# Agenda

**April 9, 2015**
**7:00 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 Smith**

**III. Pledge of Allegiance**

**IV. Roll Call**

**V. Approval of Agenda**

**VI. Special Recognitions**

- Greenville Recreation and Parks 12U All-Star Basketball Team
- Excellence in Communications Awards

**VII. Appointments**

1. Appointments to Boards and Commissions
2. Appointments to the Comprehensive Plan Committee

**VIII. New Business**

**Public Hearings**

3. 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])

4. 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)

5. 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)

6. 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])

7. 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

8. 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

9. Ordinance amending Horizons: Greenville's Community Plan to incorporate by reference the South Greenville Elementary School Area Report and Plan

10. Final public hearing and resolution endorsing the 2015-2016 Annual Action Plan for the CDBG and HOME Investment Partnerships funds

**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.

**Other Items of Business**

11. Sanitary Sewer Connection Request by Wayne Williamson

12. Contract award to Clarion Associates, LLC, to prepare the City of Greenville's new Comprehensive Plan

13. Update from Human Resources Department

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

**X. City Manager's Report**

**XI. Adjournment**

# City of Greenville, North Carolina

**Meeting Date: 4/9/2015**
**Time: 7:00 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 ten of the boards and commissions.

**Explanation:** City Council appointments need to be made to the Affordable Housing Loan Committee, Community Appearance Commission, Environmental Advisory Commission, Firefighters' Relief Fund Committee, Historic Preservation Commission, Human Relations Council, Police Community Relations Committee, Public Transportation and Parking Commission, Recreation & Parks Commission, and Youth Council.

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

**Recommendation:** Make appointments to the Affordable Housing Loan Committee, Community Appearance Commission, Environmental Advisory Commission, Firefighters' Relief Fund Committee, Historic Preservation Commission, Human Relations Council, Police Community Relations Committee, Public Transportation and Parking Commission, Recreation & Parks Commission, and Youth Council.

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# Appointments to Boards and Commissions

April 2015

## Affordable Housing Loan Committee

**Council Liaison:** Council Member Marion Blackburn

| Name | District # | Current Term | Reappointment Status | Expiration Date |
|---|---|---|---|---|
| Melissa Grimes | 1 | Second term | Resigned | January 2016 |

## Community Appearance Commission

**Council Liaison:** Council Member Rick Smiley

| Name | District # | Current Term | Reappointment Status | Expiration Date |
|---|---|---|---|---|
| Andrew Bowers | 3 | Filling unexpired term | Eligible | April 2015 |
| Joanne Robertson | 4 | First term | Not seeking an additional term | April 2015 |

## Environmental Advisory Commission

**Council Liaison:** Council Member Marion Blackburn

| Name | District # | Current Term | Reappointment Status | Expiration Date |
|---|---|---|---|---|
| Scott Anderson *(Professional Engineer)* | 5 | First term | Not seeking an additional term | April 2015 |
| Michael Behm *(At-Large Member with skills/interests in environmental health, safety, and/or medicine)* | 2 | First term | Not seeking an additional term | April 2015 |
| Owen Burney *(Building contractor, land developer, or someone familiar with construction* | 1 | Second term | Ineligible | April 2015 |

*techniques)*

## Firefighters' Relief Fund Committee

**Council Liaison:** Not Applicable

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

## Historic Preservation Commission

**Council Liaison:** Council Member Kandie Smith

| Name | District # | Current Term | Reappointment Status | Expiration Date |
|---|---|---|---|---|
| Kerry Carlin | 1 | First term | Eligible | January 2015 |
| Charles Gee | 3 | Unexpired term | Eligible | January 2015 |
| David Hursh | 3 | Unexpired term | Eligible | January 2015 |

## Human Relations Council

**Council Liaison:** Council Member Rose Glover

| Name | District # | Current Term | Reappointment Status | Expiration Date |
|---|---|---|---|---|
| Robert Hudak | 4 | Second term | Ineligible | Sept. 2014 |
| Hassam Kandil | 2 | First term | Did not meet attendance requirement | Sept. 2016 |
| Shaterica Lee *(Shaw University)* | 2 | Second term | Did not meet attendance requirement | Oct. 2015 |
| Sierra Plato | 3 | Filling unexpired term | Resigned | Sept. 2015 |
| Maurice Whitehurst *(Pitt Community College)* | 2 | Second term | Did not meet attendance Requirement | Oct. 2015 |

## Police Community Relations Committee

**Council Liaison:** Council Member Rose Glover

| Name | District # | Current Term | Reappointment Status | Expiration Date |
|---|---|---|---|---|
| Belinda Perkinson *(Council Member Marion Blackburn)* | 3 | Second term | Resigned | October 2016 |

## Public Transportation and Parking Commission

**Council Liaison:** Council Member Richard Croskery

| Name | District # | Current Term | Reappointment Status | Expiration Date |
|---|---|---|---|---|
| Marsha Wyly | 4 | Second term | Ineligible | January 2015 |

## Recreation & Parks Commission

**Council Liaison:** Council Member Kandie Smith

| Name | District # | Current Term | Reappointment Status | Expiration Date |
|---|---|---|---|---|
| Debra Garfi *(Council Member Marion Blackburn)* | 3 | Second term | Resigned | May 31, 2017 |

## Youth Council

**Council Liaison:** Mayor Pro-Tem Calvin Mercer

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

7 Available Spots

# Applicants for
# Affordable Housing Loan Committee

Godfrey G. Bell
PO Box 91 - 300 Memorial Drive
Greenville, NC 27835

**District #:** 1

**Application Date:** 6/20/2013

**Home Phone:** (252) 916-6381
**Business Phone:**
**Email:** gbellsrl@earthlink.net

Sharon D. Gray
3402 Governors Lane
Greenville, NC 27858

**District #:** 3

**Application Date:** 5/29/2014

**Home Phone:** (252) 565-5757
**Business Phone:**
**Email:** graysdg@hotmail.com

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

**District #:** 4

**Application Date:** 2/23/2015

**Home Phone:** (252) 885-9245
**Business Phone:** (252) 885-9245
**Email:** crystal.kuegel@gmail.com

Terri Williams
PO Box 3109
Greenville, NC 27836

**District #: 4**

**Application Date:** 11/20/2013

**Home Phone:** (252) 756-9346
**Business Phone:** (252) 756-3500
**Email:** twilliams110@suddenlink

# Applicants for
# Community Appearance Commission

None.

# Applicants for
# Environmental Advisory Commission

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

**District #:** 1

**Application Date:** 2/3/2014

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

Elaine U. Brestel
106 Christenbury Drive
Greenville, NC 27858

**District #:** 4

**Application Date:** 1/21/2014

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

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

**District #:**

**Application Date:** 2/3/2014

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

Wendy Klein
318 Rutledge Road
Greenville, NC 27858

**District #:** 4

**Application Date:** 2/10/2014

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

Ernest W. Larkin
903 E. 5th Street
Greenville, NC 27858

**District #:** 3

**Application Date:** 3/5/2014

**Home Phone:** (252) 756-8499
**Business Phone:** (252) 847-4212
**Email:** elarkin@vidanthealth.com

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

**District #:** 1

**Application Date:** 3/6/2014

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

# Applicants for
# Firefighters' Relief Fund Committee

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

**District #:** 4

**Application Date:** 2/23/2015

**Home Phone:** (252) 885-9245
**Business Phone:** (252) 885-9245
**Email:** crystal.kuegel@gmail.com

# Applicants for
# Historic Preservation Commission

Jamitress Bowden
111 Brownlea Drive Apt. O
Greenville, NC 27858

**District #:** 3

**Application Date:** 8/8/2014

**Home Phone:**
**Business Phone:**
**Email:** jamitressbowden@gmail.com

Mary Ellen Cole
912 Bremerton Drive
Greenville, NC 27858

**District #:** 5

**Application Date:** 3/12/2015

**Home Phone:** (252) 917-1590
**Business Phone:**
**Email:** maxierules@gmail.com

Sharon D. Gray
3402 Governors Lane
Greenville, NC 27858

**District #:** 3

**Application Date:** 5/29/2014

**Home Phone:** (252) 565-5757
**Business Phone:**
**Email:** graysdg@hotmail.com

Dustin Mills
504 Daventry Drive
Greenville, NC 27858

**District #:** 5

**Application Date:** 3/25/2015

**Home Phone:** (252) 916-2691
**Business Phone:** (252) 752-7101
**Email:** dustin@tdgnc.com

Jake V. Srednicki
301 East Fourth Street
Greenville, NC 27858

**District #:**

**Application Date:** 3/1/2015

**Home Phone:** (845) 590-0396
**Business Phone:**
**Email:** jakevsrednicki@gmail.com

Tyrone O. Walston
2706 Webb Street
Greenville, NC 27834

**District #:** 2

**Application Date:** 6/6/2014

**Home Phone:** (252) 412-7351
**Business Phone:** (252) 355-8736
**Email:** walston.tyrone@gmail.com

# Applicants for
# Human Relations Council

Isaac Chemmanam
402 Lochview Drive
Greenville, NC 27858

**District #:** 4

**Application Date:** 1/18/2012

**Home Phone:** (252) 561-8759
**Business Phone:** (252) 412-2045
**Email:** isaac.chemmanam@gmail.com

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

**District #:** 4

**Application Date:** 2/23/2015

**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

**District #:** 1

**Application Date:** 1/15/2015

**Home Phone:** (252) 714-0969
**Business Phone:**
**Email:** debj.monroe@gmail.com

Bridget Moore
4128A Bridge Court
Winterville, NC 28590

**District #:** 5

**Application Date:** 8/28/2014

**Home Phone:** (252) 355-7377
**Business Phone:** (252) 355-0000
**Email:** bmoore2004@netzero.com

Jake V. Srednicki
301 East Fourth Street
Greenville, NC 27858

**District #:**

**Application Date:** 3/1/2015

**Home Phone:** (845) 590-0396
**Business Phone:**
**Email:** jakevsrednicki@gmail.com

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

**District #:** 5

**Application Date:**

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

# Applicants for
# Police Community Relations Committee

Isaac Chemmanam
402 Lochview Drive
Greenville, NC 27858

**District #:** 4

**Application Date:** 1/18/2012

**Home Phone:** (252) 561-8759
**Business Phone:** (252) 412-2045
**Email:** isaac.chemmanam@gmail.com

Sharon D. Gray
3402 Governors Lane
Greenville, NC 27858

**District #:** 3

**Application Date:** 5/29/2014

**Home Phone:** (252) 565-5757
**Business Phone:**
**Email:** graysdg@hotmail.com

# Applicants for
# Public Transportation and Parking Commission

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

**District #:** 3

**Application Date:** 12/10/2014

**Home Phone:** (252) 752-5278
**Business Phone:**
**Email:** kiltedmile@aol.com

Kellie Gonzalez
3936 Dunhagen Rd.
Greenville, NC

**District #:**

**Application Date:** 9/12/2014

**Home Phone:** (919) 791-5841
**Business Phone:**
**Email:**

Sharon D. Gray
3402 Governors Lane
Greenville, NC 27858

**District #:** 3

**Application Date:** 5/29/2014

**Home Phone:** (252) 565-5757
**Business Phone:**
**Email:** graysdg@hotmail.com

# Applicants for
# Recreation and Parks Commission

Gordon M Darragh
1300 Oakview Drive
Greenville, NC 27858

**District #:** 4

**Application Date:**

**Home Phone:** (252) 752-2633
**Business Phone:** (252) 917-0090
**Email:** gmdarragh@yahoo.com

Henry Harvey
2043 A Quail Ridge Road
Greenville, NC 27858

**District #:** 4

**Application Date:** 5/12/2014

**Home Phone:** (252) 321-1080
**Business Phone:**
**Email:** hankandk@suddenlink.net

Bridget Moore
4128A Bridge Court
Winterville, NC 28590

**District #:** 5

**Application Date:** 8/28/2014

**Home Phone:** (252) 355-7377
**Business Phone:** (252) 355-0000
**Email:** bmoore2004@netzero.com

# Applicants for Youth Council

None.

# City of Greenville, North Carolina

**Meeting Date: 4/9/2015**
**Time: 7:00 PM**

**Title of Item:** Appointments to the Comprehensive Plan Committee

**Explanation:**

**Abstract:** 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, and the Mayor and City Council Members are asked to appoint one member each to serve on the Committee.

**Explanation:** The City of Greenville's Comprehensive Plan, Horizons: Greenville's Community Plan, is scheduled for a 10-year update. A 22-member Comprehensive Plan Committee is being established to provide input on and review the preparation of the Plan. The Community Development Department has solicited representatives from select City boards and commissions as well as community partners. The Mayor and City Council Members are asked to appoint one member each to serve as Committee members along with those from the various City boards and community partners.

Following is a list of representatives from Boards, Commissions, and Community Partners whom have agreed to serve on the Comprehensive Plan Committee:

City of Greenville Boards and Commissions:

1. Planning and Zoning Commission: Jerry Weitz
2. Planning and Zoning Commission: Tony Parker
3. Bicycle and Pedestrian Commission: Brian Glover
4. Recreation and Parks Commission: Audrey Gates Nealy
5. Environmental Advisory Commission: J.C. Woodley
6. Human Relations Council: Loyd Horton
7. Historic Preservation Commission: Ryan Webb
8. Board of Adjustment: Justin Mullarkey
9. Neighborhood Advisory Committee: Brenda Diggs

Community Partners:

10. East Carolina University: William Bagnell

11. Vidant Medical Center: Reggie Pearson
12. Uptown Greenville: Bianca Shoneman
13. Home Builders Association: William Kidd
14. Pitt County Committee of 100: Donnie Brewer
15. Pitt Greenville Chamber of Commerce: Fred Mattox

City staff members, the Town of Winterville, Pitt County Government, Pitt County Schools, GUC, and the NCDOT will also be invited to attend and provide needed input into the Horizons Plan update.

**Fiscal Note:** There is no anticipated fiscal impact.

**Recommendation:** The Mayor and City Council Members are asked to appoint one member each to serve on the Comprehensive Plan Committee.

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# City of Greenville, North Carolina

**Meeting Date: 4/9/2015**
**Time: 7:00 PM**

**Title of Item:** 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])

**Explanation:**

**Abstract:** The City has received a request from 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]).

**Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on March 3, 2015.
On-site sign(s) posted on March 3, 2015.
City Council public hearing notice (property owner and adjoining property owner letter) mailed on March 24, 2015.
Public hearing legal advertisement published on March 30 and April 6, 2015.

**Comprehensive Plan:**

The subject area is located in Vision Area F.

The Future Land Use Plan Map recommends office/institutional/multi-family (OIMF) along the northern right-of-way of West Fifth Street between Schoolhouse Branch and Harris Run.

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

A traffic report was not generated since the proposed rezoning will generate fewer trips on West Fifth Street than the existing zoning.

**History/Background:**

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

**Present Land Use:**

Currently, the property is vacant.

**Water/Sewer:**

Water and sanitary sewer are located in the right-of-way of Brighton Park Drive.

**Historic Sites:**

There are no known effects on designated sites.

**Environmental Conditions/Constraints:**

There are no known environmental conditions/constraints.

**Surrounding Land Uses and Zoning:**

North: MR - Brighton Park Apartments
South: MO - vacant
East: MO - vacant
West: MO - Carolina Ortho Prosthetics

**Density Estimates:**

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.

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

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

The Planning and Zoning Commission voted to approve the request at its March 17, 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 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.

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- Combined maps, survey and buffer charts
- Ordinance___Brighton_Park_1000153
- Minutes___Brighton_Park_1000149
- List_of_Uses_for_MO_to_MR_900329

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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 9th day of April, 2015, at 7:00 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 UF 20 to concentrate higher intensity uses in employment and focus areas, Objective M5 to provide safe, convenient and efficient opportunities for pedestrian and bicycle movement and Objective UF3 to encourage a diversity of housing options; 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 creating walkable communities/neighborhoods and to provide transition between commercial nodes and to preserve vehicle carrying capacity on transportation thoroughfares.

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

Section 1. That the following described territory is rezoned from MO (Medical-Office) to MR (Medical-Residential).

TO WIT: Brighton Park Apartments, LLC Property

LOCATION: Located along the western right-of-way of Brighton Park Drive and 250+/- feet north of West 5th Street.

DESCRIPTION: LYING AND BEING IN FALKLAND TOWNSHIP, PITT COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON STAKE ON THE WESTERN RIGHT-OF-WAY OF BRIGHTON PARK DRIVE, SAID POINT BEING THE COMMON CORNER OF LOTS 2 AND 3, BRIGHTON PARK AS RECORDED IN MAP BOOK 56, PAGE 101 OF THE PITT COUNTY REGISTER OF DEEDS OFFICE, THENCE FROM SAID POING OF BEGINNING WITH THE PROPERTY LINE OF SAID LOTS 2 AND 3 N 50°05'35" W A DISTANCE OF 182.24' TO AN EXISTING IRON PIPE, THENCE N 39°59'02"E A DISTANCE OF 153.00' TO A POINT, THENCE S 47°51'43" E 182.16' TO A POINT ON THE WESTERN RIGHT-OF-WAY OF BRIGHTON PARK DRIVE, THENCE S 39°54'17" W 145.96' TO THE POINT OF BEGINNING, CONTAINING 0.63 ACRES MORE OR LESS.

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 9th day of April, 2015.

_____
Allen M. Thomas, Mayor

ATTEST:

_____
Carol L. Barwick, City Clerk

Doc. # 1000153

**Excerpt from the DRAFT Planning & Zoning Commission Minutes (03/17/2015)**

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]) - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. She stated the property is located in the center section of the City, near the intersection of W. 5th Street and Arlington Boulevard and specifically along Brighton Park Drive. Currently, the property is vacant. There is multi-family to the north and office/institutional uses along W. 5th Street. This area, including the subject property, was incorporated into the City's extra-territorial jurisdiction (ETJ) in 1986 and zoned to its current zoning. Due to a small change in traffic, a volume report was not prepared. Under the current zoning, the property could accommodate 5,200 square feet of medical office space. Under the requested zoning, it could accommodate 6-8 multi-family units. The Future Land Use Map recommends office/institutional/multi-family (OIMF) along the northern right-of-way of West 5th Street. 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).

Mr. Weitz asked how staff considers Comprehensive Plan policies in the staff report.

Ms. Gooby stated that Horizons plan policies are considered as part of the staff report.

Mr. Weitz suggested a rezoning should be similar to a text amendment that cites relevant policies out of the Comprehensive Plan and say if it is consistent or not consistent with those policies.

Mr. Thomas Weitnauer, Chief Planner, stated they are using the Future Land Use Map as a reference and the policies that back up the map. It is the basis of the staff recommendation.

Mr. Weitz asked if staff recommendation is only based on the Future Land Use Map and not citing Comprehensive Plan policies.

Mr. Merrill Flood, Director of Community Development, stated the map is the graphic representation of the Future Land Use Urban Form. There are management objectives in each vision area but each objective cannot cover every parcel in the City, unless there is a specific policy to a specific rezoning.

Mr. Weitz stated he has seen several instances where the map is not the full story and policies are not considered.

Mr. Flood stated staff considers the various considerations in the comprehensive plan in the staff analysis. Absent a specific recommendation by policy objective in the plan for a specific site, the map is the final determination of the preferred land use.

Mr. Weitz stated he disagrees that the policies are not site specific and that recommendations do not portray the complete picture of the Comprehensive Plan.

Mr. Flood stated, absent a specific recommendation related to a specific site, staff has been consistent.

Chairwoman Basnight opened the public hearing.

Mr. Reggie Spain, applicant, spoke in favor of the request. He stated he wants to offer 2-bedroom units.

No one spoke in opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

Mr. Weitz stated he has a concern with the ability to expand the core of the Medical District. The Medical Plan appears to show that it is trying to reserve some area for non-residential development. He stated there is a loss of future service area lands due to the subsequent alternative use. Additional office space will be needed as the Medical District continues to grow. He has a concern of setting a precedent to expand multi-family beyond its current location as shown on the map. There are many other places that apartments can be developed.

Ms. Darden stated she agreed with Mr. Weitz.

Mr. Smith stated it is only 0.63 acres which is insignificant and there are apartments already located there. People in the medical area need places to live. He is in favor of the request.

Ms. Gooby stated the property was brought into the ETJ and zoned in 1986. The depth of the office zoning was made to a sufficient depth to allow office development along W. 5$^{th}$ Street then transitions to multi-family zoning. The zoning line was made at a time when most of the area was not developed and it was expected that there were be small changes to the zoning line as properties develop. There was a similar rezoning several years ago that changed the zoning to follow property lines just to the east of this site.

Attorney Holec stated the recommendation the Commission is to give is either up or down recommendation on the request. Comments can still be made. There are some differences with applications that have multiple tracts.

Mr. Weitz asked if it was unlawful for the Commission to recommend a smaller area than the requested area.

Attorney Holec stated it is not unlawful, but the typical practice is to make a recommendation on the actual application.

Mr. Weitz stated that the suggestion is not to do it because it has never been done that way.

Attorney Holec stated the ordinance says to make a recommendation on the request.

Mr. Parker asked if the property owner had any say in rezoning less than what was requested.

Attorney Holec stated Council does have the ability to make a separation. They can rezone all or part of a request and/or rezone as a different zoning classification. The role of the Commission is to make a recommendation on the actual request. He stated he could suggest a follow-up motion stating how the Commission would consider the request differently.

Mr. Griffin asked if they voted down, would it be the responsibility of the applicant.

Attorney Holec stated no. The Commission could ask the applicant if they would like to amend their application. The Commission would vote on the actual application.

Mr. Smith asked what the difference was since the size is only 0.63 acres.

Mr. Schrade stated that splitting the request could be useless to the applicant.

Chairwoman Basnight asked the applicant how splitting the request would affect him.

Mr. Spain stated the reason they have requested the extra lot is to have room for centralized parking for the units. It would be useless unless the whole request was granted. He stated no one would want 0.63 acres to expand in the medical district because it is so small.

Mr. Weitz stated that it could set a precedent in the area.

Mr. Flood stated when the Medical District Use Plan was amended and a preferred land use pattern was established, it took into account all recommended objectives of the plans. They dovetail each other.

**Motion made by Mr. Smith, seconded by Mr. Schrade, 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: Mr. Smith, Mr. King, Ms. Bellis, Mr. Griffin, Mr. Parker, and Mr. Schrade. Against: Mr. Weitz and Ms. Darden. Motion carried.**

## EXISTING ZONING

### MO (Medical-Office)

***Permitted Uses***

*(1) General:*
a. Accessory use or building
b. Internal service facilities
c. On-premise signs per Article N
f. Retail sales; incidental

*(2) Residential:*
l. Group care facility
n. Retirement center or home
o. Nursing, convalescent center or maternity home; major care facility

*(3) Home Occupations (see all categories):**None

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

*(5) Agricultural/ Mining:*
a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

*(6) Recreational/ Entertainment:*
f. Public park or recreational facility
g. Private noncommercial park or recreational facility

*(7) Office/ Financial/ Medical:*
a. Office; professional and business, not otherwise listed
d. Bank, savings and loan or other savings or investment institutions
e. Medical, dental, ophthalmology or similar clinic, not otherwise listed

*(8) Services:*
n. Auditorium
r. Art gallery
u. Art studio including art and supply sales
ee. Hospital
ii. Wellness center; indoor and outdoor facilities

*(9) Repair:** None

*(10) Retail Trade:*
d. Pharmacy
s. Book or card store, news stand
w. Florist

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

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

*(13) Transportation:** None

*(14) Manufacturing/ Warehousing: ** None

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

**MO (Medical-Office)**
***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:*
s. Athletic club; indoor only

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

*(8) Services:*
a. Child day care facilities
b. Adult day care facilities
e. Barber or beauty shop
f. Manicure, pedicure or facial salon
j. College and other institutions of higher learning
l. Convention center; private
s. Hotel, motel bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
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)
hh. Exercise and weight loss studios; indoor only
ll.(1) Dry cleaning; household users, drop-off/pick-up station only [2,000 sq. ft. gross floor area limit per establishment]
jj. Health services not otherwise listed

*(9) Repair:** None

*(10) Retail Trade:*
f. Office and school supply, equipment sales [5,000 sq. ft. gross floor area limit per establishment]
h. Restaurant; conventional
i. Restaurant; fast food [limited to multi-unit structures which contain not less than three separate uses]
j. Restaurant; regulated outdoor activities
k. Medical supply sales and rental of medically related products including uniforms and related accessories.
t. Hobby or craft shop [5,000 sq. ft. gross floor area limit per establishment]

*(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

**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

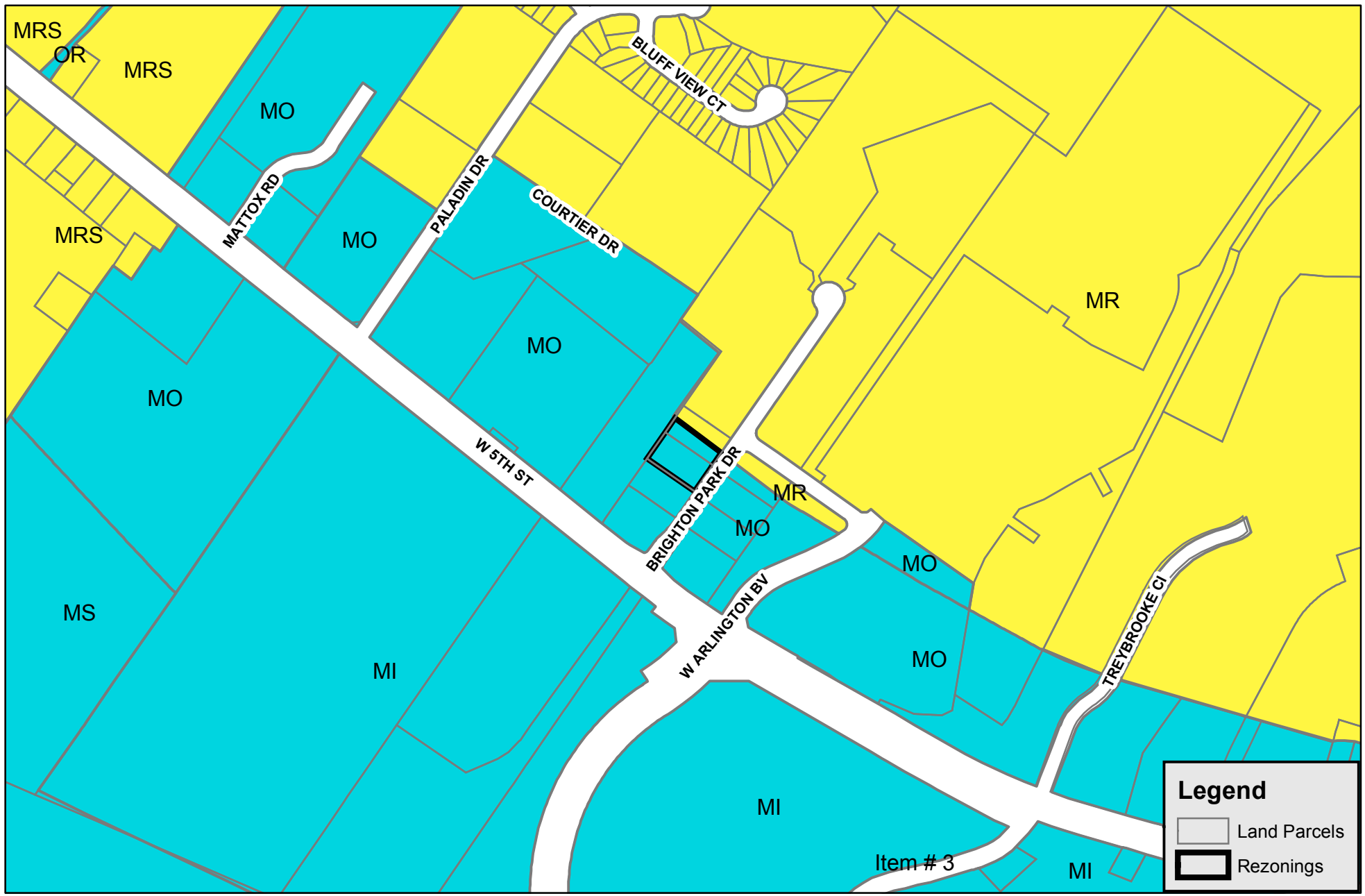
*(12) Construction:** None

*(13) Transportation:** None

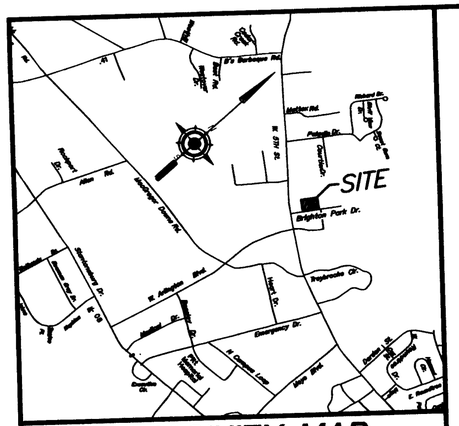
*(14) Manufacturing/ Warehousing:* * None

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

Brighton Park Apartments, LLC (15-05)
From: MO To: MR
0.63 acres
February 23, 2015



Brighton Park Apartments, LLC (15-05)
From: MO To: MR
0.63 acres
February 23, 2015


SITE
Brighton Park Dr.
Hollingsworth Downs Rd.
Allen Rd.
Mumford Rd.
Pinecrest Dr.
Hazel Dr.
Emergency Dr.
Dunhill Dr.
Mumford Cir.
Montgomery Dr.
Hudson Dr.
Hudson Cir.
Hudson Ct.
Hudson Pl.
Hudson Ln.
Hudson Rd

04/30/07

# BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

| Bufferyard A (street yard) | | |
|---|---|---|
| Lot Size | Width | For every 100 linear feet |
| Less than 25,000 sq.ft. | 4' | 2 large street trees |
| 25,000 to 175,000 sq.ft. | 6' | 2 large street trees |
| Over 175,000 sq.ft. | 10' | 2 large street trees |
| Street trees may count toward the minimum acreage. | | |

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

| Bufferyard C (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 10' | 3 large evergreen trees<br>4 small evergreens<br>16 evergreen shrubs |
| Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet. | |

| Bufferyard D (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 20' | 4 large evergreen trees<br>6 small evergreens<br>16 evergreen shrubs |
| Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided. | |

| Bufferyard E (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 30' | 6 large evergreen trees<br>8 small evergreens<br>26 evergreen shrubs |
| Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided. | |

| Bufferyard F (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 50' | 8 large evergreen trees<br>10 small evergreens<br>36 evergreen shrubs |
| Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided. | |

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

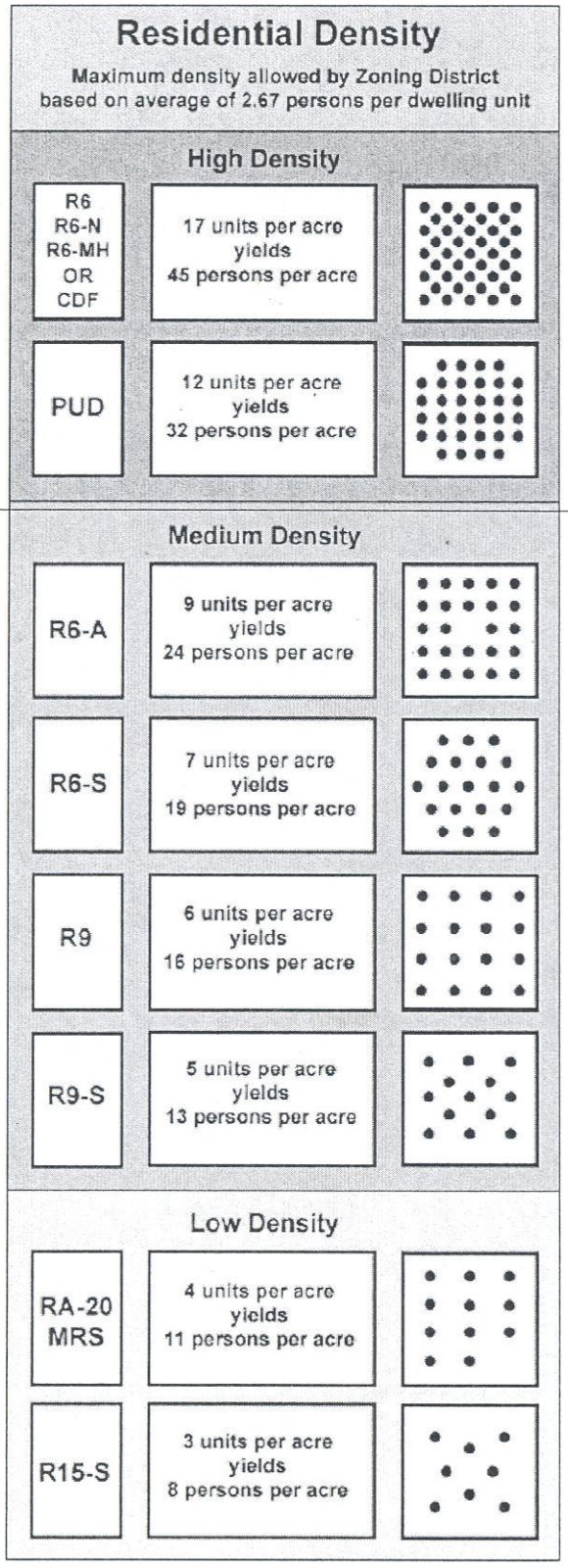



**Illustration:** Maximum allowable density in Residential Zoning Districts

Item # 3

# City of Greenville, North Carolina

**Meeting Date: 4/9/2015**
**Time: 7:00 PM**

**Title of Item:** 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)

**Explanation:**

**Abstract:** The City has received a request from 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).

**Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on March 3, 2015.
On-site sign(s) posted on March 3, 2015.
City Council public hearing notice (property owner and adjoining property owner letter) mailed on March 24, 2015.
Public hearing legal advertisement published on March 30 and April 6, 2015.

**Comprehensive Plan:**

The subject property is located in Vision Area F.

Stantonsburg Road, between US Highway 264 and the proposed interchange with the Southwest Bypass, is considered a "connector" corridor then 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.

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

Based on the analysis comparing the existing zoning (1,819 daily trips) and requested rezoning, 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.

**History/Background:**

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

**Present Land Use:**

Vacant

**Water/Sewer:**

Water is available from Bell Arthur Water Corporation. Sanitary sewer is not available.

**Historic Sites:**

There are no known effects on designated sites

**Environmental Conditions/Constraints:**

There are no known effects on the designated area.

**Surrounding Land Uses and Zoning:**

North: RA20 - Wooded
South: IU - Wooded
East: I and RA20 - Pitt County Landfill and wooded (owned by Pitt County)
West: RA20 - Vacant and wooded

**Density Estimates:**

Tract 1:

Under the current zoning (RA20), staff would anticipate the site to yield 125-135 single-family lots.

Under the proposed zoning (I), the site could accommodate 270,403+/- square feet of industrial/warehouse uses.

Tract 2:

Under the current zoning (RA20), staff would anticipate the site to yield 30-40 single-family lots.

Under the proposed zoning (IU), the site could accommodate 78,582+/- square feet of industrial/warehouse uses.

Tract 3:

Under the current zoning (RA20), staff would anticipate the site to yield 10-15 single-family lots.

Under the proposed zoning (I), the site could accommodate 32,496+/- square feet of industrial/warehouse uses.

The anticipated build-out time is 3-5 years.

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

**Recommendation:** **Tracts 1 and 3:**

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 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.

**Tract 2:**

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.

The Planning and Zoning Commission voted to approve the request for Tracts 1 and 3 and to deny the request for Tract 2 at its March 17, 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 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.

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**Viewing Attachments Requires Adobe Acrobat. Click here to download.**

**Attachments / click to download**

- Combined maps, survey and buffer charts
- Information submitted by Mike Baldwin
- Ordinance___Happy_Trails__15_03__1000151
- Minutes___Happy_Trails_1000147
- List_of_uses_RA20_to_I__IU_962698

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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 9th day of April, 2015, at 7:00 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 E14 to encourage healthy economic development 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.

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

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

TO WIT: Happy Trail Farms, LLC Properties (Tract 1)

LOCATION: Located south of Stantonsburg Road and west of Pitt County Landfill.

DESCRIPTION: Beginning at a point on the southern right-of-way of the Norfolk-Southern Railroad said point being the northeast corner of Tract 4 as recorded in Map Book 38, Page 103 of the Pitt County Register of Deeds. From the above described beginning, so located, running thence as follows:

With the southern right-of-way of the Norfolk-Southern Railroad, N 83°15'21" E 1419.00' to the northwestern corner of the Pitt County property, thence leaving said Norfolk- Southern Railroad right-of-way and with the western and northern line of the Pitt County property, S 19°12'58" W 473.53', S 14°11'56" E 136.54', S 06°11'58" W 849.54' and S 62°22'52" W 1287.17' to the southeastern corner of Tract 4 as recorded in Map Book 38, Page 103 of the Pitt County Register of Deeds, thence with the eastern line of said Tract 4, N 01°41'09" W 1854.97' to the point of beginning containing 46.287 acres.

Section 2. That the following described territory is rezoned from RA20 (Residential-Agricultural) to IU (Inoffensive Industry).

TO WIT: Happy Trail Farms, LLC Properties (Tract 2)

LOCATION: Located south of Stantonsburg Road and west of Pitt County Landfill.

DESCRIPTION: Beginning at a point on the southern right-of-way of NCSR 1200 (Stantonsburg Road), said point being the northeastern corner of the North Carolina District Church of the Nazarene property as describe in Deed Book 2572, Page 263 of the Pitt County Register of Deeds. From the above described beginning, so located, running thence as follows:

With the southern right-of-way of NCSR 1200 (Stantonsburg Road) S 88°52'31" E 661.86' to the western line of the Pitt County property, thence leaving said right-of-way and with the western line of said Pitt County property, S 03°35'43" W 566.16' and S 09°50'20" W 497.14' to the northern right-of-way of the Norfolk-Southern Railroad, thence with the northern right-of-way of said Norfolk-Southern Railroad right-of-way S 83°15'21" W 654.01' to the southeastern corner of the aforesaid North Carolina District Church of the Nazarene property, thence leaving said Norfolk-Southern Railroad right-of-way with the eastern line of the North Carolina District Church of the Nazarene property, N 05°23'58" E 1149.77' to the point of beginning containing 16.820 acres.

Section 3. That the following described territory is rezoned from RA20 (Residential-Agricultural) to I (Industry).

TO WIT: Happy Trail Farms, LLC Properties (Tract 3)

LOCATION: Located south of Stantonsburg Road and west of Pitt County Landfill.

DESCRIPTION: Beginning at the northern common corner of Tracts 5 & 6 as recorded Map Book 38, Page 103, of the Pitt County Register of Deeds. Said point being located S 01°57'07" W 1922.79' and S 88°02'26" E 165.71' from the southern right-of-way of the Norfolk-Southern Railroad. From the above described beginning, so located, running thence as follows:

With the southern line of Tract 4 as recorded in Map Book 38, Page 103 of the Pitt County Register of Deeds , S 88°02'26" E 165.72' to the Pitt County Property, thence leaving the line of Tract 4 and with the western line of the Pitt County property, S 01°57'34" W 1178.00' to the northern line of the 4H, LLC property as recorded in Deed Book 2479, Page 157 of the Pitt County Register of Deeds, thence with the northern line of the 4H, LLC property, S 86°07'34" W 168.85 to the southern corner of Tract 5 as recorded in Map Book 38, Page 103 of the Pitt County Register of Deeds, thence with the eastern line of Tract 5, N 02°04'04" E 1195.16' to the point of beginning containing 4.545 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 all ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 6. That this ordinance shall become effective upon its adoption.

ADOPTED this 9th day of April, 2015.

_____
Allen M. Thomas, Mayor

ATTEST:

_____
Carol L. Barwick, City Clerk

Doc. # 1000151

**Excerpt from the DRAFT Planning & Zoning Commission Minutes (03/17/2015)**

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) - TRACTS 1 & 3 - APPROVED AND TRACT 2 - DENIED

Ms. Gooby delineated the property. She stated the property is located in the western section of the City and adjacent to the Pitt County Landfill. The request is divided into three tracts: the requested zoning for Tracts 1 & 3 a re I (Industry) and Tract 2 is IU (Unoffensive Industry). The projected path of the Southwest Bypass will bisect all three tracts. Tract 2 is north of the railroad and the other two tracts are south of the railroad. Most of the property is vacant. There are residential uses to the west and the landfill is to the east. Under the current zoning, the property could accommodate about 170 single family lots. Under the requested zoning, it could accommodate 380,000 square feet of industrial or warehouse uses. 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. 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) along Stantonsburg Road to act as a buffer to the interior industry (I). Further, conservation/open space (COS) is recommended as a buffer between the interior industrial (I) and the the high density residential (HDR) to the north. 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." Tracts 1 and 2 are adjacent to the Pitt County Landfill. Only the portion of the landfill adjacent to Tract1 is zoned industry (I). In staff's opinion, the request for Tracts 1 & 3 is in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map. In staff's opinion, the request for Tract 2 is not in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

Ms. Bellis asked if there was enough land for development after the bypass is built.

Ms. Gooby stated yes.

Mr. Weitz asked if the landfill was still operational.

Ms. Gooby stated yes.

Mr. Weitz asked if the County planned on expanding the landfill with their additional lot.

Ms. Gooby stated they are storing lime with the railroad and then it is trucked out.

Mr. Weitz asked if the railroad had a loading area which would be accessible to the applicant.

Ms. Gooby stated that was a railway right-of-way question.

Mr. Weitz asked where was the closest sewer.

Ms. Gooby stated about a ½ mile away at Westpointe neighborhood.

Mr. Weitz asked if the water drainage from this site goes into the Green Mill water shed.

Mr. Tim Corley showed a map that the area is part of the Green Mill Run watershed and that the City is working on a watershed master plan that will look at all the watersheds within the City. The study will show what projects can be done and what areas are most sensitive. It will find what areas could change from a 10-year storm event to a 25-year storm event.

Mr. Weitz asked if it would include proposals to impound water for flood control.

Mr. Corley stated they are looking at opportunities to identify areas to retrofit activity.

Mr. Weitz asked if their motions would be divided since the tracts were divided.

Attorney Holec stated the request has three separate distinct tracts and individual motions can be made.

Ms. Bellis asked why tract 2 is not in compliance.

Ms. Gooby stated the Future Land Use Plan shows tract 2 should be OIMF (Office/Institutional/Multi-Family) and the request is for IU (Unoffensive Industry).

Mr. Parker asked for the definition of Unoffensive Industry or for the uses in that zone.

Ms. Gooby referenced the list of uses for the IU district and named a few of the uses: agricultural, office, retail, truck terminals, bakeries, and mini-storage with no outside storage is permitted.

Chairwoman Basnight opened the public hearing.

Mr. Mike Baldwin, representative for the applicant, spoke in favor of the request. He stated the Land Use Plan is a guide, it is not perfect, and does not meet every aspect. He presented a map of the zoning at the intersection of Arlington Boulevard and Fire Tower Road. The parcel shows OR (Office-Residential) and adjacent IU (Unoffensive Industry). It is transitional zoning. Tract 2 is similar in transitional zoning. A more appropriate buffer is IU (Unoffensive Industry). It decreases traffic. About 40% of Tract 2 will be taken up by the Southwest Bypass. Tracts 1 & 3 are in compliance. Following the plan on Tract 2 is not in the best interest of the whole property.

Mr. Weitz asked how Tracts 1 & 3 would be accessed.

Mr. Baldwin stated that it depends on cuts on the Bypass.

Mr. Weitz asked if he was sure since it should be controlled access.

Mr. Baldwin stated it could be controlled or restricted but there would be allowed access.

Mr. Weitz asked how they would get sewer to the property.

Mr. Baldwin stated they have not spoke with GUC yet, but it would require a regional lift station.

Mr. Weitz asked if there were any immediate prospects for development.

Mr. Baldwin stated no.

Mr. Weitz stated that by rezoning the property the value would increase. The State then would pay more for the land during the right-of-way acquisition when it's time for the Bypass. He asked it that was the intent.

Mr. Baldwin stated no and that it was business as usual.

Mr. Weitz asked what the possible use of the land is after the Bypass.

Mr. Baldwin stated that the questioning was site specific and this rezoning request is a broad scope.

Ms. Bellis asked if the Landfill is currently being used as a transfer station and asked if it would increase in height.

Ms. Gooby stated they are still in operation.

Mr. Smith stated that trash is dropped off and then it gets transferred somewhere else. It's not getting buried and increasing in height.

Mr. Schrade stated that the height Mr. Baldwin referred to was the lime.

Mr. Baldwin stated he does not know the height of the lime but the height of the Landfill is very visible.

Mr. Weitz asked if anyone knew what the landfill told the State what its long-term plans are.

Ms. Gooby stated she believes they will remain there as a transfer station.

Mr. Schrade stated they are still taking in biodegradable items.

Mr. Parker stated the land gives them room to increase their capacity as the County grows.

Mr. Baldwin stated that a conclusion cannot be made on Pitt County's plans.

Ms. Elizabeth Letchworth spoke in opposition of the request. She lives on Stantonsburg Road near the requested rezoning. She and her neighbors have concerns. Their first concern was rezoning the property to industrial and then the State buying it at a higher cost. Another concern was how the rezoning would affect the residential values of the nearby properties. She stated there is an issue with flooding on Stantonsburg Road and she has concerns how development there could cause more flooding to the residential properties.

Ms. Gooby stated that any concerns about property values are best left with a real estate appraiser. Their area is rural and development is nearing them. The flooding along Stantonsburg Road would need to be addressed with NCDOT.

Ms. Letchworth stated her concern with development there could cause more drainage toward the residential area causing more flooding.

Ms. Gooby stated that drainage would be handled at the time the property gets developed.

Attorney Holec stated the speaker made clear objections although there are no answers for her at this time. The Commission considers the land use and not what NCDOT would pay for the land.

Mr. Baldwin spoke in rebuttal. He stated the City has a storm water ordinance to protect downstream property owners from flooding conditions. Any development on the property would have to conform to those requirements.

Ms. Bellis asked if the storm water retention he refers to is a 10-year event.

Mr. Baldwin stated yes and it is possible in some areas to be a 25-year event.

Chairwoman Basnight closed the public hearing and opened for board discussion.

Mr. Schrade stated that Mr. Weitz made a point about the increased value of the property due to the rezoning. As staff has stated, the Commission is to make a decision based on land use and not land value. He stated he was okay with Tracts 1 & 3 but questions Tract 2. Since the property is near the lime transfer station, it seems to work as a transition and it would not be a large lot with the Bypass coming through it. His opinion is to approve all three.

Mr. Weitz stated some uses for I (Industry) for Tracts 1 & 3 could be: rock quarry, mines, toxic and hazardous materials manufacturing, slaughter houses, etc. He has concerns with some of the uses. He would prefer to see IU (Unoffensive Industry). He stated the site would probably be

visible to the travelling public because of the roads. Tracts 1 & 3 do not have access to roads at this time. There is no sewer. He is concerned with the uses it could have at the entrance to the City.

**Motion made by Mr. Schrade, seconded by Mr. Smith, of Tracts 1 & 3 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: Mr. Schrade, Mr. Smith, Ms. Bellis, Mr. Griffin, Mr. Parker and Ms. Darden. Oppose: Mr. Weitz and Mr. King. Motion carried.**

Mr. Weitz stated that if Tracts 1 & 3 were for IU, he would be in favor of the motion.

**Motion made by Mr. Schrade, seconded by Mr. Smith, of Tract 2 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: Mr. Schrade, Mr. Smith and Ms. Darden. Oppose: Ms. Bellis, Mr. Griffin, Mr. Parker, Mr. Weitz and Mr. King. Motion failed.**

**Motion made by Mr. Parker, seconded by Mr. Griffin, of Tract 2 to recommend denial of the proposed amendment, to advise that it is inconsistent with the Comprehensive Plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. In favor: Ms. Bellis, Mr. Griffin, Mr. Parker, Mr. Weitz and Mr. King. Oppose: Mr. Schrade, Mr. Smith and Ms. Darden. Motion carried.**

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# EXISTING ZONING

**RA20 (Residential-Agricultural)**
***Permitted Uses***

*(1) General:*
a. Accessory use or building
c. On-premise signs per Article N

*(2) Residential:*
a. Single-family dwelling
f. Residential cluster development per Article M
k. Family care home (see also section 9-4-103)
q. Room renting

*(3) Home Occupations (see all categories):**None

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

*(5) Agricultural/ Mining:*
a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)
c. Wayside market for farm products produced on site
e. Kennel (see also section 9-4-103)
f. Stable; horse only (see also section 9-4-103)
g. Stable; per definition (see also section 9-4-103)
h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use

*(6) Recreational/ Entertainment:*
f. Public park or recreational facility
g. Private noncommercial park or recreational facility

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

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

*(9) Repair:** None

*(10) Retail Trade:** None

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

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

*(13) Transportation:** None

*(14) Manufacturing/ Warehousing:* * None

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

**RA20 (Residential-Agricultural)**
***Special Uses***

*(1) General:** None

*(2) Residential:*
b. Two-family attached dwelling (duplex)
g. Mobile Home
n. Retirement center or home

o. Nursing, convalescent center or maternity home; major care facility

*(3) Home Occupations (see all categories):*
a. Home occupation; including barber and beauty shops
c. Home occupation; including manicure, pedicure or facial salon

*(4) Governmental:*
a. Public utility building or use

*(5) Agricultural/ Mining:*
b. Greenhouse or plant nursery; including accessory sales

*(6) Recreational/ Entertainment:*
a. Golf course; regulation
c.(1). Tennis club; indoor and outdoor facilities

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

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

*(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

**I (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
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
i. Livestock sales pavilion, auditorium, yard, distribution or transshipment facility
j. Quarry, mining, excavation and works including material storage and distribution; sand, stone, gravel

*(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
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)
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)
gg. Vocational rehabilitation center
nn. Industrial laundries

*(9) Repair:*
a. Major repair; as an accessory or principal use
b. Minor repair; as an accessory or principal use
c. Upholster; automobile, truck, boat or other vehicle, trailer or van
d. Upholsterer; furniture
e. Furniture refinishing, stripping or repair facility
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
dd. Industrial implement, machinery or tool 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:*
a. 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
e. Mobile home repair or rework facility; no sales allowed
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 the district; excluding outside storage
n. Petroleum (bulk) storage facility; excluding retail sales
o. Feed and grain elevator, mixing, redrying, storage or sales facility
p. Tobacco redrying or processing plant
q. Fertilizer or lime manufacture or bulk storage
r. Manufacturing of acid, toxic chemicals or other hazardous materials or explosive products not otherwise listed
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
w. Bottling or packing plant for hazardous, flammable or explosive materials or products
y. Recycling collection station of facilities
z. Metallurgy, steel fabrication, welding
aa. Meat, poultry or fish processing or packing plant
bb. Slaughterhouse
cc. Manufacture of pharmaceutical, biological, botanical, medical, and cosmetic products, and related materials

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

**I (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

*(3) Home Occupations (see all categories):** None

*(4) Governmental:*
f. Correctional facility

*(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
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:** None

*(10) Retail Trade:*
j. Restaurant; regulated outdoor activities

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

*(12) Construction:** None

*(13) Transportation:** None

*(14) Manufacturing/ Warehousing:*
f. Junkyard automobile graveyard or materials reclamation facility
x. Sanitary landfill or incinerator; public or private

*(15) Other Activities (not otherwise listed - all categories):*
c. Other activities; commercial services not otherwise listed
e. Other activities; industrial services 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, re-drying, 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

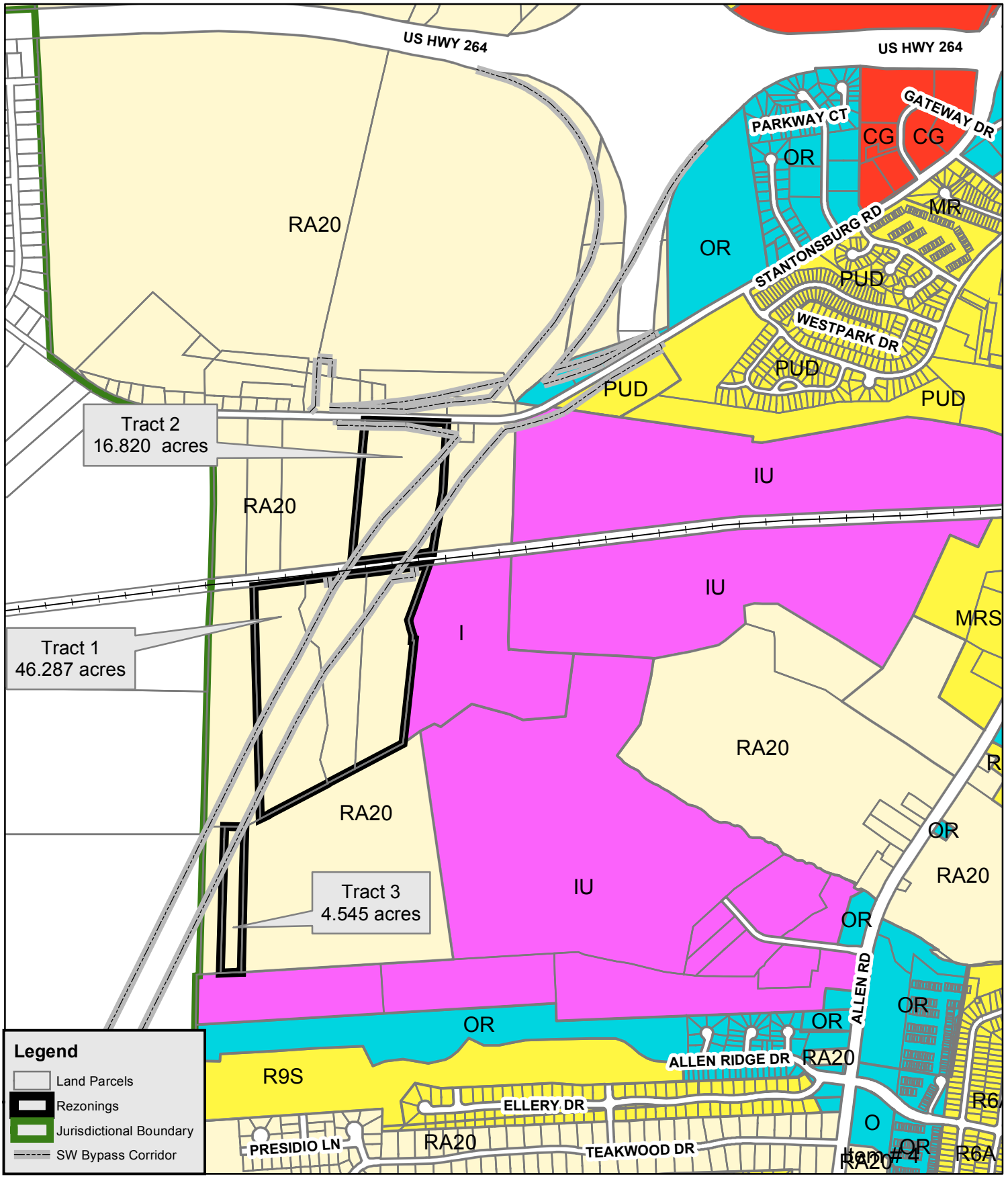
*(12) Construction:** None

*(13) Transportation:*
c. Taxi and limousine service

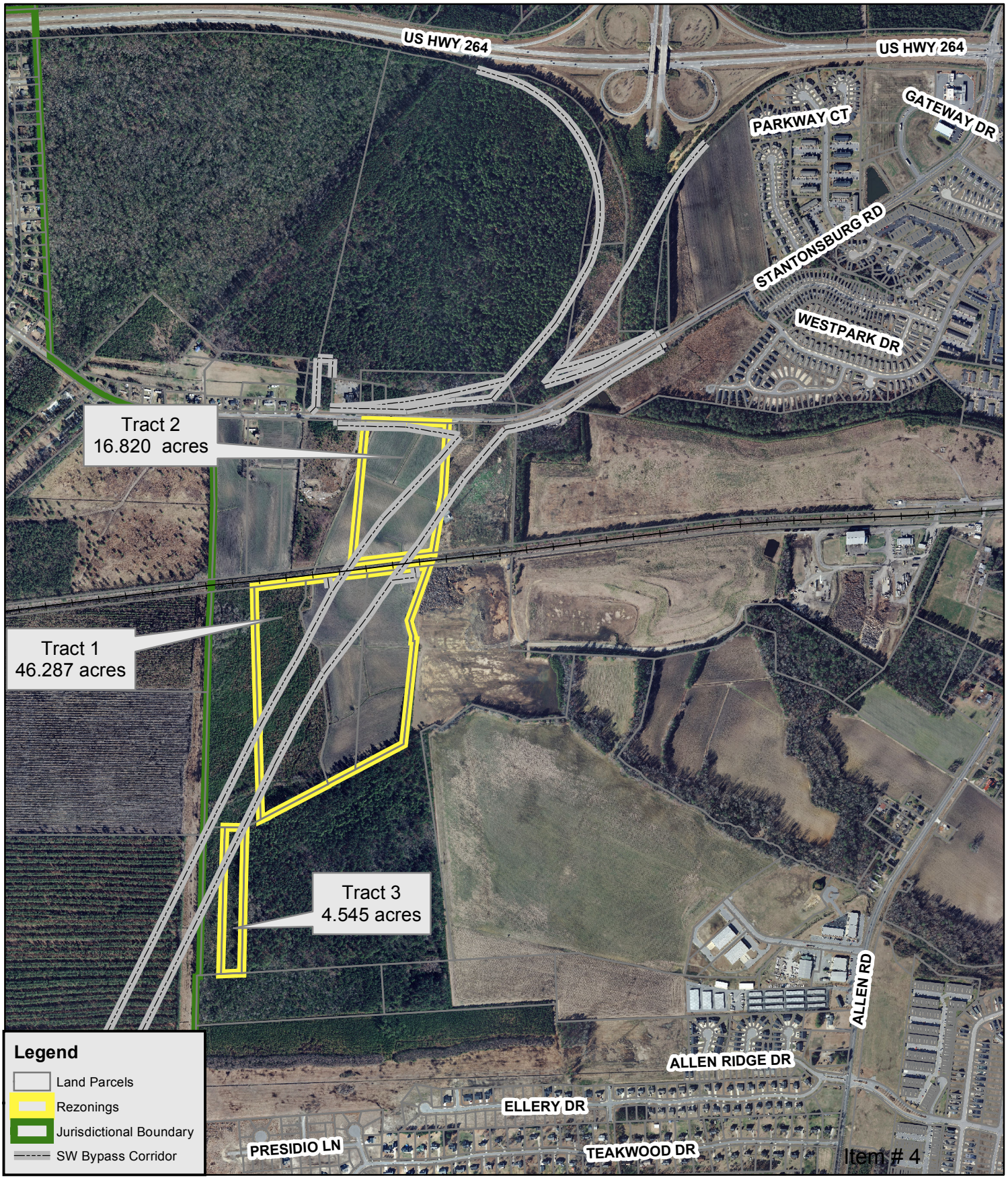
*(14) Manufacturing/ Warehousing:*
z. Metallurgy, steel fabrication, welding

*(15) Other Activities (not otherwise listed - all categories):*
c. Other activities; commercial services not otherwise listed
e. Other activities; industrial services not otherwise listed

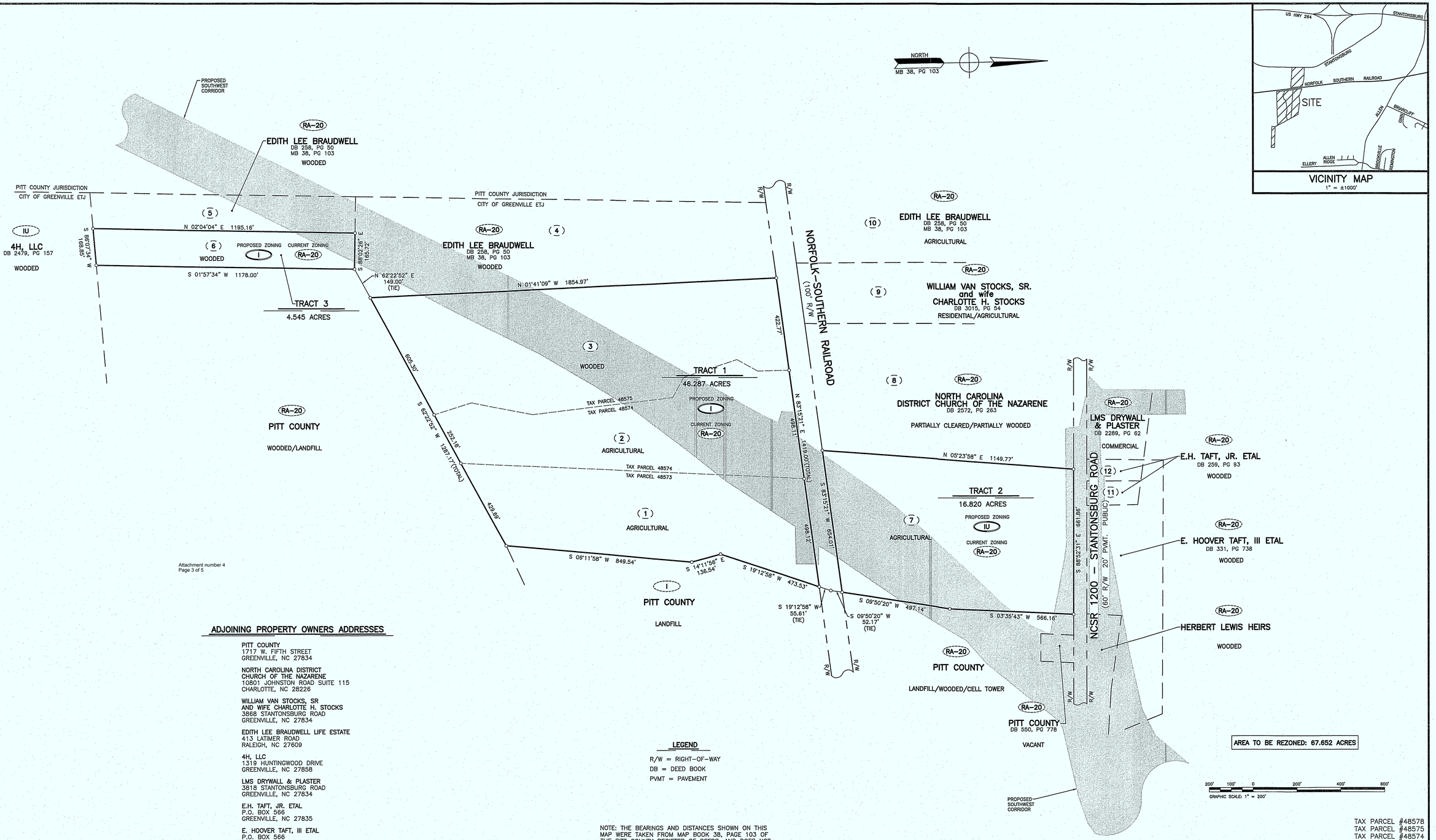
Happy Trail Farms, LLC. (15-03)
Tract 1: From: RA20 to: I
Tract 2: From: RA20 To: IU
Tract 3: From: RA20 To: I
February 3, 2015



Happy Trail Farms, LLC. (15-03)
Tract 1: From: RA20 to: I
Tract 2: From: RA20 To: IU
Tract 3: From: RA20 To: I
February 3, 2015




Item # 4




Attachment number 4
Page 3 of 5

## ADJOINING PROPERTY OWNERS ADDRESSES

PITT COUNTY
1717 W. FIFTH STREET
GREENVILLE, NC 27834

NORTH CAROLINA DISTRICT
CHURCH OF THE NAZARENE
10801 JOHNSTON ROAD SUITE 115
CHARLOTTE, NC 28226

WILLIAM VAN STOCKS, SR
AND WIFE CHARLOTTE H. STOCKS
3868 STANTONSBURG ROAD
GREENVILLE, NC 27834

EDITH LEE BRAUDWELL LIFE ESTATE
413 LATIMER ROAD
RALEIGH, NC 27609

4H, LLC
1319 HUNTINGWOOD DRIVE
GREENVILLE, NC 27858

LMS DRYWALL & PLASTER
3818 STANTONSBURG ROAD
GREENVILLE, NC 27834

E.H. TAFT, JR. ETAL
P.O. BOX 566
GREENVILLE, NC 27835

E. HOOVER TAFT, III ETAL
P.O. BOX 566
GREENVILLE, NC 27835

HERBERT LEWIS HEIRS
2067 STOKES ELEMENTARY SCHOOL ROAD
STOKES, NC 27884

**LEGEND**

R/W = RIGHT-OF-WAY
DB = DEED BOOK
PVMT = PAVEMENT

NOTE: THE BEARINGS AND DISTANCES SHOWN ON THIS MAP WERE TAKEN FROM MAP BOOK 38, PAGE 103 OF THE PITT COUNTY REGISTER OF DEEDS, AND DOES NOT REPRESENT AN ACTUAL SURVEY BY THIS FIRM.

SHEET 1 OF 1
**REZONING MAP**

TAX PARCEL #48578
TAX PARCEL #48575
TAX PARCEL #48574
TAX PARCEL #48573
TAX PARCEL #48572

# HAPPY TRAIL FARMS, LLC

REFERENCE: MAP BOOK 38, PAGE 103, DEED BOOK 3005, PAGE 769, DEED BOOK 3030, PAGE 162 AND DEED BOOK 3035, PAGE 573 OF THE PITT COUNTY REGISTER OF DEEDS

ARTHUR TOWNSHIP, PITT COUNTY, N.C.

OWNER: HAPPY TRAIL FARMS, LLC
ADDRESS: P.O. BOX 1863
GREENVILLE, NC 27835
PHONE: (310)-623-7896

NORTH CAROLINA PROFESSIONAL SEAL 3982 SURVEYOR MICHAEL W. BALDWIN 12/29/14

| BOUNDARY CLOSURE CHECK | |
|---|---|
| CHECKED: JGG | DATE: 12/29/14 |


Baldwin Design Consultants, PA
LICENSE # C-3498
SITE & SUBDIVISION DESIGN - SURVEYING - PLANNING
3740-B EVANS STREET
GREENVILLE, NC 27834
252.756.1390


| | |
|---|---|
| SURVEYED: NA | APPROVED: MWB |
| DRAWN: JGG | DATE: 12/29/14 |
| CHECKED: MWB | SCALE: 1" = 200' |

CAD FILE: DRAWINGS\14-112 HAPPY TRAIL FARMS-ROBERT MOORE\14-112 REZONING.DWG

04/30/07

# BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

| Bufferyard A (street yard) | | |
|---|---|---|
| Lot Size | Width | For every 100 linear feet |
| Less than 25,000 sq.ft. | 4' | 2 large street trees |
| 25,000 to 175,000 sq.ft. | 6' | 2 large street trees |
| Over 175,000 sq.ft. | 10' | 2 large street trees |
| Street trees may count toward the minimum acreage. | | |

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

| Bufferyard C (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 10' | 3 large evergreen trees<br>4 small evergreens<br>16 evergreen shrubs |
| Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet. | |

| Bufferyard D (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 20' | 4 large evergreen trees<br>6 small evergreens<br>16 evergreen shrubs |
| Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided. | |

| Bufferyard E (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 30' | 6 large evergreen trees<br>8 small evergreens<br>26 evergreen shrubs |
| Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided. | |

| Bufferyard F (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 50' | 8 large evergreen trees<br>10 small evergreens<br>36 evergreen shrubs |
| Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided. | |

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

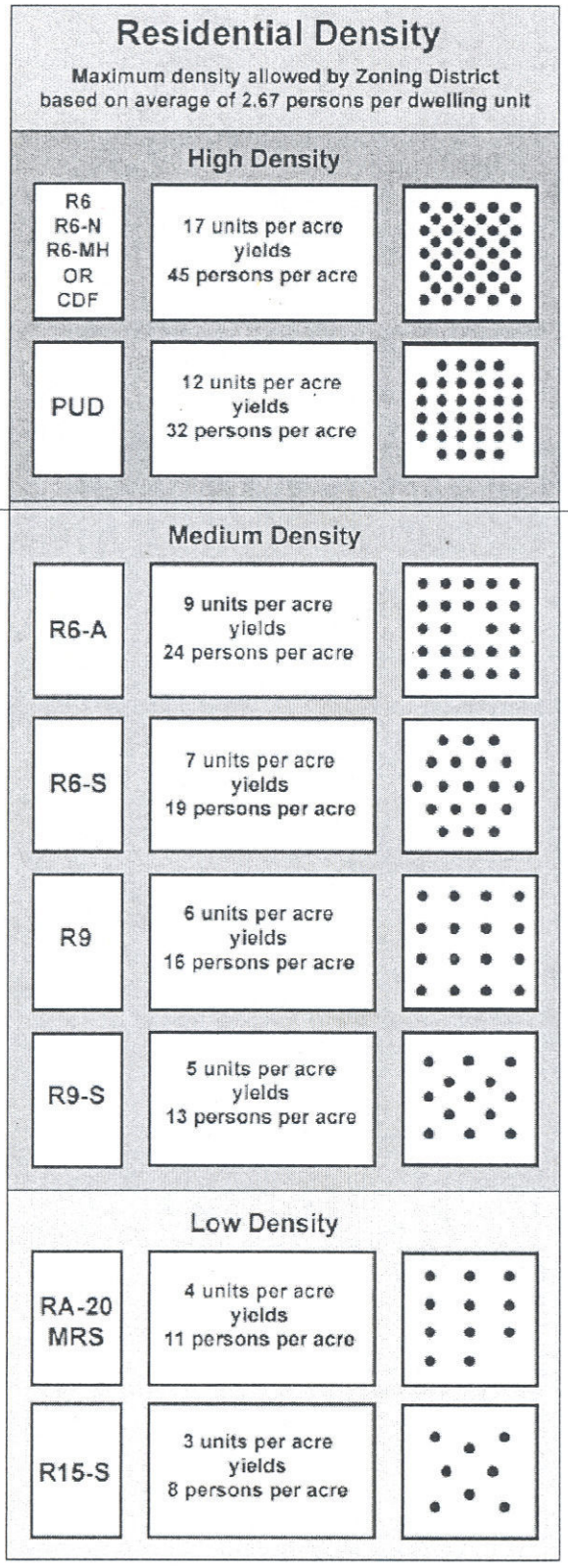
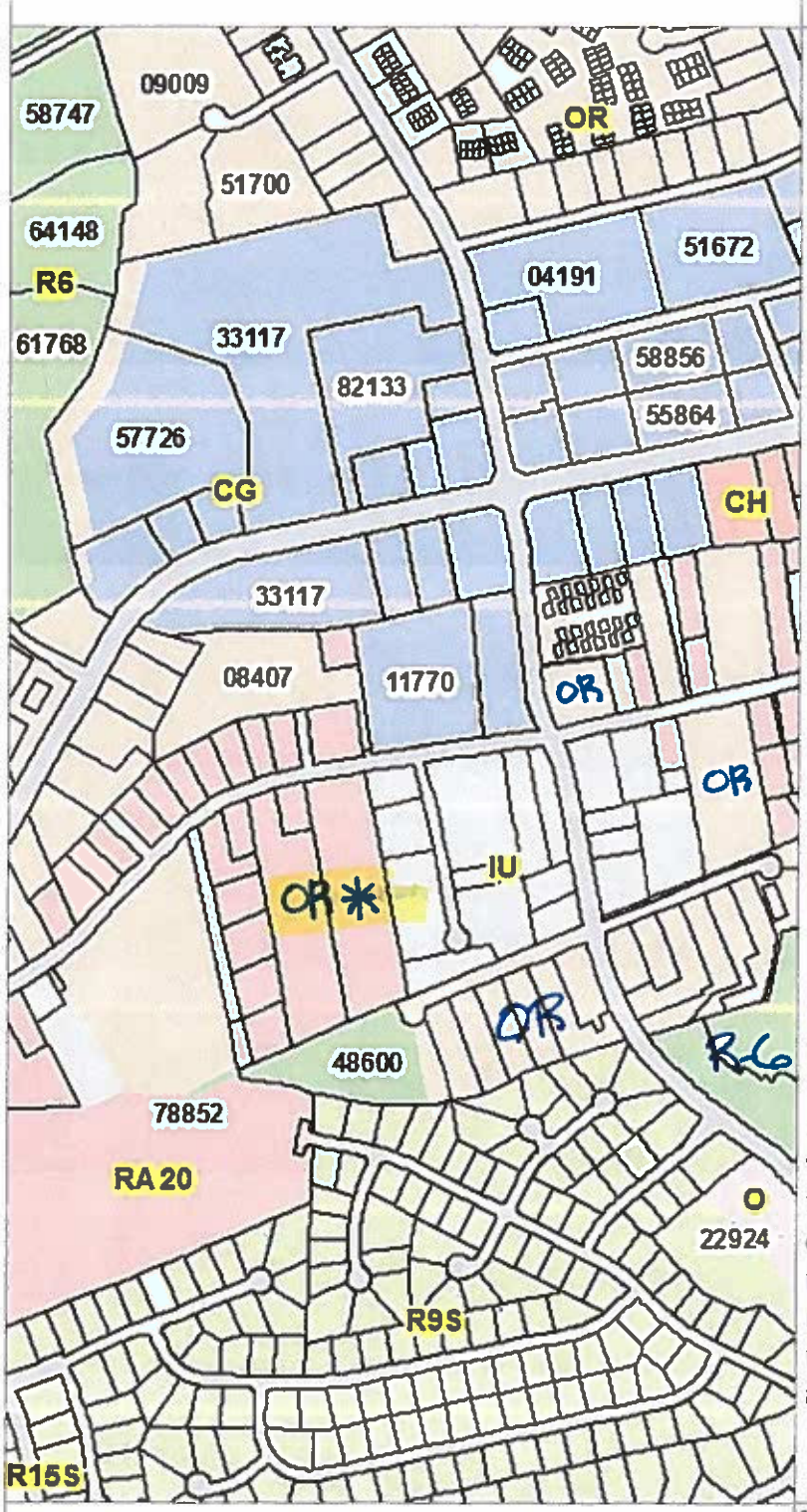



**Illustration:** Maximum allowable density in Residential Zoning Districts

# Pitt County Government

Greenville, North Carolina

www.pittcountync.gov




| | |
|---|---|
| Parcel | 70964 |
| Physical Address | 2201 BELLAMY DR |
| Owner Name | PL GREENVILLE LP |
| OwnerAddress1 | 625 KENTUCKY ST |
| OwnerAddress2 | |
| OwnerAddress3 | |
| City / State / Zip | SCOTTDALE GA 30079 |
| NC PIN | 4696028641 |
| Subdivision / Section / Phase | |
| Prior Legal Description | THE BELLAMY |
| Block / Lot | |
| Tract | |
| Building Number / Unit | |
| Acres | 22.74 |
| Current Owner Deed/Document | 002312 00268 |
| Map Book | MB69-137 |
| Deed / Document Date | 05/2007 |
| Deed / Document Sales Price | $2,297,000 |
| Building Type / Use | MFR CONST(GARDENAPT) |
| Number of Buildings | 23 |
| Year Built | 2007 |
| Total Living Area | 382880 |
| Building Value | $26,906,913 |
| Extra Features Value | $290,670 |
| Land Value | $1,876,050 |
| Total Current Market Value | $29,073,633 |
| Total 2011 Market Value | $38,419,601 |
| Revaluation Year | 2012 |
| Municipality | GREENVILLE |
| Township | WINTERVILLE |
| Fire Service District | INSIDE MUNICIPALITY |
| Census Tract | 12 |
| Neighborhood | 004018 |
| Elementary School | WINTERGREEN PRIM/INTER |
| Middle School | HOPE MS |
| High School | D H CONLEY HS |

0 23 46 92 138 184 Feet

Disclaimer: This tax record is prepared for the inventory of real property within Pitt County and is compiled from recorded deeds, plats, tax maps, surveys, and other public records. Users of this data are hereby notified that the aforementioned public primary information sources should be consulted for verification. Pitt County assumes no legal responsibility for the information contained herein.

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PLEASE NOTE:

Parcel ownership information updated nightly.

Map printed 2/16/2015.

Item # 4

# City of Greenville, North Carolina

**Meeting Date: 4/9/2015**
**Time: 7:00 PM**

**Title of Item:** 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)

**Explanation:**

**Abstract:** The City has received a request from 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).

**Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on March 3, 2015.
On-site sign(s) posted on March 3, 2015.
City Council public hearing notice (property owner and adjoining property owner letter) mailed on March 24, 2015.
Public hearing legal advertisement published on March 30 and April 6, 2015.

**Comprehensive Plan:**

The subject site is located in Vision Area C.

East 10th Street (NC 33) 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 commercial (C) at the southwest corner of the intersection of East 10th Street and L. T. Hardee Road.

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

Based on possible uses permitted by the requested rezoning, 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 additional trips per day.

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

**History/Background:**

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

**Present Land Use:**

Three (3) single-family residences and farmland.

**Water/Sewer:**

Water is available from Eastern Pines Water Corporation. Sanitary sewer is available from Greenville Utilities at the River Hills pump station.

**Historic Sites:**

There are no known effects on designated sites

**Environmental Conditions/Constraints:**

There are no known environmental conditions/constraints.

**Surrounding Land Uses and Zoning:**

North: RA20 - Three single-family residences and one mobile-home residence; CN - Commercial building
South: Norfolk Southern Railroad
East: CG - Denton Landscaping and vacant
West: CH and CG - Wal-Mart Shopping Center

**Density Estimates:**

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 is within 1-2 years.

**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 March 17, 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 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.

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**Viewing Attachments Requires Adobe Acrobat. Click here to download.**

**Attachments / click to download**

- Combined maps, survey, traffic and buffer charts
- Ordinance___Hardee_3_996564
- Minutes___Hardee_3_1000146

List_of_Uses_RA20_to_CG_996558

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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 9th day of April, 2015, at 7:00 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.

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

Section 1. That the following described territory is rezoned from RA20 (Residential-Agricultural) to CG (General Commercial).

TO WIT: William Claude Hardee, Dan Roger Hardee, James Lewis Hardee, Jr., and Hardee Property Family Limited Partnership Properties

LOCATION: Located along the southern right-of-way of East 10th Street and 275+/- feet west of L. T. Hardee Road.

