow the sale of stand-alone businesses that sell wine, beer and kegs in the Neighborhood Commercial (CN) zoning district. Omission of a particular land use is interpreted to mean uses not listed are prohibited. Sec. 9-4-13, Uses Prohibited states, *"Unless a use of land is specifically allowed in a zoning district, either as a matter of right or as a special use, then the use shall be prohibited in the district."*

The City of Greenville received an application for a text amendment from Ms. Tandi Mahn that proposes the addition of a definition and regulations to allow stand-alone (not associated with a grocery store) wine, beer and keg stores in the Neighborhood Commercial (CN) zoning district. (Exhibit B: Application Submittal Documents). This text amendment application proposes to allow beer tastings which are limited to serving only two-ounce tastings and do not allow on-premise consumption of full-sized glasses of beer.

Zone Where Wine, Beer and Keg Stores are Proposed Under This Text Amendment

The text amendment proposes wine, beer and keg stores only in the CN (Neighborhood Commercial) zoning district through special use permits and proposes review criteria and operational requirements for such stores. Map A and Maps 1-6 illustrates locations of CN zoning districts throughout the City where wine, beer and keg stores would be allowed under the proposed text amendment.

The Neighborhood Commercial zoning district is defined in the Zoning Ordinance, Sec. 9-4-4-64 as follows:

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

Land uses currently allowed, by right, in the CN district are listed below:

- City of Greenville municipal government building or use (see also Sec. 9-4-103)
- Public Park or Recreation Facility
- Farming; agriculture, horticulture, forestry (see also Sec. 9-4-103)
- Athletic club, indoor only
- Office; professional and business, not otherwise listed
- Bank, savings and loan or other savings or investment institution
- Medical, dental, ophthalmology or similar clinic, not otherwise listed
- Barber or beauty shop
- Manicure, pedicure or facial salon
- Church or place of worship (see also Sec. 9-4-103)
- Art studio including art and supply sales
- Dance studio

- Exercise and weight loss studio; indoor only
- Launderette; household users
- Dry cleaners; household users
- Convenience store (see also gasoline sales)
- Office and school supply, equipment sales
- Restaurant; conventional
- Construction office, temporary, including modular office (see also Sec. 9-4-103)
- Grocery Stores are allowed in the CN district, but were inadvertently left out of all zoning districts throughout the Table of Uses when the table was converted to the online service.

Land uses currently allowed, by special use permit, in the CN district are listed below:

- Public Utility Building or Use
- Dining and Entertainment Establishment (see also Sec. 9-4-103)
- Athletic club, indoor and outdoor facilities
- Child care day facilities
- Adult day care facilities
- Catering service including food preparation (see also restaurant; conventional and fast food)
- Minor repair; as an accessory or principal use
- Gasoline or automobile fuel sales; accessory or principal use, retail
- Wine and craft beer shop; including on premises consumption (see also Sec. 9-4-103) Amended on April 9, 2015, Ordinance #15-019
- Restaurant; fast food (see also Sec. 9-4-103)
- Restaurant and/or dining and entertainment establishment; regulated outdoor activities
- Pet shop (see also animal boarding; outside facility)

Title 9, Chapter 4, Article U, Administration, Enforcement, Penalties, Appendix A: Table of Uses, (A)(15) Other Activities (not otherwise listed – all categories) provides limited flexibility for other activities, not otherwise listed, in the Table of Uses for certain zoning districts through approval of special use permits. This catch-all flexibility tool is allowed in nine of the twenty seven zoning districts. However, the CN (Neighborhood Commercial) zoning district is not one of the zoning districts where this allowance is available for a retail use, such as the wine, beer and keg store.

Grocery stores are already an allowed use in the CN zoning district and are allowed to sell wine, beer and kegs. Convenience stores are already an allowed special use in the CN zoning district and are allowed to sell wine, beer and kegs. Wine and Craft Beer Shops are already an allowed special use in the CN zoning district and are allowed to have on-site consumption of wine and craft beer. Craft beer is defined as a malt beverage from a brewer with an annual production of 6 million barrels of beer or less. Permission this text amendment adds than what is currently allowed is that the applicant seeks to sell beer and kegs that do not meet the definition of craft beer since the applicant's proposal allows the sale of beer produced by large beer producers.

Table 1 illustrates allowed activities between the existing wine and craft beer shop and the proposed wine, beer and keg store ordinance for comparison. This text amendment application proposes to allow beer tastings which are limited to serving only two-ounce tastings and do not allow on-premise consumption of full-sized glasses of beer. Ms. Mahn’s proposal allows the option of selling two ounce tastings of beer or offering them without a charge.

Table 1: Comparison of Allowed Activities Between the Existing Wine and Craft Beer Shop and the Proposed Wine, Beer and Keg Store

Allowed Activities	Existing Wine and Craft Beer Shop	Proposed Wine, Beer and Keg Store
On-premise wine tasting	Yes	No
On-premise craft beer tasting (not full glasses)	Yes	Yes, See Note #2
On-premise large production beer tasting (not full glasses)	No	Yes, See Note #2
On-premise craft beer consumption in full-sized glasses	Yes, See Note #1	No
On-premise large production beer consumption in full-sized glasses	No	No
On-premise wine consumption in full-sized glasses	Yes, See Note #1	No
Sell and refill growlers for off-premise consumption	Yes	Yes
Sell craft beer in cans and bottles for off-premise consumption	Yes	Yes
Sell large production beer in cans/bottles for off-premise consumption	No	Yes
Sell kegs of craft beer for off-premise consumption	No	Yes
Sell kegs of large production beer for off-premise consumption	No	Yes
Sell retail products and prepared pre-packaged food	Yes	Yes

Notes:

- (1) On-premises consumption of wine and malt beverages shall be deemed an accessory and incidental use to a wine and craft beer shop, provided the combined sale of wine and malt beverages for consumption on the premises does not exceed 40% of the wine and craft beer shop’s total sales of wine and malt beverages including both on-premises and off-premises consumption, for any 30-day period.
- (2) On-premises consumption of malt beverages (*note only 2 ounce tastings will be offered, not full glasses*) shall be deemed an accessory and incidental use to a wine, beer and keg store, provided the sale of malt beverages for consumption on the premises does not exceed 40% of the wine, beer and keg store’s total sales of wine and malt beverages including both on-premises and off-premises consumption, for any 30-day period.

Proposed Text Amendment

In order to amend the Zoning Code to allow wine, beer and keg stores to operated in the CN zoning district, text amendments must be adopted. This text amendment application requires a public hearing before City Council. The Planning and Zoning Commission is required to review and if supportive, recommend an ordinance relating to wine, beer and keg stores regulations since they would be added in the Zoning Ordinance.

Proposed text amendments to add wine, beer and keg stores are illustrated below using underlined text to denote regulations to be added. Upon review and discussion of the text amendment, staff clarified that Ms. Mahn intended the text amendment to include a requirement that wine, beer and keg stores must be reviewed through special use permits, so staff added this requirement to the text amendment with the applicant's permission. After the text amendment was submitted, staff suggested an additional revision to Ms. Mahn to add a requirement that properties zoned CN must also be located within 500 feet of a Focus Area, as identified in the Horizons Plan to remain eligible for special use permit consideration. Ms. Mahn agreed to the suggestion as it helps to reduce the number of eligible properties to areas the Horizons Plan suggested were appropriate for non-residential development, including Neighborhood Nodes. This point is further described in the last paragraph of this staff report under the heading, "Compliance with the Comprehensive Plan."

Map A and Maps 1-6 illustrate all of the properties within the City that are zoned CN with a thin red circle and also illustrate all of the properties that are zoned CN and are also located within 500 feet of a Focus Area with a thick red circle. If this amendment is adopted, it would only apply to properties zoned CN within the thick red circles, pending approval of special use permits by the Board of Adjustment. The circles displayed in the attached maps are only used to highlight the location of properties zoned CN and do not relate to the radius around Focus Areas.

Section 9-4-22 is proposed to be amended to add a definition for the new land use of wine, beer and keg store as follows.

SEC. 9-4-22 WORDS AND TERMS DEFINED.

Wine, Beer and Keg Store. *An establishment conducted pursuant to G.S. 18B-1001 as amended, and operated as a principal or accessory use, which is authorized to sell wine and malt beverages in the manufacturer's original container for consumption off the premises and the retail sale of malt beverages in a cleaned, sanitized, resealable container as defined in 4 NCAC 2T.0308(a) that is filled or refilled and sealed for consumption off the premises, provided however, the permittee shall be authorized to conduct accessory and incidental malt beverage two-ounce tastings on the premises*

and is further authorized to sell malt beverages for on-premises consumption, limited to two-ounce tastings, as an accessory and incidental use to the "wine, beer and keg store", provided the establishment and operation is compliant with section 9-4-86(RR). Among the two limited types of alcoholic beverages that may be sold, a "wine, beer and keg store" must sell both wine and malt beverages for off-premises consumption and has all requisite state permit(s) that allows retail sales of malt beverages for consumption on premises. A "wine, beer and keg store" that does not meet the requirements of section 9-4-86(RR) shall be deemed a public or private club for the purpose of zoning and land use classification. Notwithstanding the foregoing, wine, beer and keg stores may offer retail products and prepared pre-packaged food for purchase as an incidental use. (see also section 9-4-86(RR)).

Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A) is proposed to be amended to add the following new land use activity (refer to attached excerpt of the Table of Uses in Exhibit A of this staff report):

(10) jj. "Wine, Beer and Keg Store (see also section 9-4-86(RR))"; by allowing this land use with a special use permit in the Neighborhood Commercial (CN) zoning district; and by assigning a LUC 4 to the land use.

Title 9, Chapter 4, Article E, Section 9-4-86, of the City Code is proposed to be amended to add the following new subsections:

Title 9, Chapter 4, Article E, Section 9-4-86(RR)

(RR) Wine, Beer and Keg Stores (see also section 9-4-22)

(1) Properties eligible to be considered for a wine, beer and keg store through approval of a special use permit must be located within a CN (Neighborhood Commercial) zoning district and must be located within a 500-foot radius, including street rights-of-way, of a Regional, Community, Intermediate or Neighborhood Focus Area as identified in Horizons: Greenville's Community Plan, Focus Area Map, adopted in 2004 as measured from the center point of the Focus Area map label to the nearest lot line of properties zoned CN (Neighborhood Commercial).

(2) A wine, beer and keg store may sell malt beverages for consumption on the premises, provided that the on-premises consumption of malt beverages is limited to only serving two-ounce tastings and constitutes an accessory and incidental use to the wine, beer and keg store.

- (3) A wine, beer and keg store that also has the requisite state permit(s) that allows retail sales of malt beverages for on-premises consumption, in accordance with G.S. 18B-1001 as amended, may sell only malt beverages for consumption on the premises, provided that the on-premises consumption of malt beverages is limited to the sale of two-ounce tastings and constitutes an accessory and incidental use to the primary retail use of the wine, beer and keg store.
- (4) For purposes of this section, on-premises consumption of malt beverages shall be deemed an accessory and incidental use to a wine, beer and keg store, provided the sale of malt beverages for consumption on the premises does not exceed 40% of the wine, beer and keg store's total sales of wine and malt beverages including both on-premises and off-premises consumption, for any 30-day period. The term "sale(s)" as used herein shall be the receipt of payment for the wine and malt beverages sold and/or consumed and shall not be a measure of the volume of wine and malt beverages sold and/or consumed.
- (5) Records related to the wine, beer and keg store's total sales of wine and malt beverages for both on-premises and off-premises consumption shall be maintained on the premises for not less than one year and shall be open for inspection and audit at all reasonable hours when the establishment is open for business by the Zoning Enforcement Officer. The Zoning Enforcement Officer may view the records on the premises or may request that copies of the written records be delivered to the city. The requirements of this subsection shall be for the purpose of determining compliance with subsection (4) above.
- (6) To help avoid high concentrations of businesses within close proximity that sell wine and malt beverages, no wine, beer and keg store that includes the on-premises consumption of malt beverages, limited to two-ounce tastings, shall be located within a 25-foot radius, including street rights-of-way, of an existing or approved public or private club, dining and entertainment establishment, including a wine and craft beer shop or other wine, beer and keg store that includes the on-premises consumption of wine and malt beverages, limited to two-ounce tastings. The required measurement shall be from the building or structure containing the wine, beer and keg store to the nearest property line of the parcel containing the existing or approved public or private club, dining and

entertainment establishment, including a wine and craft beer shop or other wine, beer and keg store that includes the on-premises consumption of wine and malt beverages.

(7) A wine, beer and keg store shall not operate after 11:00 pm on Sunday, Monday, Tuesday, Wednesday, and Thursday or after 12:00 am on Friday and Saturday.

(8) A wine, beer and keg store shall not require a membership, cover or minimum charge for admittance or service during regular or special periods of operation.

(9) A wine, beer, and keg store that does not meet the requirements of this section shall be deemed a public or private club for the purpose of zoning and land use classification.

(10) The provisions of this section shall apply to all wine, beer and keg stores whether operated as a principal or accessory use.

Compliance with the Comprehensive Plan

Consideration of any modification to the city zoning ordinance should include a review of the community's comprehensive plan and other officially adopted plans that are applicable.

Greenville's comprehensive plan, Horizons: Greenville's Community Plan, 2004 and the 2009/2010 update contains adopted goals, policy statements and objectives that should be reviewed and considered to ensure that the proposed text amendments are in compliance with the Plan, and effectively with the community's values.

Staff reviewed the Plan and provides the following findings regarding consistency between the proposed text amendment and the Plan. In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan.

Following are relevant excerpts from Horizons: Greenville's Community Plan, 2004.

PLAN ELEMENTS

Economy

Objective E1. *To create conditions favorable for healthy economic expansion in the area.*

Objective E2. *To attract new industry and businesses which strengthen Greenville's role as a regional center.*

The Horizons Plan also includes the following paragraph that is relevant to this text amendment application.

Section 2, FUTURE LAND USE

Urban Form

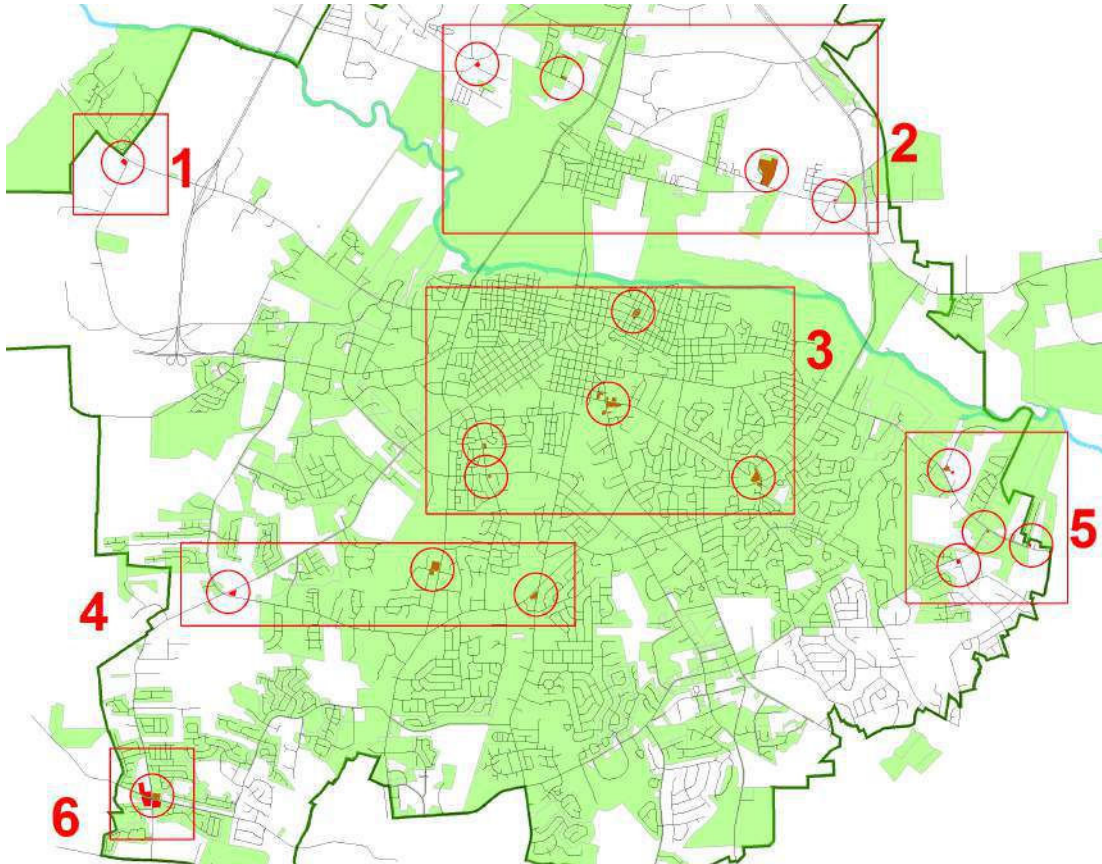
3. Nodes, Neighborhood

The neighborhood node is only found in neighborhoods and must be able to blend exceptionally well with the residential surroundings in scale and character. Quite often, a neighborhood node may consist of only a neighborhood grocery and possibly a few small specialty shops. Approximate floor areas are less than 40,000 square feet. Examples include the City Market in the Tar River Neighborhood and Fire Tower Crossing on Fire Tower Road.

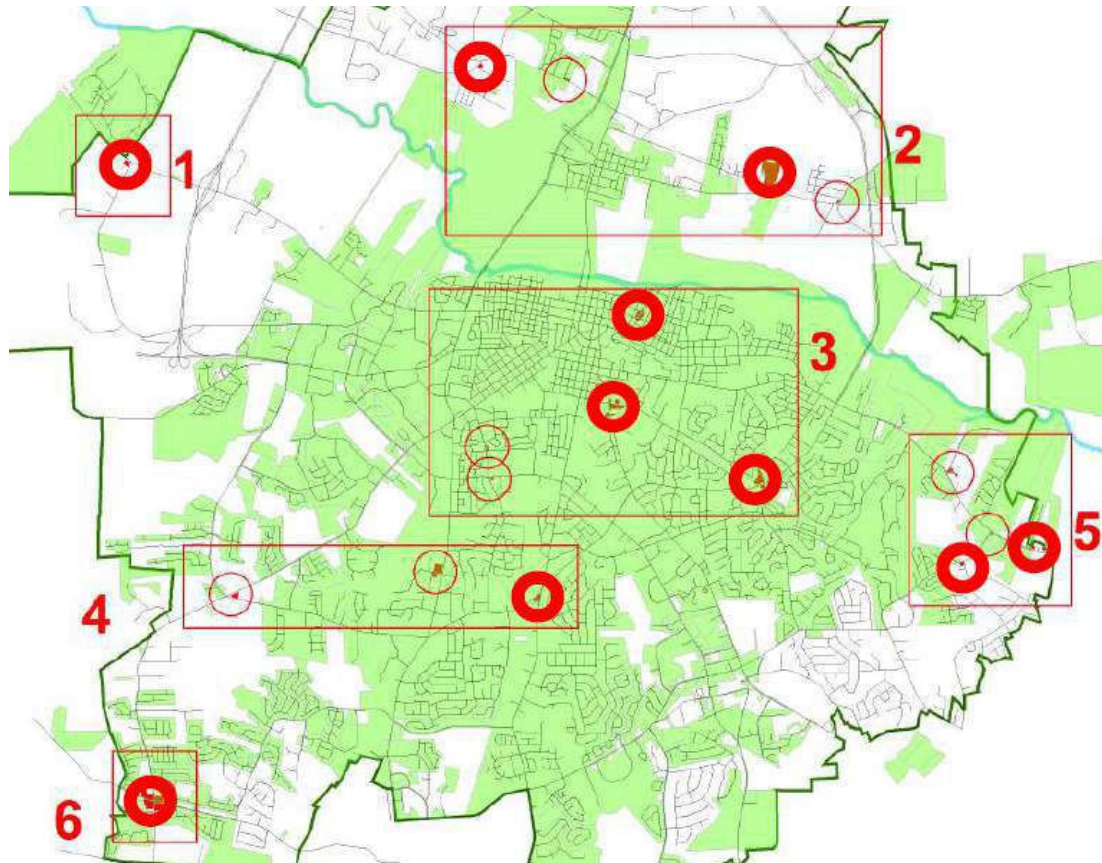
The 2004 Horizons Plan includes a map entitled, "Focus Area Map" which identifies locations of Nodes, also referenced in the Plan as Focus Areas. The location of the City Market building is within the area labeled on the Focus Area Map as a Neighborhood Focus Area, refer to attached Map 7. Although adoption of this text amendment would apply city-wide to all property zoned CN (Neighborhood Commercial), the property, neighborhood and even the building (City Market) Ms. Mahn is interested in leasing for wine, beer and keg store is identified on the Focus Area Map as a Neighborhood Focus Area and the City Market Building and its uses were even referenced as representative of a retail building in a neighborhood node. These references in the Horizons Plan add support to this text amendment application.

Recommendation

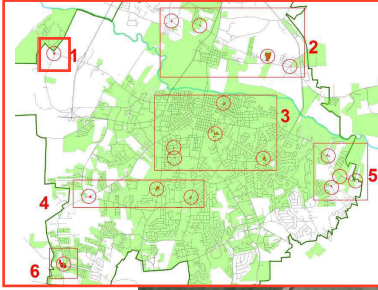
The Planning and Zoning Commission unanimously approved a motion to recommend approval of the proposed text amendment. An excerpt from the draft Planning and Zoning Commission's August 18, 2015 meeting minutes is attached (Exhibit C).



Areas Circled Show Locations of Property Zoned CN (Neighborhood Commercial)
See Map Enlargements by Referring to Maps 1-6 for Areas Numbered Above



Thick Circles Show Property Zoned CN within 500 feet of Focus Areas Adopted in Horizons Plan

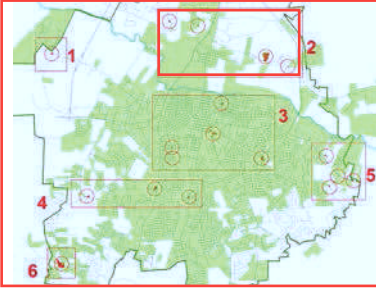


Property Zoned CN (Neighborhood Commercial) in Red Shading



Zoning Districts Around Property Zoned CN (Neighborhood Commercial)

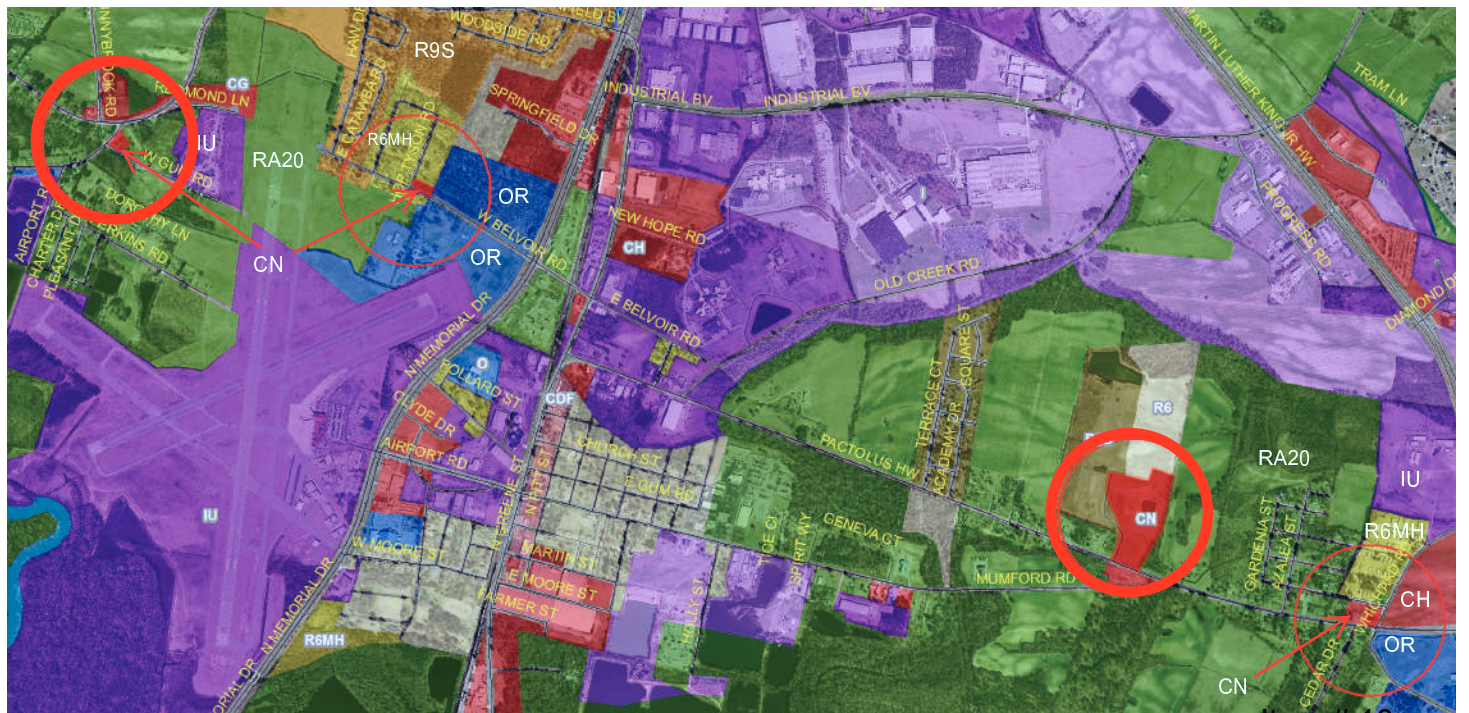
Item # 16



Thick Circles Show Property Zoned CN and within 500 feet of Focus Areas Adopted in Horizons Plan. Under the Proposed Text Amendment, Wine, Beer and Keg Stores Could be Permitted with a Special Use Permit in the Two Areas Indicated with the Thick Red Circles.