DESCRIPTION: Beginning at a point on the southern right-of-way of NC Hwy 33 (East Tenth Street). Said point being located N 75°56'13" W 83.56' and N 74°41'56" W 142.39' as measured along the southern right-of-way of NC Hwy 33 (East Tenth Street) from the northwestern corner of a sight triangle located where the southern right-of-way of NC Hwy 33 (East Tenth Street) intersects the western right-of-way of NCSR 1728 (L.T. Hardee Road). From the above described beginning, so located, running thence as follows:

Leaving the southern right-of-way of NC Hwy 33 (East Tenth Street) and with the western line of the HD Property Holdings, LLC property, S 15°47'25" W 245.94' and S 15°08'54" W 357.05' to the northern right-of-way of the Norfolk Southern Railroad, thence with the northern right-of-way of the Norfolk Southern Railroad right-of-way, N 68°40'29" W 718.76' to the southeastern terminus of Oscar Road, N 14°28'53" E 617.60' to the southern right-of-way of NC Hwy 33 (East Tenth Street), thence with the southern right-of-way of NC Hwy 33 (East Tenth Street), S 62°09'04" E 173.11', S 65°29'56" E 138.33', S 69°15'37" E 295.81' and S 73°40'20" E 124.79' to the point of beginning containing 9.816 acres.

Section 2. That the Director of Community Development is directed to amend the zoning map of the City of Greenville in accordance with this ordinance.

Section3. 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 9th day of April, 2015.

_____
Allen M. Thomas, Mayor

ATTEST:

_____
Carol L. Barwick, City Clerk

Doc. # 996564

**Excerpt from the DRAFT Planning & Zoning Commission Minutes (03/17/2015)**

ORDINANCE REQUESTED BY HARDEE 3 ENTERPRISES, INCORPORATED TO REZONE 9.816 ACRES 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 (GENERIAL COMMERCIAL) - APPROVED

Ms. Gooby delineated the property. She stated the property is located in the eastern section of the City, south of 10th Street, west of L.T. Hardee Road, and abuts to the Wal-Mart Shopping Center. The property consists of 3 single-family homes and farm land. There is commercial on either side of the property and vacant property to the south. It is considered part of the intermediate focus area on East 10th Street between Portertown Road and L. T. Hardee Road, where commercial is encouraged and anticipated. The proposed rezoning could generate about 5,100 trips per day but that does keep 10th Street within its design capacity. Under the current zoning, the property could accommodate about 35 single-family lots. Under the requested zoning, it could accommodate about 94,000 square feet of retail/conventional and fast food restaurant uses. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, and the Future Land Use Plan Map.

Chairwoman Basnight opened the public hearing.

Mr. Baldwin, representative of the applicant, spoke in favor of the request. He estimates traffic on 10th Street is at about 50% capacity. If and when the property is developed, traffic mitigation, storm water issues, etc. will comply with the City's ordinances. They are currently working with GUC to bring sewer to the site. The property is in compliance with the Land Use Plan.

Ms. Bellis asked where does the drainage from the property go.

Mr. Baldwin stated under the railroad tracks into an existing ditch into Hardee Creek and Lake Glenwood.

No one spoke in opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

No board discussion was made.

**Motion made by Mr. Schrade, 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 carried unanimously.**

# EXISTING ZONING

**RA20 (Residential-Agricultural)**
***Permitted Uses***

*(1) General:*
a. Accessory use or building
c. On-premise signs per Article N

*(2) Residential:*
a. Single-family dwelling
f. Residential cluster development per Article M
k. Family care home (see also section 9-4-103)
q. Room renting

*(3) Home Occupations (see all categories):**None

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

*(5) Agricultural/ Mining:*
a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)
c. Wayside market for farm products produced on site
e. Kennel (see also section 9-4-103)
f. Stable; horse only (see also section 9-4-103)
g. Stable; per definition (see also section 9-4-103)
h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use

*(6) Recreational/ Entertainment:*
f. Public park or recreational facility
g. Private noncommercial park or recreational facility

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

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

*(9) Repair:** None

*(10) Retail Trade:** None

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

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

*(13) Transportation:** None

*(14) Manufacturing/ Warehousing:* * None

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

**RA20 (Residential-Agricultural)**
***Special Uses***

*(1) General:** None

*(2) Residential:*
b. Two-family attached dwelling (duplex)
g. Mobile Home
n. Retirement center or home

o. Nursing, convalescent center or maternity home; major care facility

*(3) Home Occupations (see all categories):*
a. Home occupation; including barber and beauty shops
c. Home occupation; including manicure, pedicure or facial salon

*(4) Governmental:*
a. Public utility building or use

*(5) Agricultural/ Mining:*
b. Greenhouse or plant nursery; including accessory sales

*(6) Recreational/ Entertainment:*
a. Golf course; regulation
c.(1). Tennis club; indoor and outdoor facilities

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

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

*(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)

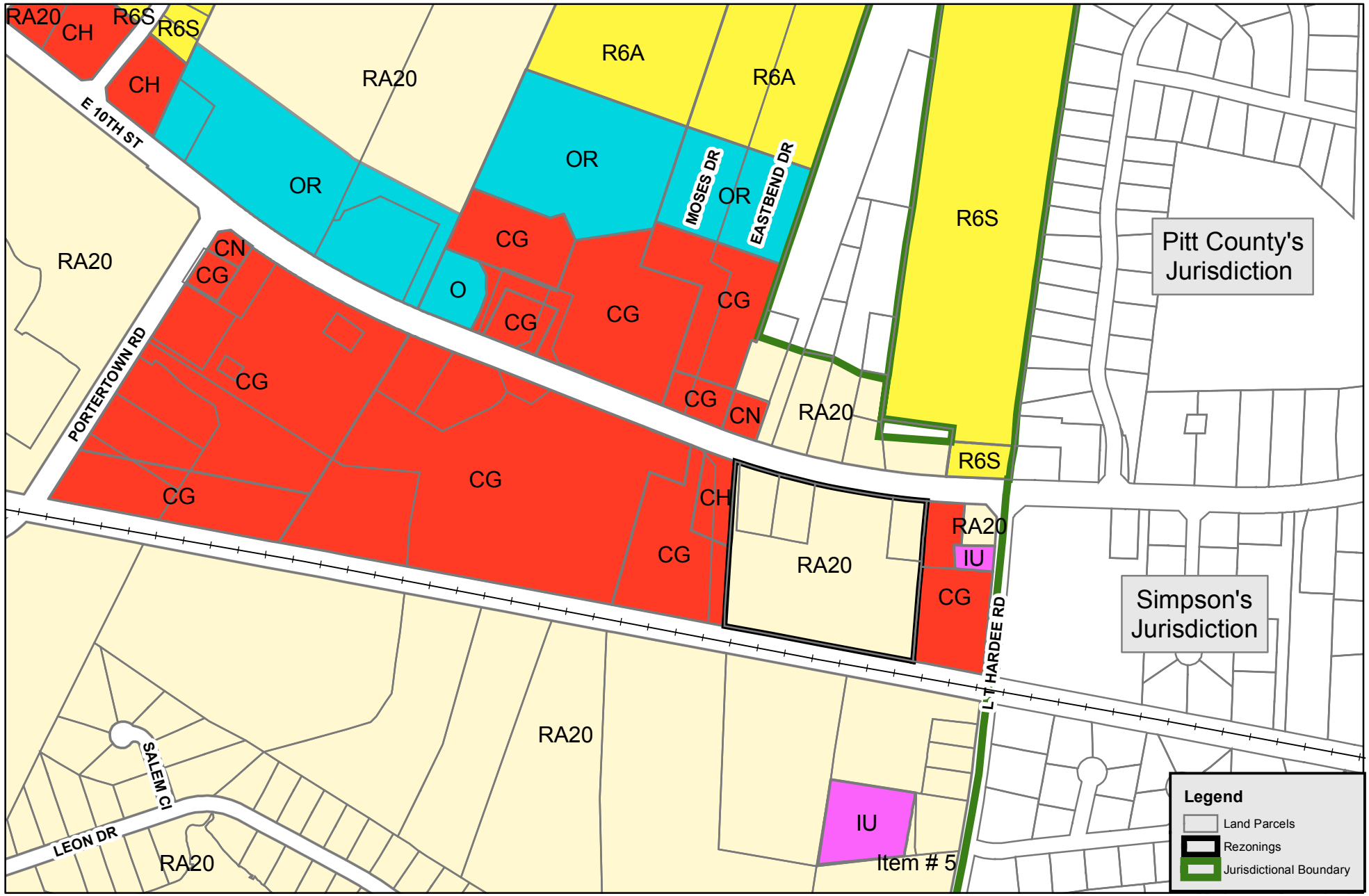
*(12) Construction:** None

*(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

Hardee 3 Enterprises, Inc. (15-02)
From: RA 20 (Residential-Agricultural)
To: CG (General Commercial)
9.816 acres
February 3, 2015



Hardee 3 Enterprises, Inc. (15-02)
From: RA 20 (Residential-Agricultural)
To: CG (General Commercial)
9.816 acres
February 3, 2015

CG
CENTURY FINANCIAL SERVICES GROUP, LLC
DB 2213, PG 849
MOBILE HOME PARK

CN
JOYCE H. MCROY
DB K-45, PG 71
RETAIL

RA-20
V-SLEW, LLC
DB 2439, PG 457
AGRICULTURAL

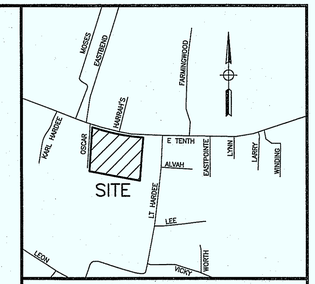
RA-20
BOBBY G. HARDEE & WIFE, ANNE A. HARDEE
DB 231, PG 177
RESIDENTIAL

RA-20
JOHNNIE E. WIGGINS
DB K-45, PG 73
RESIDENTIAL

RA-20
JOYCE H. MCROY
DB K-45, PG 67
RESIDENTIAL

RA-20
THE REVOCABLE TRUST OF RAVENEL J. RUBENSTEIN
DB 2570, PG 134
RESIDENTIAL

R-6S
V-SLEW, LLC
DB 2411, PG 49
AGRICULTURAL



VICINITY MAP
SCALE: 1" = 1000'±

NORTH

ZONING LINE
ZONED CG
ZONED CH
CH

CG
WAL-MART REAL ESTATE BUISNESS TRUST
DB 2944, PG 139
MB 75, PG 102
SHOPPING CENTER

S 62°09'04" E 173.11'
S 65°29'56" E 138.33'
S 69°15'37" E
295.81'(CH)
R=2732.17'
L=295.95'
S 73°40'20" E
124.79'(CH)
R=2732.17'
L=124.80'

EAST TENTH STREET – NC HIGHWAY 33
(30 METER R/W 64' B/B PUBLIC)

N 74°41'56" W 142.39'(TIE)
N 75°56'13" W 83.56'(TIE)

CITY OF GREENVILLE ETJ
PITT COUNTY ETJ
TOWN OF SIMPSON ETJ

EX. 2 STORY BRICK HOUSE
EX. 1 STORY BRICK HOUSE
APPROXIMATE LOCATION AND SIZE OF BUILDINGS
EX. SHED
TAX PARCEL 58442
TAX PARCEL 09710
TAX PARCEL 43352
TAX PARCEL 09710

EX. 1 STORY BRICK HOUSE
APPROXIMATE LOCATION AND SIZE OF BUILDINGS
EX. SHED
226.98'
S 15°47'25" W 245.94'(TOT.)
TAX PARCEL 09712
TAX PARCEL 09710
18.98'

RA-20
JOHN THOMAS TYSON & WIFE, HATTIE MAE TYSON
DB 128, PG 259
RESIDENTIAL

CG
HD PROPERTY HOLDINGS, LLC.
DB 3240 PG 802
VACANT

IU
WILLIAM SCOTT HARDEE & WIFE, GINGER HARDEE
DB 1454, PG 772

L T HARDEE ROAD
NCSR 1728
(60' R/W PAVED PUBLIC)

OSCAR ROAD
(60' R/W PAVED PUBLIC)
N 14°28'53" E 617.60'

AREA TO BE REZONED 9.816 ACRES

PROPOSED ZONING
CG

CURRENT ZONING
RA-20

CG
HD PROPERTY HOLDINGS, LLC.
DB 3240 PG 802
WAREHOUSE

S 15°08'54" W 357.05'

N 68°40'29" W 718.76'

NORFOLK SOUTHERN RAILROAD
(100' R/W)

RA-20
CONNIE A. HARDEE AND MONA H. GSCHWIND
DB 1401, PG 503
AGRICULTURAL

RA-20
HARDEE PROPERTIES FAMILY LIMITED PARTNERSHIP
DB 3104, PG 453
AGRICULTURAL

RA-20
CITY OF GREENVILLE
GUC SUBSTATION

## ADJOINING PROPERTY OWNERS ADDRESSES

**CENTURY FINANCIAL SERVICES GROUP, LLC**
740 SE GREENVILLE BOULEVARD SUITE 400 #314
GREENVILLE, NC 27858

**JOYCE H. MCROY**
4651 E TENTH STREET
GREENVILLE, NC 27858

**V-SLEW, LLC**
2625 CHARLES BOULEVARD
GREENVILLE, NC 27858

**BOBBY G. HARDEE AND WIFE, ANNE A. HARDEE**
1580 ALLEN ROAD
GREENVILLE, NC 27834

**JOHNNIE E. WIGGINS**
4631 E TENTH STREET
GREENVILLE, NC 27858

**THE REVOCABLE TRUST OF RAVENEL J. RUBENSTEIN**
3 WILDEWOOD DOWNS POINT
COLUMBIA, SC 29223

**HD PROPERTY HOLDINGS, LLC**
103 OAKMONT DRIVE SUITE 1
GREENVILLE, NC 27858

**CITY OF GREENVILLE**
P.O. BOX 7207
GREENVILLE, NC 27835

**HARDEE PROPERTIES FAMILY LIMITED PARTNERSHIP**
123 LAKESHIRE COVE
CANTON, MS 39201

**CONNIE A. HARDEE AND MONA H. GSCHWIND**
1510 L T HARDEE ROAD
GREENVILLE, NC 27834

**WAL-MART REAL ESTATE BUISNESS TRUST**
P.O. BOX 8050 ATTN: 0555
BENTONVILLE, AR 72716





CAD FILE: DRAWINGS\14-101 HARDEE 3 ENTERPRISES INC\14-101 REZONING MAP.dwg

LEGEND
R/W = RIGHT-OF-WAY
DB = DEED BOOK
ETJ = EXTRATERRITORIAL JURISDICTION

⚠ REVISED: 1-30-15 (CITY OF GREENVILLE COMMENTS) (NRW)
SHOWED ALL ETJ'S

NOTE: THE BEARINGS AND DISTANCES SHOWN ON THIS MAP WERE TAKEN FROM INFORMATION PROVIDED BY THE PITT COUNTY OPIS SITE AND DOES NOT REPRESENT AN ACTUAL SURVEY BY THIS FIRM.

50' 25' 0 50' 100' 150'
GRAPHIC SCALE: 1" = 50'

PARCEL# 58442
TAX MAP# 5607-40-0530
PARCEL# 43352
TAX MAP# 5607-40-1476
PARCEL# 09710
TAX MAP# 5607-40-3211
PARCEL# 09712
TAX MAP# 5607-40-6309

SHEET 1 OF 1
REZONING MAP

# HARDEE 3 ENTERPRISES, INC.

REFERENCE: DEED BOOK 3104 PAGE 453, DEED BOOK 778 PAGE 565, DEED BOOK1496 PAGE 224 AND DEED BOOK R50 PAGE 822 OF THE PITT COUNTY REGISTER OF DEEDS

GRIMESLAND TOWNSHIP, PITT COUNTY, N.C.

| | |
|---|---|
| OWNER: WILLIAM CLAUDE HARDEE<br>ADDRESS: 123 LAKESHIRE COVE.<br>CATON, MS 39046<br>PARCEL# 58442<br>PHONE: (601) 573-7956 | OWNER: DAN ROGER HARDEE<br>ADDRESS: P.O. BOX 178<br>SIMPSON, NC 27879<br>PARCEL# 43352<br>PHONE: (252) 752-1730 |
| OWNER: HARDEE PROP. FAMILY LIMITED PARTNERSHIP<br>ADDRESS: 123 LAKESHIRE COVE.<br>CATON, MS 39046<br>PARCEL# 09710<br>PHONE: (601) 573-7956 | OWNER: JAMES L. HARDEE JR.<br>ADDRESS: 4660 EAST 10th STREET<br>GREENVILLE, NC 27858<br>PARCEL# 09712<br>PHONE: (252) 758-2221 |

NORTH CAROLINA PROFESSIONAL SEAL L-3098 SURVEYOR BALDWIN 30/15

| CLOSURE CHECK BOUNDARY | |
|---|---|
| CHECKED: NRW | DATE: 11/14/14 |

Baldwin Design Consultants, PA
LICENSE# C-3498
SITE & SUBDIVISION DESIGN – SURVEYING – PLANNING
3740-B EVANS STREET GREENVILLE, NC 27834 252.756.1390

| | |
|---|---|
| SURVEYED: N/A | APPROVED: MWB |
| DRAWN: NRW | DATE: 11/12/14 |
| CHECKED: MWB | SCALE: 1" = 50' |

# REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 15-02 Applicant: Hardee 3 Enterprises, Inc

## Property Information

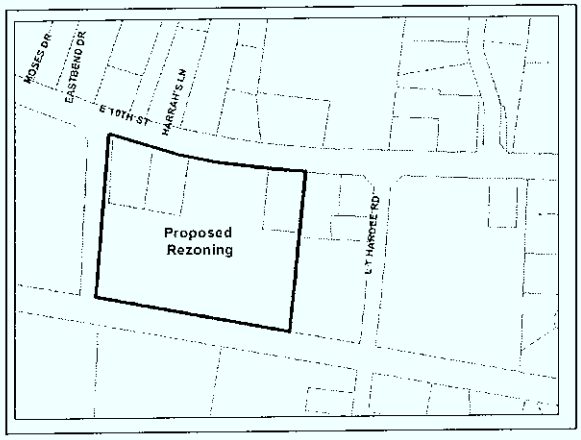
**Current Zoning:** RA20 (Residential-Agricultural)

**Proposed Zoning:** CG (General Commercial)

**Current Acreage:** 9.816 acres

**Location:** E. 10th St, west of LT Hardee Road

**Points of Access:** E. 10th St




**Location Map**

## Transportation Background Information

**1.) E. 10th St- State maintained**

| | Existing Street Section | Ultimate Thoroughfare Street Section |
|---|---|---|
| Description/cross section | 5-lane - curb & gutter | no change |
| Right of way width (ft) | 100 | no change |
| Speed Limit (mph) | 55 | no change |
| **Current ADT:** | 18,600 (*) | Ultimate Design ADT: 33,400 vehicles/day (**) |
| **Design ADT:** | 33,400 vehicles/day (**) | |
| **Controlled Access** | **No** | |
| **Thoroughfare Plan Status:** | Major Thoroughfare | |

**Other Information: There are no sidewalks along E. 10th St that service this property.**

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

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

## Trips generated by proposed use/change

**Current Zoning: 364** -vehicle trips/day (*) **Proposed Zoning: 5,529** -vehicle trips/day (*)

**Estimated Net Change: increase of 5165 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 E. 10th St are as follows:**

**1.) E. 10th St , West of Site (60%):** **"No build" ADT of 18,600**

Estimated ADT with Proposed Zoning (full build) – 21,917
Estimated ADT with Current Zoning (full build) – 18,818
**Net ADT change =** 3,099 (16% increase)

2.) E. 10th St , East of Site (40%): "No build" ADT of 18,600

Estimated ADT with Proposed Zoning (full build) – 20,812
Estimated ADT with Current Zoning (full build) – 18,746
**Net ADT change =** 2,066 (11% increase)

**Staff Findings/Recommendations**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 5529 trips to and from the site on E. 10th St, which is a net increase of 5165 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 Requirments:** Match proposed land use with adjacent permitted land use or adjacent vacant zone/nonconforming use to determine applicable bufferyard.

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

| Bufferyard A (street yard) | | |
|---|---|---|
| Lot Size | Width | For every 100 linear feet |
| Less than 25,000 sq.ft. | 4' | 2 large street trees |
| 25,000 to 175,000 sq.ft. | 6' | 2 large street trees |
| Over 175,000 sq.ft. | 10' | 2 large street trees |
| Street trees may count toward the minimum acreage. | | |

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

| Bufferyard C (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 10' | 3 large evergreen trees<br>4 small evergreens<br>16 evergreen shrubs |
| Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet. | |

| Bufferyard D (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 20' | 4 large evergreen trees<br>6 small evergreens<br>16 evergreen shrubs |
| Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided. | |

| Bufferyard E (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 30' | 6 large evergreen trees<br>8 small evergreens<br>26 evergreen shrubs |
| Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided. | |

| Bufferyard F (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 50' | 8 large evergreen trees<br>10 small evergreens<br>36 evergreen shrubs |
| Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided. | |

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

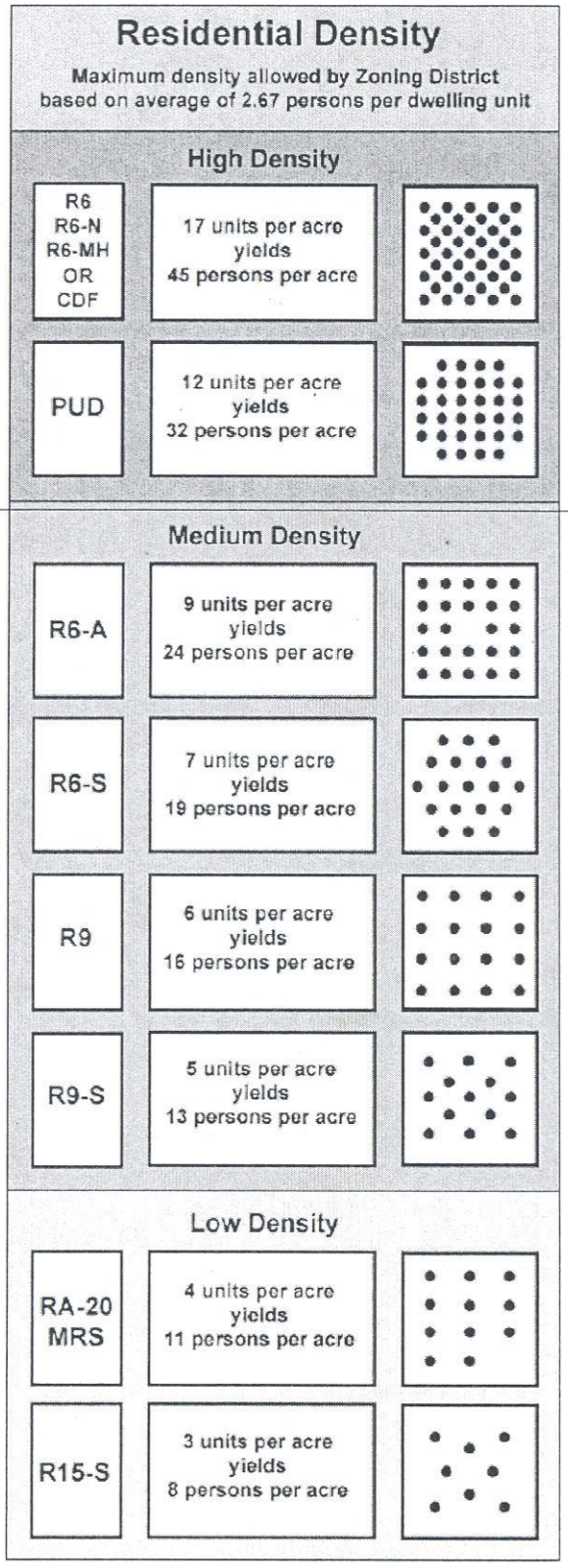



**Illustration:** Maximum allowable density in Residential Zoning Districts

Item # 5

# City of Greenville, North Carolina

**Meeting Date: 4/9/2015**
**Time: 7:00 PM**

**Title of Item:** 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])

**Explanation:**

**Abstract:** The City has received a request from 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]).

**Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on March 3, 2015.
On-site sign(s) posted on March 3, 2015.
City Council public hearing notice (property owner and adjoining property owner letter) mailed on March 24, 2015.
Public hearing legal advertisement published on March 30 and April 6, 2015.

**Comprehensive Plan:**

The subject site is located in Vision Area I.

East 10th Street, between Evans Street and Greenville Boulevard, is considered a "connector" 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.

The Future Land Use Plan Map recommends high density residential (HDR) at the southwest corner of the intersection of East 10th Street and Elm Street transitioning to office/ institutional/multi-family (OIMF) to the west and conservation/open space to the south along Green Mill Run.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 200 trips to and from the site on East 10th Street, which is a net increase of 94 additional trips per day.

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

**History/Background:**

In 1969, the subject property was zoned R9.

**Present Land Use:**

One single-family residence

**Water/Sewer:**

Water and sanitary sewer are available at the property.

**Historic Sites:**

There are no known effects on designated sites.

**Environmental Conditions/Constraints:**

The property is impacted by the 500 and 100-year floodplains and floodway associated with Green Mill Run.

**Surrounding Land Uses and Zoning:**

North: R9S - One single-family residence and Roman Catholic Campus Ministry
South: OR - Elm Street Park and ECU parking lot
East: R9 - One single-family residence
West: R9 - Alpha Phi Sorority

**Density Estimates:**

Under the current zoning (R9), the site could yield 10+/- duplex units (5 buildings).

Under the proposed zoning (R6), the site could yield 28-30 multi-family units (1, 2 and 3 bedrooms).

The anticipated build-out 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 deny the request at its March 17, 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 UF 4 to discourage development in flood hazard 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 protecting water resources.

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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**Viewing Attachments Requires Adobe Acrobat. Click here to download.**

**Attachments / click to download**

- Combined maps, survey, traffic and buffer charts
- Ordinance___Ward_Holdings__LLC__15_05__1000152
- Minutes___Ward_Holdings_1000148
- List_of_Uses_R9_to_R6_971140

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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 9th day of April, 2015, at 7:00 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 M5 to provide safe, convenient and efficient opportunities for pedestrian and bicycle movement and Objective UF3 to encourage a diversity of housing options; 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 creating walkable communities/neighborhoods.

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

Section 1. That the following described territory is rezoned from R9 (Residential) to R6 (Residential).

TO WIT: Delta Alpha East, LLC Property

LOCATION: Located along the southern right-of-way of East 10th Street and 270+/- feet west of Elm Street.

DESCRIPTION: Being that certain tract or parcel of land lying and being situated in the City of Greenville, Greenville Township, Pitt County, North Carolina, being bounded on the north by NCSR 1598 (Tenth Street), on the east by the property of Paul P. Cook and wife Fiona Cook, on the south by Green Mill Run, the property of the City of Greenville and of East Carolina University, on the west by Delta Alpha Chapter of Alpha Phi, Inc. and being more particularly described as follows:

Commencing at a concrete monument located on the south right of way of NCSR 1598 (Tenth Street) at the northwest end of the sight distance right of way which connects to the western right of way of Elm Street; thence with the southern right of way of NCSR 1598 (Tenth Street) N 80°40'11"W 114.34 feet to a concrete monument at the northeast corner of the aforementioned Cook property; thence continuing with the southern right of way of NCSR 1598 (Tenth Street) and the north line of said Cook property as recorded in Deed Book 742, Page 484 of the Pitt County Registry N 80°34'02"W 134.84 feet to a point at the northeast corner of the property herein described and being the POINT OF BEGININNING; said beginning point being further located S 09°20'13"W 0.36 feet from an existing iron pipe; thence from beginning point so established and with the western line of the aforementioned Cook property S 09°20'13"W 444.06 feet to a point in the center of Green Mill Run; thence with the center of Green Mill Run and along the north line of the properties of the City Of Greenville and East Carolina University the following courses and distances: N 75°10'21"W 23.34 feet, N 63°53'26"W 22.48 feet, N 50°45'16"W 64.11 feet, N 68°09'34"W 35.19 feet, N 42°13'10"W feet 26.54 feet, N 36°35'41"W 39.35 feet, N 27°27'53"W 37.76 feet and N 38°31'39"W 25.59 feet to a point at the southeast corner of the property of Delta Alpha Chapter of Alpha Phi, Inc. as recorded in Deed Book J-34, Page 110 of the Pitt County Registry, said point being located N 45°59'28"E 1436.70 feet from NC Geodetic Survey Monument "HALL" having NC grid coordinates of N(Y)=206450.883 meters and E(X)=757821.820 meters (NAD 83/2001); thence leaving the center of Green Mill Run and with the eastern line of said Delta Alpha Chapter of Alpha Phi, Inc. property N 09°23'09"E 304.67 feet to an existing iron pipe on the southern right of way of NCSR 1598 (Tenth Street), having NC grid coordinates of N(Y)=206846.708 meters and E(X)=758151.887 meters (NAD 83/2001); thence along the southern right of way of NCSR 1598 (Tenth Street) S 80°36'51"E 225.08 feet to the POINT OF BEGINNING, containing 2.0361 acres and being further known as Pitt County Tax Parcel Number 03379. All distances are horizontal field distances, no grid factor applied. The combined NC grid factor used for grid coordinate calculations is 0.99989571.

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 9th day of April, 2015.

_____
Allen M. Thomas, Mayor

ATTEST:

_____
Carol L. Barwick, City Clerk

Doc. # 1000152

**Excerpt from the DRAFT Planning & Zoning Commission Minutes (03/17/2015)**

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]) - DENIED

Ms. Gooby delineated the property. She stated the property is located in the central section of the City, south of 10th Street, across from ECU Main Campus, and west of Elm Street. To the south is Elm Street Park. There are single-family residences to the east and north and Green Mill Run to the south. The property is impacted by the 500 and 100-year floodplains and the floodway associated with Green Mill Run. There are developmental standards in the ordinance for new development. The proposed could generate about 94 trips per day and it does stay within the design capacity of the street. Under the current zoning, the property could accommodate about 10 duplex units or 5 buildings. Under the requested zoning, it could accommodate 28-30 multi-family units of new development. The Future Land Use Map recommends high density residential (HDR) at the southwest and southeast corners of the intersection of East 10th Street and Elm Street and then transitions to conservation/open space (COS) to the south along Green Mill Run. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

Mr. Weitz asked if staff considered the policies in the Hazard Mitigation Plan or the Horizons Plan which refers to not having high density in the flood plain.

Ms. Gooby stated that the adopted Land Use Plan Map takes policies into consideration. There is a damage prevention ordinance in place which sets standards for new development in the floodplain.

Mr. Weitz asked if Ms. Gooby and staff believe it is in the best interest of the public to put additional density in the flood plain.

Mr. Parker stated he did not agree with the comments from Mr. Weitz and that it appears he was trying to put words in staffs' mouths.

Mr. Weitz stated he did not see any rezoning signs posted in the area for the request.

Ms. Gooby showed the Commission a picture of the property from her presentation with the rezoning sign and stated it was taken on March 3rd. Once the sign has been posted, then the statue has been met.

Mr. Smith stated she posted the sign but she can't be out there watching the sign.

Ms. Bellis asked if the proposed property was contiguous with the parking lot at the foot of College Hill. She stated that parking lot floods often.

Ms. Gooby stated that Green Mill Run is between this property and the parking lot.

Mr. Tim Corley, Civil Engineer II, showed another map that indicated the floodway/floodplain. He stated the parking lot is in the floodway. Any development on this request will need to comply with the flood damage prevention ordinance. Nothing can be built in the floodway. Development is allowed in the 100-year floodplain but requirements must be met. There are no restrictions in the 500-year floodplain. If there is significant change to the existing property, then the requirement for the floodplain would need to be met.

Mr. Schrade asked how much of the property was in the 500-year flood plain.

Mr. Corley estimated about 3/4 of an acre.

Ms. Bellis asked if there was a cumulative effect considered.

Mr. Corley stated they can try to put certain restrictions on certain watersheds in the City.

Ms. Bellis stated that ultimately a dam is being built.

Mr. Corley stated it is displacement of water to other places but there are safety factors involved.

Ms. Bellis stated that if everything north of Greenville Boulevard drains into the Green Mill Run, then building in the 100-floodplain could cause more flood damage.

Mr. Corley stated that it was something to be considered in another forum regarding floodplain regulations. He stated he was not sure when the watershed plan would be complete but it is in the works. Policy changes are something that could start once problem areas are indentified.

Chairwoman Basnight opened the public hearing.

Mr. Jim Ward, applicant, spoke in favor of the request. He stated be wanted to bring the property into compliance with the Future Land Use Plan Map. There are no immediate plans for the site. He is aware that the property has significant limitations for further development outside the existing footprint at both a cost and utilization standpoint. He stated he would stay within the current boundaries as the property currently exists.

Mr. Ward stated he has done significant development in the area. He stated his “for rent” signs are constantly missing. For any development that he would consider for this site, he would include the neighborhood and it would be a team effort.

Mr. Paul Cook spoke in opposition of the request. He and his wife live in the house directly east of the property. They moved in the home in 1998 and the property has flooded 3 times to date. The 100-year floodplain is a myth. This area floods frequently. Increased residents in the area would make it worse. When Hurricane Floyd passed, 10th Street turned into a river. They were displaced.

Mr. Mike Barnum, 614 Maple Street, spoke in opposition. He stated he agrees with Mr. Cook. A lot of the flooding from Hurricane Floyd was due to all the building in that area. Green Mill Run has dammed up causing more flooding. He stated that building in this area would cause flooding to be worse and cause more problems.

Ms. Elizabeth Knott, 1908 E. 6th Street, spoke in opposition. She frequents 10th and Elm Streets daily. Traffic might be within the design capacity but in reality there is a lot of traffic. Logistically pulling into this property would cause more traffic congestion. The area does not only flood during hurricanes. Green Mill Run floods often and causes Elm Street to close. She opposes anything that will increase flooding and traffic.

Mr. Hap Maxwell, 1506 E. 5th Street, spoke in opposition. He saw the flooding from Hurricane Floyd. The flooding is caused by the huge volume of impervious surfaces that runs water to the river. If the river is high, then it flows back into Green Mill Run and the City. The bridge at Greenville Boulevard acts as a dam causing more flooding.

Mr. Andrew Morehead, president of TRUNA, spoke in opposition. He stated higher densities mean more impervious surfaces and additional houses in floodplains which causes the displacement of water to continue. This is a very big concern. Decisions need to be made in a city-wide context and not by individual lots.

Ms. Ann Maxwell, member of the Neighborhood Advisory Board (NAB), spoke in opposition. Last month the NAB heard comments from a neighborhood in District 1 about flooding and trees in their area being cut down. This area is near the airport. There were no homes in that area when the airport was developed. Homes should not be in that area but it had been approved some time ago by a Planning Board, and now the people are suffering. The decisions made by the Commission affect everyone. More development and impervious surface in the College Hill area will cause more flooding. Any new developments that run off into the waterways will ultimately cause more flooding.

Mr. Ward spoke in rebuttal. With the existing building, it would be cost prohibitive to extend an additional footprint. The only plan he has is to enhance the existing structure. Any new plans would need to have a site plan submittal and need to be approved by the City before proceeding.

Attorney Holec stated there is opportunity for opposition rebuttal to respond to what has already been said and not present new information.

Ms. Fiona Cook spoke in opposition rebuttal. She lives next door to the proposed rezoning property. She stated the existing structure on that property has completely flooded twice.

Chairwoman Basnight closed the public hearing and opened for board discussion.

Mr. Weitz stated the Land Use Plan Map does indicate multi-family residential use but disagrees with staff that it is consistent with policies for the floodplains and the Comprehensive Plan. He stated that the policies indicate that floodplain development is not the responsible thing to do.

Ms. Reid stated she agrees with Mr. Weitz. When considering change in an area, you have to look at more than statistics. It needs to be taken into consideration peoples' lives and how they are affected.

Mr. Parker stated he sees the concerns and knows the area. We talk about a walkable sustainable community and bringing students to the area so they can walk to campus. We want to go away from building outside the perimeter. There are beautiful developments in the Uptown area and this request seems to fit well with that. There are other developments in the area. This property is not going to cause a flood or be haphazardly built. He stated that he would approve the request.

Ms. Bellis stated she feels strongly that just because something is permitted doesn't mean it's a good idea. It would be irresponsible to continue to approve something that puts people in harm's way. The cumulative effect is not considered and dams are continually being built in the flood plain which exasperates the flooding. It is irresponsible to approve anything in the floodplain.

**Motion made by Mr. Weitz , seconded by Mr. King , to recommend denial of the proposed amendment, to advise that it is inconsistent with the Comprehensive Plan and other applicable plans and not to adopt the staff report which addresses plan consistency and other matters due to floodplain development is not the responsible thing to do . In favor: Mr. Weitz, Mr. King, Ms. Bellis, and Ms. Darden. Oppose: Mr. Smith, Mr. Griffin, Mr. Parker, and Mr. Schrade. Chairman Basnight broke the tie to vote in favor of the motion. Motion carried.**

**EXISTING ZONING**

**R9 (Residential)**
***Permitted Uses***

*(1) General:*
a. Accessory use or building
c. On premise signs per Article N

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

*(3) Home Occupations (see all categories):**None

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

*(5) Agricultural/ Mining:*
a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

*(6) Recreational/ Entertainment:*
f. Public park or recreational facility
g. Private noncommercial park or recreational facility

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

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

*(9) Repair:** None

*(10) Retail Trade:** None

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

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

*(13) Transportation:** None

*(14) Manufacturing/ Warehousing:* * None

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

**R9 (Residential)**
***Special Uses***

*(1) General:** None

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

*(3) Home Occupations (see all categories):*
b. Home occupation; excluding barber and beauty shops
c. Home occupation; including manicure, pedicure or facial salon

*(4) Governmental:*
a. Public utility building or use

*(5) Agricultural/ Mining:** None

*(6) Recreational/ Entertainment:*
a. Golf course; regulation
c.(1). Tennis club; indoor and outdoor facilities

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

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

*(9) Repair:** None

*(10) Retail Trade:** None

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

*(12) Construction:** None

*(13) Transportation:** None

*(14) Manufacturing/ Warehousing: ** None

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

**PROPOSED ZONING**

**R6 (Residential)**
***Permitted Uses***

*(1) General:*
a. Accessory use or building
c. On-premise signs per Article N

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

*(3) Home Occupations (see all categories):**None

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

*(5) Agricultural/ Mining:*
a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

*(6) Recreational/ Entertainment:*
f. Public park or recreational facility
g. Private noncommercial park or recreational facility

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

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

*(9) Repair:** None

*(10) Retail Trade:** None

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

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

*(13) Transportation:** None

*(14) Manufacturing/ Warehousing:* * None

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

**R6 (Residential)**
***Special Uses***

*(1) General:** None

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

*(3) Home Occupations (see all categories):*
a. Home occupation; including barber and beauty shops
c. Home occupation; including manicure, pedicure or facial salon

*(4) Governmental:*
a. Public utility building or use

*(5) Agricultural/ Mining:** None

*(6) Recreational/ Entertainment:*
a. Golf course; regulation
c.(1). Tennis club; indoor and outdoor facilities

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

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

*(9) Repair:** None

*(10) Retail Trade:** None

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

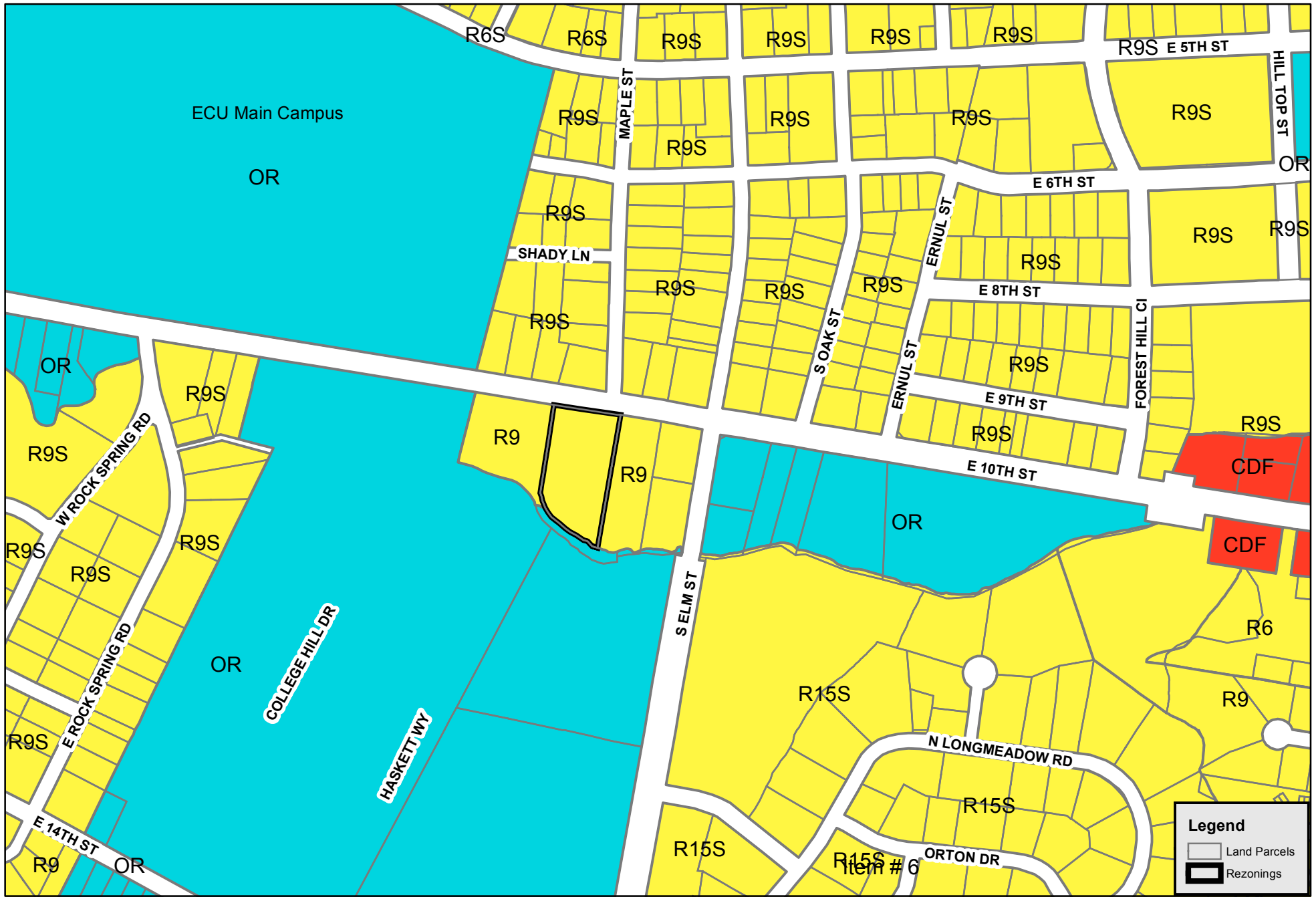
*(12) Construction:** None

*(13) Transportation:** None

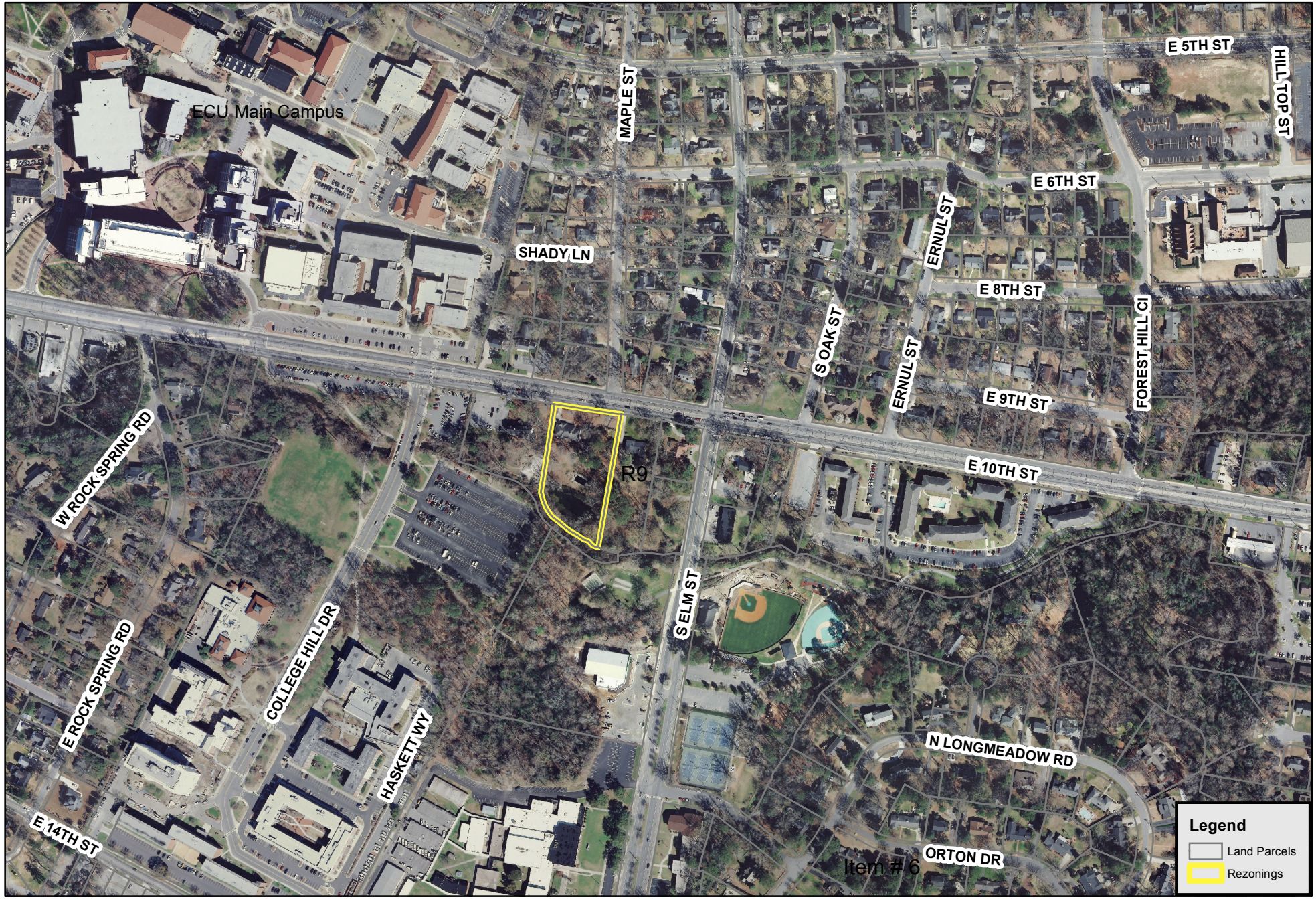
*(14) Manufacturing/ Warehousing:* * None

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

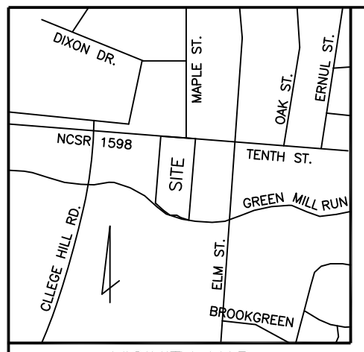
Ward Holdings, LLC (15-04)
2.0361 acres
February 3, 2015



Ward Holdings, LLC (15-04)
2.0361 acres
February 3, 2015




Item # 6




VICINITY MAP
1"=1000'

NOTES

- THIS IS A REZONING SURVEY FOR PITT COUNTY TAX PARCEL 03379
- AS PER FEMA FLOOD INSURANCE RATE MAP 3720468700K, DATED JULY 7, 2014, A PORTION OF THIS TRACT IS LOCATED IN A SPECIAL FLOOD HAZARD AREA; ZONE AE
- ALL DISTANCES SHOWN ARE HORIZONTAL FIELD DISTANCES; NO GRID FACTOR APPLIED
- THE COMBINED NC GRID FACTOR USED FOR GRID COORDINATE CALCULATIONS IS 0.99989571
- SEE MAP BOOK 76, PAGE 182 FOR THE RECORDED SUBDIVISION PLAT OF THIS PROPERTY WHICH SUBDIVIDES THE PROPERTY INTO 2 LOTS

OWNER

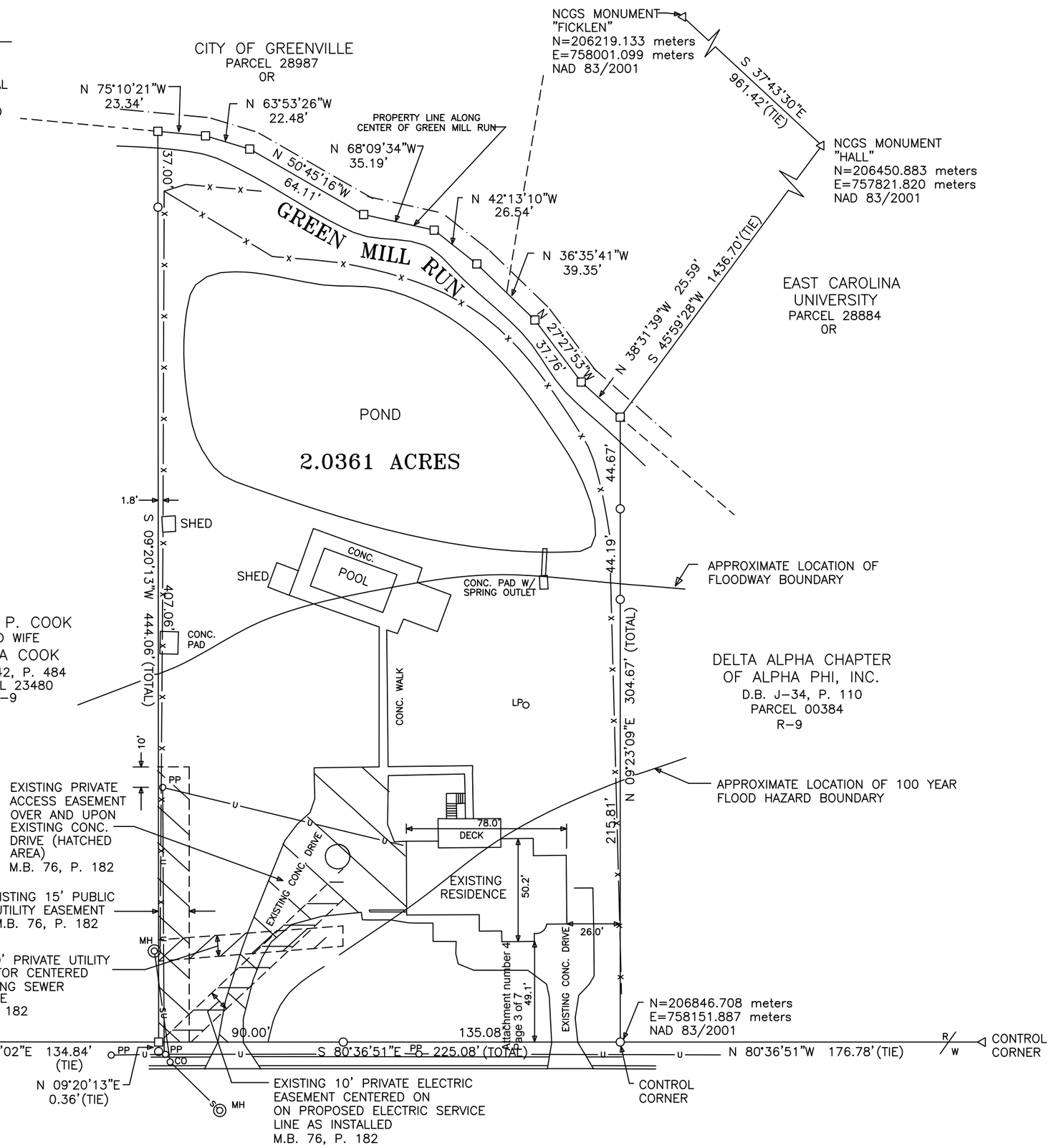
DELTA ALPHA EAST, LLC
P.O. BOX 2685,
GREENVILLE, NC 27836
252-412-5583

REZONING APPLICANT

WARD HOLDINGS, LLC
503 CHESAPEAKE PLACE
GREENVILLE, NC 27858

SITE DATA

| | |
|---|---|
| ACREAGE IN TOTAL TRACT: | 2.0361 AC. |
| CURRENT ZONING: | R-9 |
| PROPOSED ZONING: | R-6 |




LEGEND

- EXISTING IRON PIPE
- IRON PIPE SET
- NO POINT SET
- EXISTING CONCRETE MONUMENT
- PPO POWER POLE
- —U— OVERHEAD UTILITY LINE
- R/W RIGHT OF WAY
- —X— 5' CHAINLINK FENCE
- LPO LIGHT POLE
- —S— SEWER LINE
- MH MANHOLE

REFERENCES

D.B. 3073, P. 243
D.B. M-39, P. 98
M.B. 76, P. 182
R/W BOOK 1, P. 12-D
PITT COUNTY REGISTRY

REZONING SURVEY FOR

WARD HOLDINGS, LLC

DEED BOOK 3073, PAGE 243
CITY OF GREENVILLE
GREENVILLE TOWNSHIP ~ PITT COUNTY ~ NORTH CAROLINA
DATE: JANUARY 14, 2015 SCALE: 1"=50'
REVISED TITLE BLOCK: FEBRUARY 3, 2015
REVISED MARCH 4, 2015: REMOVE PROPOSED DUPLEXES

50 0 50 100 150
GRAPHIC SCALE – FEET

Spruill & Associates Inc.
2747 East Tenth Street
Greenville, North Carolina 27858
(252) 757-1200
spruill@coastalnet.com
Firm No. C-978

THIS DOCUMENT ORIGINALLY ISSUED AND SEALED BY STEPHEN N. SPRUILL, PLS NC L-2723 ON MARCH 4, 2015. THIS MEDIA SHALL NOT BE CONSIDERED A CERTIFIED DOCUMENT.

I, STEPHEN N. SPRUILL, CERTIFY THAT THIS IS A SURVEY OF AN EXISTING PARCEL OF LAND, AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

STEPHEN N. SPRUILL, P.L.S. L-2723

STATE OF NORTH CAROLINA, PITT COUNTY

I, STEPHEN N. SPRUILL, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, THAT THE RATIO OF PRECISION AS CALCULATED IS 1:21,390 ; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS DAY OF 2015

PROFESSIONAL LAND SURVEYOR N.C. L-2723

130.21RZ

130.21RZ

Item # 6

# REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 15-04 Applicant: Ward Holdings, LLC

## Property Information

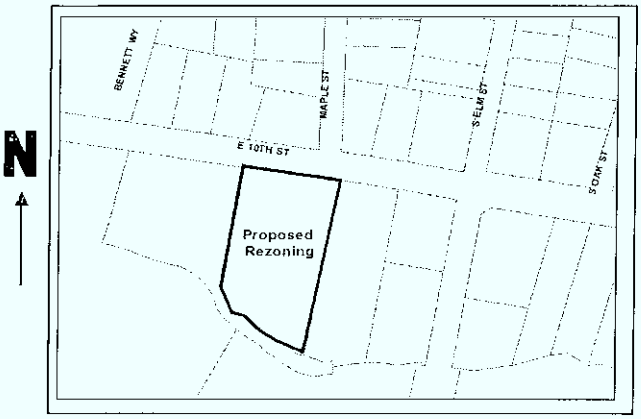
**Current Zoning:** R9 (Medium Density Residential)

**Proposed Zoning:** R6 (High Density Residential)

**Current Acreage:** 2.0361 acres

**Location:** E. 10th St, west of Elm Street

**Points of Access:** E. 10th St




**Location Map**

## Transportation Background Information

**1.) E. 10th St- State maintained**

| | Existing Street Section | Ultimate Thoroughfare Street Section |
|---|---|---|
| Description/cross section | 5-lane - curb & gutter | no change |
| Right of way width (ft) | 100 | no change |
| Speed Limit (mph) | 35 | no change |
| **Current ADT:** | 23,345 (*) | Ultimate Design ADT: 27,200 vehicles/day (**) |
| **Design ADT:** | 27,200 vehicles/day (**) | |
| **Controlled Access** | **No** | |
| **Thoroughfare Plan Status:** | Major Thoroughfare | |

**Other Information: There are sidewalks along E. 10th St that service this property.**

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

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

## Trips generated by proposed use/change

**Current Zoning: 106** -vehicle trips/day (*) **Proposed Zoning: 200** -vehicle trips/day (*)

**Estimated Net Change: increase of 94 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 E. 10th St are as follows:**

**1.) E. 10th St , West of Site (60%): "No build" ADT of 23,345**

Estimated ADT with Proposed Zoning (full build) – 23,465
Estimated ADT with Current Zoning (full build) – 23,409
**Net ADT change =** 56 (<1% increase)

**2.) E. 10th St , East of Site (40%): "No build" ADT of 23,345**

Estimated ADT with Proposed Zoning (full build) – 23,425
Estimated ADT with Current Zoning (full build) – 23,387
**Net ADT change =** 38 (<1% increase)

**Staff Findings/Recommendations**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 200 trips to and from the site on E. 10th St, which is a net increase of 94 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 Requirments:** Match proposed land use with adjacent permitted land use or adjacent vacant zone/nonconforming use to determine applicable bufferyard.

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

| Bufferyard A (street yard) | | |
|---|---|---|
| Lot Size | Width | For every 100 linear feet |
| Less than 25,000 sq.ft. | 4' | 2 large street trees |
| 25,000 to 175,000 sq.ft. | 6' | 2 large street trees |
| Over 175,000 sq.ft. | 10' | 2 large street trees |
| Street trees may count toward the minimum acreage. | | |

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

| Bufferyard C (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 10' | 3 large evergreen trees<br>4 small evergreens<br>16 evergreen shrubs |
| Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet. | |

| Bufferyard D (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 20' | 4 large evergreen trees<br>6 small evergreens<br>16 evergreen shrubs |
| Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided. | |

| Bufferyard E (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 30' | 6 large evergreen trees<br>8 small evergreens<br>26 evergreen shrubs |
| Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided. | |

| Bufferyard F (screen required) | |
|---|---|
| Width | For every 100 linear feet |
| 50' | 8 large evergreen trees<br>10 small evergreens<br>36 evergreen shrubs |
| Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided. | |

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

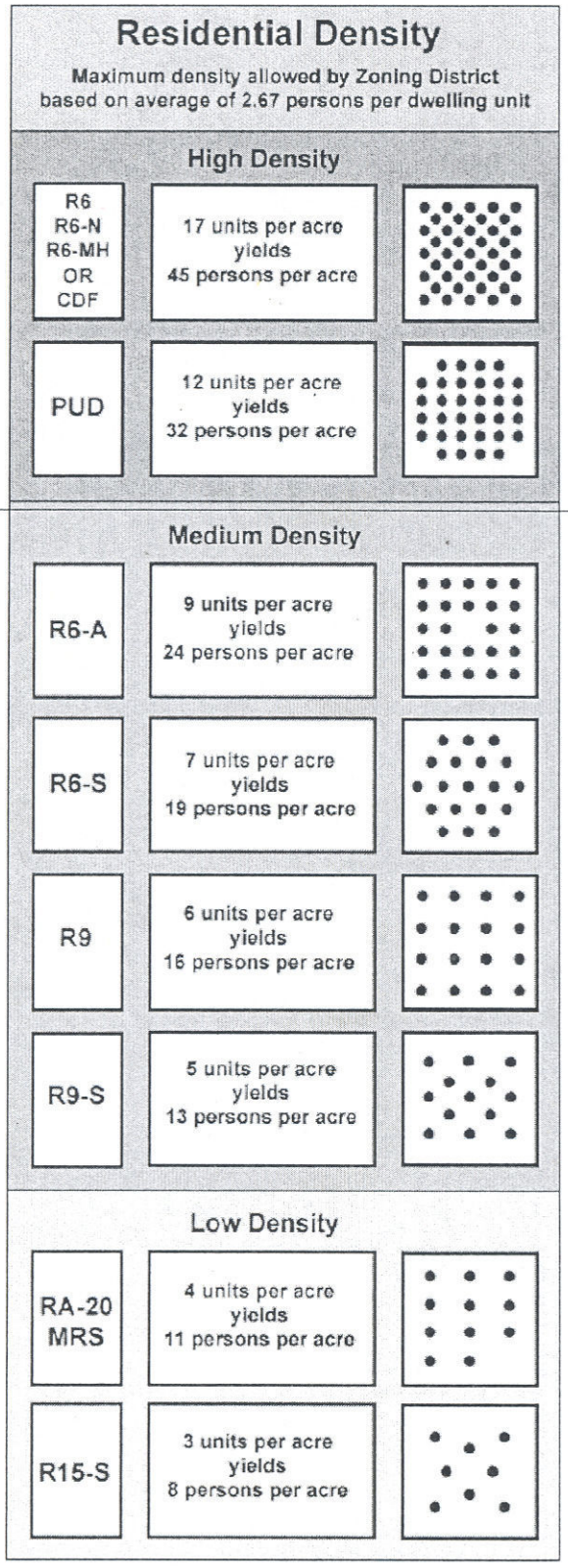



**Illustration:** Maximum allowable density in Residential Zoning Districts

# City of Greenville, North Carolina

**Meeting Date: 4/9/2015**
**Time: 7:00 PM**

**Title of Item:** 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

**Explanation:**

**Abstract:** The City of Greenville received an application for a text amendment to expand the existing wine shop definition and provisions to include the allowance of craft beer. Under the proposal, a craft beer shop would be allowed to operate, with or without wine sales, and would follow the same regulations currently required of wine shops.

**Explanation:** Greenville's Zoning Ordinance does not allow craft beer shops. Omission of a particular land use is interpreted to mean uses not listed are prohibited.

The text 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.

The attached staff report provides additional details and recommendation regarding this text amendment. The applicant's full application submittal is attached to the staff report in Appendix A. Attachments 4 and 5 of Appendix A provides the applicant's research findings of how other cities regulate craft beer shops and how and where craft beer shops operate.

**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, 2009-2010 Update, 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 March 17, 2015 meeting.

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, 2009-2010 Update, 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**

- Ordinance___Wine_and_Craft_Beer_Shop_Text_Amendment_998699
- P___Z_Minutes_and_Staff_Report_for_City_Council___Wine_and_Craft_Beer_Shop_Text_Amendment_1000279

---

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 April 9, 2015, at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

WHEREAS, 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, 2009-2010 Update, 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 N, Section 9-4-22 of the City Code is hereby amended by rewriting said section so that it shall read as follows:

> Wine and Craft Beer Shop. 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/or craft beer in the manufacture's original container for consumption off the premises, provided however, the permittee shall be authorized to conduct accessory and incidental wine and/or craft beer tasting on the premises and is further authorized to sell wine and/or craft beer for on-premises consumption, as an accessory and incidental use to the "wine and craft beer shop", provided the establishment and operation is compliant

with section 9-4-103(S). Among the two limited types of alcoholic beverages that may be sold, a "wine and craft beer shop" may sell wine exclusively, craft beer exclusively, or both wine and craft beer provided that the "wine and craft beer shop" has the requisite state permit(s) that allows retail sales of wine and/or malt beverages for consumption on the premises. A "wine and craft beer shop" that does not meet the requirements of section 9-4-103(S) shall be deemed a public or private club for the purpose of zoning and land use classification. For purposes of the wine and craft beer shop use, craft beer is defined as a malt beverage from a brewer with an annual production of 6 million barrels of beer or less. Notwithstanding the foregoing, wine and beer shops may offer retail products and prepared pre-packaged food for purchase as an incidental use.

Section 2: That Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A)(C)(10)c. of the City Code is hereby amended by rewriting said section so that it shall read as follows:

(10) c. "Wine and craft beer shop (see also section 9-4-103)"

Section 3: That Title 9, Chapter 4, Article D, Section 9-4-103(S) of the City Code is hereby amended by rewriting said section so that it shall read as follows:

(S) Wine and Craft Beer Shop (see also Section 9-4-22).

(1) A wine and craft beer shop may sell wine and/or craft beer for consumption on the premises, provided that the on-premises consumption of wine and/or craft beer constitutes an accessory and incidental use to the wine and craft beer shop.

(2) A wine and craft beer shop 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 both wine and malt beverages for consumption on the premises, provided that the combined on-premises consumption of wine and malt beverages constitute an accessory and incidental use to the primary retail use wine and craft beer shop.

(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 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. 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 and craft beer shop'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 (S)(3) above.

(5) No wine and craft beer shop that includes the on-premises consumption of wine and malt beverages shall be located within a 200-foot radius, including street rights-of-way, of an existing or approved public or private club, dining and entertainment establishment, or other wine and craft beer shop that includes the on-premises consumption of wine and malt beverages. The required measurement shall be from the building or structure containing the wine and craft beer shop to the nearest property line of the parcel containing the existing or approved public or private club, dining and entertainment establishment, or other wine shop that includes the on-premises consumption of wine and malt beverages.

(6) A wine and craft beer shop 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.

(7) A wine and craft beer shop shall not require a membership, cover or minimum charge for admittance or service during regular or special periods of operation.

(8) A wine and craft beer shop that does not meet the requirements of section 9-4-103(S) shall be deemed a public or private club for the purpose of zoning and land use classification.

(9) The provisions of this section shall apply to all wine and craft beer shops 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 9th day of April, 2015.

_____
Allen M. Thomas, Mayor

ATTEST:

_____
Carol L. Barwick, City Clerk

**EXHIBIT A - DRAFT, Planning and Zoning Commission Meeting Minutes, March 17, 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. - APPROVED

Mr. Thomas Weitnauer, Chief Planner, presented the text amendment. He stated this text amendment was brought to the City by applicants, Jeremy & Jennifer Spengeman and Michael & Kitty Leaman, to expand the existing wine shop definition and provision to include allowance of craft beer. The text amendment proposes craft beer shops in the same zones where wine shops are allowed. Wine shops can sell beer. The underlined in the following denotes regulations to be added to SEC. 9-4-22:

***Wine and Craft Beer Shop***. *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/or craft beer in the manufacture's original container for consumption off the premises, provided however, the permittee shall be authorized to conduct accessory and incidental wine and/or craft beer tasting on the premises and is further authorized to sell wine and/or craft beer for on-premises consumption, as an accessory and incidental use to the "wine and craft beer shop", provided the establishment and operation is compliant with section 9-4-103(S). Among the two limited types of alcoholic beverages that may be sold, a "wine and craft beer shop" may sell wine exclusively, craft beer exclusively, or both wine and craft beer provided that the "wine and craft beer shop" has the requisite state permit(s) that allows retail sales of wine and/or malt beverages for consumption on the premises. A "wine and craft beer shop" that does not meet the requirements of section 9-4-103(S) shall be deemed a public or private club for the purpose of zoning and land use classification. For purposes of the wine and craft beer shop use, craft beer is defined as a malt beverage from a brewer with an annual production of 6 million barrels of beer or less. Notwithstanding the foregoing, wine and beer shops may offer retail products and prepared prepackaged food for purchase as an incidental use.*

For the remainder of the proposed amendment, "and Craft Beer" was inserted throughout the current wine and wine shop regulations in 24 locations. The following are Zoning Districts where Wine and Craft Beer Shops are permitted:

Allowed by Right:
- CH (Heavy Commercial)

Allowed with a Special Use Permit:
- MCG (Medical General Commercial)
- MCH (Medical Health Commercial)
- CD (Downtown Commercial)
- CDF (Downtown Commercial Fringe)
- CG (General Commercial)

Consideration was given to ensure this text amendment does not allow wine and craft beer shops to turn into de facto nightclubs. The special use permit is part of that process and can be revoked

if not abiding by the regulations. The proposed zoning ordinance text amendment is in compliance with Horizons: Greenville's Community Plan.

**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.

Chairwoman Basnight opened the public hearing.

Mr. Jeremy Spengeman, applicant, spoke in favor of the request. He is the owner and operator of Basil's Restaurant since 1999. He stated, with his wife and in-laws, he wants to open a craft beer shop. It would consist of on and off premise beer consumption. He stated his business plan would consist of 75% net sales of off premise consumption with 200-250 different bottles on shelves at room temperature available for purchase. He would have 10-20 taps to bottle/fill to order, also known as Growlers, for purchase and a few available for consumption on site. The shop would also have ancillary sales like gift baskets and pre-packaged food. No food preparation will be on site. Hours of operations: 12pm to 10pm Sunday through Thursday, 12pm to 11pm Friday and Saturday, and 12pm to 6pm on Sundays. The current ordinance allows selling wine and beer, but not beer only. He wants to sell beer only. In order to protect from bar use, the request is for craft beer which is specialty beer like wine. On-premise sales of craft beer will not exceed 40% of net sales. They will not be within 200 feet of a public/private club, a dining and entertainment establishment, or another wine and craft beer shop. A membership, cover or minimum charge for admittance or service will not be required at any time. The primary use is retail.

Mr. Michael Overton spoke in favor of the request. He stated North Carolina is becoming one of the largest craft beer states in the nation. People are looking for this concept and it is not a bar. He believes it will be good for the City.

No one spoke in opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

No board discussion was made.

**Motion made by Mr. Parker seconded by Ms. Darden, to recommend approval of the proposed text 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.**

# Staff Report:
# Wine and Craft Beer Shop – Text Amendment

Contents:

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**City of Greenville**
**Community Development Department - Planning Division**
**March 19, 2015**

*#998476 Word*

## Background

Greenville's Zoning Ordinance currently does not allow craft beer shops. 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 to expand the existing wine shop definition and provision to include the allowance of craft beer. (Appendix A).

## Zones Where Wine and Craft Beer Shops are Proposed Under This Text Amendment

The text amendment proposes craft beer shops in the same zones where wine shops are already 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. Map 1 illustrates locations where wine shops are already permitted and where craft beer shops would be allowed under the proposed text amendment.

## Distinctions between Wine and Craft Beer Shops and Public and Private Clubs

Consideration was given to ensure this text amendment does not allow wine and craft beer shops to turn into de facto nightclubs. Following are distinctions between microbrewery and public and private clubs regulations.

**Cover Charges.** Wine and craft beer are prohibited from charging cover charges while public/private clubs are allowed to charge cover charges.

**Separation Requirements.** Wine and craft beer shops have separation requirements of 200 feet from existing or approved public or private clubs, dining and entertainment establishments, or other wine and craft beer shops that includes the on-premises consumption of wine and malt beverages. Public and Private clubs must be separated at least 500 feet from other public and private clubs and from conforming use single-family dwellings and any single-family residential zoning district.

**Hours of Operation.** Wine and craft beer shops 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. Public and private clubs must stop serving alcohol at 2:00 a.m. per ABC regulations.

**Proposed Text Amendment**

In order to amend the Zoning Code to allow the current provisions of wine shop to be expanded to include beer shop provisions, text amendments must be adopted. This text amendment requires a public hearing before City Council. The Planning and Zoning Commission is required to review and if supportive, recommend an ordinance relating to beer shop regulations since they would be added in the Zoning Ordinance.

Proposed text amendments to add craft beer shops to wine shops, or as only craft beer shoes, are illustrated below using underlined text to denote regulations to be added.

***SEC. 9-4-22 WORDS AND TERMS DEFINED.***

***Wine and Craft Beer Shop****. 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/or craft beer in the manufacture's original container for consumption off the premises, provided however, the permittee shall be authorized to conduct accessory and incidental wine and/or craft beer tasting on the premises and is further authorized to sell wine and/or craft beer for on-premises consumption, as an accessory and incidental use to the "wine and craft beer shop", provided the establishment and operation is compliant with section 9-4-103(S). Among the two limited types of alcoholic beverages that may be sold, a "wine and craft beer shop" may sell wine exclusively, craft beer exclusively, or both wine and craft beer provided that the "wine and craft beer shop" has the requisite state permit(s) that allows retail sales of wine and/or malt beverages for consumption on the premises. A "wine and craft beer shop" that does not meet the requirements of section 9-4-103(S) shall be deemed a public or private club for the purpose of zoning and land use classification. For purposes of the wine and craft beer shop use, craft beer is defined as a malt beverage from a brewer with an annual production of 6 million barrels of beer or less. Notwithstanding the foregoing, wine and beer shops may offer retail products and prepared pre-packaged food for purchase as an incidental use.*

Title 9, Chapter 4, Article D, Section 9-4-78 (Appendix A(C)(10)c. is amended as follows (refer to attached excerpt of the Table of Uses on page 5 of this staff report):

*(10) c. "Wine and craft beer shop (see also section 9-4-103)"*

Title 9, Chapter 4, Article D, Section 9-4-103 (S), of the City Code is amended to expand specific criteria of Wine Shops to add Craft Beer Shop provisions as follows:

**Title 9, Chapter 4, Article D, Section 9-4-103(S)**

*(S) Wine and Craft Beer Shop (see also Section 9-4-22).*

*(1) A wine and craft beer shop may sell wine and/or craft beer for consumption on the premises, provided that the on-premises consumption of wine and/or craft beer constitutes an accessory and incidental use to the wine and craft beer shop.*

*(2) A wine and craft beer shop 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 both wine and malt beverages for consumption on the premises, provided that the combined on-premises consumption of wine and malt beverages constitute an accessory and incidental use to the primary retail use wine and craft beer shop.*

*(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 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. 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 and craft beer shop'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 (S)(3) above.*

*(5) No wine and craft beer shop that includes the on-premises consumption of wine and malt beverages shall be located within a 200-foot radius, including street rights-of-way, of an existing or approved public or private club, dining and entertainment establishment, or other wine and craft beer shop that includes the on-premises consumption of wine and malt beverages. The required measurement shall be from the building or structure containing the wine and craft beer shop to the nearest property line of the parcel containing the existing or approved public or*

*private club, dining and entertainment establishment, or other wine shop that includes the on-premises consumption of wine and malt beverages.*

*(6) A wine and craft beer shop 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.*

*(7) A wine and craft beer shop shall not require a membership, cover or minimum charge for admittance or service during regular or special periods of operation.*

*(8) A wine and craft beer shop that does not meet the requirements of section 9-4-103(S) shall be deemed a public or private club for the purpose of zoning and land use classification.*

*(9) The provisions of this section shall apply to all wine and craft beer shops whether operated as a principal or accessory use.*

(10) *Retail trade.*

| *USE* | | *LUC #* | *RA 20* | *R 15 S* | *R 9 S* | *R 6 S* | *R 6 N* | *R 9* | *R 6* | *R 6 A* | *R 6 MH* | *MI* | *MS* | *MO* | *MCG* | *MR* | *MCH* | *MRS* | *OR* | *O* | *CD* | *CDF* | *CG* | *CN* | *CH* | *IU* | *I* | *PIU* | *PI* |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| a. | Miscellaneous retail sales; nondurable goods, not otherwise listed | 3 | | | | | | | | | | | | | P | | P | | | | P | P | P | | P | | | | |
| b. | Gasoline or automotive fuel sales; accessory or principal use, retail | 4 | | | | | | | | | | | | | | | P | | | | S | S | S | S | P | P | P | P | P |
| c. | Wine **and craft beer** shop; including on premises consumption (see also § 9-4-103) | 4 | | | | | | | | | | | | | S | | S | | | | S | S | S | S | P | | | | |
| d. | Pharmacy | 3 | | | | | | | | | | | P | P | P | | P | | | | P | P | P | P | P | | | | |
| e. | Convenience store (see also gasoline sales) | 4 | | | | | | | | | | | | | | | P | | | | 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 | | 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 | S | 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 | S | S | S |
| k. | Medical supply sales and rental of medically related products including uniforms and related accessories | 3 | | | | | | | | | | | S | S | P | | P | | | | | | 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 | | | | |
| o. | Appliance; household, commercial or industrial use, sales and accessory repair, including outside storage | 4 | | | | | | | | | | | | | | | | | | | | | | | P | | | | |

Item # 7

**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, 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.

**PLAN ELEMENTS**

**Economy**

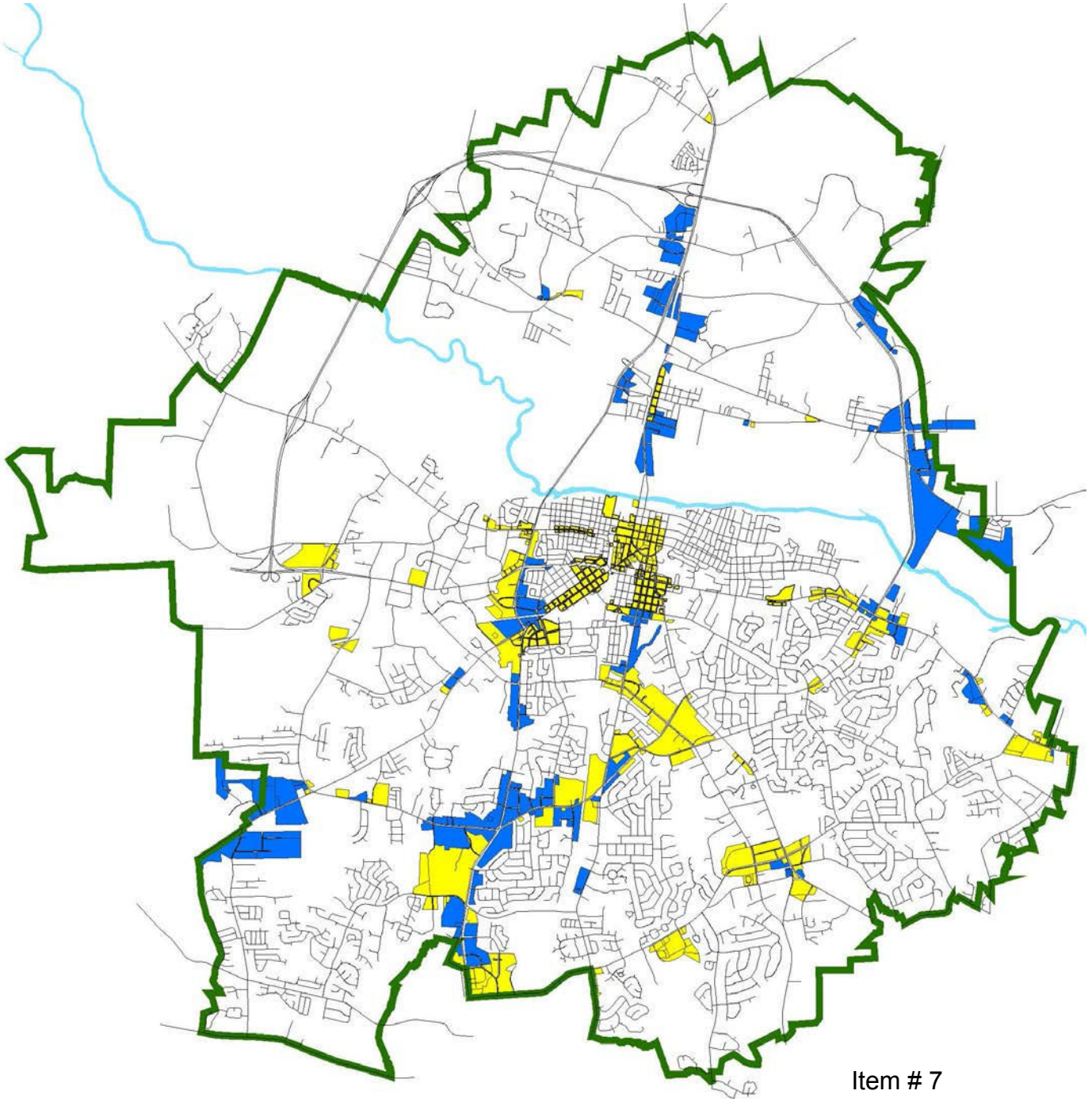
**Objective E1.** *To create conditions favorable for healthy economic expansion in the area.*

**Objective E2.** *. To attract new industry and businesses which strengthen Greenville's role as a regional center.*

Greenville
NORTH CAROLINA
Find yourself in good company

# Map 1: LOCATIONS WHERE WINE SHOPS ARE ALREADY PERMITTED AND WHERE CRAFT BEER SHOPS WOULD BE ALLOWED UNDER THE PROPOSED TEXT AMENDMENT

NORTH




**Legend**

**Allowed By Right**

- CH (Heavy Commercial)

**Allowed With A Special Use Permit**

- MCG (Medical General Commercial)
- MCH (Medical Health Commercial)
- CD (Downtown Commercial)
- CDF (Downtown Commercial Fringe)
- CG (General Commercial)

March 9, 2015

**Appendix A  Application Submittal Documents**
**Wine and Craft Beer Shop – Text Amendment**

Date Received 2/17/2015

# CITY OF GREENVILLE

## ZONING ORDINANCE TEXT AMENDMENT APPLICATION

Applicant Name(s) Jeremy Spengeman, Jennifer Spengeman, Michael Leaman, Kitty Leaman

Mailing Address PO Box 2577
Greenville, NC 27836

Contact Phone Number (252) 341-0038

Contact Fax Number (252)353-2824

Zoning Ordinance Section Proposed to be Amended: Title 9, Chapter 4, Article B, Section 9-4-22 and Title 9, Chapter 4, Article B, Section 9-4-103S

Reason for Request: To amend Use to be titled "Wine and Craft Beer Shop" which allows for the sale of wine and/or beer for both on-premise and off-premise consumption with the sale of wine and/or beer for on-premise consumption not to exceed 40% of total sales of wine and/or beer. Further the ordinance should not require the sale of wine and beer, but allows for the sale of wine exclusively, the sale of beer exclusively or the sale of both wine and beer.

Proposed Language of Text Amendment (attach additional pages if needed): See attached documents.

Jeremy Spengeman — Print Name

Jeremy Spengeman — Signature of Applicant

2/17/2015 — Date

# Appendix A - Application Submittal Documents - Attachment 1

**Proposed Language Text Amendment:**
Zoning Ordinance Section Proposed to be Amended:
Title 9, Chapter 4, Article B, Section 9-4-22 and Title 9, Chapter 4, Article B, Section 9-4-103S

**Title 9, Chapter 4, Article D, Section 9-4-22**
***Wine and Craft Beer Shop***. 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/or craft beer in the manufacture's original container for consumption off the premises, provided however, the permittee shall be authorized to conduct accessory and incidental wine and/or craft beer tasting on the premises and is further authorized to sell wine and/or craft beer for on-premises consumption, as an accessory and incidental use to the "wine and craft beer shop", provided the establishment and operation is compliant with section 9-4-103(S). A "wine and craft beer shop" may sell wine exclusively, craft beer exclusively, or both wine and craft beer provided that the "wine and craft beer shop" has the requisite state permit(s) that allows retail sales of wine and/or malt beverages for consumption on the premises. A "wine and craft beer shop" that does not meet the requirements of section 9-4-103(S) shall be deemed a public or private club for the purpose of zoning and land use classification.

**Title 9, Chapter 4, Article D, Section 9-4-103(S)**
(S) Wine and Craft Beer Shop (see also Section 9-4-22).
(1) A wine and craft beer shop may sell wine and/or craft beer for consumption on the premises, provided that the on-premises consumption of wine and/or craft beer constitutes an accessory and incidental use to the wine and craft beer shop.
(2) A wine and craft beer shop 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 both wine and malt beverages for consumption on the premises, provided that the combined on-premises consumption of wine and malt beverages constitute an accessory and incidental use to the primary retail use wine and craft beer shop.
(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 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. 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 and craft beer shop'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 (S)(3) above.

(5) No wine and craft beer shop that includes the on-premises consumption of wine and malt beverages shall be located within a 200-foot radius, including street rights-of-way, of an existing or approved public or private club, dining and entertainment establishment, or other wine and craft beer shop that includes the on-premises consumption of wine and malt beverages. The required measurement shall be from the building or structure containing the wine and craft beer shop to the nearest property line of the parcel containing the existing or approved public or private club, dining and entertainment establishment, or other wine shop that includes the on-premises consumption of wine and malt beverages.
(6) A wine and craft beer shop 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.
(7) A wine and craft beer shop shall not require a membership, cover or minimum charge for admittance or service during regular or special periods of operation.
(8) A wine and craft beer shop that does not meet the requirements of section 9-4-103(S) shall be deemed a public or private club for the purpose of zoning and land use classification.
(9) The provisions of this section shall apply to all wine and craft beer shops whether operated as a principal or accessory use
(10) For purposes of the wine and beer shop use Craft Beer is defined as a malt beverage from a brewer with an annual production of 6 million barrels of beer or less

## Appendix A - Application Submittal Documents - Attachment 2

# Tapped 1904 Business Plan

Prepared by:
Jeremy Spengeman

Tentatively named "Tapped 1904" (hereafter referred to as Bottle Shop), the proposed business will focus on the retail sale of craft beers. Research has found that in markets across the country, bottle shops — retail stores with a big focus on pricey craft beers — are booming. "They're the new generation of retailer," explains Matthias Neidhart, president of specialty beer importer B. United International. Neidhart adds that the emergence of bottle shops is due to consumer demand for craft and artisanal beers that often aren't stocked by mass merchandisers.

**Operation**
REDACTED FOR PRIVACY

**Sales**
The Bottle Shop would focus on two main sources of **Net Sales** with a few additional minor ancillary sources of sales as described below.

1. **Retail Sales of Craft Beer for Off-Premise Consumption** is anticipated to be 75% of Net Sales.
   a. Retail sales of American made Craft Beer to include but not limited to package sizes of 12oz bottle, 22oz Bottle (also referred to as a Bomber), 12 oz cans and 64oz Growlers filled from the on-premise draught system all of which are allowed by the NC ABC On-Premise Malt Beverage Permit which does not require sale of food.
   b. 200-250 room temperature Craft Beer selections would be available and may increase or decrease based on space available and customer demand.
   c. All bottles and can Craft Beer would be purchased from licensed distributors as required by law in a pre-packaged state and presented in the Bottle Shop at room temperature for retail purchase for off-premise consumption.
   d. All growlers would be filled to order, labeled and tagged as required by NC ABC regulations from the on-premise draught system and would be provided cold due to the fact that the draught beer is often unfiltered and unrefrigerated and is required to be kept cold at all times.

2. **Sales of Craft Beer for On-Premise Consumption** is anticipated to be 20% of Net Sales.
    a. On-premise sales would include the sale of draught beer for on-premise consumption while browsing the retail selections, browsing the internet through provided Wi-Fi, or engaging in social interaction with other patrons.
    b. A selection of 20-30 bottle or can selections would also be available for on-premise consumption and would typically include customer favorites or special releases not necessarily available for draught consumption.
3. **Ancillary sales** is anticipated to be 5% of net sales.
    a. **Gift Baskets** featuring Craft Beer Selections and North Carolina and regionally local products such as cured meats, shelf stable cheeses, crackers, and dipping sauces to be sold both as on-site purchases and through mail orders.
    b. **Prepared Pre-Packaged Food** to include North Carolina and regionally local products such as cured meats, shelf stable and cold cheeses, crackers, pimento cheese, hummus, salsa, etc. All food would be purchased prepared and no preparation would occur on-site.
        i. Patrons would also have the availability to order from a limited Basil's menu to be delivered to the Bottle Shop, as well as having agreements with other restaurants with in close proximity to deliver food to the patrons.
    c. **Glassware** to include logo pint glasses, growlers, etc.
    d. **Apparel** to include logo shirts, hats, bottle and growler koozies, etc.

**Location**
REDACTED FOR PRIVACY

**Staff**
The Bottle Shop will employ between 5-7 employees with no more than 3 employees working at any given time. Table service will **not** be provided. All retail off-premise sales and sales for on-premise consumption will be made at either the draught station or the checkout station and will be made through a POS system with the ability to account for inventory, pricing and have the capability to run any reports required by the NC ABC, Pitt County or City of Greenville.

**"Wine and Craft Beer Shop" Use**
The Bottle Shop falls under the currently petitioned, amended Use "Wine and Craft Beer Shop" which is a permitted use in CH and a special use in the MCG, MCH, CD, CDF, CG and CN districts. The currently petitioned, amended "Wine and Craft Beer Shop" Use allows for the sale of wine and/or beer for on-premise and off-premise consumption.

1. **Hours of Operation** will initially be from 12pm-10pm Sunday through Thursday and 12pm-11pm Friday and Saturday. The Bottle Shop is prepared to always operate within the constraints of the Wine and Craft Beer Shop Use which allows operation until 11pm Sunday through Thursday and 12am Friday and Saturday.
2. **On-Premise Sales of Craft Beer will not exceed 40 Percent** of net sales as a percentage of total sales of Craft Beer for On-Premise and Off-Premise consumption. As stated above sales of Craft Beer is projected to be 95% of Net Sales with 20% of these sales to be for On-Premise Consumption, which would make On-Premise Consumption 21.05% of all Craft Beer sales.
3. **A Membership, Cover or Minimum Charge for Admittance or Service** will **NOT** be required at any time as such would be prohibitive to all intended revenue streams.

## Appendix A - Application Submittal Documents - Attachment 3

Below are NC ABC Commission definition of establishments and the kinds of ABC Permits. Highlighted areas are those which would be applicable to my proposed Wine and Craft Beer Bottle Shop Use which would be considered a retail use by the NC ABC.

**§ 18B-1000. Definitions concerning establishments.**

The following requirements and definitions shall apply to this Chapter:

(1) Community theatre. - An establishment owned and operated by a bona fide nonprofit organization that is engaged solely in the business of sponsoring or presenting amateur or professional theatrical events to the public. A permit issued for a community theatre is valid only during regularly scheduled theatrical events sponsored by such nonprofit organization.

(1a) Convention center. - An establishment that meets either of the following requirements:

a. A publicly owned or operated establishment that is engaged in the business of sponsoring or hosting conventions and similar large gatherings, including auditoriums, armories, civic centers, convention centers, and coliseums.

b. A privately owned facility located in a city that has a population of at least 200,000 but not more than 250,000 by the 2000 federal census and is located in a county that has previously authorized the issuance of mixed beverage permits by referendum. To qualify as a convention center under this subdivision, the facility shall meet each of the following requirements:

1. The facility shall be certified by the appropriate local official as being consistent with the city's redevelopment plan for the area in which the facility is located.
2. The facility shall contain at least 7,500 square feet of floor space that is available for public use and shall be used exclusively for banquets, receptions, meetings, and similar gatherings.
3. The facility's annual gross receipts from the sale of alcoholic beverages shall be less than fifty percent (50%) of the gross receipts paid to all providers at permitted functions for food,

nonalcoholic beverages, alcoholic beverages, service, and facility usage fees (excluding receipts or charges for entertainment and ancillary services not directly related to providing food and beverage service). The person to whom a permit has been issued for a privately owned facility shall be required to maintain copies of all contracts and invoices for items supplied by providers for a period of three years from the date of the event.

A permit issued for a convention center shall be valid only for those parts of the building used for conventions, banquets, receptions, and other events, and only during scheduled activities.

(1b) Cooking school. - An establishment substantially engaged in the business of operating a school in which cooking techniques are taught for a fee.

(2) Eating establishment. - An establishment engaged in the business of regularly and customarily selling food, primarily to be eaten on the premises. Eating establishments shall include businesses that are referred to as restaurants, cafeterias, or cafes, but that do not qualify under subdivision (6). Eating establishments shall also include lunchstands, grills, snack bars, fast-food businesses, and other establishments, such as drugstores, which have a lunch counter or other section where food is sold to be eaten on the premises.

(3) Food business. - An establishment engaged in the business of regularly and customarily selling food, primarily to be eaten off the premises. Food businesses shall include grocery stores, convenience stores, and other establishments, such as variety stores or drugstores, where food is regularly sold, and shall also include establishments engaged primarily in selling unfortified or fortified wine or both, for consumption off the premises.

(4) Hotel. - An establishment substantially engaged in the business of furnishing lodging. A hotel shall have a restaurant either on or closely associated with the premises. The restaurant and hotel need not be owned or operated by the same person.

(5) Private club. - An establishment that is organized and operated solely for a social, recreational, patriotic, or fraternal purpose and that is not open to the general public, but is open only to the members of the organization and their bona fide guests.

This provision does not, however, prohibit such an establishment from being open to the general public for raffles and bingo games as required by G.S. 14-309.11(a) and G.S. 14-309.13. Except for bona fide religious organizations, no organization that discriminates in the selection of its membership on the basis of religion shall be eligible to receive any permit issued under this Chapter.

(5a) Residential private club. - A private club that is located in a privately owned, primarily residential and recreational development.

(6) Restaurant. - An establishment substantially engaged in the business of preparing and serving meals. To qualify as a restaurant, an establishment's gross receipts from food and nonalcoholic beverages shall be not less than thirty percent (30%) of the total gross receipts from food, nonalcoholic beverages, and alcoholic beverages. A restaurant shall also have a kitchen and an inside dining area with seating for at least 36 people.

(7) Retail business. - An establishment engaged in any retail business, regardless of whether food is sold on the premises.

(8) Sports club. - An establishment that meets either of the following requirements:

a. The establishment is substantially engaged in the business of providing equine boarding, training, and coaching services, and the establishment offers on-site dining, lodging, and meeting facilities and hosts horse trials and other events sanctioned or endorsed by the United States Equestrian Federation, Inc.; or

b. The establishment is substantially engaged in the business of providing an 18-hole golf course, two or more tennis courts, or both.

The sports club can either be open to the general public or to members and their guests. To qualify as a sports club, an establishment's gross receipts for club activities shall be greater than its gross receipts for alcoholic beverages. This provision does not prohibit a sports club from operating a restaurant. Receipts for food shall be included in with the club activity fee.

(9) Congressionally chartered veterans organizations. - An establishment that is organized as a federally chartered, nonprofit veterans organization, and is operated solely for patriotic or fraternal purposes.

(10) Wine producer. - A farming establishment of at least five acres committed to the production of grapes, berries, or other fruits for the manufacture of unfortified wine. (1905, c. 498, ss. 6-8; Rev., ss. 3526, 3534; C.S., s. 3371; 1937, c. 49, ss. 12, 16, 22; c. 411; 1955, c. 999; 1967, c. 222, ss. 1, 8; c. 1256, s. 3; 1969, c. 1018; 1971, c. 872, s. 1; 1973, c. 1226; 1977, c. 176, s. 1; 1981, c. 412, s. 2; 1981 (Reg. Sess., 1982), c. 1262, s. 15; 1983, c. 583, s. 1; c. 896, s. 5; 1987, c. 307, s. 1; c. 391, s. 1; 1993, c. 415, ss. 14, 15; 1993 (Reg. Sess., 1994), c. 579, s. 1; 1995, c. 466, s. 8; c. 509, s. 15; 2001-262, s. 7; 2001-487, s. 49(d); 2002-188, s. 1; 2003-135, s. 1; 2009-539, s. 4; 2013-392, s. 2.)

**§ 18B-1001. Kinds of ABC permits; places eligible.**

When the issuance of the permit is lawful in the jurisdiction in which the premises are located, the Commission may issue the following kinds of permits:

(1) On-Premises Malt Beverage Permit. - An on-premises malt beverage permit authorizes (i) the retail sale of malt beverages for consumption on the premises, (ii) the retail sale of malt beverages in the manufacturer's original container for consumption off the premises, and (iii) 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, complies with 4 NCAC 2T.0303, 4 NCAC 2T.0305, and 4 NCAC 2T.0308(d)-(e), and the container identifies the permittee and the date the container was filled or refilled. It also authorizes the holder of the permit to ship malt beverages in closed containers to individual purchasers inside and outside the State. The permit may be issued for any of the following:

a. Restaurants;
b. Hotels;
c. Eating establishments;
d. Food businesses;
e. Retail businesses;
f. Private clubs;
g. Convention centers;
h. Community theatres;
i. Breweries as authorized by G.S. 18B-1104(7).

(2) Off-Premises Malt Beverage Permit. - An off-premises malt beverage permit authorizes (i) the retail sale of malt beverages in the manufacturer's original container for consumption off the premises, (ii) 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, complies with 4 NCAC 2T.0303, 4 NCAC 2T.0305, and 4 NCAC 2T.0308(d)-(e), and the container identifies the permittee and the date the container was filled or refilled, and (iii) the holder of the permit to ship malt beverages in closed containers to individual purchasers inside and outside the State. The permit may be issued for any of the following:

a. Restaurants;
b. Hotels;
c. Eating establishments;
d. Food businesses;
e. Retail businesses.

(3) On-Premises Unfortified Wine Permit. - On-Premises Unfortified Wine Permit. - An on-premises unfortified wine permit authorizes the retail sale of unfortified wine for consumption on the premises, either alone or mixed with other beverages, and the retail sale of unfortified wine in the manufacturer's original container for consumption off the premises. The permit also authorizes the permittee to transfer unfortified wine, not more than four times per calendar year, to another on-premises unfortified wine permittee that is under common ownership or control as the transferor. Except as authorized by this subdivision, transfers of wine by on-premises unfortified wine permittees, purchases of wine by a retail permittee from another retail permittee for the purpose of resale, and sale of wine by a retail permittee to another retail permittee for the purpose of resale are unlawful. In addition, a particular brand of wine may be transferred only if both the transferor and transferee are located within the territory designated between the winery and the wholesaler on file with the Commission. Prior to or contemporaneous with any such transfer, the transferor shall notify each wholesaler who distributes the transferred product of the transfer. The notice shall be in writing or verifiable electronic format and shall identify the transferor and transferee, the date of the transfer, quantity, and items transferred. The holder of the permit is

authorized to ship unfortified wine in closed containers to individual purchasers inside and outside the State. Orders received by a winery by telephone, Internet, mail, facsimile, or other off-premises means of communication shall be shipped pursuant to a wine shipper permit and not pursuant to this subdivision. The permit may be issued for any of the following:

a. Restaurants;
b. Hotels;
c. Eating establishments;
d. Private clubs;
e. Convention centers;
f. Cooking schools;
g. Community theatres;
h. Wineries;
i. Wine producers.

(4) Off-Premises Unfortified Wine Permit. - An off-premises unfortified wine permit authorizes the retail sale of unfortified wine in the manufacturer's original container for consumption off the premises and it authorizes the holder of the permit to ship unfortified wine in closed containers to individual purchasers inside and outside the State. The permit may be issued for retail businesses. The permit also authorizes the permittee to transfer unfortified wine, not more than four times per calendar year, to another off-premises unfortified wine permittee that is under common ownership or control as the transferor. Except as authorized by this subdivision, transfers of wine by off-premises unfortified wine permittees, purchases of wine by a retail permittee from another retail permittee for the purpose of resale, and sale of wine by a retail permittee to another retail permittee for the purpose of resale are unlawful. In addition, a particular brand of wine may be transferred only if both the transferor and transferee are located within the territory designated between the winery and the wholesaler on file with the Commission. Prior to or contemporaneous with any such transfer, the transferor shall notify each wholesaler who distributes the transferred product of the transfer. The notice shall be in writing or verifiable electronic format and shall identify the transferor and transferee, the date of the transfer, quantity, and items transferred. The permit may also be issued to the holder of a viticulture/enology course authorization under G.S. 18B-1114.4. A school obtaining a

permit under this subdivision is authorized to sell wines manufactured during its viticulture/enology program at one non-campus location in a county where the permittee holds and offers classes on a regular full-time basis in a facility owned by the permittee. The permit may also be issued for a winery or a wine producer for sale of its own unfortified wine during hours when the winery or wine producer's premises is open to the public, subject to any local ordinance adopted pursuant to G.S. 18B-1004(d) concerning hours for the retail sale of unfortified wine. A winery obtaining a permit under this subdivision is authorized to sell wine manufactured by the winery at one additional location in the county under the same conditions specified in G.S. 18B-1101(5) for the sale of wine at the winery; provided, however, that no other alcohol sales shall be authorized at the additional location. Orders received by a winery by telephone, Internet, mail, facsimile, or other off-premises means of communication shall be shipped pursuant to a wine shipper permit and not pursuant to this subdivision.

(5) On-Premises Fortified Wine Permit. - An on-premises fortified wine permit authorizes the retail sale of fortified wine for consumption on the premises, either alone or mixed with other beverages, and the retail sale of fortified wine in the manufacturer's original container for consumption off the premises. The permit also authorizes the permittee to transfer fortified wine, not more than four times per calendar year, to another on-premises fortified wine permittee that is under common ownership or control as the transferor. Except as authorized by this subdivision, transfers of wine by on-premises fortified wine permittees, purchases of wine by a retail permittee from another retail permittee for the purpose of resale, and sale of wine by a retail permittee to another retail permittee for the purpose of resale are unlawful. In addition, a particular brand of wine may be transferred only if both the transferor and transferee are located within the territory designated between the winery and the wholesaler on file with the Commission. Prior to or contemporaneous with any such transfer, the transferor shall notify each wholesaler who distributes the transferred product of the transfer. The notice shall be in writing or verifiable electronic format and shall identify the transferor and transferee, the date of the transfer, quantity, and items transferred. The holder of the permit is

authorized to ship fortified wine in closed containers to individual purchasers inside and outside the State. Orders received by a winery by telephone, Internet, mail, facsimile, or other off-premises means of communication shall be shipped pursuant to a wine shipper permit and not pursuant to this subdivision. The permit may be issued for any of the following:

a. Restaurants;
b. Hotels;
c. Private clubs;
d. Community theatres;
e. Wineries;
f. Convention centers.

(6) Off-Premises Fortified Wine Permit. - An off-premises fortified wine permit authorizes the retail sale of fortified wine in the manufacturer's original container for consumption off the premises and it authorizes the holder of the permit to ship fortified wine in closed containers to individual purchasers inside and outside the State. The permit may be issued for food businesses. The permit may also be issued for a winery for sale of its own fortified wine. Orders received by a winery by telephone, Internet, mail, facsimile, or other off-premises means of communication shall be shipped pursuant to a wine shipper permit and not pursuant to this subdivision. The permit also authorizes the permittee to transfer fortified wine, not more than four times per calendar year, to another off-premises fortified wine permittee that is under common ownership or control as the transferor. Except as authorized by this subdivision, transfers of wine by off-premises fortified wine permittees, purchases of wine by a retail permittee from another retail permittee for the purpose of resale, and sale of wine by a retail permittee to another retail permittee for the purpose of resale are unlawful. In addition, a particular brand of wine may be transferred only if both the transferor and transferee are located within the territory designated between the winery and the wholesaler on file with the Commission. Prior to or contemporaneous with any such transfer, the transferor shall notify each wholesaler who distributes the transferred product of the transfer. The notice shall be in writing or verifiable electronic format and shall identify the transferor and transferee, the date of the transfer, quantity, and items transferred.

(7) Brown-Bagging Permit. - A brown-bagging permit authorizes each individual patron of an establishment, with the permission of the permittee, to bring up to eight liters of fortified wine or spirituous liquor, or eight liters of the two combined, onto the premises and to consume those alcoholic beverages on the premises. The permit may be issued for any of the following:
a. Restaurants;
b. Hotels;
c. Private clubs;
d. Community theatres;
e. Congressionally chartered veterans organizations.

(8) Special Occasion Permit. - A special occasion permit authorizes the host of a reception, party or other special occasion, with the permission of the permittee, to bring fortified wine and spirituous liquor onto the premises of the business and to serve the same to his guests. The permit may be issued for any of the following:
a. Restaurants;
b. Hotels;
c. Eating establishments;
d. Private clubs;
e. Convention centers.

(9) Limited Special Occasion Permit. - A limited special occasion permit authorizes the permittee to bring fortified wine and spirituous liquor onto the premises of a business, with the permission of the owner of that property, and to serve those alcoholic beverages to the permittee's guests at a reception, party, or other special occasion being held there. The permit may be issued to any individual other than the owner or possessor of the premises. An applicant for a limited special occasion permit shall have the written permission of the owner or possessor of the property on which the special occasion is to be held.

(10) Mixed Beverages Permit. - A mixed beverages permit authorizes the retail sale of mixed beverages for consumption on the premises. The permit also authorizes a mixed beverages permittee to obtain a purchase-transportation permit under G.S. 18B-403 and 18B-404, and to use for culinary purposes spirituous liquor lawfully purchased for use in mixed beverages. The permit may be issued for any of the following:
a. Restaurants;

b. Hotels;
c. Private clubs;
d. Convention centers;
e. Community theatres;
f. Nonprofit organizations; and
g. Political organizations.

(11) Culinary Permit. - A culinary permit authorizes a permittee to possess up to 12 liters of either fortified wine or spirituous liquor, or 12 liters of the two combined, in the kitchen of a business and to use those alcoholic beverages for culinary purposes. The permit may be issued for either of the following:
a. Restaurants;
b. Hotels;
c. Cooking schools.

A culinary permit may also be issued to a catering service to allow the possession of the amount of fortified wine and spirituous liquor stated above at the business location of that service and at the cooking site. The permit shall also authorize the caterer to transport those alcoholic beverages to and from the business location and the cooking site, and use them in cooking.

(12) Mixed Beverages Catering Permit. - A mixed beverages catering permit authorizes a hotel or a restaurant that has a mixed beverages permit to bring spirituous liquor onto the premises where the hotel or restaurant is catering food for an event and to serve the liquor to guests at the event.

(13) uest Room Cabinet Permit. - A guest room cabinet permit authorizes a hotel having a mixed beverages permit or a private club having a mixed beverages permit and management contracts for the rental of living units to sell to its room guests, from securely locked cabinets, malt beverages, unfortified wine, fortified wine, and spirituous liquor. A permittee shall designate and maintain at least ten percent (10%) of the permittee's guest rooms as rooms that do not have a guest room cabinet. A permittee may dispense alcoholic beverages from a guest room cabinet only in accordance with written policies and procedures filed with and approved by the Commission. A permittee shall provide a reasonable number of vending machines, coolers, or similar machines on premises for the sale of soft drinks to hotel guests.

A guest room cabinet permit may be issued for any of the following:

a. A hotel located in a county subject to G.S. 18B-600(f).
b. A hotel located in a county that has a population in excess of 150,000 by the last federal census.
c. A qualifying private club located in a county defined in G.S. 18B-101(13a)b.2.

(14) Brew on Premises Permit. - A permit may be issued to a business, located in a jurisdiction where the sale of malt beverages is allowed, where individual customers who are 21 years old or older may purchase ingredients and rent the equipment, time, and space to brew malt beverages for personal use in amounts set forth in 27 C.F.R. § 25.205. The customer must do all of the following:
a. Select a recipe and kettle.
b. Weigh out the proper ingredients and add them to the kettle.
c. Transfer the wort to the fermenter.
d. Add the yeast.
e. Place the ingredients in a fermentation room.
f. Filter, carbonate, and bottle the malt beverage.

A permittee may transfer the ingredients from the fermentation room to the cold room and may assist the customer in all the steps involved in brewing a malt beverage except adding the yeast. A malt beverage produced under this subdivision may not contain more than six percent (6%) alcohol by volume.

(15) Wine-Tasting Permit. - A wine-tasting permit authorizes wine tastings on a premises holding a retail permit, by the retail permit holder or his employee. A wine tasting consists of the offering of a sample of one or more unfortified wine products, in amounts of no more than one ounce for each sample, without charge, to customers of the business. Any person pouring wine at a wine tasting shall be at least 21 years of age.
a. Representatives of the winery, which produced the wine, the wine producer, a wholesaler, or a wholesaler's employee may assist with the tasting. Assisting with a wine tasting includes:
1. Pouring samples for customers.
2. Checking the identification of patrons being served at the wine tasting.
b. When a representative of the winery that produced the wine, the wine producer, a wine wholesaler, or a wine wholesaler's employee assists in a wine tasting conducted by a retail permit holder:

1. The retail permit holder shall designate an employee to actively supervise the wine tasting.
2. A retail permit holder's employee shall not supervise more than three wine-tasting areas.
3. No more than six wines may be tasted at any one tasting area.
4. The wine tasting shall not last longer than four hours from the time designated as the starting time by the retail permit holder.

c. The retail permit holder shall be solely liable for any violations of this Chapter occurring in connection with the wine tasting. The Commission shall adopt rules to assure that the tastings are limited to samplings and not a subterfuge for the unlawful sale or distribution of wine, and that the tastings are not used by industry members for unlawful inducements to retail permit holders. Except for purposes of this subsection, the holder of a wine-tasting permit shall not be construed to hold a permit for the on-premises sale or consumption of alcoholic beverages. Any food business is eligible for a wine-tasting permit.

(16) Wine Shop Permit. - A wine shop permit authorizes (i) the retail sale of malt beverages, unfortified wine, and fortified wine in the manufacturer's original container for consumption off the premises, (ii) 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, complies with 4 NCAC 2T.0303, 4 NCAC 2T.0305, and 4 NCAC 2T.0308(d)-(e), and the container identifies the permittee and the date the container was filled or refilled, and (iii) wine tastings on the premises conducted and supervised by the permittee in accordance with subdivision (15) of this section. It also authorizes the holder of the permit to ship malt beverages, unfortified wine, and fortified wine in closed containers to individual purchasers inside and outside the State. The permit may be issued for retail businesses whose primary purpose is selling malt beverages and wine for consumption off the premises and regularly and customarily educating consumers through tastings, classes, and seminars about the selection, serving, and storing of wine. The holder of the permit is authorized to sell unfortified wine for consumption on the premises, provided that the sale of wine

for consumption on the premises does not exceed forty percent (40%) of the establishment's total sales for any 30-day period. The holder of a wine-tasting permit not engaged in the preparation or sale of food on the premises is not subject to Part 6 of Article 8 of Chapter 130A of the General Statutes.

(17) Winemaking on Premises Permit. - A permit may be issued to a business, located in a jurisdiction where the sale of unfortified wine is allowed, where individual customers who are 21 years old or older may purchase ingredients and rent the equipment, time, and space to make unfortified wine for personal use in amounts set forth in 27 C.F.R. § 24.75. Except for wine produced for testing equipment or recipes and samples pursuant to this subdivision, the permit holder shall not engage in the actual production or manufacture of wine. Samples may be consumed on the premises only by a person who has a nonrefundable contract to ferment at the premises, and the samples may not exceed one ounce per sample. All wine produced at a winemaking on premises facility shall be removed from the premises by the customer and may only be used for home consumption and the personal use of the customer.

(18) Malt Beverage Tasting Permit. - A malt beverage tasting permit authorizes malt beverage tastings on a premises holding a retail permit by the retail permit holder or his employee. A representative of the brewery whose beverages are being featured at the tasting shall be present at the tasting unless the wholesaler or a wholesaler's employee determines that no representative of the brewery needs to be present. A malt beverage tasting consists of the offering of a sample of one or more malt beverage products, in amounts of no more than two ounces for each sample, without charge, to customers of the business. Any persons pouring malt beverage at a malt beverage tasting shall be at least 21 years of age.

a. Representatives of the brewery which produced the malt beverage, a wholesaler, or a wholesaler's employee may assist with the tasting. Assisting with a malt beverage tasting includes:
    1. Pouring samples for customers.
    2. Checking the identification of patrons being served at the malt beverage tasting.

b. When a representative of the brewery that produced the malt beverage, a malt beverage wholesaler, or a malt

beverage wholesaler's employee assists in a malt beverage tasting conducted by a retail permit holder:

1. The retail permit holder shall designate an employee to actively supervise the malt beverage tasting.
2. A retail permit holder's employee shall not supervise more than three malt beverage tasting areas.
3. No more than four malt beverages may be tasted at any one tasting area.
4. The malt beverage tasting shall not last longer than four hours from the time designated as the starting time by the retail permit holder.

c. The retail permit holder shall be solely liable for any violations of this Chapter occurring in connection with the malt beverage tasting. The Commission shall adopt rules to assure that the tastings are limited to samplings and not a subterfuge for the unlawful sale or distribution of malt beverages, and that the tastings are not used by industry members for unlawful inducements to retail permit holders. Except for purposes of this subdivision, the holder of a malt beverage tasting permit shall not be construed to hold a permit for the on-premises sale or consumption of alcoholic beverages. Any food business is eligible for a malt beverage tasting permit.

(19) Spirituous liquor tasting permit. - The holder of any distillery permit authorized by G.S. 18B-1105 may conduct a consumer tasting event on the premises of the distillery subject to the following conditions:

a. Any person pouring spirituous liquor at a tasting shall be an employee of the distillery and at least 21 years of age.
b. The person pouring the spirituous liquor shall be responsible for checking the identification of patrons being served at the tasting.
c. Each consumer is limited to tasting samples of 0.25 ounce of each spirituous liquor which total no more than 1.5 ounces of spirituous liquor in any calendar day.
d. The consumer shall not be charged for any spirituous liquor tasting sample.

e. The spirituous liquor used in the consumer tasting event shall be distilled at the distillery where the event is being held by the permit holder conducting the event.

f. A consumer tasting event shall not be allowed when the sale of spirituous liquor is otherwise prohibited.

g. Tasting samples are not to be offered to, or allowed to be consumed by, any person under the legal age for consuming spirituous liquor.

The distillery permit holder shall be solely liable for any violations of this Chapter occurring in connection with the tasting. The Commission shall adopt rules to assure that the tastings are limited to samplings and not a subterfuge for the unlawful sale or distribution of spirituous liquor and that the tastings are not used by industry members for unlawful inducements to retail permit holders. (1945, c. 903, s. 1; 1947, c. 1098, ss. 2, 3; 1949, c. 974, s. 1; 1957, cc. 1048, 1448; 1963, c. 426, ss. 10, 12; c. 460, s. 1; 1971, c. 872, s. 1; 1973, c. 476, s. 128; 1975, c, 586, s. 1; c. 654, ss. 1, 2; c. 722, s. 1; 1977, c. 70, s. 19; c. 182, s. 1; c. 669, ss. 1, 2; c. 676, ss. 1, 2; c. 911; 1979, c. 348, ss. 2, 3; c. 683, ss. 5, 6, 11, 12; 1981, c. 412, s. 2; 1981 (Reg. Sess., 1982), c. 1262, ss. 16, 17, 22; 1983, c. 457, s. 3; c. 583, ss. 2-5; 1985, c. 89, ss. 1-3; c. 596, s. 1; 1987, c. 391, s. 2; c. 434, s. 1; 1989, c. 800, ss. 11, 12; 1991, c. 459, ss. 5, 6; c. 565, ss. 1, 7; c. 669, s. 1; 1991 (Reg. Sess., 1992), c. 920, s. 7; 1993, c. 508, s. 5; 1995, c. 466, s. 10; c. 509, ss. 16-18; 1997-443, s. 16.28; 1997-467, s. 3; 2001-262, s. 1; 2001-487, s. 49(a); 2003-402, s. 5; 2005-350, ss. 1, 2(a); 2006-222, s. 2.1; 2006-227, ss. 1, 9; 2006-264, s. 35.3; 2009-377, s. 2; 2009-539, s. 3; 2010-31, s. 14.12(c); 2011-73, ss. 3, 4; 2011-107, s. 1; 2011-333, ss. 4, 5; 2013-76, s. 1.)

**§ 18B-1006.1. Additional requirement for certain permittees to recycle beverage containers.**

Holders of on-premises malt beverage permits, on-premises unfortified wine permits, on-premises fortified wine permits, and mixed beverages permits shall separate, store, and provide for the collection for recycling of all recyclable beverage containers of all beverages sold at retail on the premises. A permittee has satisfied the requirements of this section if it implements a recycling program that meets the minimum standards of the model recycling program developed by the Commission pursuant to G.S. 130A-309.14(m). Failure to comply with the requirements of this section shall not be grounds for revocation of a permit. A conviction for violation of this section shall not

constitute an alcoholic beverage offense within the meaning of G.S. 18B-900(a)(4). (2005-348, s. 1; 2007-402, s. 2(a); 2008-187, s. 35.5.)

## Appendix A - Application Submittal Documents - Attachment 4

**Bottle Shop classified as Retail Use in Durham, NC**
Email from Dennis Doty with Durham City-County Planning Development

Jeremy, in Durham we would view the on-premise consumption of beer and wine as an accessory use to the retail use if:

1. The on-premise consumption is only allowed when the retail store is open.
2. There is no physical separation between the retail and consumption areas (we would typically request a floor plan to verify this).
3. The on-premise consumption is clearly subordinate in size and purpose to the primary retail use.

If these criteria could not be met, we would classify the on-site consumption as Bar or Nightclub under our ordinance and the Limited Use Standards for that use would have to be met (such as separation from a pre-existing place of worship).

Any questions, please advise.

**Dennis Doty**
*Customer Service Center*
*Durham City-County Planning Department*
101 City Hall Plaza
Durham, NC 27701
(919)560-4137 ext 28252
Dennis.Doty@durhamnc.gov
www.durhamnc.gov

## Appendix A - Application Submittal Documents - Attachment 5

Competition Similar to The Bottle Shop

As Prepared By:

Small Business & Technology Development Center (SBTDC) At East Carolina University

**Chef & the Farmer - Kinston NC**

http://chefandthefarmer.com/wine-shop/

Started as a restaurant and added the wine shop for guests who wish to take home the wines served at the restaurant or craft beers. Wine is the main focus of The Wine Shop, craft beers are added for the non-wine drinkers.

Tuesday – Saturday 2pm – 9pm

Offer "Saturday Tastings", semi-private dining, and "at the table wine dinners"

**Brewmasters – Wilson, NC**

http://www.yelp.com/biz_photos/brewmasters-wilson#Re3y0xjmIOJxysiMbnSJCg

No webpage but there is Yelp review with pictures. It appears they offer Boar's Head sandwiches and other food products in house. Their main selection consists of craft beer bottles and six packs. There are some cold beers available in a "build your own six packs" section. It appears there are 9 craft beers on tap (I'm assuming that selection would constantly change). There are 3 tables in the store and a long bar with barstools. It appears they sell glassware with logos of some craft beer brewers (ex. Duck Rabbit), as well as a small condiment section. (All this information was concluded by looking through the pictures on yelp.

**The Beer Store – Wilson, NC**

http://www.thebeerstorewilson.com/home.html

Large selection of craft beers. 6 beers on tap, 2 beers in growlers, 202 beers in bottles and 11 beers in cans. Bottles are sold individually so customers can make their own six pack. Style includes imports, seasonal and large selection of NC brews. Also have a gluten free bar and craft soda.

Featured Beer (in 25 oz. or 22 oz. bottles) – $5.99 - $18.99
On Tap – 12 oz. or 16 oz. $4.00 - $7.00
Growlers – 32 oz. $8.00 - $10.00
Bottles & Cans – 11oz. or 12 oz. $1.79 - $6.99

Wednesday – Saturday 12-9pm

**Clayton Beverage Company – Clayton, NC**

http://claytonbeverageco.com/

Based on the Facebook page, people enjoy stopping in and trying different types of craft beers and then deciding what to buy after drinking a few and figuring out what they like. The staff is knowledgeable about the beers and helps the customers decide what is best for them. They constantly have new items for customers to try. They have events every now and again including sampling events etc.

Draft - Pints $2.50 all day every day

**Numerous shops in Raleigh, Durham, Wake Forest, and surrounding areas**

http://www.ncbeerguys.com/nc-bottle-shops/

**A few in Wilmington and Fayetteville as well as up and down the coast line**

(see link above)

**Pricing strategy for craft beer in a restaurant**

http://craftbeerrestaurant.com/Craft_Beer_Restaurant/Pricing_craft_beer.html

I notice that craft beers are priced based on alcohol levels, the more alcohol there is in it then the more expensive it will be.

Convenience stores markup beer (probably not craft) – 23%

http://www.nps.gov/orgs/csp/upload/2014-Convenience-Store-Markup-Percentages.pdf

# City of Greenville, North Carolina

**Meeting Date: 4/9/2015**
**Time: 7:00 PM**

**Title of Item:** 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

**Explanation:**

**Abstract:** On January 15, 2015, the City Council considered a proposed Live Performance Theater Text Amendment and unanimously voted to refer the text amendment back to the Planning and Zoning Commission for further review and revision. 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.

**Explanation:** Currently, the Zoning Ordinance does not allow live performance theaters in the CD (Downtown Commercial) zoning district.

This amendment would allow live performance theaters in the CD zoning district through a special use permit. Maps 1 and 2 identify current boundaries of the CD zoning district. Map 3 identifies the Future Land Use designation as Commercial in the Center City area and depicts the area as a Regional Focus Area. (Refer to Exhibit A for Maps 1-3). 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 moved forward to the City Council.

On January 15, 2015, the City Council considered the proposed ordinance and 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.

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:

1. 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."*;

2. 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."*;

3. Subsections 9-4-86RR(9) was added which states, *"The facility shall have a fixed permanent stage platform of 800 square feet minimum."*; and

4. Subsections 9-4-86RR(12) was added which states, *"Closing time shall be no later than 1:00 A.M.*";

Excerpts of relevant minutes are attached from the following meetings:

Exhibit B: (DRAFT) Planning and Zoning Commission, March 17, 2015;
*[Note: Redevelopment Commission Minutes from 3/3/15 have not been drafted]*
Exhibit C: City Council meeting, January 15, 2015;
Exhibit D: Planning and Zoning Commission, December 16, 2014; and
Exhibit E: Redevelopment Commission, November 4, 2014.

**Fiscal Note:** There is no anticipated fiscal impact.

**Recommendation:** 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.

Horizons: Greenville's Community Plan, Implementation Section, Growth and Development Subsection, Implementation Strategy 2(t) states, *"Preserve historic*

*warehouses and older buildings through renovation and adaptive reuse."*

Implementation Section, Economic Development Subsection, Implementation Strategy 2(b) states, *"Encourage rehabilitation and reuse of commercial/industrial buildings."*

Implementation Section, Vision Areas Subsection, Central, Management Action H5, states, *"Develop the downtown as the cultural, recreational, and entertainment center of the City."*

Center City West Greenville Revitalization Plan, Chapter 2, Market Feasibility–Housing, Retail and Entertainment Uses, V. Strategy Implications, Goal 2 states, *"Reposition and revitalize downtown as a new and vibrant activity center for the city and the region."*

On March 3, 2015, the Redevelopment Commission voted to recommend approval of the revised text amendment.

On March 17, 2015, the Planning and Zoning Commission unanimously voted to recommend approval of the revised text amendment.

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

If 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, Implementation Section, Growth and Development Subsection, Implementation Strategy 2(t) to preserve historic warehouses and older buildings through renovation and adaptive reuse, Implementation Section, Economic Development Subsection, Implementation Strategy 2(b) to encourage rehabilitation and reuse of commercial/industrial buildings, Implementation Section, Vision Areas Subsection, Central, Management Action H5 to develop the downtown as the cultural, recreational, and entertainment center of the City; and Center City West Greenville Revitalization Plan, Chapter 2, Market Feasibility - Housing, Retail and Entertainment Uses, V. Strategy Implications, Goal 2 to reposition and revitalize downtown as a new and vibrant activity center for the city and the region and further that denial of the requested text amendment is reasonable and in the public interest due to encouraging preservation of older buildings and enhance downtown as a vibrant activity center."*

**Viewing Attachments Requires Adobe Acrobat. Click here to download.**

**Attachments / click to download**

- Ordinance___Live_Performance_Theater__Revised__1000335
- Exhibits_A_E__Live_Performance_Theater_1000326

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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 April 9, 2015, at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

WHEREAS, 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, 2009-2010 Update, Implementation Section, Growth and Development Subsection, Implementation Strategy 2(t) to preserve historic warehouses and older buildings through renovation and adaptive reuse, Implementation Section, Economic Development Subsection, Implementation Strategy 2(b) to encourage rehabilitation and reuse of commercial/industrial buildings, Implementation Section, Vision Areas Subsection, Central, Management Action H5 to develop the downtown as the cultural, recreational, and entertainment center of the City, Center City West Greenville Revitalization Plan, Chapter 2, Market Feasibility – Housing, Retail and Entertainment Uses, V. Strategy Implications, Goal 2 to reposition and revitalize downtown as a new and vibrant activity center for the city and the region;

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, encourage preservation of older buildings and enhance downtown as a vibrant activity center;

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 *"Live Performance Theater":*

*Live Performance Theater. A facility for holding live performances, motion pictures, plays, and live music through the sale of tickets and allows banquets as an accessory use. Such use is limited in its location, size and operation in accordance with the provisions of section 9-4-86.RR. (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) gg. *"Live Performance Theater (see also section 9-4-86)"*; by allowing this land use with a special use permit in the CD (Downtown Commercial) zoning district; and by assigning a LUC 4 to the land use.

Section 3: That Title 9, Chapter 4, Article F, 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. Live Performance Theater (see also section 9-4-22).

(1) Events and/or banquets must be ticketed or free of charge to participants. No cover charges can be required for events.

(2) The following ticketed events shall be permitted: Concerts, Plays, Motion Pictures Operas, Musicals, Ballets, Other Forms of Modern Dance.

(3) As an accessory use the facility may host private banquets and meetings.

(4) The following activities shall not be permitted at the theater: televised events, disc jockey-based events, dance parties, raves, house music-based events, outdoor events or outdoor amplified music.

(5) 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 held per calendar year.

(6) May have as an ancillary or accessory use a full service bar which is only open to patrons of ticketed events, private banquets or meetings and is limited to operate only during the hours the above listed permitted ticketed events, private banquets or meetings are being held.

(7) The facility shall not operate as a public or private club as defined by Title 9, Chapter 4, Article B, Section 9-4-22.

(8) Minimum square footage of live performance theaters shall be 7,500 square feet.

(9) The facility shall have a fixed permanent stage platform of 800 square feet minimum.

(10) Accessory retail sales shall be permitted for the sale of theater or event related items.

(11) The portion of the building devoted to live performances may have open or fixed seating.

(12) Closing time shall be no later than 1:00 A.M.

(13) (a) A special use permit for a live performance theater is subject to revocation in accordance with the provisions of this subsection (10). Nothing herein shall prohibit or restrict the authority of the Board of Adjustment to rescind or revoke a special use permit for a live performance theater in accordance with the provisions of section 9-4-83.

(b) An annual review shall be conducted by the Director of Community Development or his or her authorized representative of a live performance theater which has received a special use permit for the purpose of determining and ensuring compliance with applicable laws, codes and ordinances, including but not limited to noise regulations, litter control regulations, fire codes, building codes, nuisance and public safety regulations, and special use permit conditions of approval. The findings of the Director of Community Development or his or her authorized representative as a result of this annual review shall be compiled in a written staff report.

(c) At a meeting of the Board of Adjustment, the Director of Community Development or his or her authorized representative shall present to the Board of Adjustment the staff report of a live performance theater for which the annual review includes a finding of one or more instances of noncompliance with applicable laws, codes and ordinances, including but not limited to noise regulations, litter control regulations, fire codes, building codes, nuisance and public safety regulations, and special use permit conditions of approval. The special use permit holder shall be provided notice of the meeting and a copy of the staff report.

(d) Based on the staff report, the Board of Adjustment, by a majority vote, may either determine that a rehearing is not required for the special use permit or order a rehearing on the special use permit.

1. An order for a rehearing shall be based upon a determination by the Board of Adjustment that either:

a. The use of the property is inconsistent with the approved application;

b. The use is not in full compliance with all specific requirements

set out in this chapter;

c. The use is not compliant with the specific criteria established for the issuance of a special use permit including conditions and specifications, health and safety, detriment to public welfare, existing uses detrimental, injury to properties or improvements, and nuisance or hazard; or

d. The use is not compliant with any additional conditions of approval established by the Board and set out in the order granting the permit.

2. The rehearing shall be in the nature of and in accordance with the requirements for a hearing upon a special use permit application. After the rehearing and in accordance with the provisions of section 9-4-81, the Board of Adjustment may grant a special use permit with conditions imposed pursuant to this subsection (RR) and section 9-4-82 or deny the special use permit. The grant or denial of the special use permit by the Board of Adjustment after the rehearing shall constitute a revocation of the previously granted special use permit for a live performance theater.

(e) The requirements and standards set forth in this subsection (RR)(10) are in addition to other available remedies and nothing herein shall prohibit the enforcement of applicable codes, ordinances and regulations as provided by law.

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 9th day of April, 2015.

_____
Allen M. Thomas, Mayor

ATTEST:

_____
Carol L. Barwick, City Clerk

Greenville
NORTH CAROLINA
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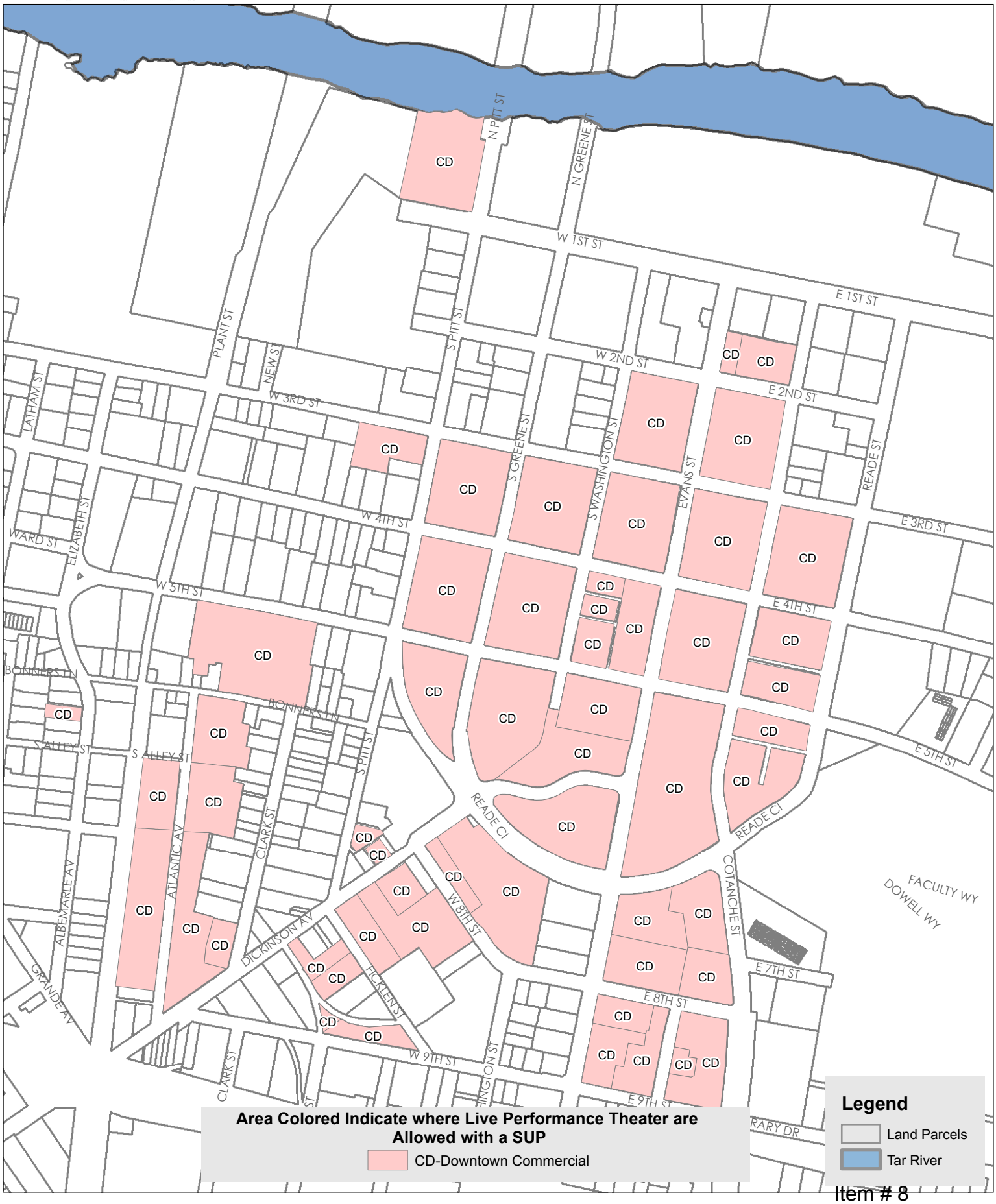
**EXHIBIT A (1 of 3)**

# Map 1 - Zone (CD) Where Live Performance Theater are Permitted with a Special Use Permit

NORTH




**Area Colored Indicate where Live Performance Theater are Allowed with a SUP**

CD-Downtown Commercial

**Legend**

Land Parcels

Tar River

Item # 8

*#1000326*

0 320 640 1,280 Feet

December 3, 2014

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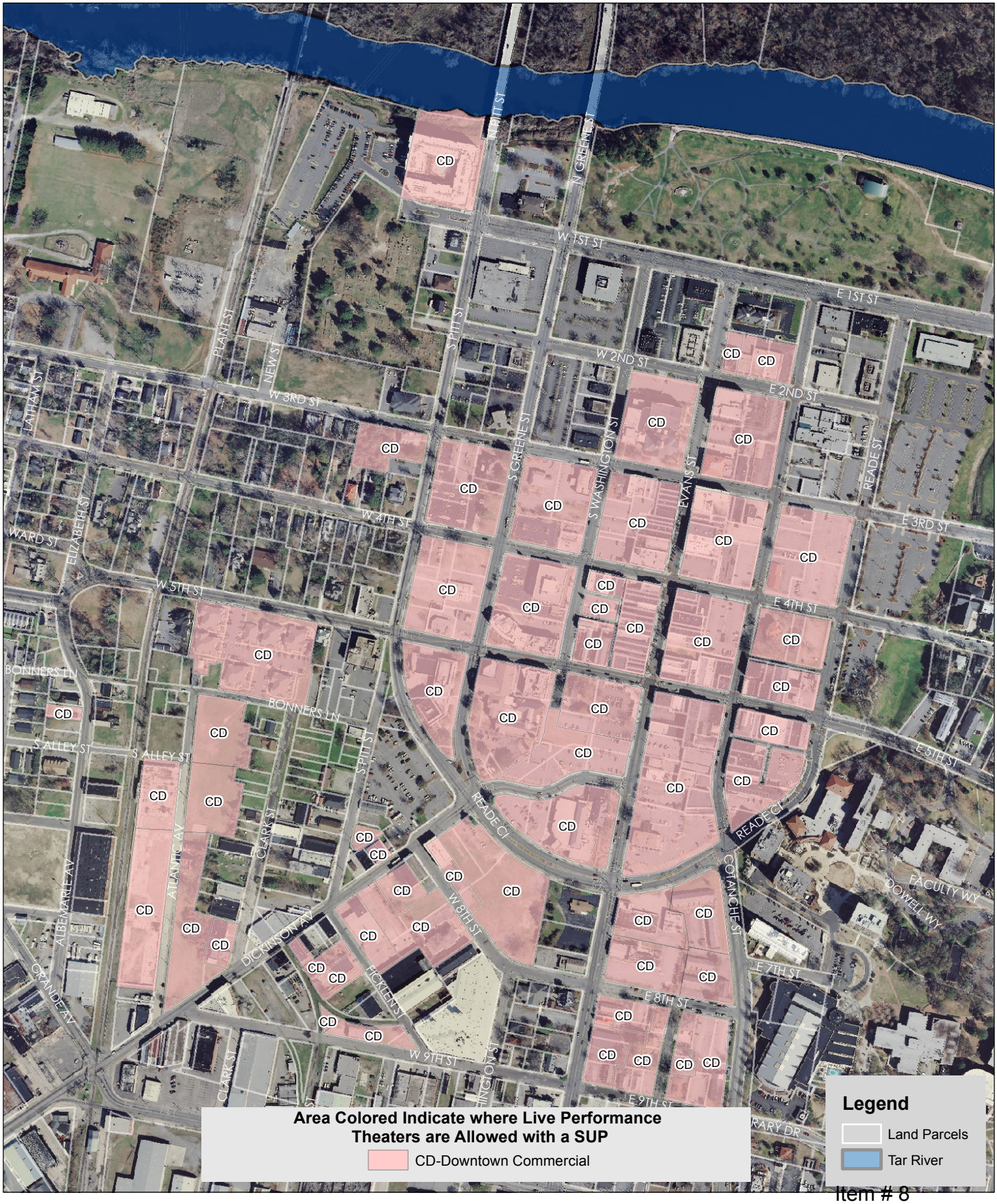
# Map 2 - Zone (CD) with Aerial Where Live Performance Theaters are Permitted with a Special Use Permit

NORTH




Item # 8

December 3, 2014

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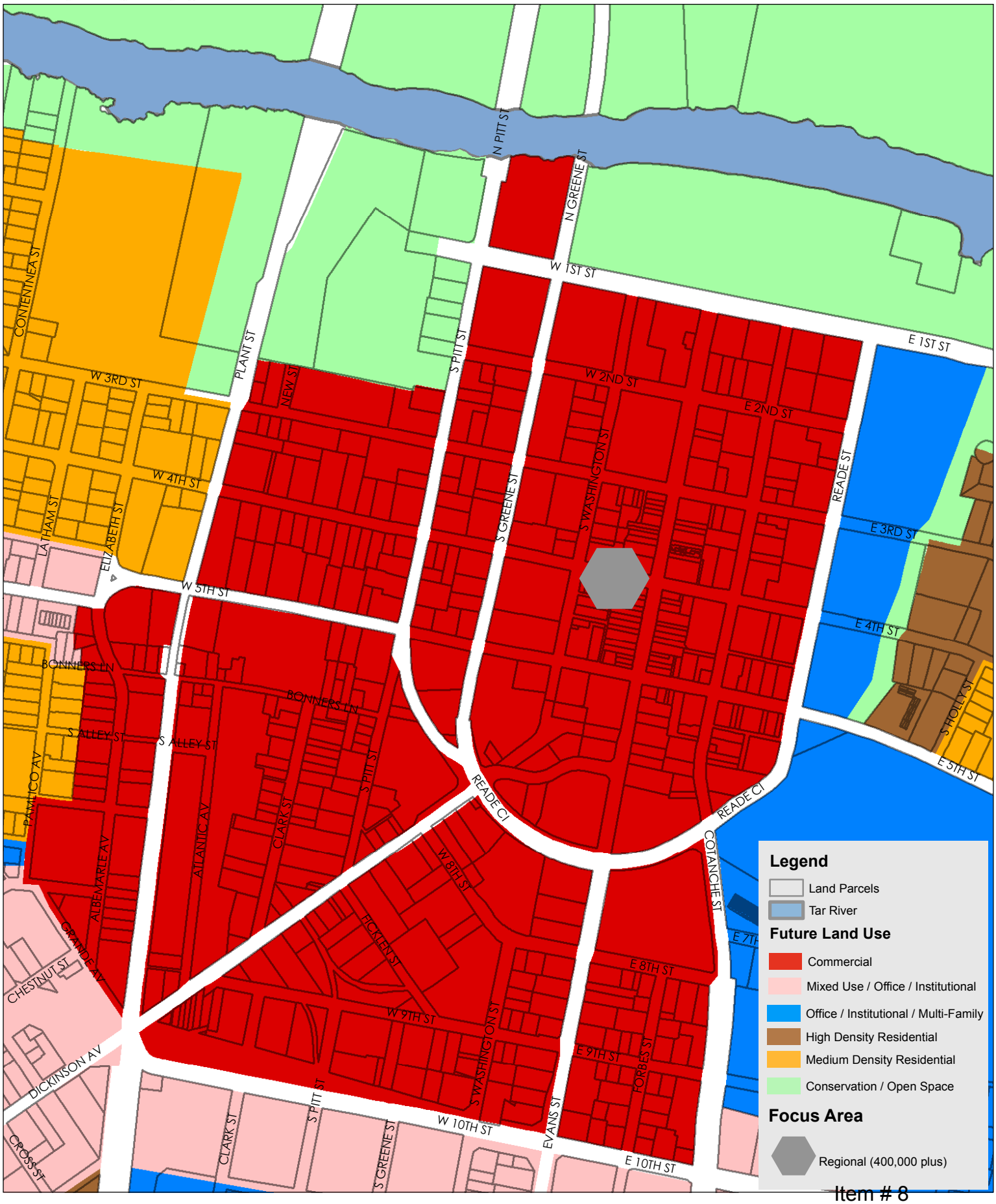
**EXHIBIT A (3 of 3)**

# Map 3 - Future Land Use and Designated Focus Area

NORTH




0 350 700 1,400 Feet

Item # 8

December 3, 2014

**EXHIBIT B - DRAFT - Excerpt from Planning & Zoning Commission Minutes, March 17, 2015**

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 . - APPROVED

Mr. Merrill Flood, Director of Community Development, presented the text amendment. At the December 16, 2014 the Planning and Zoning Commission unanimously approved a motion to recommend approval of a proposed text amendment to add live performance theaters as an allowed use within the CD (Downtown Commercial) Zoning District with a special use permit. The item moved forward to the City Council meeting, but when the City council considered the amendment during their January 15, 2015 meeting, the Council referred it back to the Planning and Zoning Commission for further review. The text amendment has been revised due to the concerns of live recorded music. Staff met with the proposed purchaser of White's Theater to understand more about their business model. It would be distinguished as a theater and not a public/private club.

The following revisions were made to the ordinance since the December 16, 2014 Planning and Zoning meeting:

1. Added allowance provisions for recorded music.
2. Increased the minimum size of theaters from 5,000 square feet to 7,500 square feet.
3. Added a requirement for a permanent stage with a minimum size of 800 square feet.
4. Added a regulation stating that the theater will close at 1:00 am.

**Definition**: Live Performance Theater
*A facility for holding live performances, motion pictures, plays, and live music through the sale of tickets and allows banquets as an accessory use. Such use is limited in its location, size and operation in accordance with the provisions of section 9-4-86.RR.*

**Regulations** (<u>revised regulations are underlined</u>):

1. Events and/or banquets must be ticketed or free of charge to participants. No cover charge can be required for events.

2. The following ticketed events shall be permitted: concerts, plays, motion pictures, operas, musicals, ballets, other forms of modern dance.

3. As an accessory use, the facility may host private banquets and meetings.

4. The following activities shall not be permitted: televised events, disc jockey-based events, dance parties, raves, house music-based events, outdoor events or outdoor amplified music.

5. <u>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 held per calendar year.</u>

6. May have an accessory use, a full service bar which is only open to patrons of ticketed events, private banquets or meetings and is limited to operate only during the hours the above listed permitted ticketed events, private banquets or meetings are held.

7. The facility shall not operate as a public or private club as defined by Title 9, Ch. 4, Art. B, Sec. 9-4-22.

8. Minimum square footage of live performance theaters shall be 7,500 ~~5,000~~ square feet.

9. The facility shall have a fixed permanent stage platform of 800 square feet minimum.

10. Accessory retail sales shall be permitted for the sale of theater or event related items.

11. The portion of the building devoted to live performances may have open or fixed seating.

12. Closing time shall be no later than 1:00 am.

**Special Use Permits**
The text amendment requires a special use permit which is revocable. Regulations would be reviewed on an annual basis just like the activities of dining and entertainment establishments and public/private clubs. Live Performance Theaters would only be allowed in the CD (Downtown Commercial) Zoning District.

The proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan:

Implementation Section, Growth and Development Subsection, Implementation Strategy 2(t) states, "Preserve historic warehouses and older buildings through renovation and adaptive reuse."

Implementation Section, Economic Development Subsection, Implementation Strategy 2(b) states, "Encourage rehabilitation and reuse of commercial/industrial buildings."

Implementation Section, Vision Areas Subsection, Central, Management Action H5, states, "Develop the downtown as the cultural, recreational, and entertainment center of the City."

The proposed Zoning Ordinance Text Amendment is in compliance with the Center City West Greenville Revitalization Plan, Chapter 2, Market Feasibility – Housing, Retail and Entertainment Uses, V. Strategy Implications, Goal 2 states, "Reposition and revitalize downtown as a new and vibrant activity center for the city and the region."

He stated the City is trying to create a “live, work, play” environment. The Redevelopment Commission met last week and approved unanimously the amendment modifications. In staff’s opinion, the proposed Zoning Ordinance is in compliance with the Horizons: Greenville's Community Plan and the Center City West Greenville Revitalization Plan.

Chairman Basnight opened the public hearing.

No one spoke in favor or in opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

No board discussion was made.

**Motion made by Mr. Smith, seconded by Mr. Griffin, to recommend approval of the proposed text 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.**

**EXHIBIT C - Excerpt from Adopted City Council Meeting Minutes, Jan. 15, 2015**



Youth Council
Mayor Pro-Tem Mercer made a motion to appoint Nicole Jones to fill an unexpired term that will expire September 2015. Council Member Croskery seconded the motion and it carried unanimously.

## NEW BUSINESS

## PUBLIC HEARINGS

ORDINANCE TO ANNEX NORTH GREEN COMMERCIAL PARK, LOT 4, INVOLVING 12.490 ACRES LOCATED ALONG THE NORTHERN RIGHT-OF-WAY OF STATON HOUSE ROAD AND 250+ FEET WEST OF NORTH MEMORIAL DRIVE – (Ordinance No. 15-006)

Community Development Director Merrill Flood showed a map depicting the proposed annexation area, which is located within Belvoir Township in voting district #1. The property is currently vacant with no population. No population is estimated at full development. Current zoning is CH (Heavy Commercial), with the proposed use being 162,000+/- square feet of commercial space. Present tax value is $843,075, with tax value at full development estimated at $17,043,075. The property is located within Vision Area A.

Mayor Thomas declared the public hearing for the proposed annexation open at 7:09 pm and invited anyone wishing to speak in favor to come forward. Hearing no one, he then invited comment in opposition. Also hearing no one, Mayor Thomas closed the public hearing at 7:10 pm.

Council Member Smith moved to adopt the ordinance to annex North Green Commercial Park, Lot 4, involving 12.490 acres located along the northern right-of-way of Staton House Road and 250+ feet west of North Memorial Drive. Council Member Croskery seconded the motion, which passed by unanimous vote.

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

Community Development Director Flood stated this item comes about as a result of work to revive the uptown and market the former White's Theater to interested redevelopers to create a live entertainment or theater venue in the uptown area. This facility used to be the Park Theater. It has since been purchased by the City in hopes of revitalizing it. The Redevelopment Commission issued a call for developers and is in the process of working

with one submitter that seems to have a business model that might work in that facility for a live entertainment venue. There are many similarities between land uses so staff had to work to first determine if this is allowed by Greenville's City Code. Sometime in the early 1990's, the theater option was removed as a permitted or special use in the downtown commercial district. This amendment would allow live performance theaters in the CD (Downtown Commercial) zoning district through a special use permit. It would also establish specific criteria for live performance theaters. This amendment could potentially satisfy two issues as it is known that East Carolina University has future plans to include a performing arts center in this general vicinity.

Staff had to consider the characteristics of live performance venues and define how those differ from some other similar uses such as public or private clubs. One of the major factors affecting public or private clubs in this location would be a spacing requirement. Many other cities treat a live performance venue as a public or private club, but staff feels Greenville needs a hybrid application with a distinction made between the two by operating characteristics.

The text amendment defines a Live Performance Theater as a facility for holding live performances, motion pictures, plays and live music through the sale of tickets and allows banquets as an accessory use. Such use is limited to its location, size and operation in accordance with the provisions of Section 9-4-86.RR.

The definition makes this a different sort of model because one purchases a ticket to see a live event. There are limitations on size – it must be not less than 5,000 sq. ft. – and it allows special events such as banquets, but without a cover charge allowed. It does not permit televised events, disc jockey based events, dance parties, raves, etc. It does allow a full-service bar as an accessory use.

There are other portions of the zoning ordinance that would need to be amended, such as the spacing between public or private clubs if it were classified as a public or private club.

While the Planning and Zoning Commission unanimously voted at its December 16, 2014 meeting to recommend approval, the Redevelopment Commission and the potential developer do have some concerns because of the potential developer's preference to be able to have pre-recorded music at the venue.

Mayor Thomas asked if it is necessary to move forward on this at the present time if there are still unanswered questions.

Director Flood stated at the time the proposal was submitted, the goal was to insure the provisions were in the ordinance. He stated he did not feel a delay of another thirty days would be an issue, but being that the City has entered into negotiations with the potential developer, those provisions will be an important aspect of the buyer's financing agreement.

Council Member Smith stated she was at the Redevelopment Commission's meeting and it was clear that the buyer had some concerns. She feels they would want the City to take a closer look at it. One issue was the recorded music. If someone is putting on a play, but does not have someone to sing live – all of their music is pre-recorded – wouldn't this proposal exclude them?

Director Flood stated no, because the primary use would be the play. This restricts recorded music from being the sole performance because that would make them no different from a public or private club.

Council Member Smith asked if the theater has theater seating or open floor space.

Director Flood stated their model has moveable seating. They could also have telescoping seating that will go flat against a wall.

Council Member Smith asked if this being a ticketed event would make them different from a public or private club.

Director Flood stated this is where the distinction becomes a gray area. It could be in the definition, but the net result is whether you pay in advance for a ticket or at the door for a cover charge, you are still paying to get in.

Council Member Blackburn expressed a desire to be supportive since there is interest in the facility, but if that is not yet the will of the City Council, she would not be hasty.

Mayor Thomas asked if the interested buyer was the Lincoln Theater Group, and if so, don't they operate similar facilities in Raleigh.

Director Flood stated the Mayor was correct, and in Raleigh, they are classified as a public or private club.

Council Member Croskery said by the stated definition, the facility would not be able to broadcast the Super Bowl, but one of the new uses for a facility of this nature is for simulcasting events. He stated he can go to the Regal Theater on Saturday and watch the Metropolitan Opera with a group of his friends. That is a live performance, but it's being done elsewhere. It has recorded music since it's coming over the airwaves, but yet it's being performed live. Motion pictures, which are pre-recorded, are allowed. This seems to be another gray area. He said he wonders if there are others that may warrant more attention before adopting an ordinance.

Council Member Glover stated this building has been here for a long time with no interest. She would be afraid they potential buyers may lose momentum and decide they cannot work in Greenville. The building needs to be used.

Mayor Thomas asked if it was necessary to hold the public hearing if the item was referred back to Planning and Zoning.

City Attorney Dave Holec stated the Council could hold the public hearing, or choose not to do so if the item was being referred back to Planning and Zoning or continued.

Mayor Thomas asked if anyone was present who wished to speak in a public hearing on this item and no one responded.

Council Member Smiley moved to refer this item to Planning and Zoning 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. Mayor Pro-Tem Mercer seconded the motion, which passed by unanimous vote.

RESOLUTION TO CLOSE A PORTION OF GREENPARK DRIVE – (Resolution No. 004-15)

Public Works Director Kevin Mulligan presented a resolution to close a portion of Greenpark Drive, stating that the closure was requested by Stow Management, Inc., who owns all land adjacent to the closure area.

Mayor Thomas declared the public hearing for the proposed street closing open at 7:37 pm and invited anyone wishing to speak in favor to come forward. Hearing no one, he then invited comment in opposition. Also hearing no one, Mayor Thomas closed the public hearing at 7:38 pm.

Council Member Smith moved to adopt the resolution to close a portion of Greenpark Drive. Council Member Glover seconded the motion, which passed by unanimous vote.

RESOLUTION TO CLOSE A PORTION OF LAWRENCE STREET – (Resolution No. 005-15)

Public Works Director Kevin Mulligan presented a resolution to close a portion of Lawrence Street, stating that the closure was requested by East Carolina University, which has acquired the Wendy's property and the Baptist Student Union which adjoin the street.

Mayor Thomas declared the public hearing for the proposed street closing open at 7:42 pm and invited anyone wishing to speak in favor to come forward.

Scott Buck – No Address Given

**EXHIBIT D - Excerpt of Planning and Zoning Commission Minutes, December 16, 2014**

MINUTES ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION
December 16, 2014

The Greenville Planning and Zoning Commission met on the above date at 6:30 p.m. in the Council Chambers of City Hall.

Ms Shelley Basnight –Chair-*

| | |
|---|---|
| Mr. Tony Parker - *(Vice Chair) | Ms. Chris Darden – * |
| Mr. Jerry Weitz – * | Ms. Margaret Reid - X |
| Ms. Ann Bellis - * | Mr. Torico Griffin - * |
| Mr. Doug Schrade - * | Mr. Terry King –* |
| Ms. Wanda Harrington-X | Mr. Brian Smith -X |

The members present are denoted by an * and the members absent are denoted by an X.

**VOTING MEMBERS**: Parker, Schrade, Griffin, Bellis, King, Weitz, Darden

**PLANNING STAFF**: Thomas Weitnauer, Chief Planner and Amy Nunez, Staff Support Specialist II.

**OTHERS PRESENT**: Dave Holec, City Attorney; Merrill Flood, Director of Community Development; Tim Corley, Civil Engineer II and Jonathan Edwards, Communications Technician.

**MINUTES:** Motion was made by Mr. Parker, seconded by Mr. King, to accept the October 21, 2014 minutes as presented. Motion carried unanimously.

**NEW BUSINESS**

**TEXT AMENDMENTS**
ORDINANCE TO AMEND THE ZONING ORDINANCE BY ADDLING 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. - APPROVED

Mr. Merrill Flood, Director of Community Development, presented the text amendment. He stated the amendment was recommended by the Redevelopment Commission, who has actively been seeking a redevelopment partner to help redevelop White's Theater. There are plans that have been identified by community partners to establish a performing arts venue in the Uptown Area. This idea was first discussed during the adoption of the Revitalization Plan in 2006. In the early to mid 1990s, the idea of theaters or performance venues listed as a permitted use in the zoning ordinance was removed. It is no longer a permitted use or special use permitted use in the CD (downtown commercial) district. He stated as they seek to increase activities in the Uptown Area, it is important to have a live, work, play environment as referred to in the Center City Revitalization Plan. The amendment will create a land use category and classification of use for live performance theaters. He stated the Office of Economic Development staff brought a discussion item to the Redevelopment Commission to seek reaction and input regarding live

performance theaters in the CD zoning district with a special use permit. The RDC unanimously voted to request staff and the Planning and Zoning Commission to initiate a text amendment.

Definition: A facility for holding live performances, motion pictures, plays, and live music through the sale of tickets and allows banquets as an accessory use. Such use is limited in its location, size, and operation in accordance with the provisions of section 9-4-86.RR.

Text amendment additions

1. Events and/or banquets must be ticketed or free of charge to participants. No cover charge.
2. Ticketed events permitted: concerts, plays, motion pictures, operas, musicals, ballets, other forms of modern dance.
3. Accessory uses: private banquets and meetings.
4. Activities not permitted: televised events, disc jockey-based events, dance parties, raves, house music-based events, outdoor events or outdoor amplified music.
5. May have as an accessory use a full service bar only open to patrons of ticketed events, private banquets or meetings and is limited to operate only during the hours the above listed permitted ticketed events, private banquets or meetings are held.
6. The facility shall not operate as a public or private club as defined by Title 9, Ch. 4, Art. B, Sec. 9-4-22.
7. Minimum square footage of live performance theaters shall be 5,000 square feet.
8. Accessory retail sales shall be permitted for the sale of theater or event related items.
9. The portion of the building devoted to live performances may have open or fixed seating.
10. A SUP (special use permit) is required and is revocable.

The proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan as follows:

Implementation Section, Growth and Development Subsection, Implementation Strategy 2(t) states, "Preserve historic warehouses and older buildings through renovation and adaptive reuse."

Implementation Section, Economic Development Subsection, Implementation Strategy 2(b) states, "Encourage rehabilitation and reuse of commercial/industrial buildings."

Implementation Section, Vision Areas Subsection, Central, Management Action H5, states, "Develop the downtown as the cultural, recreational, and entertainment center of the City."

Center City West Greenville Revitalization Plan, Chapter 2, Market Feasibility – Housing, Retail and Entertainment Uses, V. Strategy Implications, Goal 2 states, "Reposition and revitalize downtown as a new and vibrant activity center for the city and the region."

In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan and Center City West Greenville Revitalization Plan.

Ms. Bellis asked if it was previously a permitted use and if it no longer existed.

Mr. Flood stated yes. He stated sometime in the 1990s it was no longer a permitted use or special use permit in the downtown area.

Ms. Bellis asked if it covered as many uses as the proposed text amendment.

Mr. Flood stated it was less definitive. Since 1977 there have been about 19 amendments to the zoning ordinance related specifically to public/private clubs. He stated things change and the code has been amended to reflect the community's sentiment as to how public/private clubs should perform and operate in the community.

Chairwoman Basnight asked if the proposed meets the minimum requirements.

Mr. Flood stated yes.

Chairwoman Basnight opened the public hearing.

No one spoke in favor or in opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

No board discussion was made.

**Motion made by Mr. Schrade, seconded by Ms. Darden, to recommend approval of the proposed text 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.**

**OTHER**

PETITION TO CLOSE A PORTION OF GREENPARK DRIVE - APPROVED

Mr. Tim Corley, Civil Engineer II, presented the petition. He stated Greenpark Drive is located north of the river. It meets at both Staton House Road and N. Memorial Drive near the Sheetz. The petition was received by Stow Management. They wish to abandon the portion of the road that connects to Staton House Road and create a cul-de-sac for a redevelopment project. City staff has the following conditions:

1. City staff recommends, as a condition, of the street closing, a recombination map be submitted in accordance with the Subdivision Regulations.
2. Greenville Utilities has requested an easement over and upon the utilities that will remain in the closed street right-of-way.

Budgeted funds for the maintenance of this street section will no longer be required upon the effective date of the Resolution to Close by City Council. The City will no longer receive Powell Bill funds for the closed street sections. Staff recommends approval to be forwarded to City Council.

Chairwoman Basnight opened the public hearing.

No one spoke in favor or in opposition of the request.

**EXHIBIT E - Excerpt of Approved Redevelopment Commission Minutes, November 4, 2014**

## VI. Update on Evans Street Gateway Public Art Project

Mr. Rees stated that a couple of months ago there was a public forum calling for artist issued by the Pitt County Arts Council on our behalf. The Public Arts Committee reviewed a total of eleven submissions. The committee has narrowed down the selection to three finalists. The three finalists are Jim Galuchi, who did the whisper benches at five points, H&G Studios, and Beth Nybeck. They will be at the Emerge gallery on November 14th to answer questions. Two volunteers, Ms. Marshall and Ms. Dunn, will be serving on the selection committee. Finalist will be at the next meeting.

## VII. Consideration of Recommendation to Create a Zoning Category for Theatres and Live Performance Venues

Mr. Flood stated that there is a lot of momentum concerning land uses and the uptown theater consideration. In addition, East Carolina University is considering a performing arts center in the future. Currently the zoning ordinance does not have provisions for allowing a theatre. We need to make some accommodations for use. Staff would like to create an amendment allowing special use permit. We are asking the RDC to sponsor and authorize staff to craft a zoning amendment to allow special use permit.

Ms. Dunn asked what area is being discussed.

Mr. Flood replied the uptown area and the Dickinson Avenue, Tenth Street, and Evans Street area.