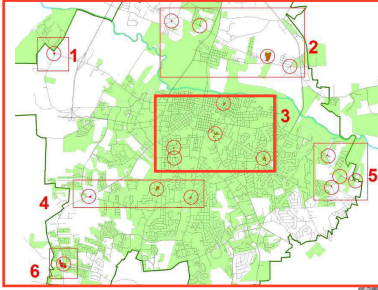


Aerial Showing Property Zoned CN (Neighborhood Commercial) in Red Shading

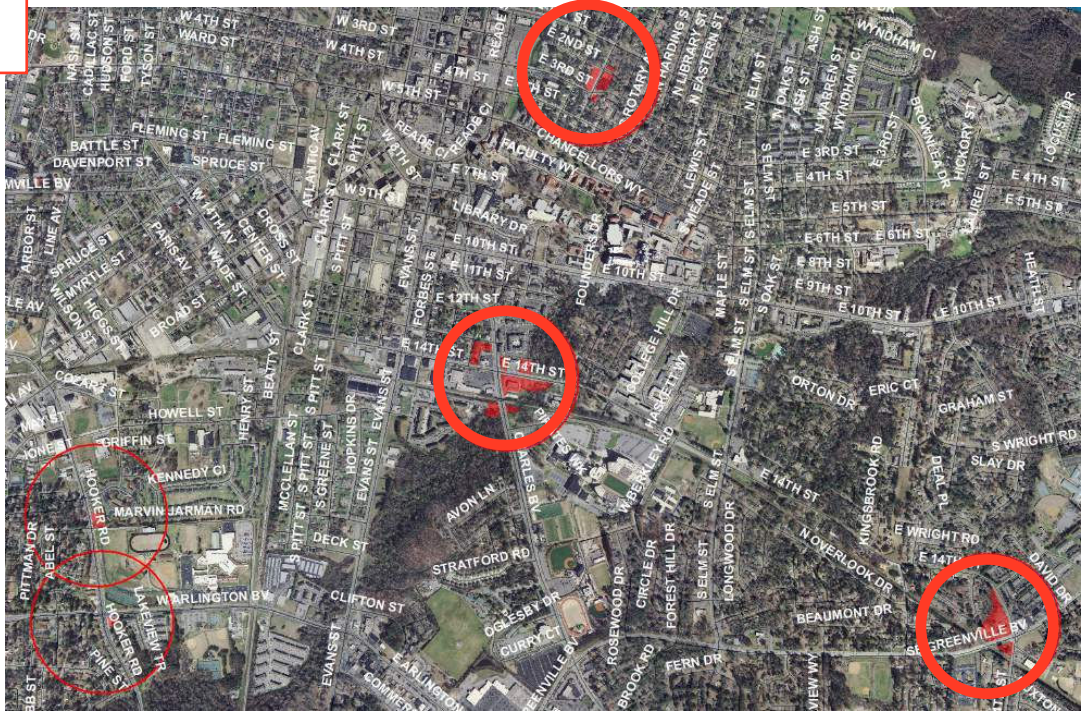


Zoning Districts Around Property Zoned CN (Neighborhood Commercial)

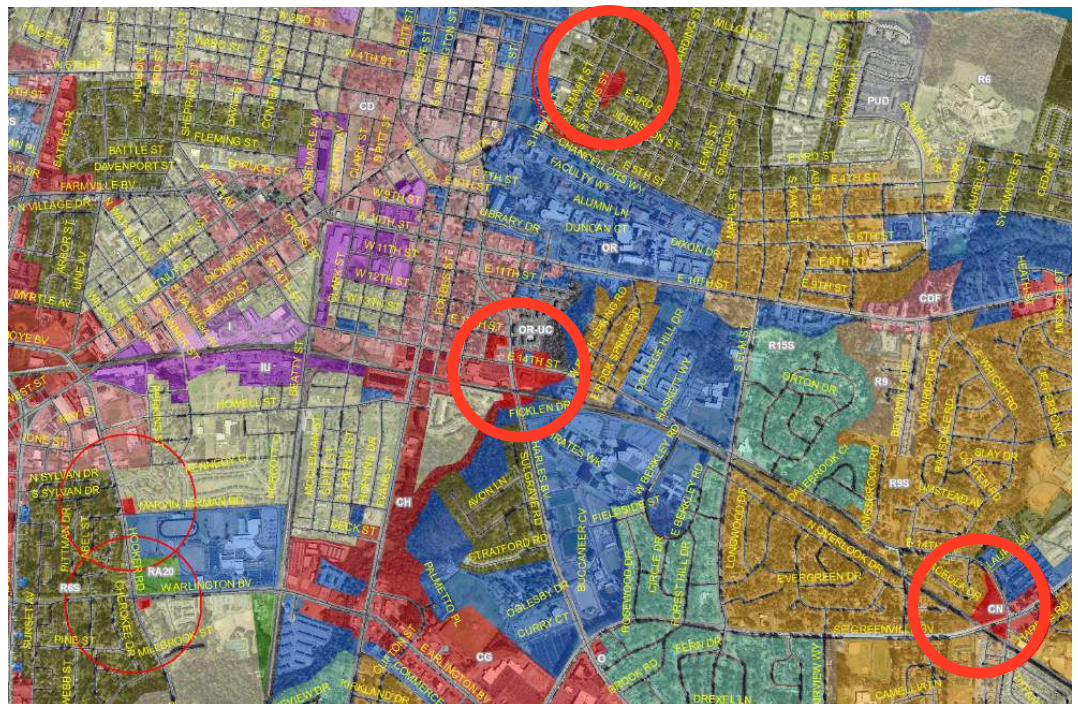
Item # 16



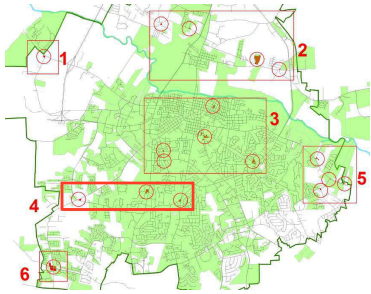
Thick Circles Show Property Zoned CN and within 500 feet of Focus Areas Adopted in Horizons Plan. Under the Proposed Text Amendment, Wine, Beer and Keg Stores Could be Permitted with a Special Use Permit in These Three Areas.



Property Zoned CN (Neighborhood Commercial) in Red Shading



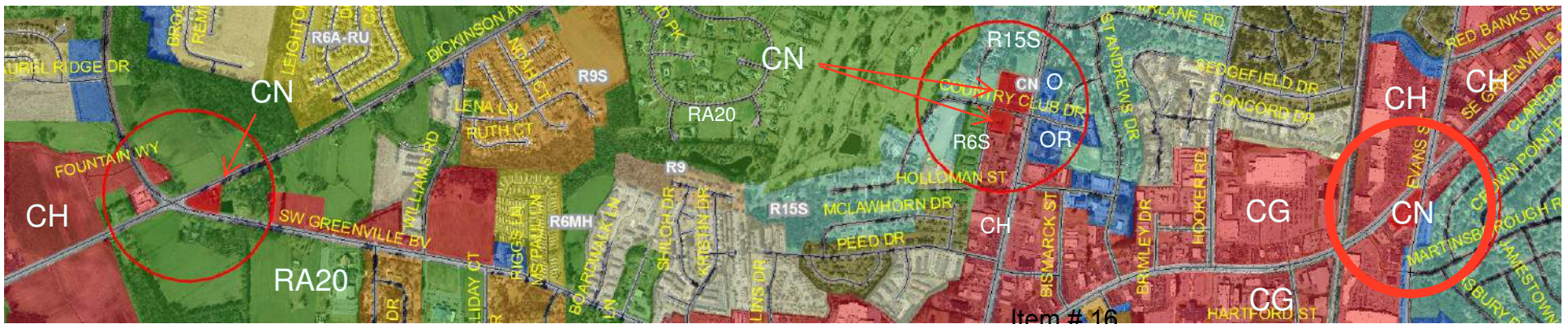
Zoning Districts Around Property Zoned CN (Neighborhood Commercial) Item # 16



Thick Circles Show Property Zoned CN and within 500 feet of Focus Areas Adopted in Horizons Plan. Under the Proposed Text Amendment, Wine, Beer and Keg Stores Could be Permitted with a Special Use Permit in the One Area Indicated with the Thick Red Circle.

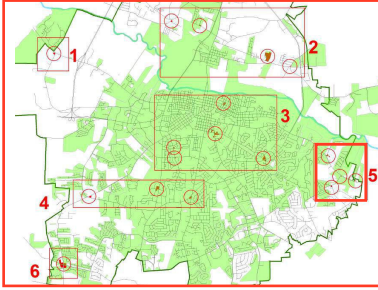


Property Zoned CN (Neighborhood Commercial) in Red Shading



Zoning Districts Around Property Zoned CN (Neighborhood Commercial)

Item # 16



Thick Circles Show Property Zoned CN and within 500 feet of Focus Areas Adopted in Horizons Plan. Under the Proposed Text Amendment, Wine, Beer and Keg Stores Could be Permitted with a Special Use Permit in Two Areas Indicated with the Thick Red Circles.

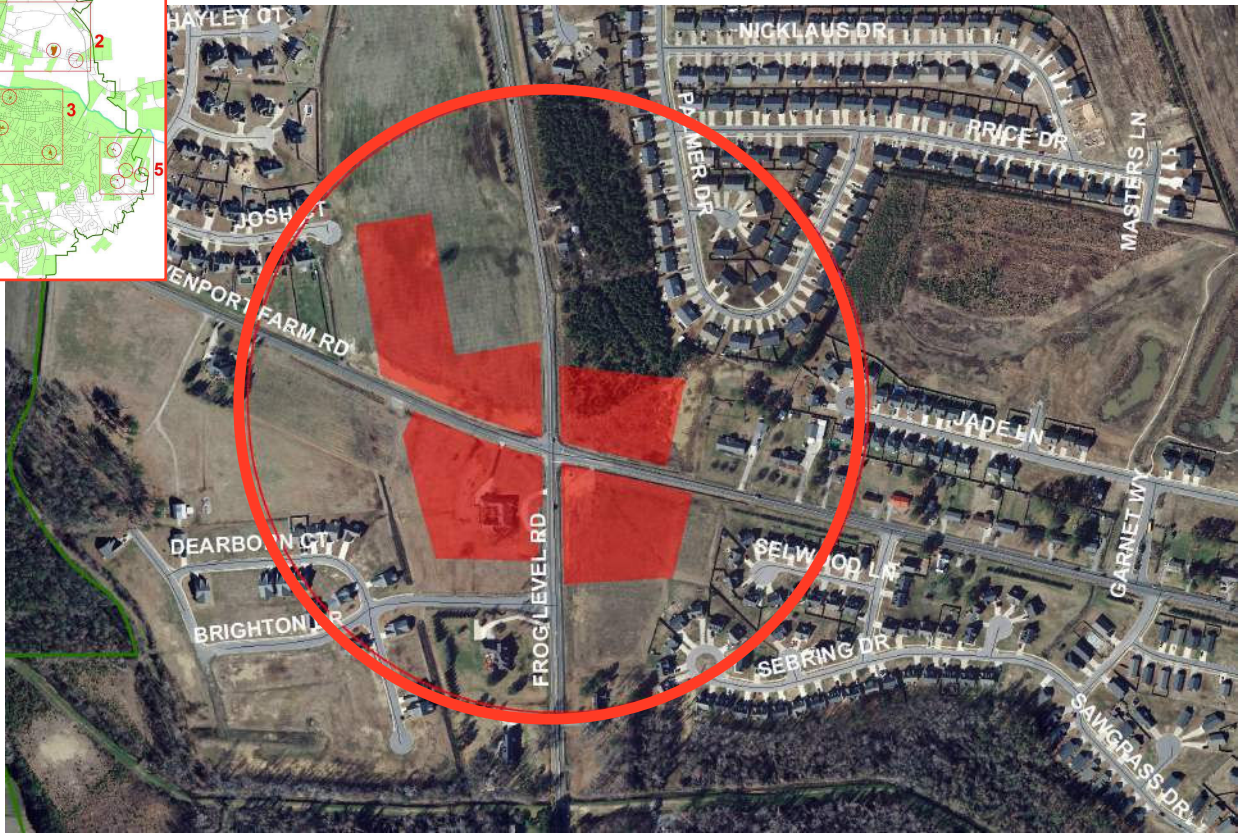
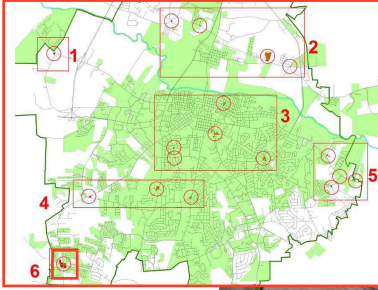


Property Zoned CN (Neighborhood Commercial) in Red Shading

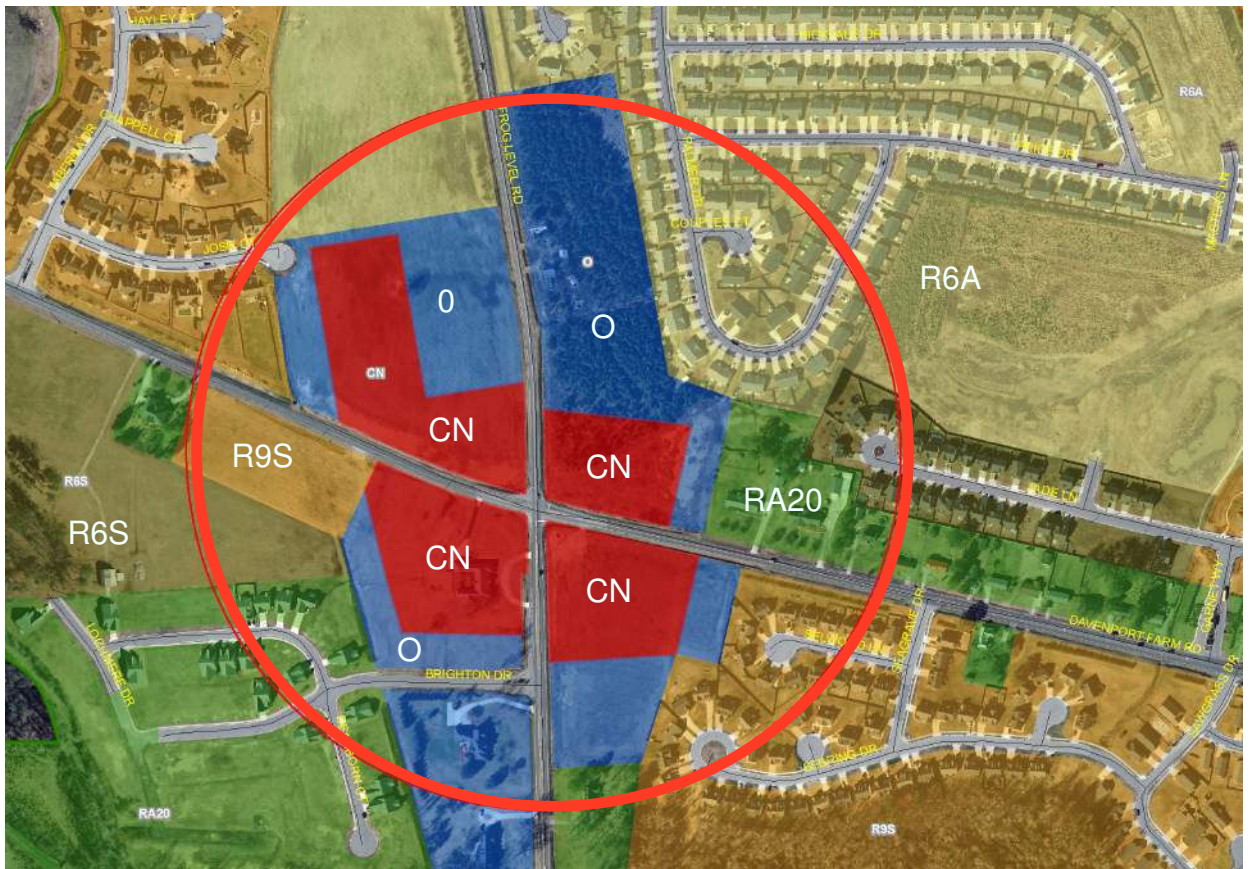


Zoning Districts Around Property Zoned CN (Neighborhood Commercial)

Item # 16



Aerial Showing Property Zoned CN (Neighborhood Commercial) in Red Shading



Zoning Districts Around Property Zoned CN (Neighborhood Commercial)

Item # 16

Map 7 – Map Excerpt from Horizons: Greenville’s Community Plan, 2004

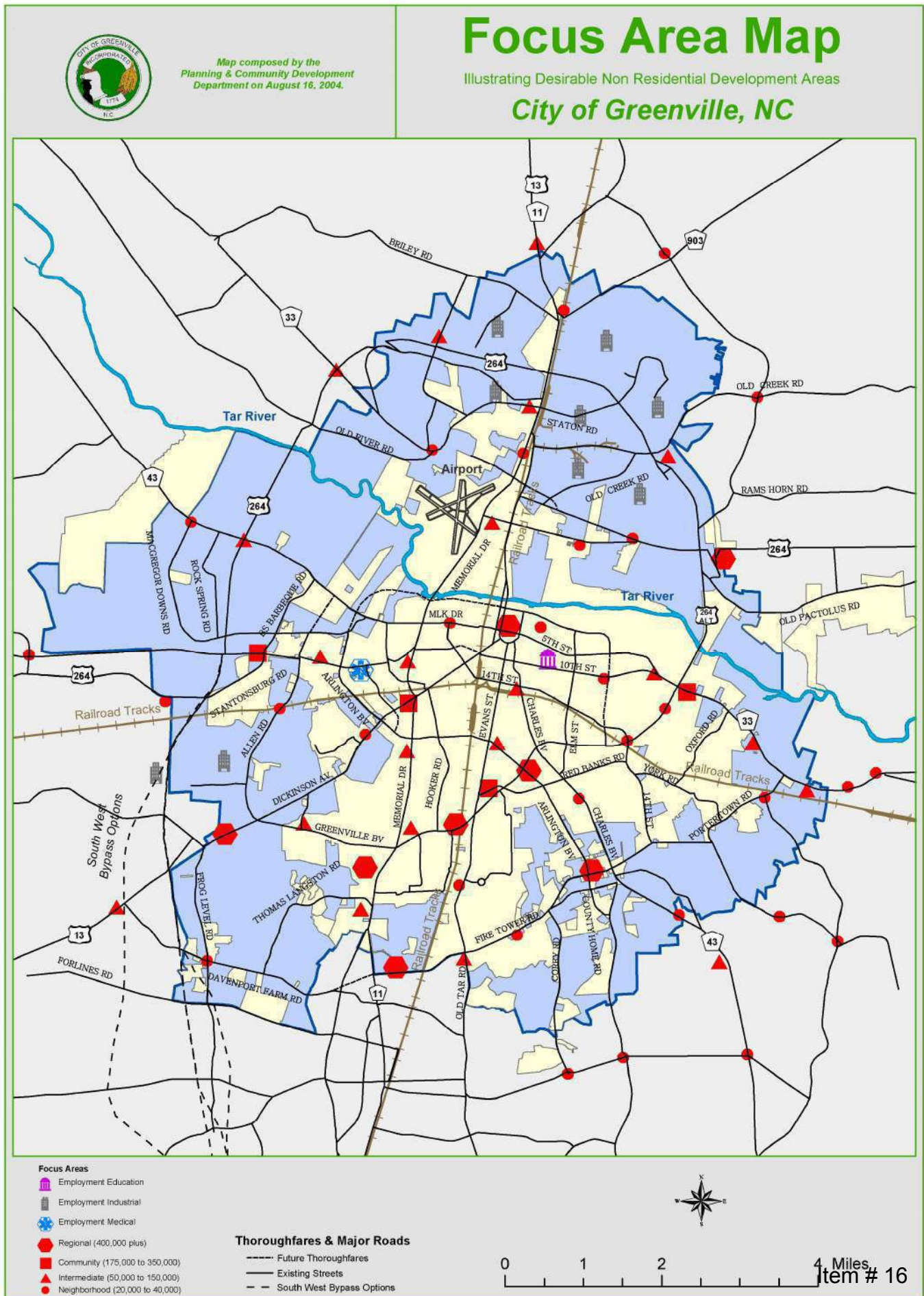


EXHIBIT A: EXCERPT OF THE TABLE OF USES SHOWING PROPOSED AMENDMENTS ON PAGE 3 IN RED

APPENDIX A: TABLE OF USES

(A) *Index to use table categories contained in this Appendix.*

- (1) General
- (2) Residential
- (3) Home Occupations
- (4) Governmental
- (5) Agricultural/Mining
- (6) Recreational/Entertainment
- (7) Office/Financial/Medical
- (8) Services
- (9) Repair
- (10) Retail Trade
- (11) Wholesale/Rental/Vehicle - Mobile Home Trade
- (12) Construction
- (13) Transportation
- (14) Manufacturing/Warehousing
- (15) Other Activities (not otherwise listed - all categories)

(B) *Key to tables.*

- (1) Permitted uses are indicated by the letter P.
- (2) Special uses are indicated by the letter S.
- (3) (a) Each listed principal use activity is assigned a land use classification number (LUC#) ranging from 1 to 5 for purposes of determining required bufferyards.

(b) In the case of planned centers containing multiple principal uses, such as shopping centers, office/commercial unit ownership type developments and the like, the initial bufferyard requirement shall be based on the anticipated primary occupancy of such center and such requirement shall apply to all subsequent uses absent any change in zoning for such planned center.
- (4) Each listed accessory use activity is assigned an asterisk (*) in substitution for a land use classification number. Such, and other accessory use(s) shall be subject to the land use classification number of the associated principal use.

(C) *Tables.* The following uses shall be allowed only within the respective zoning districts as specified herein:

(10) Retail trade.

USE	LUC #	RA 20	R 15 S	R 9 S S	R 6 S N	R 6 9	R 6 A M H	R 6	R 6	R 6	M S	M O C G	M R C H S	M R S	O	C D	C D F	C G	C N	C H U	C I	P I U	P I
a. Miscellaneous retail sales; nondurable goods, not otherwise listed	3											P				P	P						
b. Gasoline or automotive fuel sales; accessory or principal use, retail	4												P			S	S	S	S	P	P		
c. Wine and craft beer shop; including on premises consumption (see also § 9-4-103)	4											S				S	S	S	S	P			
d. Pharmacy	3										P	P	P			P	P	P	P				
e. Convenience store (see also gasoline sales)	4												P			P	P	P	P				
f. Office and school supply, equipment sales	3										S	P	P			P	P	P	P				
g. Fish market; excluding processing or packing	3															S	S	P	P				
h. Restaurant; conventional	3										S	S	P			P	P	P	P	P	P	P	P
i. Restaurant; fast food (see also § 9-4-103)	4											S	P			P	P	P	P	P	P	P	P
j. Restaurant and/or dining and entertainment establishment; regulated outdoor activities	4										S	S	S			S	S	S	S	S	S	S	S
k. Medical supply sales and rental of medically related products including uniforms and related accessories	3										S	S	P					P					
l. Electronic; stereo, radio, computer, television and the like, sales and accessory repair	3											P				P	P	P	P				
m. Appliance; household use, sales and accessory repair, excluding outside storage	3															P	P	P	P				
n. Appliance; commercial use, sales and accessory repair, excluding outside storage	3															S	P	S	S	S			
o. Appliance; household, commercial or industrial use, sales and accessory repair, including outside storage	4																			P			

*[Edited to show addition of craft beer shops approved by Ordinance 15-019, adopted 4/9/15.]