Ms. Dunn asked if staff was proposing to take the CDF and include as a permitted use the theatre or drama.

Mr. Flood replied that staff would look at creating a separate use category or amend the current category to create a definition or to allow special use permits. We will evaluate what other similar cities are doing for special uses.

Mr. King asked if the performing arts area would be limited to the redevelopment area.

Mr. Flood replied perhaps. Staff would not want to do anything that affects reinvestment.

Motion was made by Mr. King and seconded by Ms. Marshall to request that staff investigate venues to create a zoning category for theatres and live performance. Motion carried unanimously.

## VIII. Consideration of Contract for Purchase of Real Property

Mr. Wisemiller stated that staff is requesting authorization to purchase 604 Clark Street from Chris Darden for $75,000 (twenty percent over the appraised value). The appraisal and review appraisal came in at $67,500, which allowed staff to meet the owner's price.

Motion was made by Mr. King and seconded by Mr. Patterson to authorize the purchase of 604 Clark Street from Chris Darden for $75,000. Motion carried unanimously.

Mr. Wisemiller stated that 650 Atlantic Avenue and 431 Bonners Lane are both owned by Charles Platter. This is guardianship property and there is a court approval process that may take a couple of months to get through. Purchase of these properties has already been approved.

# City of Greenville, North Carolina

**Meeting Date: 4/9/2015**
**Time: 7:00 PM**

**Title of Item:** Ordinance amending Horizons: Greenville's Community Plan to incorporate by reference the South Greenville Elementary School Area Report and Plan

**Explanation:**

**Abstract:** 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.

As part of the Task Force on Preservation of Neighborhoods and Housing's recommendations, City Council's 2014-2015 Goals, and Horizons: Greenville's Community Plan recommendations, the Community Development Division has prepared the South Greenville Elementary School Area Report and Plan. This plan is intended to guide policy and investment decisions for the South Greenville Elementary School Area.

**Fiscal Note:** Costs of specific recommendations to be determined prior to their implementation.

**Recommendation:** Staff recommends approval of the ordinance amending Horizons: Greenville's Community Plan to incorporate by reference the South Greenville Elementary School Area Report and Plan

**Viewing Attachments Requires Adobe Acrobat. Click here to download.**

**Attachments / click to download**

- Report and Plan
- Report and Plan
- Appendix
- Ordinance_for_South_Green_Elem_Plan_1000270
- Minutes___South_Greenville_Plan_1000340

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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 in The Daily Reflector setting forth that the City Council would, on April 9, 2015 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending Horizons: Greenville's Community Plan as follows;

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

WHEREAS, the City Council of the City of Greenville has per Ordinance No. 04-10 amended Horizons: Greenville's Community Plan pursuant to the 2004 Update; and

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

WHEREAS, the Planning and Zoning Commission and the City Council have reviewed Horizons: Greenville's Community Plan and the South Greenville Elementary School Area Report and Plan (15-01), and a public hearing has been held to solicit public comment.

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

Section 1: That Horizons: Greenville's Community Plan is hereby amended to incorporate by reference the South Greenville Elementary School Area Report and Plan (15-01).

Section 2: That all ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 3: That this ordinance shall become effective upon its adoption.

ADOPTED this 9th day of April, 2015.

_____
Allen M. Thomas, Mayor

ATTEST:

_____
Carol M. Barwick, City Clerk

1000270

**Excerpt from the DRAFT Planning & Zoning Commission Minutes (03/17/2015)**

ORDINANCE AMENDING HORIZONS: GREENVILLE'S COMMUNITY PLAN TO INCORPORATE BY REFERENCE THE SOUTH GREENVILLE ELEMENTARY SCHOOL AREA REPORT AND PLAN – APPROVED

Ms. Gooby stated that one of the 2014-2015 City Council goals is for quality neighborhoods and as part of that goal is to develop and complete a small area plan for the South Greenville Elementary School area. It is located in the central area of the City between Evans Street and Hooker Road, south of the Public Works Department and north of J. H. Rose High School. It is about 140 acres with a variety of uses. The development of the plan was a joint effort with various city departments and Greenville Utilities. Surveys were mailed out to property owners and residents for their input. There were two neighborhood information meetings: July 8, 2014 and March 10, 2015. As part of the preparation of the plans, staff identified several items that are included in the plan: assist the neighborhood in the establishment of a Neighborhood Association and a Community Watch Program, consider streetscape and entrance enhancement to Brownhill Cemetery, consider initiation of zoning amendments in the neighborhood and/or adjacent area properties that are zoned inconsistently with the Comprehensive Plan and/or FLUPM recommendations and assess street lighting levels and cause the installation of additional lamps and/or trimming of vegetation.

The plan will be forwarded to City Council. If adopted, it will be incorporated into Horizons: Greenville's Community Plan. City Council requests these plans and uses them as guides for what the neighborhood wants, needs, or requires. Parks, greenways, health safety, zoning, etc. were taken into consideration when developing the plan.

Mr. Smith asked about the attendance at the neighborhood meetings.

Ms. Gooby stated it was not as much as we would like but many people did inquire by phone and responded to the surveys.

Chairwoman Basnight opened the public hearing.

No one spoke in favor or in opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

Mr. Weitz commended the staff on a good job with the plan and with the GIS maps. He stated the neighborhood is highly desirable yet unrecognized. It has a good grid pattern of streets, sidewalks, public transportation, schools, and various other uses. It is very accessible to other parts of the City. He believes there is potential for this neighborhood to be considered historic in the future. There is also potential for more commercial and other new development that can enhance and serve the neighborhood.

**Motion was made by Mr. Schrade, seconded by Mr. Parker, to recommend approval of the ordinance amendment. Motion passed unanimously.**

# South Greenville Elementary Area Neighborhood Report and Plan (15-01)

Prepared by the Community Development Department

Adopted on April 9, 2015

Item # 9

STATON HOUSE RDOOL RDARTIN LUTH KING JR HW
S ANDY
Adopted on November 7, 2013

# ACKNOWLEDGEMENTS

## Greenville City Council and Administrative Staff

Mr. Allen Thomas, Mayor
Mr. Calvin Mercer, Mayor Pro-Tem
Ms. Rose Glover,
Ms. Kandie Smith
Ms. Marion Blackburn
Mr. Rick Smiley
Mr. Rick Croskery

Ms. Barbara Lipscomb, City Manager
Ms. Carol Barwick, City Clerk
Mr. Dave Holec, City Attorney

## Greenville Planning and Zoning Commission

Ms. Shelley Basnight, Chairman
Mr. Tony Parker, Vice Chairman
Mr. Jerry Weitz
Ms. Ann Bellis
Mr. Doug Schrade
Mr. Torico Griffin
Ms. Chris Darden
Mr. Terry King
Mr. Brian Smith
Ms. Margaret Reid

## Community Development Department - Project Staff

Chantae M. Gooby, Planner, Project Coordinator
Patrick House, GIS Specialist
Thomas Weitnauer, Chief Planner
Merrill Flood, Director of Community Development

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*B. Land Suitability (see maps 7-8)* *5*

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*H. Health and Life Safety (see maps 4, 8, 18, 19, 28)* *8*

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**5. Current Condition Assessment** **13**

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**7. HORIZONS: Greenville's Community Plan (2004) Recommendations** **14**

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**Neighborhood Plan for the South Greenville Elementary School Area** **21**

# South Greenville Elementary School Area Report and Plan 2015

## Report

### 1. Background/Introduction

In February 2004, the Greenville City Council established an ad hoc citizen Task Force on Preservation of Neighborhoods and Housing. This Task Force was charged with examining the conditions that exist in older, established neighborhoods, determining the impacts of rental properties, and recommending actions that would strengthen and enhance neighborhood vitality. The Task Force recommended 10 neighborhood improvement strategies, including strategy #9: "Develop and adopt Neighborhood Plans to guide public policy and investment decisions in older, established neighborhoods". These recommendations were submitted to and accepted by the Greenville City Council in December, 2004. The Task Force on Preservation of Neighborhoods and Housing Report to City Council, December 13, 2004 is available on-line at the city's web page, www.greenvillenc.gov/department/communitydevelopment/plans. The Greenville City Council also has established as one of its 2006-2007 Goals, "Emphasize the importance of neighborhood stabilization and revitalization". In an effort to achieve this goal, comprehensive neighborhood plans will be prepared and presented to the Planning and Zoning Commission for review and recommendation, and to the City Council for adoption. The adopted plans will be in the form of an amendment to HORIZONS: Greenville's Community Plan.

### 2. Neighborhood Profile (see map 1)

The South Greenville Elementary School area, hereafter referred to collectively as "the neighborhood", is located in the central section of the city, and more specifically, between Evans Street and Hooker Road and north of Arlington Boulevard. The neighborhood is located in Voting District 2 and within the city limits. As designated in HORIZONS: Greenville's Community Plan, the neighborhood is located in Vision Area G. The neighborhood began developing in the early 1960's. The neighborhood contains a total of 305 lots on 144 net acres (173 total acres). The neighborhood has 5.27 miles (27,855 linear feet) of paved public streets. The average year of construction of single-family dwellings is 1969.

Below is a break-out of all of the land uses within the neighborhood by number of lots:

| | |
|---|---|
| Single-family dwellings | 179 |
| Duplex | 25 |
| Multi-family | 23 |
| Mobile Home | 1 |
| Institutional | 10 |
| Commercial | 9 |
| Cemetery | 1 |
| Public Parking | 1 |
| Vacant | 56 |
| **TOTAL** | **305** |

In 1969, the neighborhood was located in the city limits and zoned residential (R6) commercial (CH and CN) and industrial (I).

## 3. Index of Maps

Due to shape and size of neighborhood, the attached maps are for illustrative purposes only and can be reproduced in larger sizes.

Map 1: Voting District and City Limits
Map 2: Streams and Open Ditches
Map 3: Topography
Map 4: Flood Hazard
Map 5: Aerial Photo
Map 6: Greenways and Recreation and Parks Facilities
Map 7: Hydric Soils
Map 8: Impervious Surfaces
Map 9: Thoroughfare Plan
Map 10: Existing Sidewalks
Map 11: Traffic Calming
Map 12: Water and Sanitary Sewer Systems (public)
Map 13: Drainage System (public)
Map 14: Existing Land Uses
Map 15: Multi-Family and Duplexes
Map 16: Owner–Occupied Units versus Rental Units
Map 17: Building Tax Value
Map 18: Fire Stations and Routes
Map 19: Fire Hydrants
Map 20: Street Lights
Map 21: Cultural Resources
Map 22: Government Facilities
Map 23: Focus Areas (HORIZONS)
Map 24a: Code Enforcement Actions (west side)
Map 24b: Code Enforcement Actions (east side)
Map 25: Future Land Use Plan Map (FLUMP)
Map 26: Current Zoning
Map 27: Areas Zoned Inconsistent with the FLUPM
Map 28: City-owned Properties
Map 29: GREAT Bus Routes (city-wide)

## 4. Current Conditions

### A. Natural Environment (see maps 2-6)

The neighborhood is generally located in the central section of the City. The Tar River bisects the City and traverses in a west to east direction.

The topography (NGVD) of the neighborhood ranges from a high of 72’ to a low of 32’. There is an area of 500 and 100 floodplains associated with Green Mill Run along Evans Street. The neighborhood ultimately drains to the Tar River.

The Tar River contains a regulated flood hazard area including a mapped floodway, 100 and 500-year floodplains. See also Title 9, Chapter 6, Flood Damage Prevention, of the City Code.

In 1999, the City of Greenville was impacted by Hurricane Floyd. There was no damage reported to the City for any property within the neighborhood. There may have been other hurricane-related damage reported to private insurance.

Currently, there are no opportunities in or within reasonable walking distance for residents in the neighborhood to access greenways. The Green Mill Run Greenway Phase 2 Extension Project extends the greenway 1.2 miles from its current terminus at Charles Boulevard to Evans Park on Arlington Boulevard. Construction is expected to start in the spring of 2015 and be completed by July, 2016.

There are no known regulated wetlands located within the neighborhood.

**B. Land Suitability (see maps 7-8)**

There are no known soil, water table, topological, and/or other environmental limitations that would prohibit continued residential use of the lots within the neighborhood.

The eastern section of the neighborhood is impacted by the floodway, 100 and 500-year floodplains associated with Green Mill Run.

In the neighborhood, there are hydric soils, Bb, Ly, Co and Os. The remaining soils are WaB, AlB CrB, ExB, NrB and CrA. Neighborhood property soils are suitable for sanitary sewer-dependent residential development.

**C. Transportation (see maps 9-11, 28)**

The neighborhood has an inter-connected grid street system that provides multi-directional access. Current ingress and egress to the neighborhood are served by Evans Street, Arthur Street, Deck Street, Howell Street, Beatty Street, Glendale Drive, and Cozart Street.

Howell Street is a collector road for the neighborhood that provides an east to west connection. It has sidewalks and bike lanes. Beatty Street is the only ingress and egress to the north within the neighborhood. The CSX Railroad bisects the neighborhood in a north to south direction. The Norfolk Southern Railroad runs north of the neighborhood.

In the neighborhood, the posted public street speed limits are 20 and 25 miles per hour on the interior streets. Howell Street is 35 miles per hour except for the school zone area at South Greenville Elementary School.

All streets within the neighborhood are publicly dedicated, city-maintained streets with curb and gutter construction and a piped storm drainage system. On-street parking is permitted on most interior neighborhood streets.

Due to the age of the neighborhood, sidewalks were not required at the time of development. There is a future sidewalk planned along a portion of Skinner and Norris Streets that is recommended as part of the 10-year Sidewalk Master Plan.

There are three speed bumps located within the Glendale Court Apartment complex and one speed bump north of the intersection of McClellan Street and Elks Street. There are multiple stop signs located throughout the neighborhood.

There are multiple Greenville Area Transit (GREAT) system bus stops located within and/or within walking distance outside of the neighborhood (Routes 1, 3 and 6). All of the stops in the neighborhood are designated by a sign however there is one stop with a bench and shelter. Routes 1, 3 and 6 provide transportation to the Greenville Square Shopping Center (K-Mart), Social Security Office, University Commons (Target and Harris Teeter), Wal-Mart Shopping Center (Greenville Boulevard), and Pitt Community College. All GREAT transit system buses begin and end their routes at the transfer point, located in the downtown area. Patrons can also switch buses at this location to reach destinations on all the bus routes.

There are no plans to re-surface or re-stripe neighborhood streets.

**D. Public Utilities: Water, Sanitary Sewer, Gas and Electric (see map 12)**

Public utilities are provided and maintained by Greenville Utilities Commission (GUC).

All lots within the neighborhood currently have direct access to water, sanitary sewer, gas and electric services of the GUC. GUC has identified no significant infrastructure concerns, with regard to the aforementioned utilities, that will affect the current or future level of service.

Electric, telephone, and cable TV service are via overhead lines supported by utility poles located within the public rights-of-way.

**E. Storm Drainage: Public and Private Storm Water Drainage (see map 13)**

The street drainage system and associated out of right-of-way drainage improvements, including subsurface systems and open channel located within the city limits, are maintained by the City of Greenville Public Works Department.

During heavy rain storms, some lots experience temporary down-slope flooding.

The neighborhood does not contain any private or common storm water detention facility, due to the age of the development.

The Public Works Department has identified no significant infrastructure concerns with regard to the public stormwater drainage system that would affect the current and future level of service of the vehicle travel-ways.

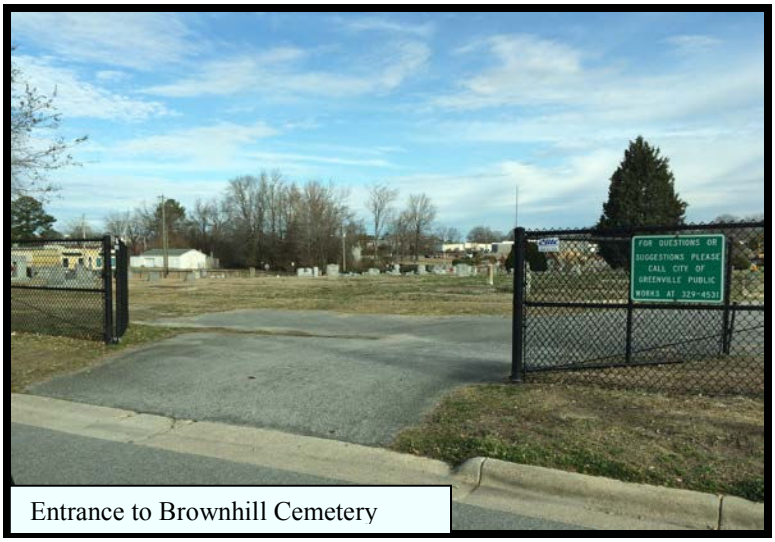
**F. Structures and Building Activity (see maps 8, 14, 15)**

The neighborhood is comprised of a variety of uses. The average year of construction of single-family dwellings is 1969.

In a 24-month period (07/01/2012 - 07/31/2014), there were five building permits issued within the neighborhood for interior repairs. The total recorded permit value of the improvements was $153,652.

Three of the permits were for rehabilitation work as part of the City's Community Development Block Grant program. One permit was for kitchen repairs at South Greenville Elementary School ($14,000) and one permit was for interior repairs for a church ($15,000).

In 2013, the total building (excluding land) tax value in the neighborhood is $10,631,419. The combined land and building (total) tax value in the neighborhood is $12,713,631. At the current city tax rate ($0.54 per $100) the total property valuation results in $68,653 annual revenue to the city. Greenville Housing Authority (GHA) properties, Brownhill Cemetery, South Greenville Elementary School and city-owned properties are not included in the above statistics. See Section L. Public Services for a general description of municipal services provided to the neighborhood.



Entrance to Brownhill Cemetery

Due to the period of construction, most neighborhood dwellings do not contain relatively modern conveniences and energy-efficient systems.

At the time of this report, there are 10 boarded up/dilapidated or abandoned structures located within the neighborhood.

**G. Socioeconomic (see maps 16, 17)**

Based on a comparison of physical addresses and tax mailing addresses of single-family dwellings, the subject area is approximately 40% owner-occupied and 60% rental property at the time of this report.

According to the U.S. Census Bureau, the 2013 adjusted median household income in Greenville is $35,137.

The average size of single-family dwellings in the neighborhood is 1,018 square feet.

The neighborhood contains a mix of housing options.

**H. Health and Life Safety (see maps 4, 8, 18, 19, 28 and Appendix B)**

There are multiple access points into the neighborhood, and the existing inter-connected street system affords alternate access routes to the thoroughfare streets. Inter-connected public streets also allow public service vehicles (police, fire, sanitation, etc.) alternate routes for ingress and egress into and through the neighborhood.

South Skinner Street ends at the Norfolk Southern Railroad crossing adjacent to the Public Works Department. This limits access to Dickinson Avenue. An unintended consequence has been cut-through pedestrian traffic on private property at South Skinner Street and Perkins Street which is being used to go between Dickinson Avenue and Hooker Road. Beatty Street is the only ingress and egress to the north within the neighborhood.

There were 1,116 calls/actions for the Greenville Police Department in the twelve (12) month period from July 1, 2013 to July 31, 2014. Some examples are: suspicious activity/person/vehicle (201), assaults (35), juvenile complaints (35), and shots fired (18). See Appendix B

There is not an official Community Watch Program in the neighborhood. At both neighborhood meetings, staff discussed the advantages of having a community watch, which would provide a specific police officer to work with the neighborhood and make the group eligible to apply for Neighborhood Improvement Grant funds (see page 9).

Fire suppression and rescue services for the neighborhood are primarily provided by City Fire/Rescue Station #1 (Greene Street) and City Fire/Rescue Station #2 (Hemby Lane), as needed. Stations #1 and #2 can be dispatched separately or simultaneously depending on the type of call. The Fire/Rescue Department provides Paramedic Service which is a higher level of service compared to basic Emergency Medical Technician (EMT) Service. The neighborhood is accessible via three ingress/egress points. All streets are accessible by emergency vehicles.

Fire hydrants are located throughout the neighborhood. Recommended hydrant to single-family dwelling separation is 500 or fewer feet. All dwellings are located within the recommended hydrant to dwelling radius. Water pressure and fire flow meets or exceeds the requirements of the city and fire apparatus access roads comply with NC and local Fire Code requirements. The emergency response travel time and distance from the service delivery stations to the furthermost point in the subdivision are in accordance with recommended standards.

There are no known hazardous waste/materials (surface and/or underground) sites in the neighborhood. Some of the homes currently utilize, or may have on-site (unsecured) abandoned, underground fuel oil storage tanks that may pose a risk of groundwater contamination.

The city conducts periodic mosquito control activities in the neighborhood. There are no known conditions of rodent infestation associated with any flood hazard area, overgrown lot, standing water, or abandoned structure/vehicle.

Overhead street lights are maintained by GUC on standard (wood) transmission line poles. Currently, there are no plans to place utility lines underground. Changes or additions of street lights are performed by GUC at the City Engineer's request. Street light placement is done in accordance with applicable neighborhood GUC lighting manual standards. At the time of this report, most street lights in the neighborhood have 150 watts bulbs. As lights burnout, they are being replaced with 250 watt bulbs and will eventually be upgraded to LED lights. Any areas within the neighborhood that are considered "hot spots" by the Police Department are being upgraded to LED lights.

There were complaints from neighborhood residents, collected from surveys and at the neighborhood meetings, of under-lighted areas throughout the neighborhood. There was concern these under-lighted areas made unsafe conditions when walking through the neighborhood and created conditions for criminal activity, specifically the pedestrian cut-thorough at South Skinner Street and Perkins Street.

At the time of this report a significant number of structures within the neighborhood do not display code compliant address numbers on the dwelling structure. Minimum size house numbers are: single-family and duplex dwellings - four (4) inches high and multi-family dwellings - six (6) inches high. Currently, many dwellings are reliant on address numbers posted on street-side mail boxes or address numbers that are smaller than the required size in lieu of having properly-sized address numbers affixed to the dwelling structure. All dwelling units are coded to the 911-emergency response system.

**I. Quality of Life (see maps 6, 8, 21- 23, 28)**

At the time of this report, the neighborhood does not have an organized or active homeowner/neighborhood association. At the neighborhood meeting, there was interest expressed in starting an association. The neighborhood was informed of the benefits of organizing a neighborhood association. One benefit is the association can apply for a Neighborhood Improvement Grant from the City. The maximum amount is $750 and the work must benefit the entire neighborhood. The Greenville Community Appearance Commission makes the final decision on grant application. The neighborhood association would need to be recognized by the City in order to apply for grant funds. The aesthetic quality of public views and the overall general streetscape is good due to mature tree cover,

paved and adequate driveways, and uniformity of dwelling orientation and setbacks of most dwellings. There are no neighborhood identifiers, such as signage at street access points, public art or public/common property landscape improvements, within the neighborhood that further define community character, identity and sense of place. As mentioned previously, with the formation of a neighborhood association, there are neighborhood improvement grant funds available to purchase street identifiers and/or an additional entrance marker. These funds can also be used to renovate the existing entrance marker.

Electric and other copper wire services are via overhead utility lines, and lack of pedestrian level street lighting negatively impacts the visual quality of the neighborhood. At the time of the report, there are two portions of neighborhood streets that are part of the Adopt-A-Street Program. A majority of Howell Street and the Norris/Skinner Street area are included in this program.

The neighborhood contains two mapped archaeological sites, but have not been further studied.

There are leisure, educational or recreational opportunities within reasonable walking distance of the neighborhood. The South Greenville Recreation Center serves as a gymnasium for South Greenville Elementary during the school year. It also is used for the Police Athletic League (PAL) after school program and summer camp. PAL is a youth crime prevention program that utilizes educational, athletic and recreational activities to create trust and understanding between police officers and youth. It is based on the conviction that young people, if they are reached early enough, can develop strong positive attitudes towards police officers in their journey through life toward the goal of maturity and good citizenship.

The afterschool program runs from 2:30 - 6:30 every afternoon during the school year. Participants receive a snack while working on homework, reading, having computer time, working on arts and crafts projects, and having recreation time. The summer camp runs for eight weeks. A PAL police officer is on hand to ensure that there is always an officer at the site while PAL programs are going on. During the summer camp, the participants get the chance to go to the pool, go skating, go out for ice cream, have police presentations, play games, and travel in and outside of Greenville for fun and exciting trips all while interacting with Greenville police officers. The program is also offered at Eppes Recreation Center. Both programs serve approximately 110 kids who are placed into groups based on grade level.

Also, the South Greenville Recreation Center has a picnic shelter and tables, weight room, multi-purpose room, youth baseball practice field and playground equipment.

There are playgrounds at Hopkins Park Duplexes and Glendale Court Apartments that contain slides, swings, and jungle gym equipment. These playgrounds are within reasonable walking distance of most of the residents in the neighborhood.

There are three commercial/service focus areas within close proximity of the neighborhood. The Piggly-Wiggly Shopping Center is within walking distance for residents on the west side of the neighborhood. The Harris Teeter Shopping Center (Charles Boulevard and 14th Street) is within walking distance for residents on the east side of the neighborhood, but there are no sidewalks along 14th Street which makes pedestrian travel difficult. The focus area at Arlington Boulevard and Evans Street is within walking distance for residents on the south side of the neighborhood however there isn't a grocery store in this area.

These focus areas are in within walking distance for some of the residents in the neighborhood and for others are in short driving distance.

The GREAT bus offers transportation to other focus areas that offer other options for necessary goods and services.

**J. Code Compliance (Code Enforcement unless otherwise noted) (see maps 24a and 24b)**

In the 24-month period, July 1, 2012 – July 31, 2014, there were 196 code enforcement-related staff investigations and/or actions in the neighborhood.

Code enforcement and selected police investigations/actions were as follows:

Animal complaints (stray, domestic animals and nuisance wildlife): 40*
Abandoned structure: 1
Immediate Hazard: 1
Furniture/Carpet: 1
Temporary Sign: 1
Illegal dumping: 3
Weeded lots: 113
Trash and debris: 50
Abandoned/junked vehicles: 5
Minimum housing: 19
Public nuisance: 2

* Information provided for GPD is for the time period from July 1, 2013 – July 31, 2014. These investigations/calls are included in the 1,116 GPD service calls.

**K. Current and/or Pending Planned Public Improvements (see map 6)**

As part of the Greenway Master Plan, the Green Mill Run Phase 2 Extension Project extends the greenway 1.2 miles from its current terminus at Charles Boulevard to Evans Park on Arlington Boulevard. Construction is expected to start in the spring of 2015 and be completed by July, 2016.

**L. Public Services**

The neighborhood is located within the Greenville city limits (see map 1).

The City and GUC currently provide the following services to the neighborhood:

- General government, vested in a city council of six (6) members (5 district and 1 at-large) and a mayor elected from the qualified voters. The neighborhood is located in voting district 2.
- Sanitation services including residential (curbside) garbage, bulk refuse and yard debris disposal and recycling are provided on a weekly schedule. Vector (malaria/rodent) control and seasonal leaf collection also are provided.
- Street maintenance and traffic services including repair and reconstruction of street travel-ways and street drainage facilities located within the right-of-way of public streets.
- Public drainage system construction and maintenance.
- Fire suppression and life rescue, including paramedic service and transport on a 24-hour basis.
- Police services for the protection of life and property including traffic control and crime investigation on a 24-hour basis.
- Recreation and Parks services including passive open spaces, active recreation facilities and parks.
- Library services and branch facilities.
- Utilities including water, sanitary sewer, gas and electric service, streetlights and stormwater.

Building inspection, minimum housing code, nuisance abatement, zoning and subdivision regulations and related enforcement services are provided within the city limits.

**M. Future Land Use Plan Map Recommendations (HORIZONS) (see maps 23 and 25-27)**

The Future Land Use Plan Map (FLUPM) recommends several types of land uses in and around the neighborhood to support a sustainable environment.

To the west of the neighborhood is a designated regional focus area at the intersection of South Memorial Drive and Dickinson Avenue. These nodes typically contain over 400,000+ square feet of conditioned floor space.

To the east and the southeast of the neighborhood are two designated intermediate focus areas: 1) at the intersection of 14th Street and Charles Boulevard and 2) at the intersection of Evans Street and Arlington Boulevard. These nodes typically contain over 50,000 - 150,000+/- square feet of conditioned floor space.

**N. Zoning Classification(s) (see maps 26- 27)**

The initial zoning of the neighborhood in 1969 has stayed relatively the same. There is a variety of uses in the neighborhood. There are a few areas in and around the neighborhood where the current zoning does not correspond with the FLUPM recommendation.

The neighborhood consists of a mix of housing options.

## 5. Current Condition Assessment based in part on Citizens' Input compiled from the mailed/internet survey (Appendix A), comments received during the neighborhood information meetings (9 below), and Staff Analysis.

The purpose of the current condition assessment is to the identifying neighborhood strengths and weaknesses and for prioritization of remedial action plans and improvements.

**Scale:** 1 = Severe negative neighborhood-wide impact requiring immediate remedial action.
2 = Substantial negative neighborhood-wide impact requiring the immediate development and implementation of a remedial action plan.
3 = Moderate negative neighborhood-wide or localized impact requiring the development and implementation of a remedial action plan.
4 = Positive neighborhood-wide attribute, condition or factor that promotes and/or facilitates sustainability, no remedial action necessary.
5 = Optimal neighborhood-wide attribute, condition or factor that promotes and/or facilitates sustainability, no remedial action necessary.

- A. Natural Environment - 4
- B. Land Suitability - 4
- C. Transportation - 3
- D. Public Utilities - 4
- E. Storm Drainage - 3
- F. Structures and Building Activity - 3
- G. Socioeconomic - 3
- H. Health and Safety - 3
- I. Quality of Life - 3
- J. Code Compliance - 3
- L. Public Services - 3
- N. Zoning - 3

**Identified Areas for Consideration of Neighborhood Improvement**:

C. Transportation – 3
- Lack of sidewalks on one side of all neighborhood collector streets
- Lack in street inter-connectivity within the neighborhood

E. Storm Drainage - 3
- Localized street flooding

F. Structures and Building Activities - 3
- Aging housing stock, and lack of reinvestment and improvement resulting in competitive disadvantage for continued owner occupancy

G. Socioeconomic - 3
- Comprehensive re-investment in and continued improvement of the housing stock

H. Health and Safety - 3

- Street Lighting
- Posted street addresses
- Under-lighted areas

I. Quality of Life - 3

- Neighborhood identifiers, entrance signs, etc.
- Overhead utility lines and services
- Street lighting
- Lack of Neighborhood Association
- Lack of Community Watch Program
- Lack of participation in Adopt-A-Street Program
- Crime

J. Code Compliance - (GPD Code Enforcement Division unless otherwise noted) - 2

- Abandoned/boarded up structures
- Minimum housing code
- Abandoned/junked vehicles
- Parking on unimproved surfaces
- Weeded lots
- Animal complaints

L. Public Services - 3

- Need for improvements to the GREAT bus stops within the neighborhood

N. Zoning – 3

- Zoning inconsistent with the FLUPM

## 6. Survey Results Summary (Appendix A)

Surveys were mailed to property owners and residents, utilizing tax parcel information, and distributed at the first public information meeting requesting their opinion of current neighborhood conditions. In total, 65 surveys (20-owners, 45-renters) were submitted.

Areas of concern were: neighborhood appearance, streetscape appearance, personal safety, external/internal noise, and number and condition of rental properties.

See Appendix A for complete survey results.

## 7. HORIZONS: Greenville's Community Plan (2004) Recommendations: (see also map 26)

**Vision area**

The neighborhood is located in Vision Area G, West Central.

The following are Management Actions for Vision Area G, which are related to this specific neighborhood:

G2. Create additional after-school recreational opportunities at Thomas Foreman Park and South Greenville School.

G3. Develop a greenway along Green Mill Run.

G6. Encourage development of affordable single-family homes on vacant lots.

G8. Implement more police protection.

G9. Encourage demolition of dilapidated houses.

**Other Contextual Recommendations** (objectives, policy statements and implementation strategies specific to this neighborhood)

**Objectives**

Housing

H5. To improve and revitalize existing neighborhoods.

H6. To increase the supply of affordable rental housing for lower income families, particularly families with children using support services.

H7. To increase the supply of owner and rental housing available to low- to moderate income persons.

H8. To improve, preserve, and develop residential areas for persons of low to and moderate incomes.

H14. To assist low-income homeowners with energy-related housing rehabilitation.

H16. To encourage home ownership.

H18. To identify innovative pre- and post-home ownership programs for low-income home buyers and home owners.

Mobility

M4. To preserve and protect existing and future residential neighborhoods.

M5. To provide safe, convenient and efficient opportunities for pedestrian and bicycle-movements.

M6. To coordinate the transportation plans of the City, ECU, and the University Medical Center of Eastern Carolina – Pitt County.

M9. To improve the public mass transportation system.

M10. To improve transit connections / services between neighborhoods and major activity centers.

M11. To improve public transportation for senior citizens.

M12. To develop alternative transportation system (to include walkways and bikeways).

Recreation and Parks

RP1. To provide park and open spaces in all neighborhoods.

RP5. To increase access to and use of recreational facilities at City parks and public schools.

RP7. To continue the construction of greenway projects in the City.

RP9. To expand recreational infrastructure (i.e. sidewalks and bike paths).

Community Facilities

CF3. To increase interaction between the Police Department and citizens, in order to increase mutual respect, understanding and support.

CF5. To ensure safe, liveable neighborhoods.

CR13. To increase communication and joint planning efforts between Pitt County Schools System and the City of Greenville.

Urban Form

UF1. To encourage affordable housing options.

UF6. To preserve neighborhood livability.

UF10. To provide transitional zoning between focus areas.

**Implementation Strategies**

Land Use

2 (i). Office/institutional/multi-family development should be used as a buffer between light industrial and commercial development and adjacent lower density residential land uses.

2(j). Adequate conservation/open space buffers should be provided between areas designated for residential development, as indicated on the future land use plan map, and any non-residential land use where a zone transition buffer such as O or OR is not a practical option.

4 (d). Encourage revitalization of older neighborhoods in Greenville in a manner that preserves neighborhood character and identity.

4 (e). Implement programs to increase home ownership.

5(a). Enforce the City's minimum housing code to ensure that all occupied structures are fit for human habitation.

5 (b). Continue to pursue community development and North Carolina Housing Finance Agency funds from state and federal sources for rehabilitation or redevelopment of substandard housing.

Growth and Development

2(b). Implement the Greenway Master Plan.

2 (x). Maintain neighborhood character and identity.

2 (y). Create walkable communities/neighborhoods.

2 (z). Encourage citizen involvement within neighborhoods.

Service and Facilities

4 (f). Continue to support the Police Department's Community Watch Program.

**Implementation Strategies (completed to date)**

- General planning principles supported
- Greenway Master Plan, adopted on 03/04/04
- Recreation and Parks Master Plan, adopted on 11/06/08
- Thoroughfare Plan, adopted on 12/2004

## 8. City Council Goals (2012-2013) and (2014-2015)

**2012 – 2013 GOALS**

**NEIGHBORHOOD PRESERVATION**

**Strategic Goal: Develop strategies to protect and preserve neighborhoods through systematic approaches.**
**a) An active association in every neighborhood**

**Action Items:**

2. Work with the Neighborhood Advisory Board to provide information and technical support to neighborhoods that are interested in establishing neighborhood associations. – Community Development

Status: Staff continues to provide technical assistance to neighborhoods that are in the process of developing neighborhood associations.

**PARKS AND RECREATION/GREENWAYS/BOND ISSUE**

**Strategic Goal: Expand and enhance our parks and greenways, as resources allow.**

**Action Item:**

4. Pursue pedestrian and bicycle connectivity between parks and their recreation facilities, where practical. – Recreation and Parks

Status: Recreation and Parks staff continues to coordinate with Public Works and the *Complete Streets* program regarding any emerging opportunities to include sidewalks and/or bicycle lanes when street re-design or re-surfacing projects occur. Recreation and Parks staff particularly focuses on roadways that serve as travel routes to or between parks and greenways. Bike lanes were added to Howell Street in both directions between Evans Street and Hooker Road.

**PUBLIC TRANSPORTATION**

**Action Items:**

7. Develop standards for public illumination levels in coordination with City's stakeholders. – Public Works

Status: A lighting standard stakeholder group was established for street lighting and parking lot lighting. Staff presented to Council on January 13, 2013, a proposal to adopt a City of Greenville Lighting Standard. City Council approved the proposed standards and made them part of the City's Manual of Standards and Design Details (MSDD). Additionally, City Council tasked staff to develop a lighting ordinance revision to the City Code reflecting the changes implemented by the City of Greenville Lighting Standard and to include the stakeholders group in this process. Several meetings have been held with GUC to discuss implementation of the new LED street lights. Public Works is continuing to move forward with the development of this ordinance revision.

8. Explore methods of implementing light standards on existing streets approved by City Council. – Public Works

Status: The interim lighting standard approved by City Council in April 2011 has assisted City staff in determining areas on existing streets that have insufficient lighting. Staff has been working with officers from the Police Department to identify areas of the city (hot spots) that need additional street lights or illumination. A list of areas and proposed improvements has been completed, and the improvements are currently being installed by GUC.

**2014 – 2015 GOALS**

Goal 1: Dynamic and Inviting Community

2. Arts and Culture, Recreation & Parks

2c. South Greenville Recreation Center Design – Continue to pursue a partnership with Pitt County Schools to jointly pursue a new South Greenville Recreation Center facility to begin with a design process.

January 15, 2015 - City Council adopted a budget amendment to establish the South Greenville Reconstruction Capital Project Fund in the amount of $200,000.

Goal 4: Infrastructure

3. Policy and Planning
3c. LED Street Lights – Collaborate with GUC to develop a cost-effective process to transition the City's street lights to LED and report outcomes to City Council.

Goal 5: Quality Neighborhoods

1. Neighborhood Plans
1b. Develop a New Plan – Initiate and complete the South Greenville Neighborhood Plan.

2. Neighborhood Associations
2a. Provide staff support and expertise to facilitate the establishment of two new neighborhood associations.

Goal 6: Safe Community

1. Police Department Three-Year Strategic Plan
1b. Utilize Crime Reduction Initiative Area (CRIA) technique known as Hot Spots Policing

## 9. Public comments received during the public information meetings held at St. Matthew True Born Faith of Christ Church on July 8, 2014 and March 10, 2015

- Lack of neighborhood association or community watch
- Lack of property maintenance
- Need for sidewalks
- Need for streets to be re-surfaced
- Need for bus stop improvements (where there is no bench and/or shelter)
- Trash carts not rolled back after pick-up (specifically on McClellan Street)
- Under lighted areas especially at South Skinner Street where it has been closed at the Public Works Department and has increased pedestrian traffic across private property (specifically at the northern terminus of Perkins Street and South Skinner Street)
- Increase of police presence (specifically at the northern terminus of Perkins Street) due to vandalism and break-ins of neighboring properties
- Litter/garbage where streets have been closed at railroad crossings
- Slow response time to police calls
- Household items left sitting on curb
- Streetscape and entrance improvement at Brownhill Cemetery
- Rough railroad crossing on Howell Street
- Overgrown city-owned lots
- Crime in area
- Consistent code enforcement action

At the March 10, 2015 meeting, Jan Perry, Senior Housing Manager with GHA, spoke about the services offered by GHA for residents that live in GHA properties and for the entire community. Examples are: free preparation of state and federal taxes, housing assistance for veterans, disabled and homeless persons and people living with AIDS. GHA also offers homebuyer education, debt management, and renter assistance services among other services.

# Neighborhood Plan for the South Greenville Elementary School Area Plan

2015

**Goals:**

To create, maintain and enhance a sustainable neighborhood.

**Objectives:**

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.

**Policy Implementation and Improvement Strategies:**

The City Council and City Staff will take such actions as necessary for the support and implementation of the neighborhood plan as follows:

- City Council will amend HORIZONS: Greenville's Community Plan to incorporate the South Greenville Elementary School Area Neighborhood Report and Plan by reference.
- City Staff will conduct a periodic review of the neighborhood report and plan, and the adopted implementation and improvement strategies to evaluate plan progress toward the goal of continued neighborhood sustainability.
- Completion of current City Council Goals (2012 - 2013) and future goals, as may be adopted, in accordance with established schedules.
- Completion of current City Council Goals (2014 - 2015) and future goals, as may be adopted, in accordance with established schedules.
- City Staff will prepare cost estimates and project schedules for the Capital Improvement and Implementation Strategies included in this plan.
- City Council will utilize this plan to guide public policy and investment decisions within the South Greenville Elementary School Area.

**Capital Improvement and Implementation Strategies:**

The City Council and City Staff will take such actions as necessary for the support and implementation of the neighborhood plan as follows:

- The City will investigate the creation of a home improvement matching grant fund for older site-built single-family owner-occupied dwellings (example - not less than 30-years old) to be awarded on an annual basis, to encourage qualified home improvement/upgrades that will increase the tax value and marketability of older dwellings. Such grant to be secured by an owner occupancy condition (Deed of Trust) for a determined period.

- The City will assist the neighborhood and area residents in the establishment of a Neighborhood Association and a Community Watch Program.

- The City will provide grants, in accordance with current program/policy, to a city-recognized neighborhood association for neighborhood improvement activities such as, improvement of existing entrance signs and/or installation/construction of street identifiers.

- The City will assess the possibility of neighborhood identification.

- The City will work to increase owner-occupancy of single-family residences in the neighborhood.

- The neighborhood requests continued code enforcement efforts in the neighborhood and police patrols in the Norris Street area north Howell Street.

- The City will install appropriate GREAT system bus stop improvements at locations as determined necessary and appropriate by the Public Works Department as recommended by the Thoroughfare Plan.

- The City will assess street lighting levels throughout the neighborhood and cause the installation of additional lamps and/or trimming of mature tree growth, as determined necessary by the City Engineer.

- The City will assess the condition of the railroad crossing at Howell Street for possible improvement.

- The neighborhood requests streetscape and entrance enhancements to Brownhill Cemetery.

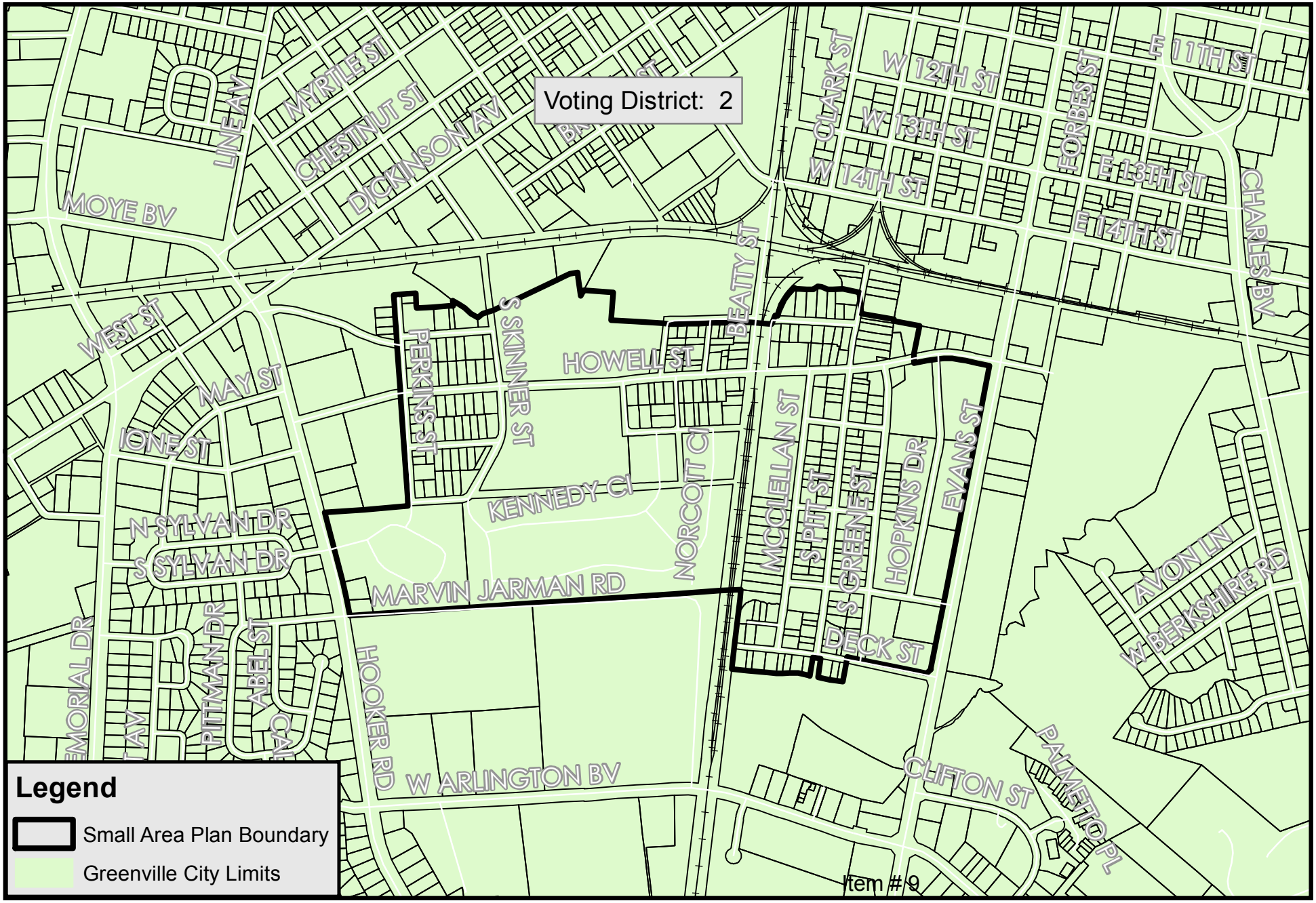
- The City will consider the initiation of a zoning map amendment(s) for neighborhood and adjacent area properties that are included in a zoning district that is inconsistent with Comprehensive Plan and/or Future Land Use Plan Map recommendations.

- The City will notify property owners of address number display requirements.

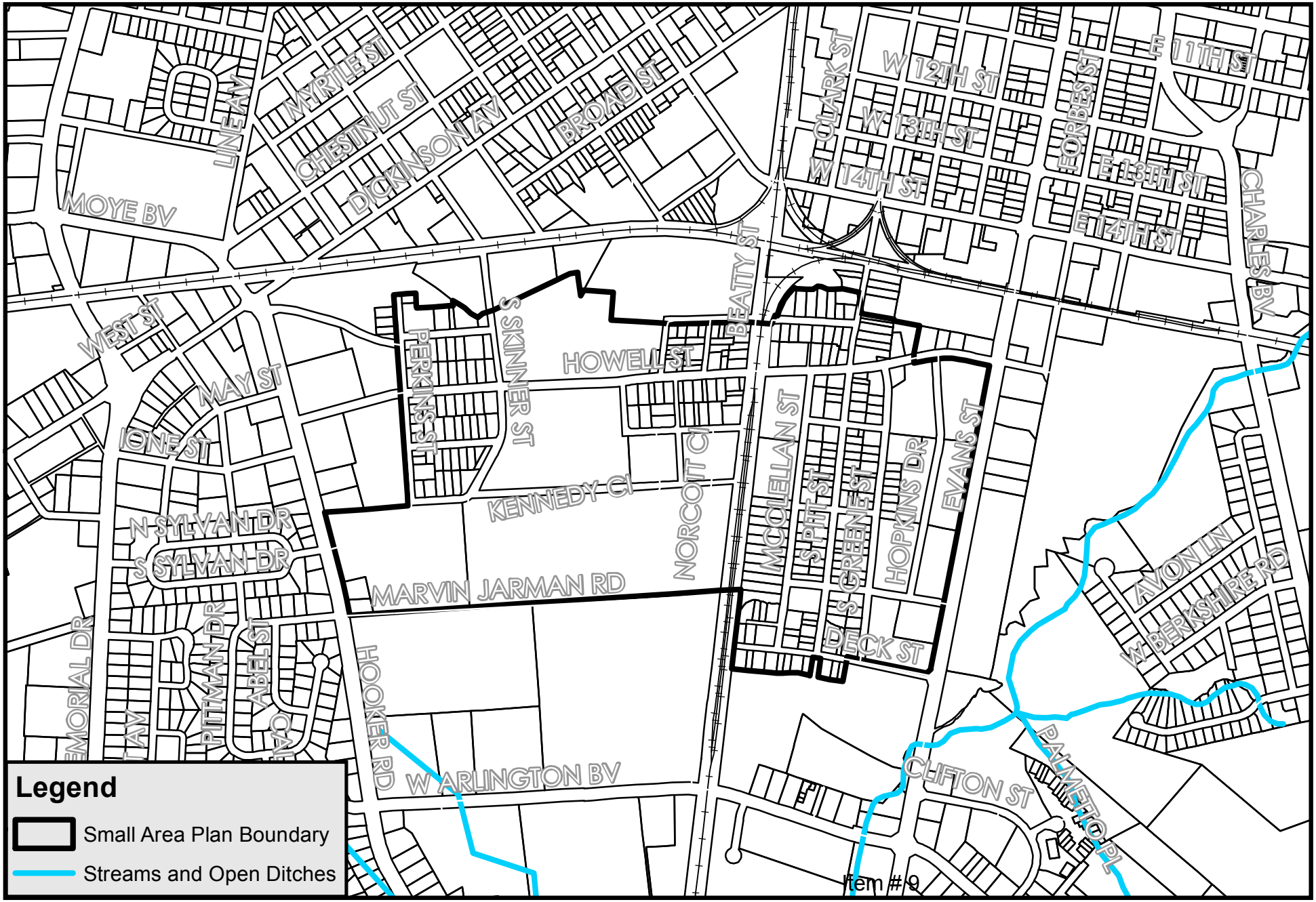
- The City will update the GIS-GPS coverage for storm water improvements throughout and adjacent to the neighborhood.

- The City will request and encourage GUC to update the GIS-GPS coverage for all public utilities, including water, sanitary sewer, gas and electric lines, and street lights throughout and adjacent to the neighborhood.

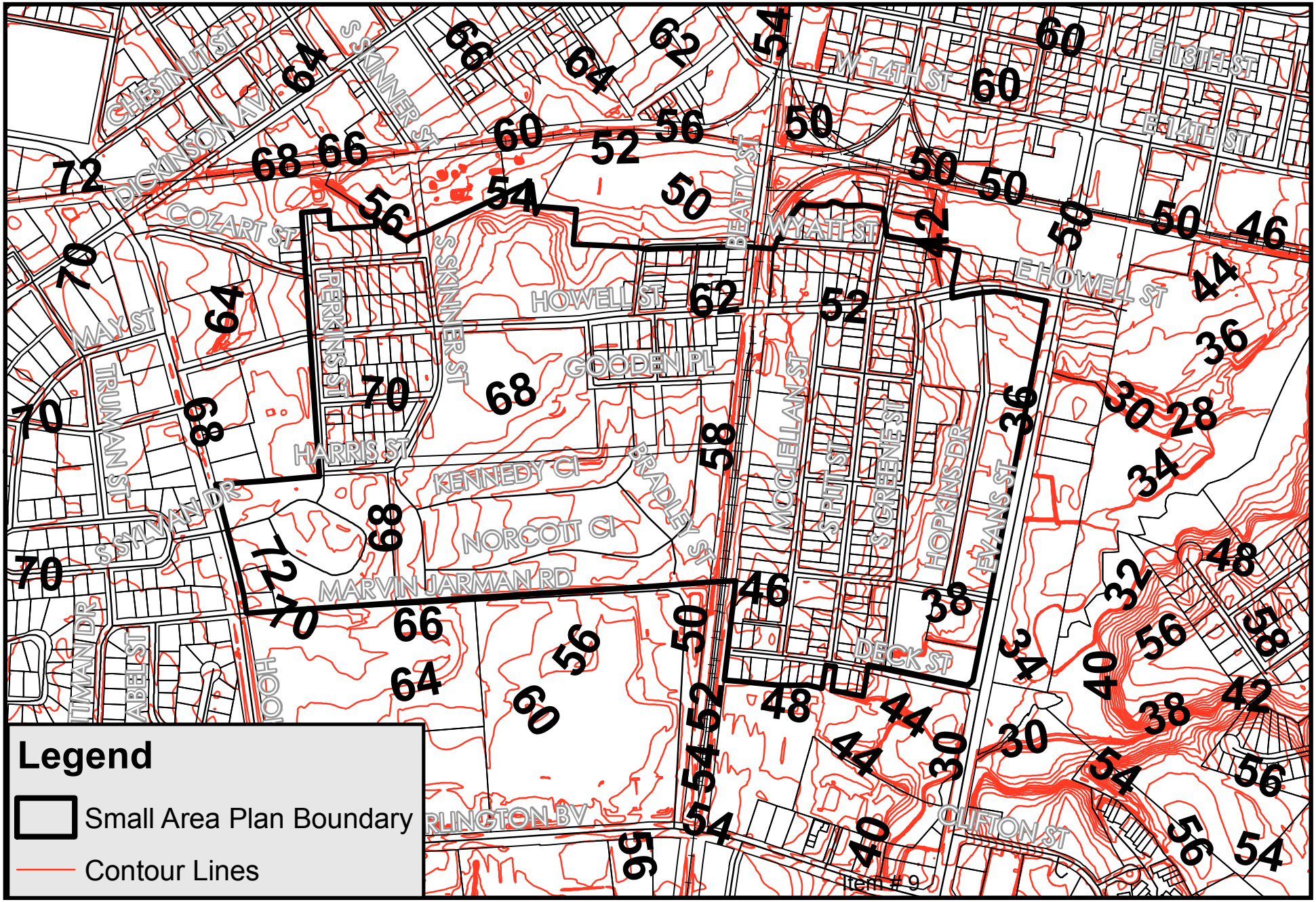
# Map 1: Voting District and City Limits
March 5, 2015



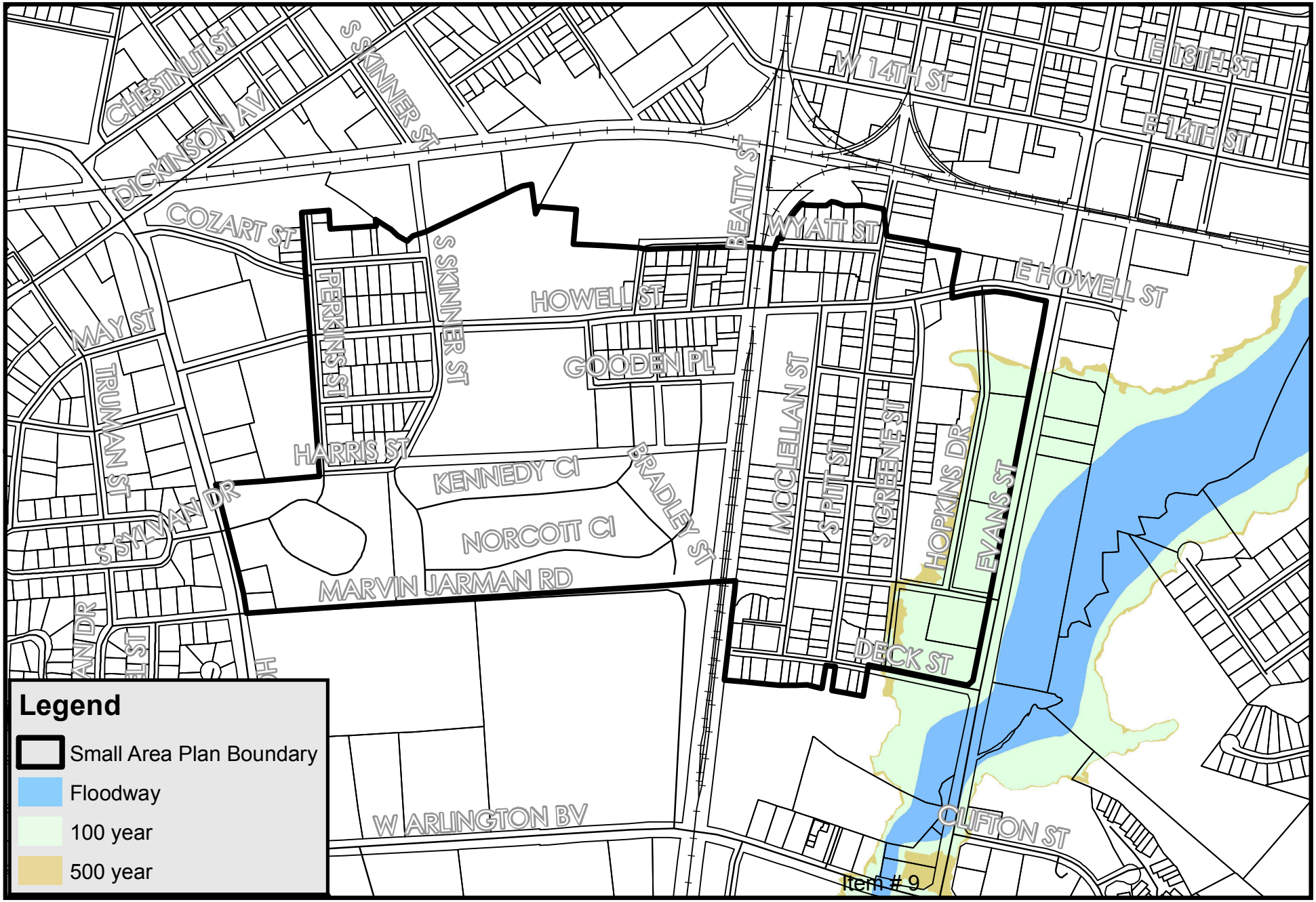
# Map 2: Streams and Open Ditches
March 5, 2015



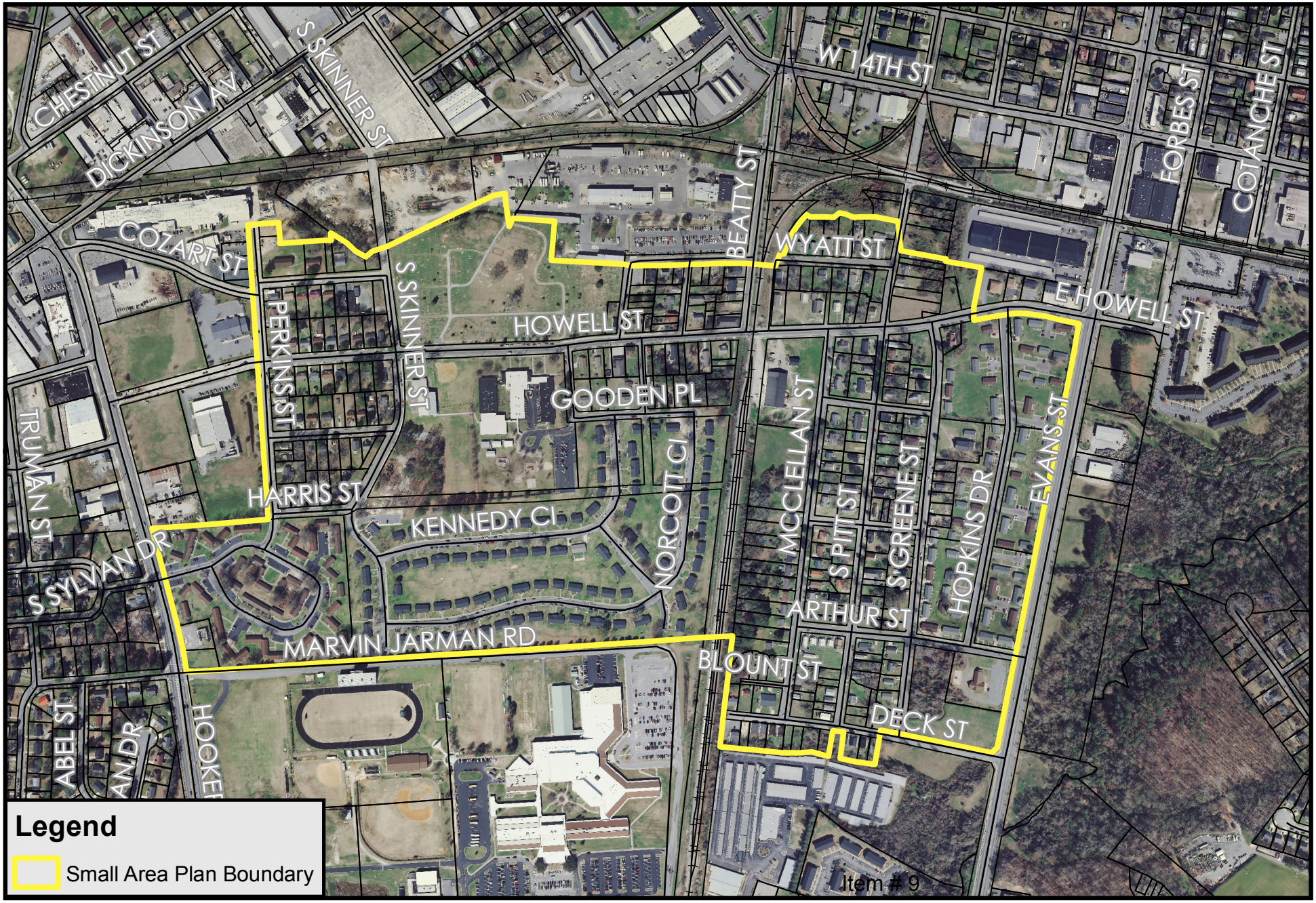
# Map 3: Topography
March 5, 2015



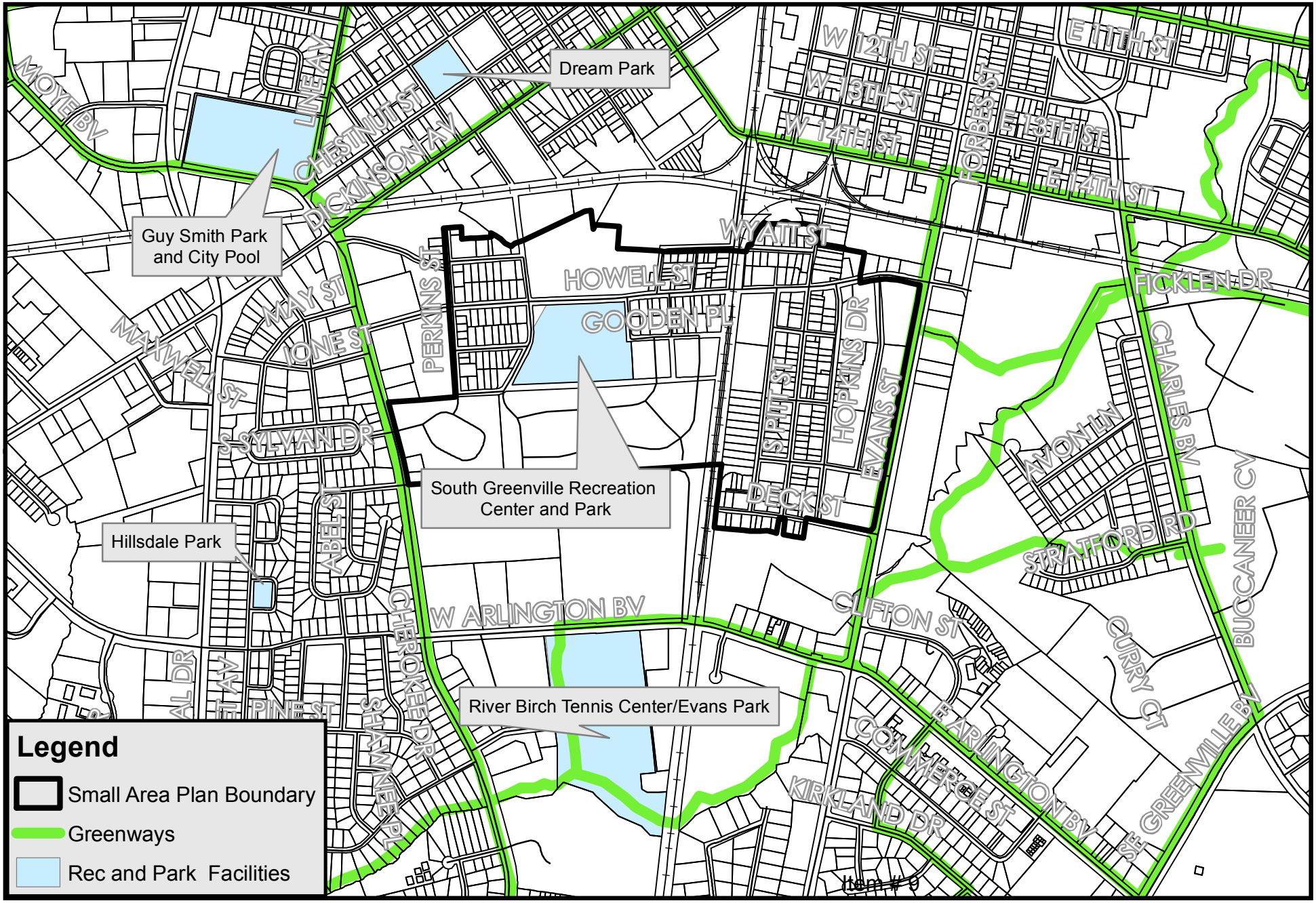
# Map 4: Flood Hazard
March 5, 2015



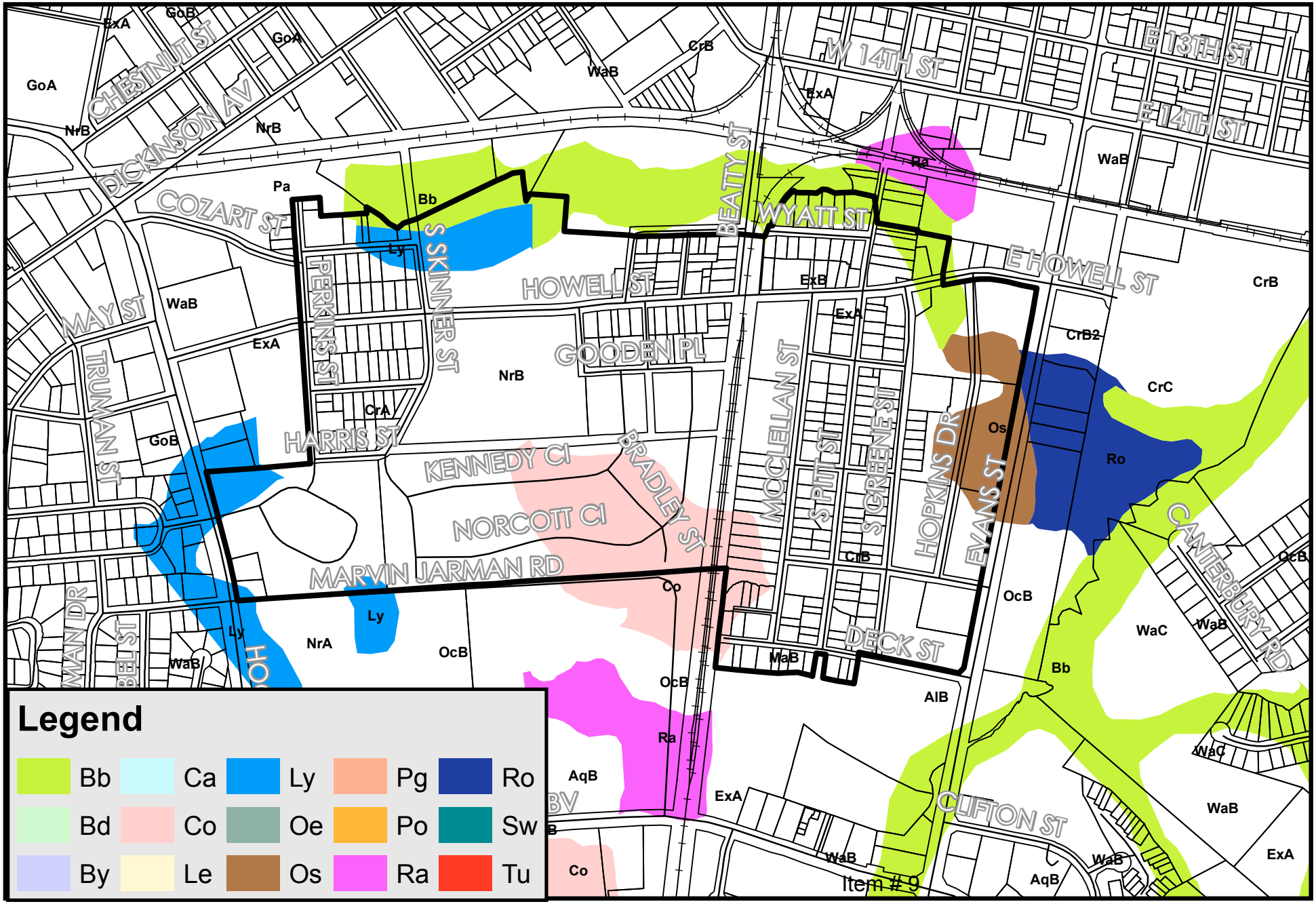
# Map 5: Aerial Photo (2012)
March 5, 2015



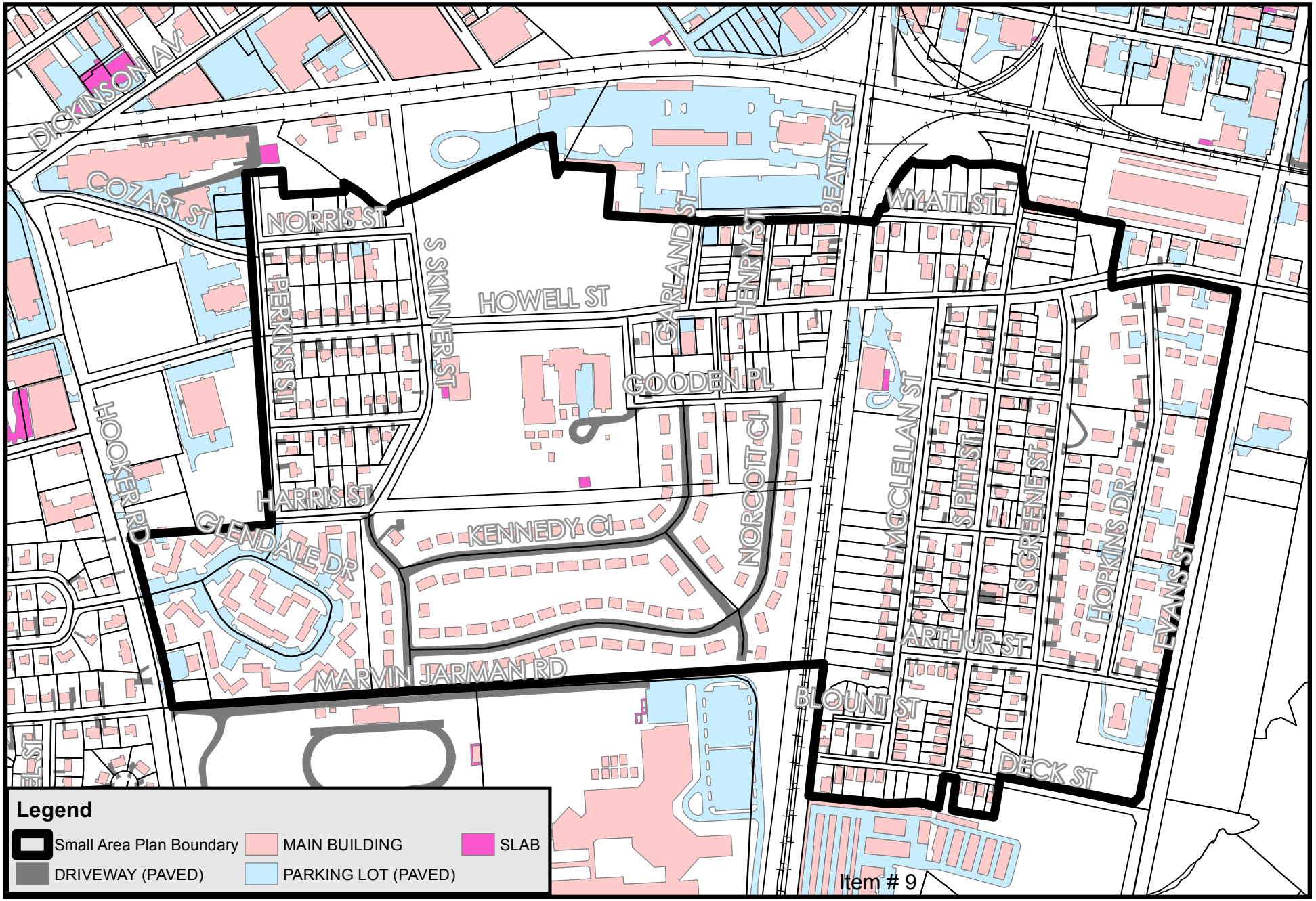
# Map 6: Greenways and Recreation and Parks Facilities
March 5, 2015



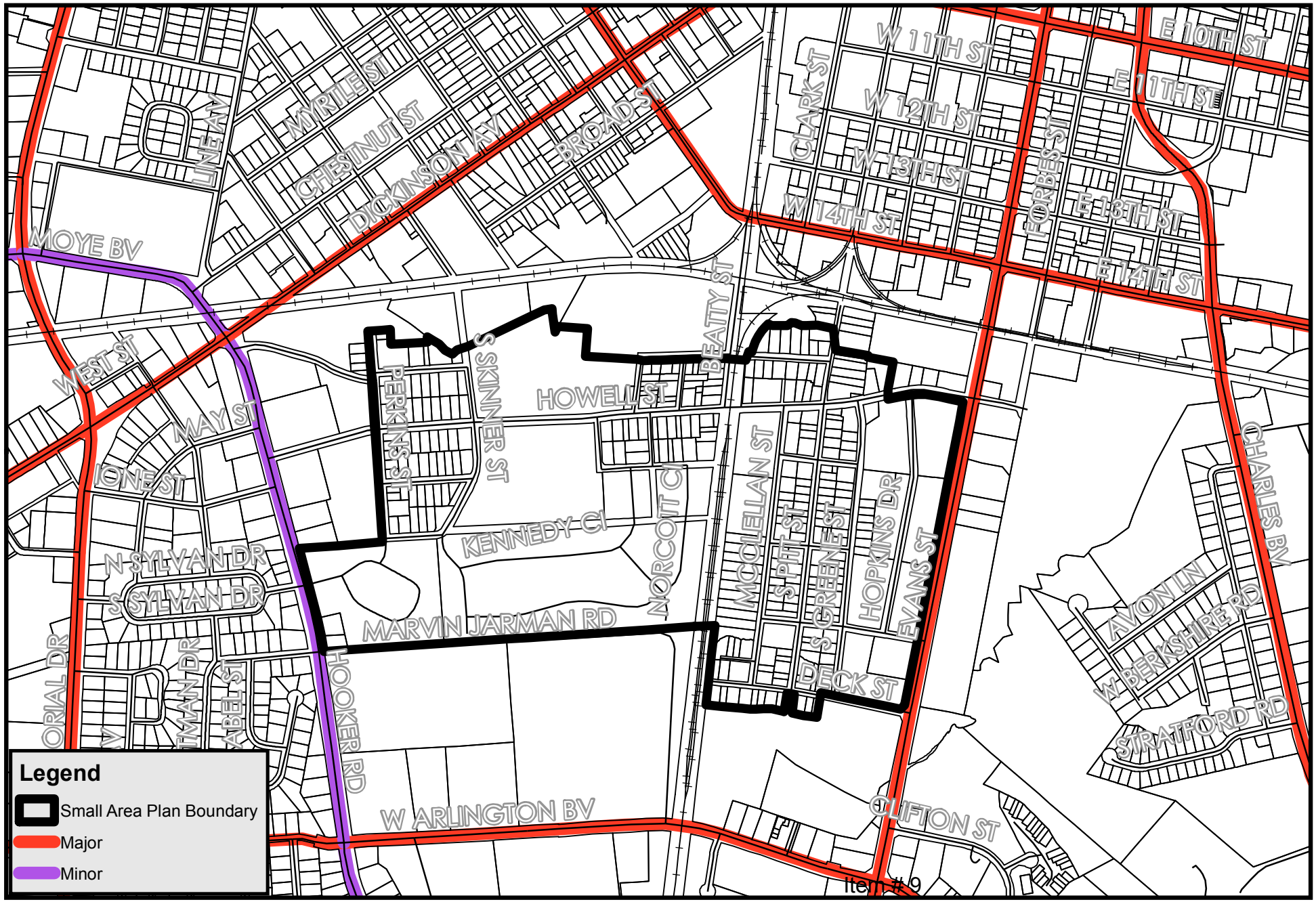
# Map 7: Hydric Soils
March 5, 2015



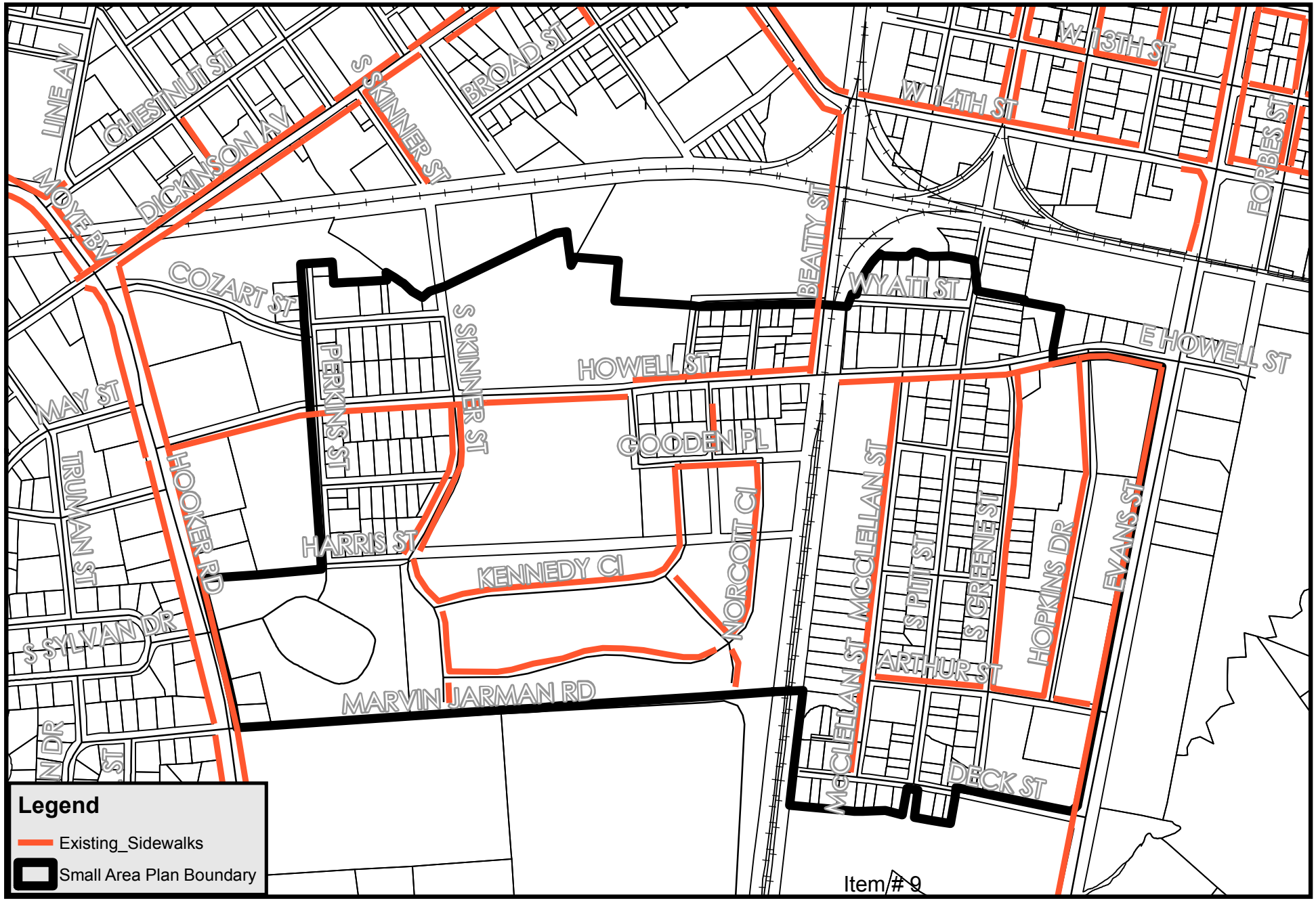
# Map 8: Impervious Surfaces
March 5, 2015



# Map 9: Thoroughfare Plan
March 5, 2015

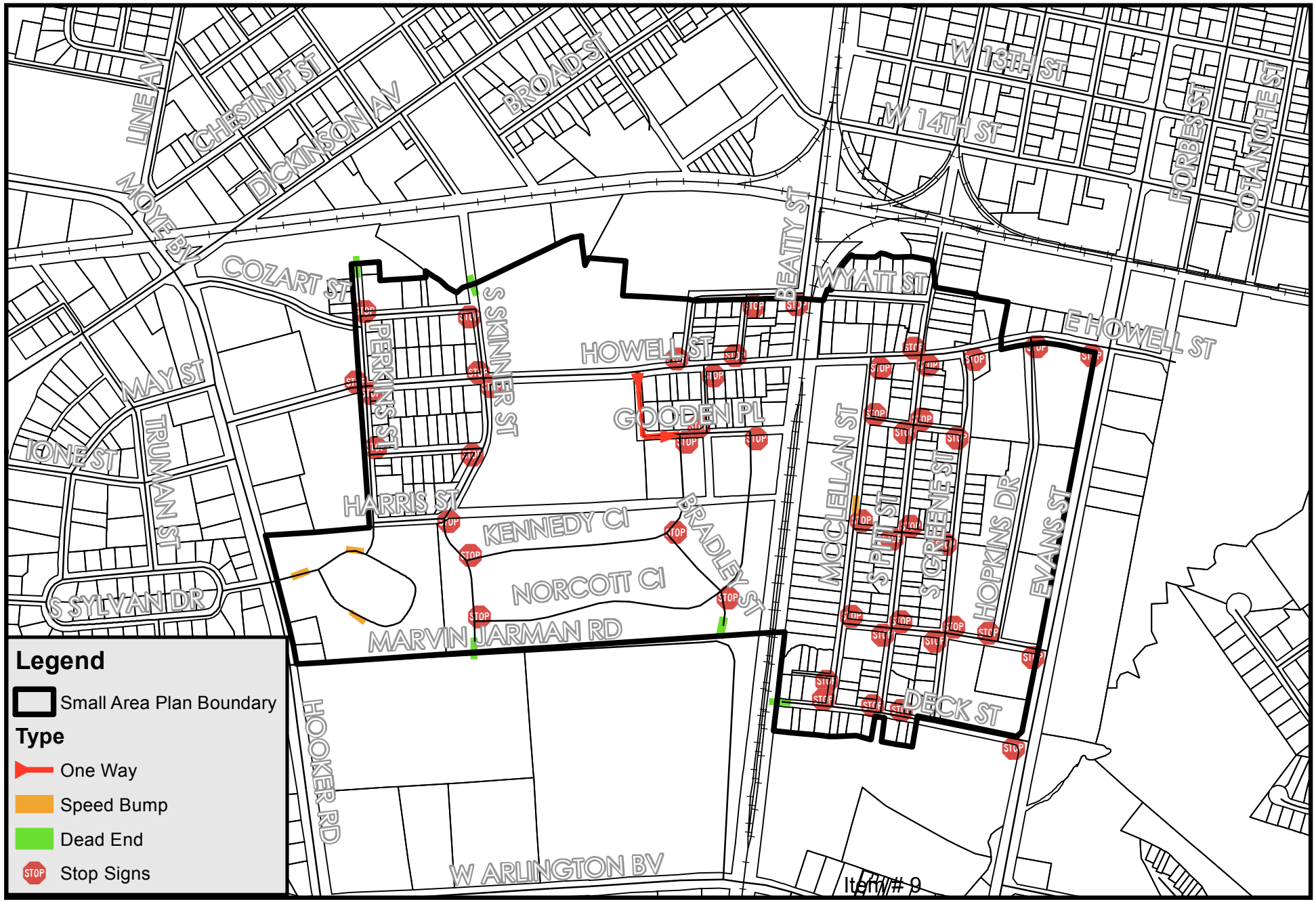


# Map 10: Existing Sidewalks
March 5, 2015

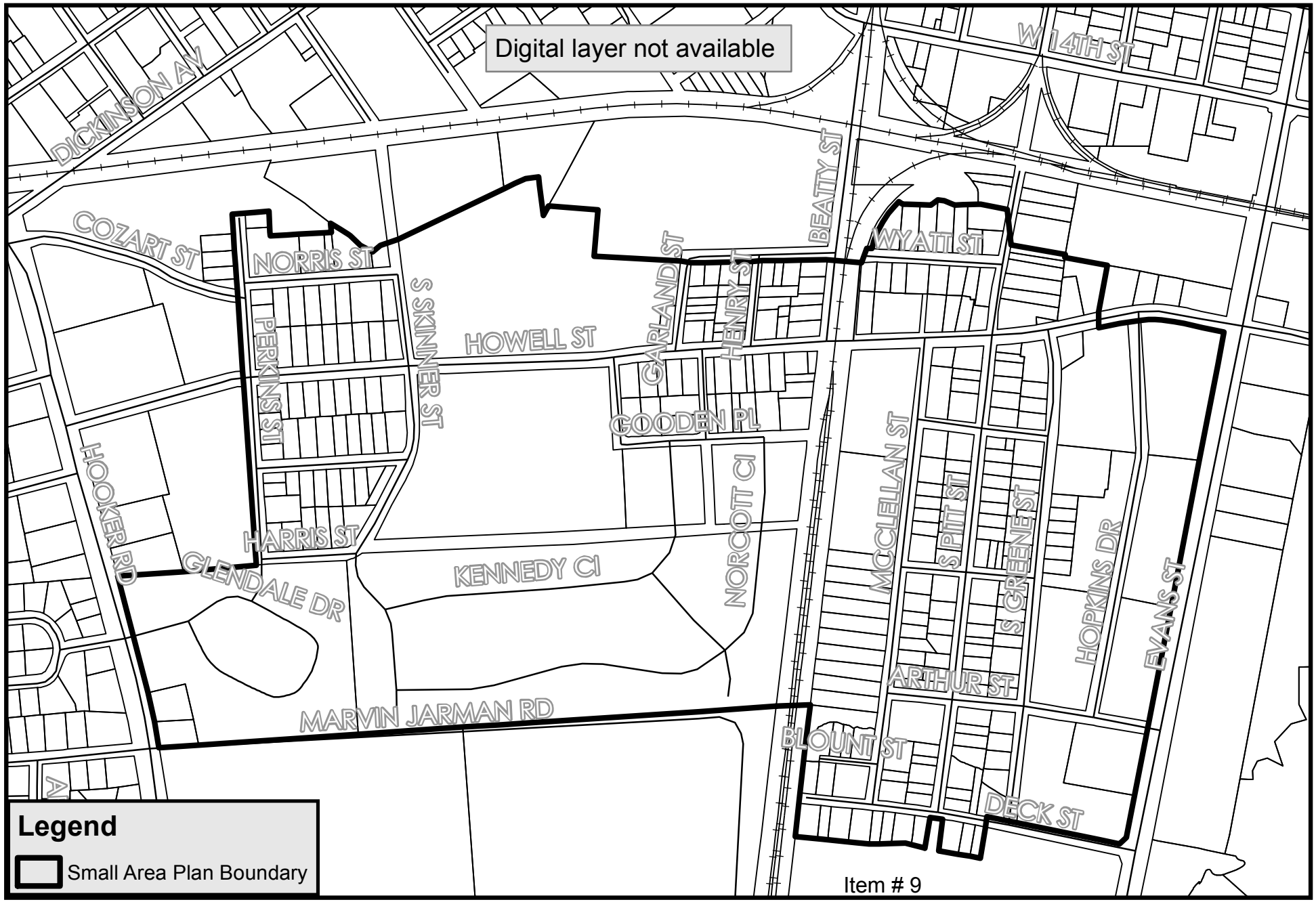



Item # 9

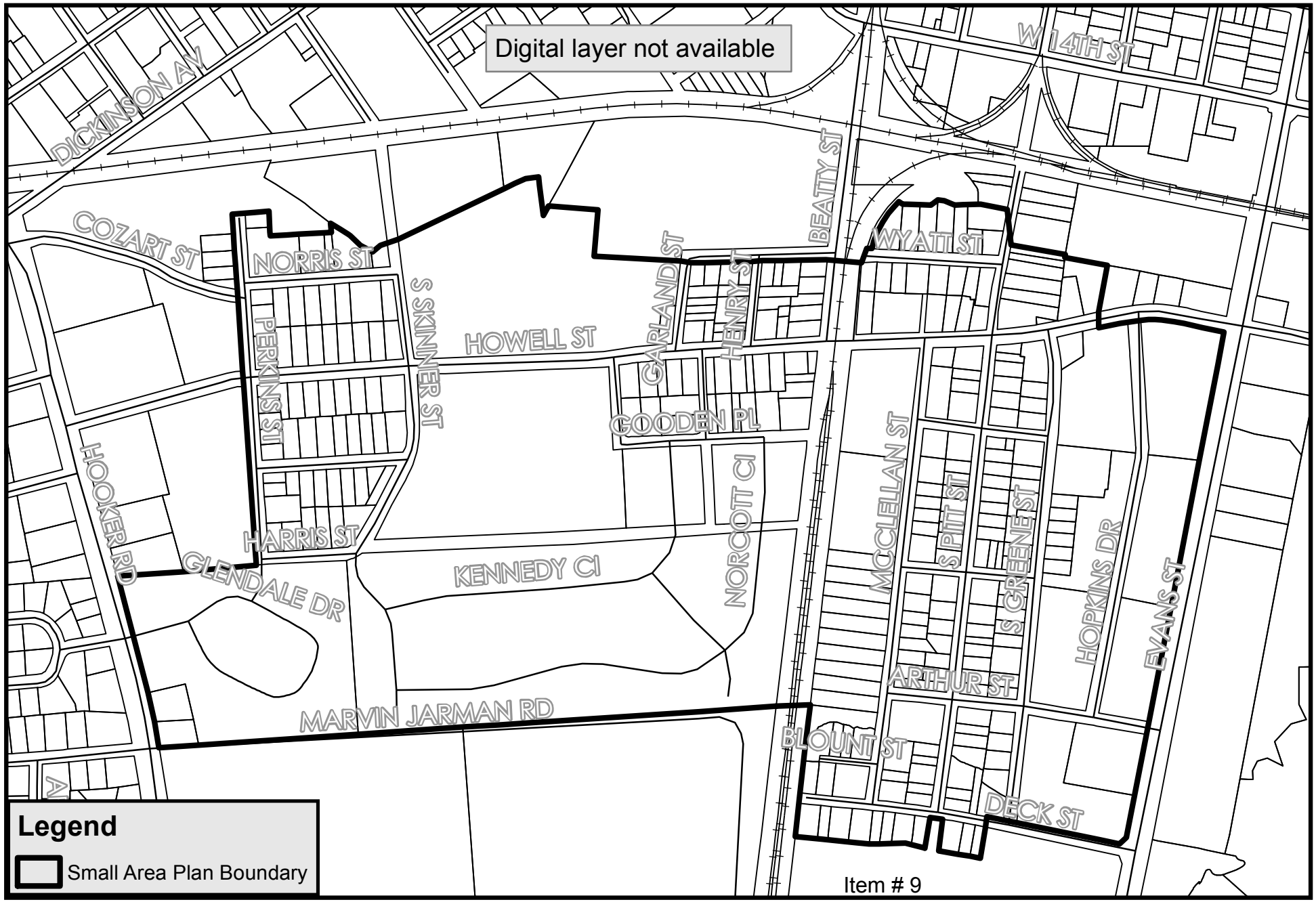
# Map 11: Traffic Calming
March 5, 2015



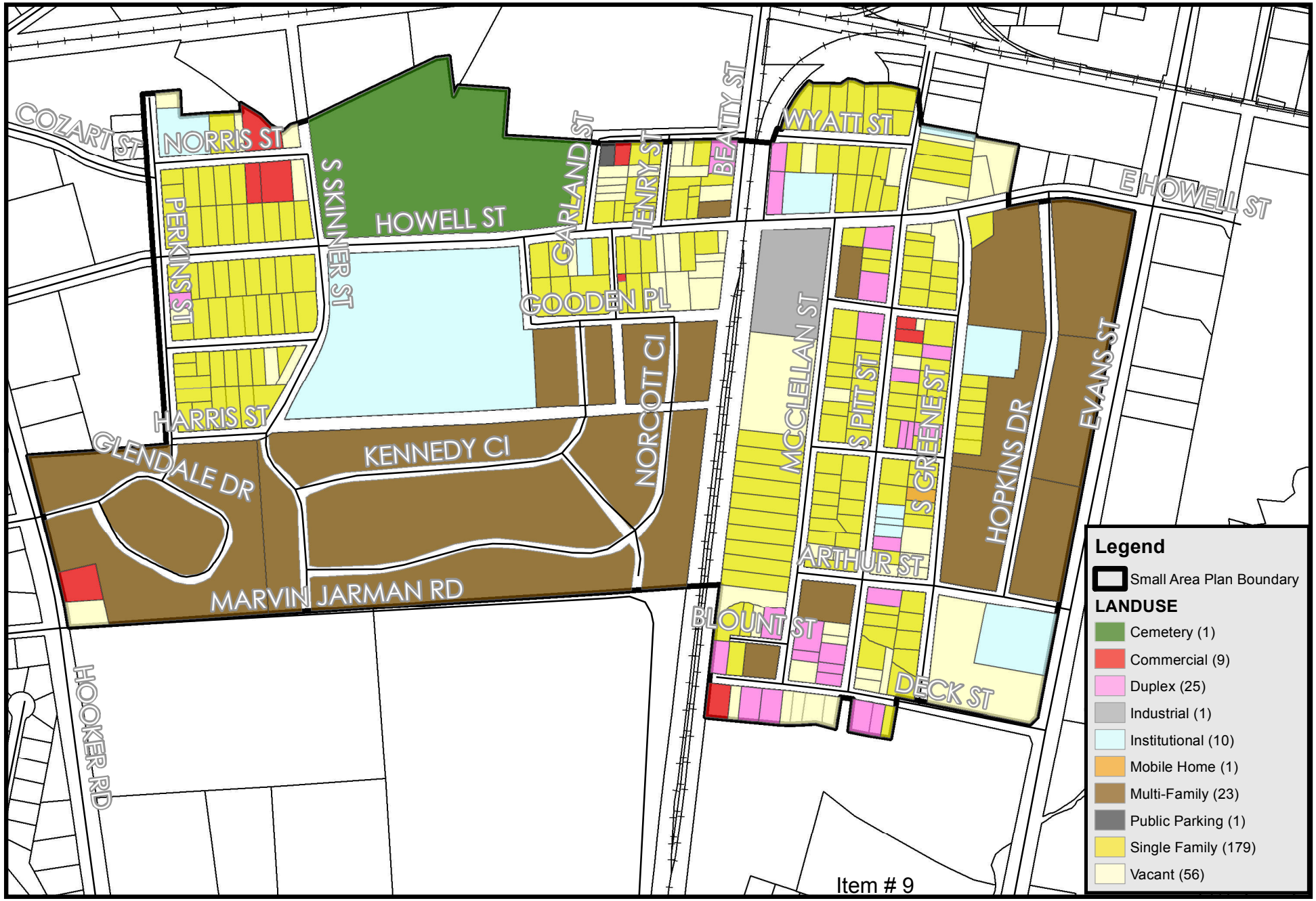
# Map 12: Water and Sanitary Sewer Systems (public)
March 5, 2015



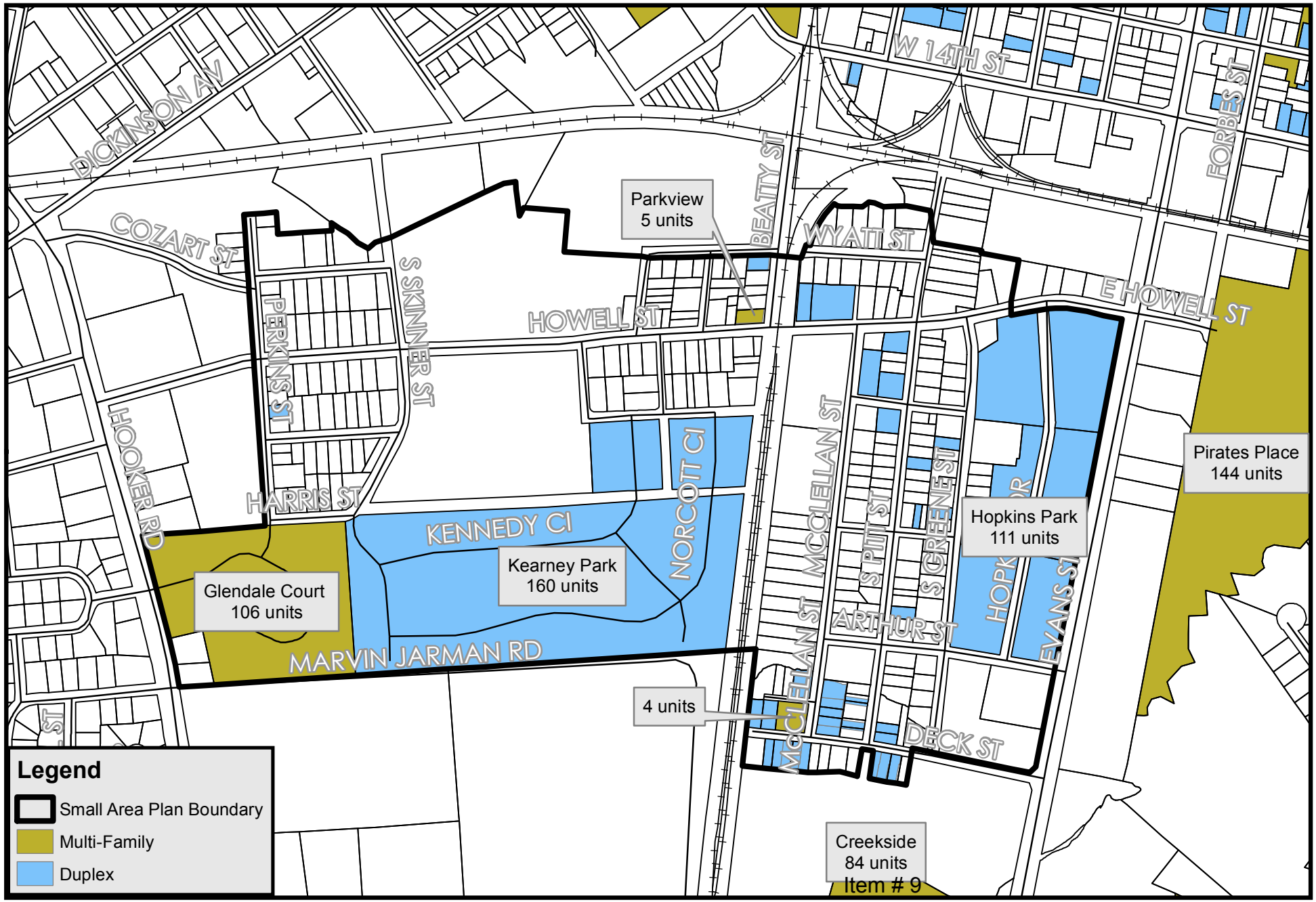
# Map 13: Drainage System (public)
March 5, 2015



# Map 14: Existing Land Uses
March 5, 2015



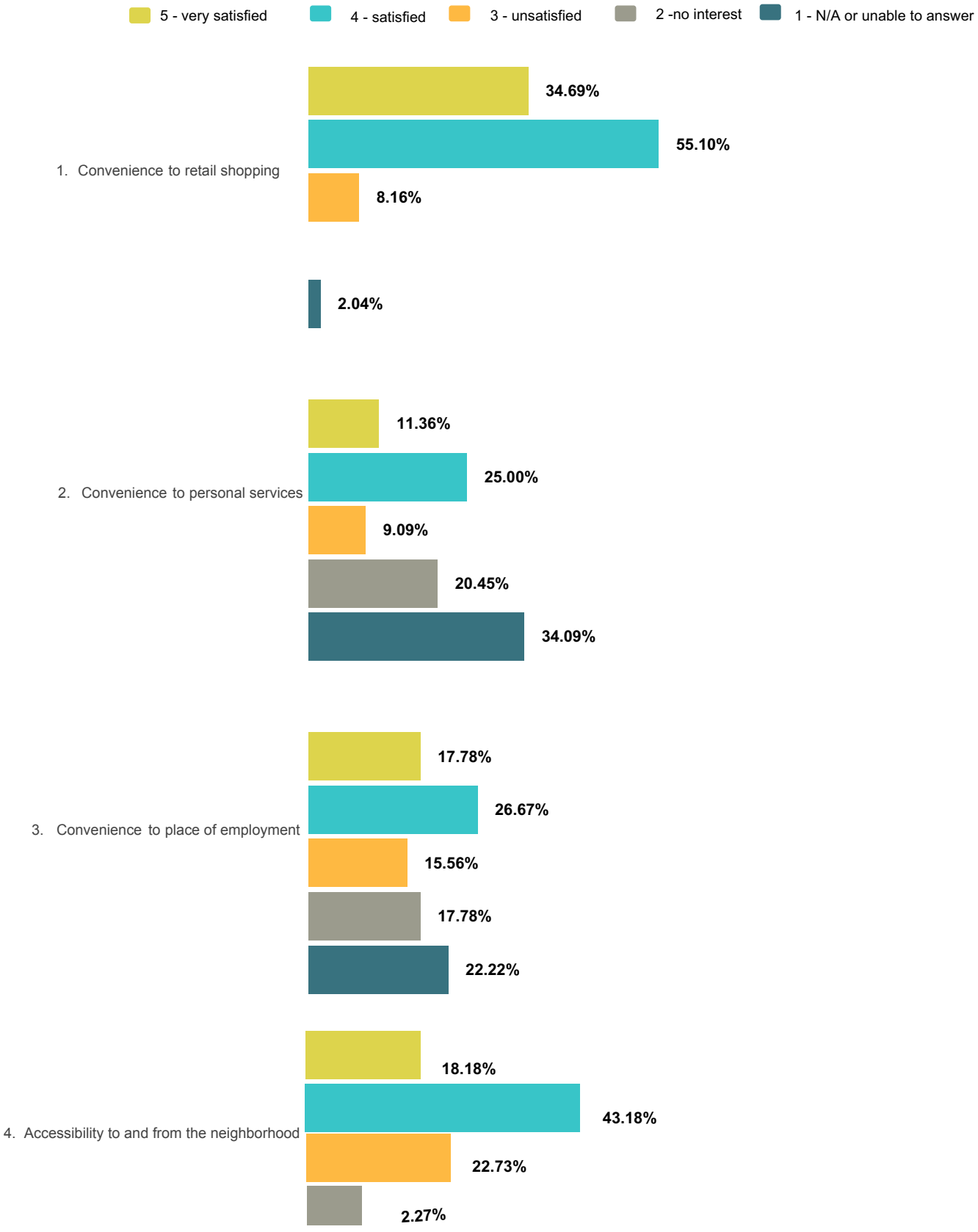
# Map 15: Multi-family and Duplex Units
March 5, 2015



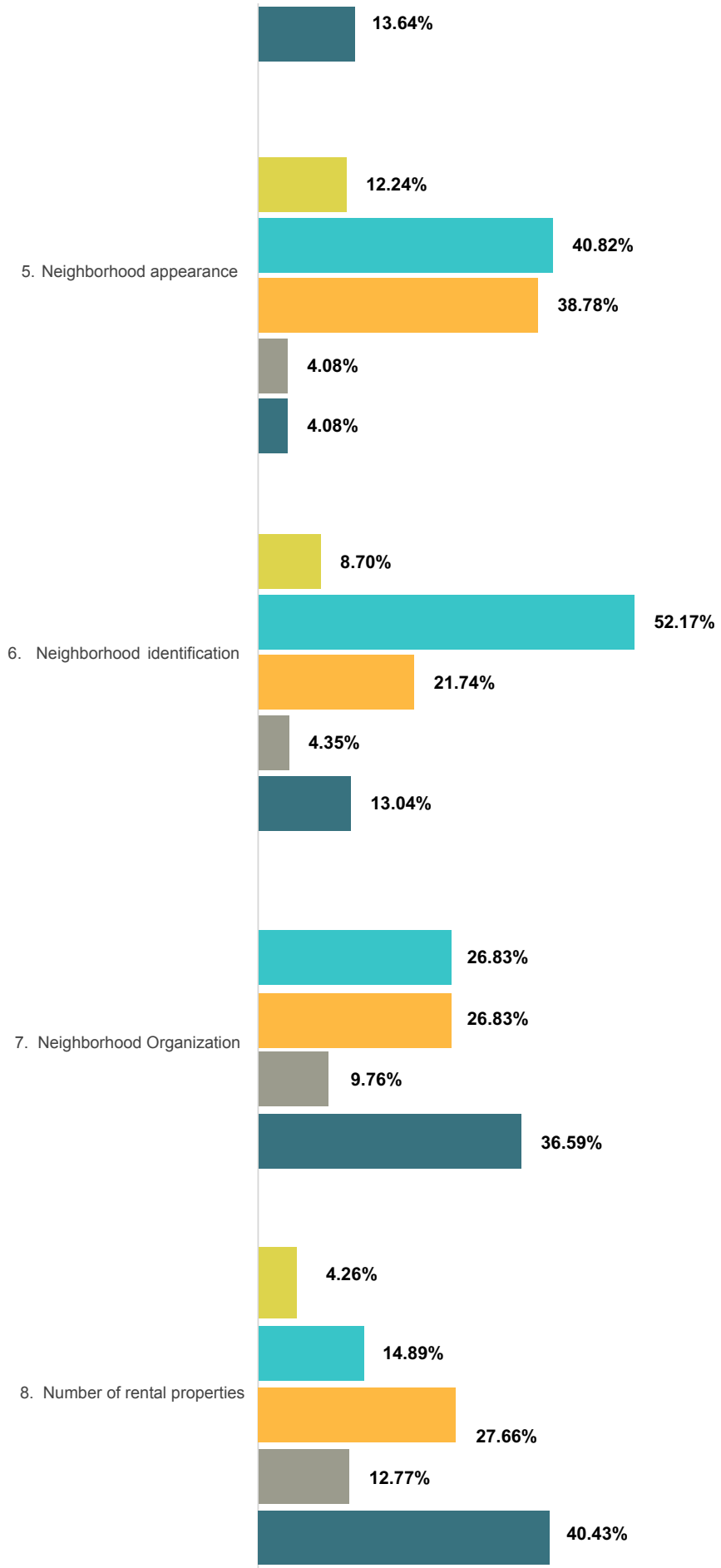
# APPENDIX A

South Greenville Elementary Area Survey

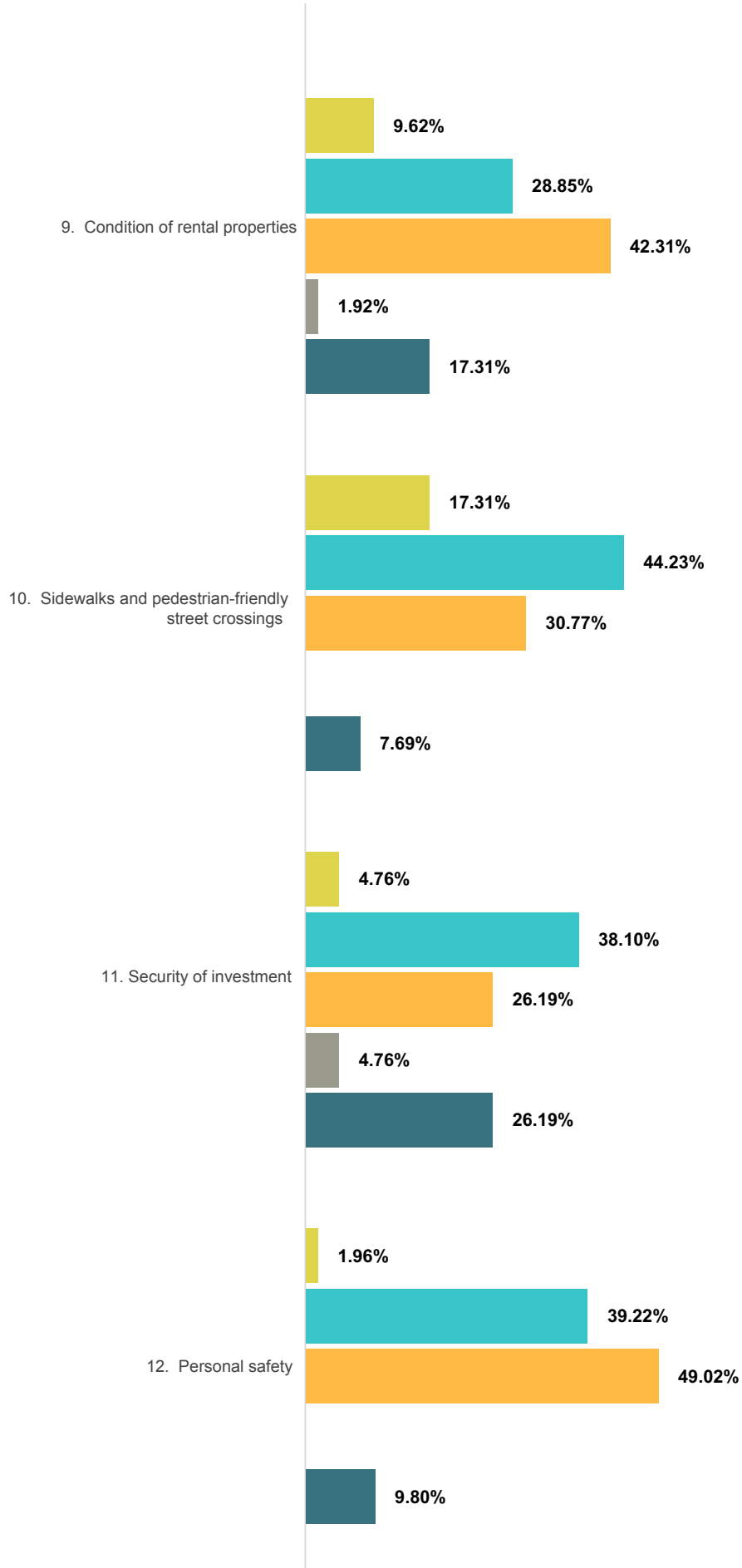
## Q1 What is your overall satisfaction level with the following neighborhood issues: Answered: 55 Skipped: 10



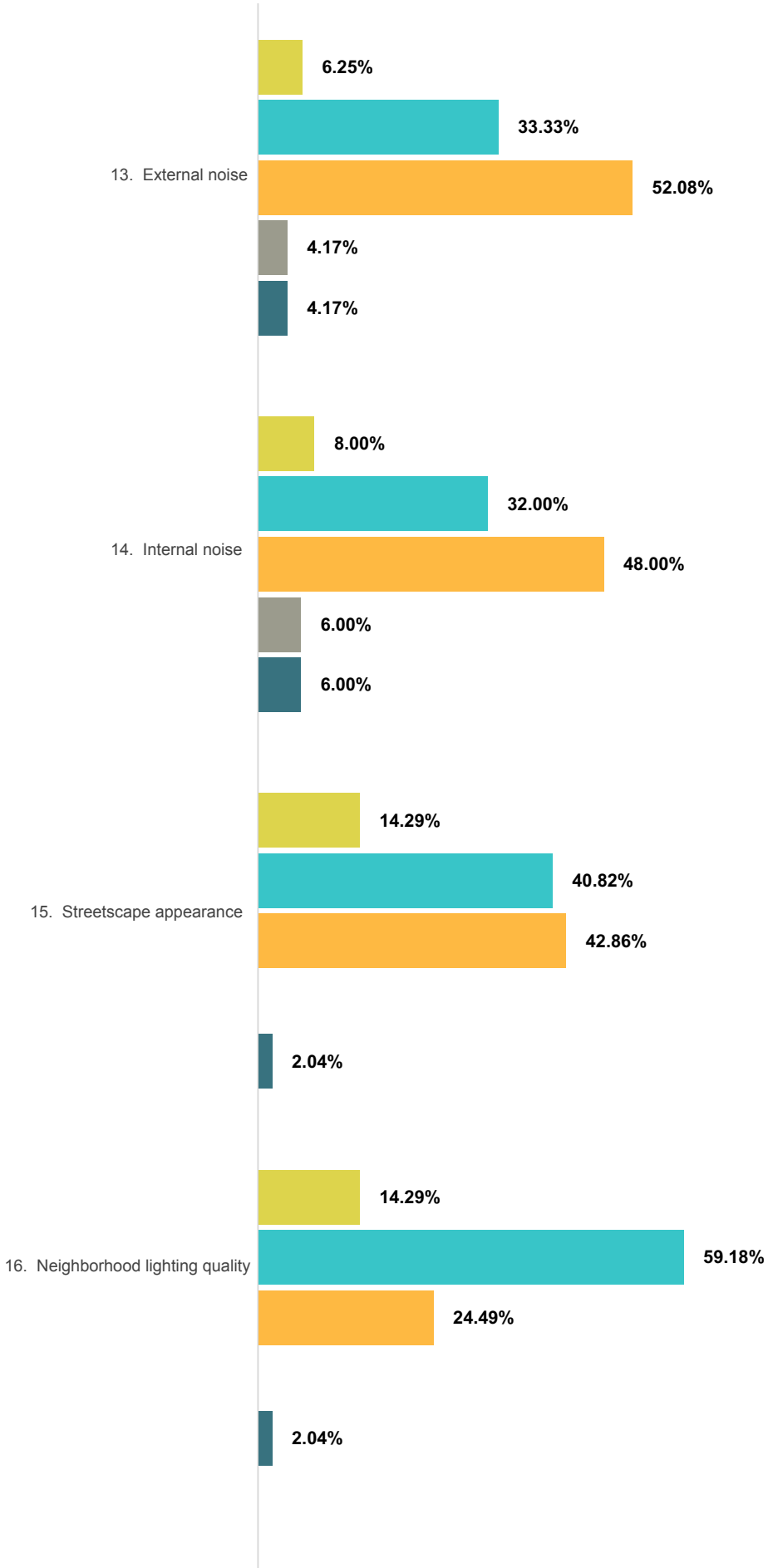
# South Greenville Elementary Area



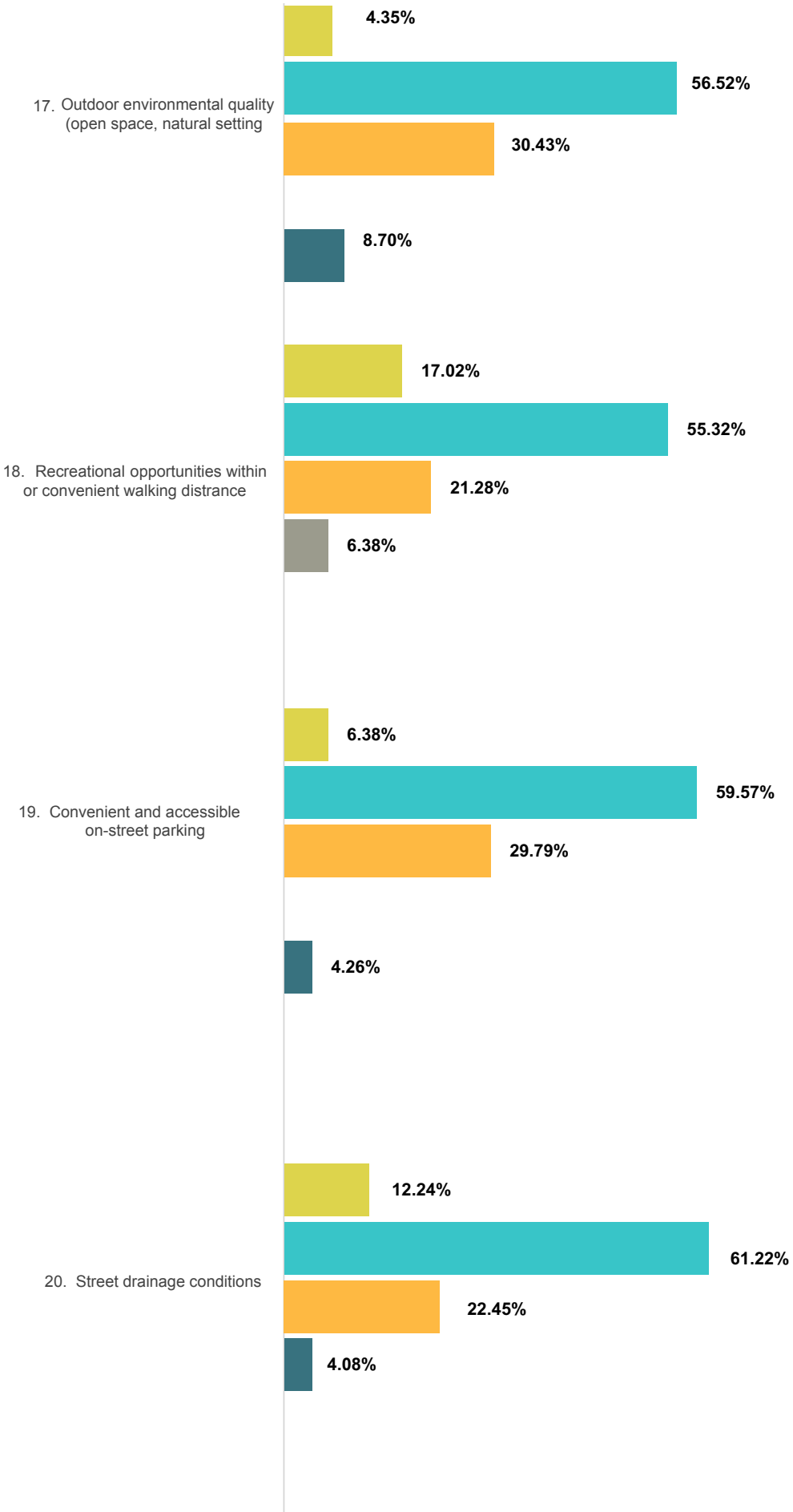
# South Greenville Elementary Area



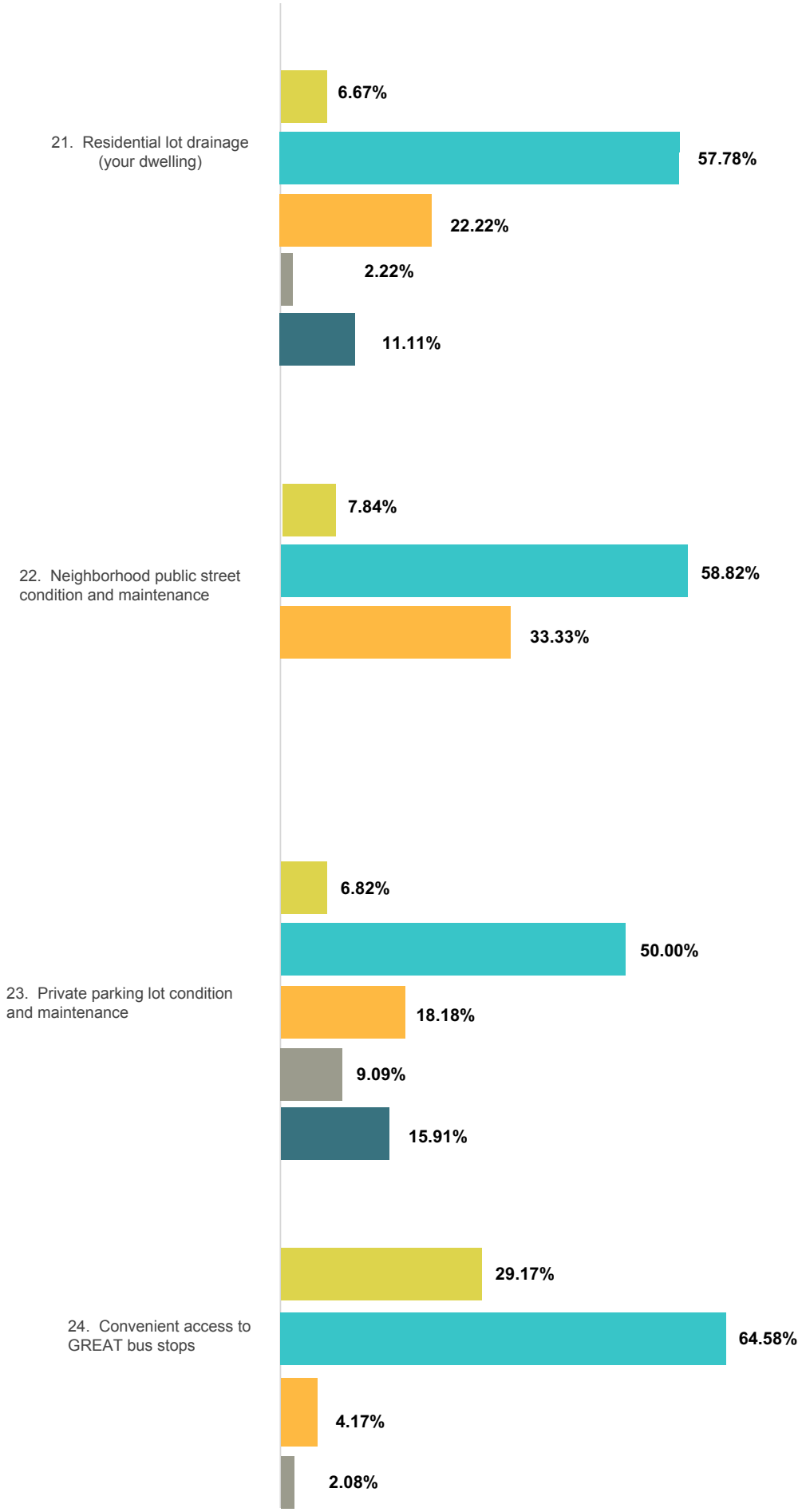
# South Greenville Elementary Area

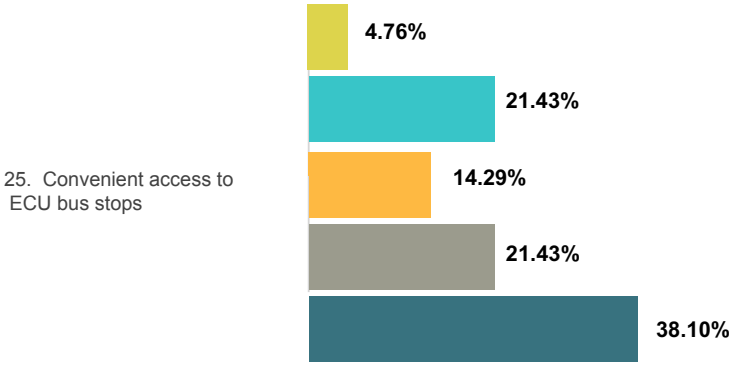


# South Greenville Elementary Area



# South Greenville Elementary Area

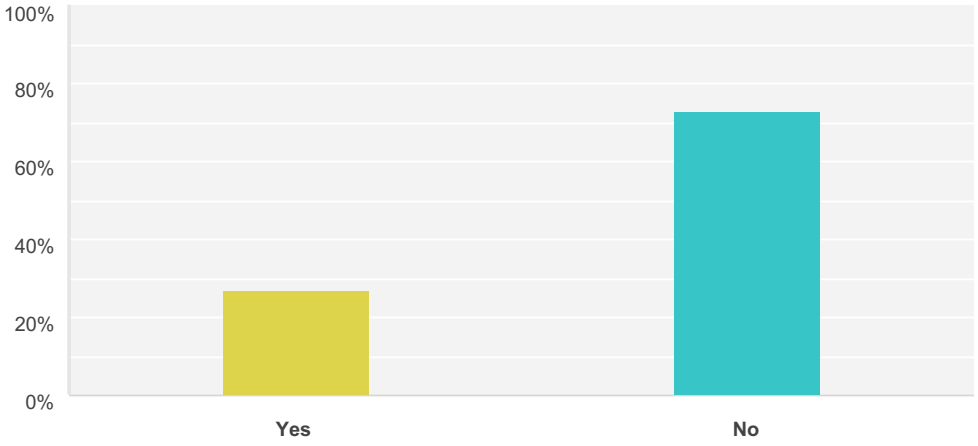



25. Convenient access to ECU bus stops
4.76%
21.43%
14.29%
21.43%
38.10%

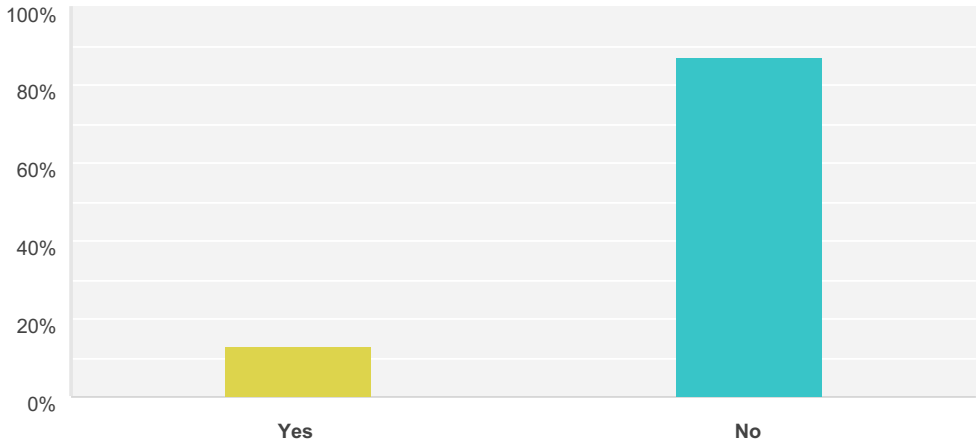
Item # 9

## Q2 Does your neighborhood have an organized and active Neighborhood Association? (check one) Answered: 59

Skipped: 6

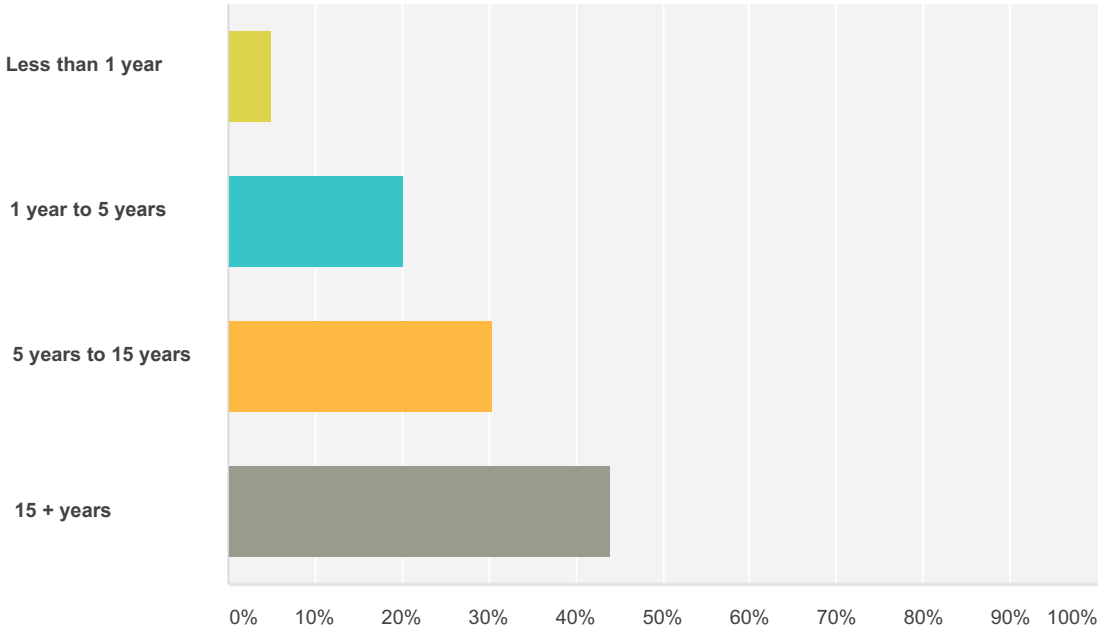


## Q3 Do you regularly attend meetings of the neighborhood association? (check one) Answered: 38 Skipped: 27

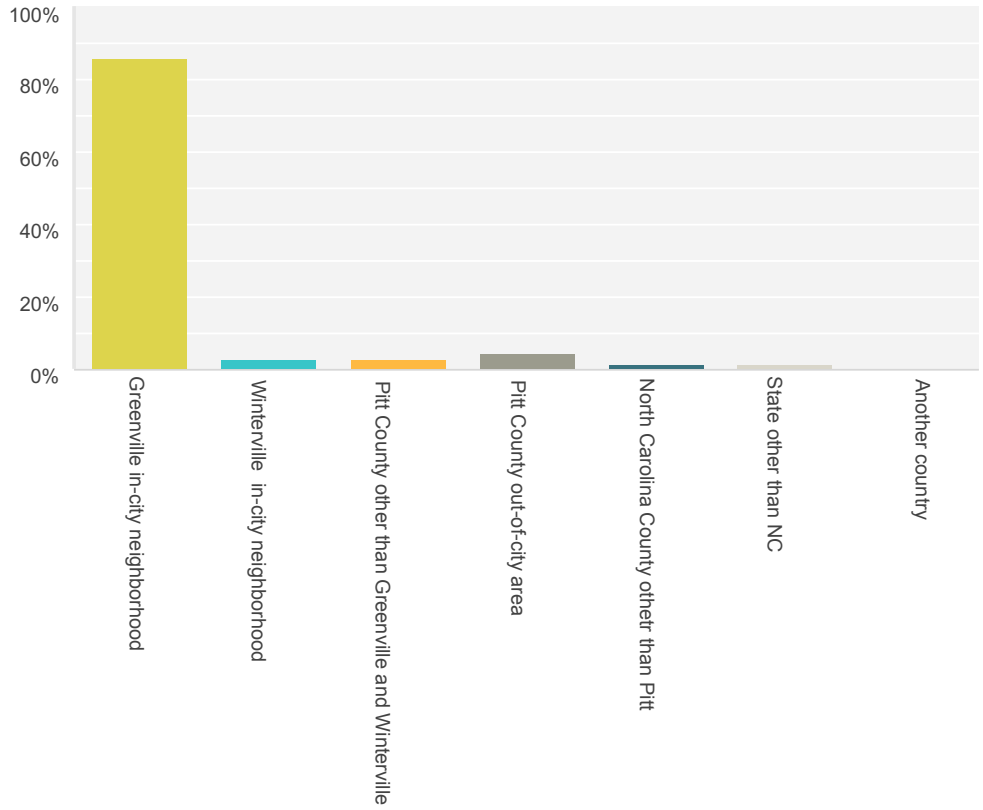


## Q4 How many years have you lived in this neighborhood?

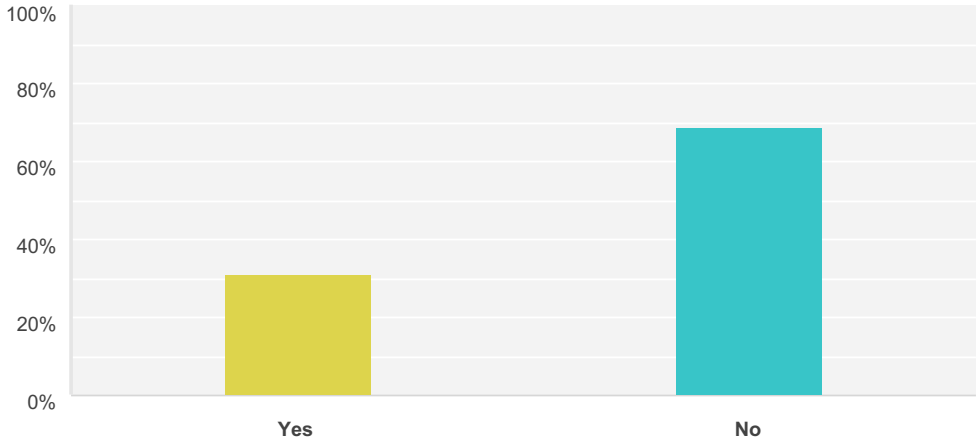
Answered: 59 Skipped: 6



## Q5 My previous address located outside this neighborhood was (check one): Answered: 64 Skipped: 1

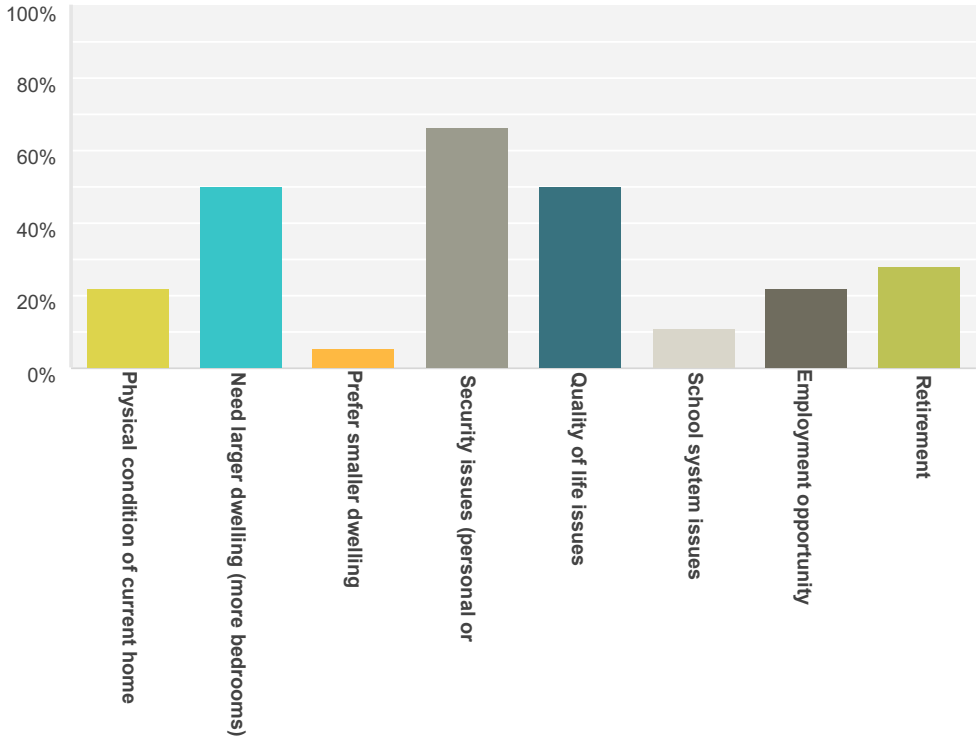


## Q6 Do you plan on moving out of your current neighborhood in the next 1 to 3 years? Answered: 64 Skipped: 1

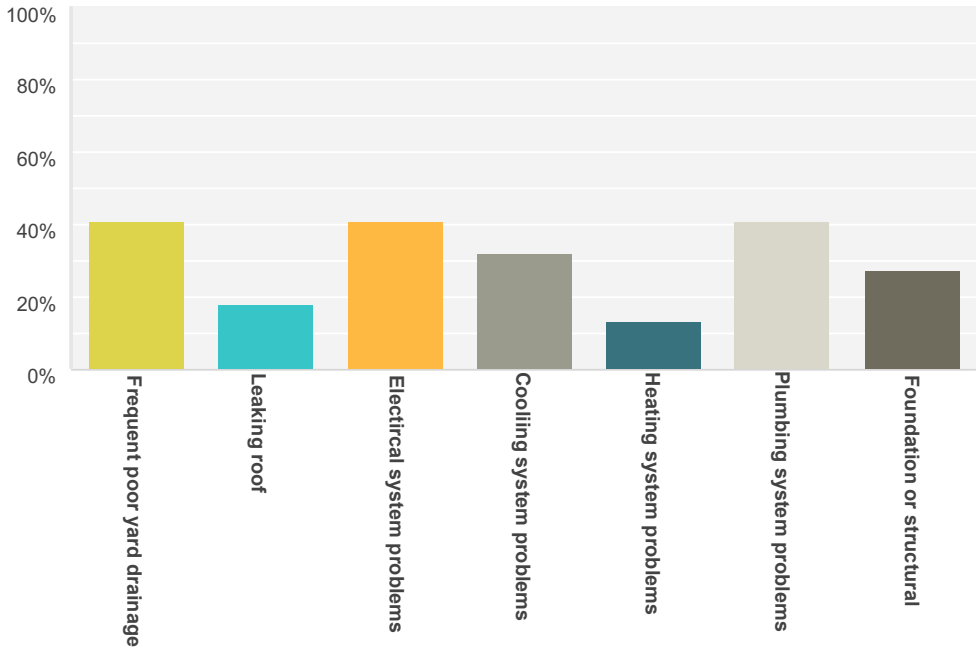


## Q7 If yes to previous question, check all that apply (consideration or reasons for moving):

Answered: 18 Skipped: 47

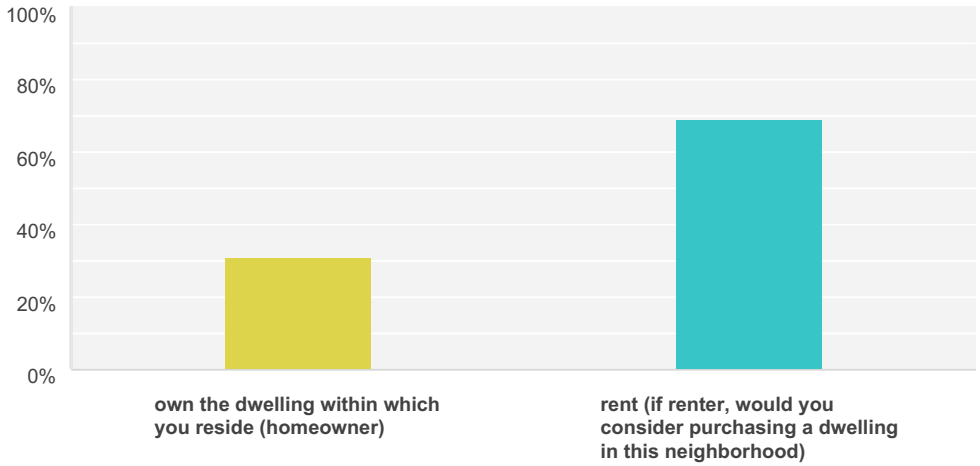


## Q8 Do you have any of these problems at your current dwelling? (check all that apply) Answered: 22 Skipped: 43



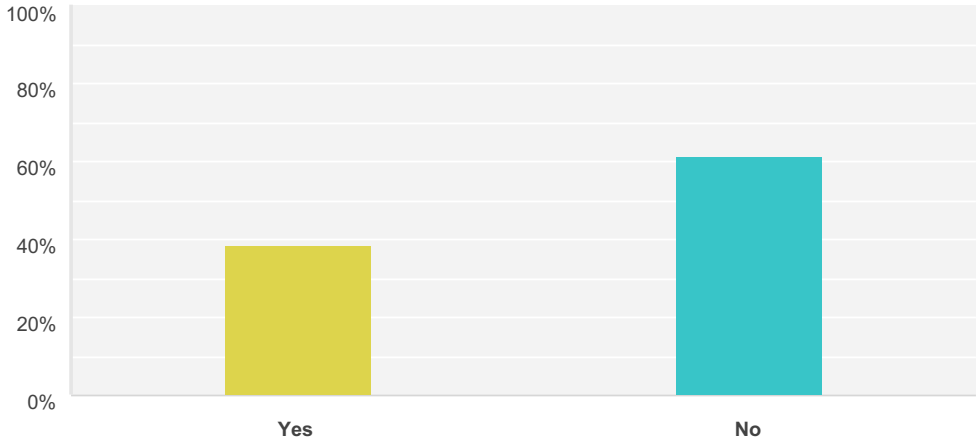
## Q9 Occupancy of current dwelling; do you:(check one)

Answered: 65 Skipped: 0



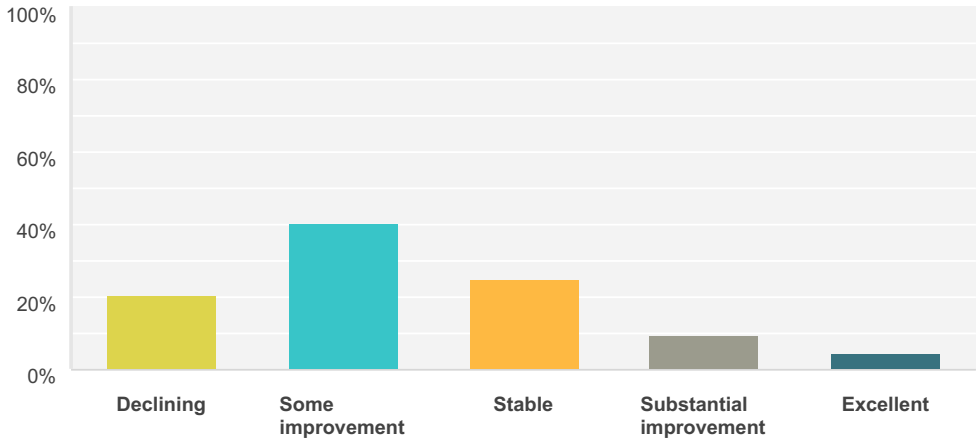
## Q10 If renting, would you consider purchasing a dwelling in this neighborhood?

Answered: 39 Skipped: 26

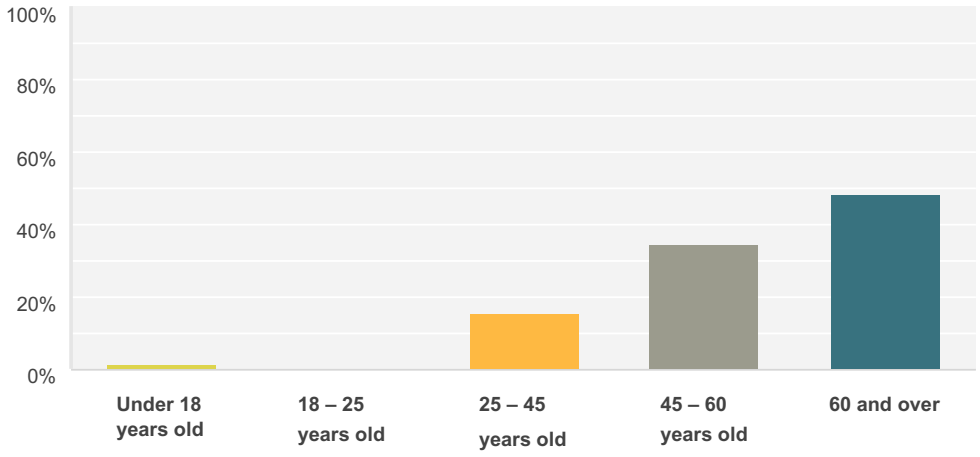


## Q11 How do you view your current neighborhood condition?

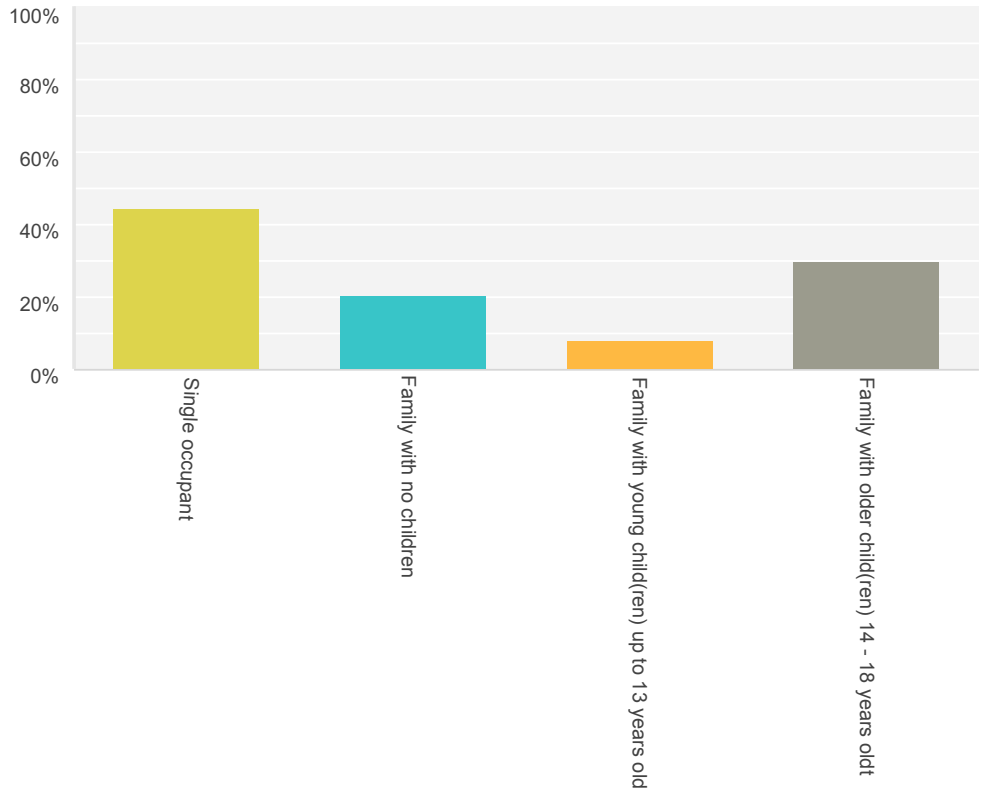
Answered: 64 Skipped: 1



## Q12 Please check the appropriate age range for the person(s) completing this survey. Answered: 64 Skipped: 1



## Q13 Which of the following best describes your household? Family = 2 or more adults living together (married couple, roommates, etc…) Answered: 63 Skipped: 2



# APPENDIX C

## Neighborhood Plan Development and Consideration Process Outline

1. Identification of neighborhood boundaries.

2. City departments meeting to compile current condition assessment and assemble facts, statistics and past and pending actions.

3. Mail surveys to each property owner (tax listing) and household (street address) if different, and advise the owner/occupants of a scheduled neighborhood meeting.

4. Activate the on-line (city web page) survey option for the particular neighborhood.

5. Conduct first neighborhood information meeting to explain purpose of the report and plan, assess current conditions and receive input from neighborhood resident/owners. Surveys will be distributed and accepted at the meeting to increase participation.

6. Conduct second neighborhood information to present a draft comprehensive neighborhood report and plan, present data gathered from surveys, and provide follow-up to previous neighborhood meeting. Meeting dates and times for the Planning and Zoning Commission and City Council will be announced.

7. Advertise Planning and Zoning Commission meeting (newspaper).

8. Planning and Zoning Commission to hold a public meeting to consider the draft neighborhood plan report and plan recommendations at which time the report and plan may be recommended for adoption, or continued for further study prior to recommendation; forward recommendation to City Council.

9. Advertise City Council meeting item as a proposed amendment to the comprehensive plan – HORIZONS: Greenville's Community Plan (newspaper).

10. City Council to hold a public hearing to consider adoption of the neighborhood plan report and amendment to the comprehensive plan

11. City Council to consider plan project/improvement funding at the time of annual budget or capital improvement plan adoption.

12. Neighborhood Plan projects to be completed in accordance with program schedule and funding availability.

# APPENDIX B

Greenville Police Department calls for service are for the period of July 1, 2013 – July 31, 2014 for the neighborhood.

| Type | Number of Calls | Disposition |
|---|---|---|
| Abandoned vehicle | 1 | towed |
| Alarm | 24 | 11-operator error; 9-equipment failure; 4-false alarm |
| Animal complaint | 40 | 17–removed; 2 –citations; 3 warning tickets |
| Armed robbery | 6 | 6-reports taken |
| Armed suspect | 6 | 2-reports taken |
| Assault | 35 | 2- arrests; 15-reports taken |
| Auto larceny | 5 | 3-reports taken |
| Breaking and entering vehicle | 6 | 4-reports taken |
| Breaking and entering | 20 | 1-arrest; 12-reports taken |
| Burglary | 2 | 1-report taken |
| Check on welfare | 14 | 9-contact made |
| Crowd control | 7 | 1-removed |
| Damage to property | 27 | 19-reports taken |
| Directed patrol | 59 | 1-citation |
| Dispute | 40 | 3-reports taken |
| Disturbance | 14 | 1–arrest; 1-removed |
| Disturb the peace | 14 | 1 - citation |
| Domestic | 36 | 3–arrests; 21-reports taken |
| Drug violation | 14 | 5–arrests; 3-citations |
| Fight | 21 | 1–arrest; 1-citation |
| Follow-up | 21 | 1 - arrest |
| Foot patrol | 17 | |
| Hit and run w/property damage | 11 | 8-reports taken |
| House check | 5 | |
| Juvenile complaint | 35 | 3-reports taken; 10-made contact; 1-verbal warnings; 2-escorts |
| Larceny | 27 | 21-reports taken; |
| Open door | 3 | |
| Request officer | 81 | 4-arrests; 21-made contact; 2-escorts; 5-field interviews; 2-reports taken |

| | | |
|---|---|---|
| Serve papers | 65 | 22-arrests; 22-unable to locate; 10-papers served |
| Shots fired | 18 | 1 - arrest |
| Suspicious activity/person/vehicle | 201 | 33 – arrests; 11 – citations; 57-field interview; 21-consent searches; 17-contacts made |
| Trespassing | 33 | 8–arrests; 7-contact made |
| Traffic stop | 208 | 14 – arrests; 48– citations issued; 26-warnings issued; 37-investigative stops/consent searches |
| **TOTAL** | **1,116** | |

# APPENDIX D

**Issues for Consideration in the Development of Neighborhood Plans**

**Community Development Department**

Land Suitability
- Topography
- Soils
- Watershed protection
- Buffers

Comprehensive Land Use Plan
- Vision Area designation
- Current HORIZONS Plan contextual recommendations
- Current Future Land Use Plan Map recommendations

Structures and Building Activity
- Dwelling types and condition
- Improvement permit records

Socioeconomic
- Demographics
- Dwelling Occupancy
- Median home value
- Home improvements
- Retail trade service areas
- Employment areas

Quality of Life
- Community character and identity
- Unifying and complementary elements
- Aesthetics
- History and heritage
- Open spaces
- Noise pollution
- Minimum housing code compliance and enforcement
- Nuisance abatement code compliance and enforcement
- Walkability
- Private development identification signage
- Neighborhood property owners association
- Access to commercial, services and employment nodes

Code Compliance
- Building
- Residential Occupancy
- Minimum housing
- Abandoned/junk vehicles
- Public nuisance

Weeded lots
Zoning and land use
Garbage and trash, etc. collection standards

Cultural Resources
Library services, etc.
Civic and private art resources
Cultural /historical resources and landmarks

## Public Works Department

Natural Environment
Flood hazard areas
Stream channels and bodies water
Street trees
Wildlife habitat
Environmental hazards and limitations
Mosquito control

Transportation
Traffic circulation
Connectivity of streets
GREAT bus stops/routes existing
ECU bus stops/routes existing
Sidewalks and bike lanes
Thoroughfare and street construction/improvement plans
On-street parking
Street identification, and regulatory signage
Speed limits within neighborhood
Traffic control and traffic calming

Storm Drainage
Stormwater management systems
Road flooding conditions
Lot flooding conditions
Stream bank stabilization
Riparian buffers
Storm water detention
Storm water utility program improvements

Service Delivery
Garbage collection
Mosquito control
Trash collection
Yard debris collection
Recycling

Other
Adopt-A-Street program

## Greenville Utilities Commission

Public Utilities
- Water system
- Sanitary sewer system
- Gas system
- Electric distribution system
- Street lights

## Police Department

Health & Safety
- Crime control and calls for service with number of citations issued
- Animal control and calls for service with number of citations issued
- Police presence and programs
- Community watch program

Quality of Life
- Residential noise violations with number of citations issued

## Fire/Rescue Department

Health & Safety
- Fire/Rescue service delivery station(s) and response time
- Fire/Rescue apparatus access roads
- Hydrant location and dwelling separation
- Chemical hazards

## Recreation and Parks Department

Quality of Life
- Public recreational and open space improvements and facilities
- Public recreation programs
- Accessibility of public green spaces
- Condition of public green spaces
- Usability of public green spaces
- Private recreation and open space

## Adopted Plans Affecting Neighborhoods – All Departments

HORIZONS, Greenville's Community Plan (2004)
Recreation and Parks Comprehensive Master Plan (2000) [updated in 2008]
Greenville Urban Area Thoroughfare Plan (2004)
GREAT Short Range Transit Plan (2014)
Transportation Improvement Program (2006)
Greenway Master Plan (2004)
Hazard Mitigation Plan (2004)

# City of Greenville, North Carolina

**Meeting Date: 4/9/2015**
**Time: 7:00 PM**

**Title of Item:** Final public hearing and resolution endorsing the 2015-2016 Annual Action Plan for the CDBG and HOME Investment Partnerships funds

**Explanation:**

**Abstract:** As a requirement of receiving Community Development Block Grant (CDBG) and HOME Investment Partnerships funds, the City must prepare an Annual Action Plan every year of its 2013-2018 Consolidated Plan, which outlines planned activities and funding amounts. In addition, every year a portion of the CDBG funds are used to provide programs and facilities that benefit low- and moderate-income (LMI) city residents.

Staff uses a competitive application process to make a portion of its CDBG funds available to non-profit groups through public service grants. Eligible public service activities include programs related to housing, education, crime prevention, child care, health care, senior services, counseling, drug abuse prevention, mental health, and recreation.

**Explanation:** 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

Furthermore, 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. Below is a table that describes the total amounts requested and funded per organization.

| 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 |

**Fiscal Note:** 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.

**Recommendation:** Staff recommends that City Council hold the final public hearing, allocate the Public Service funds as recommended by the Affordable Housing Loan Committee, and approve the 2015-2016 Annual Action Plan.

---

**Viewing Attachments Requires Adobe Acrobat. Click here to download.**

**Attachments / click to download**

- Resolution_for_City_Council_985013
- 2014___2015_Annual_Action_Plan_971264

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**RESOLUTION NO. ____-15**

**RESOLUTION ENDORSING THE SUBMISSION OF THE 2015-2016 ANNUAL ACTION PLAN FOR THE CITY OF GREENVILLE, NORTH CAROLINA**

WHEREAS, the City of Greenville recognizes the benefits of the Community Development Block Grant and HOME Investment Partnership Programs in providing local governments with the resources to develop viable communities by funding activities that principally benefit low and moderate income persons; and

WHEREAS, the City of Greenville recognizes the need to assist low income and special needs populations of the City with Community Development Block Grant and HOME Investment Partnership funds; and

WHEREAS, the U.S. Congress and the Greenville City Council acknowledge the critical value of the Community Development Block Grant and HOME Investment Partnership Programs and the significant projects that rely upon this funding;

NOW, THEREFORE, BE IT RESOLVED that the 2015-2016 Community Development Block Grant and HOME Investment Partnership Programs of the City Greenville be established by:

1. Authorizing the Mayor to execute approval documents required for the submission of the Annual Action Plan for the 2015-2016 fiscal year following the close of the public hearing.
2. Authorizing the City Manager to enter into contracts with Community Housing Development Organizations approved for the 15% CHDO set-aside.
3. Authorizing the City Manager to enter into contracts with the subrecipients approved for CDBG activities.
4. Authorizing the City Manager or designee to carry out 2015-2016 activities approved in the Annual Action Plan.
5. Authorizing the Director of Community Development or designee to implement such policies and procedures required by the programs, as attached to the Annual Action Plan.

This the 9th day of April, 2015.

_____
Allen M. Thomas, Mayor

ATTEST:

_____
Carol L. Barwick, City Clerk

Greenville
NORTH CAROLINA
*Find yourself in good company*

# 2015 – 2016 Annual Action Plan

## Community Development Block Grant (CDBG) & HOME Investment Partnership Funds



EQUAL HOUSING OPPORTUNITY

Doc # 971264

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# I. EXECUTIVE SUMMARY

## A. Purpose

The Annual Action Plan is a requirement of the Department of Housing and Urban Development (HUD) as a condition of receiving funding under certain federal programs. The goal of the Plan is to extend and strengthen partnerships among the public and private sector, to provide decent housing, establish and maintain a suitable living environment, and expand economic opportunities. Furthermore, this plan serves as a Planning, Programming, and Budgeting System (PPBS).

This plan serves as the City's application for federal funding for the following federal entitlement programs:

- Community Development Block Grant (CDBG)
- HOME Investment Partnership Program

## B. Background

The 2015-2016 Annual Action Plan represents the third (3rd) year of the City of Greenville's Consolidated Plan. The current Consolidated Plan was approved on June 13, 2013, by the City Council. The plan identifies a comprehensive strategy to address community needs for the five (5) year period of 2013-2018. Moreover, the plan associates goals and objectives with current priority needs throughout the same five (5) year period. The goals and objectives identified guide staff in selecting activities to be carried out during each fiscal year. The top priorities and goals determined in the Consolidated Plan include the following:

- Reduce substandard housing and blight
- Preserve and increase owner-occupied housing for low income families and individuals
- Improve public infrastructure within communities of low wealth
- Increase and cultivate economic opportunities within low wealth communities
- Preserve and retain housing for lower income households through scattered site home rehabilitation
- Produce affordable housing opportunities for both owner occupants and renters
- Elimination of environmental hazards in targeted low income communities
- Promote efforts to develop and maintain housing for special needs populations
- Support programs that provide enrichment to low income communities

## C. Geographic Area

Greenville, North Carolina lies in the eastern portion of the state. It is approximately an hour and half from both the beach and the state capital (Raleigh). Greenville, N.C. is the county seat of Pitt County. Not only is Pitt County one of the largest counties in N.C., but Pitt County also has 646 square miles of agricultural land. The county has an estimated population of 174,263, with the City of Greenville having an estimated population of 89,130 according to the American Community Survey census data. This makes Greenville the tenth largest city in the State of North Carolina. Greenville covers 31.8 square miles of Pitt County, and its extra-territorial jurisdiction extends one (1) mile outside the city limits.