USE	LUC #	RA 20	R 15 S	R 9 S S	R 6 S S	R 6 N	R 9	R 6	R 6 A	R 6 M H	M I	M S	M O G	M C G	M R	M C H S	M R S	O R	O	C D	C D F	C D F	C N H U	C I U	P I U	P I U
p. Furniture and home furnishing sales not otherwise listed	3															P			P	P	P					
q. Floor covering, carpet and wall covering sales	3																			P	P					
r. Antique sales, excluding vehicles	3																			P	P					
s. Book or card store, news stand	3												P	P		P		P		P	P					
t. Hobby or craft shop	3												S	P		P				P	S					
u. Pet shop (see also animal boarding; outside facility)	3																			P	S					
v. Video or music store; record, tape, compact disk and the like sales	3													P		P				P	P					
w. Florist	3												P	P		P		P		P	P					
x. Sporting goods sales and rental shop	3																			P	P					
y. Auto part sales (see also major and minor repair)	3															S				P	P					
z. Flea market	3																						S			
aa. Pawnbroker	3																			S				P		
bb. Lawn and garden supply and household implement sales and accessory service	3																							P		
cc. Farm supply and commercial implement sales	4																							P	P	P
dd. Industrial implement, machinery or tool sales	4																								P	
ee. Christmas tree sales lot; temporary only (see also § 9-4-103)	*																	P			P					
ff. Tobacco shop (Class 1) (see also § 9-4-103)	4															S				S	S					

USE	L U C #	RA 20	R I5 S	R 9 S	R 6 S	R 6 N	R 6 A	R 6 M H	M I S	M C G	M R	M C H	M R S	O R	O	C D F	C D	C G	C N	C H	C I U	I	P I U	
eg.	Tobacco shop (Class 2) (see also § 9-4-103)	4															S	S						
hh.	Hookah café (see also § 9-4-103)	4														S	S	S	S					
ii.	Microbrewery (see also § 9-4-86)	4														S								

(Ord. No. 09-27, § 14, passed 4-9-2009; Ord. No. 11-055, § 1, passed 9-8-2011; Ord. No. 13-007, § 2, passed 2-14-2013; Ord. No. 14-048, § 2, passed 8-14-2014)
The proposed text amendment to this Table of Uses to add wine, beer and keg stores as an allowed use with a special use permit in the CN (Neighborhood Commercial) zoning district is shown below with red underlined text.

USE	L U C #	RA 20	R I5 S	R 9 S	R 6 N	R 6 A	R 6 M H	M I S	M C G	M R	M C H	M R S	O R	O	C D F	C D	C G	C N	C H	C I U	I	P I U	
ii.	<u>Wine, beer and keg stores</u> (see also Sec. 9-4-86(RR))	<u>4</u>																<u>S</u>					





Date Received 7/21/15

CITY OF GREENVILLE
ZONING ORDINANCE TEXT AMENDMENT APPLICATION

Applicant Name(s) Tandi Mahn

Mailing Address 1002 N Overlook Dr
Greenville, NC 27858

Contact Phone Number (252) 916 6793

Contact Fax Number (252) 364 8937

Zoning Ordinance Section Proposed to be Amended: n/a New Ordinance

Reason for Request: To implement a new ordinance
to allow for a "Wine, Beer & Keg Store"

Proposed Language of Text Amendment (attach additional pages if needed):
See attached

Tandi Mahn

Print Name

Tandi Mahn

Signature of Applicant

7/21/15

Date

#899917

"Wine, Beer and Keg Store"

Section 1: An establishment conducted pursuant to G.S. 18B-1001 as amended, and operated as a principal or accessory use, which is authorized to sell wine and malt beverages in the manufacturer's original container for consumption off the premises and the retail sale of malt beverages in a cleaned, sanitized, resealable container as defined in 4 NCAC 2T.0308(a) that is filled or refilled and sealed for consumption off the premises, provided however, the permittee shall be authorized to conduct accessory and incidental malt beverage two-ounce tastings on the premises and is further authorized to sell malt beverages for on-premises consumption, as an accessory and incidental use to the "wine, beer and keg store", provided the establishment and operation is compliant with section 2. Among the two limited types of alcoholic beverages that may be sold, a "wine, beer and keg store" must sell both wine and malt beverages for off-premises consumption and has all requisite state permit(s) that allows retail sales of malt beverages for consumption on premises. A "wine, beer and keg store" that does not meet the requirements of section 2 shall be deemed a public or private club for the purpose of zoning and land use classification. Notwithstanding the foregoing, wine, beer and keg stores may offer retail products and prepared pre-packaged food for purchase as an incidental use.

Section 2:

- (1) A wine, beer and keg store may sell malt beverages for consumption on the premises, provided that the on-premises consumption of malt beverages is limited to only serving two-ounce tastings and constitutes an accessory and incidental use to the wine, beer and keg store.
- (2) A wine, beer and keg store that also has the requisite state permit(s) that allows retail sales of malt beverages for on-premises consumption, in accordance with G.S. 18B-1001 as amended, may sell only malt beverages for consumption on the premises, provided that the on-premises consumption malt beverages is limited to the sale of two-ounce tastings and constitutes an accessory and incidental use to the primary retail use of the wine, beer and keg store.
- (3) For purposes of this section, on-premises consumption of wine and malt beverages shall be deemed an accessory and incidental use to a wine, beer and keg store, provided the sale of malt beverages for consumption on the premises does not exceed 40% of the wine, beer and keg store's total sales of wine and malt beverages including both on-premises and off-premises consumption, for any 30-day period. The term "sale(s)" as used herein shall be the receipt of payment for the wine and malt beverages sold and/or consumed and shall not be a measure of the volume of wine and malt beverages sold and/or consumed.
- (4) Records related to the wine, beer and keg store's total sales of wine and malt beverages for both on-premises and off-premises consumption shall be maintained on the premises for not less than one year and shall be open for inspection and audit at all reasonable hours when the establishment is open for business by the Zoning Enforcement Officer. The Zoning Enforcement Officer may view the records on the premises or may request that copies of the written records be delivered to the city. The requirements of this subsection shall be for the purpose of determining compliance with subsection (3) above.
- (5) No wine, beer and keg store that includes the on-premises consumption malt beverages shall be located within a 25-foot radius, including street rights-of-way, of an existing or approved public or private club, dining and entertainment establishment, including a wine and craft beer shop or other wine, beer and keg store that includes the on-premises consumption of wine and malt

beverages. The required measurement shall be from the building or structure containing the wine, beer and keg store to the nearest property line of the parcel containing the existing approved public or private club, dining and entertainment establishment, including a wine and craft beer shop or other wine, beer and keg store that includes the on-premises consumption of wine and malt beverages.

- (6) A wine, beer and keg store shall not operate after 11:00pm on Sunday, Monday, Tuesday, Wednesday, and Thursday or after 12:00 am on Friday and Saturday.
- (7) A wine, beer and keg store shall not require a membership, cover or minimum charge for admittance or service during regular or special periods of operation.
- (8) A wine, beer, and keg store that does not meet the requirements of this section shall be deemed a public or private club for the purpose of zoning and land use classification.
- (9) A wine, beer and keg store shall be allowed in neighborhoods classified for commercial (CN) zoning only.
- (10) The provisions of this section shall apply to all wine, beer and keg stores whether operated as a principal or accessory use.

Hop Heads

211 S Jarvis Street - Greenville, NC 27858

252.916.6793

tandi@christyseuropub.com

Tandi Mahn, Owner

1002 N Overlook Drive - Greenville, NC 27858

June 2015
Confidential

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III. Executive Summary

Hop Heads will be located at 211 S Jarvis Street, across the street from Christy's Euro Pub, a very popular and community friendly Pub. Hop Heads will offer a variety of local and regional beers and wines and a variety of kegs and specialty kegs. Community members, locals, professors and students alike, will agree that Hop Heads will fill the void in this rapidly growing market for artisanal beers and wine. While Greenville as a whole is home to several grocery stores that sell beer and wine, Hop Heads has a unique understanding and knowledge of the rapidly evolving craft beer and wine, and will implement actions to create sales reflecting recent industry trends.

Hop Heads owner Tandi Mahn, current owner of Christy's Euro Pub and Dickinson Avenue Public House, has strong experience in customer sales and craft beer and wine knowledge. Mahn has 16 years of experience in the restaurant industry and will continue her education in retail sales ownership.

Hop Heads is responsible for interior furnishings, equipment, products, permits and other startup expenses, resulting in a startup total of \$65,000.

Hop Heads risk management includes a list of the various insurances required for the business, employee training and certifications, and a buy sell agreement. In the unlikely event that Hop Heads encounters the need for recovery or exit, a plan and a buy-sell agreement has been established.

IV. Description of Hop Heads

Hop Heads - A beer enthusiast! Hops are one of the main ingredients in today's craft beers. Hop Heads are people with the utmost respect for great beers.

The Business

A. Retail sales of Domestic and Import Beer, Craft Beer and Wine for Off-Premise Consumption. Off-Premise sales are anticipated to be 90% of gross sales.

- Retail sales to include 12oz, 16oz, 22oz bottles and cans, 1/6 BBL , 1/4 BBL and 1/2 BBL kegs, 64oz Growlers filled on premise from draft system, and 750 ML wine bottles. All are allowed by the NCABC On-Premise Malt Beverage Permit which does not require the sale of food.
- 100-150, chilled and room temperature, different types of beer would be available for purchase. A variety of domestic, import and craft beer kegs would be available for purchase. Along with a variety of wines, ranging from very affordable to specialty will be available for purchase.
- A 4-tap draft system will be in the lounge of the store. Patrons will be able to taste beer for purchase. The "bar atmosphere" is not encouraged, but patrons will be allowed to taste a 2oz sample of draft beer.
- All Growlers will be filled to order, labeled and tagged as required by NCABC regulations.

B. Prices

- Beer Bottles and Cans: \$3-25
- Kegs: \$45-295
- Keg rental fee: \$50
- Tap rental fee: \$30
- Growlers: Purchase of Growler - \$10 Purchase of beer with growler - \$16-25
Refill of growler - \$8-18
- Wine: \$3-100

C. Merchandise

- Growlers
- T-shirts
- Home Brew Kits
- Home Brew Books
- Home Wine Making Kits
- Home Wine Making Books

V. Business Operations

A. Location

Hop Heads will be located at 211 S Jarvis Street, in the old Overton's Super Market building.

Hop Heads will be a neighborhood establishment, partnering with Christy's Euro Pub in the education and sale of good, local craft beer and wine. It will be a walking distance from ECU and Uptown Greenville. Hop Heads hopes to attract local members of the community, professors, and students.

The building over the years has had many clients with the same idea. The Overton's had a booming grocery business for years located here, and got their sporting goods start in that very building. In more recent years the local grocery store, City Market, was located in this building. City Market also did very well in the grocery business and had a wide variety of domestic, import and craft beers for sale. The building has recently been updated for modern use, creating 5 different store fronts.

There is ample parking located in front of the store and in the lot across the street. This parking access is significant because street parking is very limited.

B. Licenses and Permits

Hop Heads must acquire a new zoning permit for the area to open

Permits/Licenses

ABC - \$800

City Beer/Wine - \$30

County Beer/Wine - \$50

C. Staff

Hop Heads staff will consist of Mahn and 4-6 other employees. Hop Heads expects to stay busy throughout their work day, but does not expect to have more than 3 people on the floor at one time. All sales will be made through a POS system with the ability to account for inventory, pricing and have the ability to run the required reports for the NCABC.

Hours of operation for Hop Heads will be, Monday - Thursday 11am - 9pm, Friday - Saturday 11am - 10pm, and Sunday 12pm - 9pm.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total Hours
Mahn	9-12p	9-12p	9-12p	9-12p	9-12p			15
Employee 1	9-4p	9-4p	9-4p	9-4p	9-4p	12-5p		40
Employee 2		5-10p	4-10p	4-10p	4-11p	4-11p	4-10p	37
Employee 3	11-5p	11-5p	11-5p	11-5p	11-5p	9-5p		39
Employee 4	4-10p	4-10p	4-10p	4-10p	4-11p	5-11p		37
Employee 5	4-10p					11-7p	11-6p	21
Employee 6					12-8p		2-10p	17

D. Equipment

Equipment for Hop Heads will consist of:

- Walk-in Cooler for beer, wine and keg storage.
- Shelving units for dry storage. Dry storage consists of: Room temperature beer and wine, home-brew beer kits, home-brew wine kits, books and literature on beer and wine.
- Draft cooler system, keg box and taps.
- Small bar attached to draft system.
- POS system with printer and monitor attached.

EXHIBIT C: DRAFT, PLANNING & ZONING COMMISSION MEETING MINUTES, 3/18/2015

TEXT AMENDMENT

ORDINANCE TO AMEND THE ZONING ORDINANCE BY ADDING A WINE, BEER AND KEG STORE AS AN ALLOWED LAND USE WITHIN THE CN (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT, SUBJECT TO AN APPROVED SPECIAL USE PERMIT, AND ESTABLISHING SPECIFIC CRITERIA. – APPROVED

Mr. Thomas Weitnauer, Chief Planner, presented the text amendment. He stated Tandi Mahn proposed the text amendment. It proposes the addition of a definition and regulations to allow wine, beer and keg stores in the Neighborhood Commercial (CN) zoning district through special use permits and proposes review criteria and operational requirement for such stores. As well as be in a CN zoning district, the location also must be within 500 feet of a focus area. The following are allowed activities for the proposed amendment: on-premise craft beer tasting, on-premise large production beer tasting, sell and refill growlers for off-premise consumption, sell craft beer in cans and bottles for off-premise consumption, sell large production beer in cans/bottles for off-premise consumption, sell kegs of craft beer for off-premise consumption, sell kegs of large production beer for off-premise consumption, and sell retail products and prepared pre-packaged food. Tastings will be limited to two ounces. Sales cannot exceed 40% of the wine and craft beer shop's total sales of wine and malt beverages including both on-premises and off-premises consumption for any 30-day period. Sales cannot exceed 40% of the wine, beer and keg store's total sales of wine and malt beverages including both on-premises and off-premises consumption, for any 30-day period. Grocery stores are already an allowed use in the CN zoning district and are allowed to sell wine, beer and kegs. Convenience stores are already an allowed special use in the CN zoning district and are allowed to sell wine, beer and kegs. Wine and Craft Beer Shops are already an allowed special use in the CN zoning district and are allowed to have on-site consumption of wine and craft beer. Craft beer is defined as a malt beverage from a brewer with an annual production of 6 million barrels of beer or less. Permission this text amendment adds than what is currently allowed is that the applicant seeks to sell beer and kegs that do not meet the definition of craft beer since the applicant's proposal allows the sale of beer produced by large beer producers. The proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan. The following are relevant excerpts from Horizons: Greenville's Community Plan, 2004. PLAN ELEMENTS Economy: Objective E1. To create conditions favorable for healthy economic expansion in the area. Objective E2. To attract new industry and businesses which strengthen Greenville's role as a regional center.

The proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan, 2004. Section 2, Future Land Use, Urban Form, 3. Nodes, Neighborhood as follows: "The neighborhood node is only found in neighborhoods and must be able to blend exceptionally well with the residential surroundings in scale and character. Quite often, a neighborhood node may consist of only a neighborhood grocery and possibly a few small specialty shops. Approximate floor areas are less than 40,000 square feet. Examples include the City Market in the Tar River Neighborhood and Fire Tower Crossing on Fire Tower Road." In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan.

Chairman Parker opened the public hearing.

Ms. Tandi Mahn, applicant, spoke in favor of the request. She is one of the owners of Christy's Europub which is across the street from the proposed. She is also one of the owners of, the soon to be, Dickinson Avenue Public House. The reason why she wrote the text amendment is because the current ordinance for craft beer is for under six million barrels annually. The amendment also would allow the sale of kegs. She stated not many stores sell kegs. Since she already owns a bar and restaurant, she would not be encouraging a bar atmosphere. For that reason, she reduced the tastings from one pint to two ounces.

Ms. Reid asked if there was any drinking in large amounts on the premise.

Ms. Mahn stated no. When City Market was open, they had a wonderful relationship where people could buy the beer she sold in her bar in larger quantities or in a keg.

Mr. Michael Overton spoke in favor of the request. He stated the building that the applicant would like to use used to be the Overton Supermarket. They have recently been renovating the building. He stated he likes what Ms. Mahn is doing with her businesses. City Market was there a long time and did sell kegs. The use would not be different. He stated he supports the amendment and it would be good for the neighborhood.

Mr. Alex Lawrence spoke in favor of the request. He stated this idea is needed and it would be convenient. He likes the idea and likes that Ms. Mahn is reinvesting in the neighborhood.

Mr. Connelly asked Mr. Overton about parking at this location.

Mr. Overton stated there are 93 spaces and there is a lot across the street.

No one spoke in opposition of the request.

Chairman Parker closed the public hearing and opened for board discussion.

Mr. Smith stated this was a good idea.

Motion made by Mr. Smith, seconded by Ms. Bellis, 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 passed unanimously.



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Approval of the Draft 2014-15 Consolidated Annual Performance and Evaluation Report (CAPER)

Explanation: **Abstract:** The Consolidated Annual Performance and Evaluation Report (CAPER) is the required annual report by the U.S. Department of Housing and Urban Development detailing program year summary activities and expenditures by entitlements in Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) funds. The report summarizes accomplishments by the City of Greenville for the 2014-15 fiscal year.

Explanation: The City of Greenville is an entitlement community under the CDBG and HOME federally funded programs. Each year in May, an Annual Plan of program activities is submitted to HUD for program activities that will get underway during the fiscal year which begins on July 1. The U.S. Department of Housing and Urban Development mandates that the entitlement community summarize activities completed during the fiscal year and assess the effectiveness of those activities. All activities must be identified as a potential activity in the 5-year Consolidated Plan.

For the 2014-15 program year the City of Greenville was awarded \$851,448 in CDBG funds and \$357,976 in HOME program funds. Budgeted activities included the following:

Proposed Activities	CDBG Funding	HOME Funding
Administration	\$170,289.60	\$35,797.60
Substandard Housing Rehabilitation	\$370,158.40	\$200,815.00
Down Payment Assistance		\$17,667.00
CHDO/New Construction		\$53,696.40
Public Service	\$75,000	

Acquisition/Clearance	\$84,000 (Acquisition=\$60,000/Clearance=\$24,000)	
Relocation	\$15,000	
Economic Development	\$137,000	
New Construction (multi-family)		\$50,000
Total	\$851,448	\$357,976.00

During the 2014-15 fiscal year, the following activities were completed:

- Thirteen (13) owner-occupied substandard housing rehabilitations were completed.
- Five (5) down payment assistance loans were approved.
- One (1) Small Business Competition grant was approved.
- Four (4) homes were cleared of Lead Based Paint hazards.
- Five (5) Public Service grants were awarded to non-profit agencies providing public services.
- Four (4) dilapidated properties were acquired.
- Eleven (11) dilapidated structures were demolished.
- One (1) tenant was relocated as a result of acquisition/demolition activities.
- Two (2) public facility improvements were completed.
- Four (4) new single-family homes were constructed.

Fiscal Note:

The report details activities and programs for a budget of federal funding totaling \$1,209,424.

Recommendation:

Approve the draft 2014-15 Consolidated Annual Performance and Evaluation Report and authorize the submittal to the U.S. Department of Housing and Urban Development.

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

Attachments / click to download

 [2013_2014_CAPER_982840](#)



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Public Comment Period: July 20 – August 21, 2015

DRAFT 2014 -2015 Consolidated Annual Performance and Evaluation Report

Item # 1



CAPER

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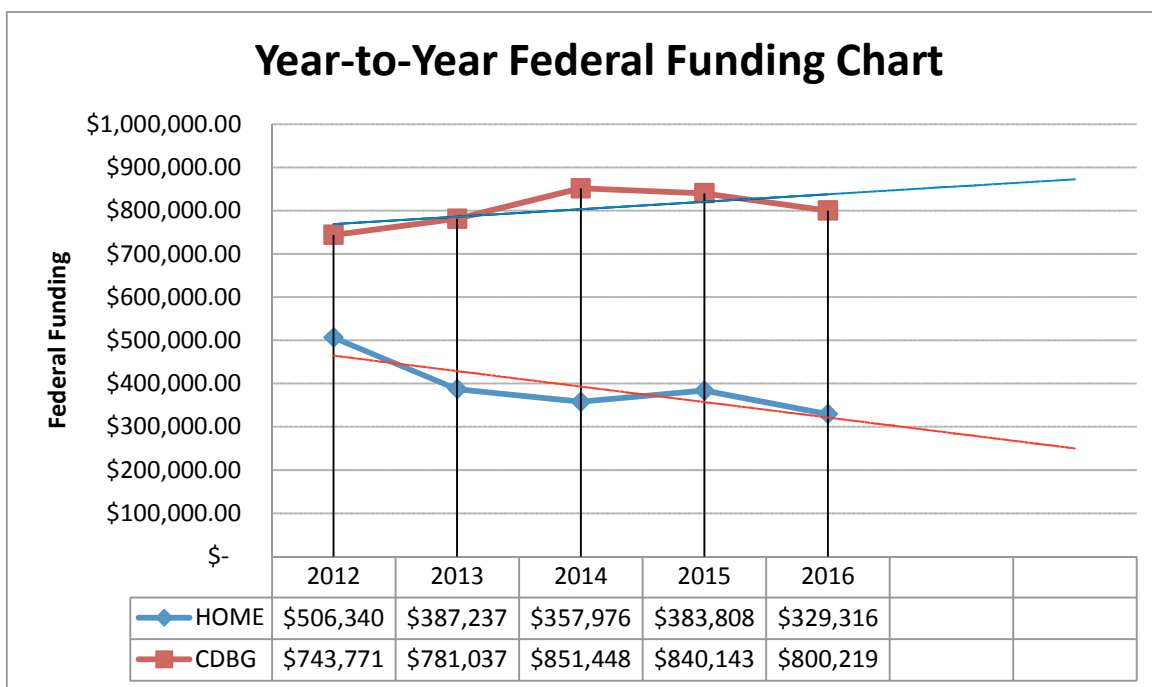
CAPER

Executive Summary

The Consolidated Annual Performance and Evaluation Report (CAPER) details the housing and community development activities undertaken by the City of Greenville’s Community Development Department during the program year 2014-2015. This program year commenced on July 1, 2014 and ended June 30, 2015.

As an entitlement community, the City of Greenville receives federal funds from the U.S. Department of Housing and Urban Development (HUD) programs. The City of Greenville is entitled to two (2) funding sources through HUD. They are as follows:

- Community Development Block Grant (CDBG) - Since 1974
- HOME Investment Partnerships (HOME) – Since 1995



Federal funding can fluctuate every year. The graph above depicts the aforementioned fluctuation over the past five (5) program years.

The CAPER assesses the progress in accomplishing the five-year goals identified in the 2013-2018 Consolidated Plan. The City’s Community Development program allocated multiple resources to support the national goals of community development and planning programs to develop viable urban communities. More specifically, the City seeks opportunities to provide decent housing, suitable living environments, and expand economic opportunities for very low, low and moderate income persons/families.

CAPER

The 2014-2015 program year CAPER represents the second reporting year of the 2013-2018 Consolidated Plan. It is divided into six (6) sections, the: 1.) Summary of the Overall Assessment of the fourth year Performance, 2.) Housing Needs, 3.) Community Development Block Grant, 4.) HOME Investment Partnerships, 5.) Supporting text and, 6.) The Integrated Distribution and Information System (IDIS) reports.

The accomplishments for the program year 2014–2015 are as follows:

- Thirteen (13) owner-occupied home rehabs completed
- Five (5) down payment assistance (deferred loans) were administered
- One (1) Small Business Competition deferred loan were administered
- Four (4) homes were cleared of Lead-Based Paint Hazards
- Five (5) public services grants awarded to public service agencies serving low income clients
- Four (4) substandard properties were acquired
- Eleven (11) substandard units were demolished and removed
- One (1) displaced tenant was relocated
- Two (2) public facility improvements were completed
- Four (4) new single-family homes were constructed
- Four (4) acquisitions of substandard homes

On July 10, 2015, a DRAFT of this document was made available for a thirty (30) day public review and comment period. Staff has intentionally extended the public comment period in order to receive all potential comments. A Public Hearing to receive comments on this CAPER document will be held on September 10, 2015 at 7:00 PM in the City Council Chambers at City Hall. The fiscal year 2014-2015 CAPER can be found online at: www.greenvillenc.gov/communitydevelopment/housing.

CAPER

SECTION 1 - OVERVIEW

Assessment of Activities Undertaken to Address Consolidated Plan Objectives and Priorities.

The City of Greenville received a total of \$1,223,951 in federal funds for the 2014-2015 fiscal year from the following federal programs: Community Development Block Grant \$840,143 and HOME Investment Partnerships \$383,808.

At one point in time, the City of Greenville was the lead entity of the Pitt County HOME Consortium. However, the Greenville City Council voted on January 7, 2008 to disband the existing Consortium and made an application to become a separate Participating Jurisdiction (PJ) for HOME Investment Partnership funds. The effective date of the dissolution was June 30, 2009. During the Action Plan Year July 1, 2014 - June 30, 2015, the City continued to monitor the progress and close out of projects and worked closely with the Consortium members to provide support to consortium members until all remaining funds of the Pitt County HOME Consortium were expended.

The City of Greenville implemented projects and activities that were identified as the needs and priorities within the five (5) year Consolidated Plan. Priority needs from 2013 through 2018 calls for a continued concentrated effort within the West Greenville 45-Block Revitalization Area and Housing Rehabilitation within the entire jurisdiction of the City of Greenville. These efforts are designed to preserve the existing housing stock and provide decent, safe affordable housing. The City of Greenville recently updated the five (5) year Consolidated Plan. The new Consolidated Plan identifies priority needs from 2013-2018. Many of the resources, needs, goals, and objectives have remained the same. However, the City placed emphasis on partnerships with other government agencies, non-profits, and the private sector. The next program year will be the second year of the 2013-2018 Consolidated Plan.