From 2000 to 2010, the population increased by almost forty percent (40%), growing by thirty nine and eight tenths percent (39.8%) from 60,476 in 2000 to 84,544 in 2010. Over the past twenty (20) years the community has experienced dramatic growth. Greenville is slowly emerging as a major industrial and economic center for Eastern North Carolina, a center for education, industry, medicine and culture.

## D. Geographic Allocation of Investment

Program activities carried out by the City of Greenville will occur throughout the City, but more specifically within the West Greenville Redevelopment Area, the 45-Block Revitalization Area, and areas north of the Tar River. **(Appendix D).** The West Greenville Redevelopment Area can be defined as bounded to the north by the Tar River, to the west by Memorial Drive, to the east by the Center City, and to the south by the 10$^{th}$ Street Connector.

The West Greenville 45-Block Revitalization Area lies within the overall Redevelopment Area. The “45-Block” is a very specific strategy that has been implemented since 2003. This area can be defined as bounded to the north by Fifth Street, to the west by Bancroft Street, to the east by Albemarle Avenue and to the south by Fleming Street. These areas have been community development target areas for City of Greenville for more than ten (10) years. Another location mentioned above is the area north of the Tar River. Since the flood of 1999, there has been a significant lack of investment within this zone of the city.

Recent efforts have targeted clusters within each area in an attempt to address urgent needs in a more concentrated approach. Please see attached maps of census tracts that are areas of minority concentration and low income block groups **(Appendix D).** Some program data indicates that minority populations comprise a majority of the targeted

income groups. However, eligible persons from all racial, ethnic and gender groups are given the opportunity to participate in any of the housing programs.

## E. Strategies to Meeting the Underserved Needs

The City of Greenville has established the following strategies for meeting the needs of the underserved in the community.

### 1. Housing Strategies

#### a. Down payment Assistance

The City of Greenville continually seeks methods for fostering and maintaining affordable housing. There are funds set aside for the 2015-2016 Program Year to be used for down payment assistance for low-moderate income homebuyers within the City of Greenville. These funds will be used to address goals for increasing homeownership throughout the City. Funding from previous years has also been made available to homebuyers as down payment assistance.

Down payment assistance decreases the amount of financing and/or funding a homebuyer needs in order to purchase a home. To date, we have assisted fifty-three (53) families with funding from the North Carolina Housing Finance Agency totaling $825,555 and sixty-five (65) families under the HOME Program totaling $760,699. The City also provides assistance with local bond funds to aide with down payment or closing costs. Bond funds are awarded to qualifying applicants as a no interest loan up to five percent (5%) of the purchase price of the home and amortized over five (5) years. Thirty-two (32) families have received assistance totaling $67,959.

#### b. Development of Affordable Housing

In an attempt to address the barriers to developing affordable housing, the City of Greenville continues to create single-family affordable housing opportunities. These opportunities are provided via properties purchased by the City with local public bond funds and HOME Investment Partnership funds. Upon acquisition and installation of infrastructure, the City then makes lots available to non-profit and for profit agencies for development.

All development proposals are accepted based on a reasonable price per square foot and the developer's ability to meet building specifications as required by the Request for Proposal. As a direct result of the City's purchase of the land and the infrastructure improvements, the lots become more affordable; therefore, reducing

the cost to the homebuyer. As lots are sold to eligible homebuyers, the funds for the lot cost are sometimes recaptured and used to fund future developments.

**c. Owner-Occupied Home Rehabilitation**

The City offers grants/loans that assist and encourage preservation of its older housing stock. Home rehabilitation supports homeowners who strive to bring their properties up to today's building standards, and ensures the health, safety, and general welfare of the community. The grant/loans are based on income limits that are provided by the U.S. Department of Housing and Urban Development (See Appendix). A percentage of the total cost of the work applied can either be forgiven or decreased based upon an applicant's gross income and family size.

The City of Greenville has offered the owner-occupied home rehabilitation program since the mid 1970's. This program has been significantly successful in keeping low-moderate income families in homes that are safe, healthy, affordable, and energy efficient. Recently, staff has also noticed an additional benefit of this program – it also has the ability to preserve the historic character of a neighborhood.

**d. Partnerships**

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 working knowledge of the home buying process and to prepare financially to purchase a home within the West Greenville Redevelopment Area, or in other neighborhoods across the City. At program completion, participants receive a certificate for $1,000 redeemable at closing to assist with the purchase of an existing or new home within the city limits.

In addition to the homeowner partnerships, the City partners with Pitt Community College and East Carolina University for workforce development. Both organizations have Memorandums of Understanding that connect them to activities and projects that the City believes are imperative to community and economic development.

Staff partnered with Metropolitan Housing Development Corporation to construct a new single family home within the target area. The home is complete and currently has a tenant residing there who has signed a lease-purchase agreement. There are three (3) single family homes that began construction in January 2015.

Furthermore, staff anticipates an additional 3 – 5 single family homes will be constructed by the end of 2015.

## 2. Community Development Strategies

### a. Revitalization

The intended actions in the West Greenville Redevelopment Plan are to build upon the strengths of the area, and remove obstacles that limit the possibilities for success. The goals of the plan in this area are to increase the levels of homeownership, remove blighting influences, improve the public infrastructure, create continuous and ongoing programs that address the social issues of the community, and to provide quality economic development and commercial opportunities for the area and for its residents.

In addition, the City intends to make application in 2015 for an amendment to the 2013-2018 Five (5) Year Consolidated Plan. Staff is in the process of developing boundaries and measurable goals for the PROPOSED West Greenville Neighborhood Revitalization Strategy Area (NRSA). The proposed NRSA will encompass the current West Greenville Redevelopment area, but it also expands those boundaries to the north and the south significantly.

### b. Multi-family Development

Located within the City limits of Greenville, Winslow Pointe is a new community composed of eighty four (84) affordable apartments at forty percent (40%), fifty percent (50%) and sixty percent (60%) restriction on income. The property will offer 1, 2, and 3- bedroom apartments. The site is located on the Northwest corner of Hooker and Burrington Road, which surrounds the old Winslow home. This location is in the central part of Greenville located near JH Rose High School, shopping, parks, and medical facilities. The natural boundaries that surround the site make this property unique for an area within the city limits in close proximity to so many services.

This project was funded in part with HOME Investment Partnerships funds, Low Income Housing tax credits and private investments. The NRP Group and its affiliated company formed the construction and development team. The project was completed in 2013, and the City was able to leverage over $11 million on the Winslow Pointe development. Recently, developers expressed an interest to begin Phase 2 of Winslow Pointe. Staff has discussed this phase with the development team, and they have also noted that they will pursue tax credits from the North Carolina Housing Finance Agency (NCHFA).

In 2014, the City of Greenville also provided HOME Investment Partnership funds to multi-family developers as gap funding. There was only one (1) interested developer in the 2014-2015 fiscal year. The developer proposed a low income senior housing development, which is located within the Medical District. Therefore, the site is within close proximity to shopping, medical care, public transportation, and other services.

The aforementioned development is named Parkside Commons. This project was granted $150,000 of HOME funds from the City, and they were also a recipient of the 2014 Low Income Housing Tax Credits provided by NCHFA. This project is slated to begin construction during the Spring 2015 and will have ninety-eight (98) affordable senior units.

**c. Infrastructure Improvements**

Planning and design work were completed in 2011 on two (2) major public infrastructure projects that collectively will help to reshape the functionality and image of Greenville's urban core. Two (2) streetscape projects, the West Fifth Street Gateway and the Cotanche and Reade project will respectively improve aesthetics, vehicular and pedestrian safety, and will provide Greenville's citizens with a first of its kind opportunity – municipally sponsored public art.

Currently, staff is working on the planning and design of West Fifth Streetscape Phase II. Phase II extends four (4) city blocks, and the same treatment that the Gateway project received is also planned for this project. This portion of the streetscape will provide a more sustainable pedestrian experience, and will provide much needed traffic and utility upgrades. The planning and design is expected to be complete by early 2015. Staff anticipates that a conceptual drawing, construction plans, and a financial implementation plan will be delivered on or before Spring 2015.

A new activity for 2014 was the Lincoln Park Neighborhood Redevelopment. This activity required a host of infrastructure improvements. For example, staff had to manage the abandonment, extension, and creation of water and sewer lines. Furthermore, this activity requires sidewalks, curb and gutter, and street lighting improvements. Staff completed the water and sewer abandonment within the area; however, the sidewalks, curb and gutter, and street lighting still needs to occur in 2015.

Lincoln Park is a neighborhood within the urban core. This portion of the city is very old. Therefore, many infrastructure improvements are necessary. The City

owns sixteen (16) lots within the neighborhood, and will help facilitate the construction of new, affordable, single-family homes. These homes will be occupied by low-moderate income homeowners, renters, and those who are eligible for the lease-purchase option.

In addition, staff anticipates that there will be other infrastructure improvements throughout the West Greenville Target Area. This target area will require future improvements because of the age of the infrastructure. West Greenville is within the urban core, and is the oldest area within the city limits.

**3. Economic Development Strategies**

**a. Facade & Site Improvement Grant Program**

Maintaining the architectural quality and aesthetic appeal of commercial and office structures in the West Greenville Redevelopment Area is an important part of the overall strategy to restore the economic vitality of West Greenville. Proper improvements to the exterior of individual buildings will help to develop an image that will invite additional investments into the area.

The Greenville Redevelopment Commission developed the Building Blocks Facade and Site Improvement Grant Program to provide an incentive to property and business owners to make improvements to their properties. These programs provide property owners, tenants, architects, and contractors with recommended design standards for exterior improvements and rehabilitation to commercial buildings in the West Greenville Redevelopment Area.

The Dickinson Avenue Corridor Study is being conducted this year. The Office of Economic Development is providing local funds for this study. A portion of the corridor is within the West Greenville Redevelopment Area. Moreover, there are multiple commercial structures situated along this section of the corridor. Commercial structures are not a plentiful resource within the West Greenville Redevelopment Area. Thus, staff has planned to provide assistance to property owners along this stretch of the corridor.

**b. Small Business Incubator/ Commercial Center**

The Redevelopment Commission of Greenville contracted with the Small Business and Technology Development Center (SBTDC) in 2012, a state agency, to study the feasibility of establishing a small business incubator within the geographic bounds of the West Greenville Redevelopment Area. The incubator's mission will be to create an open, business-first, incubation facility. The facility

will cultivate entrepreneurship, promote economic development, and assist in community revitalization within the West Greenville Redevelopment Area. CDBG funds will be used to supplement the project.

After several years of focus group meetings, feasibility studies, and minor marketing efforts – city staff is still working to build a strong enough coalition to finance and operate a stand-alone incubator. However, in recent months, staff has identified an alternative solution. This solution ties together two (2) separate initiatives that the Community Development Department has already researched.

The West Greenville Redevelopment Area lies within a U.S. Department of Agriculture designated food desert, according to the Food Access Research Atlas. Therefore, the City has made it a top priority to recruit, facilitate, and potentially incentivize a deal that would bring a grocery store/commercial center to the area. Over the past couple of years, staff has partnered with other organizations to develop a feasible business plan for the incubator. As a result, staff has determined that a multi-use commercial center would better suit the needs of the community and small business.

**4. Environmental Obstacles**

Many of the low-moderate income communities across the nation face environmental hazards, and lack the funds to abate or mitigate them. The City of Greenville is not any different; however, the City is dedicated to providing funding for the elimination, abatement, or mitigation of some of these hazards.

**a. Lead**

The West Greenville Redevelopment Area exists within the oldest portion of the city. The neighborhoods in this area are part of the urban core. Many of the homes in these neighborhoods have both lead and asbestos materials inside of them. The City is dedicated to eliminating these hazards when possible. For example, when staff conducts owner-occupied home rehabilitations, it is the City's policy to test for and abate any lead or asbestos material. Staff will constantly seek out grant opportunities for lead or asbestos abatement.

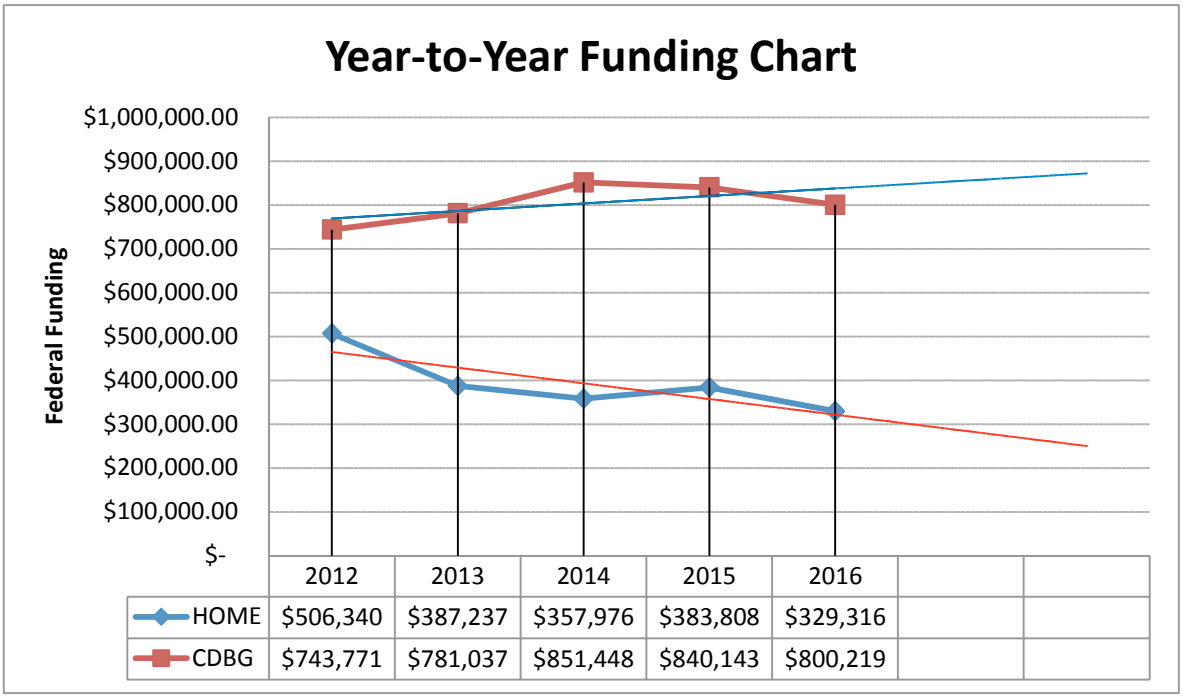
**b. Brownfield Development**

The City of Greenville has been a recipient of EPA Brownfield funds in the past. The City will continue to seek grant opportunities to mitigate these types of circumstances. Many Brownfields exist within low-moderate income neighborhoods. These parcels should not be viewed as weaknesses or threats; rather they are opportunities for education and economic development.

# Sources of Funds

## II. SOURCES OF FUNDS

Resources available to support activities identified in the Consolidated Plan and this Annual Action Plan will include Community Development Block Grant, HOME Investment Partnership, general revenues, local Bond program, North Carolina Housing Finance Agency, private lending institutions and private developers. The graph below depicts past federal funding, but it also provides a forecast of funding as well.




| | 2012 | 2013 | 2014 | 2015 | 2016 | | |
|---|---|---|---|---|---|---|---|
| HOME | $506,340 | $387,237 | $357,976 | $383,808 | $329,316 | | |
| CDBG | $743,771 | $781,037 | $851,448 | $840,143 | $800,219 | | |

### A. CDBG Program

The Housing and Community Development Act of 1974 created the Community Development Block Grant program in 1974. Since 1975, the City of Greenville has participated in the program with a variety of activities. The City of Greenville became an Entitlement Community in 1994. As an Entitlement Community, the City receives an annual funding allocation from the U.S. Department of Housing and Urban Development. The primary objective of CDBG is the development of viable urban communities by providing decent housing, a suitable living environment, and expanding economic opportunities. All activities carried out must meet one of the three National Objectives.

Those objectives are:

- Benefit low-moderate income persons;
- Aid in the prevention or elimination of slums or blight; or

- Addressing an "urgent need"

## B. HOME Investment Partnerships Program

The HOME Investment Partnerships program was created by the National Affordable Housing Act of 1990 to create local partnerships for providing decent affordable housing to lower income households. This program seeks to encourage local jurisdictions to work with non-profit organizations and the private investment community to achieve this goal. Cities receiving HOME funds must reserve fifteen percent (15%) of their HOME funds to Community Housing Development Organizations (CHDOs) for affordable housing development.

In 1997, the Pitt County HOME Consortium was formed. The Consortium included the City of Greenville as lead entity, the Towns of Farmville, Ayden, Bethel, Grifton and Pitt County. The Town of Winterville became a member in 2001.

In January 2008, the City Council of Greenville approved disbanding the Consortium partnership and submitted application to become a "Participating Jurisdiction" for HOME funding. This Action Plan represents Greenville's second year as a HOME Participating Jurisdiction.

Local match requirement for the 2013-2014 HOME Program is approximately $177,000. These funds come from local funds earmarked for Affordable Housing and for meeting match requirements. The funds will be used to augment HOME funded projects. The Greenville HOME program currently has a match credit of $960,067.87, which will be carried over to the following year. Despite the match credit, the City continues to identify a match with all projects, evidence of which is detailed on the match log.

## C. Affordable Housing Bond Program

On November 2, 1992, the citizens of Greenville approved a $5 million 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. Loans are continually recaptured and reinvested into the program fund to further efforts to promote and preserve affordable housing. This bond led to the production of 161 affordable homes for first time low and moderate income buyers and flood survivors and over 153 loans to low and moderate families for home purchases and rehabilitation of low income elderly homeowner residences. These funds have been recycled since 1992 and

are available for the West Greenville 45-Block Revitalization program and other affordable housing initiatives of the City of Greenville.

In 2004, citizens approved $10 million in bond referendums for the revitalization efforts in the Uptown and West Greenville 45-Block Revitalization focus area.

## D. Funding Summary Chart

| Source | Amount | Description |
|---|---|---|
| Community Development Block Grant (CDBG) | $800,219 | Funds will be used for administration, housing rehabilitation, acquisition, relocation, public service, public facility improvements, economic development and clearance/ demolition. |
| HOME Investment Partnership | $329,316 | Funds will be used for administrative cost, housing rehabilitation, new construction, down payment assistance, and CHDOs. |
| General Revenue | $250,000 | Funds to leverage administrative/operating costs for staff and other local municipal appropriations to support programs. |
| Affordable Housing Bond Program | $100,000 | A 1992 Bond Referendum for preservation and creation of affordable housing in the City of Greenville. |
| Private Investment | $10,000,000 | Private investment for first time homebuyers to purchase Affordable Housing Citywide to improve housing stock, and affordable multi-family development |
| **Total All Sources** | **$1,723,951** | **Approximate total of all sources minus Private Investment** |

# Citizen Participation Plan

## III. CITIZEN PARTICIPATION PLAN

The City of Greenville continues to acknowledge the importance of citizen participation in developing activities for each upcoming year. Revisions to the Citizen Participation Plan were placed into effect as of September 11, 2003 (see **Appendix F)** in an effort to increase public awareness. Despite the recent changes to the current plan, we will continue to search for avenues to increase the level of participation by the community. Resources to better our current plan will include HUD recommendations; contact with other cities to review their plans; and most importantly, the consideration of input from the local community to increase involvement.

The City also encouraged public participation in developing the 2015-2016 Annual Action Plan by making a copy of the DRAFT plan available to the Affordable Housing Loan Committee members, Redevelopment Commission, Continuum of Care; and a copy accessible at all City Community Recreational Centers, Library and Housing Division Office for the general public, non-profits and other interested parties to review and submit comments from March 9, 2015 through April 9, 2015. In addition, a community meeting was held at Sheppard Memorial Library on Thursday, January 12, 2015 to get community input on the Plan. A second community meeting was held on Thursday, February 5, 2015 at the Lucille W. Gorham Intergenerational Community Center. The following comments were received:

1. Create or partner to build a cultural center
2. Provide more recreational opportunities and planned open space
3. Continue to provide homeownership opportunities.
4. Provide infrastructure upgrades when possible in low wealth communities (e.g. sidewalks, lights, stormwater, and water & sewer).
5. Maintain the historic character of neighborhoods.
6. Create more affordable rentals.
7. Create more workforce training opportunities.
8. Create jobs and create commercial opportunities.

There will be two (2) Public Hearings held for citizens to provide input. The first public hearing has already been held on December 11, 2014 at the City Council Meeting. The final public hearing will be held on April 9, 2015 during the City Council Meeting. No comments were received on the initial public hearing.

# Current Year Action Plan

Item # 10

# IV. ONE YEAR ACTION PLAN

## A. Introduction

The 2015-2016 Annual Action Plan describes the CDBG and HOME activities proposed for the 2015 fiscal year. The Five (5) Year Consolidated Plan guides development of each annual action plan, and serves as a roadmap for the activities to be undertaken. The plan also includes the resources available to perform the activities, a detailed description of the activities, and maps depicting the areas in which the activities will occur.

The activities to be undertaken by the City of Greenville for the 2015-2016 fiscal year will include Program Administration, Owner-Occupied Housing Rehabilitation, New Construction, Clearance & Demolition, Public Service, Public Facility Improvement, Economic Development, Community Housing Development Organizations, Relocation Assistance, and Substandard Property Acquisition. Staff anticipates that a majority of the proposed activities will be completed within the program year - with a few extending into future years.

In addition to routine Community Development activities through the CDBG and HOME Programs, we continue to expand the supply of new single-family affordable housing units with the assistance of local bond funds. These new units require the experience and oversight of the City of Greenville Housing Division. The City of Greenville has constructed or facilitated the development of a total of 162 units throughout the City. See the breakdown below:

| New Single Family Units | Total Units |
|---|---|
| Singletree | 24 |
| Carolina Heights | 15 |
| Red Oak | 1 |
| Countryside Estates | 105 |
| West Greenville | 20 |
| Lincoln Park Redevelopment | 2 |
| **Total** | **167** |

## B. Performance Measurement

The focus on demonstrating performance and results is present at all levels of government and in the private sector. Performance measurement is a program tool that can help housing and community development practitioners collect data, track progress, and report on program results in a way that speaks to the impact a program has had on a community and the lives of its residents. Performance Measurement is an organized process for gathering information to determine how well programs and activities are meeting established needs and goals. There are three (3) main components to Outcome Performance Measurement System: Objectives; Outcomes; and Indicators.

### 1. Objectives:

Performance Measurement offers three (3) possible objectives for each activity. These objectives are based on the broad statutory purposes of the four (4) Community Planning and Development programs:

#### a. Creating Suitable Living Environments

This objective relates to activities that are designed to benefit communities, families, or individuals by addressing issues in their living environment. The activities are intended to address a wide range of issues faced by low and moderate income persons, from physical problems with their environment, such as poor quality infrastructure, to social issues such as crime prevention, literacy, or elderly health services.

#### b. Providing Decent Housing

This objective focuses on housing activities whose purpose is to meet individual family or community housing needs.

#### c. Creating Economic Opportunities

This applies to activities related to economic development, commercial revitalization or job creation.

### 2. Outcomes:

The second component of the system is outcomes, which are closely related to objectives. The program outcome helps further refine the objectives and is designed to capture the nature of the change or the expected result of the objective to achieve. The following are the three (3) identified:

#### a. Availability/Accessibility

This applies to activities that make infrastructure, public services, public facilities, housing or shelter available or accessible to low and moderate income people, including persons with disabilities.

**b. Affordability**

These are activities that provide affordability in a variety of ways to low and moderate income people. It can include the creation or maintenance of affordable housing, basic infrastructure hook-ups or services such as transportation or day care.

**c. Sustainability**

This applies to activities that are aimed at improving communities or neighborhoods, helping to make them livable or viable by providing benefit to persons of low and moderate income by removing or eliminating slums or blighted areas, through multiple activities or services that sustain communities or neighborhoods.

**3. Indicators:**

Once the program's purpose (objective) has been established and intended result (outcome), the next step is to identify how to measure progress towards achieving the intended results. There are four (4) common indicators that are relevant for most activities:

- Amount of money leveraged from other sources
- Number of persons, households, businesses, units or beds assisted
- Income level of persons or households by: thirty percent (30%), fifty percent (50%), sixty percent (60%) or eighty percent (80%)
- Race, ethnicity and disability data

A successful performance measurement system is tailored to the specific goals and objectives of the program. To meet its obligation to assess program performance, HUD requires grantees to provide information on their achievements and investments since program objectives and activities are determined and implemented locally.

## C. 2015-2016 Action Plan Projects:

### 1. Program Administration

**Activity 2012-1**

**Regulatory Citations**: 24 CFR Parts 92.207, and 570.206

**Description:** Staff salary, planning, and administrative service delivery costs for implementing the Community Development Block Grant and HOME Programs, will be funded through CDBG and HOME awards, as well as local general revenue support.

| | | |
|---|---|---|
| **Funding Amount:** | $32,000 | HOME |
| | $160,000 | CDBG |
| | $250,000 | General Fund |

2. **Housing Rehabilitation/Urgent Repair**

**Activity 2012-2**
**Regulatory Citations:** 24 CFR Parts 92.205-(a) (1), 570.202

**Description:** This program is designed to assist very low to low income homeowners with rehabilitating existing housing structures. The primary intent of this activity is to bring units up to code through the provision of rehabilitation activities to eliminate all code violations and provide a decent, safe and sanitary living environment. Program costs incurred may include demolition, construction, permitting fees, surveying, lead abatement, credit reports and closing costs. This activity will target owner occupied homeowners only. Qualified candidates for assistance include homeowners with annual incomes below eighty percent (80%) of the median area income as defined by HUD.

| | | |
|---|---|---|
| **Funding Amount:** | $182,000 | CDBG |
| | $67,919 | HOME |

**Performance Measurement**

| | | |
|---|---|---|
| **Objective:** | Providing Decent Housing | |
| **Outcome:** | Affordability | |
| **Output Indicators:** | Number of units rehabilitated | Goal: 11 |

3. **Acquisition of Substandard/Dilapidated Properties**

**Activity 2012-3**
**Regulatory Citations:** 24 CFR Part 570.201 (a), 570.201 (d), 570.201 (i)

**Description:** Efforts will continue to acquire and demolish substandard and dilapidated properties that continue to blight the 45-Block Revitalization Area. Acquisition will focus on vacant rental properties or vacant parcels; however, the City may need to acquire occupied rental units for the betterment of the community. Relocation assistance will be provided to tenants that are displaced per URA

guidelines. Parcels will be recombined for the development of new, affordable housing units. Acquisition costs may include, but not limited to legal fees, appraisal costs and surveying.

**Funding Amount:** $38,000 CDBG

**Performance Measurement of Acquisition Activities**

**Objective:** Creating Suitable Living Environments
Providing Decent Housing
**Outcome:** Affordability, Availability/Accessibility
**Output Indicators**: Number of units acquired **Goal:** 2

## 4. Relocation/Displacement Assistance

**Activity 2012-4**
**Regulatory Citations:** 24 CFR Part 570.201 (a), 570.201 (d), 570.201 (i)

**Description:** As part of the West Greenville 45-Block Revitalization plan, efforts will continue to acquire and demolish substandard and dilapidated properties that continue to blight the area. Acquisition will focus on vacant rental properties or vacant parcels; however the City may need to acquire occupied rental units for the betterment of the community. Relocation assistance will be provided to tenants that are displaced per Uniform Relocation Assistance guidelines.

**Funding Amount:** $5,000 CDBG

**Performance Measurement of Relocation/Displacement Assistance**

**Objective:** Creating Suitable Living Environments
Providing Decent Housing
**Outcome:** Affordability, Availability/Accessibility
**Output Indicators:** Number of units households **Goal:** 0

## 5. Public Service

**Activity 2012-5**
**Regulatory Citations:** 24 CFR Part 570.201(e)

**Description:** The City of Greenville will make available funds to assist non-profit organizations with approved public services activities. Qualified agencies will participate in projects that benefit City of Greenville citizens. Non-profit housing and service providers must assist the under-served populations of the City. Applications from non-profits are submitted to the City for consideration annually and reviewed by

the Affordable Housing Loan Committee. The activities will assist low income persons, homeless and special needs persons, youth development, victims of family/domestic violence, and housing providers. All funding will be expended from September 2014 through September 2015.

| Activity | Amount |
|---|---|
| Lucille Gorham Center | $15,000 |
| Boys and Girls Club | $20,000 |
| Literacy Volunteers | $15,000 |
| Center for Family Violence | $25,400 |
| STRIVE | $25,000 |
| **Total** | **$100,000** |

**Funding Amount:** $100,000 CDBG

**Performance Measurement of Public Service Activities**
Objective: Creating Suitable Living Environment
Outcome: Sustainability
Output Indicators: Number of LMI households served **Goal**: 225

## 6. Public Facility Improvement

**Activity 2012-6**
**Regulatory Citations:** 24 CFR 570-202

**Description:** This program is designed to assist in the upgrade and design of public infrastructure located in low wealth communities. For example, the Lincoln Park Neighborhood Redevelopment will need sidewalks, upgraded street lighting, traffic calming, and updated water and sewer lines.

**Funding Amount:** $200,000 CDBG

**Performance Measurement**
**Objective:** Creating Suitable Living Environment
**Outcome:** Sustainability
**Output Indicators:** Number of people in LMA **Goal:** 500

## 7. Clearance/Demolition

**Activities 2012-7**
**Regulatory Citation** 24 CFR Part 570.201(d)

**Description:** This activity is designed to acquire and demolish substandard structures in the West Greenville 45-Block Revitalization area in an effort to improve the living conditions for low income residents. Parcels may be recombined for the development of new, affordable housing units.

**Funding Amount:** $15,000 CDBG

**Performance Measurement**
**Objective:** Creating Suitable Living Environment
**Outcome:** Affordability, Availability/Accessibility
**Output Indicators:** Number of units demolished **Goal:** 1

## 8. Community Housing Development Organization (CHDO) Activities

**Activity 2012-8**
**Regulatory Citations:** 24 CFR Part 902.207 (a), (c), (d)

**Description:** It is anticipated that a certified CHDO will utilize the funding to continue production of single family units for first-time, low-moderate income homebuyers. At the present time, the City has three (3) certified organizations: Metropolitan Housing and CDC, Streets to Home, and Exceed, Inc.

**Funding Amount:** $49,397 HOME

**Performance Measurement**
**Objective:** Decent Affordable Housing
**Outcome:** Affordability
**Output Indicators:** Number of new single family units **Goal:** 1

## 9. Down payment Assistance Program

**Activity 2012-9**
**Regulatory Citations:** 24 CFR Part 902.207

**Description:** Funds available for first time buyers who have completed homebuyer education classes.

**Funding Amount:** $30,000 HOME
$30,000 General Funds

**Performance Measurement**
**Objective:** Decent Affordable Housing
**Outcome:** Affordability

**Output Indicators:** Number of new homeowners **Goal**: 2

**10. Economic Development**

**Activity 2012-10**

**Regulatory Citations:** 24 CFR 570.203

**Description:** The purpose of the Business Plan Competition and the Facade Improvement Program is to provide an economic incentive to small business owners and other entrepreneurs both from within and without the redevelopment areas. Therefore providing an opportunity to create or expand small business enterprises within the bounds of West Greenville Redevelopment Areas.

**Funding Amount:** $100,219 CDBG

**Performance Measurement**

**Objective:** Create Economic Opportunities

**Outcome:** Availability/Accessibility

**Output Indicators:** Number of jobs created **Goal:** 4

## D. CDBG/HOME Funding Chart

| Activity | HOME | CDBG |
|---|---|---|
| Planning & Administration | 32,000 | 160,000 |
| Housing Rehabilitation | 67,919 | 182,000 |
| Relocation | 0 | 5,000 |
| Acquisition | 0 | 38,000 |
| New Construction | 150,000 | 0 |
| Clearance/Demolition | 0 | 15,000 |
| Down Payment Assistance | 30,000 | 0 |
| CHDO | 49,397 | 0 |
| Public Facilities Improvement | 0 | 200,000 |
| Public Service | 0 | 100,000 |
| Economic Development | 0 | 100,219 |
| **Total** | **$329,316** | **$800,219** |

# Other Actions

# V. OTHER ACTIONS

## A. Affirmatively Furthering Fair Housing

The City continues to fund affirmatively fair housing marketing actions. These actions are inherent to each of the housing activities provided through the Community Development Department. Education of the Fair Housing Laws will occur throughout the year and most specifically during the month of April, which is designated as "Fair Housing Month" and "Community Development Week". As part of a weeklong celebration of CD Week the City typically has a tour for Elected Officials, hosts a public education forum and a Housing Partners Reception. The upcoming fiscal year Fair Housing Month activities will include an educational seminar/forum and quarterly landlord/tenant workshops.

During fiscal year 2014-2015, the City will continue to use administrative dollars to fund fair housing activities. The City employs a staff person to coordinate all fair housing and other human relations activities, which is funded with general fund dollars. The staff person also provides assistance to citizens throughout the year with filing housing complaints.

## B. Analysis of Impediments to Fair Housing Choice

An update to the Analysis of Impediments to Fair Housing Choice was completed by the City of Greenville, December 2013. This section presents the Fair Housing Analysis Update for the 2013-2015 Five (5) Year Consolidated Plan. It primarily includes existing impediments to fair housing choice currently being addressed and the actions 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.

During fiscal year 2014-2015, the City will complete an update to the current Analysis of Impediments to Fair Housing Choice, in conjunction with a new Consolidated Plan.

In addition, the City will implement the following activities to address identified impediments to current Plan:

**Impediment 1**

Lack of affordable housing forces the lower income population to find alternative housing. Alternative housing may consist of "doubling up," a practice 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.

**Plan**

The financing industry may have the best strategy for this impediment. While it appears to be true that there are insufficient affordable housing units available for housing choice in Greenville, the fact is that a surplus of moderately priced housing is available. Lower income home seekers may attempt to follow financing recommendations such as using the City's down payment assistance programs.

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, then 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.

Additionally, the City plans to dedicate more time and resources in communities north of the river than it has in the past. Since 2003, West Greenville has seen the most investment from the City's entitlement funds; however, the City does have "scattered site" programs that allow citizens from across the community to benefit from HUD entitlement funding. Residents living north of the river have lower incomes and the concentration of Hispanic residents is higher in this area. This small shift in focus will help to address housing burdens for this area of the City.

Furthermore, the City intends to continue its' support of affordable housing tax credit developments outside of the low income census tracts. Also, the City will begin to investigate and evaluate the creation of a Neighborhood Revitalization Strategy Area (NRSA).

**Impediment 2**

Lack of education about discrimination and fair housing laws in Greenville result in citizens who are unaware of rights or where to report violations and lenders who may not be knowledgeable about fair housing practices. 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. 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**

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.

The City will continue its efforts to educate the public through Fair Housing month activities and a local loan counseling program. Further, the City's Community Relations Officer will continue to coordinate the City's community-wide Fair Housing Workshop annually and disseminate information throughout the year about Greenville's fair housing activities. Information may include monthly public service announcements through local media (radio, television, and newspapers) advertising fair housing mediation services and distribution of print materials to local merchants and residents advertising fair housing workshops and fair housing mediation services to residents of community development target areas.

Special outreach may be made to school-aged children to start early education on fair housing issues. Housing discrimination education programs can be developed around Fair Housing month. To avoid teaching laws in a stale format, the approach should be to explore opinions, beliefs and behavior in age appropriate ways. Additionally, a poster contest may be held as part of the month's activities and winning posters can be featured in advertisements and materials the City uses for its fair housing education generally.

Further, the City will encourage lenders, housing providers and their agents to know their responsibilities and to attend training on fair housing laws. Over the long term, the City will promote the development of a voluntary affirmative action marketing agreement by the local Board of Realtors and Home Builders Association.

The City will provide assistance to residents in the resolution of housing complaints. The City's Community Relations Officer will refer discrimination complaints which cannot be resolved through mediation to the U.S. Department of Housing and Urban Development or the N.C. Human Relations Commission.

The City will continue to evaluate the need for the establishment of a local Fair Housing Ordinance and the effectiveness of the Fair Housing Plan.

**Impediment 3**

Substandard housing and low property maintenance contribute to the lack of safe, decent, and sanitary affordable housing. A pro-active property maintenance code enforcement program could help with the preservation of the rental housing stock.

**Plan**

The City will consider several activities to increase the availability of affordable housing opportunities and programs to preserve existing rental housing stock throughout the City including a program to assist homeowners in rehabilitating substandard housing stock in an effort to keep those units affordable once renovations have been completed.

**Impediment 4**

Limited housing opportunities exist 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).

**Plan**

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.

The City will also strive to convene working groups of providers that deliver services to the homeless, those at risk of homelessness, and special needs populations to establish referral networks that more easily connect those in need with available resources. Additionally, by

convening these groups, service providers may find ways to share resources and maximize their efforts by working together.

**Impediment 5**

Lack of access to homeownership (Based on HMDA and apparent Predatory Lending Practices) limit housing choices.

This Impediment will be addressed in the 2013-2018 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 thirty seven percent (37%) of the population, eighteen percent (18%) of all home purchase mortgage applications come from black families/individuals. As a result, it appears that black applicants may be underrepresented with the problem worsening over recent years. Hispanics and Asians are also underrepresented in loan applications as compared to their share of the population. 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 in an older housing stock can have an undesirable effect on the community when it occurs in great numbers.

**Plan**

Mortgage brokers 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.

To educate potential homebuyers, the City will work to create homebuyer guides that inform first- time buyers and other purchasers about the process involved in locating, qualifying for, and securing a home. Steps such as inspection, negotiation, and closing would be explained as well

as the roles of different players (real estate agents, loan officers, and others). Typical costs can be outlined as well. The Guide may include information on geographic areas that are not yet integrated to promote equal housing opportunity in these areas. Sections on housing resources and basic fair housing rights would be included as well. These guides should be produced in Spanish and any other language that has a concentrated population in Greenville at the time of publication. The City will also work with local agents and community groups to arrange house or neighborhood tours that allow residents to explore available opportunities that may be outside of their immediate surroundings.

Again, the solution lies in educating consumers, although it is difficult to reach them when they will not avail themselves of the opportunities. The City plans to address Impediment #1 (affordable housing) and Impediment #2 (education) during the program year 2014-2015. The City plans to make a HOME commitment in the amount of $150,000 to an affordable senior housing development. Also, the City's Fair Housing Officer intends to continue educating the community about fair housing law and concerns. The City will continue to provide CDBG funding for eligible fair housing activities. For example, staff plans to visit several apartment communities and public housing communities to provide education days. These days will include topics such as tenant and landlord rights, and legal updates from our partners at Legal Aid of NC.

## C. Affirmative Marketing Policy

In accordance with the regulations of the HOME Program and in furtherance of the City of Greenville's commitment to fair housing and equal housing opportunity, this Policy establishes procedures to affirmatively market rental or residential units constructed or rehabilitated under the HOME Program. These procedures are designed to assure that individuals who normally might not apply for available housing units because they are socially and/or economically disadvantaged are provided an opportunity to apply.

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

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:

1. In the sale or rental of housing or residential lots;
2. In advertising the sale or rental of housing;
3. In the finance of housing;

4. In the provision of real estate brokerage services; or
5. In the appraisal of housing.

Please see **Appendix H**.

## D. Minority/Women Business Outreach

It is the policy of the City of Greenville to provide minorities and women equal opportunity for participating in all aspects of the City's contracting and procurement programs, including, but not limited to, construction, projects, supplies and materials purchases and professional and personal service contracts.

## E. Evaluation and Reduction of Lead-Based Paint Hazards

Lead poisoning is one of the worse environmental threats to children in the United States. While anyone exposed to high concentrations of lead can become poisoned, the effects are most pronounced among young children.

All children are at higher risk to suffer lead poisoning than adults, but children under age six (6) are more vulnerable because their nervous systems are still developing. At high levels, lead poisoning can cause convulsions, coma, and even death. Such severe cases of lead poisoning are now extremely rare, but do still occur. At lower levels, observed adverse health effects from lead poisoning in young children include reduced intelligence, reading and learning disabilities impaired hearing and slowed growth.

An important initiative emanating from HUD in the last decade is the reduction of lead-based paint hazards, and many jurisdictions around the country have made a concerted effort to reach this goal. The federal Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of the Housing and Community Development Act of 1992) amends the Lead-Based Paint Poisoning Prevention Act of 1971, which is the law covering lead-based paint in federally funded housing. These laws and subsequent regulations issued by the U.S. Department of Housing and Urban Development (24 CFR Part 35) protect young children from lead-based paint hazards in housing that is financially assisted or being sold by the federal government.

In all property rehabilitation projects undertaken by the City of Greenville, the City will assess whether lead-based paint might be present and, if so, follow the guidelines set forth in the Residential Lead-Based Paint Hazard Reduction Act of 1992, Title X of the

Housing and Community Development Act of 1992 (Title 24, Part 35 of the Code of Federal Regulations).

The City of Greenville is committed to testing and abating lead in all pre-1978 housing units assisted with federal grant funds in any of the housing programs implemented. 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.

## F. Anti-Poverty Strategy

City of Greenville housing programs inherently address poverty by creating housing opportunities for low income households. Without these housing opportunities many low income households would not be able to afford housing rehabilitation costs or to purchase a home.

Additionally, funding through CDBG Public Service activities of transitional housing providers such as the Streets to Home and EXCEED, both non-profit agencies, allows individuals that would normally reside in impoverished conditions the opportunity to establish themselves in order to find suitable employment. Such efforts will work to reduce the number of persons currently living in poverty.

## G. Developing Institutional Structures

The City of Greenville, through its Housing Division, the network of housing subrecipients, and Community Housing Development Organizations (CHDOs), are effectively organized to utilize all 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 state 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, service providers, and other interested groups. The development of the continuum and participation by the City of Greenville

will greatly enhance coordination between these agencies. The Public Housing Authority has also joined the Continuum of Care and has begun working in concert with the City of Greenville and our revitalization efforts in the West Greenville Redevelopment Area.

The City of Greenville will continue to coordinate with other governmental agencies, non-profit organizations, private enterprises and individuals to provide increased opportunities for the target area.

## H. Public Housing

There are four (4) Public Housing managing agencies in the Pitt County area, which include Greenville Housing Authority with a total of 779 units; Mid East Commission who manages a total of 135 units in three (3) towns; Farmville Housing Authority who manages 174 units and Ayden Housing Authority who manages 175 units. Each of the mentioned Public Housing Authorities receives federal funds to modernize and repair public housing units.

In addition, the City of Greenville Community Development Department Housing Division has formed a partnership with the Greenville Housing Authority to offer bimonthly Homeownership and Financial Literacy classes to public housing residents and other citizens. So far, three (3) former residents utilizing the Housing Choice Voucher program and City of Greenville HOME down payment assistance program have purchased a new home, developed by a local Community Housing Development Organization.

## I. Recapture Provisions

In accordance with the applicable homebuyer recapture/resale provision outlined in 24 CFR Part 92.254, City of Greenville has adopted the recapture provision. Greenville provides direct HOME subsidy, on a pro-rata basis, to eligible homebuyers, which includes down payment assistance and closing costs. Greenville provides HOME funds to its CHDO's to develop affordable housing. Greenville CHDO's have adopted the HOME recapture provision, with the exception of development of rental units. When CHDO's develop homeownership single-family housing, down payment assistance is provided by the city.

All CHDO's, subrecipients and all entities who administer HOME programs will follow recapture provisions that have been adopted by the City of Greenville. The City requires

the recapture of its HOME-funded homeownership housing assistance from net sales proceeds when the original homebuyer sells the property during the affordability period.

Net sales proceeds are the funds remaining from the sale of the property by the original homebuyer less the repayment of the outstanding balance on any superior mortgage, sales commission, the original homebuyer's down payment and the cost of any property improvements made by the original homebuyer. To the extent that net proceeds are available at closing, all of the HOME funds are due and payable. In the event of foreclosure, the Lender may not require the Borrower to repay an amount greater than the net proceeds available after the foreclosure sale. The recapture provision is enforced through execution of a Declaration of Deed Restrictions, which identifies the period of affordability, primary residency requirement, and term and conditions required when using the recapture provision.

Homebuyer assistance may be used for down payment assistance and/or principal mortgage reduction via Secondary Mortgage. Borrower's income cannot exceed eighty percent (80%) of the area median income adjusted by family size as published annually for Greenville. Maximum loan amounts of up to $20,000 (twenty percent (20%) of sales price of home with cap of $20,000). Loans will be amortized over a fifteen-year (15) period at zero percent (0%) interest. If the property is disposed voluntary, involuntary or is in default, the percentage for repayment is based on the actual year.

Assistance provided to non-profit agencies through the CDBG Program will be secured with a subrecipient agreement/contract. Should the agency fail to comply with program rules, the assistance will be recaptured.

Recaptured HOME funds by Community Housing Development Organizations (CHDO), on behalf of City of Greenville, are not considered to be CHDO proceeds but shall be used by the CHDO's to provide affordable housing for City of Greenville residents.

Recaptured HOME funds provided by an agency other than a CHDO, will be recaptured by City of Greenville to be used for eligible HOME activities in accordance with the requirements of the HOME statue and regulations, in the same manner as program income.

The recapture provision will ensure that each HOME assisted unit will remain affordable for a period of time determined by the recapture schedule below, established in accordance with 24 CFR 92.254(a)(4):

| HOME Funds Provided | Period of Affordability |
|---|---|
| Less than $15,000 | 5 years |
| $15,000 - $40,000 | 10 years |
| More than $40,000 | 15 years |
| New Construction | 20 years |

## J. Section 3 Requirements

Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u) (Section 3) requires the Community Development Department to ensure that employment and other economic and business opportunities generated by the Department of Housing and urban Development (HUD) Section 3 financial assistance, to the greatest extent feasible, are directed to public housing residents and other low-income persons, particularly recipients of government housing assistance, and business concerns that provide economic opportunities to low and very low income persons.

It is the policy of the Community Development Department of the City of Greenville to require its Contractors to provide equal employment opportunity to all employees and applicants for employment without regard to race, color, religion, sex, national origin, disability, veteran's or marital status, or economic status and to take affirmative action to ensure that both job applicants and existing employees are given fair and equal treatment. See Section 3 Plan **Appendix I**.

# Monitoring Plan

# VI. MONITORING PLAN

City of Greenville will continue to improve its established monitoring system of CDBG, HOME and other housing and community development activities to ensure regulatory compliance. Monitoring is the responsibility of the City of Greenville Community Development Department Housing Division, to include but not limited to:

## Monitoring Objective

***Primary -*** To ensure that subrecipients are:

- Complying with all applicable federal requirements
- Complying with administrative and financial management standards
- Performing and delivering services in a timely manner

***Secondary -*** To identify any potential areas of non-compliance and offer technical assistance.

## Monitoring Procedure

- In-house reviews of subrecipient materials & regulations review
- Pre-monitoring visits with subrecipient
- Conduct visit as follow:
    - Notify of date, scope, focus of review
    - Hold entrance conference with chief official
    - Document, gather & analyze
    - Hold exit conference to report results, hear reaction & form conclusions
- Follow-up with letter of results to include findings and/or concerns.

## On-Site Visits

Staff performs one (1) on-site monitoring review annually; depending on the assessment of risks for non-compliance, there may be additional monitoring tasks put in place. Program operations are observed, staff persons are interviewed, client eligibility is confirmed, financial and programmatic reports are verified.

## Long-Term Compliance

Activities involving real property acquisition or improvement require long-term compliance with original purpose of the federal assistance. City of Greenville Community Development Department maintains a CDBG Real Property Inventory that is updated annually, and confirms that such property is still being used for the intended purpose. City also carries out an annual review of HOME-assisted rental units, to ensure compliance with Housing Quality Standards, tenant eligibility, and rent ceilings.

**Rental Housing Monitoring**

Staff must review annual Project Compliance Reports and perform regular on-site visits throughout the affordability period to ensure continued compliance with:

- Rent and occupancy requirements
- Property standards
- Other Federal requirements (fair housing, lead-based paint, affirmative marketing, etc.)

**Community Housing and Development Organizations (CHDO's)**

| Active Funded CHDO's | Contact Person | 1st Q | 2nd Q | 3rd Q | 4th Q | Property Type |
|---|---|---|---|---|---|---|
| Metropolitan Housing Development Corporation | David Moore | 3/9/2015 | 7/6/2015 | 10/5/2015 | 1/12/2016 | Rental |
| Streets to Homes | Amanda Willet | 3/9/2015 | 7/6/2015 | 10/5/2015 | 1/12/2016 | Rental |

**HOME Down payment Assistance**

| Annual Compliance Review (Affordability Period) | Contact Person | Annual Monitoring Visit |
|---|---|---|
| Verification of Recipient Compliance | In house- letters | 8/31/2015 |

**Quarterly Review Outstanding Projects**

| Consortium Members with Outstanding Projects | Contact Person | 1st Q | 2nd Q | 3rd Q | 4th Q | Property Type |
|---|---|---|---|---|---|---|
| Town of Grifton | Joe Albright | 3/9/2015 | 7/6/2015 | 10/5/2015 | 1/12/2016 | Lease/ Purchase |
| Greenville Housing and Development Corp. | Michael Best | 3/9/2015 | 7/6/2015 | 10/5/2015 | 1/12/2016 | Lease/ Purchase |
| Exceed Inc. | Carlton Gay | 3/9/2015 | 7/6/2015 | 10/5/2015 | 1/12/2016 | Lease/ Purchase |

## Annual Compliance Review

| Annual Compliance Review (Affordability Period) | Contact Person | Annual Monitoring Visit |
|---|---|---|
| Town of Ayden | Sherri Scharf | 6/30/2015 |
| Town of Farmville | Theresa L. Cieslinski | 6/30/2015 |
| Pitt County | Jonas Hill | 6/30/2015 |
| Town of Grifton | Joe Albright | 6/30/2015 |

# Community Development Block Grant (CDBG) Subrecipient

## 2014-2015 Monitoring Schedule

| Active Subrecipient | Contact Person | Monitoring Visit Dates | Activity |
|---|---|---|---|
| Literacy Volunteers of America Pitt County | Allen Spicer | 4/14/2015 and 8/18/2015 | Provide literacy classes and career readiness skills and workforce training to adults. |
| Boys & Girls Clubs of the Coastal Plain | Misty Marston | 4/14/2015 and 8/18/2015 | Operate the Club Academy Program (Jarvis location), a comprehensive academic success program designed to help youth excel academically. |
| ECU/LWG Intergenerational Community Center | Deborah Moody | 4/16/2015 and 8/20/2015 | Provide assistance with transportation and admission costs associated with planned trips for the Lucille W. Gorham Intergenerational Community Center Youth Development Programs. |
| Center for Family Violence Prevention | Diana Cooper-Mann | 4/21/2015 and 8/25/2015 | Continue the Systematic Training for Effective Parenting (STEP) Program, Triple P, counseling, case management and Kidz Clubhouse for families impacted by domestic violence. |
| L.I.F.E. of NC (STRIVE) | Joyce Jones | 4/23/2015 and 8/27/2015 | Provide employment, workforce education, training, and CRC (Career Readiness Certificate) certification to criminal offenders reentering society. |

# Homelessness

# VII. STRATEGIES TO ELIMINATE HOMELESSNESS

## A. Continuum of Care

Since 2001, 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 devised of City and County staff, as well as non-profit and for-profit representatives. The group meets monthly to discuss the ever-growing homeless population in our community. Efforts to end homelessness and to coordinate supportive services to homeless persons are top priorities for the community. The January 2012 Continuum of Care Homeless Population Point in Time Survey revealed that there are one hundred six (106) homeless persons in Pitt County. Currently, Pitt County has one hundred (100) emergency beds and twenty-eight (28) transitional housing units available to serve them.

During the upcoming 2014-2015 fiscal year, the group will continue to develop the Continuum and prepare various grant applications for submission to the NC Balance of State. To date, the Pitt County Continuum of Care has received funding every year since 2003 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. Other actions will include marketing of the continuum to reach out to surrounding communities in an endeavor to promote regional participation.

## B. Ten-Year Plan to End Homelessness

The City of Greenville, Pitt County Government, United Way and other non-profit agencies formed a partnership in 2008 to hire a professional consultant to assist the community with developing a Ten-Year Plan to End Chronic Homelessness in Pitt County. The Plan was approved October 2008 by the Greenville City Council and Pitt County Commission. The goals and objectives are as follow:

**GOAL 1**
Provide community-based services and support to prevent homelessness before it happens and diminish risks for homelessness to recur.

- **Outcome 1-A**
  Increased access to services provided to the homeless population.
- **Outcome 1-B**
  Increased number of individuals who are employed and able to manage their personal finances.
- **Outcome 1-C**
  A comprehensive client-centered discharge planning process coordinated among community agencies for individuals leaving foster care, mental health facilities, jails and prisons, medical facilities, and military units who are at risk for homelessness.
- **Outcome 1-D**
  A data infrastructure (HMIS) that would link all services, screen for program eligibility, and gather data needed to monitor (assess) progress of implementation.

**GOAL 2**
Create adequate short-term housing options and supportive permanent housing for those who are chronically homeless or at risk of becoming homeless.

- **Outcome 1-A:**
  Increased inventory of housing options that meet the needs of individuals and families who are homeless and those at risk of becoming homeless.

Both local governments and non-profit agencies are now in the process of implementation. The City Council approved in September 2008 a two (2) year contribution of CDBG funds in the amount of $30,000 per year to fund implementation activities. During fiscal year 2012, the CDBG program funded SSI/SSDI Outreach, Access, and Recovery (SOAR) Training, which strived to increase disability benefits for homeless people and those at risk of homelessness who are living with disabilities; and a "Project Connect" event. The Project Homeless Connect event had a one day event which provided community and medical services in one (1) location for homeless residents. In fiscal year 2014-2015, the City will seek to assist those agencies who provide the homeless with housing, economic opportunities, and education opportunities.

# Neighborhood Revitalization Strategy Area (NRSA) Initiative

## Introduction

The West Greenville Area is located in the urban core of Greenville, North Carolina. It is an area that for many years has been overcome by poverty, but in recent years has begun to show signs of improvement. This improvement is due in part to the City's revitalization efforts over the past eight (8) years. The City wishes to continue its efforts within this area; however, additional tools are needed to ensure that the neighborhood dynamics improve in an orderly manner. Therefore, the City of Greenville wishes to establish a Neighborhood Revitalization Strategy Area (NRSA). The proposed NRSA will be located between the two (2) largest economic drivers in Greenville - East Carolina University and Vidant Medical Center. West Greenville is an area that has witnessed a significant amount of decay over the years with dilapidated and substandard homes checkered throughout the area. The proposed NRSA would cover an area in which the City has tried to target over the past eight (8) years. In fact, it would nearly triple the coverage of the past target area.

While developing this area, partnerships have been forged with the State Employees Credit Union, Community Housing Development Organizations (CHDOs), Pitt Community College, East Carolina University, neighborhood organizations, and other non-profits in order to address some of the issues plaguing the community. The City intends to continue these partnerships, and expand upon them as opportunities arise.

The community determined that the West Greenville Area is a strategic place for neighborhood growth and development. The community and staff came to this conclusion through numerous public participation sessions. These sessions resulted in numerous documents and plans. In addition, the public comments resulted in strategic goals placed into the 2013-2018 Consolidated Plan – which in turn translate to each of the related Annual Action Plans. An example of a plan and document is certified redevelopment area and the streetscape master plan The Consolidated Plan and Annual Action Plan further emphasizes detailed objectives and performance measures for improving the West Greenville Area.

In recent years, the West Greenville Area has undergone positive changes. Also, there are plans to continue the work. There are several large projects that are slated for implementation in the upcoming years that will provide a positive impact for the area. For example, the "10$^{th}$ Street Connector" - is a project connecting US Highway 264 to the center of Greenville. This project will serve as a catalyst for public and private investment along the aforementioned corridor. This corridor will serve as a new major transportation route that will bisect the proposed NRSA. In addition to the 10$^{th}$ Street Connector Project, the City of Greenville is implementing a greenway initiative which extends the current greenway through the northern portion of the proposed NRSA. A greenway gives the low/moderate income residents of the area access to recreational opportunities and community events that are hosted in the Center City throughout the year.

The City of Greenville will employ the use of four (4) basic neighborhood development strategies. These strategies will help staff better serve the community and the proposed West Greenville NRSA by setting benchmarks for improvement through various community development strategies. These strategies are as follows:

1. Community Building: harnessing existing networks of social capital
2. Place-Based: focusing on the community's physical resources
3. Business-Oriented: seeking to improve the neighborhood business climate
4. Workforce Development: providing local residents with basic skills

In addition to the neighborhood development strategies, there are goals and objectives that should be accomplished. The goals for the proposed West Greenville NRSA can be broken down into five (5) categories that will be addressed throughout the NRSA application. These goals were determined to be ideal for West Greenville through public participation and what the community thought was required for it to become a thriving area in the future. These goals are as follows:

1. Preserve the historic nature and character of the neighborhood
2. Continue and create programs that produce affordable housing
3. Empowering the neighborhood through economic growth
4. Ensure the neighborhood will be able to sustain itself over the next 20-50 years
5. Provide recreational opportunities throughout the neighborhood

Designating West Greenville as a Neighborhood Revitalization Strategy Area allows the area to be specifically targeted for development opportunities and community projects. The designation will assist in the advancement of the area, its residents, and the community as a whole. Current and future CDBG funds will be maximized in this area in a variety of ways including, but not limited to, residential, commercial, and infrastructure improvements.

## Benefits of a Neighborhood Revitalization Strategy Area

1. **Job Creation/Retention as Low/Moderate Income Area Benefit:** Job creation/retention activities undertaken pursuant to the strategy may be qualified as meeting area benefit requirements, thus eliminating the need for a business to track the incomes of persons that take or are considered for such jobs (24 CFR 570.208(a)(1)(vii) and (d)(5)(i));

2. **Aggregation of Housing Units:** Housing units assisted pursuant to the strategy can be considered to be part of a single structure for the purposes of applying the low-and-moderate income national objective criteria. This provides a greater flexibility to carry out housing programs that revitalize a neighborhood (24 CFR 570.208(a)(3) and (d)(5)(ii);

3. **Aggregate Public Benefit Standard Exemption:** Economic Development activities carried out under the strategy may, at the grantee's option, be exempt from aggregate public benefit standards, this increasing a grantee's flexibility for program design as well as reducing record-keeping requirements related to the public benefit standard (24 CFR 570.209(b)(2)(v)(L) and (M); and

4. **Public Service Cap Exemption:** Public services carried out pursuant to the strategy by a Community Based Development Organization (CBDO) are exempt from the fifteen percent (15%) public service cap (24 CFR 570.204(b)(2)(ii)

**Additional Benefits:**

- CDBG funds can be used to rehab single-family homes serving a commercial purpose
- CDBG funds can be used to rehab a business.
- Reduced record-keeping requirements once you meet fifty one percent (51%) benefit to low/moderate income individuals
- Community Housing Development Organization (CHDO) can also be a Community Based Development Organization (CDBO) if it meets the national objectives (see below).

**HUD National Objectives:**

Section 104(b)(3) of the Housing and Community Development Act of 1974 states that one of three national objectives must be met for activities using CDBG funds. Those objectives are identified as:

1. Benefitting Low and Moderate Income Persons;
2. Preventing or Eliminating Slums or Blight;
3. Meeting Urgent Needs

The document that follows will serve as an amendment to our current 2013-2018 Consolidated Plan and contains information on the West Greenville area as it pertains to the NRSA requirements. Included will be NRSA boundaries, demographic information, our consultation and implementation process, economic empowerment strategies, and performance measures. Highlighted in the following document will be information on the NRSA and statistical data supporting the region being designated as an NRSA. Primary sources for the data include the US Department of Housing and Urban Development, US Census Bureau, and American Community Survey. The data compiled was a culmination of current and past information including a five (5) year American Community Survey estimates based on US Census Bureau data.

Relevant graphs, tables, and maps will be included in the proposal to illustrate pertinent information about the West Greenville NRSA.

## Boundaries

The West Greenville NRSA is a 667.58 acre area (including streets and right of ways) located next to downtown Greenville, East Carolina University area, and the Medical Center. The current land use within the proposed boundary is 510.91 acres of residential, industrial, and commercial units, with eighty four percent (84%) being residential (Figure 1). The NRSA is comprised of portions of three (3) qualifying census tracts (7.01, 7.02, and 1) which will overlap the entire West Greenville Redevelopment Area.

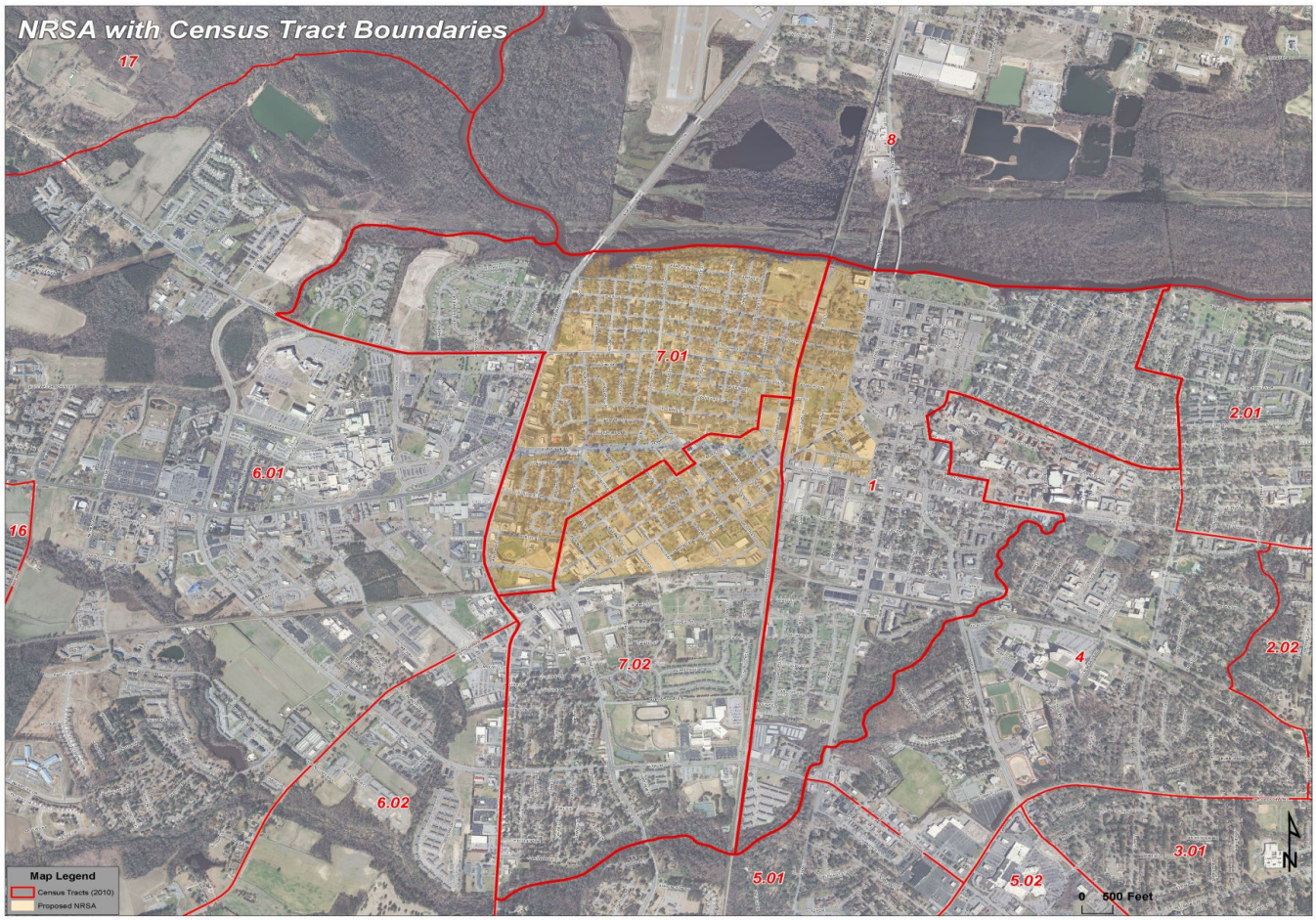


Figure 1- Land use breakdown

| | Land Use | # of Acres | # of Units | # of Parcels | Notes |
|---|---|---|---|---|---|
| Residential Categories | Single-Family | 160.02 | 1,102 | 1,004 | Some Parcels contain multiple Single-Family Houses |
| | Duplex | 29.63 | 416 | 190 | Some Parcels contain multiple Duplexes |
| | Multi-Family | 18.75 | 398 | 20 | First St Place, GHA, etc |
| Non-Residential Categories | Cemetery | 5.87 | 0 | 1 | Cherry Hill Cemetery |
| | City of Greenville Vacant | 14.32 | 0 | 100 | COG Parcels where houses will be constructed |
| | Pitt County Tax Foreclosures | 1.22 | 13 | 13 | Homes currently owned by Pitt County |
| | Potential Comm. Redevelopment | 3.46 | 19 | 19 | Commercially Zoned - contains Buildings currently being leased as Churches |
| | Vacant Parcels | 92.31 | 0 | 428 | Vacant Properties (all vacant properties except what is mentioned in other categories) |
| | Commercial | 65.75 | 187 | 144 | Existing Commercial Businesses |
| | Industrial | 20.84 | 29 | 35 | Warehouses / Storage |
| | Institutional | 77.40 | 77 | 70 | Government, Churches, and Privately Owned Parcels being used as Institutional uses |
| | Utilities | 15.00 | 0 | 6 | Land currently being used for Utilities |
| | Office | 6.34 | 22 | 22 | Attorneys, Accountants, Insurance, etc |
| Totals | | 510.91 | 2,263 | 2,052 | |

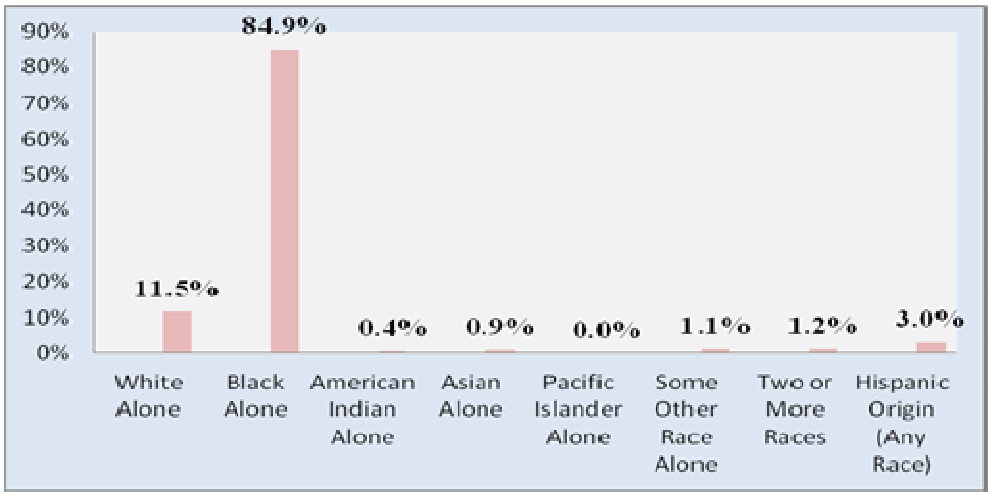
## Demographic Criteria

Listed below are the demographics of the West Greenville NRSA and the qualifying census tracts that make up the entire NRSA region.

Figure 1.1- Ethnic Breakdown

| West Greenville NRSA Ethnic Breakdown | | |
|---|---|---|
| White Alone | 434 | 11.5% |
| Black Alone | 3,212 | 84.9% |
| American Indian Alone | 16 | 0.4% |
| Asian Alone | 34 | 0.9% |
| Pacific Islander Alone | 0 | 0.0% |
| Some Other Race Alone | 41 | 1.1% |
| Two or More Races | 46 | 1.2% |
| Hispanic Origin (Any Race) | 113 | 3.0% |

*2010 US Census Bureau




The West Greenville NRSA is populated predominantly by Black/African-American households with eighty four and nine tenths percent (84.9%) of its residents identifying on census burea data as Black/African-American. The next highest percentage is white citizens who make up eleven and one half percent (11.5%), or 434 residents, of the West Greenville NRSA.

Figure 2- Demograhic Breakdown

| | | HUD Income Limits Pitt County, NC | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Median | Income Category | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| $55,200 | Extremely Low (30%) | $11,670 | $15,730 | $19,790 | $23,850 | $27,910 | $31,970 | $34,250 | $36,450 |
| | Very Low(50%) | $19,350 | $22,100 | $24,850 | $27,600 | $29,850 | $32,050 | $34,250 | $36,450 |
| | Low(80%) | $30,950 | $35,350 | $39,750 | $44,150 | $47,700 | $51,250 | $54,750 | $58,300 |

***2014 HUD Income Limits**

| Demographic Information | Qualifying census tracts | | | City |
|---|---|---|---|---|
| | 7.01 | 7.02 | 1 | Greenville |
| Median Household Income | $18,856 | $25,092 | $15,229 | $34,399 |
| Total households | 1,782 | 1,001 | 1,946 | 34,167 |
| Percentage earning < $35,000 | 77% | 73% | 78% | 50% |
| Unemployment rate | 14.50% | 16.20% | 9.30% | 12.30% |
| Percentage 65 yrs and older | 24.60% | 38.30% | 29.90% | 9.50% |

* 2008-2012 ACS Data, 5 year estimate

## Methodology

A local government is only eligible to submit an NRSA application for approval to the U.S. Department of Housing and Urban Development if it meets specific criteria. These criteria are as follows:

1. The areas covered under the NRSA must be contiguous to each other; there cannot be checker board areas across the community.
2. The selected area must be primarily residential.
3. The area must contain must contain a high percentage of LMI households – three (3) options.
    - Seventy percent (70%) of the total population of the selected area, or
    - Upper quartile percentage greater than fifty one percent (51%) and less than seventy percent (70%) LMI, or
    - Fifty one percent (51%) of total population if the upper quartile is less than fifty one percent (51%)

The information and data gathered for our assessment were derived from various government websites such as U.S. Department of Housing and Urban Development, US Census Bureau, and American Community Surveys. West Greenville is an area with concentrated poverty and has seventy six and one half percent (76.5%) of the households falling below the low-moderate income threshold. The City decided to use the households that earn less than $35,000 dollars annually as the threshold for determining the eligibility. The eligibility was based on the "seventy percent (70%) of the total population of the selected area" rule. The fact that the City of Greenville met the requirements using this methodology further demonstrates the need of an NRSA in the West Greenville area. According to the 2014 HUD Income Limits for Greenville, North Carolina, the eighty percent (80%) threshold for moderate income households are categorized into the $44,150 bracket. Therefore, the proposed NRSA has a much higher percentage of households in poverty than seventy six and one half percent (76.5%).

Due to the high concentration of low-moderate income households in the area, West Greenville is an ideal location for economic empowerment activities and programs. Utilizing the public benefit standard and public service cap exemptions included within the NRSA will allow the City to address these issues specifically.

## Consultation and Process

The City of Greenville has a well-defined public participation process. City staff is committed to educating and informing the residents of West Greenville on every step taken in the NRSA process. Therefore, the City will involve the community in the NRSA process from beginning to end.

The City will hold multiple meetings comprised of various stakeholders. These stakeholders include the residents of Greenville and the NRSA, City Council, State Employees Credit Union, our Community Housing and Development Organization, the Affordable Housing Loan Committee, the Redevelopment Commission, and various departments within our local government. The City of Greenville plans to implement a minimum of two (2) neighborhood meetings with the residents of West Greenville as well as hosting an open house. While the NRSA is being implemented, it is important to the City to keep the residents of the neighborhood informed of each step of the process.

The City of Greenville has a Neighborhood Advisory Board which is a citizen-led board that handles city-wide neighborhood issues. The Neighborhood Advisory Board presents neighborhood issues directly to the Greenville City Council and disseminates information to the residents and neighborhood associations. The Neighborhood Advisory Board works directly with residents to understand issues in greater detail brings residents together to share information, and helps establish new neighborhood associations. This Neighborhood Advisory Board will serve as a means for residents of the West Greenville area to voice their concerns in regards to the NRSA directly to the Greenville City Council.

### Process

The City of Greenville will submit the NRSA proposal to HUD for preliminary approval. Staff has been in contact with the HUD field office, and they have advised that a preliminary review of the proposal was a good idea. During the preliminary review process, the City of Greenville will host multiple meetings with stakeholders. The City will hold meetings with the residents of the neighborhood and the community as a whole as described in the schedule below. The Affordable Housing Loan Committee and the Redevelopment Commission are both being consulted and informed of the NRSA process. In addition, they will be updated on the goals and objectives described in the 2015-2016 Annual Action Plan. The dates for these meetings currently are proposed as follows:

- December 19, 2014: Submit NRSA Proposal to HUD for Preliminary Review
- January 20, 2015: Open House – Greenville City Hall: 6:00pm-7:15pm
- January 27, 2015: First Community Meeting – Carver Branch Library: 6:00pm-7:15pm
- February 4, 2015: Second Community Meeting- Sheppard Library: 6:00pm-7:15pm

- March 3, 2015: Redevelopment Commission Meeting
- March 11, 2015: Affordable Housing Loan Committee Meeting
- March 19, 2015: Submit NRSA to City Council
- March 20, 2015: Submit NRSA to HUD (if City Council approves)

These meetings will help the City of Greenville determine how, where, and why the proposed NRSA will be implemented.

Community input is a vital aspect of the NRSA process and every measure is being taken to maximize this. The West Greenville community is a large stakeholder group in this process and involving them remains one of the primary goals of our consultation process. Residents of the proposed NRSA, as well as residents from other communities, are encouraged to attend these community meetings due to its significance. An NRSA designation will bring about vast changes to West Greenville and for that reason consenting local businesses, organizations, and community meeting places were utilized as a means to inform the public.

The open house and community meetings were advertised in a local newspaper and on the City of Greenville website. In order to further inform the public, flyers were placed throughout the proposed area at local businesses, schools, libraries, and churches. In addition, a group of volunteers went door-to-door in the West Greenville area and handed flyers directly to area residents. A total of 500 flyers were distributed throughout the proposed NRSA informing the residents not only of the time, date, and location of the NRSA community meetings, but the City of Greenville's Annual Action Plan meeting as well.

**Community Meetings Feedback**

**Open House**

Residents and members of the City Council were present at the Open House meeting that took place on January 20, 2015 in City Hall. Members of the Housing Division engaged with the attendees and handled inquiries into the NRSA process as well as the programs that will be offered. Representatives from local media outlets were also present and photographed and recorded the attendees and their interactions with the Housing Division staff. Multiple displays were used to illustrate the proposed NRSA boundaries, the West Greenville Redevelopment Area, and our current programs. Comments received during the Open House were positive with many of the attendees expressing interest and optimism about the proposed NRSA.

**Carver Branch Library**

City staff conducted the first community meeting at Carver Branch Library. Carver Library lies in the heart of the proposed NRSA. This library provides educational and internet access to the

vast majority of the area. Due to the central location of the library, staff routinely uses its meeting space for community meetings.

The first community meeting was not well attended. This meeting only had three (3) people present. However, the conversations and discussions which came from the meeting were very helpful. For example, two (2) of the three (3) attendees were longtime residents of the area. Moreover, both residents are just above eighty percent (80%) AMI. They were very excited that the NRSA would allow for CDBG funds to be spent on those that were above eighty percent (80%) AMI but still need help sustaining their living environments. They both expressed interest in owner-occupied home rehabilitation.

There were additional comments made at the meeting. They are as follows:

1. Lighting is an issue in the neighborhood.
2. There seems to be several boarding homes in the neighborhood. Is this legal?
3. More sidewalks would be a good thing.
4. There needs to be jobs within the neighborhood (commercial retail).
5. Safety concerns seem to be decreasing along with unwanted foot traffic.

**Sheppard Memorial Library**

City staff conducted the second community meeting at Sheppard Memorial Library. Sheppard Memorial Library lies in the heart of Greenville's Center City. This library provides educational and internet access to a wide array of community members. Due to the central location of the library, staff routinely uses its meeting space for community meetings.

The second community meeting was not well attended; however, there were more people there than the first meeting. In addition, there were multiple media sources present at the meeting. The local newspaper, The Daily Reflector was present along with WNCT-TV staff. The meeting had three (3) non-media people present. Just as the first meeting, the conversations and discussions which came from the meeting were very helpful. For example, two (2) of the three (3) attendees were longtime residents of the area. These residents (married couple) were just above eighty percent (80%) AMI. They were also very excited that the NRSA would allow for CDBG funds to be spent on those that are above eighty percent (80%) AMI but still need help sustaining their living environments. They both expressed interest in owner-occupied home rehabilitation. Moreover, these were different community members than the first meeting.

There were additional comments made at the meeting. They are as follows:

1. Transportation is not as frequent as the community would like.
2. Additional covered bus stops are necessary.
3. They appreciated the demolition of the blighted structures.
4. Please rehab historic structures when it is feasible.

**Municipal Benchmarks**

## NRSA BENCHMARKS: SIZE

| CITY | | SIZE |
|---|---|---|
| Durham, NC | | 125 acres |
| Asheville, NC | | Not Available |
| High Point, NC | | 141.2 acres |
| Winston Salem, NC | | 12,800 acres |
| Greenville, NC | | 510 acres |

Durham, North Carolina

The City of Durham implemented an NRSA in the Southside neighborhood of Durham in FY2012. While this area is smaller in size than Greenville's NRSA, the area contains roughly the same amount of households as the West Greenville area. The Southside neighborhood NRSA showed the City of Greenville the importance of creating outside partnerships with organizations to address community issues. Durham Community Self-Help was a large partner in the development and redevelopment of the Southside area having demolished eighty five (85) homes to be reconstructed as for-sale housing units for qualifying homeowners. In addition to the community organizations, Durham acquired a large developer, McCormack Baron Salazar (MBS), to lead their development efforts. This community based development organization (CBDO) was the foundation for redevelopment of the Southside area and showed the City of Greenville the importance of a qualified developer in the NRSA process. The City of Durham utilized monthly Steering Committee meetings to discuss the timeline and agenda-setting for the redevelopment of the Southside neighborhood. These meetings were comprised of residents of the neighborhood, area churches, civic leaders, and representatives of the Durham Housing Authority, Duke University, and North Carolina Central University. These Steering Committee meetings showed the City of Greenville the importance of stakeholders in the consultation process and the efforts that must be made in order to involve and inform them.

Asheville, North Carolina

The City of Asheville implemented an NRSA in the West Riverside neighborhood of Asheville in FY2007. This area was a particularly crime-riddled area and was the focus of a federal grant under the Weed & Seed program. Due to the federal grant, the City of Asheville was able to address many of the factors that contributed to the decay of the neighborhood. The pairing of the NRSA with the federal grant showed the value of an NRSA designation, as well as the overall benefit of combining this designation with a new or existing program. The City of Asheville utilized the local police department to help address the issues of crime and disorder in the neighborhood. From the collaboration between the City of Asheville and law enforcement, great improvements were made in the neighborhood and surrounding areas which serve as an ideal example for the City of Greenville. Asheville implemented many different programs and

initiatives that focus on the residents of the community, most important to the City of Greenville being the Asheville Parks and Recreation and YMCA collaboration. The City of Asheville put in place programs to bring youth sports programs to the residents of the West Riverside neighborhood and the City of Greenville may consider in the future similar recreational opportunities for the residents of West Greenville.