Within the City of Greenville, all efforts during the course of the five (5) year period will primarily focus on the needs within the boundaries of the West Greenville Redevelopment Area bounded by the Tar River on the north, Greene Street on the east, Tenth Street Connector on the south, and Memorial Drive on the west. The following activities are being carried out while addressing the needs in this area: housing assistance through rehabilitation, preservation of the existing housing stock, new construction or infill development on vacant lots, down payment assistance, homeownership counseling, working with lenders to identify special programs/products for low to moderate income homebuyers, addressing lead-based paint issues, support and implement revolving loans for rehabilitation, support local Continuum of Care Plan, economic development, fair housing education, and overall neighborhood revitalization.

In addition, to avoid deterioration of other parts of the City, funds were made available for housing rehabilitation and down payment assistance for residents citywide. However, the City of Greenville

CAPER

continued to expend the majority of CDBG and HOME allocations in the West Greenville Redevelopment Area.

Consolidated Plan Priority – Affordable Housing

Owner-Occupied Rehabilitation

At the beginning of the Fiscal Year 2014-2015, funds for rehabilitation of substandard dwellings were budgeted. \$252,000 in CDBG and \$155,000 of HOME funds were set aside to rehabilitate owner occupied single-family homes. During FY 2014-2015, a total of thirteen (13) units were completed utilizing past year funding and current year funding.

Property Acquisition

During the 2014-2015 Fiscal Year, four (4) dilapidated properties were acquired to remove blighted conditions. The properties were acquired to remove dilapidated structures for the construction of new affordable housing and for economic development initiatives.

Tenant Displacement/Relocation

There was only one (1) tenant of a property that was displaced as a result of acquisition. The tenant of the property was relocated to standard housing in accordance with the Uniform Acquisition and Relocation Act during the Fiscal Year 2014-2015.

Down payment Assistance

During the current program year, five (5) down payment loans were made to first time low and moderate income homebuyers from Federal (\$17,440.00) and locally funded (\$31,150.00) sources. These loans enabled homebuyers to purchase homes for owner occupancy.

Consolidated Plan Priority – Other Special Needs

Transitional/Affordable Housing Production

At the beginning of FY 2014-2015, \$57,571 of HOME funds were allocated for certified Community Housing Development Organization (CHDO) affordable housing activities. These activities target eligible first time homebuyers and renters. In addition, the City of Greenville solicited developers through a Request for Proposal (RFP) to affordable multi-family units. The City of Greenville allocated \$150,000 in HOME funds for this activity.

After the RFP process concluded, the City approved a commitment of \$150,000 to two (2) affordable housing developments - one (1) senior housing and one (1) family housing. The developers are currently waiting to receive feedback from the North Carolina Housing Finance Agency (NCHFA) for the low-income housing tax credits they applied for.

CAPER

During the fiscal year, one (1) unit assisted with HOME funds was constructed to provide affordable owner-occupied housing. This unit was built with a partnership between the City of Greenville and Metropolitan Housing and Development Corporation.

Consolidated Plan Priority – Non Housing Community Development

The goal of the CDBG Program for non-housing community development is to support the expansion of economic opportunities for low to moderate income persons and to support the community's involvement and participation efforts in relation to supporting non housing priority needs. The following are allocated public service and public facility projects for approved non-profit organizations.

Public Service – Subrecipient Projects

The following is summary of approved public service activities for FY 2013-2014. Note: Expenditures began in January 2014 and will end in January 2015.

Name of Agency: Boys & Girls Club of Pitt County, Inc.
Program: Club Academy
Accomplishments: Total youth served = 125
Amount of Funding Allocated: \$20,000.00 **Expenditures through June 30, 2014:** \$12,880.43

Name of Agency: Literacy Volunteers of Pitt County
Program: Career Readiness and Computer Literacy
Accomplishments: Total adults served = 150
Amount of Funding Allocated: \$15,000.00 **Expenditures through June 30, 2014:** \$1,665.84

Name of Agency: Center for Family Violence Prevention, Inc.
Program: Systematic Training for Effective Parenting (Case Management & Counseling)
Accomplishments: Total served = 65
Amount of Funding Allocated: \$25,000.00 **Expenditures through June 30, 2014:** \$13,114.30

Name of Agency: Lucille Gorham Intergenerational Center (East Carolina University)
Program: Youth Development Programs
Accomplishments: Total youth served = 80
Amount of Funding Allocated: \$15,000.00 **Expenditures through June 30, 2014:** \$4,291.00

Name of Agency: STRIVE
Program: Workforce Development Programs
Accomplishments: Total served = 30
Amount of Funding Allocated: \$25,000.00 **Expenditures through June 30, 2014:** \$8,195.00

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Economic Development - Small Business Plan Competition

The following is summary of approved economic development activities for FY 2014-2015.

Name of Business: Crossfit Greenville
Type of Business: Fitness and Exercise
Accomplishments: Total Jobs Created = 2
Amount of Funding Allocated: \$15,000

Public Facility Improvement – Lincoln Park Neighborhood Redevelopment

The following is summary of approved public facility activities for FY 2015-2015.

Name of Area: Lincoln Park Neighborhood
Type of Activity: Sidewalks
Accomplishments: Improvements to Infrastructure in low income neighborhood
Amount of Funding Allocated: \$80,000

Name of Area: Skinner and Watauga Avenue
Type of Activity: Sidewalks
Accomplishments: Improvements to Infrastructure in low income neighborhood
Amount of Funding Allocated: \$50,000

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Affirmatively Furthering Fair Housing

The Federal Fair Housing Act, as Amended, prohibits discrimination in the rental, sale, or financing of any dwelling based upon race, color, religion, sex, national origin, familial status, or disability. As a condition for receiving federal funds from HUD, entitlement communities, such as City of Greenville must “affirmatively further fair housing.” This phrase means to:

- Conduct an analysis to identify impediments to fair housing choice within the jurisdiction;
- Take appropriate actions to overcome the effects of any impediments identified through the analysis; and
- Maintain records reflecting the analysis and actions taken in this regard.

An update to the Analysis of Impediments (AI) to Fair Housing Choice was conducted in the 2013-2014 program year. The City of Greenville in conjunction with Training and Development Associates (TDA) updated the prior AI to reflect current conditions. This section presents the Fair Housing Analysis Update for the 2013-2018 Consolidated Plan. It primarily includes existing impediments to fair housing choice currently being addressed and the plans recommended to remedy them. The update relies on public/private information regarding the real estate and banking industries, Greenville housing and community development activities, North Carolina and Greenville Human Relations Agencies, and the Greensboro and Atlanta HUD Offices of Fair Housing and Equal Opportunity.

The City of Greenville always seeks to promote equal opportunity, equal access, and equal rights for those who are underprivileged, disabled, and homeless. During the fiscal year 2013-2014, the City of Greenville made numerous advancements towards this goal. These advancements are as follows:

- Three (3) down payment assistance’s (deferred loans) were administered
- Seventeen (17) single-family homes were rehabilitated
- One (1) new single-family home was sold
- Poster Contest for youth education & two (2) Fair Housing Workshops

Impediments addressed during 2013-2014 program year:

Identified Impediment	Impediment Addressed this program year (Y) (N)?	Activity(s) that addressed the impediment	\$ Budgeted For Activity	\$ Spent For Activity	Source of \$	Beneficiaries
Lack of Access to Homeownership (low-moderate racially mixed; West Greenville Redevelopment Area)	Y	Down Payment Assistance	\$17,667	\$15,325	HOME/General fund	One (1) minority

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Lack of Affordable Housing (low-moderate income West Greenville Redevelopment Area)	N	New Single-Family Construction	\$53,696	\$0	HOME	None
Lack of Education and Awareness (mixed demographics; area of low income concentration)	Y	Poster Contest & two (2) Fair Housing Workshops	\$10,000	\$9,500	CDBG	Over 100 participants (public, real estate agents, and property management companies)

The following impediments were identified:

Impediment 1: Lack of affordable housing forces the lower income population to find alternative housing. Alternative housing may consist of doubling up, where households combine to cut the expenses of housing. Others are forced to live in housing that is in poor condition that leads to disparate treatment of protected class families and individuals. The City of Greenville and our partners are the primary producers of affordable housing. The City realizes that the current model is not sustainable.

Plan of Action:

Working with the financing industry will be the best initial strategy to address this impediment. Within the Greenville housing market there are insufficient affordable housing units available to lower income residents for housing choice in Greenville. In fact there is a surplus of moderately priced housing available. City staff will continue efforts to work with the financing industry to offer Greenville programs that for home buyers that seek financing by encouraging them to make use of city programs such as using the City’s down payment assistance programs or efforts such as the West Greenville revitalization program that are instrumental in making homeownership a reality for many residents that did not realize homeownership as a possibility.

The City’s down payment assistance is available to everyone. While some applicants appear to be well educated in the homebuyer loan process, the lending industry feels that most still are not. When lenders counsel prospective borrowers about the financial responsibility associated with home mortgages, offering practical advice regarding savings and spending, borrowers become frustrated and seek mortgage loans elsewhere. If all mainstream lenders have similar policies, it is possible that this serves to drive people to seek loans through brokers and subprime lenders. Therefore, a stronger push to promote homebuyer counseling appears to be an appropriate solution.

Impediment 2: The lack of education about discrimination and fair housing laws in Greenville. An essential part of fair housing opportunities and enforcement is the education of the public regarding the rights and responsibilities afforded by fair housing laws. This includes the education of housing and financial providers, as well as citizens.

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Plan of Action:

Education is a key element on two (2) fronts. First, it is one of the most pressing needs to ensure fair housing choice. It is imperative that individuals and families seeking housing know their rights and responsibilities and that those involved in the housing industry understand their rights and responsibilities, as well. Secondly, providing public education that produces an employable workforce with higher earning potential will help improve creditworthiness of future homebuyers. The onus falls to the public school system to ensure that tomorrow's residents have the skills they need to be competitive in the job marketplace, as well as to be educated consumers armed with the skills to make informed decisions.

Impediment 3: Awareness of fair housing issues is important. Everyone needs to know what may constitute a violation, and what they can do in the event they believe they may have been discriminated against. In addition, it is important for lenders, housing providers and their agents to know their responsibilities and when they may be violating fair housing laws.

Plan of Action:

In responding to whether Fair Housing was an issue in Greenville, the financing industry again addressed the results of the recent NCRC report, stating that the minority stigma has improved, but it still exists. The lenders need for production (or writing of loans) drives greater leniency in which lenders select to lend to, thereby lessening the impact of race. Mortgage brokers, on the other hand, know that people do business with people who look like them, and so they hire people that resemble the markets they serve. This is good marketing, but also encourages minority homebuyers to seek loans with lenders who are not necessarily looking out for the borrowers' best interests.

Additionally, brokers are most familiar with the products that are most popular in the markets they serve and are not aware of all the products offered by the institutions they represent, thus limiting their offerings to higher-cost products. Unfortunately, uninformed buyers also choose lenders on the basis of word-of-mouth referrals from friends and family, and the belief that banks do not lend money to minorities. Again, while educating consumers is indicated, it is difficult to reach them when they will not avail themselves of the opportunities.

The City will continue its efforts to educate the public during Fair Housing month. During this month several activities are provided to educate the public on specific areas of fair housing and our local loan counseling programs. The City will also encourage lenders, housing providers and their agents to know their responsibilities and to attend training on fair housing laws.

Impediment 4: There are limited housing opportunities for the homeless, those who are at risk of homelessness, and special needs populations. There is not enough funding for permanent housing. Too many citizens are on the brink of becoming homeless because they have to spend too much of their income on housing (many times not decent or safe housing).

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Plan of Action:

The City will continue to support programs to increase family self-sufficiency and to prepare homeless, at risk and special needs populations for rental or homeownership opportunities through financial literacy, credit counseling and rental assistance. The City also needs to support a number of initiatives to assist low-moderate homebuyers with down-payment assistance, default delinquency counseling, anti-predatory lending counseling and homeless prevention programs.

Impediment 5: Lack of Access to Homeownership (Based on HMDA and apparent Predatory Lending Practices)

This Impediment can be addressed in the 2008-2013 Consolidated Plan as the City considers inequities that may occur in homeownership opportunities for protected classes or those covered by the Fair Housing Law. An analysis of the HMDA data in this document reveals, for example, that while black residents comprise 34 percent of the population, 21 percent of all home purchase mortgage applications come from black families/individuals so therefore, it appears that black applicants may be underrepresented although improving substantially over the past five (5) years. City programs targeted to assist low-moderate income protected classes should focus more closely on educating the population on the importance of homeownership and how to access local lending resources.

In addition, consistently high denial rates on home improvement loans may reflect policies in the lending industry, but this is an area that warrants some attention in Greenville. The disinvestment associated with an inability to raise funds to maintain one's home can have an undesirable effect on the community when it occurs in great numbers.

Plan of Action:

In responding to whether Fair Housing was an issue in Greenville, the financing industry again addressed the results of the recent NCRC report, stating that the minority stigma has improved, but it still exists. The need for production (that is, writing loan business) in the lending industry drives greater leniency in which lenders select to lend to, thereby lessening the impact of race. Mortgage brokers, on the other hand, know that people do business with people who look like them, and so they hire people that resemble the markets they serve. This is good marketing, but also encourages minority homebuyers to seek loans with lenders who are not necessarily looking out for the borrowers' best interests. Additionally, brokers are most familiar with the products that are most popular in the markets they serve and are not aware of all the products offered by the institutions they represent, thus limiting their offerings to higher-cost products. Unfortunately, uninformed buyers also choose lenders on the basis of word-of-mouth referrals from friends and family, and the belief that banks do not lend money to minorities. Again, the solution lies in educating consumers, although it is difficult to reach them when they will not avail themselves of the opportunities.

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The City conducted the following fair housing activities during the 2014-2015 program year:

- Property Managers Seminar on Wednesday, April 15th, 2014. Approximately sixty-five (65) people attended.
- Fair Housing Poster Contest – Six (6) students participated
- Fair Housing Education is provided to all residents that participate in the City's first-time homebuyers workshops.

Fiscal Year 2015-2016

The City will continue to offer fair housing education during the month of April, and to all residents that participate in the City's Homeownership Workshop. In addition, staff is also preparing for the Fair Housing Poster Contest.

The Human Relations Office is preparing its work plan to be presented early next year to City Council. The Human Relations Council is discussing additional fair housing education to provide at various apartment sites; which will include public housing tenants. The Council will partner with North Carolina Human Relations Commission in Raleigh, Greenville Housing Authority, and Legal Aid of North Carolina.

The number of additional workshops has not been determined at this time; however, staff anticipates two (2) – three (3) throughout the course of the program year.

In addition, the City of Greenville proposes to focus on education and access to affordable housing during the 2015-2016 program year.

Affirmative Marketing Plan

It is the policy of the City of Greenville Housing Division not to discriminate against any person on the basis of race, color, national origin, sex, religion, familial status, or disability: in the sale or rental of housing or residential lots; in the advertising the sale or rental of housing; in the financing of housing; in the provision of real estate brokerage services; or in the appraisal of housing.

In accordance with the regulations of the HOME program and in furtherance of the City of Greenville's commitment to fair housing and equal housing opportunity, a policy that establishes procedures to affirmatively market rental or residential units constructed or rehabilitated under the HOME program was approved June 1, 2009. These procedures are designed to assure that individuals who normally might not apply for available housing units because they are socially and/or economically disadvantaged - are provided an opportunity to apply.

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In addition, the City of Greenville has adopted policies that assure and encourage the full participation of Women and Minority-Owned Business Enterprises (WMBE) and Disadvantaged Business Enterprises (DBE) in the provision of goods and services. The City of Greenville's WMBE Coordinator publishes a quarterly newsletter and maintains a Business Directory for the construction, maintenance and building trades services. The directory identifies firms that have been certified or registered as DBE by the City of Greenville, and provides information that can assist their efforts to obtain contracts with the City of Greenville. The City expended approximately \$56,000 in general fund dollars to cover the WMBE Coordinator labor and activities, during FY 2012-2013.

The City continues to affirmatively market fair housing strategies. These strategies are inherent to each of the housing programs provided through the Housing Division. To ensure equal opportunity access to federal housing programs, the Housing Division includes Minority and Women Business Enterprise (MBE/WBE) requirements in all contracts and agreements.

Education of the Fair Housing Laws will occur throughout the year and more specifically during the month of April, which is designated as "Fair Housing Month" and "CDBG Week".

During the month of April 2014, in celebration of Fair Housing Month, the City of Greenville, the Greenville Human Relations Council, Greenville Property Managers Association and Greenville-Pitt Association of Realtors sponsored a Fair Housing Month Poster Contest for residents in grades K-12, including the special education program. The purpose of the poster contest was to demonstrate non-discriminatory housing for all people regardless of race, sex, color, national origin, disability or family status.

City of Greenville will continue to use administrative dollars to affirmatively further fair housing. Funds that are used to assist very low and low income households will be advertised in local newspapers. Special outreach will be provided through various community events and non-profit agencies in the community.

In addition to these activities, the City provides a full time staff position (Human Relations Coordinator) to address landlord/tenant issues, provide emergency housing assistance and outreach to citizens. This position is funded with approximately \$60,000 general government revenues. One of the primary responsibilities of the staff member is to serve as a liaison to the Greenville Human Relations Council. The Greenville Human Relations Council serves as an advocate for all people in pursuit of human and economic relationships, to promote activities, education and programs which enhance human dignity, equal opportunity, mutual respect and harmony among the many different citizens of Greenville.

Each HOME PJ must adopt affirmative marketing procedures and requirements for any housing with five or more HOME-assisted units. Affirmative marketing differs from general marketing activities because it specifically targets potential tenants and homebuyers who are least likely to apply for the housing, in order to make them aware of available affordable housing opportunities.

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The City of Greenville understands that we have population that is in a greater disproportionate need. The Hispanic population is not only a growing population across the nation, but also in Greenville-Pitt County. The city has already created affordable housing brochures in Spanish, but we are also planning for entire home education workshops in Spanish.

- Three (3) down payment assistance's (deferred loans) were administered
- One (1) new single-family home was sold

Homeless Needs

Actions to meet supportive housing needs (include HIV/AIDS)

Funding to nonprofit organizations that address supportive needs is made available each fiscal year for eligible applicants. All nonprofits that receive funding are encouraged to participate with local Continuum of Care efforts.

Although the City does not receive Housing Opportunities for Persons with Aids (HOPWA) funds, the Greenville Housing Authority and Pitt County AIDS Service Organization (PICASO), a local nonprofit apply on an annual basis. They are currently managing ten (10) units of housing for HIV AIDS afflicted citizens.

Actions to plan and/or implement continuum of care

HUD encourages communities to address housing and homelessness through a comprehensive, collaborative, and strategic approach that it has promoted since 1994. HUD's Continuum of Care concept facilitates this process and is designed to help communities envision, organize, and plan comprehensive and long-term solutions to address the problem of homelessness.

As in past years, the City of Greenville has actively assisted with the creation and development of a Continuum of Care for Pitt County. The group, known as the Pitt County Continuum of Care, is comprised of City and County staff, as well as non-profit and for-profit representatives. The group meets monthly to discuss issues impacting the ever-growing homeless population. Efforts to end homelessness and to coordinate supportive services to homeless persons are top priorities for the community. The Pitt County Continuum of Care's mission for combating homelessness is to have a seamless continuum of housing and services to meet the housing and support service needs of all homeless subpopulations in the County and the City of Greenville, in both urbanized and non-urbanized areas. This requires the strengthening of coordinated activities of the local homeless coalition, the providers, other non-profit organizations and homeless individuals and advocates. The January 2013 Point in Time Count revealed that there are one hundred twenty three (123) homeless persons in Pitt County and one hundred ten (110) beds available to serve them.

During the upcoming fiscal year, the group will continue to develop the Continuum of Care and prepare an Emergency Services grant application for submission. To date, the Pitt County Continuum of Care

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has received funding from the 2003, 2004, 2005, 2006, 2007, 2008, 2009 and 2010 funding cycle. Funding received under the 2004 and 2005 award was allocated to implement a Homeless Management Information System (HMIS). All actions by the Continuum of Care group will address obstacles to meet the underserved needs in the community, assist with the reduction of poverty level families, assist with the development of institutional structures, and enhance coordination between public and private housing and social service providers.

Actions to prevent homelessness

The United States Interagency Council on Homelessness issued a challenge to communities across the country to address the problem of homelessness, specifically the chronically homeless. In the fall of 2006 and spring of 2007, the Pitt County Board of Commissioners and the City of Greenville City Council adopted resolutions to develop a 10-Year Plan to End Chronic Homelessness in Pitt County. The 10-Year Plan is a comprehensive effort of various community organizations, leaders and citizens. The City of Greenville committed \$15,000 CDBG funding towards this effort.

The Blue Ribbon Task Force to End Chronic Homelessness in Pitt County spent approximately eight (8) months gathering data on homelessness in community and reviewing best practice approaches being used in other communities to reduce and end homelessness. The Task Force held focus groups and forums to help determine the best approaches for the community. The 10-Year Plan to End Chronic Homelessness in Pitt County represents the culmination of work over the past year. The two (2) major recommended goals featured in the plan are evidenced-based practices drawn from best practices of innovative programs and initiatives in place across the country:

- **Goal 1:** Provide community-based services and support to prevent homelessness before it happens and diminish risks for homelessness to recur.
- **Goal 2:** Create adequate short-term housing options and supportive permanent housing for those who are chronically homeless or at risk of becoming homeless.

Ending chronic homelessness is a challenge for the entire community. There are no simple solutions. Ending homelessness will require a cooperative effort among government agencies, private and public services, businesses, faith-based organizations and neighborhoods.

Actions to address emergency shelter needs

The City of Greenville, through its CDBG Program provided financial assistance during the 2013-2014 Fiscal Year to Center for Family Violence Prevention, which provides emergency housing to battered women and young children. In addition, the Pitt County Homeless Shelter is currently undertaking a fundraising campaign.

Actions to develop transitional housing

During the fiscal year 2012-2013, funding was provided to the Center for Family Violence Prevention for safe family visits. Center for Family Violence Prevention provides transitional housing for domestic violence victims. The need for safe, affordable housing for victims of domestic violence is well

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documented. Without access to housing options, women fleeing from abusive relationships are often forced to live in substandard conditions or return to their batterers. While many battered women need only short-term, emergency shelter, others face numerous barriers to achieving independence free from abuse and require long-term housing assistance and a variety of support services.

Recognizing the housing needs of battered women, many domestic violence service providers now offer longer-term, transitional housing to the women and children they serve. The City has also continued its relationship with the CHDO Streets to Home to provide transitional rental housing for victims of domestic violence and homelessness who are transitioning from emergency shelter to permanent housing.

Transitional housing, sometimes called second stage housing, or supportive housing is a residency program that includes support services. Usually provided after crisis or homeless shelter, transitional housing is designed as a bridge to self-sufficiency and permanent housing. Residents usually remain from six (6) months to two (2) years, and are typically required to establish goals to work towards economic stability.

Meeting Underserved Needs

Actions taken and accomplishments to meet worst-case needs

The Greenville Police Department and LIFE/STRIVE of North Carolina, Inc. have collaborated together to implement a prisoner re-entry program in the City of Greenville, through a grant funded by the North Carolina Governor's Crime Commission. Re-entry involves the use of programs targeted at promoting the effective reintegration of offenders back to communities upon release from prison and jail. Re-entry programming, which often involves a comprehensive case management approach, is intended to assist offenders in acquiring the life skills needed to succeed in the community and become law-abiding citizens. A variety of programs are used to assist offenders in the re-entry process, including pre-release programs, drug rehabilitation, vocational training and work programs. STRIVE has a successful job training program which was partially funded with CDBG Public Service funds in the past.

Actions and accomplishments to serve people with disabilities

Elderly and disabled homeowners wishing to have their homes rehabilitated are given first priority. In situations in which a homeowner has special needs, those needs are taken into account by Housing Division staff. Provisions are made to provide devices necessary for mobility and comfort.

Within the City of Greenville there continues to be a need to assist homeless, unemployed, "at risk" youth, victims of domestic abuse, and drug abuse. The program responds to such needs through the CDBG funding of organizations that cater to the needs of these groups. Such groups include the Greenville Community Shelter, L.I.F.E. of NC, Lucille Gorham Intergenerational Center, and Center for Family Violence Prevention Program.

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Efforts to Reduce Poverty

City of Greenville housing programs inherently address poverty by creating housing opportunities for low income households and services for low wealth individuals and communities. Without these housing opportunities many low income households would not be able to afford housing repair costs or to purchase a home.

City of Greenville also provides funding for various projects to create economic opportunities for low to moderate income persons, which aid in the reduction of poverty. The City operates the following programs: facade improvement program, small business plan competition, and is currently working on development of a small business incubator/commercial center in the designated West Greenville Redevelopment Area.

Transportation systems in Pitt County and major highways have been improved and will continue to be improved to meet the demands of a growing population.

Program Monitoring

The Housing Division conducts formal monitoring of its CDBG and HOME grant programs annually. The monitoring visits consist of reviewing programmatic procedures to ensure that each grant program regulations defined in the Code of Federal Regulations and the scope of work described in the Subrecipient Agreement is met. General financial and accounting procedures are also reviewed in accordance with applicable Office of Management and Budget circulars.

If a finding or concern is identified as a result of the monitoring, technical assistance is provided in order for the agency to correct the deficiency. If deficiencies persist, reimbursement fund may be suspended and/or the subrecipient could jeopardize future funding opportunities.

The City ensures that all monitoring letters detail specific time frames for a monitoring response and the corrective actions that need to be taken. Additionally, the City will impose sanctions if the corrective actions are not taken within the specified time frame. Furthermore, staff is discussing a quarterly monitoring schedule.

Leveraging Resources

On November 2, 1992, the citizens of Greenville approved a one million dollar bond referendum for affordable housing. The funding was divided into three (3) revolving loan categories. The categories include homeownership, land banking, and elderly housing rehabilitation. As revolving loans, these funds are continually recaptured and recycled into the activities to further efforts to promote and preserve affordable housing. These funds have been recycled since 1992 and are available for the West

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Greenville 45-Block Revitalization area and other affordable housing initiatives of the City of Greenville.

In 2004, Greenville citizens again approved a \$10 million dollar bond referendum for the revitalization efforts in the Uptown Greenville and West Greenville Certified Redevelopment Area which focused efforts in the 45-Block Revitalization area. \$5 million of the \$10 million is set aside for the priorities and goals identified below within the West Greenville 45-Block Revitalization area to leverage CDBG and HOME funds.

The City of Greenville was awarded through the 2009 American Recovery and Reinvestment Act (ARRA) from the U.S. Department of Housing and Urban Development a Lead Based Paint Hazard Control Grant. The \$1.9 million grant funds have been implemented since that time to accomplish the following within 36 months, beginning April 15, 2009:

- Control and reduce lead hazards in one hundred ten (110) low-income housing units in the Greenville area
- Addressing one hundred ten (110) housing units occupied by children under the age of six (6) years with elevated blood lead levels
- Provide eighty five (85) outreach programs for community awareness and education regarding lead hazards aimed at reaching 5,000 people
- Screen and test children under the age of six (6) years for elevated lead blood levels
- Provide Lead Safe Work and Lead Certification training to at least ten (10) Contractors involved in the City of Greenville housing rehabilitation program
- Provide economic opportunities to at least sixty (60) unemployed and underemployed persons in the targeted neighborhoods, creating sixty (60) jobs
- Develop a self sustaining program by integrating lead hazard reduction into housing rehabilitation programs

At the program's completion, one hundred twenty-five (125) units have been tested for lead-based paint and one hundred two (102) units were cleared of lead based paint. The program was also responsible for training forty six (46) persons in lead safe worker training and created twenty seven (27) jobs.

In June of 2014, the City of Greenville made application for another Lead-Based Paint Hazard Control Grant through the HUD and the Office of Healthy Homes. If awarded the grant, the City hopes to test one hundred twenty-five (125) units for lead-based paint, and control/reduce hazards in one hundred (100) units.

The City of Greenville has been very successful over the past five (5) years in partnering with private housing organizations. Just within the past two (2) years, the Community Development Department leveraged nearly \$12 million dollars from partnering with the NRP Group to construct an eighty four (84) unit affordable multi-family housing development named Winslow Pointe. In addition to the funds

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leveraged, the City was also able to obtain three (3) HOME units which must remain affordable over a twenty (20) year period. Over the next five (5) years, staff will continue to pursue these types of opportunities.

Staff also provided a HOME commitment of \$150,000 to a private developer in the 2014-2015 program year. The developer intends to begin construction on a ninety-eight (98) unit affordable senior housing development. The development is projected to cost approximately \$10.6 million. Therefore, the City would leverage nearly \$10.5 million if this development were to occur. Moreover, staff has also received approval from the Greenville City Council to provide another \$150,000 to a private developer in the 2015-2016 program year. These funds would go to the developer who is successful in receiving low income housing tax credits from the N.C. Housing Finance Agency.

In addition to working with private developers, the City of Greenville has also assisted in several transitional housing units. We have partnered with Pitt County and the Greenville Community Shelter in adding beds for both supportive and transitional housing. Over the next five (5) years, staff will continue to assist and partner with other agencies to ensure that both families and individuals have enough resources to fight their way out of poverty.

Moreover, the City of Greenville contributes approximately \$300,000 of General Fund (local) dollars to support the Housing Division staff administrative costs to administer federal grants and bond fund projects.

Managing the Process

The Community Development Housing Division consistently seeks methods to improve and strengthen its programs. Assessment of program activities in compliance with outlined performance measurement objectives, indicators and outcomes in the action plan is performed annually.

In addition, the Housing Administrator conducts regular “desk audits” of all programs to insure compliance with regulations.

Citizen Comments and Public Participation

The City of Greenville continues to acknowledge the importance of citizen participation in developing activities for each upcoming year. During the development of the 2013-2018 five (5) year Consolidated Plan Year, three (3) public hearings were held to advise the community of proposed activities and sources of funds. In addition, two (2) community meetings were held to receive comments from citizens in developing the plan.

All requests for bids from contractors to assist with housing repairs and construction throughout the year were handled in an open and fair manner.

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The Notice of Availability of the CAPER for review, and to receive public comments was published in the “Daily Reflector” on Monday, July 13, 2015 and August 23, 2015. The CAPER was made available for review for a period of thirty (30) days. See attached copy of Publisher’s Affidavits. Also, the “Notice of Public Hearing” to receive comments at City Council meeting was published in the “Daily Reflector” on Monday, August 24, 2015 and August 31, 2015. Notice was also published in one (1) minority newspaper during month of August 2015 in the “Minority Voice”.

In addition to the public hearing, the following meetings were conducted as part of Greenville’s public participation process as well as to disseminate program information:

- Monthly Affordable Housing Loan Committee (AHLC) meetings;
- Technical assistance meetings during the CDBG Notice of Funding cycle for nonprofits with interested organizations;
- Monthly Continuum of Care meetings;

Finally, to improve access of the CAPER for the community, the Housing Division posted the CAPER on the city’s website for review.

Institutional Structure

The City of Greenville, through its Housing Division, other public agencies, private developers and contractors, and the network of housing subrecipients and Community Housing Development Organizations (CHDOs) are effectively organized to utilize all the funding received through the various state/federal programs.

The private sector is provided with incentives for developing affordable rental housing through tax credits provided by the federal tax credit program. Tax credits provide developers with an additional North Carolina subsidy for low income apartment construction. In addition, each year efforts are made to work with local institutions to provide housing and economic opportunities for low income persons through public service activities and participation in the Pitt County Continuum of Care.

The Pitt County Continuum of Care began in 2001 and has successfully grown into a well-balanced organization made up of local government agencies, housing providers, and service providers. The development of the continuum and participation by the City of Greenville will greatly enhance coordination between these agencies. The Greenville Housing Authority has also joined this group and began working in concert with the City of Greenville in revitalization efforts in the West Greenville 45-Block Revitalization Area. Over the next year, the Greenville Housing Authority will be our partner in both supportive housing and lease-purchase programming.

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Reduction of Lead-Based Paint Hazards

The City of Greenville is committed to testing and abating lead in all pre-1978 housing units assisted with federal grant funds in housing programs. Currently, the City of Greenville has contracted with an agency to provide all lead testing and clearance activities. This agency has also agreed to provide training for the housing rehabilitation contractors.

All projects in which HUD funding is used are in compliance with the new Lead Based Paint (LBP) guidelines as enacted on September 15, 2000. Testing of all units is conducted and, if found, all lead hazards are abated.

In addition, the City of Greenville was awarded a grant from Department of Housing and Urban Development, Office of Healthy Homes and Lead Hazard Control. The Lead-based Paint Hazard Control Grant Program extended for a thirty-six (36) month period. It was part of the American Economic Recovery and Reinvestment Act of 2009. At the program's completion, one hundred twenty-five (125) units have been tested for lead-based paint and one hundred two (102) units were cleared of lead based paint. The program was also responsible for training forty six (46) persons in lead safe worker training and created twenty seven (27) jobs.

In June of 2014, the City of Greenville made application for another Lead-Based Paint Hazard Control Grant through the HUD and the Office of Healthy Homes. However, the City was not awarded the grant. The City again in June of 2015 made application for aforementioned grant, in hopes to test one hundred twenty-five (125) units for lead-based paint, and control/reduce hazards in one hundred (100) units.

Self Evaluation

The overall goal of the Housing Division of the Community Development Department is to develop viable communities by providing safe, sanitary, and decent housing, a suitable living environment, and expanding economic opportunities principally for low to moderate income persons. The Consolidated Plan is a vehicle which enables officials and citizens of the City of Greenville to pursue this goal, collectively address neighborhood and community problems and plan for the future. To structure these efforts, a five (5) year strategic plan and annual action plan was created. While the five (5) year strategic plan typically remains static, the annual action plan changes every year to address various goals outlined in the larger and more global strategic plan. To evaluate progress, efforts are annually assessed through the CAPER.

Thus, the purpose of the self-evaluation section is to look at how activities and strategies have made an impact on identified community needs. An analysis of the City of Greenville's Program Year 2013-2014 Annual Action Plan goals are grouped into five (5) priority areas: Affordable Housing Strategy, Homeless Strategy, Special Needs Strategy, Community Development and Economic Development Strategies.

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Affordable Housing Strategy

Over the past year, the housing market in Greenville continued recovery at a slow pace like the rest of the country. The City of Greenville continued programs that focused toward achieving the following priority housing goals. Three (3) program activities were carried out in an effort to meet the City's affordable housing goal: down payment assistance, owner occupied rehabilitation and implementation of lease/purchase options. In addition, City staff continued to be successful in providing technical and educational support to both non-profits and homeowners.

Homelessness Strategy

The City of Greenville has made a priority of addressing the homeless issue by participating in various community efforts. In collaboration with Pitt County Government and other partners, a "Project Homeless Connect" event was held March 2012. This event initially served 350 "at risk" or homeless individuals and their families. Pitt County Government has taken the lead in this event and scheduled to be held again in October 2014.

In addition, City Staff and Elected Officials will continue to serve on the 10-Year Plan to End Homelessness Advisory Committee, as well as the Continuum of Care.

Special Needs Strategy

To address individuals and families with special needs, the City provided local non-profit organizations with CDBG funds to assist with job training and placement of ex-offenders re-entering society, victims of domestic violence, and at risk youth development.

Moreover, the City of Greenville recognizes that over the next five (5) years there will be an influx of both veterans and Hispanics into the community. A high percentage of veterans are at risk of becoming homeless, and many need supportive housing options. Furthermore, during the course of completing the 2013-2018 five (5) year Consolidated Plan, staff was made aware that the Hispanic population is in disproportionately greater need within our community. Therefore, staff has planned to take action to help mitigate these issues over the next five (5) years.

Community Development Strategy

During FY 2014-2015, the City used CDBG funds to gain site control for several facilities within the West Greenville Redevelopment Area. There is an ongoing strategy to provide Census Tracts 7.01 and 7.02 additional quality of life amenities. For example, staff is continuously working on a small business incubator/commercial center. This facility is projected to provide economic opportunities and a local grocery store. Currently, we are in the final stages of property acquisition. The subsequent step will allow for completion of the design for the building, bid the construction, and create an agreement with a private developer.

The City has completed in the process of designing and preparing for Phase II of a streetscape project associated with the major thoroughfare (West Fifth Street) that runs through the West Greenville

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Redevelopment Area. The project is scheduled to begin early 2016 based on the outcome of a General Obligation Bond Referendum. This project is “shovel ready” and can begin as soon as the funding is available.

Economic Development Strategy

The City of Greenville understands that it takes a comprehensive approach to grow communities and neighborhoods. Only recently has the City of Greenville embraced economic development. In communities and neighborhoods of low wealth, the economy is just as important as the affordability of the housing.

Over the next five (5) years, the City will continue to utilize CDBG funds for small businesses and entrepreneurs within low wealth communities. Creating a neighborhood commercial and business friendly environment is a top priority. Furthermore, we will pursue non-profit agencies that provide workforce development initiatives that teach middle skills and beyond.

In addition, the City of Greenville provided \$30,000 to two (2) small businesses during program year 2013. These funds were allocated as part of the Small Business Plan Competition. A stipulation for this program is that each business resides within the Redevelopment Area. The Redevelopment Area encompasses three (3) qualifying census tracts. These tracts are as follows: 7.01, 7.02, and 1.00. Each business will create two (2) new jobs and provide the area with much needed economic opportunities. Moreover, in program year 2014 staff provided \$15,000 to one (1) small businesses within the aforementioned Redevelopment Area.

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SECTION 2 – HOUSING NEEDS

Public Housing Strategy

There are four (4) Public Housing Authority managing agencies in the Pitt County area, which include Greenville Housing Authority with a total of seven hundred fourteen (714) units; Mid East Commission who manages a total of one hundred thirty five (135) units in three (3) towns, Farmville Housing Authority who manages one hundred seventy four (174) units, and Ayden Housing Authority who manages one hundred seventy five (175) units. Each of the mentioned Public Housing Authorities receives federal funds to modernize and repair public housing units. None of the public housing authorities in Pitt County have been designated as “troubled” agencies or otherwise performing poorly.

During fiscal year 2013-2014, the City of Greenville Community Development Department, Housing Division continued in partnership with the Greenville Housing Development Corporation, a non-profit extension of the Greenville Housing Authority, to implement a Lease/Purchase program utilizing rehabilitated single family units for low to moderate income residents in the West Greenville 45-Block Revitalization Area. Moreover, the City deeded two (2) lots to the Greenville Housing Development Corporation for the construction of new single-family residential units. These units will be designated for both homeownership and rental purposes.

Foster and Maintain Affordable Housing

The City of Greenville continually seeks methods for fostering and maintaining affordable housing. During the 2013-2014 program year, funds were reserved for downpayment assistance to low-moderate income homebuyers within the City of Greenville. These funds are used to address goals for increasing homeownership within the West Greenville Redevelopment Area. Funding from previous years has also been made available to homebuyers as downpayment assistance. The provision for downpayment assistance decreases the amount of financing and or private source of funding a homebuyer needs in order to purchase a home. This past fiscal year, one (1) homebuyer utilized the program.

The City also provides assistance with local bond funds to aide with downpayment or closing costs. Bond funds are awarded to qualifying applicants as a zero interest loan up to 10 percent of the purchase price of the home and amortized over ten (10) years. This past fiscal year, two (2) homebuyers utilized this program.

Eliminate Barriers to Affordable Housing

The City of Greenville partners with local non-profit agencies to provide homeownership counseling and workshops for potential homebuyers. The City also offers a Homeownership Academy that provides participants with the opportunity to gain a working knowledge of the home buying process and to prepare financially to purchase a home within the West Greenville Revitalization Area. At the

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completion of the program, participants receive a certificate for \$500 redeemable at closing to assist with the purchase of an existing or new home within the West Greenville Revitalization Area.

There are also other barriers to Affordable Housing. Some of these barriers citizens cannot hope to break through by themselves. Public policy will always affect groups or individuals in one way or the other. However, most of the time policies are put in place to make environments more equitable. There are instances where public policy will adversely affect a minority group more so than others. In Greenville, NC, there are a couple of policies that create barriers to affordable housing.

Non-living wages: The City of Greenville housing prices are among the highest in the county, yet wages have not gone up at the pace of rents and housing prices. A working adult earning a \$7.25/hour wage makes \$15,080.00/year, which places them in just above 30 percent AMI for an individual. An adult would have to work two (2) full-time jobs to place themselves near 80 percent of AMI. In addition, families receiving public assistance, such as Temporary Assistance for Needy Families (TANF) or Supplemental Security Income (SSI) receive a fixed amount of a few hundred dollars a month for basic needs, such as housing, food, and healthcare. Some of these fixed incomes are always in danger of being cut.

Mental illness: The State of North Carolina has pivoted several times in the business of handling mental illness. In 2001 the State Legislature created the "Mental Health Systems Reform Act". The state privatized the arrangement of local and regional mental health services; thus, requiring that local jurisdictions contract out delivery of services. As a result, most would note the quality of care that North Carolinians with mental illness receive has declined. Moreover, allegations of fraud and waste have increased. The most recent pivot is to cut funding to many of the Family Care Homes around the state. This would certainly adversely affect a small group of people, and potentially make them homeless.

Financing: In the financing industry, credit terms are tightening and lenders are paying more attention to widening gaps in sources and uses; thus, requiring more money up front from the borrowers. Historically borrowers negotiated with lenders based on the borrower's creditworthiness, collateral and track record. For various reasons the lenders are looking beyond just the numbers of the borrowers. Public policy allowed the bank and other financial institutions to relax lending standards over a decade, and now those standards have tightened – along with the lending mentality. The lack of available financing for low-moderate income households will become a larger barrier to affordable housing over the next five (5) years.

During the 2013-2014 program year, staff implemented a new program. This program targets low-moderate income citizens; however, everyone is invited to attend. Staff implemented a monthly financial literacy class held within the library in our Redevelopment Area. The curriculum comes directly from the Federal Insurance Deposit Corporation (FDIC). Thus far, the participation has been slow. During the 2014-2015 program year, staff provided additional funding to this program for marketing purposes. Also, staff noticed an increase in attendance for the program.

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SECTION 3 - COMMUNITY DEVELOPMENT BLOCK GRANT

Relationship of Expenditures to Priority Needs

During FY 2014-2015, Community Development Block Grant (CDBG) activities were conducted in accordance with the priority goals and objectives identified in the 2013-2018 Consolidated Plan. Greenville's total CDBG program allocations for FY 2014-2015 were \$840,143. Funds were distributed among owner-occupied housing rehabilitation; acquisition of dilapidated/substandard properties; clearance and demolition; assistance to nonprofits, economic development, and administration. As per regulation, a jurisdiction cannot spend more than 15 percent of its allocated FY 2012-2013 grant amount on public services and cannot spend more than 20 percent on administrative costs, irrespective of actual expenditures during the program year.

According to the Integrated Disbursement and Information System (IDIS) PR26 Financial Summary Report, the City of Greenville spent 7.31 percent of its allocated FY 2014-2015 grant amount on public services and 17.38 percent of its allocated grant amount on administration costs.

Low/moderate Area Benefit

Excluding costs for planning and administration, all CDBG expenditures during FY 2014- 2015 went toward activities and projects with a national objective of benefitting low to moderate income residents or low to moderate income areas.

Amendments and Other Changes to Programs

None.

National Objective Failures

None.

Actions Taken to Avoid Displacement

Efforts are made to avoid displacement. Should a family occupy a structure that is not a feasible rehabilitation project or unit and the structure is contributing to a slum/blighting situation, the family is then relocated. Downpayment assistance is offered to tenants that qualify under program guidelines for purchase of a home. The property can also be rehabilitated under our owner-occupied rehabilitation program. When displacement is necessary, efforts are in place to relocate the person(s) to comparable, decent, safe, and sanitary housing. All efforts are made to find units within the same neighborhood however per Uniform Relocation Act (URA) regulations; it is ultimately the decision of the individual as to where they chose to relocate.

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Compliance with Uniform Relocation Act

All necessary measures for complying with URA guidelines have been met and the necessary documentation is located in the files.

If Jobs Were Filled With Over Income People

None

For Limited Clientele Activities, if any

Public service funds were provided to one (1) non-profit organization serving only homeless individuals and families; and victims of domestic violence.

Rehabilitation Accomplishments and Costs

Eight (8) owner-occupied rehabilitation units were completed at a cost of approximately \$264,861.

Property Acquisition

Four (4) substandard properties were acquired at a cost of \$96,700.

Units Completed For Each Type of Program

- Eight (8) owner-occupied home rehabs completed
- One (1) Small Business Competition deferred loan were administered
- Three (3) homes were cleared of Lead-Based Paint Hazards
- Five (5) public services grants awarded to public service agencies serving low income clients
- Four (4) substandard properties were acquired
- Eleven (11) substandard units were demolished and removed
- One (1) displaced tenant was relocated
- Two (2) public facility improvements were completed

CDBG Expenditures for Rehabilitation

\$264,861

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Other Funds Invested

1992 Affordable Housing Bond Funds and 2004 West Greenville Redevelopment Area Bond Funds. One (1) elderly rehab was conducted with bond funds.

Delivery Costs

\$148,905 (Rehab Section Salaries)

Neighborhood Revitalization Strategy Area, if any

The NRSA was not established during this program year. However, the City of Greenville did receive official notification from the U.S. Department of Housing and Urban Development on June 16, 2015 that the City's application for the establishment of an NRSA was approved.

The City will be required to provide performance outcomes within the established NRSA in every CAPER from this point forward.

CDBG Financial Summary Attachments

See attached.

- Reconciliation of cash balances (Federal Cash Transaction Reports)
- Program income, adjustments and receivables

Summary of Activities Accomplishments (CDBG and HOME):

Activities accomplished during the reporting period included the following:

- Thirteen (13) owner-occupied home rehabs completed
- Five (5) down payment assistance (deferred loans) were administered
- One (1) Small Business Competition deferred loan were administered
- Four (4) homes were cleared of Lead-Based Paint Hazards
- Five (5) public services grants awarded to public service agencies serving low income clients
- Four (4) substandard properties were acquired
- Eleven (11) substandard units were demolished and removed
- One (1) displaced tenant was relocated
- Two (2) public facility improvements were completed
- Four (4) new single-family homes were constructed
- Four (4) acquisitions of substandard homes.

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SECTION 4 - HOME INVESTMENT PARTNERSHIPS PROGRAM

Distribution of HOME Funds Among Identified Needs

During the 2014-2015 fiscal year, HOME program resources totaled \$383,808. HOME funds were provided to assist with new construction, housing rehabilitation, downpayment assistance, and administrative costs. While efforts to increase new housing units continued, the City also continued to support the existing housing stock through housing rehabilitation. Four (4) housing rehabilitation activities were completed by the City of Greenville from the HOME program. Total costs of each rehab ranged from \$45,000 to \$70,000. Additional rehabs were underway at the end of the fiscal year. Other activities included the provision of down payment assistance to one (1) low-income, first-time homebuyer through the City of Greenville. All activities completed, achieve identified needs and objectives as found in the adopted Consolidated Plan. Moreover, all activities are monitored for compliance with program guidelines. The City of Greenville maintains the necessary documentation, monitors all CHDO's and associated properties, and provides daily assistance to members with program rules and regulations as well as the requisition of funding.

HOME Match Report (HUD 40107A)

According to the HOME final rule 24 CFR Part 92, Participating Jurisdictions (PJs) under the HOME program must provide a 25 percent non-federal match for eligible HOME activities (minus administration costs). For FY 2014-2015, Greenville used Local Affordable Housing Bonds and General fund dollars to provide a match needed for the grant and carried forward a match credit of \$1,115,979.20.

Contracting Opportunities For W/MBE's

Submittal of each annual CAPER must also include Part III of HUD Form 4107, otherwise known as HOME Annual Performance Report. Specifically, this report is used to report on the contract and subcontracting opportunities with MBEs and WMEs for any HOME projects completed during FY 2013-2014. While there are no statutory requirements for contracting with a MBE or WBE, HUD uses this report to determine the outreach efforts of the Division to MBEs and WBEs.

Summary of Results of Onsite Inspections of HOME Rental Units

Not applicable

Assessment of Effectiveness of Affirmative Marketing Plans

The City routinely solicits minority and female contractors to provide services. Each advertisement encourages minority and females business owners to apply where applicable. Efforts include advertising

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in local minority publications where available. While affirmative marketing plans are in place, the availability of minority and female owned businesses is limited within City of Greenville.

Information About the Use of Program Income

Any program income generated through the HOME program is reallocated to program activities as soon as the funds are receipted. This allows the City to further its efforts within low wealth communities.

Analysis of Successes and Failures and Actions Taken to Improve Programs

The Housing Division consistently evaluates the HOME Program for efficiency and continually updates the requirements and procedures as needed.

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ATTACHMENTS FOR CDBG PROGRAM INCOME; ADJUSTMENTS AND LOANS & RECEIVABLES

Program Income

1. Total program income to revolving funds:
(Identify by fund type and amount)

Entitlement Funds

\$19,534.71

These funds are program income from loan payments that were reprogrammed for Housing Rehabilitation.

2. Float-funded activities: *None*
3. Other loan repayments by category: *None*
4. Income received from sale of property: *\$0*

Prior Period Adjustments

1. Reimbursement made for disallowed costs: *None*
 - Activity name
 - Activity number
 - Program Year expenditure was reported
 - Amount returned to program account

Loans and Other Receivables

1. Float-funded activities outstanding as of the end of the reporting period: *None*
2. Total number of loans outstanding and principle balance as of the end of reporting period: *Fifteen (15) loans with a balance of \$138,247.64*
3. Parcels acquired or improved with CDBG funds that are available for sale as of reporting period: *None*
4. Number and amount of loans in default and for which the balance was forgiven or written off during the reporting period: *None*

Lump sum drawdown agreement: *None*

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ATTACHMENTS FOR HOME PROGRAM INCOME; ADJUSTMENTS AND LOANS & RECEIVABLES

Program Income

1. Total program income to revolving funds:
(Identify by fund type and amount)

Entitlement Funds

\$10,487.56

These funds are program income from loan payments that were reprogrammed for Housing Rehabilitation.