High Point, North Carolina

The City of High Point implemented an NRSA in the Southside neighborhood of their city in FY2006. From the NRSA designation in High Point, the City of Greenville referred to the methods used to retain the historical homes in the neighborhood. The Southside neighborhood in High Point was a historically Black/African-American neighborhood, much like the West Greenville neighborhood. The City of High Point implemented housing initiatives to maintain the historic nature and character of the neighborhood while providing needed improvements to make it an attractive and viable community. The City of Greenville referred to these benchmarks for historic home retention, rehabilitation, and new construction (as needed) to formulate an approach to the West Greenville neighborhood.

Winston Salem, North Carolina

The City of Winston Salem implemented an NRSA in FY2008 over a large portion of their city. The area in Winston Salem had a large amount of distressed homes, public housing, and other properties throughout the city. Winston Salem implemented an NRSA building rehab program that is intended to increase private sector investment in the area. The City of Greenville has referred to this as a benchmark for the benefits it will have to the West Greenville neighborhood. Increased private sector involvement will bring additional revenue to the area and help create an economically sustainable community. Additionally, the City of Winston-Salem concentrated its efforts on enforcing codes within the NRSA to abate nuisance properties and remove threats to public health and safety. These measures will be taken by the City of Greenville to accomplish similar goals with the hope of being more proactive in efforts to maintain quality housing. The City of Winston Salem has implemented a Capital Improvement Plan for the NRSA in particular with emphasis on streetscape improvements throughout the area. Improved infrastructure will not only improve the safety of the area but will also attract new residents if the area is viewed as attractive. Similar plans have been developed for the West Greenville neighborhood with the intention of attracting new residents and improving the safety and appeal of the neighborhood.

## Housing Assessment

The 2010 US Census data describes that the City of Greenville had 36,071 occupied housing units with the majority being rental units and only thirty seven percent (37%) (13,381 units) being owner-occupied. Significant problems exist within the housing availability in Greenville as well as within the West Greenville NRSA. Homes in Greenville are aging at a faster rate than homes are being built, and the amount of available affordable housing is becoming increasingly limited.

The West Greenville NRSA has a total population of 3,390 residents with 1,717 total housing units and 1,455 total households based on American Community Survey five-year estimates. In the NRSA, a total of 1,420 housing units were built in 1979 or earlier, with 144 having been built in 1939 or earlier. Of these 1,455 housing units, 410 homes are considered owner-occupied dwellings (Figure 2.1). In keeping true to the City of Greenville's first goal, we will attempt to preserve as many of these historic homes as possible. In many of the older homes, some of which are contributing historical homes, the likelihood of facing lead-based paint hazards increases (Figure 3 below).

Figure 2.1 Overall Rental vs. Owner for all Residential Properties within the NRSA

| Occupancy Status | # Parcels | Acres | # of Units | % based on Acres | % based on # of Units |
|---|---|---|---|---|---|
| Owner Occupied | 410 | 69.46 | 461 | 33.33% | 26.85% |
| Rental | 803 | 138.94 | 1,256 | 66.67% | 73.15% |
| Totals | 1,213 | 208.40 | 1,717 | 100.00% | 100.00% |

The majority of the proposed West Greenville NRSA is zoned R6-S, which designates the area as a residential single-family district – meaning each parcel must have at least 6000 square feet for lot size. Although the current zoning designates an area for 6000 square foot lots, the existing homes and the historic nature of the neighborhood results in some of the parcels falling outside of the current dimensional standards. These lots are considered non-conforming lots. Many of the parcels are 4800 square feet or less. This makes redevelopment challenging, but the City is researching ways to allow historic homes to be rebuilt on non-conforming parcels.

The economic and demographic factors of the area lead to several prevalent issues associated with the housing stock internal to the NRSA. Many of the homes are dilapidated or deteriorating due to the costs associated with maintaining a historical home and the high percentage of low-income residents and elderly residents living on fixed incomes. A majority of the homes in the area are renter-occupied and, for that reason, the homes often do not receive repairs to properly maintain them. The City has implemented several programs to address the issues with the housing stock in the area. For example, the City has an owner-occupied home rehabilitation program. This program also serves as a tool to preserve historic homes.

The City intends to preserve the historic nature of the area by constructing new homes that fit the character of the neighborhood – craftsman, bungalow-style homes. In fact, the City has constructed thirteen (13) new homes within the area. In order to increase homeownership and give residents access to new construction, the City has implemented three (3) different types of down payment assistance for prospective LMI homeowners.

Even though there are multiple homeownership programs, the number of owner-occupied residents pales in comparison to the amount of renter-occupied homes within the NRSA. An option that may be useful is a rental rehabilitation program. However, there are many challenges with creating such a program.

**New Construction**

In an attempt to address the barriers to developing affordable housing, the City of Greenville continues to create single-family affordable housing opportunities. These opportunities are provided through vacant/dilapidated properties purchased by the City with local public bond funds. Upon acquisition and installation of infrastructure, the City then makes lots available to non-profit and for-profit agencies for development. In some cases, the City acts as the developer and bids out the new construction to local contractors.

All development proposals are accepted based on a reasonable price per square foot and the developer's ability to meet building specifications as required by a Request for Proposal. As a direct result of the City's purchase of the land and the infrastructure improvements, the lots become more affordable, therefore reducing the cost to the homebuyer. As lots are sold to eligible homebuyers, the funds for the lot cost are sometimes recaptured and used to fund future developments.

Providing affordable housing has been a primary focus for the City of Greenville in the West Greenville area. Since 2011, the City of Greenville has constructed nine (9) new homes on Douglas Avenue. Each new home is currently occupied by new homeowners or renters. In addition, construction is currently underway on another home on Douglas Avenue that will bring the new construction total to ten (10) new homes. Each one of these homes is benefitting low-income households. In addition to the progress being made on the Douglas Avenue corridor, other areas of West Greenville are beginning to display signs of redevelopment. For example Lincoln Park, a neighborhood located within the proposed NRSA boundaries, currently has sixteen (16) lots available with new construction beginning on two (2) of these lots in early 2015.

New construction in the West Greenville area will serve as a primary benefit of the proposed West Greenville NRSA - if approved. Approval of an NRSA will result in the aggregation of housing units benefitting a "mixed level" of incomes; however, the aggregation

will primarily benefit low-moderate income households per HUD requirements. The City believes that mixed income neighborhoods are able to become more sustainable and provide a more diverse environment.

**Owner-Occupied Rehabilitation Program**

The City offers grants/loans that assist and encourage preservation of the older housing stock. Home rehabilitation supports homeowners who strive to bring their properties up to today's building standards, and ensures the health, safety, and general welfare of the community. The grant/loans are based on income limits that are provided by the U.S. Department of Housing and Urban Development. A percentage of the total cost of the work applied can either be forgiven or decreased based upon an applicant's gross income and family size.

The City of Greenville has offered the owner-occupied home rehabilitation program since the mid 1970's. This program has been significantly successful in keeping low-moderate income families in homes that are safe, healthy, affordable, and energy efficient. Recently, staff has also noticed an additional benefit of this program – it also has the ability to preserve the historic character of a neighborhood.

In FY 2013-2014, $370,158 in CDBG and $200,815 of HOME funds were set aside to rehabilitate single-family homes. During this time, a total of seventeen (17) units were completed utilizing past years funding and current year funding. A vast majority of these units are located within the proposed NRSA boundary and benefit its low-moderate income residents. Currently, rehabilitation efforts are underway on a historic, two-story, four (4) bedroom home within the proposed boundary. There are two (2) eligible historic districts within the proposed boundary. Approval of an NRSA will allow greater flexibility in helping those who live in historic homes. It has been staff's experience that many of the residents that live in historic homes are above eighty percent (80%) AMI. Therefore, it is a challenge to help those people maintain and repair those historic structures.

**West Greenville and University Area Down payment Assistance Program**

This program offered by the City of Greenville provides a Homebuyer Assistance Grant within two (2) specific areas - West Greenville and the University Area. The grant provides flexible gap financing and closing costs associated with the purchase of a qualified property. An eligible applicant can potentially receive five percent (5%) of the total sales price of the home or up to $10,000 in assistance. Borrowers are not tied to a percentage of AMI with this program. The assistance is secured with a 10-year soft second mortgage at zero percent (0%) interest with no payment required unless the house is sold, leased, or rented out.

In addition, the assistance is forgiven one tenth (1/10) per year, and after ten (10) years, is the grant is forgiven in its entirety. The deed of trust will be released at the end of the term. However, if the owner sells, leases, or rents the property, the owner is required to pay back the assistance pro-rata. This program requires the applicant to have a $1,000 out-of-pocket commitment.

**HOME Down payment Assistance Program**

This program offered by the City of Greenville is designed to assist low to moderate income, first-time homebuyers with down payment assistance to purchase a home within the incorporated city limits of Greenville. Funds can be used for the purchase of a single-family dwelling, condominium, or townhome city-wide. This program offers No Interest Forgivable Loan of up to twenty percent (20%) of the sales price of the home with a cap of $20,000.00. These funds may be available to qualified homebuyers meeting the program guidelines. The funds for this program vary from year to year and are based on the HUD allocation to the city. This program requires the applicant to have a $1,000 out-of-pocket commitment.

**Affordable Housing 10% Loan Assistance Program**

This program offered by the City of Greenville is designed to assist low to moderate income, first-time homebuyers with down payment and closing costs. Loans of up to ten percent (10%) of the sales price of the home may be available to qualified borrowers who meet the requirements for this program. For example, borrowers must be able to qualify for a loan and can be at one hundred twenty percent (120%) of AMI. This assistance program only allows the maximum sales price of the home to be $150,000 and the funds are forgiven over 120 payments and are at zero percent (0%) interest.

The buyer must complete a homeownership education program, pre-qualify with a mortgage lender, and must occupy this dwelling as their principal residence. This program requires the applicant to have a $1,000 out-of-pocket commitment.

**Optional Rental Rehab Program**

According to ACS survey data, the West Greenville area has a total of 410 owner-occupied housing units and 1,045 renter-occupied housing units. Due to the high number of renter-occupied units in the area, the City of Greenville is considering a new optional Rental-Rehabilitation Program. This program will support local property owners in maintaining sufficient housing for prospective tenants. Having a program that targets rental units will ensure that all residents of the neighborhood have access to adequate housing instead of only home owners. Therefore, staff will continue to research rental rehabilitation best practices across the state of North Carolina.

Figure 3 - Housing Units by Year Built

| | West Greenville NRSA | |
|---|---|---|
| Housing Units by Year Built | | Percent |
| Total | 1,910 | 100.0% |
| 2010 or later | 24 | 1.3% |
| 2000-2009 | 168 | 8.8% |
| 1990-1999 | 162 | 8.5% |
| 1980-1989 | 136 | 7.1% |
| 1970-1979 | 395 | 20.7% |
| 1960-1969 | 335 | 17.5% |
| 1950-1959 | 364 | 19.1% |
| 1940-1949 | 182 | 9.5% |
| 1939 or earlier | 144 | 7.5% |
| * Lead-based paint concerns in highlighted area | | |

**Institutional Infrastructure Assessment**

There are vital elements of community infrastructure within the West Greenville NRSA. These elements have the potential to help the redevelopment efforts in the West Greenville area. These elements of community infrastructure are:

- Eppes Recreation Center
- Carver Library
- Lucille W. Gorham Intergenerational Community Center
- Sadie Saulter Elementary School
- West Greenville Police Substation
- Third Street Community Center
- Dream Park
- Community Gardens System

In addition to the existing institutional infrastructure in the proposed NRSA, the City of Greenville has begun updating roads and street lights in focus areas throughout the proposed NRSA. Road improvement projects have been implemented on West Fifth Street, and there are future plans for continued improvement. The West Fifth Street Gateway Project won an award from the NC Chapter of the American Planning Association for infrastructure improvements in the form of new sidewalks, bus shelters, and pedestrian walkways along a four (4) block area of the NRSA. The City of Greenville wants to ensure that these vital infrastructure projects will enhance the streetscape of the neighborhood.

The development and/or rehabilitation of these community infrastructure elements will help re-establish West Greenville as a vibrant residential community. The continued maintenance and implementation of new infrastructure will assist in the attraction of new commercial development throughout the area. Future plans for infrastructure development are centered on the goals that the City of Greenville has for the proposed NRSA and its residents: They are as follows:

## Future Infrastructure Projects

### West Fifth Street Corridor (Phase II)

The city is preparing Phase II of the West Fifth Street Streetscape Project. This project will further improve on roads, pedestrian walkways, and public utility improvements along a four (4) block section of West Fifth Street. The City of Greenville has plans to facilitate development along the West Fifth Street corridor. This corridor extends through the West Greenville Redevelopment Area to the Center City Revitalization Area.

### Workforce Center

The City plans to partner with multiple agencies and organizations to rehabilitate an old commercial structure to provide the local workforce with a place to develop their skills. The planned facility is located along West Fifth Street. The City is planning for the facility to provide business incubation, workforce education, and training for not only those who live in the neighborhood, but the community as a whole.

### Greenville Transportation Activity Center (GTAC)

The City of Greenville plans to implement transit oriented development in the proposed West Greenville NRSA. This development will spur from a planned transit access point. The City has been fortunate to receive federal funding to establish a transportation hub. This hub will reside in between the Center City Revitalization Area and West Greenville Redevelopment Area. Having access to transit oriented development will empower the residents of the area who can use the resource as a means to seek employment or educational opportunities.

### Grocery Store

One of the primary focuses for the City of Greenville's proposed NRSA is to successfully recruit and facilitate an environment for a grocery store. Currently the proposed NRSA has several corner stores and shops, but lacks a neighborhood grocery store for its residents. The area has also been designated as a food desert. The City of Greenville has acquired parcels of land along West Fifth Street with the intention of attracting a grocery store to the area. Subsequent to

the City's commitment for placing a grocery store along West Fifth Street, a local developer is constructing a commercial center with a grocery store. The store is within close proximity to the food desert.

**Economic Empowerment**

In order to facilitate and sustain the growth and development of the West Greenville area, the City of Greenville plans to implement economic empowerment strategies that specifically target the area and its needs. The City of Greenville's economic empowerment strategies focus primarily on private sector investment in the area. From this investment, local job growth in the area will serve as a benefit to residents of the neighborhood and within the community as a whole. There are several upcoming projects that will act as a catalyst to economic growth. For example, the 10th Street Connector project, Phase II of the West Fifth Street Streetscape, the future development on Albermarle Avenue, and current entrepreneurial programs.

The 10th Street Connector project, which will bisect the proposed NRSA, will attract new commercial and retail development opportunities into the area. The City of Greenville anticipates that the development along this corridor could potentially create an influx of new residents. Staff hopes that the new opportunities will provide jobs to people in the neighborhood and attract new residents to relocate to the area for employment purposes. The City remains hopeful of these types of outcomes because studies have shown that as public sector investment increases, private sector investment tends to follow.

Additionally, further development of the West Fifth Street Corridor (Phase II) will open up the area to an even larger amount of investment opportunities. Phase II will not only add to the neighborhood character, but additional fiber optic infrastructure will be added as well, therefore promoting technology-led entrepreneurship along the corridor. Moreover, the proposed Albemarle Avenue Commercial Corridor is an example of future commercial development that could be lead to the area. Albemarle Avenue is a proposed concept for the West Greenville area that will create a mixed-use residential neighborhood, infused with commercial retail. The Greenville Transportation Activity Center project will serve as another resource for low/moderate income residents of the area to obtain jobs or educational opportunities throughout the city.

The City of Greenville plans to make the West Greenville area a sustainable and thriving community for the future. In order to accomplish this, small business growth and development in the area is crucial. The Uptown Retail Challenge is an incentive aimed to attract new retail businesses to the Uptown Greenville Commercial District. Attracting new business to Uptown Greenville will economically empower the residents by providing potential employers to the residents who may lack the skills or education to obtain a career.

The Greenville Business Plan Competition is another program that targets commercial growth in the Center City - West Greenville Redevelopment area. This competition provides an economic incentive to small business owners and entrepreneurs who expand and create jobs within the Center City/West Greenville Redevelopment area. Economic incentives from this program range from $15,000.00 to $30,000 to be used toward working capital or operating funds, equipment purchases, improvements to owner-occupied property, leasehold improvements, expansion of business services or products, or other uses in a business plan. The benefit of reducing the record-keeping requirements for businesses operating in the area will greatly assist in providing additional economic opportunities within the proposed NRSA.

Finally, the City of Greenville is currently in the process of master planning the Dickinson Avenue corridor. The master planning of the corridor sought a highly experienced and creative team to complete a revitalization study of the Dickinson Avenue corridor between Reade Circle and 14th Street, which bisects and anchors the city's "warehouse district" within the West Greenville Redevelopment Area. The study area includes the Imperial Tobacco Warehouse site, the site of the future Greenville Transportation Activity Center (GTAC), two (2) National Register Historic Districts, and a cluster of State of NC-owned properties within ECU's Warehouse District (ECU Master Plan, 2012).

The City has an agreement with NC-DOT to rebuild historic Dickinson Avenue and a streetscape improvement plan for the corridor. The future 10th Street Connector also traverses the study area. Therefore, it is critical that the City maximize its opportunities in this area in ways that are economically and environmentally viable, while preserving and capitalizing on its unique character.

## Performance Measures

The City understands that setting performance benchmarks in the proposed NRSA will allow for more effective and efficient monitoring and evaluation strategies. Staff has divided the measurements into three (3) main categories – housing, economic, and infrastructure. The City currently has in place several different performance measures for housing. These measures include, but are not limited to, increasing home ownership rates by 5-10% per year, adding 1 – 2 new homes per year, and rehabbing a minimum of eight (8) owner-occupied homes per year. Reaching these performance benchmarks has the potential to help the West Greenville area flourish. The increase in new homeowners and the economic value of sustaining the current building stock will help promote a more vibrant and safe community.

Economic benchmarks will be evaluated based on the expansion and addition of new businesses and jobs in the area. Staff has proposed several economic benchmarks. For example, the establishment of a grocery store, addition of three (3) new businesses, and the creation of 5 – 7 new jobs per year. The primary goal of the proposed NRSA is to create a flourishing and sustainable community within the boundaries and beyond. Staff hopes that by setting these measures we will be able to effectively monitor our progress and the progress of the market.

Infrastructure benchmarks will generally be evaluated based on the current state of the utilities, sidewalks, and streets throughout the proposed area. The primary factors for measuring these benchmarks are time, implementation cost, and the amount of funds allocated. For example, infrastructure improvements will be made along the West Fifth Street corridor by completing Phase II of the streetscape project. Additionally, the City intends to add several hundred linear feet of sidewalk per year within boundaries. There are a couple of expected benefits from this type of work. It will potentially provide health and mobility benefits for area residents, as well as safety benefits.

The progress in the proposed West Greenville NRSA will be recorded and listed in the City of Greenville's Consolidated Annual Performance Evaluation Report (CAPER). Each year the CAPER will reflect the development of the West Greenville area. The current performance measures will serve as a reference for ideal progress and growth in the area, with the CAPER displaying figures congruent with these measures. The growth and development in the area will be closely monitored to ensure the efficacy of the redevelopment methods used by the City.

# Appendices

Appendix A: Resolution

**RESOLUTION NO. ____-15**

**RESOLUTION ENDORSING THE SUBMISSION OF THE 2015-2016 ANNUAL ACTION PLAN FOR THE CITY OF GREENVILLE, NORTH CAROLINA**

WHEREAS, the City of Greenville recognizes the benefits of the Community Development Block Grant and HOME Investment Partnership Programs in providing local governments with the resources to develop viable communities by funding activities that principally benefit low and moderate income persons; and

WHEREAS, the City of Greenville recognizes the need to assist low income and special needs populations of the City with Community Development Block Grant and HOME Investment Partnership funds; and

WHEREAS, the U.S. Congress and the Greenville City Council acknowledges the critical value of the Community Development Block Grant and HOME Investment Partnership Programs and the significant projects that rely upon its funding; and

NOW, THEREFORE, BE IT RESOLVED that the 2015-2016 Community Development Block Grant and HOME Investment Partnership Programs of the City Greenville be established by:

1. Authorizing the Mayor to execute approval documents required for the submission of the Annual Action Plan for the 2015-2016 fiscal year following the close of the public hearing.
2. Authorizing the City Manager to enter into contracts with Community Housing Development Organizations approved for the 15% CHDO set-aside.
3. The City Manager to enter into contracts with the subrecipients approved for CDBG activities.
4. Authorizing the City Manager or designee to carry out 2015 – 2016 activities approved in the Annual Action Plan.
5. Authorizing the Director of Community Development; or designee to implement such policies and procedures required by the programs, as attached to the Annual Action Plan.

This the 9th day of April, 2015.

_____
Allen M. Thomas, Mayor

**ATTEST:**

_____
Carol L. Barwick, City Clerk

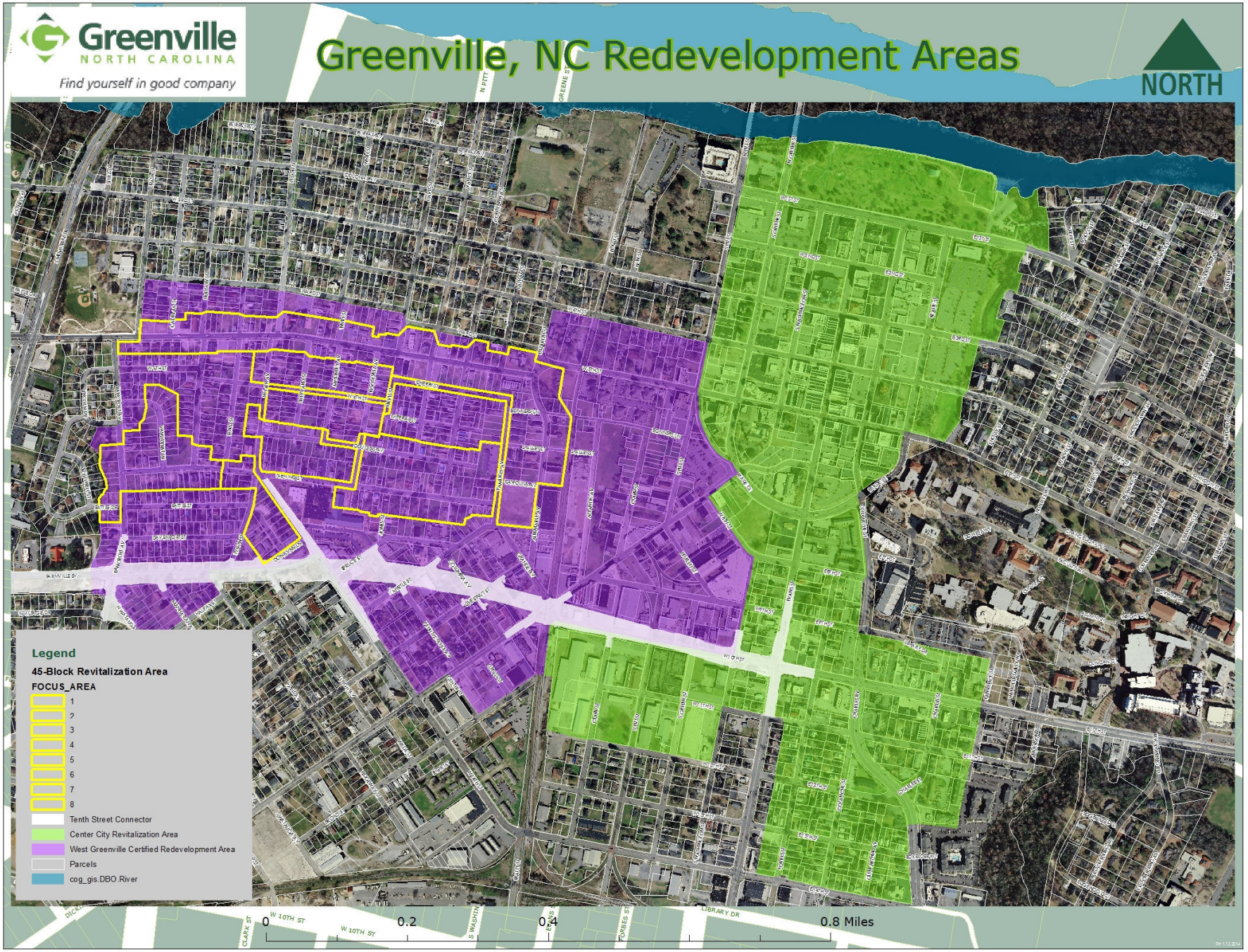
Appendix B: Application for Federal Assistance SF - 424

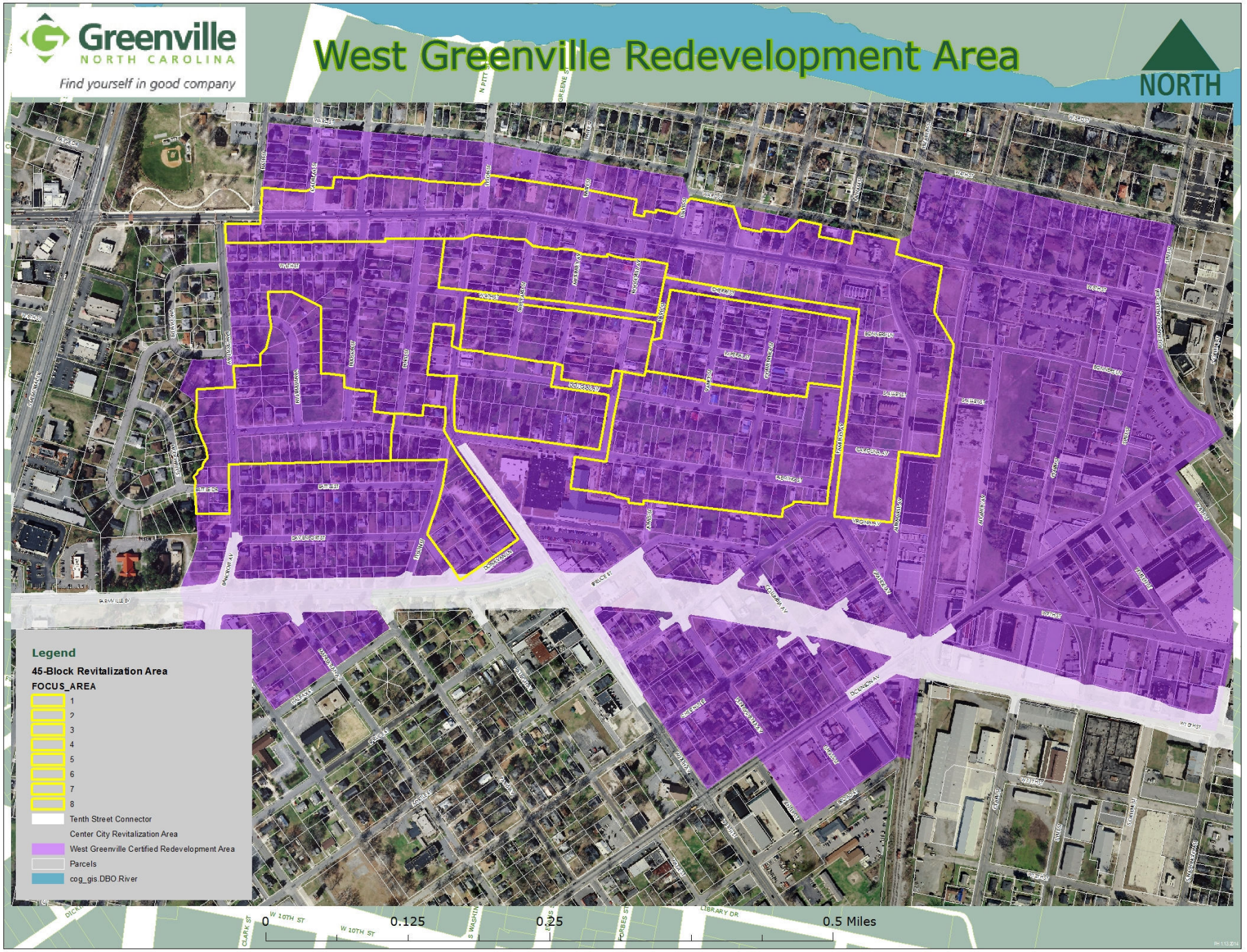
Appendix C: 2015 – 2016 Budget

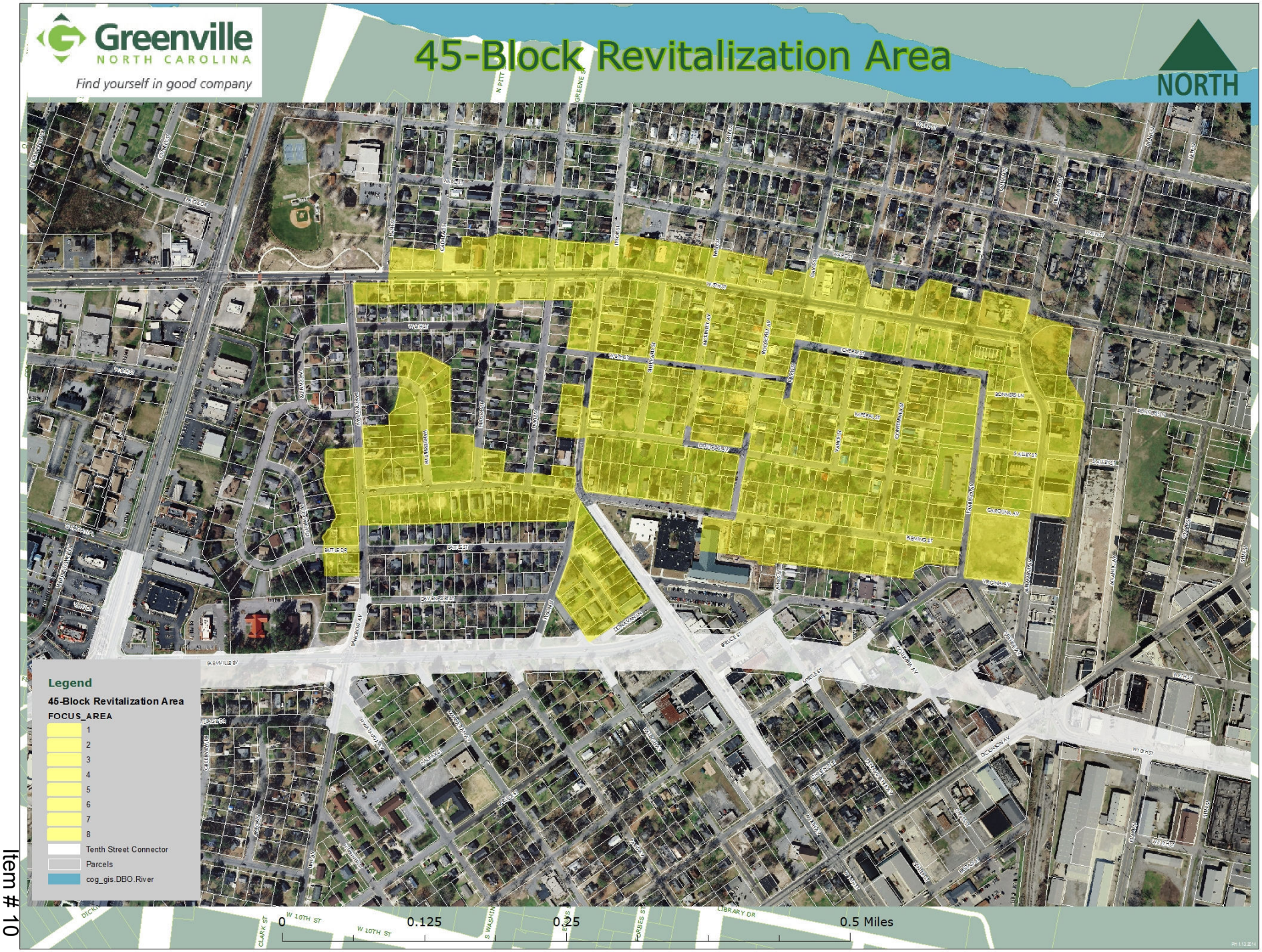
## 2015-2016 Budget Year

| Proposed Activities | HOME | CDBG |
|---|---|---|
| Administration/Planning | $32,000.00 | $160,000.00 |
| Housing Rehabilitation | $67,919.00 040-4650-452.24-00 | $182,000.00 040-4640-452.24-00 |
| Down payment Assistance | $30,000.00 040-4650-452.47-00 | |
| CHDO/New Construction | $49,397.00 040-4650-452.62-00 | |
| Public Service | | $100,000.00 040-4640-452.23-00 |
| Acquisition/Clearance | | $53,000.00<br>Demolition = $15,000.00<br>040-4640-452.55-00<br><br>Acquisition = $38,000.00<br>040—4640-452.27-00 |
| Relocation | | $5,000.00 040-4640-452.08-00 |
| Public Facility Improvements | | $200,000.00 040-4640-452.23-04 |
| Economic Development | | $100,219.00 040-4640-452.80-00 |
| New Construction (multi-family) | $150,000.00 040-4650-452.62-00 | |
| **TOTAL** | $329,316.00 | $800,219.00 |

Appendix D: Redevelopment Area Maps




Greenville
NORTH CAROLINA
Find yourself in good company
West Greenville Redevelopment Area
NORTH
Legend
45-Block Revitalization Area
FOCUS_AREA
1
2
3
4
5
6
7
8
Tenth Street Connector
Center City Revitalization Area
West Greenville Certified Redevelopment Area
Parcels
cog_gis.DBO.River
0
0.125
0.25
0.5 Miles


Greenville
NORTH CAROLINA
Find yourself in good company
45-Block Revitalization Area
NORTH
Legend
45-Block Revitalization Area
FOCUS_AREA
1
2
3
4
5
6
7
8
Tenth Street Connector
Parcels
cog_gis.DBO.River
0
0.125
0.25
0.5 Miles

Item # 10

Appendix E: Publisher's Affidavits

**PUBLISHER'S AFFIDAVIT**

**NORTH CAROLINA**
**PITT COUNTY**

Bill Hudson **affirms that he is** Account Executive **of The Daily Reflector, a newspaper published daily at Greenville, Pitt County, North Carolina, and that the advertisement, a copy of which is hereto attached, entitled**

Greenville City Page - Public Notice - Notice of Community Meeting to Receive Comments on the 2014-2015 Fiscal Year Draft Annual Action Plan

**was published in said The Daily Reflector on the following dates:**

February 3, 2014 & February 10, 2014

**and that the said newspaper in which such notice, paper, document or legal advertisement was published, was, at the time of each and every publication, a newspaper meeting all of the requirements and qualifications of Chapter 1, Section 597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Chapter 1, Section 597 of the General Statutes of North Carolina.**

Bill Hudson

**Affirmed and subscribed before me this** 5th **day of** March, **20** 14

Anita C House

**(Notary Public)**

**My commission expires** 11/17/16.

ANITA C. HOUSE NOTARY PUBLIC PITT COUNTY, N.C.

**PUBLISHER'S AFFIDAVIT**

**NORTH CAROLINA**
**PITT COUNTY**

Bill Hudson **affirms that he is** Account Executive **of The Daily Reflector, a newspaper published daily at Greenville, Pitt County, North Carolina, and that the advertisement, a copy of which is hereto attached, entitled**

Greenville City Page- Public Hearing - 2014-2015 Annual Action Plan

**was published in said The Daily Reflector on the following dates:**

February 3, 2014 & February 10, 2014

**and that the said newspaper in which such notice, paper, document or legal advertisement was published, was, at the time of each and every publication, a newspaper meeting all of the requirements and qualifications of Chapter 1, Section 597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Chapter 1, Section 597 of the General Statutes of North Carolina.**

B. Hudson

**Affirmed and subscribed before me this** 5th **day of** March **, 20** 14

Anita C House

**(Notary Public)**

**My commission expires** 11/17/16.

ANITA C. HOUSE NOTARY PUBLIC PITT COUNTY, N. C.

Appendix F: Citizen Participation Plan

# CITY OF GREENVILLE
# COMMUNITY DEVELOPMENT DEPARTMENT
# CITIZEN PARTICIPATION PLAN

## INTRODUCTION:

The U.S. Department of Housing and Urban Development (HUD) provides local governments the opportunity to operate Community Development Block Grant (CDBG) and HOME Programs. In order to participate in these programs, the City of Greenville is required to have a detailed Citizen Participation Plan, which contains the City's policies and procedures for public involvement in the Consolidated Plan process and the use of CDBG and HOME money. This plan must be available to the public.

## Encouraging Public Participation:

The law requires that our Citizen Participation Plan both provide for and encourage public participation, emphasizing involvement by low and moderate-income persons, especially those located in Targeted Areas. Also, the U.S. Department of Housing and Urban Development expects the City of Greenville to take appropriate actions to encourage participation by minorities, non-English speaking persons, and persons with disabilities. Copies of the Citizen Participation Plan, as well as summaries and basic information pertaining to the CDBG, HOME program, and the Consolidated Planning process are available at the City of Greenville, Community Development Department, Housing Division office located at 201 West Fifth Street, Greenville, North Carolina. This plan supersedes all other plans.

## The Role of Low Income People:

The law declares that the primary purpose of the programs covered by this Citizen Participation Plan is to improve communities by providing: decent housing, suitable living environments, and growing economic opportunity, all principally for low and moderate-income persons in CDBG and HOME Targeted Areas. Genuine involvement by low and moderate-income people must take place at all stages of the process, including: identifying needs, setting priorities among these needs, deciding how much money should be allocated to each high-priority need, and suggesting the types of programs to meet high-priority needs, as well as, overseeing the way in which the programs are carried out.

## The Various Stages of the Consolidated Plan Process:

The policies and procedures in this Citizen Participation Plan relate to several stages of action mentioned in law or regulation. In general these stages or events include:

1. Identification of housing and community development needs.

2. Preparation of a draft use of funds for the upcoming year called the proposed Annual Action Plan. Every 5 years this process will include the preparation of a new proposed Consolidated Plan.

3. Approval of Plan by the Affordable Housing Loan Committee.

4. Formal approval by elected officials of a final Annual Action Plan or Consolidated Plan.

5. On occasion, it may be necessary to change the use of money already budgeted in an Action Plan, or to change priorities established in the Consolidated Plan. In that case, a formal Substantial Amendment will be proposed, considered, and acted upon. In these instances, major amendments (amendments that involve a change of funding greater than 20% of award) will require a public hearing and approval by the elected governing body prior to submission to HUD. Minor amendments will be approved by City Council however, no public hearing will be held.

6. After a "program year" is complete, an Annual Performance Report must be drafted for public review, comment, and forwarded to HUD.

**The Program Year**

The "program year" for the City of Greenville is July 1st through June 30th.

**PUBLIC NOTICE**

**Items Covered by the Public Notice Requirements:**

There shall be advanced public notice once a federally required document is available, such as the proposed Annual Action Plan or the Five-Year Consolidated Plan, any proposed Substantial Amendment to the Action Plan or Consolidated Plan, and the Annual Performance Report.

In addition, there shall be advanced public notice of all public hearings and all public meetings such as Affordable Housing Loan Committee meetings relating to the funds or planning process covered by this Citizen Participation Plan.

**"Adequate" Public Notice**

Adequate advance notice is "timely"; it is given with enough lead-time for the public to take informed action. The amount of lead-time can vary depending on the event. Specific amounts of time are given for different events later in this Citizen Participation Plan. The content of notices will give residents a clear understanding of the event being announced.

**Forms of Public Notice**

Public notices will be published in the "Daily Reflector" on the City Page or in a non-legal section of the newspaper.

## PUBLIC ACCESS TO INFORMATION

As required by law, the City of Greenville will provide the public with reasonable and timely access to information and records relating to the data or content of the Consolidated Plan, as well as the proposed, actual, and past use of funds covered by this Citizen Participation Plan. Regarding the past use of funds, the law requires reasonable public access to records about any uses of these funds during the previous five years.

Also, as required by law, the City of Greenville will provide the public with reasonable and timely access to local meetings relating to the proposed or actual use of funds.

- **Standard Documents.**

Standard documents include: the proposed and final Annual Action Plans, the proposed and final Consolidated Plan, proposed and final Substantial Amendments to either an Annual Action Plan or the Consolidated Plan, Annual Performance Reports, and the Citizen Participation Plan.

- **Availability of Standard Documents.**

In the spirit of encouraging public participation, copies of standard documents will be provided to the public at no cost and within two working days of a request. These materials will be available in a form accessible to persons with disabilities, when requested.

- **Places Where Standard Documents are Available.**

Standard documents will be available at: City of Greenville Community Development Department, Housing Division located at 201 West Fifth Street; City Hall, 200 West Fifth Street, and other public facilities as needed.

## PUBLIC HEARINGS:

Public hearings are required by law in order to obtain the publics' views and to provide the public with the City's responses to public questions and proposals.

The law requires public hearings at all stages of the process including: an initial public hearing to discuss community needs, proposed uses of funds, and a final public hearing to adopt the Annual Action Plan and or Consolidated Plan.

**Access to Public Hearings:**
Public hearings will be held only after there has been adequate notice as described in the Public Notice part of this Citizen Participation Plan, including a display advertisement in the Daily Reflector's City Page or the non-legal section of the newspaper. The advertisement will run twice, the first which will run no less than 14 days prior to the public hearing. Public hearings will be held at 7:00 p.m. a time convenient to most people who might benefit from the use of funds.

Public hearings are held in the City Council Chambers located at City Hall, 200 West Fifth Street, Greenville, North Carolina. The facility is accessible by bus and otherwise convenient and not intimidating to most people who might benefit from the use of funds.

- **Public Hearings and Populations with Unique Needs.**

All public hearings will be held at locations accessible to people with disabilities, and provisions will be made for people with disabilities when requests are made at least five working days prior to a hearing. Translators will be provided for people who do not speak English when requests are made at least five working days prior to a hearing. Persons with disabilities needing assistance should call (252) 329-4060 (Teletypewriter (TTY), machine used to transmit and/or receive communications on printed page and/or tape).

- **The Conduct of Public Hearings.**

To ensure that public hearings are meaningful to residents, each public hearing will be conducted during a typical City Council meeting.

## THE STAGES IN THE PROCESS:

### A. IDENTIFYING NEEDS.

Because the housing and community development needs of low and moderate income people are so great and so diverse priorities must be set in order to decide which needs should get more attention and more resources than other needs; this is the basic reason the Consolidated Plan exists.

The laws and regulations require a public hearing each year to obtain residents' opinions about needs and what priority those needs have.

Public hearings about needs will be completed before a draft Annual Action Plan is published for comment so that the needs identified can be considered by the City and addressed in the draft Annual Action Plan.

**B. THE "PROPOSED" ANNUAL ACTION PLAN and/or CONSOLIDATED PLAN.**

The law providing the funds covered by this Citizen Participation Plan calls for improved accountability of jurisdictions to the public. In that spirit and in compliance with the terms of the law, the City of Greenville will use the following procedures:

- **General Information.**

At the beginning of this stage, the City of Greenville will provide the public with an estimate of the amount of CDBG and HOME funds it expects to receive in the upcoming year, along with a description of the range of types of activities that can be funded with these resources. Also, the public will be given an estimate of the amount of these funds, which will be used in ways that will benefit low and moderate-income people.

The Anti-displacement Plan of the City of Greenville, Resolution Number 07-35, was adopted May 10, 2007 to minimize the extent to which low and moderate income persons will have to leave their homes as a result of the use of these federal dollars (called "displacement") will also be available at this time. The anti-displacement plan describes the City of Greenville's policy regarding displacement and the efforts to minimize displacement.

- **Technical Assistance.**

City staff will work with non-profit organizations representative of low and moderate-income people who are interested in submitting a proposal to obtain funding for Public Service Projects. Public Services may include homeownership counseling, youth development and employment training to low-moderate income persons in targeted areas. Notice of funding availability will be mailed directly to known non-profits and advertised. All potential applicants for funding are encouraged to contact City staff for technical assistance before completing a proposal. Up to 15% of CDBG Entitlement funds will be made available for projects. The regular funding cycle will begin in September of each year. Advertisement of funding availability will begin the process. The Affordable Housing Loan Committee will review and make recommendations on non-profit proposals to City Council during the regularly scheduled March meeting.

- **Availability of a Proposed Annual Action Plan.**

The City of Greenville will notify the public that a Proposed Annual Action Plan is available so that persons in the affected areas, and others, will have a reasonable opportunity to examine it and to submit comments.

Copies of the Proposed Annual Action Plan will be made available to the public for free and without delay. So that low and moderate income people can determine the degree that they might be affected, the Proposed Annual Action Plan will be complete, containing: all HUD-required sections, the HUD-required Priorities Table, and a written description of all proposed uses of CDBG and HOME. At a minimum, this description shall include the type of activity, its location, and the amount of federal money to be allocated to it.

- **Public Hearing and Further Action.**

A public hearing about the Proposed Annual Action Plan will be conducted. In preparing a Final Annual Action Plan, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The Final Annual Action Plan will have a section that presents all comments, plus explanations why any comments were not accepted.

**C.** ***THE "FINAL" ANNUAL ACTION PLAN and/or CONSOLIDATED PLAN.***

Copies of the Final Annual Action Plan and a summary will be made available to the public for free and within two days of a request. In addition, copies will be available at the locations specified above in the section, "Public Access to Information".

**D.** ***"AMENDMENTS" TO THE ANNUAL ACTION PLAN and/or CONSOLIDATED PLAN.***

The Final Annual Action Plan will be amended anytime there is a change in one of the Priorities presented on the HUD-required Priority Table, a change in the use of money to an activity not mentioned in the Final Annual Action Plan; a change in the purpose, location, scope, or beneficiaries of an activity (described more fully later). The public will be notified whenever there is a substantial amendment. Substantial Amendments will require a Public Hearing prior to the approval of such amendments. Minor amendments will be approved by City Council; however no public hearing will be necessary.

- **"Substantial" Amendments.**

The following will be considered "substantial" amendments:

1. A change in the use of CDBG money greater than 20% from one activity to another.

2. A change in the use of HOME money greater than 20% from one activity to another.

3. The elimination of an activity originally described in the Annual Action Plan.

4. The addition of an activity not originally described in the Annual Action Plan.

5. A change in the purpose of an activity, such as a change in the type of activity or its ultimate objective; for example, a change in a construction project from housing to commercial.

6. A meaningful change in the location of an activity.

7. A change in the scope of an activity, such that there is greater than a 20% increase or decrease in the amount of money allocated to the activity.

- **Public Notice and Public Hearing for Substantial Amendments.**
  There must be reasonable notice of a proposed Substantial Amendment so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following procedures specifically for Substantial Amendments:

  1. A detailed written description of the proposed Substantial Amendment will be made available to the public.

  2. There will be a public hearing regarding the proposed Substantial Amendment conducted by the Mayor and City Council. This public hearing will not take place until the public has had adequate time to review the proposed Substantial Amendment.

  3. In preparing a Final Substantial Amendment, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The Final Substantial Amendment will have a section that presents all comments, plus explanations why any comments were not accepted.

**E. *THE ANNUAL PERFORMANCE REPORT:***

Every year, the City of Greenville must send to HUD an Annual Performance Report within 90 days of the close of the program year. In general the Annual Performance Report must describe how funds were actually used and the extent to which these funds were used for activities that benefited low and moderate-income people.

- Public Notice for Annual Performance Report.
  There must be reasonable notice that an Annual Performance Report is available so that residents will have an opportunity to review and comment. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following procedures specifically for Annual Performance Reports:

  1. There will be 30 days advance notice of the availability of an Annual Performance Report before the report is submitted to HUD.

  2. A complete copy of the Annual Performance Report will be made available to the public.

3. In preparing an Annual Performance Report for submission to HUD, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony or submitted in writing. The Annual Performance Report sent to HUD will have a section that presents all comments and explanations why any comments were not accepted.

**COMPLAINT PROCEDURES:**
Written complaints from the public will receive a meaningful, written reply within fifteen (15) working days.

**CHANGING THE CITIZEN PARTICIPATION PLAN:**
This Citizen Participation Plan can be changed only after the public has been notified and only after the public has had a reasonable chance to review and comment on proposed substantial changes.

Adopted this 8th day of May 2008.

Signature on File
Patricia C. Dunn, Mayor

Attest:

Signature on File
Wanda Elks, City Clerk

Appendix G: Anti-Displacement and Relocation Assistance Plan

RESOLUTION NO. 07-35
A RESOLUTION OF THE CITY OF GREENVILLE ADOPTING A RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN, AS REQUIRED UNDER SECTION 104 (d) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED

WHEREAS, Section 104 (d) of the Housing and Community Development Act of 1974 (ACT), as amended, and implementing regulations require that each applicant for Community Development Block Grant (CDBG) funds must adopt, make public and certify that it is following a residential anti-displacement and relocation assistance plan; and

WHEREAS, the City of Greenville receives funding from the U. S. Department of Housing and Urban Development (HUD) for Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) funds;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Greenville, do hereby adopt the residential anti-displacement and relocation assistance plan as described below.

**RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

In accordance with this statute, the City of Greenville will replace all occupied and vacant occupiable livable low/moderate-income dwelling units demolished or converted to a use other than low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.606 (b) (1).

All replacement housing will be provided within 3 years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the City of Greenville will make public and submit to the U. S. Department of Housing and Urban Development, the following information in writing:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than low/moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of replacement dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;

5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of housing units with smaller dwelling units (e.g., a 2 bedroom unit with two 1 bedroom units), or any proposed replacement of efficiency or single room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs priorities identified in the City of Greenville's approved Consolidated Plan (CP).

The City of Greenville will provide relocation assistance, as described in the ACT and implementing regulations, to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities. Consistent with the goals and objectives of activities assisted under the Act, the City of Greenville adopts the following policies to minimize displacement of persons from their homes:

A. NONDISCRIMINATION STATEMENT

There will be no discrimination based on race, age, sex, national origin, religion, and ethnic background in the provision of information, counseling, referrals, or other relocation services to persons displaced by CDBG activities. The practices and methods of the administration of this Residential Anti-displacement and Relocation Assistance Plan will not result in the displacement of persons because of their race, color, religion, sex, age, handicap, or national origin.

All information and counseling to tenants will include:

- Opportunities to select a replacement dwelling from a full range of neighborhoods within the total housing market.
- Individual rights under the Federal Fair Housing laws.
- How to search for suitable replacement housing.

1. Coordinate code enforcement with rehabilitation and housing assistance programs.
2. Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undo financial burden on established homeowners and tenants.
3. Establish counseling to provide homeowners and tenants with information on assistance available to help them remain in their neighborhoods in the face of revitalization pressures.

B. DISPLACED PERSONS

Any person that is moved from real property or moves his or her personal property from real property permanently as a direct result of one or more of the following activities:

1. Acquisition of or written notice of intent to acquire, or initiation of negotiations to acquire, such real property, in whole or in part, for a project.
2. Rehabilitation or demolition of such real property for a project.
3. Rehabilitation, demolition, or acquisition, (or written notice of intent) of all or part of other real property on which the person conducts a business or farm operation, for a project.

C. PERSONS NOT ELIGIBLE FOR ASSISTANCE

A person is not eligible for relocation assistance under the provisions of the URA if any of the following occurs:

- The person was evicted for serious or repeated violation of the terms and conditions of the lease or occupancy agreement, violations of applicable Federal, State or local law, or other good cause. However, if the person was evicted only to avoid the application of URA, then that person is considered displaced and is eligible for assistance.
- The person has no legal right to occupy the property under State or local law.
- The Municipality determines that the person occupied the property to obtain relocation assistance and the HUD field office concurs in that determination.
- The person is a tenant-occupant that moved into the property after a certain date, specified in the applicable program regulation, and before leasing and occupying the property, the City of Greenville or its subgrantee provided the tenant-occupant written notice of the application for assistance, the project's impact on the person, and the fact that he or she would not qualify as a "displaced person" because of the project.
- The person is a tenant-occupant of a substandard dwelling that is acquired or a tenant-occupant of a dwelling unit to which emergency repairs are undertaken and the HUD Field Office concurs that:
  - Such repairs or acquisition will benefit the tenant;
  - Bringing the unit up to a safe, decent, and sanitary condition is not feasible;
  - The tenant's new rent and average estimated monthly utility costs will not exceed the greater of: the old rent/utility cost or 30 percent of gross household income; or
  - The project will not impose any unreasonable change in the character or use of the property.
- The person is an owner-occupant of the property who moves because of an arm's length acquisition.
- The City of Greenville or subgrantee notifies the person that they will not displace him or her for the project.
- The person returns the right of use and occupancy of the real property for life following the acquisition.

- The City of Greenville determines that the person is not displaced as a direct result of the acquisition, rehabilitation, or demolition for the project and the HUD Field Office concurs in the determination.

**MINIMIZING DISPLACEMENT**

As a general philosophy, the City of Greenville will take reasonable steps to minimize displacement occurring as a result of its CDBG and HOME activities. This means that Community Development Division will:

1. Consider if displacement will occur as a part of funding decisions and project feasibility determinations.
2. Assure, whenever possible that occupants of buildings to be rehabilitated are offered an opportunity to return.
3. Plan substantial rehabilitation in "stages" to minimize displacement.
4. Meet all HUD notification requirements so that affected persons do not move because they have not been properly informed about project plans and their rights.

## ANTI-DISPLACEMENT POLICY

The City of Greenville policy is to minimize to the greatest extent feasible, the displacement, whether permanently or temporarily, of persons (families, individuals, businesses, non-profit organizations, or farms) from projects funded with CDBG or HOME involving single or multifamily rehabilitation, acquisition, commercial rehabilitation, demolition, economic development, or capital improvement activities.

Projects that the City of Greenville deems beneficial by that may cause displacement may be recommended and approved for funding only if the City or its subgrantee demonstrates that such displacement is necessary and vital to the project and that they take efforts to reduce the number of persons displaced. Further, they must clearly demonstrate that the goals and anticipated accomplishments of a project outweigh the adverse effects of displacement imposed on persons who must relocate.

DISPLACEMENT ASSISTANCE

Consistent with the goals and objectives of the CDBG and HOME programs, the City will take all reasonable steps necessary to minimize displacement even temporarily of very low-income persons by persons from a higher income group. If the City displaces a low or moderate-income household, that household becomes eligible for certain relocation payments. The assistance applies to those persons residing in the residence at the time the project is approved. Each residential person who earns less than 80 percent of the area median income and who is required to move permanently as a result of a project under CDBG or HOME program shall be entitled to assistance based on the following procedures:

1. Notices and Other Advisory Services

All occupants are entitled to timely notice explaining whether or not they will be displaced. Occupants to be displaced must be informed of their eligibility for relocation assistance and the nature of the assistance. Those occupants not to be displaced must be informed of the terms and conditions under which they may occupy the property upon completion of the project. A displaced person must be advised of his or her rights under the Fair Housing Act (42 U.S.C. 3601-19). Each notice shall be personally served or sent by certified or registered first-class mail, return receipt request, date of delivery and documented in the agency files.

2. Moving Expenses

A displacee may choose to receive payment for moving and related expenses by reimbursement of Actual Moving and Related Expenses, or Receipt of a Fixed Payment based upon the current Uniform Relocation Act (URA) schedule.

3. Replacement Housing Assistance

A displaced tenant or owner occupant for 90 days that rents a replacement dwelling is entitled to a payment not to exceed $5,250.00. This payment may be for a period of 42 months and is offered in order to reduce the monthly rent and estimated average monthly cost of utilities for a comparable replacement dwelling.

4. Section 8 Assistance

Where possible, eligible persons will be offered Section 8 Housing Certificate of Family Participation or Voucher. The Certificate or Voucher will reduce the monthly costs (rent and utilities) to 30 percent of income. The definition of a suitable replacement dwelling shall be:

a. Decent, safe, and sanitary.
b. Available at a monthly housing cost (rent and utilities) that does not exceed 30 percent of the gross income of all members of the individual's household who are 18 years of age or older.
c. Located in an area that is not subject to unreasonable adverse environmental conditions, is not generally less desirable than the location of the displaced person's dwelling with respect to public utilities, and commercial and public facilities, and is reasonably accessible to the person's place of employment (or to sources of employment if the person is unemployed but seeking work).

F. RESIDENTIAL PERSONS TEMPORARILY DISPLACED

Each residential person who earns less than 80 percent of the median income and who is required to move temporarily as a direct result of a project assisted under a CDBG or HOME Program shall be entitled to assistance in accordance with the following policies:

1. Timely Information. The person shall be personally contacted or sent certified or registered first-class mail, return receipt requested, notice of temporary displacement. The notice shall fully explain the reason for the temporary displacement and indicate the person's eligibility for relocation assistance.
2. Advisory Services. The individual shall be provided appropriate advisory services to minimize hardships in adjusting to the relocation.
3. Replacement Housing Assistance. No displacee earning less than 80 percent of median income shall be required to move temporarily unless given a reasonable choice of opportunities to lease and move to a suitable replacement dwelling.
4. Temporary Relocation Housing. The displacee shall be reimbursed for any increase in rent and utility costs in the temporary unit (The utility cost increase may be estimated) incurred in connection with the move.
   The housing offered for the temporary period shall be decent, safe, and sanitary. These funds will be paid by the investor-owner. CDBG or HOME funds can be used for this purpose.
5. Moving expenses. The displacee must be reimbursed by the investor-owner for all reasonable out-of-pocket expenses. CDBG or HOME funds can be used for this purpose.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Greenville, North Carolina hereby adopts the Residential Anti-displacement and Relocation Assistance Plan for the City of Greenville dated May 10, 2007.

Adopted this 10th day of May, 2007.

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

ATTEST:

/s/Wanda T. Elks
Wanda Elks, City Clerk

Appendix H: Affirmative Marketing Policy

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

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

6. In the sale or rental of housing or residential lots;

7. In advertising the sale or rental of housing;

8. In the finance of housing;

9. In the provision of real estate brokerage services; or

10. In the appraisal of housing.

**STATEMENT**

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

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

**PURPOSE**

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

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

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

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

        1) Inform the community about its Affirmative Marketing Policy through periodic updates with its Affordable Housing Partners, through training workshops with its HOME Subrecipients and HOME/CHDO applicants, advertisements in the local newspapers of general circulation and other media outlets targeted to special groups and areas, and by posting the Policy on the City website (www.greenvillenc.gov).

        2) Display the HUD Equal Housing Opportunity ("EHO") logo or slogan on all graphic presentations by the City concerning the HOME Program including but not limited to press releases and advertisements.

        3) Provide the beneficiary copies of the brochure "Fair Housing, Equal Opportunity for All" provided by HUD or a similar document at the time they receive (or apply for) HOME funding. The beneficiary shall provide initial homeowners, tenants, and rental property owners with copies.

        4) Provide general information and telephone reference numbers to persons contacting the Housing Division with questions regarding Affirmative Marketing, Federal Fair Housing, tenant's rights, affordable housing, special needs housing and correction of substandard conditions in tenant-occupied dwellings.

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

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

1) Incorporate an EHO logo or statement in its correspondence (including any lease or purchase agreement), which shall be used relating to the HOME program.

2) Affirmatively state a position of equal opportunity in housing when advertising the units or vacancies. *At a minimum*, each Beneficiary must:

   a. Use the EHO logo in print and visual electronic advertising media;

   b. Broadcast an "Equal Housing Opportunity" statement if radio advertising is utilized; and

   c. Display the HUD Fair Housing poster in a high traffic area of its central sales/rental office.

3. PROCEDURES TO BE USED BY BENEFICIARIES OF PROJECTS THAT HAVE 5 OR MORE HOME ASSISTED UNITS TO INFORM AND SOLICIT APPLICATIONS FROM PERSONS IN THE HOUSING MARKET AREA WHO ARE NOT LIKELY TO APPLY FOR HOUSING WITHOUT SPECIAL OUTREACH

   A. Each Beneficiary of a project that has five (5)or more HOME assisted units, shall at a minimum:

      1) Consider factors such as price or rent of housing, the racial/ethnic characteristics of the neighborhood in which housing is to be located, the population within the housing market area, public transportation routes, etc., to determine which group(s) of the existing population are believed to be the ***least likely to apply without special outreach***. The Beneficiary may use census data, neighborhood surveys, and information from local government agencies, real estate associations and community-based organizations as acceptable sources to gather this information.

      2) Describe the marketing plan to be used in the initial sales/rental phase as well as the ongoing marketing phase, to attract all segments of the eligible population, especially those groups designated as least likely to apply. This shall include the type of commercial media to the used, identity of the circulation or audiences of the media identified in the plan, and other

community contacts and organizations used to reach populations needing special outreach.

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

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

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

1) Copies of all meeting agendas and related materials of the City's Affordable Housing Loan Committee pertaining to this Policy, and all agendas and training materials of any HOME/CHDO training workshop pertaining to this Policy.

2) Copies of all press releases, advertisements and other written and electronic materials that pertain to this Policy

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

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

1) How the applicant learned of the vacancy;

2) Outcome (acceptance or rejection) of the applicant; and

3) If rejected, why.

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

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

   A. The Affirmative Marketing Policy will be assessed on an annual basis by June 30th and will include a summary of the "good faith efforts" taken by the City and by HOME and HOME/CHDO Beneficiaries in the CAPER.

   B. The City will compare the information compiled in Section 4: "Record keeping," and evaluate the degree to which statutory and policy objectives were met. If the required steps were taken, the City will make an assumption that good faith efforts were made to carry out these procedures.

   C. In conjunction with the annual on-site monitoring reviews conducted by the City, the Beneficiary shall produce records of:

      1) Affirmative marketing efforts;

      2) Applicants; and

      3) Outcome.

   D. The City will take corrective action if it is determined that a Beneficiary has failed to carry out affirmative marketing efforts as required. The City will provide written notice to the Beneficiary of the problems that have been identified and the corrective action steps that need to be taken. The City shall follow all procedures for taking corrective action as provided in the City of Greenville Consolidated Plan for the HOME Program.

   Adopted this ____ day of June, 2009.

Signature on File
Patricia C. Dunn, Mayor

Attest:

Signature on File
Wanda Elks, City Clerk

Appendix I: Section 3 Plan

RESOLUTION 012-12
A RESOLUTION TO ADOPT THE SECTION 3 PLAN
TO COMPLY WITH 24 CFR, PART 135 OF THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SECTION 3

WHEREAS, the United States Congress passed Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (Section 3) to further the goal of ensuring that federal funds benefit the residents of projects funded wholly or in part by those funds; and

WHEREAS, Part 135 of Section 3 is to establish the standards and procedures to be followed to ensure that the objectives of Section 3 are met; and

WHEREAS, the City of Greenville Community Development Department staff has developed a Section 3 Plan in adherence to 24 CFR, Part 135 that more comprehensively addresses the standards and procedures prescribed in the Act;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Greenville authorizes the Community Development Department to adopt and implement the Section 3 Plan to ensure compliance with Federal Law.

Adopted this 8th day of March, 2012.

Signature on File
Allen M. Thomas, Mayor

ATTEST:

Signature on File
Carol L. Barwick, City Clerk

| City of Greenville<br>Section 3 Plan | 2012 |
|---|---|

Community Development Department
201 West 5th Street
Greenville, NC 27834
Adopted March 8, 2012
DM #919470

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# I. General Policy Statement

It is the policy of the Community Development Department of the City of Greenville to require its contractors to provide equal employment opportunity to all employees and applicants for employment without regard to race, color, religion, sex, national origin, disability, veteran's or marital status, or economic status and to take affirmative action to ensure that both job applicants and existing employees are given fair and equal treatment.

The Community Development Department implements this policy through the awarding of contracts to contractors, vendors, and suppliers, to create employment and business opportunities for Section 3 residents and other qualified low- and very low-income persons.

The policy shall result in a reasonable level of success in the recruitment, employment, and utilization of Greenville's Section 3 residents and other eligible persons and Section 3 businesses for contracts partially or wholly funded with Section 3 covered funding from the United States Department of Housing and Urban Development (HUD). The Community Development Department shall examine and consider a contractor's or vendor's potential for success by providing employment and business opportunities to Section 3 residents prior to acting on any proposed contract award.

# II. Section 3 Purpose

Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u) (Section 3) requires the Community Development Department to ensure that employment and other economic and business opportunities generated by the Department of Housing and Urban Development (HUD) Section 3 financial assistance, to the greatest extent feasible, are directed to public housing residents and other low-income persons, particularly recipients of government housing assistance, and business concerns that provide economic opportunities to low- and very-low income persons.

# III. Section 3 Contracting Policy and Procedure

The Community Development Department will adopt a Section 3 Contracting Policy and Procedure to be included in all procurements generated for use with covered HUD funding. The policy and procedure contains goal requirements for awarding contracts to Section 3 Business Concerns.

All contractors/businesses seeking Section 3 preference must complete certifications, as appropriate, as acknowledgement of the Section 3 contracting and employment provisions required before submitting bids/proposals to the Community Development Department. Such certifications shall be adequately supported with appropriate documentation as referenced in the Section 3 Business Application.

## IV. Section 3 Plan

The Community Development Department will maintain a Section 3 Action Plan to identify the goals, objectives, and actions that will be implemented to ensure compliance with the requirements of Section 3. In addition, contractors will be required to submit a Section 3 Action Plan on each project.

## V. Section 3 Employment & Training Goals

It is the policy of the Community Development Department to utilize residents and other Section 3 eligible persons and businesses in contracts partially or wholly funded with Section 3 covered funding from the Department of Housing and Urban Development (HUD). The Community Development Department has established employment and training goals that contractors and subcontractors should meet in order to comply with Section 3 requirements. (Reference 24 CFR 135.30 – Numerical goal for meeting the greatest extent feasible requirement). The numerical goal is:

- Thirty percent (30%) of the aggregate number of new hires in any fiscal year for contractors with contracts funded with federal grant funds.

It is the responsibility of contractors, vendors and suppliers to implement progressive efforts to attain Section 3 compliance. Any contractor that does not meet the Section 3 numerical goals must demonstrate why meeting the goals were not feasible. All contractors submitting bids or proposals to the Community Development Department are required to certify that they comply with the requirements of Section 3.

The Section 3 Contract Clause specifies the requirements for contractors hired for Section 3 covered projects. The Section 3 Clause must be included in all Section 3 covered projects. The Section 3 Contract Clause is included in Exhibit 1.

## VI. Section 3 Program Participant Certification Procedure

The Community Development Department has developed a partnership with Pitt Community College Job Training program, to meet the Section 3 resident requirement. Pitt Community College will certify Section 3 program participants who reside in the City of Greenville and who are seeking preference in training and employment by completing and attaching adequate proof of Section 3 eligibility, as required (see Exhibit 3 – Section 3 Business Certification and Resident Application).

## VII. Preference for Contracting With Section 3 Business Concerns

The Community Development department, in compliance with Section 3 regulations, will require contractors and subcontractors (including professional service contractors) who receive Section 3 covered funds (any Housing and Community Development funds that are housing rehabilitation, housing construction, and other public construction) to direct their efforts towards contracting with Section 3 business concerns in the following order of priority:

- **Category 1:** Business concerns that are 51% or more owned by residents of the housing development for which the work is performed, or whose full-time, permanent workforce includes 30% of these persons as employees.

- **Category 2:** Business concerns that are 51% or more owned by residents of the Housing Authority other than the housing development where the work is to be performed; or whose full-time permanent workforce includes 30% of these persons as employees.

- **Category 3:** Business concerns that are 51% or more owned by a Section 3 resident(s), or whose permanent, full-time workforce includes no less than 30% Section 3 residents (category 4 business); or that subcontract in excess of 25% of the total amount of subcontracts to Section 3 business concerns.

- **Category 4:** HUD Youthbuild programs being carried out in the service area in which Section 3 covered assistance is expended.

All contractors and subcontractors who receive awards are expected to extend, to the greatest extent feasible, efforts to achieve the numerical goals established by Community Development Department. In addition, contractors and subcontractors who receive awards exceeding $100,000 in one program year share have the responsibility of enforcing the Section 3 regulations and requirements.

## VIII. Assisting Contractors to Achieve Section 3 Goal Hiring and Contracting Goals

The Community Development Department will assist contractors in achieving Section 3 hiring and contracting goals by:

1. Requiring the contractor to submit a Section 3 Action Plan, to the Section 3 Coordinator complete with the number of subcontracting and/or employment opportunities expected to be generated from the initial contract.

2. The contractor(s) will be referred to Pitt Community College for obtaining a list of interested and qualified Section 3 residents for construction projects when new hires are expected as a result of the contract.

3. Pitt Community College will inform contractor of known issues that might affect Section 3 residents from performing job related duties.

4. Section 3 Coordinator will provide contractor with a list of Section 3 business concerns interested and qualified for construction projects.

5. Section 3 Coordinator will review the new hire clause with contractors and subcontractors to ensure that the requirement is understood. It is not intended for contractors and subcontractors to terminate existing employees, but to make every effort feasible to employ Section 3 program participants before any other person, when hiring additional employees needed to complete proposed work to be performed with HUD (federal) funds.

## IX. Section 3 Business Certification Procedure

Any business seeking Section 3 preference in the awarding of contracts with the Community Development Department shall complete the Section 3 Business Certification form (see Exhibit 3, Business Certification and Resident Application), which can be obtained from the City's Section 3 Coordinator. The business seeking Section 3 preference must be able to provide adequate documentation as evidence of eligibility for preference under the Section 3 Program.

Certifications for Section 3 preference for business concerns must be submitted to the Section 3 Coordinator prior to the submission of bids for approval. If the Section 3 Coordinator previously approved the business concern to be Section 3 certified, then the certification can be submitted along with the bid. Section 3 business concerns certifying as "Subcontracting Commitment" must be certified on a per-project basis.

## X. Efforts to Award Contract Opportunities to Section 3 Business Concerns

The Community Development Department may use the following methods to notify and contract with Section 3 business concerns when contracting opportunities exist.

- Advertise contracting opportunities via newspaper, mailings, posting notices that provide general information about the work to be contracted and where to obtain additional information.

- Provide written or electronic notice of contracting opportunities to all known Section 3 business concerns. The notice will be provided in sufficient time to enable business concerns the opportunity to respond to the bid invitation.

- Conduct workshops on contracting procedures to include bonding and insurance requirements, and other pertinent requirements, in a timely manner in an effort to allow Section 3 business concerns the opportunity to take advantage of any upcoming contracting opportunities.

- Contact business assistance agencies, Minority and Women's Business Enterprise (M/WBE) contractor associations and community organizations to inform them of contracting opportunities and to request their assistance in identifying Section 3 businesses.

- Establish relationships with the Small Business Administration (SBA), Minority and Women's Business Enterprise M/WBE association, Community Development Corporations, and other sources as necessary to assist with educating and mentoring residents with a desire to start their own businesses.

- Seek out referral sources in order to ensure job readiness for Section 3-qualified residents through on-the-job-training and mentoring to obtain necessary skills that will transfer into the external labor market.

**Section 3 Preference Policy**

- The City of Greenville will grant a preference credit of 10%, up to a value of $2,999.99, to a certified Section 3 business when evaluating any competitive solicitation.

  In order for a vendor to be considered for Section 3 Preference points the vendor must be a certified Section 3 business concern as defined in IX of this Plan.

## XI. Section 3 Residents Recruitment, Training, and Employment Goals

The Community Development Department will develop resources to provide training and employment opportunities to Section 3 program participants by implementing the following:

- A database will be developed by Pitt Community College of certified Section 3 residents of public housing and other Section 3 residents.

- Pitt Community College will conduct a skill assessment of Section 3 residents of public housing and other Section 3 residents.

- A database will be developed by Community Development Department of eligible qualified Section 3 Business concerns to contact with respect to the availability of contract opportunities.

- A provision for a specific number of public housing or Section 3 program participants to be trained or employed by the contractor will be incorporated into the contract.

## XII. Employment of Section 3 Program Participants

Community Development has developed a partnership with Pitt Community College to assist in providing employment opportunities to Section 3 residents.

Pitt Community College will conduct a pre-screening interview with all Section 3 residents prior to being hired by a contractor.

- The pre-interview will assess job readiness (i.e., childcare, transportation, work maturity, job retention skills). Only residents meeting the minimum qualifications of the contractor or subcontractor will be referred to the job site. Residents not deemed job ready would be referred elsewhere. It is imperative that the resident's basic needs are met prior to employment.

- If a resident is referred to a contractor and does not perform satisfactorily due to poor work habits (i.e., tardiness, absenteeism, alcohol/drugs, abusive language, fighting, etc.) she/he will be allowed one additional opportunity to be referred to other contractors. If after that time the resident still does not perform satisfactorily, she/he will be referred to complete a job readiness class, alcohol/drug treatment center, or any other program that he or she may be required to attend. After successful completion the resident will be given the opportunity to be reinstated on the list of residents available for work.

- Residents experiencing problems with contractors should first communicate the problem to the Section 3 Coordinator. If the problem cannot be solved between the employee and employer, the Section 3 Coordinator will meet with the parties involved to assist in trying to resolve the problem. Residents and employers (contractors or subcontractors) should document problems whenever they occur and record any and all efforts to correct them. The written documentation of the problem should be submitted to the Section 3 Coordinator.

- In order to qualify for employment with contractors, residents must be at least eighteen years of age.

## XIII. Contractor's Requirements in Employing Section 3 Participants

Under the City of Greenville Section 3 Program, contractors and subcontractors are required to:

- Provide employment opportunities to Section 3 residents/participants in the priority order listed below:

    **a) Category 1 – Section 3 Resident**
    Residents of the housing development or developments for which the contract shall be expended.

**b) Category 2 – Section 3 Resident**
Residents of other housing developments managed by the Greenville Housing Authority.

**c) Category 3 – Section 3 Resident**
Participants in HUD Youthbuild program being carried out in the project boundary area.

**d) Category 4 – Section 3 Resident**
Residents with a current Section 8 Housing Choice Voucher living in Greenville or residents residing in the City who meet the income guidelines for Section 3 preference (refer to Section 3 Income Limits).

- Notify the Section 3 Coordinator of their interests regarding employment of Section 3 participants prior to hiring. Pitt Community College will then be notified and will ensure that the participant is Section 3 eligible by assessing the Section 3 resident database to ensure job readiness.

- Submit a list of core employees (including administrative, clerical, planning and other positions pertinent to the construction trades) at the time of contact award and provide the number of new hires excepted as a result of being awarded the contract. (This is part of the required Section 3 Action Plan.)

- Document the performance of Section 3 participants (positive and negative), regarding punctuality, attendance, etc.

- Immediately notify Pitt Community College of any problems experienced due to the employment of Section 3 participants.

- Immediately notify Pitt Community College if a participant quits, walks off, or is terminated for any reason. The contractor must provide written documentation of all such incidents to support such decisions to Pitt Community College to determine if an investigation is warranted.

## XIV. Internal Section 3 Complaint Procedure

In an effort to resolve complaints generated due to non-compliance through an internal process, Community Development encourages submittal of such complaints to its Section 3 Coordinator as follows:

- Complaints of non-compliance should be filed in writing and must contain the name of the complainant and brief description of the alleged violation of 24 CFR 135.

- Complaints must be filed within thirty (30) calendar days after the complainant becomes aware of the alleged violation.

- An investigation will be conducted if complaint is found to be valid. The Section 3 Coordinator will conduct an informal, but thorough investigation affording all interested parties, if any, an opportunity to submit testimony and/or evidence pertinent to the complaint.

- The Section 3 Coordinator will provide written documentation detailing the findings of the investigation. The Community Development Director will review the findings for accuracy and completeness before it is released to complainants. The findings will be made available no later than thirty (30) days after the filing of complaint.

If complainants wish to have their concerns considered outside of the Community Development Department a complaint may be filed with:

***Assistant Secretary for Fair Housing and Equal Opportunity***
***United States Department of Housing and Urban Development***
***451 Seventh Street, SW***
***Washington, DC 20410***

The complaint must be received not later than 180 days from the date of the action or omission upon which the complaint is based, unless the time for filing is extended by the Assistant Secretary for good cause shown.

## XV. Definitions

**Applicant** – Any entity which makes an application for Section 3 covered assistance, and includes, but is not limited to, any State, unit of local government, public housing agency or other public body, public or private non-profit organization, private agency or institution, mortgagor, developer, limited dividend sponsor, builder, property manager, community housing development organization, resident management corporation, resident council, or cooperative association.

**Assistant** – the Assistant Secretary for Fair Housing and Equal Opportunity.

**Business Concern** – a business entity formed in accordance with State law, and which is licensed under State, county or municipal law to engage in the type of business activity for which it was formed.

**Contractor** - any entity which contracts to perform work generated the expenditure of Section 3 covered assistance, or for work in connection with a Section 3 covered project.

**Employment Opportunities Generated by Section 3 Covered Assistance** – all employment opportunities generated by the expenditure of Section 3 covered public assistance (i.e., operating assistance, development assistance and modernization assistance, (as described in Section 135.3 (a) (1)). With respect to Section 3 covered housing and community development assistance, this

term means all employment opportunities arising in connection with Section 3 covered projects (as described in Section 135.3 (a) (2)), including management and administrative jobs. Management and administrative jobs include architectural, engineering or related professional services required to prepare plans, drawings, specifications, or work write-ups; and jobs directly related to administrative support of these activities, e.g., construction manager, relocation specialist, payroll clerk, etc.

**Housing Authority** (HA) – Public Housing Agency.

**Housing Development** – low-income housing owned, developed, or operated by public housing agencies in accordance with HUD's public housing program regulations codified in 24 CFR Chapter IX.

**HUD Youthbuild Programs** – programs that receive assistance under subtitle D of Title IV of the National Affordable Housing Act, as amended by the Housing and Community Development Act of 1992 (42 U.S.C. 12899), and provide disadvantaged youth with opportunities for employment, education, leadership development, and training in the construction or rehabilitation of housing for homeless individuals and members of low- and very low-income families.

**Pitt Community College** - provides employment and training services to the residents of Greenville who are most in need of services. The highest priority to receive services are those who are unemployed, economically disadvantaged, and/or face multiple obstacles to gaining employment. Pitt Community College ensures that programs provided youth and adults academic enrichment, basic skills, and job specific skills training for those individuals who need them. Job seekers have access to vocational counseling, job search workshops, labor market information, job search computers, personal computers, and career planning workshops.

**JTPA** – The Job Training Partnership Act (29 U.S.C. 1579 (a)).

**Low-income person** – families (including single persons) whose incomes do not exceed 80 percent of the median income for the area, as determined by the Secretary, with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low-income families.

**Metropolitan Area** – a metropolitan statistical area (MSA), as established by the Office of Management and Budget.

**New Hires** – full-time employees for permanent, temporary or seasonal employment opportunities.

**Recipient** – any entity which receives Section 3 covered assistance, directly from HUD or from another recipient and includes, but is not limited to, any State unit of local government, PHA, or other public body, public or private non-profit organization, private agency or institution,

mortgagor, developer, limited dividend sponsor, builder, property manager, community housing development organization, resident management corporation, resident council, or cooperative association. Recipient also includes any successor, assignee or transferee of any such entity, but does not include any ultimate beneficiary under the HUD program to which Section 3 applies and does not include contractors.