2. Float-funded activities: *None*
3. Other loan repayments by category: *None*
4. Income received from sale of property: *\$0*

Prior Period Adjustments

1. Reimbursement made for disallowed costs: *None*
 - Activity name
 - Activity number
 - Program Year expenditure was reported
 - Amount returned to program account

Loans and Other Receivables

1. Float-funded activities outstanding as of the end of the reporting period: *None*
 - a. Total number of loans outstanding and principle balance as of the end of reporting period: *Seventeen (17) loans with a balance of \$187,514.95*
2. Parcels acquired or improved with HOME funds that are available for sale as of reporting period: *None*
3. Number and amount of loans in default and for which the balance was forgiven or written off during the reporting period: *None*

Lump sum drawdown agreement: *None*



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Resolution Approving Conveyance of Property and a Lease for the Sidewalk Project

Explanation: **Abstract:** A developer, Sidewalk Greenville, LLC, plans on developing a mixed-use development incorporating office, retail, and residential uses. The development is planned to occur on a City-owned tract adjacent to Reade Circle, Pitt Street, and Dickinson Avenue. Associated with the development is a planned lease of 200 parking spaces from the City. In order for the conveyance of the property and the lease to be authorized, it is necessary for a public hearing to be held and for Council to adopt a resolution approving the conveyance and the lease.

Explanation: A developer, Sidewalk Greenville, LLC, plans on developing in the Dickinson Avenue Corridor area a mixed-use development incorporating office, retail, along with parking, on the first floor and residential development on upper floors. There is to be no less than 20,000 square feet of leasable office and retail space. The residential units will include student rental housing units and non-student market rate professional units. The developer is to make good faith efforts to include a sit-down, non-fast food restaurant and medium to high end retail in the development.

The location for the development is the City-owned property consisting of 1.9712 acres adjacent to Reade Circle, Pitt Street, and Dickinson Avenue. This property is currently used as a parking lot adjacent to the Police Fire/Rescue Building. The City will retain a portion of the original tract as right-of-way for the potential continuation of Eighth Street westward from Dickinson Avenue. This will assist in the connectivity in the area for the Greenville Transportation Activity Center (GTAC).

An appraisal of the property has been performed which values the property at \$1,506,744. This is the amount to be paid by the developer for the property.

Additionally, the developer will lease 200 parking spaces from the City in order to provide parking for the residential tenants. The parking spaces are to be located upon property owned by the City consisting of a 1.92 acre tract which is adjacent to Clark Street, Bonners Lane, and Atlantic Avenue. The City will be constructing this surface parking lot. The initial rental for each space is to be \$48 per month which is the current rate for parking space leases from the City. This equates to \$576 annual rent for each space and, for the 200 spaces, an annual amount of \$115,200. After the first year, the rental rate will be adjusted throughout the lease term to equal the same rate as is charged for parking space leases from the City in the uptown area. This monthly rental amount is greater than the appraised value of the monthly rental amount (\$37.50) which, by statute, would be the minimum the City could charge. The lease will be for a 40-year period with an option for an additional 10 years.

This development is located in a community development project area, and the development is for a use which is in accordance with the community development plan. Because of this, the property disposition procedures of North Carolina General Statute 160A-457 can be utilized. This allows approval of a conveyance with conditions after notice and a public hearing provided that the buyer pays no less than the appraised value.

In addition to constructing the parking lot where the spaces will be leased to the developer, the City will also be constructing a parking lot to provide parking spaces for City employees to replace the parking spaces lost due to the sale of this property. This parking lot will be located on Atlantic Avenue. The estimated expense to construct both parking lots is \$1,320,000.

The following conditions relating to the conveyance and the lease will apply:

1. A deposit in the amount of \$15,000 will be made by Sidewalk to the City. The deposit will be refundable within 120 days if Sidewalk notifies the City within said period that it has determined to not purchase the Property. If Sidewalk does not notify the City that it has determined to not purchase the Property within said period, then Sidewalk shall deposit an additional \$15,000 with the City. The \$30,000 deposit thereafter will be refundable only if there is a failure of conditions of the Purchase Agreement relating to the conveyance of the Property (title issues, environmental, etc.).
2. Closing for the conveyance of the Property shall occur within 12 months on a date designated by Sidewalk. At Closing, Sidewalk will pay the City \$1,506,744 for the Property.
3. The Property shall only be developed as a "mixed use" development incorporating office, retail, along with parking on the lower floors, and residential development on upper floors. There shall be no less than 20,000 square feet of leasable office and retail space.
4. Sidewalk will apply for a building permit for the Project within 12 months. The construction must be complete within 24 months of building permit issuance. In the event a building permit for the Project is not applied for within

12 months, the City at its option may refund any payments made by Sidewalk less the amount of the deposit and the ownership of the Property will revert to the City.

5. The Project shall include at least 120 total residential units and will contain student rental housing units and non-student market rate professional rental housing units. There shall be a minimum of 45 non-student market rate professional units in the first 120 residential units and a one-to-one ratio of student rental housing units and non-student market rate professional rental housing units for additional units above the first 120 residential units.

6. Residential units in the Project may include student-oriented housing to include “quad style” suites with appropriate permitting in accordance with applicable provisions of the Zoning Ordinance; however, student-oriented housing units shall not exceed a ratio of five beds for every one bed of non-student market rate professional rental housing.

7. Student rental housing units and non-student market rate professional rental housing units must be separate distinct spaces and shall not have common access or share common areas.

8. Sidewalk shall make its best reasonable efforts to include a sit-down, non-fast food restaurant in the Project and medium to high end retail in the Project.

9. City shall have the right to utilize the Property for municipal employee parking up until construction start by Sidewalk at no charge to the City. City shall be responsible for all maintenance and insurance of the Property during this period. City shall accommodate reasonable requests of Sidewalk during this period to include partial closures of portions of the lot for predevelopment work such as survey, geotechnical and environmental exploration.

10. Sidewalk can utilize, during construction of the Project, the area retained by the City for the 8th Street extension for parking and construction staging area until the City begins construction of the 8th Street extension.

11. Sidewalk will include a streetscape treatment in accordance with the City’s adopted streetscape master plan for the development along Reade Circle and Dickinson Avenue.

12. City will construct a Surface Parking Lot on the City owned 1.92 acre lot bounded by Bonners Lane, Clark Street, and Atlantic Avenue. City will lease to Sidewalk 200 spaces within the Surface Parking Lot for a 40-year period with an option for 10 additional years. The annual rental amount will be \$115,200 for the initial year with adjustments to occur throughout the lease term so that the lease amount is equal to the same rate as charged for City parking space leases in the uptown area.

13. The City may, after the provision of at least one (1) year notice, suspend the lease of the parking spaces at the Surface Parking Lot for a period of time not to exceed one (1) year for the purpose of allowing the construction of a parking

deck upon the Surface Parking Lot. City will employ its best efforts to provide alternative parking spaces to Sidewalk during the period of suspension.

Attached is a copy of the map demonstrating the property to be conveyed (Lots 1 and 2), and a map of the proposed parking lots.

Fiscal Note:

The sale of the property will result in a payment of \$1,506,744, and the lease will result in an annual payment starting at \$115,200. The estimated expense associated with constructing the parking lot to be leased to the developer and the parking lot to be used by City employees to replace the parking lot next to the Police-Fire/Rescue Building is \$1,320,000.

Recommendation:

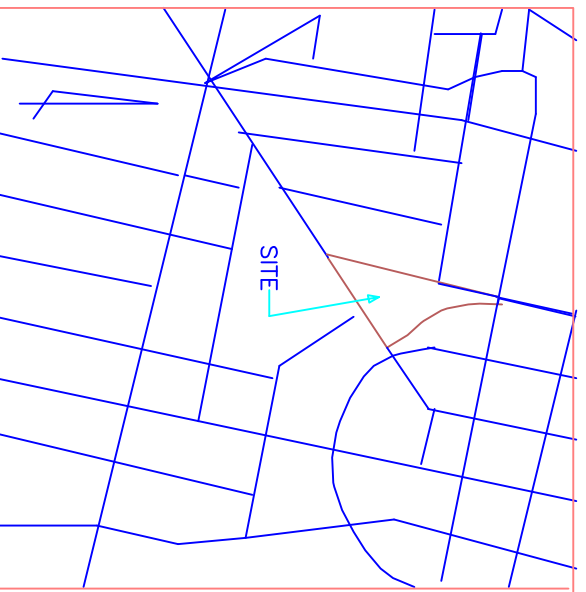
It is recommended that City Council approve the attached Resolution Approving Conveyance of Property and a Lease for the Sidewalk Project.

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

Attachments / click to download

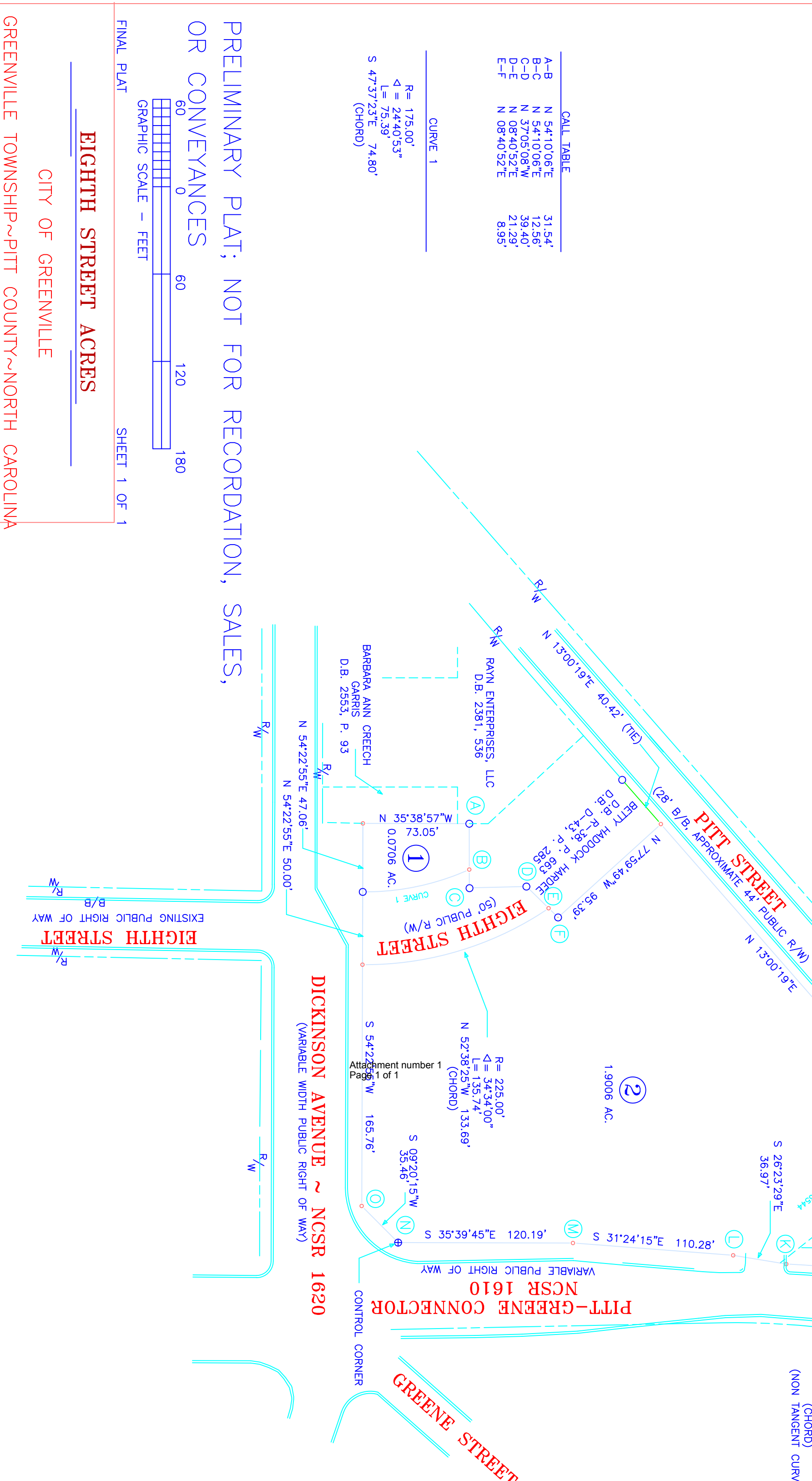
[Eighth Street Map](#)

[Proposed Parking Lot Map](#)



- NOTES**
- THIS IS A SUBDIVISION OF PITT COUNTY TAX PARCELS 16544, 11307 & 06932
 - ALL AREAS HAVE BEEN CALCULATED BY COORDINATE GEOMETRY
 - LOT NUMBER 3 IS TO BE DEDICATED AS PUBLIC RIGHT OF WAY
 - AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP 3720468800K, DATED JULY 7, 2014, THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA, LOCATED IN ZONE X UNSHADED
 - THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION REPORT AND IS SUBJECT TO ANY AND ALL TITLE MATTERS OF RECORD WHICH MAY AFFECT THE PROPERTY
 - THE LOCATION OF IMPROVEMENTS TO THE PROPERTY IS NOT A PART OF THIS SURVEY
 - NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERETO, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPROVISED SURFACES SHALL ENCRUCH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE
 - THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRIC 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
 - LINES FROM POINT G THROUGH POINT L AND FROM POINT I THROUGH POINT P ARE NEW RIGHT OF WAY LINES
 - LINES FROM POINT L THROUGH POINT O ARE EXISTING RIGHT OF WAY LINES PER D.B. 900, P. 40

PRELIMINARY PLAT; NOT FOR RECORDATION, SALES,
OR CONVEYANCES



EXISTING NCDOT R/W DISK
AT -L- STATION 12+81.724,
32.81' RIGHT FROM DOT
PROJECT NO. 8.2220601

EXISTING NCDOT R/W DISK
AT -L- STATION 12+01.000,
48.00' LEFT FROM DOT
PROJECT NO. 8.2220601

- LEGEND**
- EXISTING IRON PIPE
 - ◊ IRON PIPE SET
 - NO POINT SET
 - ⊕ EXISTING IRON BAR

SITE DATA

TOTAL AREA:	2,2197 AC.
NUMBER OF LOTS CREATED:	3
AREA IN COMMON AREA:	0
AREA IN PARKS/RECREATION AREAS AND THE LIKE:	0
AREA IN NEW EIGHTH ST. RIGHT OF WAY:	0.1206 AC.
AREA WITHIN PARCELS 11307 & 06932 DEDICATED AS PUBLIC RIGHT OF WAY:	0.1279 AC.

CALL TABLE

A-B	N 54°10'06"E	31.54'
B-C	N 54°10'06"E	12.56'
C-D	N 37°05'08"W	39.40'
D-E	N 08°40'52"E	21.29'
E-F	N 08°40'52"E	8.95'

PRELIMINARY PLAT; NOT FOR RECORDATION, SALES,
OR CONVEYANCES

GRAPHIC SCALE - FEET

0 60 120 180

SHEET 1 OF 1

EIGHTH STREET ACRES

CITY OF GREENVILLE

GREENVILLE TOWNSHIP~PITT COUNTY~NORTH CAROLINA

OWNER: CITY OF GREENVILLE
ADDRESS: P.O. BOX 7207, GREENVILLE, NC 27835
PHONE: (252) 329-4498

Spruill & Associates Inc.
2717 East Tenth Street
Greenville, North Carolina 27666
(252) 757-1800 Firm No. C-97876

SURVEYED: DWJ
DRAWN: CLB
CHECKED: JAO

APPROVED: SNS
DATE: 8-21-2015
SCALE: 1" = 60'

SOURCE OF TITLE

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

DEED BOOK	U43	PAGES	589
DEED BOOK	506	PAGES	94
DEED BOOK	543	PAGES	49
FILE NO.	74SP	DOCKET	130

NC REGISTRATION NO. L-27223

OWNER'S STATEMENT

THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF CITY OF GREENVILLE

SWORN AND SUBSCRIBE TO BEFORE ME THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

APPROVAL

THIS FINAL PLAT # _____ WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE _____ DAY OF _____, 20____.

SIGNED _____
CITY PLANNER

DEDICATION

THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BETHER, FREE ACT AND DEED, AND HEREBY DEDICATE(S) TO THE PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

SIGNED _____
ATTEST _____

SURVEYOR'S CERTIFICATE

I, STEPHEN N. SPRUILL, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK SEE PAGE _____ OR FROM BOOKS REFERENCED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK N/A., PAGE _____ OR AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:16184; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I CERTIFY THAT THIS RECOMBINATION SURVEY IS AN EXCEPTION TO THE DEFINITION OF A SUBDIVISION IN THE CITY OF GREENVILLE.

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE _____ DAY OF _____, 1520

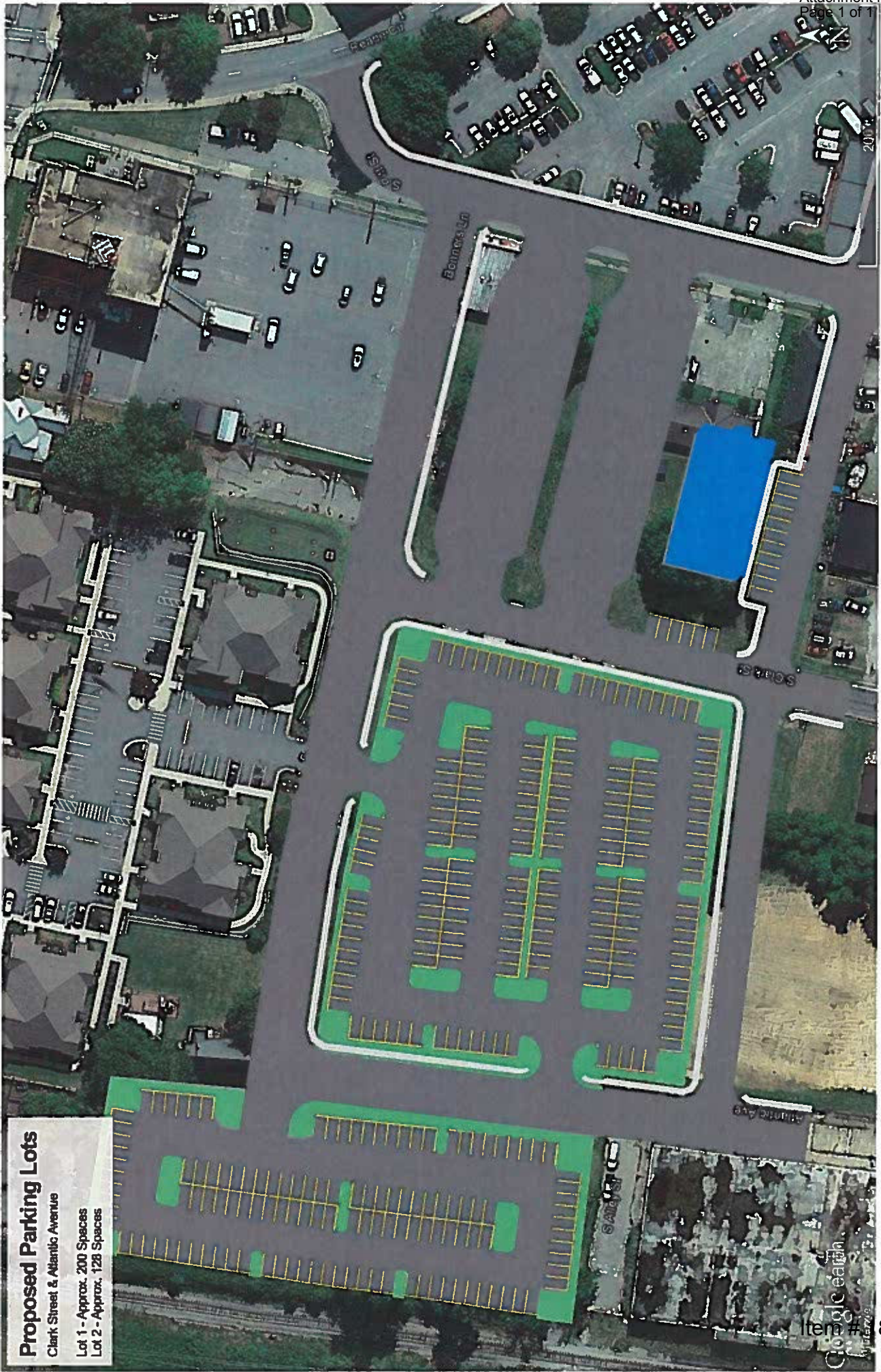
SIGNED _____
PROFESSIONAL LAND SURVEYOR NO. L-27223

REVIEW OFFICER'S CERTIFICATION

1. REVIEW OFFICER OF PITT COUNTY, N.C., CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

BY _____ REVIEW OFFICER

DATE: _____



Proposed Parking Lots

Clark Street & Atlantic Avenue

Lot 1 - Approx. 200 Spaces

Lot 2 - Approx. 128 Spaces

City of Ocean
Virginia



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Update on Air Service - Jerry Vickers, Executive Director, Pitt-Greenville Airport

Explanation: Executive Director Jerry Vickers has requested to update City Council on efforts to improve air service and recruit a second airline at Pitt-Greenville Airport.

Fiscal Note: No direct cost to hear the presentation.

Recommendation: Receive the update from the Airport.

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

Attachments / click to download



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Resolution authorizing the sale of property located on West Fifth Street and Albemarle Avenue by the negotiated offer, advertisement, and upset bid method

Explanation: **Abstract:** An offer has been negotiated for the sale of property located on West Fifth Street and Albemarle Avenue. The developer wants to acquire the property for the purpose of relocating a fraternity on this site so that the fraternity's current location can be utilized as a component of the planned Campus-Edge Project. The negotiated offer, advertisement, and upset bid method will be utilized for the sale. Adoption of a resolution is required to commence the process for this method.

Explanation: The developers of the Campus-Edge Project, Taft-Ward Investments, LLC, approached the City with a proposal to buy the City-owned parcel at the corner of West Fifth Street and Albemarle Avenue for the purpose of relocating a fraternity upon this site so that the fraternity's current location on East Eleventh Street could be utilized as a component of the planned Campus-Edge Project.

The Campus-Edge Project is a planned mixed-use development containing ground floor retail space of approximately 20,000 square feet, multi-story residential units for students, and a parking deck. The Campus-Edge Project will be located near the East Carolina University campus within the area bounded by 10th Street, Charles Boulevard, 11th Street, and Charles Street.

The City benefits from the development of the Campus-Edge Project as a result of the addition of this quality development in a prominent area and the increase in tax revenue which the City will receive. Because the City wants to facilitate this Project, an offer was negotiated for the sale of the property. The process to complete the sale requires the use of the negotiated offer, advertisement, and upset bid method.

The property which is sought to be purchased is a portion of the parcel owned by

the City which is bounded by West Fifth Street, Albemarle Avenue, Bonners Lane, and the railroad right-of-way. The entire property consists of 80,832 square feet. The lot to be conveyed consists of 57,841 square feet and is Lot 1 on the attached map. The balance of the parcel (32,991 square feet) is being retained by the City as new right-of-way for West Fifth Street and Albemarle Avenue. Its area and configuration were determined in order to accommodate a round-about which is planned for this intersection.

The offer for the property is \$50,000 and is based upon its appraised value. This amount will be utilized for the negotiated offer, advertisement, and upset bid method of sale. The offer will be advertised and other persons will have the opportunity to submit an upset bid which must increase the offer amount by at least 10% of the first \$1,000 and 5% of the remainder. If a qualifying upset bid is received, it will be advertised and the opportunity to submit additional upset bids will be provided. This process is continued until there is no qualifying upset bid, at which time the highest bid will be presented to the City Council for its consideration of whether to accept it.

There are restrictive covenants which are included with the offer. These are as follows:

- a. Vegetation shall be planted and maintained upon the Property along the rights-of-way of West Fifth Street and Albemarle Avenue for beautification purposes. The planting plan is subject to the approval of the City, which approval shall not be unreasonably withheld.
- b. Vegetation shall be planted and maintained upon the Property along the railroad right-of-way for buffering purposes, said vegetation shall be a minimum of sixteen (16) Nelly Stevens Holly evergreen shrubs (a minimum of six (6) feet planting height) per each 100 linear foot or fraction thereof. The planting plan is subject to the approval of the City, which approval shall not be unreasonably withheld.
- c. The exterior appearance of any building or structure constructed or erected upon the Property is subject to approval by the City to ensure that it is generally compatible with other buildings and structures in the neighborhood in which the Property is located. The approval of the City shall not be unreasonably withheld.
- d. The Property, including its buildings, grounds, and other improvements, shall be maintained so that its appearance and condition are in a clean, attractive, and sanitary condition at all times.

Since this sale is proposed in order to accommodate the relocation of a fraternity, a condition of the offer is that a special use permit for a fraternity or sorority house use is received. Taft-Ward Investments, LLC will proceed with an application to the Board of Adjustment, if the resolution authorizing the sale of the property by the upset bid method is approved. Additionally, a restriction is included in the offer that a fraternity or sorority house shall be constructed upon the Property no later than December 31, 2017. This restriction and requirement would not apply to an upset bidder.

The offer also includes the requirement for a donation of \$100,000 to be made to the City or a trust designated by the City for the purpose that the use of the funds donated are to be limited to expenditures to benefit the West Greenville community for purposes such as programs and assistance and financing of rehabilitation of private buildings principally for the benefit of low and moderate income persons and programs associated with employment, economic development, crime prevention, child care, health, drug abuse, education and welfare needs of persons of low and moderate income. An upset bidder would not be required to meet this donation requirement.

The offer to purchase also includes a provision which would provide additional compensation to the City if the Campus-Edge Project is not developed. The City's willingness to sell the property is based upon the sale facilitating the development of the Campus-Edge Project. The City benefits from the Campus-Edge Project as a result of the addition of the quality development in a prominent area and the increase in tax revenue which the City will receive. If the Campus-Edge Project is not developed by August 30, 2020, then an additional payment of \$100,000 is to be made to the City. This commitment will not be required for any upset bidder.

Attached is the following:

- 1) Resolution;
- 2) Map; and
- 3) Offer to Purchase and Contract.

Fiscal Note:

The sale of the property will result in at least \$50,000 revenue to the City. Additionally, a donation of \$100,000 to benefit West Greenville will be received by the City or a Trust designated by the City, if the Taft-Ward Investment, Inc. offer is eventually accepted.

Recommendation:

It is recommended that the City Council adopt the Resolution Authorizing the Sale of Property Located on West Fifth Street and Albemarle Avenue by the Negotiated Offer, Advertisement, and Upset Bid Method. At a later meeting, this bid, if no qualifying upset bid is received, or the highest qualifying bid will be presented to City Council for its consideration of acceptance.

Attachments / click to download

 [Albemarle/West Fifth Street Property Map](#)

 [Offer to Purchase](#)

 [Taft_Ward_Investments__LLC__RESOLUTION_AUTHORIZING_THE_SALE_OF_PROPERTY_BY_THE_NEGOTIATED_OFFER_ADVERTISI](#)

RESOLUTION NO.
RESOLUTION AUTHORIZING THE SALE OF PROPERTY BY THE NEGOTIATED
OFFER, ADVERTISEMENT, AND UPSET BID METHOD

WHEREAS, an offer has been made to acquire property owned by the City of Greenville located on West Fifth Street and Albemarle Avenue; and

WHEREAS, North Carolina General Statute 160A-269 authorizes the City of Greenville to sell property by the negotiated offer, advertisement, and upset bid method;

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

1) That it proposes to accept the offer by Taft-Ward Investments, LLC, to acquire the hereindescribed property and that it authorizes the sale of the hereindescribed property by the negotiated offer, advertisement, and upset bid method.

2) That the property to be sold is described as follows:

Being the property located in the City of Greenville, North Carolina, within the area bounded by West Fifth Street, Albemarle Avenue, Bonners Lane and the railroad right-of-way, being a portion of Pitt County Tax Parcel Nos. 21579, 21574, 21578, 21577, 00988 and 21576 but not including the rights-of-way along West Fifth Street and Albemarle Avenue which are to be retained by the City of Greenville, said property consisting of 57,841 square feet and being shown as Lot 1 on the map entitled Final Plat Formerly B.B. Sugg Property which is herein incorporated by reference.

3) That the offer of Taft-Ward Investments, LLC, is to pay FIFTY THOUSAND AND no/100ths DOLLARS (\$50,000.00).

4) That Taft-Ward Investments, LLC, shall deposit with the City Clerk five percent of the value of the offer in the form of cash, cashiers check, or certified check, said deposit will be forfeited if there are no qualifying offers at the conclusion of the upset bid procedure, Council accepts the offer, and the terms of the offer are not fulfilled.

5) That the City Clerk shall publish a notice of offer in the amount of FIFTY THOUSAND AND no/100ths DOLLARS (\$50,000.00) and request for upset bids. Within ten (10) days of publication of the notice, any person may raise the bid for the purchase of the property by not less than ten percent of the first one thousand dollars and five percent of the remainder. When the bid is raised, the bidder shall deposit five percent of the increased bid in the form of cash, cashiers check, or certified check. The deposit will be forfeited if the bidder withdraws the offer or if the bidder has the highest qualifying offer at the conclusion of the upset bid procedure, Council accepts the offer, and the terms of the offer are not fulfilled. Once a qualifying higher bid has been received, that bid will become the new offer. The procedure shall be repeated until

no further qualifying upset bids are received, at which time the City Council may accept the offer and sell the property to the highest bidder.

6) That, for any upset bid which is accepted by City Council, the closing on the sale of the property shall occur no later than thirty (30) days after acceptance of the bid by the City Council with full payment to be made at closing by cash, cashiers check, or certified check. Conveyance of the property will be by a Limited Warranty Deed for the property in fee simple, with the warranties limited to the term of the City's ownership of the property, conveying title to the property subject to restrictive covenants, easements and rights-of-way of public record, noncompliance with local, county, state or federal governmental laws, ordinances, or regulations relative to zoning, subdivision, occupancy, use, construction or the development of the property, if any, and to all matters and things which a current accurate survey may reveal or disclose.

7) That City Council may at any time reject any and all offers.

This 10th day of September, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

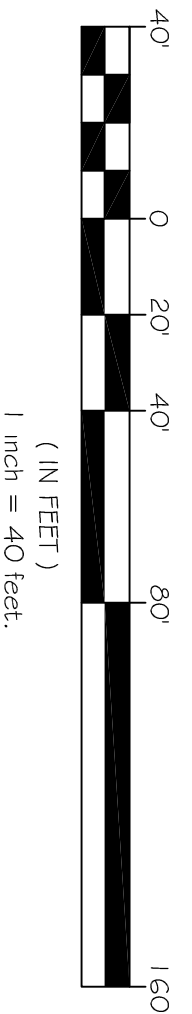
SITE DATA

NUMBER OF LOTS CREATED 1
 AREA IN LOTS 1.3278 ACRES
 AREA IN STREET RIGHT OF WAY 0.7574 ACRES
 AREA IN PARKS, RECREATION AREAS 0.0000 ACRES
 TOTAL AREA 2.0852 ACRES
 BEING PITT COUNTY TAX PARCEL NUMBERS
 00988, 21574, 21576, 21578, 21577, 21579

GENERAL NOTES

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. ALL BEARINGS ARE NC GRID; ALL DISTANCES ARE GROUND MEASUREMENTS UNLESS OTHERWISE NOTED.
3. THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRIC 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.
4. PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. REF: FIRM 372046880K, DATED JULY 7, 2014.
5. NO BUILDINGS, STRUCTURE(S) OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDED BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERETO, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MAISTS, ARIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPERVIOUS SURFACES, SHALL ENROACH WITHIN ANY DEDICATED EASEMENT SHOWN ON THIS PLAT WITHOUT PRIOR WRITTEN APPROVAL FROM THE CITY OF GREENVILLE PUBLIC WORKS DEPARTMENT OR GREENVILLE UTILITIES COMMISSION.

GRAPHIC SCALE



FORMERLY B.B. SUGG PROPERTY

LOCATED AT THE SOUTHEAST CORNER OF
 W. FIFTH STREET AND ALBERMARLE AVENUE
 GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: CITY OF GREENVILLE

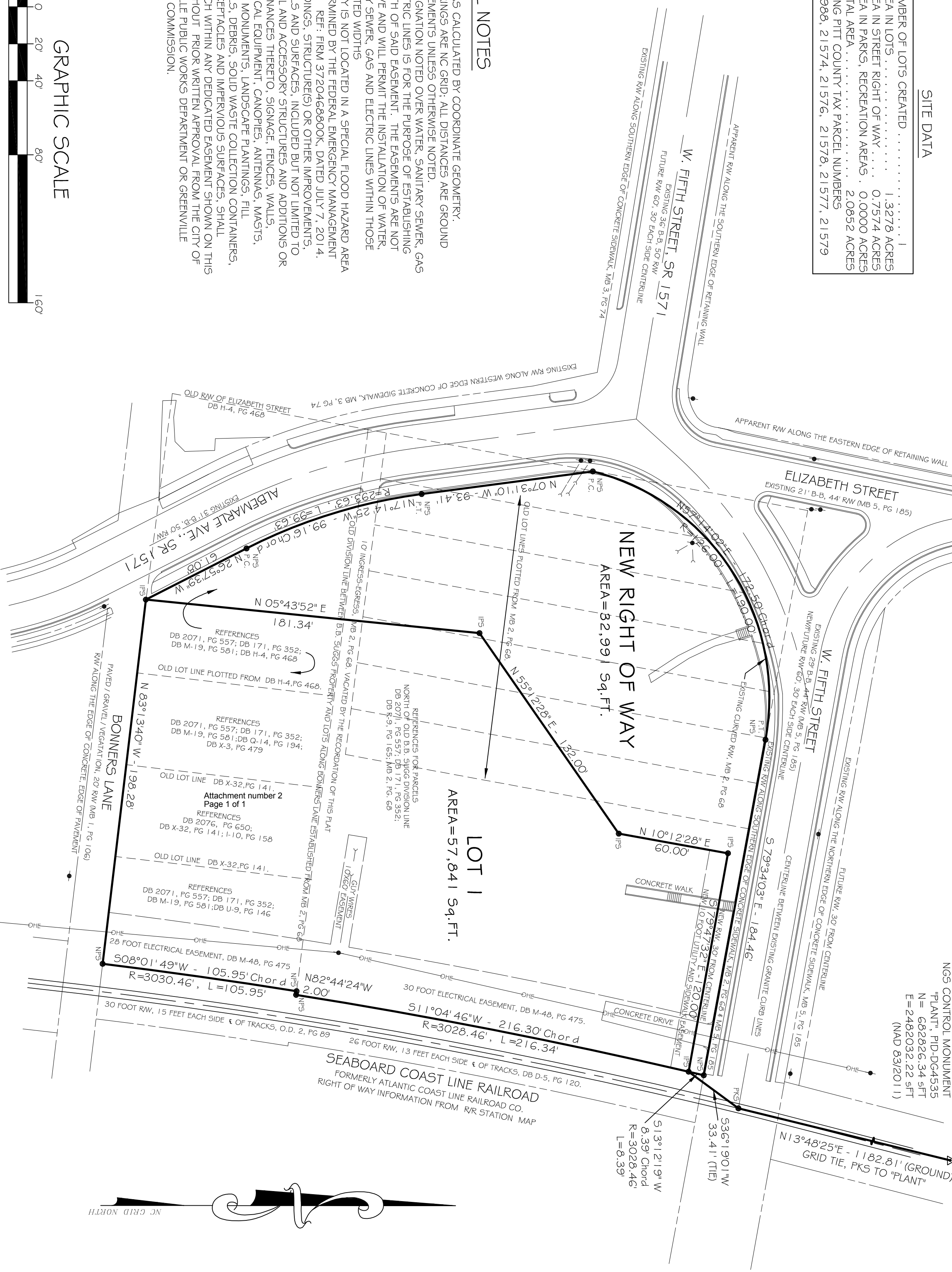
ADDRESS: PO BOX 7207 GREENVILLE, NC 27835

PHONE: 252-329-4467

City of Greenville

Public Works, Engineering
 1500 BEATTY STREET
 GREENVILLE NC, 27834
 (252) 329-4467

SURVEYED: BLM DRAWN: BLM
 APPROVED: LK DATE: 08-19-15
 CHECKED: SG SCALE: 1" = 40'



NGS CONTROL MONUMENT
 "PLANT", PID-DG4535
 N = 682826.34 9FT
 E = 2482032.22 5FT
 (NAD 83/2011)

"DRAWING FOR REVIEW PURPOSES ONLY"
 NOT FOR CONVEYANCE OR SALE OF PROPERTY

SOURCE OF TITLE THIS IS TO CERTIFY THAT THE LAST INSTRUMENTS IN THE CHAIN OF TITLE OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA ARE: DEED BOOK <u>2071</u> PAGE <u>557</u> DEED BOOK <u>2076</u> PAGE <u>650</u> MAP BOOK <u>36</u> PAGE <u>9</u>	OWNERS STATEMENT THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF: SIGNED _____ DAY OF _____, 2015. SMORN AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2015.	APPROVAL THIS FINAL PLAT NO. _____ WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THIS DAY OF _____, 2015. SIGNED _____ CITY PLANNER	DEDICATION WE THE UNDERSIGNED HEREBY ACKNOWLEDGE THIS PLAT AND ALLOWMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATE TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT. SIGNED _____ ATTEST _____
--	---	---	---

LEGEND

- ▲ - NGS CONTROL MONUMENT
- - IFS = IRON PIPE SET
- - PK3 = PARKER KALON NAIL SET
- - NP5 = NO POINT SET
- - UTILITY POLE
- - OHE = OVERHEAD ELECTRICAL LINES

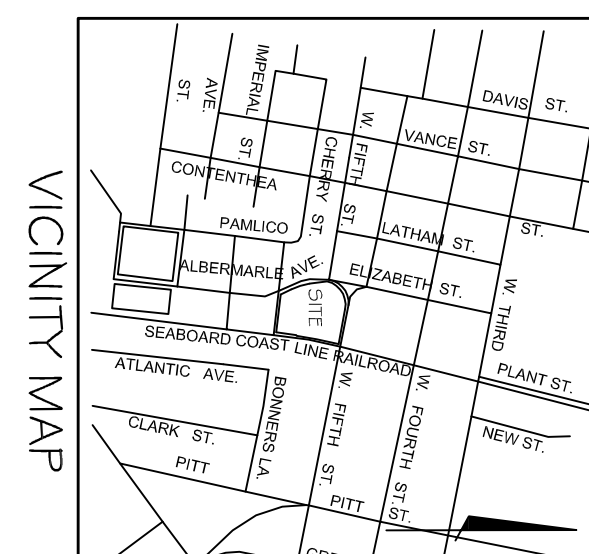
SURVEYORS CERTIFICATION

I, LEE MERRILL, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOKS REFERENCED HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THE RATIO OF PRECISION FOR TRADITIONAL SURVEY METHODS IS 1:1,000.00+; THAT THE GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2: STANDARDS FOR GEODETIC NETWORKS AT THE CLASS "A" ACCURACY CLASSIFICATION (95% CONFIDENCE) AND THE FOLLOWING INFORMATION WAS USING TO PERFORM THE GPS SURVEY:
 POSITIONAL ACCURACY: 0.07 FEET ± SOPRA
 TYPE OF GPS FIELD PROCEDURE: RTK NETWORK
 DATE(S) OF SURVEY: JULY/AUGUST, 2015
 DATUM / EPOCH: NAD83/2011, NAVD 88
 PUBLISHED/FIXED CONTROL MONUMENTS USED: NCEC, PLANT.
 GEOID MODEL: GEOID 12A
 COMBINED GRID FACTOR: 0.999992627 UNITS: US SURVEY FOOT
 THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I, FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f)(1) (a), THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND. WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 19th DAY OF AUGUST, 2015.

PROFESSIONAL LAND SURVEYOR No. L-29356
REVIEW OFFICERS CERTIFICATE
 I, _____ REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____



**NORTH CAROLINA
PITT COUNTY**

**OFFER TO
PURCHASE AND CONTRACT**

THIS CONTRACT, made and entered into as of the _____ day of August, 2015, by and between Taft-Ward Investments, LLC, a North Carolina limited liability company, Party of the First Part and hereinafter referred to as the "Buyer", and the City of Greenville, a body corporate and politic, organized and existing under the laws of the State of North Carolina, Party of the Second Part and hereinafter referred to as the "City".

WITNESSETH:

For and in consideration of the mutual covenants and agreements herein set forth, the Buyer hereby offers to purchase and the City, upon acceptance of said offer, agrees to sell to the Buyer all that certain real property being more particularly described on Exhibit "A" attached hereto and incorporated herein by reference, said real property being hereinafter referred to as the "Property".

THE TERMS AND CONDITIONS OF THIS OFFER TO PURCHASE AND CONTRACT ARE AS FOLLOWS:

1. **PURCHASE PRICE.** The purchase price of the Property is Fifty Thousand and no/100ths Dollars (\$50,000.00). The foregoing purchase price, subject to adjustments and proration in accordance with paragraphs 2, 4, and 5, shall be paid to the City at closing. Except for any additional payments to be made by the Buyer to the City as provided in paragraphs 11 and 12, the City and the Buyer understand that the foregoing purchase price subject to the aforementioned adjustments and proration shall be the entire amount which the City will receive from the Buyer for the sale of the Property.

2. **DEPOSIT.** The Buyer shall deposit Two Thousand Five Hundred and no/100ths Dollars (\$2,500.00), with the City Clerk of the City of Greenville as required by North Carolina General Statute 160A-269. The deposit shall be in the form of cash, cashier's check, or certified check. In the event that any of the conditions of this contract are not satisfied or waived by the Buyer prior to closing, or in the event of a breach of this contract by the City, then the earnest money shall be returned to the Buyer. In the event the Buyer breaches this contract, then the deposit shall be forfeited to the City. Otherwise, the deposit shall be paid to the City at the closing and applied against the purchase price.

3. **CLOSING.** Closing is defined as the date and time of the recordation of the deed. Closing of the purchase of the Property hereunder shall take place at the law office of The Graham, Nuckolls, Conner Law Firm, PLLC, Greenville, North Carolina, and shall take place at 1 p.m. on the date designated by the Buyer in a written notice to the City, said date shall be no later than one hundred eighty (180) days after the City Council of the City of Greenville votes in the affirmative to accept the offer of the Buyer after no qualifying upset bid is submitted to the City Clerk in accordance with the requirements of North Carolina General Statute 160A-269. At the time of the

closing, the purchase price shall be paid as herein provided, and possession of the Property shall be delivered to the Buyer. Time is of the essence with respect to such closing date.

4. **ADJUSTMENTS.** Rents, if any, for the Property shall be prorated through the date of closing and paid at closing.

5. **CLOSING COSTS.** The Buyer and the City acknowledge and agree that the Buyer shall be responsible for the cost of its own title examination and title insurance premiums, any escrow fees or charges, the cost of its survey, and any recording charges on the deed and that the City shall be responsible for the cost of the preparation of the deed and all other documents necessary to perform the City's obligations pursuant to this contract and any and all excise tax (revenue stamps) required by law on the transaction. Each party shall be responsible for the cost of its own attorneys.

6. **CONVEYANCE OF TITLE.** The City shall deliver to the Buyer at Closing a Limited Warranty Deed for the Property in fee simple, with warranties limited to the term of the City's ownership of the Property, conveying title to the Property, subject to restrictive covenants (including, but not limited to, those referenced in paragraph 10), easements and rights-of-way of public record (including, but not limited to, those shown on the final plat for the Property), noncompliance with local, county, state or federal governmental laws, ordinances, or regulations relative to zoning, subdivision, occupancy, use, construction or the development of the property, if any, and to all matters and things which a current accurate survey may reveal or disclose.

In addition, the City shall furnish to the title company at closing a standard form affidavit and indemnification agreement showing that all labor and/or materials, if any, furnished to the property within one hundred twenty (120) days prior to the date of closing have been paid and by which the City agrees to indemnify a title insurance company pursuant to a standard form ALTA title affidavit against all loss, cost, claim and expense arising therefrom, including reasonable attorney's fees. If requested by the Buyer, the City agrees to execute any documents required to effect a like kind tax free exchange as described in Internal Revenue Code Section 1031, for the benefit of the Buyer, with the condition that the City shall have no tax consequences arising from its execution of said documents and the Buyer shall indemnify and hold the City harmless from any liability associated with the City's participation in the exchange. The Buyer is responsible for the costs and expenses of any exchange documentation.

7. **STATUTORY REQUIREMENTS.** The Buyer understands and agrees that the City is required to comply with the requirements of North Carolina General Statute 160A-269 prior to conveying the Property. The Buyer shall deposit with the City Clerk of the City of Greenville the sum specified in Paragraph 2 of this contract in the form of cash, cashiers check, or certified check within ten (10) days after the City Council of the City of Greenville approves a resolution authorizing the sale of the property by the negotiated offer, advertisement and upset bid method. The deposit shall be forfeited to the City, returned to the Buyer, or applied against the purchase price in accordance with the provisions of Paragraph 2. Both parties understand and agree that, notwithstanding anything to the contrary contained herein, the City's obligations pursuant to this contract are expressly conditioned upon the City Council of the City of Greenville voting in the affirmative to accept the offer of the Buyer within sixty (60) days after no qualifying upset bid is

submitted to the City Clerk in accordance with the requirements of North Carolina General Statute 160A-269. Upon such a vote occurring, the Buyer may seek specific performance of this contract.

8. **EXPIRATION OF OFFER.** The Buyer understands and agrees that the offer of the Buyer to purchase the Property in accordance with the terms and conditions of this contract is irrevocable. However, the offer of the Buyer shall expire if either (i) the City Council of the City of Greenville does not approve a resolution authorizing the sale of the Property by the negotiated offer, advertisement, and upset bid method on or before November 1, 2015, or (ii) a qualifying upset bid with a deposit is submitted to the City Clerk in accordance with the requirements of North Carolina General Statute 160A-269, or (iii) the City Council of the City of Greenville does not vote in the affirmative to accept the offer of the Buyer within sixty (60) days after no qualifying upset bid is submitted to the City Clerk in accordance with the requirements of North Carolina General Statute 160A-269.

9. **CONDITIONS.** Notwithstanding anything to the contrary contained herein, the Buyer's obligations pursuant to this contract are expressly conditioned upon the following conditions:

- a. (i) The Property and its use shall not be or previously have been in violation of any law, rule, regulation, order or requirement pertaining to environmental regulations, contamination, or clean-up; and there shall not exist on the Property any hazardous substance, hazardous waste, pollutant, contaminant, toxic substance, asbestos, oil, other petroleum or chemical, biological or radioactive substance which is subject to regulation under any such law, rule, regulation, order or requirement or storage tank now or previously used for the storage thereof, whether above-ground or underground.

(ii) No portion of the Property shall be or shall have been used as a sanitary landfill, whether permitted or unpermitted, and no activity shall be or shall have been conducted thereon which is subject to regulation under the North Carolina Solid Waste Management Act.
- b. All deeds of trust, liens and other charges against the Property must be paid and satisfied by the City prior to or at closing such that cancellation may be promptly obtained following closing. The City shall remain obligated to obtain any such cancellations following closing.
- c. A special use permit for a fraternity or sorority house use upon the Property is granted by the Board of Adjustment of the City of Greenville on or before November 20, 2015.

Failure of any of the foregoing conditions of this paragraph shall be evidenced and determined by written notice to the City from the Buyer or the attorney for the Buyer, which notice shall be given at least ten (10) days prior to closing and shall be effective upon hand delivery or by

placement in the United States Mail, postage prepaid, addressed to the City. Upon the Buyer's provision of such notice of failure, all sums paid by the Buyer hereunder shall be returned forthwith to the Buyer, and thereafter neither Buyer nor the City shall have any rights or liabilities hereunder. If notice of failure is not given at least ten (10) days prior to closing, then the Buyer shall be deemed to have waived the satisfaction of the foregoing conditions of this paragraph.

10. RESTRICTIVE COVENANTS. At or prior to Closing, restrictive covenants applicable to the Property, in a form acceptable to the City, shall be recorded in the Pitt County Registry of Deeds to ensure that the development and use of the Property by the Buyer and its successors and assigns complies with the following:

- a. Vegetation shall be planted and maintained upon the Property along the rights-of-way of West Fifth Street and Albemarle Avenue for beautification purposes. The planting plan is subject to the approval of the City, which approval shall not be unreasonably withheld.
- b. Vegetation shall be planted and maintained upon the Property along the railroad right-of-way for buffering purposes, said vegetation shall be a minimum of sixteen (16) Nelly Stevens Holly evergreen shrubs (a minimum of six (6) feet planting height) per each 100 linear foot or fraction thereof. The planting plan is subject to the approval of the City, which approval shall not be unreasonably withheld.
- c. The exterior appearance of any building or structure constructed or erected upon the Property is subject to approval by the City to ensure that it is generally compatible with other buildings and structures in the neighborhood in which the Property is located. The approval of the City shall not be unreasonably withheld.
- d. The Property, including its buildings, grounds, and other improvements, shall be maintained so that its appearance and condition are in a clean, attractive, and sanitary condition at all times.
- e. A fraternity or sorority house shall be constructed upon the Property no later than December 31, 2017.

11. DONATION. The Buyer shall make a payment, as a donation, to the City, or, at the City's election, to a Trust designated by the City, in the amount of One Hundred Thousand and no/100ths Dollars (\$100,000) with the donation designating that the purpose of the use of the funds donated are to be limited to expenditures to benefit the West Greenville community for purposes such as programs and assistance and financing of rehabilitation of private buildings principally for the benefit of low and moderate income persons and programs associated with employment, economic development, crime prevention, child care, health, drug abuse, education and welfare needs of persons of low and moderate income. The donation shall be made at or prior to Closing. The City shall execute any documents reasonably requested by the Buyer and required by the Internal Revenue Service for the Buyer to receive the appropriate tax deduction, if any, for the donation.

12. COMMITMENT TO DEVELOP CAMPUS EDGE PROJECT

(a) It is understood and agreed that the City is conveying the Property to the Buyer in order to facilitate the development of the Campus-Edge Project. The Campus-Edge Project is a mixed use facility containing ground floor retail space of approximately 20,000 square feet, multi-story residential units for students, and a parking deck. The Campus-Edge Project will be located at the gateway to the East Carolina University Campus and the Uptown District, within the area bounded by 10th Street, Charles Boulevard, 11th Street and Charles Street. The City benefits from the development of the Campus-Edge Project as a result of the addition of this quality development in a prominent area and the increase in tax revenue which the City will receive.

(b) The Buyer agrees to commit sufficient financial and personal support to ensure the planning, development and construction of the Campus-Edge Project. This commitment acknowledges and is dependent upon the current financial markets, commercial lending and underwriting standards, and general economic conditions that must necessarily be available to the Buyer at the time of development. This commitment presumes there are no entitlement and planning impediments that prevent development or alter the Campus-Edge Project's feasibility.

(c) The City is relying upon the commitment of the Buyer to develop the Campus-Edge Project described in subsection (a). Except as provided in subsection (d), in the event the Buyer does not either (i) obtain a building permit for the Campus-Edge Project, as described in subsection (a), no later than July 1, 2018, or (ii) receive a certificate of occupancy for the Campus-Edge Project, as described in subsection (a), no later than August 30, 2020, then the Buyer shall pay the City, as additional compensation for the acquisition of the Property, the sum of ONE HUNDRED THOUSAND AND NO 100THS DOLLARS (\$100,000). Said sum shall be paid no later than thirty (30) days after the City gives written notice to the Buyer after the failure of the Buyer to meet either of the deadlines described above.

(d) The Buyer shall not be required to make the payment set forth in subsection (c) in the event the failure to obtain a building permit or receive a certificate of occupancy for the Campus-Edge Project by the deadlines described in subsection (c) occurs due to any of the following:

- (i) Soil or environmental conditions which make the development financially infeasible; or
- (ii) Inability to obtain financing for the development due to a significant change in the current commercial lending and underwriting standards.

13. **SPECIAL USE PERMIT APPLICATION.** For the purpose of filing a Special Use Permit Application for a fraternity or sorority house use, the City and the Buyer agree that this Offer to Purchase and Contract shall be considered as a binding option to purchase thereby allowing the Buyer to apply for a special use permit for a fraternity or sorority house use.

14. **REASONABLE ACCESS.** The City shall allow the Buyer's agents, employees, and designees full and complete access to the property for the purpose of physically inspecting and

investigating the property. All such inspections and investigations shall be conducted in such manner as to avoid unreasonable interference with the City's present use, operation, and occupation of the Property.

15. **NOTICE.** All notices required by this contract shall be in writing and shall be given by either hand delivery to the parties hereto or by placement in the United States Mail, postage prepaid, addressed as follows:

To City:
Barbara Lipscomb
City Manager
City of Greenville
P.O. Box 7207
Greenville, NC 27835

To Buyer:
Thomas F. Taft, Sr.
Manager
Taft-Ward Investments, LLC
P.O. Box 566
Greenville, NC 27835-0566

16. **SEVERABILITY.** In the event that any term or condition of this contract or the application thereof to any circumstance or situation shall be invalid or unenforceable in whole or in part, the remainder hereof and the application of said term or condition to any other circumstance or situation shall not be affected thereby, and each term and condition of this contract shall be valid and enforceable to the full extent permitted by law.

17. **FIRE AND OTHER CASUALTY.** The risk of loss or damage by fire or other casualty prior to closing shall be upon the City.

18. **PARAGRAPH HEADINGS.** The paragraph headings used in this contract are for convenience of reference only and shall not be considered terms of this contract.

19. **GOVERNING LAW.** The Buyer and the City agree, that the laws of the State of North Carolina shall govern and control the validity, interpretation, performance and enforcement of this contract.

20. **OTHER DOCUMENTS.** The parties will make and execute all further instruments and documents required to carry out the purposes and intent of the contract/agreement.

21. **ENTIRE AGREEMENT.** This contract contains the entire agreement and understanding between the Buyer and the City. There are no oral understandings, terms or

conditions, and neither the Buyer nor the City has relied upon any representation, express or implied, not contained herein. All prior negotiations, understandings, terms and conditions are merged in this contract.

22. **MODIFICATION.** This contract may not be changed or modified orally, but only by an agreement in writing signed by the party against whom enforcement or waiver, change, modification or discharge is sought.

23. **DUPLICATE ORIGINALS.** This contract is executed in duplicate originals; and both the Buyer and the City acknowledge receipt of one such original, agree that the duplicate originals hereof are identical, and further agree that either original shall be admissible in any proceeding, legal, or otherwise, without the production of the other such original.

24. **BROKERS.** The City warrants, represents and certifies to the Buyer that it has not engaged or utilized the services of a broker in connection with this transaction. The Buyer shall be solely responsible for any broker's or finder's fees or commissions for any broker or realtor which it has utilized with this transaction. Each party agrees to defend, indemnify and hold harmless the other from and against any claim for broker's or finder's fees or commissions made by any party claiming to have dealt with them.

25. **REPRESENTATIONS.** The Buyer and the City acknowledge and agree that, except as otherwise specifically set forth in this contract, the City has made no representations, warranties or statements to the Buyer as to any matter relating to or concerning the Property, the use thereof or the suitability of the Buyer's intended use thereof. The City hereby represents and warrants to the Buyer that, to the best of the City's knowledge the property is not now in violation of any regulation, law, rule or order relating to hazardous substances or wastes and has not been used, and is not being used, as a sanitary landfill.

26. **EXECUTION.** This offer shall become a binding contract when signed by both the City and the Buyer.

IN TESTIMONY WHEREOF, the Buyer has caused this instrument to be executed under seal, and the City has caused this instrument to be executed in its corporate name by the City Manager of the City of Greenville.

TAFT-WARD INVESTMENTS, LLC

By: _____(SEAL)
Thomas F. Taft, Sr., Manager

CITY OF GREENVILLE

By: _____(SEAL)
Barbara Lipscomb, City Manager

**NORTH CAROLINA
PITT COUNTY**

I, _____, Notary Public in and for the aforesaid County and State, do hereby certify that Thomas F. Taft, Sr., Manager of Taft-Ward Investments, LLC, a limited liability company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of the limited liability company.

WITNESS my hand and official seal, this the ____ day of _____, 2015.

Notary Public

My Commission Expires: _____

**NORTH CAROLINA
PITT COUNTY**

I, _____, Notary Public in and for the aforesaid County and State, do hereby certify that Barbara Lipscomb, City Manager for the City of Greenville, personally appeared before me on this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal, this the ____ day of _____, 2015.

Notary Public

My Commission Expires: _____

EXHIBIT A

Being the property located in the City of Greenville, North Carolina, within the area bounded by West Fifth Street, Albemarle Avenue, Bonners Lane and the railroad right-of- way, being a portion of Pitt County Tax Parcels No. 21579, 21574, 21578, 21577, 00988 and 21576 but not including the rights-of-way along West Fifth Street and Albemarle Avenue which are to be retained by the City of Greenville, said property consisting of 57,841 square feet and being shown as Lot 1 on the attached map entitled Final Plat Formerly B.B. Sugg Property which is labelled as Exhibit A-1 and herein incorporated by reference.



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Amendment to South Greenville Architectural Services Contract

Explanation: **Abstract:** City policy requires that the renovations to South Greenville Recreation Center result in a LEED Silver certified facility, which will increase costs of the contracted architectural services associated with this project.

Explanation: City Council approved a \$172,000 architectural services contract with Hite Associates for the South Greenville Park and Recreation Center renovations at its February 9, 2015 meeting.

Since that time it was learned that the scope of the project required that the facility be Leed (Leadership in Energy and Environmental Design) Silver Certified. This will require significant additional architectural work for Hite Associates and its subcontractors, increasing the City's cost by \$46,245, and increasing the total contract cost from \$172,000 to \$218,245.

An analysis of the additional architectural, engineering, and administrative work required for LEED certification is attached.

Fiscal Note: The additional LEED expenses will increase the contract cost by \$46,245. It is anticipated that the additional funds can be absorbed within the overall project budget.

Recommendation: Amend the contract for architectural services related to the South Greenville Park and Recreation Center renovations to include LEED Silver certification design and administration and increase Hite Associates compensation by \$46,245, to a total of \$218,245.

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 [Analysis of LEED Requirements](#)

So. Greenville Recreation Parks LEED Analysis

	Credit	MAX Credits	Attempted Credits	HITE	WYLY LANDSCAPE	RIVERS & ASSOC	ENG SOURCE OF NC	Comments
	General Administration (non-specific)			\$ 2,000				Hite's consultant coordination efforts is not a part of this item, shown below
PROJECT INFORMATION FORMS								
Required	PIf1 Minimum Program Requirements			\$ 300				
Required	PIf2 Project Summary Details			\$ 300				
Required	PIf3 Occupant and Usage Data			\$ 300				
Required	PIf4 Schedule and Overview Documents			\$ 300				
MINIMUM PROGRAM REQUIREMENTS								
Required	MPR1 Must comply with environmental laws			\$ 200		\$ 500		
Required	MPR2 Must be a complete, permanent building or space			\$ 200				
Required	MPR3 Must use a reasonable site boundary			\$ 200				
Required	MPR4 Must comply with minimum floor area requirements			\$ 200				
Required	MPR5 Must comply with minimum occupancy rates			\$ 200				
Required	MPR6 Must commit to sharing whole-building energy and water usage data			\$ 200			\$ 1,000	Collect peak demand information on existing systems, and develop, "Base Line" per LEED. Owner must commit to sharing actual load information after occupancy
Required	MPR7 Must comply with a minimum building area to site area ratio			\$ 300				
SUSTAINABLE SITES								
Required	SSp1 Construction Activity Pollution Prevention			\$ 300		\$ 1,500		
	Credit 1 SSc1 Site Selection	1	1	\$ 200	\$ 200			Improve protection of sensitive areas on drawings through bid and construction
	Credit 2 SSc2 Development Density and Community Connectivity	5	5	\$ 200	\$ 1,200			Option 2, Create Map, locate business, fill out worksheet & submit, Due by CD
	Credit 3 SSc3 Brownfield Development	1	1	\$ 500				Does the building have asbestos? If so, then you can use this credit.
N	Credit 4 SSc4.1 Alternative Transportation -- Public Transportation Access	6	0					3 routes are available. One route within 1/4 mile, but the 2 routes on Hooker are 213' too far away
	Credit 4.2 SSc4.2 Alternative Transportation -- Bicycle Storage and Changing Rooms	1+	1	\$ 200	\$ 930			Bike racks for 5% of peak occupants. Locate within 200 ft. of the building entrance. Need: FTE narrative, Revise plans, add detail, form. Potential extra pt for a Bike Plan post construction
	Credit 4.3 SSc4.3 Alternative Transportation -- Low Emitting and Fuel-Efficient Vehicles	3	3	\$ 500				There are 4 options in 2009 Assign 5% parking space for low emission cars is one and requires adding a sign only
	Credit 4.4 SSc4.4 Alternative Transportation -- Parking Capacity	2	2	\$ 500				Assign <5% parking space for car pooling in Employee parking. Check with staff. Extra point for a comprehensive parking plan
	Credit 5.1 SSc5.1 Site Development -- Protect or Restore Habitat	1	1	\$ 200	\$ 1,225			LA required. 20% of entire site (including building footprint) to be preserved. An extra point for 30%. 30% is achieved if the boundary is extended to the property line at the edge of the woods only. -- A simple Renederd plan and key required along with worksheet, revise specs and drawings for more protection.
	Credit 5.2 SSc5.2 Site Development -- Maximize Open Space	2	2	\$ 200	\$ 1,470			Sports fields count, however the open space mustopen for the life of the building, with a document to that effect. Rendered site plan showing percentages, calculations and legend. Fill in worksheet
N	Credit 6.1 SSc6.1 Stormwater Design -- Quantity Control	1	0					Post runoff will be greater than pre runoff
	Credit 6.2 SSc6.1 Stormwater Design -- Quality Control	1	1	\$ 400		\$ 3,500		Steve looking at BMP's
	Credit 7.1 SSc7.1 Heat Island Effect -- Non-Roof	1+	1	\$ 300				This works if you change the color of the asphalt parking lot to white or use concrete.
	Credit 7.2 SSc7.2 Heat Island Effect -- Roof	1	1	\$ 300				Based on color and roof slope

So. Greenville Recreation Parks LEED Analysis

	Credit	MAX Credits	Attempted Credits	HITE	WYLY LANDSCAPE	RIVERS & ASSOC	ENG SOURCE OF NC	Comments
	Credit 8 SSc8 Light Pollution Reduction	1	1	\$ 200			\$ 400	Interior Lighting on a time clock and multi-level lighting during night times. Exterior lighting to be full cut-off and limited to power density for specific LEED Light Zone
N	SSpc7 Light pollution reduction	0	0					Pilot credit closed
N	SSpc Walkable Project Site	1	0					Current design does not reflect a large green space at the front of the building
N	SSpc16 Rainwater management	0	0					Pilot credit closed
	Innovation Site Assessment (SSpc45 Site assessment)	1	1	\$ 200	\$ 1,775			Now a LEED Innovation Credit. Create a site assement from the survey, field notes, answer the questions in the work sheet pull data from NRCS soils and local weather data among others
	SSpc55 Bird collision deterrence	1	1	\$ 500				
N	LTPc70 Green vehicles	0	0					Pilot credit closed
N	SSpc82 Local Food Production	0	0					Too much land would be required for food production - at least 10% of the vegetated area
	SSpc75 Clean construction	1	1	\$ 800				A lot of tracking and intrusion into the various contractor's equipment
N	SSpc83 Site development - protect or restore habitat - alternative compliance path	1	0					Not applicable to this project
WATER EFFICIENCY								
Required	WEp1 Water Use Reduction - 20% Reduction			\$ 200			\$ 600	All fixtures achieve a 20% reduction in water usage
	Credit 1 WEc1 Water Efficient Landscaping	4	4	\$ 300	\$ 345			No irrigation system, temporary irrigation is up to 18 months for 2009, provide a narrative describing how the plants will be watered
	Credit 2 WEc2 Innovative Wastwater Technologies	2	2				\$ 1,200	Use of low flow toilets and water less urinals required. May require capturing to use in flushing fixtures to meet this requirement
	Credit 3 WEc3 Water Use Reduction	2-5	2	\$ 800			\$ 400	Engr Source is available to help with fixture selection. Hite Assoc responsible for LEED Online forms and baseline calculations.
N	Wepc 10 Sustainable wastewater management	0	0					Pilot credit closed
N	WEpc17 Cooling tower water use	0	0					Pilot credit closed
N	Wepc18 Appliance and process water use reduction	0	0					Pilot credit closed
ENERGY AND ATMOSPHERE								
Required	Fundamental Commissioning of Building Energy Systems			\$ 300			\$ 1,600	
Required	Minium Energy Performances			\$ 200			\$ 1,200	Is Comcheck Acceptable method of Compliance?
Required	Fundamental Refrigerant Managemnet			\$ 200			\$ 400	R410A Refrigerant in Units, No CFC's
	Credit 1 Optimize Energy Performances	19	5	\$ 1,400			\$ 700	Hite: Building orientation, Windoe Specification, Size and location on building. Engr Source: LEED LT's, Occ Sensors, Eff HVAC Equip
	Credit 2 On-site Renewable Energy	7	0					
	Credit 3 Enhanced Commissioning	2	0					
	Credit 4 Enhanced Refrigerant Management	2	2				\$ 400	R-410A Refrig and Water for Fire Suppression
	Credit 5 Measurement and Verification	3	0					
	Credit 6 Green Power	2	0					
MATERIALS AND RESOURCES								
Required	Storage and Collection of Recycables			\$ 300				
	Credit 1.1 Building Reuse	3	2	\$ 600				
	Credit1.2 Building Reuse	1	1	\$ 400				
	Credit 2 Construction Waste Management	2	1	\$ 400				
N	Credit 3 Materials Reuse	2	0					
N	Credit 4 Recycled Content	2	0					
	Credit 5 Regional Materials	2	2	\$ 800				
N	Credit 6 Rapidly Renewable Materials	1	0					

So. Greenville Recreation Parks LEED Analysis

	Credit	MAX Credits	Attempted Credits	HITE	WYLY LANDSCAPE	RIVERS & ASSOC	ENG SOURCE OF NC	Comments
Maybe	Credit 7 Certified Wood	1	1	\$ 500				
INDOOR ENVIRONMENT QUALITY								
Required	Min Indoor Air Quality Performance			\$ 200			\$ 500	Figure Baseline Ventilation for safe building
Required	Environmental Tobacco Smoke (ETS) Control			\$ 500				
	Credit 1 Outdoor Air Delivery Monitoring	1	1	\$ 200			\$ 400	Specify CO2 Sensor Demand ventilation and Air CFM monitoring devices on OA ducts to units. Must have an alarm if flows fall out of design parameters
	Credit 2 Increased Ventilation	1	1	\$ 200			\$ 1,000	Maybe difficult to achieve. More ventilation means more cooling and more energy use. But description say Demand Ventilation works well with this option and I am planning on doing at that so we should try for this point
	Credit 3.1 Construction Air Quality Management Plan (During Construction)	1	1	\$ 300				
	Credit 3.2 Construction Air Quality Management Plan (before Occupancy)	1	1	\$ 300				
	Credit 4.1 Low Emitting Materials - Adhesive and Materials	1	1	\$ 300				
	Credit 4.2 Low Emitting Materials - Paints and Coatings	1	1	\$ 300				
	Credit 4.3 Low Emitting Materials - Flooring Systems	1	1	\$ 300				
	Credit 4.4 Low Emitting Materials - Composite Wood and Agrifiber Products	1	1	\$ 300				
	Credit 5 Indoor Chemical and Pullutant Source Controls	1	1	\$ 300				
	Credit 6.1 Controllability of Systems - Lighting	1	1	\$ 200			\$ 800	Task Ltq. LED light, Dimmable, OCC Sensors
	Credit 6.2 Controllability of Systems - Thermal Content	1	1	\$ 200			\$ 1,400	Multi Unit, Space Specific Units, Bms, Setback control, Temperature averaging in spaces that share units and local control within temp range Humidity sensors
	Credit 7.1 Thermal Comfort - Design	1	1	\$ 200			\$ 1,000	
	Credit 7.2 Thermal Comfort - Verification	1	0					
	Credit 8.1 Daylight and Views - Daylight	1	0					
	Credit 8.2 Daylight and Views - Views	1	0					
INNOVATION IN DESIGN								
	Innovation in Design	5						
	Credit 2 LEED Accredited Professional	1	1	\$ 200				
REGIONAL PRIORITY								
	Credit 1 Regional Priority	4						
	TOTALS		58	\$ 20,600	\$ 7,145	\$ 5,500	\$ 13,000	
	TOTAL DESIGN AND ADMINISTRATIVE FEES			\$ 46,245				



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: 2016 City Council Meetings Schedule

Explanation: **Abstract:** A proposed schedule for 2016 City Council meetings listing the dates of meetings in accordance with Section 2-1-11 of the Greenville City Code, adjusted for City-observed holidays and other known conflicts, is presented for City Council consideration.

Explanation: A proposed schedule for 2016 City Council meetings has been prepared listing the dates of City Council meetings in accordance with Section 2-1-11 of the Greenville City Code and incorporating recommended adjustments for known conflicts. Potential conflicts are noted and explained below.

1. January 22 and 23 are the Friday and Saturday following the Dr. Martin Luther King, Jr. holiday, and that Friday and Saturday are typically the dates set for the Annual Planning Retreat. The US Conference of Mayors Winter Meeting and the NC City and County Clerks School both fall on January 20-22, 2016. It is, therefore, recommended that the 2016 Planning Retreat be held on January 29-30, as reflected on the proposed schedule.
2. March 7 and 10 - These regular meeting dates are in conflict with ECU's Spring Break (March 6-13) and the National League of Cities Congressional City Conference (March 5-9). It is recommended that those dates be adjusted by one week to March 14 and 17, as reflected on the proposed schedule, to resolve these conflicts.
3. September 5 - This regular meeting date is a City-observed holiday, and the recommendation is to cancel this meeting, as reflected on the proposed schedule.
4. October 24 is a regular meeting date, which will conflict with the North Carolina League of Municipalities Conference (October 23-26). The City Council may wish to eliminate this meeting from the proposed schedule.
5. November 21 is a regular meeting date which occurs in the same week as the November 24-25 Thanksgiving holidays. While there is no direct conflict, the City Council may wish to eliminate this meeting from the proposed schedule in consideration of personal and staff travel plans.

6. December 19 is a regular meeting date which occurs in the same week as the December 23-27 Christmas holidays. While there is no direct conflict, the City Council may wish to eliminate this meeting from the proposed schedule in consideration of personal and staff travel plans.

The proposed schedule for 2016 does not conflict with some other events that have been a problem in previous years. These include:

1. International City/County Managers Association Conference is September 23-28
2. Election Day is November 8, but 2016 is not a Municipal election year
3. National League of Cities Congress of Cities is November 16-19

NOTE: The Eastern Carolina Vocational Center annual banquet is held on a Thursday evening in early October. It is tentatively set for October 6, 2016, so it is assumed there will be no conflict.

Fiscal Note: There is no direct cost to the City.

Recommendation: Review options for the proposed 2016 schedule of City Council meetings, amend as necessary, and consider for adoption.

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 [2016_Schedule_of_City_Council_Meetings_1010874](#)



CITY OF GREENVILLE

2016 SCHEDULE OF CITY COUNCIL MEETINGS

(All meetings are held in the Council Chambers unless otherwise noted)

January 11 - 6:00 PM
January 14 - 6:00 PM
January 29 - 4:30 PM - (Planning Session, City Hall Gallery/Conf. Room 337)
January 30 - 8:30 AM - (Planning Session, City Hall Gallery/Conf. Room 337)

February 8 - 6:00 PM
February 11 - 6:00 PM
February 22 - 6:00 PM

March 14 - 6:00 PM
March 17 - 6:00 PM
March 21 - 6:00 PM

April 11 - 6:00 PM
April 14 - 6:00 PM
April 25 - 6:00 PM - (Possible Joint City/GUC meeting, GUC Board Room)

May 9 - 6:00 PM
May 12 - 6:00 PM
May 23 - 6:00 PM

June 6 - 6:00 PM
June 9 - 6:00 PM
June 20 - 6:00 PM

August 8 - 6:00 PM
August 11 - 6:00 PM
August 22 - 6:00 PM

September 8 - 6:00 PM
September 19 - 6:00 PM (Possible Joint City/GUC meeting, GUC Board Room)

October 10 - 6:00 PM
October 13 - 6:00 PM
October 24 - 6:00 PM

November 7 - 6:00 PM
November 10 - 6:00 PM
November 21 - 6:00 PM

December 5 - 6:00 PM
December 8 - 6:00 PM
December 19 - 6:00 PM



City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Tar River West Access Point

Explanation: Mayor Pro-Tem Calvin Mercer requested that a discussion of "Tar River West Access Point" be added to the September 10, 2015, City Council agenda.

Fiscal Note: No direct cost to discuss the issue.

Recommendation: Discuss the "Tar River West Access Point" as requested by Mayor Pro-Tem Mercer.

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City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Introduction of ECU Student Government Association Officers

Explanation: Council Member Marion Blackburn requested an item be added to the September 10, 2015, City Council agenda to allow the ECU Student Government Association officers to introduce themselves and present some information about their plans for the year.

Fiscal Note: No direct cost to hear the presentation.

Recommendation: As requested by Council Member Blackburn, allow the ECU SGA officers to introduce themselves and make a presentation about plans for the year.

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City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Railroad crossings

Explanation: Mayor Allen Thomas requested an item on the September 10, 2015, City Council agenda to discuss repair of the railroad crossing on Evans Street near 14th Street and to assess and review the integrity of railroad crossings on major roads.

Fiscal Note: No direct cost to discuss the issue.

Recommendation: Discuss railroad crossings as requested by Mayor Thomas.

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City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: ADA compliant crosswalks and ADA issues for crosswalks on Highway 43 North near the hospital

Explanation: Mayor Allen Thomas requested an item on the September 10, 2015, City Council agenda to receive an update on plans and the schedule for new ADA compliant crosswalks and ADA issues for crosswalks on Highway 43 North near the hospital.

Fiscal Note: No direct cost to discuss the issue.

Recommendation: Discuss ADA compliant crosswalks as requested by Mayor Thomas.

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City of Greenville, North Carolina

Meeting Date: 9/10/2015
Time: 6:00 PM

Title of Item: Long-term bond strategy

Explanation: Mayor Allen Thomas requested an item be placed on the September 10, 2015, City Council agenda to discuss initiating a long-term bond strategy for the City going forward.

Fiscal Note: No direct cost to discuss the issue.

Recommendation: Discuss a long-term bond strategy as requested by Mayor Thomas.

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