**Section 3** – Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u).

**Section 3 Business Concern** – a business concern,

1) That is 51 percent or more owned by Section 3 resident: or

2) Whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents; or

3) That provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontractors to be awarded to business concerns that meet the qualifications set forth in paragraphs 1 or 2 above.

**Section 3 Covered Assistance**

1) Public housing development assistance provided pursuant to Section 5 of the 1937 Act;

2) Public housing operating assistance provided pursuant to Section 9 of the 1937 Act;

3) Public housing modernization assistance provided pursuant to Section 14 of the 1937 Act;

4) Assistance provided under any HUD housing or community development program that is expended for work arising in connection with housing rehabilitation, construction, or other public construction project (which includes other buildings or improvements, regardless of ownership).

**Section 3 Clause** – the contract provisions set forth in Section 135.38.

**Section 3 Covered Contracts** – a contract or subcontract (including a professional service contract) awarded by a recipient or contractor for work generated by the expenditure of Section 3 covered assistance, or for work arising in connection with a Section 3 covered project. Section 3 covered contracts do not include contracts awarded under HUD's procurement program, which are governed by the Federal Acquisition Regulation (FAR). Section 3 covered contracts also do not include contracts for the purchase of supplies and materials. However, whenever a contract for materials includes the installation of the materials, the contract constitutes a Section 3 covered contract.

**Section 3 Covered Project** - the construction, reconstruction, conversion or rehabilitation of housing (including reduction and abatement of lead-based paint hazards), other public

construction which includes buildings or improvements (regardless of ownership) assisted with housing or community development assistance.

**Section 3 Resident** – a public housing resident or an individual who resides in the metropolitan area or nonmetropolitan county in which the Section 3 covered assistance is expended and who is considered to be a low-to very low-income person.

**Subcontractor** – any entity (other than a person who is an employee of the contractor) which has a contract with a contractor to undertake a portion of the contractor's obligation for the performance of work generated by the expenditure of Section 3 covered assistance, or arising in connection with a Section 3 covered project.

**Very low-income person** – families (including single persons) whose income do not exceed 50 percent of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50 percent of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes.

## Exhibit 1 - Section 3 Clause

All Section 3 covered contracts shall include the following clause (referred to as the Section 3 Clause):

A. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.

C. The contractor agrees to send to each labor organization or representative or workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.

E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.

F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

G. With respect to work performed in connection with Section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

## Exhibit 2 - Section 3 Contracting Policy and Procedure

The purpose of Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (Section 3) is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal State, and local laws and regulations, be directed to low and very-low income individuals, especially recipients of government assistance for housing, and to business concerns which provide economic opportunities to low and very-low income individuals. (Section 3 means section 3 of the Housing and Urban Development Act of 1968, as amended 12 U.S.C. 1701u).

Section 3 requirements apply to all contractors and subcontractors (including a professional service contract) performing work in connection with the expenditure of Section 3 covered assistance, or for work arising in connection with a Section 3 covered project, regardless of the amount of the contract or subcontract. Section 3 covered contracts do not include contracts for the purchase of supplies and materials unless the contract includes the installation of the materials.

A business concern seeking to qualify for a Section 3 contracting preference shall certify or submit evidence that the business concern qualifies as a Section 3-business concern. The Section 3 business must also be able to demonstrate its ability to complete the contract. The ability to perform successfully under the terms and conditions of the proposed contract is required of all contractors and subcontractors subject to the procurement standards of 24 CFR 85.36, 24 CFR 85.36b(8).

Contractors who do not qualify as Section 3 business concerns, but who enter into contracts with the City of Greenville must agree to comply with certain general conditions (refer to Section 3 Clause). All contractors and subcontractors, including Section 3 businesses, must comply with these general conditions. Failure to comply with these general conditions may lead to sanctions which can include termination of the contract for default and suspension or debarment from future HUD-assisted contracts.

# Exhibit 3 – Business Certification and Resident Application

## SECTION 3 CERTIFICATION PROGRAM
## ELIGIBILITY CRITERIA

*Section 3 business concern* means a business as defined in this section.

(1) That is 51 percent or more owned by Section 3 residents; or

(2) Whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents, or

(3) That provides evidence of a commitment to contract in excess of 25 percent of the total dollar award of all subcontracts to be awarded to business concerns that meet the qualifications set forth in paragraphs (1) or (2) in this definition of "Section 3 business concern".

*Section 3 resident means, for the purposes of the City of Greenville*

(1) A Greenville public housing resident; or

(2) An individual who resides in Greenville and who is:

a. *A low-income person*, as this term is defined in section 3(b)(2) of the 1937 Act (42 U.S.C. 1437a(b)(2). Section 3(b)(2) of the 1937 Act defines this term to mean families (including single persons) whose incomes do not exceed 80 per centum of the median income for the area, as determined by the Secretary, with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 per centum of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low-income families; or

b. *A very low-income person,* as this term is defined in section 3(b)(2) of the 1937 Act (42 U.S.C. 1437a(b)(2)). Section 3(b)(2) of the 1937 Act (42 U.S.C. 1437a(b)(2)) defines this term to mean families (including single persons) whose incomes do not exceed 50 per centum of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50 per centum of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes.

*Section 3 covered assistance* means

(1) Assistance provided under any Greenville housing or community development program that is expended for work arising in connection with:

a. Housing rehabilitation (including reduction and abatement of lead-based paint hazards, but excluding routine maintenance, repair and replacement);

b. Housing construction; or

c. Other public construction projects (which includes other buildings or improvements, regardless of ownership).

# Application Checklist for Completeness

**Applicants must provide ALL of the attachments indicated for their respective Section 3 application:**

| DOCUMENT | | Application Type | | |
|---|---|---|---|---|
| | | 51% Ownership | 30 % Employment | 25 % Commitment |
| Application Form – Part 1. Company Information | | | | |
| Application Form – Part 2, A. Ownership Information | | | | |
| Application Form – Part 2, B. Company Employee Information | | | | |
| Application Form – Part 2, C. Subcontracting Commitment | | | | |
| Application Form –Attestation | | | | |
| Application Form – Section 3 Resident Application: | | | | |
| AND | Section 3 Resident Application | | | |
| | Copy of Documents Verifying Eligibility | | | |
| Certifications by other government agencies (if applicable) | | | | |
| Certificate of Assumed Business Name (if applicable) | | | | |
| Partnership Agreement (if applicable) | | | | |
| Articles of Incorporation/Organization | | | | |
| Purchase Agreements (if needed to demonstrate ownership) | | | | |
| Stock Certificates (if needed to demonstrate ownership) | | | | |
| List of All Employees | | | | |
| Payroll Records | | | | |
| List of Sub-contracts (for reference purposes) | | | | |

# Application

## Part 1. Company Information

Company Name: _____

Doing Business As (DBA): _____

Street Address: _____

City: _____ County: _____ State: _____ Zip: _____

Mailing Address (if different than above): _____

City: _____ State: _____ Zip: _____

Primary Contact: _____ Title: _____

Phone: _____ Fax: _____

Web Site Address: _____ Email Address: _____

Description of Product(s) and/or Service(s) (use additional sheet if necessary):

_____

_____

Federal Tax ID #: _____ State Tax ID #: _____

**Legal Structure:**

☐ Individual/Sole Proprietorship ☐ Partnership ☐ C-Corporation ☐ S-Corporation
☐ Limited Liability Company

**Part 2. Select Section 3 Certification Type**

**A. ☐ Category 1 - Section 3 Ownership (51% Ownership by Section 3 Resident)**

***If there is more than one owner, attach the following information for each additional owner on a separate sheet.***

First Name: _____ Middle Initial: _____ Last Name: _____

Title: _____ Social Security Number: _____

Phone: _____

Residence Address: _____

City: _____ State: _____ Zip: _____

Have there been any changes in ownership in the last year? Yes ☐ No ☐
*If yes, please provide details on a separate sheet.

% of Ownership: _____ Owner Since (mm/yyyy): _____

Hours Devoted to Business per Week:_____

☐ Each owner has completed a Participant Survey (blank copy is provided in this application)

☐ Each owner has made copies of family income verification and proof of residency and attached to this application

**B. ☐ Category 2 - Section 3 Employees (30% Employment of Section 3 residents)**

***Each employee requesting Section 3 preferences must submit a Section 3 Resident Form and include family income verification and proof of residency.***

List all the company's employees on a separate form. Provide a copy of your company's payroll records. Indicate the total number of full and part time employees: FT _____ PT _____

**C. ☐ Category 3 - Subcontracting Commitment Information - 25% Subcontracts will be awarded to certified Section 3 business(es)***

***This Section 3 certification is completed on a per-project basis.**

List all the company's subcontractors to be utilized on a separate sheet. Include company name and contact information.

Indicate the total dollar amount to be subcontracted:

_____

Indicate the dollar amount awarded to Section 3 businesses:

_____

**Attestation**

***This section must be completed by an authorized representative of the business that is applying for certification.***

I certify that the statements provided in this application are true and correct. Furthermore, I understand that the information provided herein is subject to North Carolina General Statute's governing Local Government activities or other applicable laws, that it would likely be classified as public, and that it is the responsibility of the Applicant Firm to claim and defend any other classification. I understand that the certifying entities reserve the right to request additional information and to perform on-site checks as necessary. I also understand that intentionally supplying false information for the purpose of obtaining certification will be sufficient reason for rejection of this application and/or removal from the Section 3 Certification Program.

_____

Signature Date

_____

Print Name Title

**____ I have attached the documents on the Checklist for Completion**

# Section 3 Resident Application

**Legal** Last Name_____ **Legal** First Name_____

Middle Initial_____ Age ____ Social Security Number _____

Street Address_____ Apt. #____

City_____ Zip_____ Cell Phone #_____

Email Address:_____

**Gender:** ☐ Male ☐ Female

**Ethnicity:** ☐ Hispanic or Latino ☐ Non-Hispanic or Non-Latino

**Race (check all that apply):**
☐ American Indian/Alaskan Native ☐ Asian
☐ Black/African American ☐ Hawaiian Native/Pacific Islander ☐ White

| FAMILY MEMBERS | | |
|---|---|---|
| Name (First, Last) | Age | Relationship to you |
| 1. | | **Self** |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |
| 7. | | |

**INCOME SOURCES**

To determine your family's income, check all of the following and calculate the gross income that any family member 18 years and older received, or is expected to receive in the next 12 months:

- ☐ Wages, salaries, overtime pay, commissions, fees, tips, bonuses, or other compensation
- ☐ Income or gain from CD's, money market accounts, brokerage accounts, stocks, bonds, or Treasury Bills
- ☐ Periodic payments from Social Security, disability/death benefits, pensions, retirement funds, annuities, insurance policies, or similar types of periodic benefits payments
- ☐ Payments in lieu of earnings, such as unemployment and disability compensation, workers compensation or severance pay
- ☐ Welfare assistance or TANF benefits

☐ Child support, spousal support/alimony, or regular contribution or gifts from persons not residing in the household including scholarships, parental gifts for tuition, etc.
☐ Revocable trust
☐ Lump sum payment or receipt of inheritances, capital gains, lottery winnings, victims' restitution or insurance settlements
☐ Real estate other than the primary residence or other capital investments

☐ ***Yes*** ☐ ***No*** Do you receive housing assistance (Section 8, Subsidized)?
$_____ (amount)

Talk to agency staff for help in determining income category for your household.

I certify that the information on this application is accurate and complete. I authorize the City of Greenville and Pitt Community College to verify the information provided if necessary.

_____
Print Name of Applicant

_____ _____
Signature of Applicant Date

**Warning: Section 1001 of Title 18 of US. Code makes it a criminal offense to make false statements or misrepresentations to any Department or Agency of the U.S. as to matters within its jurisdiction.**

# Section 3 Acknowledgement

By signing below, you are acknowledging that you have read the City of Greenville Section 3 Plan and understand the requirements of Section 3 as it applies to your agency and that your agency will comply with all Section 3 requirements and submit necessary documentation to the City of Greenville.

Any failure to comply with Section 3 regulations may result in revocation of funds from the City of Greenville and may jeopardize future funding opportunities from the City of Greenville.

Signature on File
Signature of Authorized Official

_____
Name of Authorized Official

_____
Title

_____
Date

# City of Greenville, North Carolina

**Meeting Date: 4/9/2015**
**Time: 7:00 PM**

**Title of Item:** Sanitary Sewer Connection Request by Wayne Williamson

**Explanation:**

**Abstract:** Mr. 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.

**Explanation:** Mr. Williamson owns 10.23 acres on 3 tracts of land adjacent to Chicod 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 in close proximity to the Craven County line. It 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 (see the attached map identifying the location of the property).

The Greenville Utilities Commission Charter as amended in 1991 requires prior approval by the Greenville City Council for sanitary sewer extensions and connections to properties that are outside of the City of Greenville's Extraterritorial Jurisdiction (ETJ) (see attached copy of the Charter, Section 6). 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.

In the past, the City of Greenville 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 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.

However, after careful consideration, to date the City Council has NOT provided sanitary sewer services to an individual development project located outside of the ETJ and that would not be annexed into Greenville. In 1997, a similar request was made of the City of Greenville to extend sanitary sewer to a mobile home park outside of the ETJ near Belvoir Elementary School (see attached excerpt of the October 9, 1997 City Council meeting minutes). 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 (even though an owner was still entitled to make the request for sewer service), City staff members have advised owners and developers of the sewer extension and connection policy along with the concerns of the City.

The provision of sanitary sewer is the primary means by which the City of Greenville 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 of Greenville would not be able to annex the property because of its distance from our existing corporate limits. Furthermore, it is unlikely that the city will experience growth into this area within the next 20 years or more.

Although the Greenville Utilities Commission has approved the request and indicated that the Commission can serve the property with sanitary sewer contingent upon City Council approval, 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 of Greenville, and to date these requests have not been approved. Some other reasons not to allow such connections include the following:

A. Even if the properties could be annexed, the annual cost of providing municipal services to the property outweighs the tax revenue generated by the development.

B. The inability to annex the properties into the city limits prevents growth and results in a loss of tax base to the city and increases city operational costs.

C. If a haphazard connection is allowed, it results in an inconsistent application of the adopted utility extension policy, making it difficult to deny and or justify similar requests in the future for connection to the sewer system

D. Promotes sprawl and uncontrolled growth.

E. Enables, invites, and incents growth outside of the Greenville growth area with costs that will be subsidized by Greenville taxpayers in the future.

**Fiscal Note:** The proposed site is not eligible for annexation now or in the immediate future. Any increase in property tax revenues will be realized by Pitt County and not the City as a result of increased density development with city sewer services. However, if the development was eligible for annexation, the costs to provide City services would be significant, as the City would likely have to contract many of the municipal services due to its proximity from the current city limits and not being contiguous to the current city limits.

Although the value of the property after improvements cannot be fully determined at this time, the property currently has a tax value of $181,892. Conservative estimates suggest that the value after development may exceed $4 million after infrastructure improvements have been made and homes have been built. To further demonstrate this point, in 2013 when a 10-acre section of Langston West was annexed into the City limits, the predevelopment value of the section was $174,000 (would have yielded $939 in annual taxes if within the city limits). The developer proposed to build 22 single-family homes in the 22-lot subdivision. The estimated tax value after full development including proposed single-family homes to be built was $4,705,935. Tax revenues after full development were estimated at $25,412 annually to the City. Estimated expenses of all City services were estimated to be $22,118 annually.

**Recommendation:** Staff recommends denial of the request.

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**Viewing Attachments Requires Adobe Acrobat. Click here to download.**

**Attachments / click to download**

- Wayne Williamson request packet
- williamson sanitary sewer map
- Excerpt from the October 9, 1997 City Council meeting minutes
- 1991 amended GUC Charter

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**STROUD ENGINEERING, P.A.**
CONSULTING ENGINEERS
107 B COMMERCE STREET
GREENVILLE, NORTH CAROLINA 27858
(252) 756-9352

January 12, 2015

Mr. Merrell Flood
Director of Community Development
City of Greenville
200 West Fifth Street
Greenville, North Carolina 27834

RE: Wayne Williamson Sewer Service Request

Dear Mr. Flood:

Mr. Wayne Williamson is the owner of a tract of land on NC Hwy. 43 adjoining Chicod School property, Parcel Numbers 52186, 26724, and 47468 containing approximately 10.23 acres. A new sewage pumping station has been constructed at the southeast corner of the Chicod School property and has recently been accepted by Greenville Utilities for operation and maintenances. The pump station was constructed of sufficient size and depth to serve the school and approximately 50 – 60 acres of the surrounding area including Mr. Williamson's property. The pump station site adjoins Mr. Williamson's property along his eastern property line (Exhibit A). Mr. Williamson wishes to develop his property as residential. One possible development plan is shown on the attached sketch (Exhibit B). To enable his development plans to proceed, Mr. Williamson submitted a request to Greenville Utilities Commission for sewer service on March 7, 2011. Greenville Utilities Commission approved the request at its regular meeting on April 9, 2011 contingent upon Greenville City Council approval (Exhibit C). By letter dated December 18, 2014 Greenville Utilities has expressed their desire to make service available to Mr. Williamson's property in order to increase flow in the system to achieve more efficient operating conditions (Exhibit D). The increased flow will reduce residence time in the system which helps in reducing odor problems. The sewer connection would be a win/win not only being a benefit to Mr. Williamson but also beneficial to Greenville Utilities from an operational standpoint. There being no negative impact, Mr. Williamson respectfully requests that the City Council approve the connection.

Sincerely

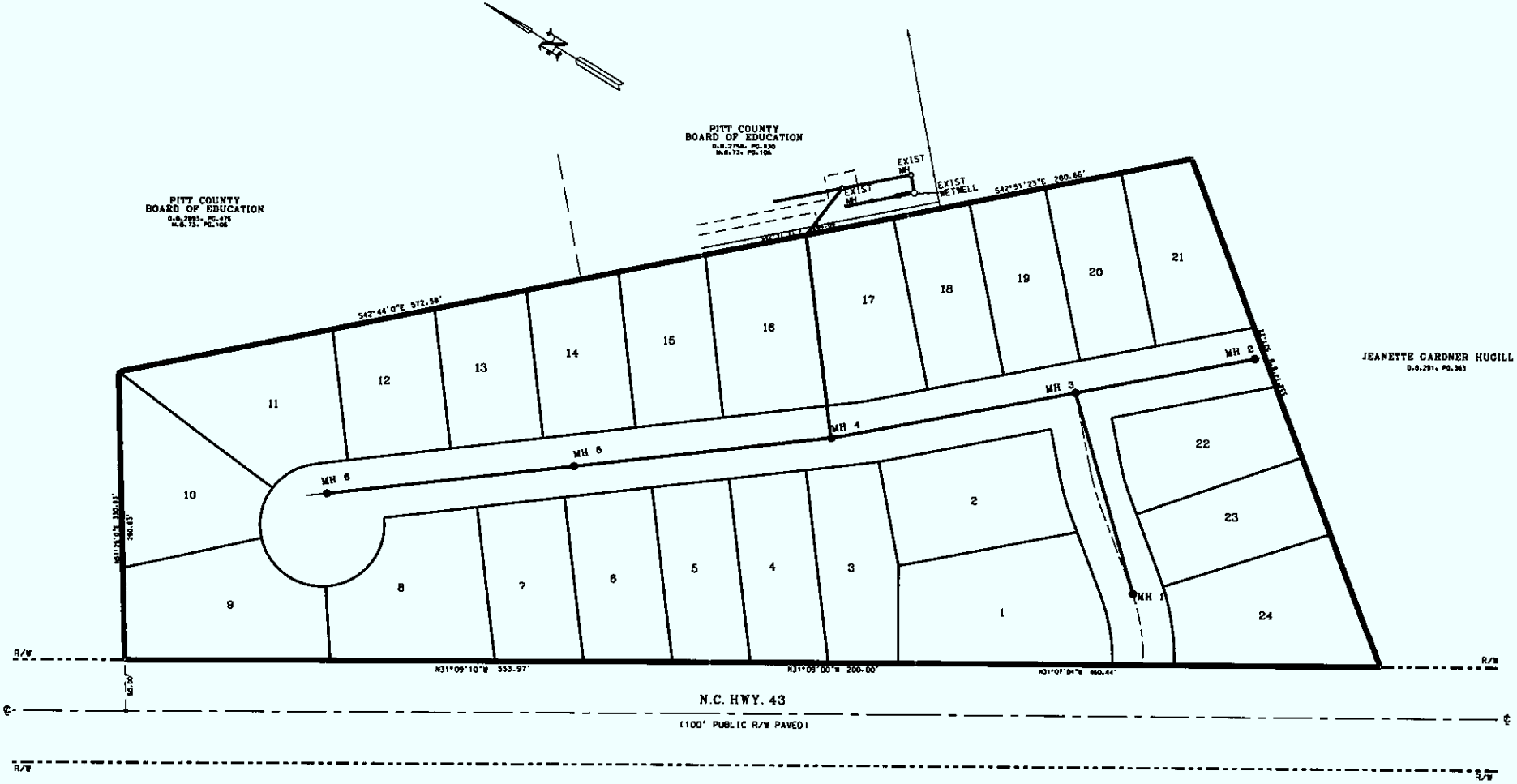
Linwood E. Stroud 01-12-15

Linwood E. Stroud, PE

EXHIBIT A

SCALE: 1"=200'

Item # 11




# SKETCH DESIGN
# RESIDENTIAL DEVELOPEMENT

FOR HAROLD W. WILLIAMSON

EXHIBIT B

P1525-001

SKETCH DESIGN AT ... PDF

Greenville Utilities

April 27, 2011

Mr. Wayne Williamson
7641 NC 43 South
Greenville, NC 27858

Subject: Request for Public Sanitary Sewer Service
Pitt County Tax Parcels: 52186, 26724 & 47468
Located Adjacent to Chicod Elementary School

Dear Mr. Williamson:

In response to your letter of request for sanitary sewer service by the Greenville Utilities Commission (GUC) to the subject parcels, dated March 7, 2011, we offer the following comments:

1. Currently, there is no existing public sanitary sewer system to serve the subject parcels. Pitt County Schools is in the process of having a sewer system designed to serve Chicod Elementary School. The Wooten Company of Greenville is their design engineering consultant for that project. Upon project completion, GUC will assume ownership of the proposed sewer pumping station and force main serving the school.

2. Based on preliminary design documents, the proposed sewer pumping station serving the school is to be located in the southernmost corner of the school property and directly adjacent of the common property boundary line between the school and the subject parcels. GUC has requested that the necessary easements upon the school property be provided to allow for a connection to the sewer system from your property.

3. The proposed sewer system is being designed at the minimum depth to provide service to the school property. GUC will have no investment in the sewer facilities located at the school and consequently has no planned service area associated with those facilities. Based on earlier discussions with your engineering consultant, it is our understanding that you may desire for the proposed GUC owned sewer facilities to be constructed at a deeper depth than that currently planned by The Wooten Company. Please be advised that it will be your responsibility to coordinate with Pitt County and/or The Wooten Company regarding any desired plan revisions. Any additional project costs associated with your requested plan revisions will be your responsibility as well. The appropriate

801 Mumford Road
Greenville, NC
27835
www.guc.com

*Your Local Advantage*

Exhibit 1 of 3 Item # 11

contact person for Pitt County is Mr. Phil Dickerson, P.E., P.L.S., County Engineer at 252-902-3150. For The Wooten Company you may contact Mr. Slade Harvin, P.E. at 252-757-1096.

4. The GUC Board of Commissioners, at their regular meeting on April 19, 2011, approved your request for receipt of sewer service contingent upon City Council approval. You will be responsible for obtaining the required City Council approval for the receipt of GUC sanitary sewer service outside of the City's Extraterritorial Jurisdiction (ETJ) boundary.

5. Sewer service connection fees will be based on the particular development design.

6. GUC's provision for sanitary sewer service will require connection to a public water system. Sanitary sewer usage billing is based on metered water usage. Eastern Pines Water Corporation (EPWC) is the water purveyor in the subject parcel area. GUC and EPWC have an established method for data sharing.

We trust that the above information adequately addresses your request for sewer service. If there are any questions, please give us a call at 551-1551.

Sincerely,

Clifton H. Cahoon

Clifton H. Cahoon, P.E.
Water Resources Construction/Contracts Engineer

CHC/lpb

cc: Mr. Ronald Elks, General Manager/CEO
Mr. Anthony Cannon, Assistant General Manager/COO
Mr. Randall Emory, P.E., Director of Water Resources
Mr. Merrill Flood, City of Greenville Community Development Director

Exhibit C
2 of 3

CONSIDERATION OF AN ADJACENT PROPERTY OWNER'S REQUEST FOR SEWER SERVICE FROM THE PROPOSED CHICOD SCHOOL SANITARY SEWER EXTENSION FACILITIES (Agenda Item 6)

Mr. Wayne Williamson submitted a written request for sewer service to his property located adjacent to Chicod Elementary School on NC Hwy 43 South, Greenville, NC. Mr. Williamson's request is for sewer service to 10.23 acres of land, consisting of Pitt County Tax Parcels #026724, #052186 and #047468. The subject parcels are outside the extraterritorial jurisdiction of the City of Greenville. In accordance with GUC regulations, approval from the Greenville City Council will be required prior to GUC processing an application for sewer service. In the event City Council approval is granted, the property owner may also be required to submit a Petition of Voluntary Annexation to the City of Greenville prior to receipt of sewer service.

Currently, there is no existing sewer system to serve Mr. Williamson's property. Pitt County Schools is in the process of having a sewer system designed to serve Chicod Elementary School. The preliminary design of the sewer pumping station indicates that the proposed location and depth of the pumping station will be sufficient to serve Mr. Williamson's property. Mr. Williamson has been advised that he must confirm that the pumping station will be constructed at a sufficient depth to serve his property.

A Sewer Outfall Acreage Fee and Connection Fees would be applicable to the proposed sewer service. Currently the Sewer Outfall Acreage Fee is assessed at $1,800 per acre and would be approximately $18,414.00 for the subject parcels. Sewer connection fees will also be due at the time the property is developed. Eastern Pines Water Corporation (EPWC) is the water purveyor in the subject area. Since monthly sewer billings are based on water meter volumes used, GUC would bill for sewer based on meter readings received from EPWC.

The Board approved the request for sewer service contingent upon City Council approval.

Exhibit C
3 of 3

received
12/19/14

Greenville Utilities

December 18, 2014

Mr. Linwood E. Stroud, P.E.
Stroud Engineering, PA
107B Commerce Street
Greenville, NC 27858

Subject: Sanitary Sewer Service Inquiry
Pitt County Tax Parcels: 52186, 26724 & 47468
Located adjacent to and west of Chicod Elementary School site

Dear Mr. Stroud:

This is in response to your inquiry as to the Greenville Utilities Commission's (GUC) position on providing sanitary sewer service to the subject properties.

The property owner, Mr. Harold W. Williamson, inquired about service to the same parcels in early 2011. At the time, Pitt County Schools was in the process of having an extension to the GUC sanitary sewer system designed to serve the Chicod Elementary School. Mr. Williamson's request was carried to the Board of Commissioners for their review and approval to allow service from the future GUC facilities at Chicod School. The request was approved and Mr. Williamson was provided the attached response letter dated April 27, 2011. Also attached is an excerpt of the Board meeting minutes for this agenda item.

The new sewer system extension facilities consists of a pumping station on the school property, 5-miles of force main piping to an intermediate pumping station located on Ivy Road and then an additional 5-miles of force main piping to the discharge point into the existing GUC sewer collection system on Corey Road. From an operational perspective, the additional flow contribution would be greatly beneficial by reducing the waste water residence time in the system thus helping to minimize septic conditions and associated odor and deterioration problems resulting from hydrogen sulfide production. The system piping fill volume from Chicod School to the discharge point off of Corey Road is approximately 107,000 gallons. Based on the project engineer's reported school average waste water contribution of 18,000 gallons per day, the piping residence time to Corey Road would equate to six (6) days. A maximum residence time of two (2) days is the more desired operational scenario. An additional flow contribution of 35,500 gallons per day would be needed to achieve this operating condition. The Chicod School site pumping station is of

sufficient capacity and depth to serve approximately 50-60 acres of the surrounding area inclusive of Mr. Williamson's subject properties and in addition to the school site.

GUC's desire is to increase the flow rate on this new system and achieve a more efficient operating condition as soon as possible.

Sincerely,

Clifton H. Cahoon

Clifton H. Cahoon, P.E.
Water Resources Construction/Contracts Engineer

Encl.

Cc: Mr. Anthony C. Cannon, General Manager/CEO
Mr. Randall D. Emory, P.E., Director of Water Resources
Mr. Merrill P. Flood, City of Greenville Community Development Director

Exhibit D
2 of 2 Item # 11

## Merrill Flood

**From:** Rhodes, James [james.rhodes@pittcountync.gov]
**Sent:** Wednesday, January 21, 2015 5:00 PM
**To:** lstroud@stroudengineer.com
**Cc:** Elliott, Scott; Dickerson, Phil; Gooby, Eric; Hill, Jonas; Jones, Bryan; Nottingham, Mark; Gallagher, Janis
**Subject:** Sanitary Sewer Service to Wayne Williamson Properties

Mr. Stroud,

This serves as a follow-up to our discussion on January 20th concerning Mr. Wayne Williamson's intent to request connection to the sanitary sewer line serving Chicod School. Specifically, Mr. Williamson desires service to three properties (Parcel # 52186, 26724, & 47468), totaling approximately 10 acres, located immediately south of Chicod School along NC 43. Pitt County has no opposition to Mr. Williamson pursuing the required approvals to allow for the sewer service.

As discussed previously with Mr. Williamson, additional County approvals (e.g., land use plan and zoning map amendments) will be necessary to allow for increased development densities, if/when the sewer service is made available.

Please let me know if you have any questions.

James

***James F. Rhodes, AICP***
Pitt County Planning Director
1717 W. Fifth Street
Greenville, NC 27834
252.902.3250 (phone)
252.830.2576 (fax)

PittCounty
Planning & Development

TO: WHOM IT MAY CONCERN
DATE: January 12, 2015

RE: Wayne Williamson's Sewer Request

It has come to our attention that our neighbor, Wayne Williamson has requested that the City of Greenville approve his request for his property on NC Hwy. 43 South adjacent to Chicod School to be served with sewer by the Greenville Utilities Commission by connecting a gravity line to the new pump station recently constructed. Mr. Williamson has expressed his intent to market the property for residential development. We understand that the sewer connection is a necessity to facilitate his development plans which we fully support his request as evidenced by our signatures below:

| NAME | DATE | |
|---|---|---|
| [signature] | 1-17-15 | 28060 |
| [signature] | 1-17-15 | 572816 |
| [signature] LIFEGATE Church | 1-17-15 | 26843 |
| [signature] | 1-17-15 | - |
| [signature] | 1-17-15 | 35079 |
| [signature] | 1-17-15 | 336097 |
| [signature] | 1-18-15 | 07570 |
| [signature] | 1-18-15 | 00068 |
| [signature] | 1-20-15 | 64365 |
| [signature] | 1-20-15 | 05925 |

Item # 11

7.03 Miles

5.17 Miles

Beaufort

Craven

N
W E
S

## Map Legend

- NC County Lines
- Greenville City Limits
- Greenville ETJ
- Land Parcels
- Sanitary Sewer Request

0 0.75 1.5 3 Miles

# Excerpt from the October 9, 1997 City Council Minutes

REQUEST FOR SEWER SERVICE AT VICTORY VILLAGE MOBILE HOME PARK LOCATED OUTSIDE THE EXTRATERRITORIAL JURISDICTION - DENIED

City Manager Kimble presented information from City staff and the County Manager along with a letter from the Associate School Superintendent. He gave an update on the process that was utilized to evaluate the request.

Motion was made by Council Member Ramey and seconded by Council Member Fridley to deny the request for sewer service at Victory Village Mobile Home Park located outside the extraterritorial jurisdiction. Motion carried unanimously.

273

CONSIDERATION OF AN ORDINANCE ANNEXING VICTORY VILLAGE, SECTION 3, LOCATED ON ROOSEVELT SPAIN ROAD ADJACENT TO BELVOIR ELEMENTARY SCHOOL - NO ACTION TAKEN BECAUSE OF DENIAL OF REQUEST FOR SEWER SERVICE

Because this item was related to the request for sewer service at Victory Village Mobile Home Park, there was no action taken.

SESSION 1991

CHAPTER 861
SENATE BILL 1069

AN ACT TO AMEND AND RESTATE THE CHARTER OF THE GREENVILLE UTILITIES COMMISSION OF THE CITY OF GREENVILLE.

The General Assembly of North Carolina enacts:

Section 1. For the proper management of the public utilities of the City of Greenville, both within the corporate limits of the City and outside the said corporate limits, a commission to be designated and known as the "Greenville Utilities Commission", is hereby created and established.

Sec. 2. The Greenville Utilities Commission shall consist of eight members, six of whom shall be bona fide residents of the City of whom one shall at all times be the City Manager of Greenville, and two of whom shall be bona fide residents of Pitt County but residing outside the city limits of Greenville, and all of whom shall be customers of the Greenville Utilities Commission. Each Greenville Utilities Commissioner shall hold office for an initial term of three years and, except as set forth herein, will be automatically reappointed to a single additional term of three years, with each term of three years expiring June 30 at the end of the designated term or until reappointed or replaced by the City Council. The first appointees shall hold their offices as follows: the Greenville City Council shall appoint an individual to serve until June 30, 1995; John W. Hughes, Sr. is hereby appointed a Greenville Utilities Commissioner to serve until June 30, 1995, and shall not be eligible for a second term; Bernard E. Kane is hereby appointed a Greenville Utilities Commissioner to serve until June 30, 1995; R. Richard Miller is hereby appointed a Greenville Utilities Commissioner to serve until June 30, 1994, and shall not be eligible for a second term; and the Greenville City Council shall appoint an individual to serve until June 30, 1993; all of whom are bona fide residents of the City. William G. Blount is hereby appointed a Greenville Utilities Commissioner to serve until June 30, 1993, and shall not be eligible for a second term; and the Pitt County Board of Commissioners shall nominate an individual under the procedure established in Section 3 of this act, to be appointed by the Greenville City Council to serve until June 30, 1994; both of whom are Greenville Utilities Commission customers and bona fide residents of Pitt County residing outside the Greenville city limits.

Sec. 3. The Greenville Utilities Commissioners otherwise than as herein provided shall be appointed by the City Council at their regularly monthly meeting in June of each year. It is the intention of this charter that the City Council shall appoint Greenville Utilities Commission members who have utilities expertise. Representation should include some members with financial, engineering, environmental, technical, or development backgrounds. The two members of the Greenville Utilities Commission

residing outside the city limits shall be nominated by the Pitt County Board of Commissioners and appointed by the City Council. The City Council has the right to reject any nominee(s) from the Pitt County Board of Commissioners and to request additional nominees. If the Pitt County Board of Commissioners fails to recommend a nominee to the City Council within 60 days of the original date requested by the City Council, then the City Council may appoint any individual meeting the residency requirement. No person shall be eligible for appointment to the Greenville Utilities Commission who is an officer or employee of the City or Pitt County except that the City Manager of the City of Greenville shall at all times be a full member of the Greenville Utilities Commission. In the event a Greenville Utilities Commissioner resigns, dies, or otherwise becomes incapable of performing his or her duties, the City Council shall appoint, according to the same process described herein for regular appointments, a Greenville Utilities Commissioner to fill the unexpired term at any regular or special meeting of the City Council. Any Greenville Utilities Commissioner filling an unexpired term shall be deemed to have filled said term for the full three-year term. Except as otherwise permitted herein, no Greenville Utilities Commissioner shall serve more than two three-year terms. Greenville Utilities Commissioners filling the first three-year term will automatically fill a second three-year term unless the City Council initiates the replacement process.

Sec. 4. The Greenville Utilities Commissioners shall organize by electing one of their members Chair, whose term of office as Chair shall be for one year unless the Chair's term on the Greenville Utilities Commission shall expire earlier, in which event his or her term as Chair shall expire with the Chair's term on the Greenville Utilities Commission. The Chair shall not be entitled to vote on any proposition before the Greenville Utilities Commission except in case of a tie vote and only for the purpose of breaking the tie. The members of the Greenville Utilities Commission are authorized to fix their own salaries provided, however, that said salaries shall not exceed one hundred fifty dollars ($150.00) per month for the members and two hundred fifty dollars ($250.00) per month for the Chair provided, however, the City Council may, at its own discretion, increase these caps from time to time as is appropriate to reflect inflation, and provided, however, the City Manager shall receive no pay as a member of the Greenville Utilities Commission other than his or her salary as City Manager. The Greenville Utilities Commission shall meet at least once each month at a designated time and place unless the Chair designates some other meeting time and so notifies the other members of the Greenville Utilities Commission. The Greenville Utilities Commission and the Greenville City Council shall meet at least once each year to discuss mutual interests of the City of Greenville and the Greenville Utilities Commission. Minutes shall be kept for all regular meetings of the Greenville Utilities Commission.

Sec. 5. The Greenville Utilities Commission shall have entire supervision and control of the management, operation, maintenance, improvement, and extension of the public utilities of the City, which public utilities shall include electric, natural gas, water, and sewer services, and shall fix uniform rates for all services rendered; provided, however, that any person affected by said rates may appeal from the decision of the

Greenville Utilities Commission as to rates to the City Council. With approval by the City Council, the Greenville Utilities Commission may undertake any additional public enterprise service which may lawfully be operated by a municipality.

Sec. 6. The Greenville Utilities Commission shall employ a competent and qualified General Manager whose duties shall be to supervise and manage the said public utilities, subject to the approval of the Greenville Utilities Commission. The General Manager, under the direction of and subject to the approval of the Greenville Utilities Commission, shall cause the said utilities to be orderly and properly conducted; the General Manager shall provide for the operation, maintenance, and improvement of utilities; the General Manager shall provide for the extension of all utilities, except sewer extensions made beyond the area regulated by the City of Greenville are subject to the approval of the City Council, and shall furnish, on application, proper connections and service to all citizens and inhabitants who make proper application for the same, and shall in all respects provide adequate service for the said utilities to the customers thereof; the General Manager shall attend to all complaints as to defective service and shall cause the same to be remedied, and otherwise manage and control said utilities for the best interests of the City of Greenville and the customers receiving service, and shall provide for the prompt collection of all rentals and charges for service to customers and shall promptly and faithfully cause said rentals and charges to be collected and received, all under such rules and regulations as the Greenville Utilities Commission shall, from time to time, adopt and in accordance with the ordinances of the City of Greenville in such case made and provided.

Sec. 7. All monies accruing from the charges or rentals of said utilities shall be deposited into the appropriate enterprise fund of the Greenville Utilities Commission and the Greenville Utilities Commission's Director of Finance shall keep an account of the same. The Greenville Utilities Commission shall at the end of each month make a report to the City Council of its receipts and disbursements; the Greenville Utilities Commission shall pay out of its receipts the cost and expense incurred in managing, operating, improving, maintaining, extending, and planning for future improvements and expansions of said utilities; provided, however, that should the funds arising from the charges and rentals of said utilities be insufficient at any time to pay the necessary expenses for managing, operating, improving, and extending said utilities, then and in that event only, the City Council of the City of Greenville shall provide and pay into the appropriate enterprise fund of the Greenville Utilities Commission a sum sufficient, when added to the funds that have accrued from the rents and charges, to pay the costs and expenses of managing, operating, improving, maintaining, extending, and planning for future improvements and expansions of said utilities; the Greenville Utilities Commission shall pay the principal on all such funds provided by the City Council with interest thereon; provided, further, that the Greenville Utilities Commission shall annually transfer to the City, unless reduced by the City Council, an amount equal to six percent (6%) of the difference between the electric and natural gas system's net fixed assets and total bonded indebtedness plus annually transfer an amount equal to fifty percent (50%) of the Greenville Utilities Commission's retail cost of service for the City of Greenville's public

lighting. Public lighting is defined herein to mean City of Greenville street lights and City of Greenville Parks and Recreation Department recreational outdoor lighting. The preparation of a joint financial audit of the City of Greenville and the Greenville Utilities Commission operations by a single auditing firm is intended under the provisions of this charter and existing North Carolina statutes.

Sec. 8. In compliance with the time requirements of Chapter 159 of the General Statutes, the Greenville Utilities Commission shall prepare and submit to the City Council, for approval, a budget for the coming year showing its estimated revenue, expenses, capital expenditures, debt service, and turnover to the City of Greenville. In addition, the budget ordinance must identify construction projects of the Greenville Utilities Commission which include individual contracts in excess of one-half of one percent (½%) of the Greenville Utilities Commission's annual budget. City Council approval of the Greenville Utilities Commission's budget will constitute approval of projects so identified and the contracts contained therein. Contracts in excess of one-half of one percent (½%) of the Greenville Utilities Commission's annual budget not so identified and approved in the budget ordinance will require separate City Council approval.

Sec. 9. The Greenville Utilities Commission shall approve the employment and remuneration of all officers, agents, independent contractors, and employees necessary and requisite to manage, operate, maintain, improve, and extend the service of said utilities. It is, however, the intention of this Charter that the Greenville Utilities Commission and the City of Greenville will implement and maintain mutual pay plans, personnel policies, and benefits for their respective employees. The Greenville Utilities Commission may require bond in such sum as it may deem necessary, which shall be approved by the City Council, of all officers, agents, and employees having authority to receive money for the Greenville Utilities Commission. The Greenville Utilities Commission shall have the authority to name and designate a person in its employ as secretary of the Greenville Utilities Commission.

Sec. 10. The Greenville Utilities Commission shall have authority at all times to discharge and remove any officer, agent, independent contractor, or employee of the Greenville Utilities Commission.

Sec. 11. All laws and clauses of laws in conflict with this act are hereby repealed, expressly including Chapter 146 of the Public-Local Laws of 1941, entitled "AN ACT TO PROVIDE A PERMANENT UTILITIES COMMISSION FOR THE CITY OF GREENVILLE, IN PITT COUNTY, AND TO REPEAL CHAPTER TWO HUNDRED AND ELEVEN OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND FIVE, AND AMENDMENTS THERETO, RELATING TO THE WATER AND LIGHT COMMISSION OF THE CITY OF GREENVILLE.", except that this act does not revive any act repealed by that act.

The purpose of this act is to revise the charter of the Greenville Utilities Commission and to consolidate herein certain acts concerning the Greenville Utilities Commission. It is intended to continue without interruption those provisions of prior acts which are consolidated into this act so that all rights and liabilities that have accrued are

preserved and may be enforced. This act shall not be deemed to repeal, modify, or in any manner affect any act validating, confirming, approving, or legalizing official proceedings, actions, contracts, or obligations of any kind.

No provision of this act is intended nor shall be construed to affect in any way any rights or interest, whether public or private:

(1) Now vested or accrued in whole or in part, the validity of which might be sustained or preserved by reference to law to any provisions of law repealed by this act.

(2) Derived from or which might be sustained or preserved in reliance upon action heretofore taken pursuant to or within the scope of any provisions of law repealed by this act.

All existing ordinances of the City of Greenville and all existing rules and regulations of the Greenville Utilities Commission not inconsistent with provisions of this act shall continue in full force and effect until repealed, modified, or amended.

No action or proceeding of any nature, whether civil or criminal, judicial or administrative, or otherwise pending at the effective date of this act by or against the City of Greenville or the Greenville Utilities Commission shall be abated or otherwise affected by the adoption of this act. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 12. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 7th day of July, 1992.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives

# City of Greenville, North Carolina

**Meeting Date: 4/9/2015**
**Time: 7:00 PM**

**Title of Item:** Contract award to Clarion Associates, LLC, to prepare the City of Greenville's new Comprehensive Plan

**Explanation:**

**Abstract:** The City of Greenville's Comprehensive Plan, Horizons: Greenville's Community Plan, is scheduled for a 10-year update. Staff issued a qualifications-based request for proposals for consultants to assist staff in the update of the plan and received nine proposals. The Consultant Selection Committee recommends Clarion Associates, LLC for the preparation of the new 10-year long-range plan. The Community Development Department requests authorization to negotiate and execute a contract with Clarion Associates, LLC for $140,000.

**Explanation:** The City of Greenville'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. A draft Agreement for Professional Services is attached for review.

**Fiscal Note:** Funds for the project have been included in the current year budget for $140,000.

**Recommendation:** The Consultant Selection Committee has selected Clarion Associates, LLC as the recommended lead consulting firm. Staff recommends award of the project to Clarion Associates, LLC and for City Council to allow the City Manager to execute a contract for the project not to exceed $140,000.

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**Viewing Attachments Requires Adobe Acrobat. Click here to download.**

**Attachments / click to download**

- Draft Contract
- Clarion_Associates_Response_to_RFQ_1000349

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# Greenville, NC
## Comprehensive Plan Update

CLARION

Item # 12
*#1000349*

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*Clarion Associates, LLC*
*101 Market Street, Suite D*
*Chapel Hill, NC 27516*
*919.967.9188*
*919.967.9077 fax*

*Community Planning*
*Zoning/Design Standards*
*Impact Fees*
*Growth Management*
*Sustainability*

January 29, 2015

City of Greenville
Financial Services/Purchasing
Attention: Angelene E. Brinkley, Purchasing Manager
Post Office Box 7207
201 West Fifth Street
Greenville, NC 27835-7207

Dear Angelene Brinkley and Selection Committee Members:

We are pleased to submit this response to the City of Greenville's request for qualifications (RFQ) for planning services to assist in the development of an updated comprehensive plan.

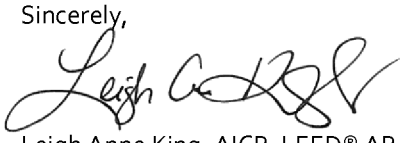
**Clarion Associates** is a national planning and zoning consulting firm with offices in Cincinnati, Chapel Hill, Florida, and Denver. Firm principals on this team have more than 75 years of experience in assisting local government clients in the preparation of comprehensive and small area plans, growth strategies, and development codes throughout the Southeast and the nation. Our firm has an extensive track record of developing plans that articulate the unique values of a community, and provide a strong focus on plan implementation. We have worked with communities to raise the bar on the quality of new development and the incorporation of sustainability objectives in plans and codes. Clarion has led development of numerous comprehensive plans for communities in North Carolina, including three plans which received the APA-NC Marvin Collins' Outstanding Planning Award: the City of Wilson, Camden County, and Iredell County.

If selected for this project, Clarion will be supported by **Planning NEXT,** a national community design and placemaking firm. Planning NEXT will focus on developing a character-based plan for future development and community investment that integrates the design vision for Greenville's "places" with traditional land use policy guidance, and several new small area plans.

Together, our team can assist the City of Greenville to develop a 21st century Comprehensive Plan that addresses critical community issues that define the City's future.

We are very excited about the possibility of working with Greenville and welcome an opportunity to discuss our proposal with you in person. Please do not hesitate to contact me should you have questions or need additional information to evaluate our submittal. I can be reached at the phone number or email address listed below.

Sincerely,



Leigh Anne King, AICP, LEED® AP
Principal and Project Manager
919-967-9188 | laking@clarionassociates.com | www.clarionassociates.com

# A. The Clarion Team

## Team Strengths

*Our team offers senior professionals who have led award-winning community engagement, planning, and code development projects that have been successfully implemented. We offer national planning experience, with a special focus on the Southeast, and a unique familiarity with North Carolina communities.*

## TEAM ORGANIZATION

The Clarion Team is excited about the prospect of working with the City of Greenville to plan for the future of its community, and to create tailored planning solutions that best meet the needs of the City. Our team members have a long track record of collaborating on community plans, and have a depth of skills and resources to offer as a planning services partner. Our Team's award-winning experience includes community planning, zoning and land development regulations, visioning and public engagement, urban design, and infrastructure planning. Each of these skills will be important to the success of Greenville's Comprehensive Plan. In addition, the Clarion team has zoning and development code specialists on-call to advise on implementation options.

## TEAM MANAGEMENT

Leigh Anne King, AICP, LEED ® AP, and Principal with Clarion Associates will be the Project Manager and Principal for this project. She will provide day-to-day management for the project and will coordinate with other team members and City staff. Mrs. King has been the project manager and primary planner on more than a dozen planning projects, including four award-winning plans.

# TEAM QUALIFICATIONS

CLARION

Clarion Associates is a full-service, nationally recognized, land planning and zoning consulting firm with offices in Chapel Hill, Denver, and Florida. Our firm has a unique combination of talent that covers the fields of land use and urban planning, design, code preparation, and land use law. In association with our national affiliate offices in Philadelphia, Chicago, and Cincinnati, we offer a complete package of planning, land use law, growth management, real estate economics, and community development services. This combination allows us to develop creative solutions to difficult land use and design challenges. Clarion Associates has represented both public and private sector clients on a variety of land use planning and zoning matters. Its principals have written plans and drafted ordinances, regulations, and design standards in North Carolina and throughout the United States. Clarion will serve as the primary team leader, and will provide project management services, analysis, policy development, implementation actions, and meeting facilitation. Full resumes for Clarion Associates staff are available at http://www.clarionassociates.com/about/team/

## Leigh Anne King, AICP, LEED® AP | Project Manager and Principal

Leigh Anne King is a Principal and planner in Clarion's North Carolina office. With over 13 years of experience, Mrs. King has worked on a variety of public sector planning projects: sustainable land use plans, growth management plans, neighborhood plans, affordable housing implementation programs and ordinances, design strategies, zoning ordinance updates, and impact fee support studies. Her primary focus is on project management, developing public engagement strategies, analysis of community conditions, and development of policy frameworks. She was the primary author of four award winning plans: comprehensive plans for Iredell County, City of Wilson, and Camden County, North Carolina, and the Eastern Orangeburg County (SC) Sustainability Plan. She frequently speaks at national and state conferences on the topics of affordable housing, local food systems, and rural sustainability.

## Greg Dale, FAICP | Project Advisor

FAICP is a principal at McBrideDale Clarion. He has over 30 years of national planning project management experience working in numerous communities across the nation. His extensive experience with comprehensive and community plans has had a significant focus on citizen participation and elected official education. Mr. Dale specializes in facilitating engaging public processes and building consensus on complex issues. He is a co-author of the recently published *The Citizen's Guide to Planning* and *The Planning Commissioners Guide*, and a regular contributor to the *Planning Commissioners Journal*. Over the last decade, Mr. Dale has worked extensively throughout the country managing comprehensive, land use and growth management planning processes. He recently worked with Beaufort County, SC to collaborate on a joint regional strategy and land use plan, and was integral in the Charleston County, SC award winning Comprehensive Plan. He is also the lead Principal on the Columbia, SC Land Use Plan, a draft of which is provided as part of this proposal package. Greg Dale will serve as a Project Advisor on project strategy and facilitation of key community meetings.

### Award-Winning Projects

- **Cincinnati, Ohio | Plan Cincinnati: A Comprehensive Plan for the Future** – *2014 Daniel Burnham Award for a Comprehensive Plan and 2013 Ohio APA Outstanding Plan*
- **Columbus, Ohio | East Franklinton Creative Community District Plan** – *2013 National Planning Excellence Award for Innovation in Economic Development & Planning*
- **Charleston County, South Carolina – Comprehensive Plan Update** – *2010 South Carolina Outstanding Planning Project Large Jurisdiction*
- **Camden County, North Carolina – Comprehensive Plan** – *NCAPA Outstanding Planning Award for Small Community Plan 2013*
- **Iredell County, North Carolina – Comprehensive Plan** – *NCAPA Outstanding Planning Award for Large Community Plan 2010*
- **Wilson, North Carolina – Comprehensive Plan** – *NCAPA Outstanding Planning Award for Small Community Plan 2010*
- **Williamson County, Tennessee – Comprehensive Plan** – *2008 Tennessee APA Outstanding Comprehensive Plan Award for a Large Community*
- **Plan Cheyenne (Wyoming)** – *American Planning Association (National) 2007 Daniel Burnham Award*
- **Southern Beaufort County, South Carolina – Regional Plan** – *2006 South Carolina Outstanding Planning Project*
- **Franklin, Tennessee – Land Use Plan** – *Cumberland Region Tomorrow 2003 Excellence Award*

## Our Philosophy

*Clarion provides vision and leadership to develop effective land use solutions for our clients. We do this through several approaches:*

- Create enduring plans by cultivating understanding, genuine engagement, and plan ownership
- Utilize national best practices to create tailored local solutions
- Focus on the end game – the implementation mechanisms that will be most effective and supported

## Roger Waldon, FAICP | Project Advisor

Roger Waldon is a Principal in Clarion's North Carolina office. Recognized by the American Planning Association as "one of the nation's leading planning practitioners," he served as Planning Director for the Town of Chapel Hill for 21 years, directing the Town's comprehensive planning and growth management functions. His planning and design background, combined with experience as a former elected official, contributed to the success of numerous planning initiatives, including: preparation and implementation of comprehensive plans, growth management strategies, intergovernmental agreements, special area studies, transportation plans, institutional partnerships, and zoning ordinance updates. He has helped to develop plans and growth management strategies for numerous NC communities (Chapel Hill, Hillsborough, Wake Forest, Wilson, Clemmons, Matthews, Waxhaw, Washington, Emerald Isle, Moore, Orange, Iredell, Union, Johnston, Camden, Perquimans), as well as many other Southeastern communities. He has been named as one of the 25 most influential planners in North Carolina. Roger Waldon will serve as a Project Advisor on North Carolina planning and law, and intergovernmental/higher learning institution planning coordination.

## Pete Sullivan, AICP | Project Planner

Pete Sullivan, AICP, is a Senior Associate with Clarion, whose primary specializations include zoning and comprehensive planning. Pete joined Clarion's Chapel Hill office in 2014, after relocating from Seattle, Washington. A Pacific Northwest native, Pete's professional background includes senior-level policy and environmental planning, and development regulations and review. Prior to joining Clarion, Pete was Senior Planner with the City of Redmond, Washington, a fast-growing community east of Seattle, and home of Microsoft. As staff lead for comprehensive planning and physical infrastructure, Pete's focal areas included land use, sustainability, natural resources, utilities, strategic planning, and budgeting. Pete frequently led multi-departmental teams, performed a variety of community engagement techniques, and supported Redmond's Planning Commission as staff liaison. His project work has been recognized by the Washington State Governor's Office, the Puget Sound Regional Council, and Washington State Chapter of the American Planning Association. Pete Sullivan will serve as project planner.

## Emily Crow, AICP | Project Planner – Focus on Community Facilities

Emily Crow, AICP, is a Senior Associate with McBride Dale Clarion. Certified by the American Institute of Certified Planners, Ms. Crow has been in planning since 2001. She has worked on a diverse array of projects in her career at McBride Dale Clarion, including: regional and community strategic plans, comprehensive and growth management plans, design standards and guidelines, land use plans, urban renewal studies and plans, GIS based development capacity scenario models and graphics, and demographic/economic analysis. Ms. Crow has been the project manager and primary planner on several award winning plans including: Culpeper, Virginia's Comprehensive Plan, and Charleston County, South Carolina's 2006 Comprehensive Plan. She has extensive national planning experience and is particularly seasoned in the Southeast Region. Ms. Crow will serve as project planner focusing on community facilities.

planning NEXT

The future belongs to those who plan for it. We help communities move to what's next. Our work is grounded in a philosophy that brings people together with a shared sense of purpose to develop plans with an emphasis on quality-of-place. Our firm's nine professionals have worked to create some of the country's most enduring spaces and prosperous places. Our services include pre-planning, strategic planning and visioning, comprehensive planning and urban design, social media and web-based communication, and visual communication. A major element of our work has been character-based land use visions where land uses are secondary to the urban design characteristics of a place. That experience includes ongoing work with the Comprehensive Plans for Westerville, Ohio, and Columbia, South Carolina; five area plans for the City of Independence, Ohio; and a land use and character framework for the City of Anniston, Alabama.

### Jamie Greene, AIA, AICP | Principal – Land Plan / Urban Design Vision

As co-founder and hands-on principal of our practice (formerly known as ACP Visioning+Planning), Jamie spent the past 20 years being inspired by the voices and commitments of the communities he served. He lead the development of character-based vision plans for Westerville, OH; Anniston, AL; Independence, OH; Upper Arlington, Ohio; Charleston County, SC; Dublin, OH; and Cincinnati, OH; as well as neighborhood and corridor plans for Rockville, Maryland and Westerville, OH. Jamie has presented the work of Planning NEXT at many national, regional and local conferences, including: American Planning Association (APA), America Institute of Architects, Society of College and University Planners, and Common Destiny. He has served as an adjunct faculty member of the Knowlton School of Architecture at The Ohio State University. Among other professional and civic activities, Mr. Greene serves on the Collaborative Brand Marketing Committee for central Ohio, an extensive multi-year effort designed to advance the identity and prosperity of the region. He also is the President of the Friends of Metro Parks. Jamie holds a Masters of Urban and Environmental Planning from the University of Virginia and a Bachelor of Science in Architecture, cum laude, from The Ohio State University. Mr. Greene will serve as project principal leading work on the City's growth plan, urban design framework, and small area plans.

### Michael Curtis, AICP | Planner and Designer

Michael Curtis, is a planner with Planning NEXT. He holds a Masters of City and Regional Planning from The Ohio State University and a Bachelor of Fine Arts in Graphic Design from Mississippi State University. Mr. Curtis is both a talented planner and a gifted designer. He has been the lead planner and graphic designer on numerous community planning projects, including: character-based vision plans for Westerville, OH; Anniston, AL; Morganton and Star City, WV; Lubbock, TX; Dublin, OH; and Columbia, SC. Mr. Curtis has also been the lead designer of web-based media for numerous projects, including Imagine Cary (Cary, NC) and PlanTogether (joint Richland County and Columbia, SC planning effort.) Michael Curtis will serve as the planner and designer for land plan and urban design visioning work, that will include graphic representation of character area and urban design plan concepts.

# B. Comparable Project Experience

The following selected projects demonstrate our team's ability to lead the development of comprehensive plans in community's comparable to Greenville. Many of our client communities are located in high growth areas and were looking for solutions to improve the quality of the built environment in redeveloping areas, create a unique sense of community and place to attract future generations, and plan for the future in a fiscally sustainable manner. We encourage you to look carefully at these project descriptions that we offer here, and to call our references. Additional experience can be found on our website.

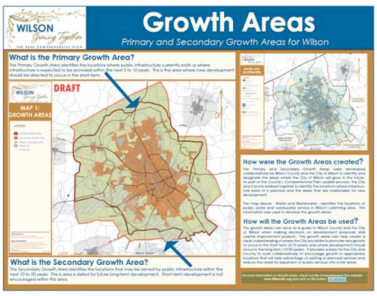
## Cary, NC | Comprehensive Plan

**PROJECT INFORMATION**

*Contact:*
Jeff Ulma
Planning Director
Town of Cary
P. (919) 319-4580
E. jeff.ulma@townofcary.org

The Town of Cary has for decades been one of the premier communities in North Carolina and the Southeast, and is increasingly being recognized as one of the best places to live in the country. Cary has been evolving, and in many ways has become a world-class community, keeping pace with local, regional, and global changes. In late 2010, the Town of Cary began considering the need to update several of the Town's existing area plans. It became clear that a more pressing need was to undertake a comprehensive update to the entire policy context rather than updating individual component parts. As a result, in 2011, the Cary Town Council decided to undertake a complete review of all plans and create a new comprehensive Community Plan, a consensus vision to guide decisions and achieve a desired future. Due to the complexity of the undertaking, the Town decided to approach this initiative in two phases. The 2040 Cary Community Plan is being developed using the most robust public engagement process in the Town's history. The process includes an update to the Town's Comprehensive Transportation Plan that is being integrated with the Town's land use plan. Tradeoffs for critical community issues – design of corridors and mixed-use centers, downtown, housing and neighborhoods, and transportation choices – were evaluated using a process that integrated technical analysis and community values. The project is expected to be completed in late 2015. More project information is available at www.imaginecary.org.

## Wilson, NC | Comprehensive Plan




**PROJECT INFORMATION**

*Contact:*
Rodger Lentz
Planning and Development Services
Director, City of Wilson
P. (252)399-2210
E. rlentz@wilsonnc.org

Clarion Associates contracted with Wilson, North Carolina, in 2008 to develop the city's first comprehensive plan. Wilson was once the world's leading producer of golden leaf tobacco. The city has made great strides to adapt to the new economy, but has challenged by disinvestment in the central city area, the need to improve educational attainment and job skills of its citizens, declining inner-city neighborhoods, and aging commercial corridors with high vacancy rates. These challenges have resulted in a market draw to the northeast toward Raleigh and away from the historic core. Clarion worked with the city to develop a new comprehensive plan that focuses on "One Wilson, Growing Together." To ensure that the plan was developed with direction from a broad-base of stakeholders, a four-tiered public engagement system was developed including a Steering Committee, a Plan Forum, the city's Leadership Team, and opportunities for the general public to engage in the process. Neighborhood design was a key focus of the plan, which addressed four core areas in need of community investment. Key outcomes of the planning process include a focus on using sustainable development principles to promote compact growth and focused reinvestment in downtown, coordination with the county to develop a tiered development fee system to focus growth to the center city, establishment of a neighborhood planning process, targeted capital improvements to declining areas, and sustainable performance standards for city operations. This plan received the 2010 Small Community Comprehensive Plan award from the North Carolina Chapter of the American Planning Association.

## Columbia & Richland County, SC | Land Use Plan Updates

Richland County and the City of Columbia, the county seat and state capital, lie at the heart of the Midlands Region of South Carolina. In 2013, the City of Columbia and Richland County initiated updates to their comprehensive plans, with a focus on the land use elements. After contracting planning services with the Clarion team, the City and County decided to join forces and develop a jointly branded comprehensive planning process that coordinates both plans and provides opportunities for synergies. While the two plans are on slightly different schedules, the Clarion team has been able to align the planning goals, and in particular the Future Land Use plans, for both clients. The City of Columbia' land use plan update has been revamped to use a character areas approach that provides a foundation for land development regulation updates that Clarion will lead this year. Planning staff served as the primary project steering team with frequent briefings of planning commission and city council, and the consultants conducted extensive stakeholder interviews during the project initiation. The public process was focused around a planning forum of volunteer stakeholders who met with the consultants on several occasions to review elements of the plan in a workshop environment. The three major broad public forums were a 3-day visioning workshop held near the beginning of the process, access to information on the website throughout the process, and an open house to review and comment on land use plan elements. The team is currently preparing the plan for planning commission review, a copy of which is available on the project website http://weplantogether.org/

**PROJECT INFORMATION**

*Contact:*
Krista Hampton
Director of Planning and Development Services, City of Columbia
P. (803) 545-3222
E. kmhampton@columbiasc.net

## Independence, OH | Small Area Plans

The City of Independence, Ohio is a suburban community in the Cleveland region. While mostly residential, the city's four business districts, developed during a period of regional growth and suburban expansion, ensured a long period of fiscal health and a high quality-of-life for residents. As these areas have begun to show their age and face growing competition for business in a struggling region, Planning NEXT assisted the city in creating an Economic Development and Strategic Plan to reassess its approach to economic development. With Planning NEXT's help, the city is now implementing that Strategic Plan by creating Area Plans to improve the competitiveness and viability of the city's non-residential districts and, in so-doing maintain and improve the quality-of-life for residents. Kick-off workshops brought approximately 200 people together to focus on key questions such as how the city can leverage its non-residential land to generate revenue and how it can ensure the continued delivery of services and the maintenance of facilities. The Area Planning effort developed distinct plans for five non-residential areas. The largest of these areas is the 1000-acre Rockside Road area, home to nearly 1,000 businesses, 21,000 jobs, and approximately 4 million square feet of office space. The Rockside Road effort brought Independence and the neighboring City of Seven Hills together in an unprecedented way to form a mutually-beneficial plan. The plan for Rockside Road will strengthen the district as a fiscal asset for both cities, and build a framework for a more dynamic and vibrant neighborhood for workers and residents alike.

## Fredericksburg, VA | Comprehensive Plan

**PROJECT INFORMATION**

*Contact:*
Ray Ocel
Development Program Planner, Herndon, VA (formerly Planning Director of Fredericksburg, VA)
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Clarion Associates worked with Fredericksburg, Virginia to prepare an update to the City's Comprehensive Plan. The goals of the plan are to maximize economic development opportunities while maintaining the unique character of the historic city and its valued neighborhoods, as well as protecting the Rappahannock River – the city's water supply. Regional access to the Washington, D.C. metro area has brought unique opportunities to the Fredericksburg area. Challenges to the community include threats to existing neighborhoods, coordinated efforts to protect the watershed, improving quality of new development, and capturing a share of the region's expected growth. A key theme that

emerged during work on the new plan was the concept of sustainability. Working with a diverse collection of stakeholders, Clarion helped draft a Comprehensive Plan that identified components of sustainability for which the city could take direct action. The identified areas were recycling, walkability, design of buildings, energy conservation, environmental protection, and public education. For each of these areas, the city's current policies and practices were documented and referenced, and priorities established for new initiatives. The sustainability principles helped tie the objectives of the plan together, and will guide future development and conservation efforts in the community. Clarion was later hired to help the city implement several strategic updates to the city's zoning ordinance to implement crucial aspects of the comprehensive plan.

## ADDITIONAL PROJECT EXPERIENCE

In addition to the previous selected comprehensive and small area plan experience, we provide here additional Southeastern plans developed by the Clarion Associates team.

| | |
|---|---|
| **Camden County, NC** \| Comprehensive Plan ** | **Manassas, VA** \| Comprehensive Plan |
| **Chapel Hill, NC** \| Neighborhood Conservation Districts | **Orange County, NC** \| Comprehensive Plan |
| **Clemmons, NC** \| Comprehensive Plan | **Powhatan, VA** \| Comprehensive Plan |
| **Culpepper, VA** \| Comprehensive Plan | **Rock Hill, SC** \| Comprehensive Plan |
| **Eastern Orangeburg County, SC** \| Sustainability Study | **Tupelo, MS** \| Comprehensive Plan |
| **Emerald Isle, NC** \| Small Area Plan | **Union County, NC** \| Comprehensive Plan |
| **Franklin, TN** \| Comprehensive Plan | **Wake Forest, NC** \| Northeast Area Plan |
| **Graham, NC** \| Comprehensive Plan | **Washington, NC** \| Comprehensive Plan |
| **Iredell, NC** \| Comprehensive Plan ** | **Waxhaw, NC** \| Comprehensive Plan |
| **Johnston County, NC** \| Comprehensive Plan | **Williamson County, TN** \| Comprehensive Plan |
| *** These plans were recipients of APA-NC Marvin Collins' Outstanding Plan Award.* | |

# *C. Project Understanding*

## PLANNING CONTEXT

Greenville's history tells the story of a small-town community that has transformed itself into a mature, vibrant city. The tenth largest city in North Carolina, Greenville is the economic and healthcare leader in the eastern part of the state, and home to the second largest public university – Eastern Carolina University. Greenville's healthy rate of growth over the last two decades is expected to continue into the future. In 2020, the City is projected to have a population of 100,000. How and where development occurs to support population growth will have a significant impact on the experience and operation of the community. This is one of the primary issues the plan should address.

Many efforts are underway today to improve the quality of the built environment and the provision of public services in Greenville. The well celebrated Green Mill Run Greenway is a great example of how the City has focused resources to improve quality of life for residents. Reinvestment in Uptown is also a strategic focus for the City, the Redevelopment Commission, and the Uptown Greenville organization. Together these strategic partnerships have successfully used public funds to leverage private investment in Uptown. There is good momentum for revitalization in Uptown, such as the new Uptown Parking Deck, new condominiums, and new retail establishments. This reinvestment effort is now spreading to adjoining corridors, such as Dickinson Avenue.

Greenville is celebrating its history and reinventing its future through planning and improvements in the Uptown district.

The relationship between the City and ECU is a key party of Greenville's culture. ECU's 2012 Comprehensive Campus Master Plan sets out a strategy for redevelopment within the current campus footprint to provide for future generations of students and academic services. The new 10th Street Connector boulevard project, as planned, will connect the Vidant Medical District with ECU's main campus. This project will provide greater accessibility, relieve traffic congestion, and is an opportunity to create a high quality campus gateway experience. Millenial campus designation is being sought by ECU, and if successful, will provide opportunities for the City, ECU, and private industries to partner together to invest in the community's economic future.

One of the City's challenges is retaining young professionals that graduate from ECU. Many of these alumni choose to move to larger cities that provide a more robust living experience through housing choices, recreational amenities, employment opportunities, arts and entertainment offerings, greater connectivity, and quality education. This plan update should address these quality of life issues and look at ways to improve the attractiveness of Greenville.

As the City has grown, traffic congestion has become one of the biggest quality of life issues. The NCDOT Southwest Bypass Highway project is a primary solution for improving mobility as growth continues. The City is also focused on improving access to alternative modes of transportation to its population, and is working with neighboring transit partners to create a Greenville Transportation Activity Center – an intermodal hub that will connect national, regional, and local transit services. The Greenville MPO's recent Bicycle and Pedestrian Plan identifies priority facility gaps in the regional network, and encourages communities to adopt a "complete streets" approach to future road improvements.

The Tar River is a defining feature for the City. Hurricane Floyd and the flood waters that spread across the City will never be forgotten. The City has taken steps to protect hazard areas from future development through a buy-out program. The city's Stormwater Management Program is currently studying area watersheds to identify additional opportunities to protect Greenville from future hazards. Another issue the plan should address is the vision for the lands around the river and the Town Commons park.

The built environment – the location and design of the City's places – is another priority for this plan update. Improving and stabilizing neighborhoods, addressing aging commercial corridors, and creating a unique sense of place within new developments are all ideas that have traction in Greenville. The new Comprehensive Plan presents an opportunity to create a framework for tying these threads together and articulating the vision for different sectors of the City.

## Sustainability

*Clarion is working on the forefront of sustainable plans and codes. We have worked with communities around the nation to incorporate many sustainability concepts in comprehensive plans:*

- Compact development
- Connected transportation systems
- Local food systems
- Resilient design
- Green infrastructure
- Alternative energy
- Housing choices
- Aging in Community

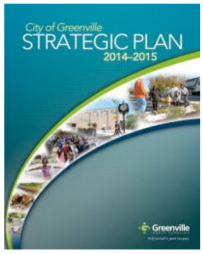
## Strategic Plan Goals

*The City's Strategic Plan provides a renewed vision and set of goals for Greenville. The updated Comprehensive Plan should set out a vision for the built environment that upholds these principles.*

1. Dynamic and Inviting Community
2. Economic Development
3. Well-Managed and Fiscally Sustainable Organization
4. Infrastructure
5. Quality Neighborhoods
6. Safe Community

## PLANNING FOUNDATIONS

Greenville has a strong planning foundation. The 2010 Horizon Plan, a collection of neighborhood and small area plans, transportation plans, the Tar River Master Plan, the West Greenville Revitalization Plan, and other plans all provide policy foundation for the Comprehensive Plan update. The timing of the update to Greenville's Comprehensive Plan falls advantageously on the heels of the adoption of the City's new 2014-2015 Strategic Plan. This plan sets out a vision, mission, and five-year goals that guide the City in its operations. The goals set out in the Strategic Plan can guide the development of the Comprehensive Plan.




While the Strategic Plan sets out the short-term priorities for the City, the 2010 Horizon's Plan provides the longer-term policy framework for the plan update. The RFP and Addendum #1 clearly articulate that the plan will carry forward the current organization of the current plan. The main changes with regard to the content are to have a greater focus on urban form and design of places, to include several small area plans, and to articulate specific recommendations for the creation of mixed-use zoning districts. Our team agrees with this approach and has demonstrated experience to assist Greenville in developing these tools.

# *D. Project Work Plan*

## PROJECT APPROACH

We recommend the following project approaches to create excitement for and engagement in the planning process. Our experience is that full participation from stakeholders leads to the adoption of plans that are supported by local champions and are embraced by the community.

### Project Branding and Web Presence

To create broad visibility for the plan, we suggest branding the process with a name, logo, and tagline. The process could continue to use the Horizon Plan name, or change the name to distinguish this plan effort from previous. We recommend this branding to be used on all materials, documents, and media associated with the process and work products.

A project website provides an opportunity for planning team communication and publication of process documents for review by the public. In addition the website can be set up to allow the public opportunities to provide input and comments in general or on specific elements of the plan, either through emails or discussion forums, and virtual public meetings. The website serves as a display of information and a way to collect public comments in a timely fashion. The website is a good additional communication tool, however there are individuals who do not have regular access to the internet and efforts to publicly post information and plan elements will also be important. The Clarion team is prepared to design and manage the site over the life of the project, and can coordinate with the City to utilize the City's active social network sites as yet another method to get the word out.

## Example Branding and Website

*Clarion developed a unique project branding and website for Manhattan, Kansas that provides for two-way interaction.*

## Steering Committee

The RFP suggests there will be a steering committee leading this process. Our experience is that a committee of 15 community leaders and interested citizens can be very effective. We would recommend that the City Council formally endorse the formation of the Steering Committee, to better ensure their support for the group's work. A secondary committee of interested stakeholders may be very beneficial in testing ideas for the plan – a large focus group of sorts. We have used this approach in other projects, and have found that volunteer participants can also serve as champions and reach out to their communities to increase awareness and support for the plan.

## Stakeholder Groups

There are a number of stakeholder groups that are repositories for data, produce policy or actions which shape development in Greenville, or will be significantly affected by the recommendations and actions of implementation of the plan. We recommend meeting with key community stakeholders early in the process, and conducting interviews to learn more about their community goals. A concerted effort can also be made to engage these stakeholder over the life of the project, allowing them opportunities to comment on the progress of the plan over time.

## Public Education and Participation Forums

The process should provide public participation that not only allows for input, but also educates the public about the trends and forces shaping Greenville and the realities about what the future may hold. Therefore, public education and participation forums are important to build consensus and buy-in. It is often said that communities are not opposed to change, they just need to be part of the process so they can understand and help shape the plan for change.

As set out in the RFP, we suggest two public forums at the start and mid-point in the process. The first public kick-off meeting can educate the public on the process and objectives of the planning process, gather input on the public's perceptions of critical issues, and learn about how other communities may have addressed this issue in the past. We have experience bringing in topical experts and planner from other communities to discuss new ideas and solutions that have been implemented in their community. A visioning exercise can be conducted to learn more about the community's ideas for the future built character of the City.

The second public workshop should be a structured series of exercises where the public can review and evaluate policy and implementation options being explored. Keypad polling, mapping exercises, visual preference surveys, and priority implementation exercises are options to be explored for this workshop.

In addition, the City may want to consider providing public open houses once the plan is drafted and beginning formal adoption hearings. Few residents will sit down and read an entire plan, but they may review presentation boards that highlight key changes to the plan, and maps that show the future vision for the City. This also provides an opportunity for citizens to ask questions talk one-on-one with the consultant team and the steering committee regarding the plan recommendations. Open house materials can also be posted to the website for a comment period so people can participate virtually.

# PHASES OF WORK

Our Clarion Team approach is based on decades of experience creating plans for other client communities. However, we view this recommended four phase approach as a starting point for discussing a more tailored work plan for Greenville.

- Phase 1: Project Initiation
- Phase 2: Analysis and Visioning
- Phase 3: Plan Drafting
- Phase 4: Plan Adoption

## Phase 1: Project Initiation

| Tasks | Description |
|---|---|
| 1.1. Develop Project Management Plan<br>1.2. Collect Data and Reports<br>1.3. Conduct Reconnaissance Tour and Stakeholder Interviews<br>1.4. Establish Citizen Steering Committee<br>1.5. Create Project Brand and Communications Channels<br>1.6. Launch the Project with the Committee | The project initiation phase will be used to **gather information**, and **establish the working relationship between the consultant team, planning staff, and the City's stakeholders**. Much of the preliminary work can be completed in conference calls and web meetings, but consultants will conduct a multi-day reconnaissance trip to meet with stakeholders including elected and appointed officials, and tour the city with staff.<br><br>Critical public engagement tasks will include **establishing a citizen's steering committee**, agreeing on a **brand and website** content for the project launch, and **meeting with various stakeholder groups** to establish a framework for the opportunities and challenges to be addressed in the plan. |

**Key Events:**

- Event 1: (Stakeholder Interviews)
- Event 2: (Steering Committee Launch)

**Deliverables**

- Project Management Plan
- Information and Data Request List
- Public Outreach and Communications Strategy
- Citizen Steering Committee recruitment materials
- Branding and Website Launch
- Stakeholder Interview Notes
- Presentation for Citizen Steering Committee Launch

**Total Event Trips: 2**
1 Reconnaissance Trip
1 Steering Committee Meeting

## Phase 2: Analysis and Visioning

| Tasks | | Description |
|---|---|---|
| 2.1. | Develop Analysis Priorities and Conduct Technical Analysis | In Phase 2, the Clarion Team will focus on three objectives: (1) **technical analysis** to update the plan elements and inform critical policy questions, (2) engaging the community in an **assessment of key issues and opportunities**, and (3) developing a **community vision and a set of guiding principles** for the plan.<br><br>While the Comprehensive Plan update will include a thorough update of data and trends, population and community facilities projections, we also recommend conducting strategic analysis that respond to critical policy issues identified by the Steering Committee and staff. The intent is to ensure that the technical analysis is responding to the values of the community and providing pertinent information needed to have a robust dialogue on policy alternatives.<br><br>This task also includes a formal audit of plan implementation. This includes both assessing what has been achieved in the 2010 Horizons Plan, and opportunities for synthesizing key goals and strategies found in newly adopted plans into the updated comprehensive plan.<br><br>Critical public engagement tasks will include the community kickoff meeting that will provide opportunities to review the technical analysis findings, engage in discussions about key issues and opportunities, and participate in a visioning exercise. Two meetings with the citizens' steering committee are also recommended to serve as check points for the Key Findings and the Draft Vision and Guiding Principles, as well as a courtesy review meeting with the City Council to provide an update on the project. |
| 2.2. | Conduct Plan Implementation Audit | |
| 2.3. | Identify Neighborhood/Small Area Plan Priorities | |
| 2.4. | Begin Neighborhood/Small Area Plan Analyses | |
| 2.5. | Community Kickoff Meeting | |
| 2.6. | Prepare Key Findings Report | |
| 2.7. | Steering Committee Review of Key Findings / Visioning Exercise | |
| 2.8. | Draft a Community Vision and Guiding Principles for Plan | |
| 2.9. | Steering Committee Review of Draft Vision and Guiding Principles | |
| 2.10. | Council Courtesy Review of Draft Vision and Guiding Principles | |
| 2.11. | Update Communications on Website | |

**Key Events: 4**

- Event 3: (Public Kick-Off)
- Event 4: (Steering Committee Meeting)
- Event 6: (Steering Committee Meeting)
- Event 7: (Council Meeting)

**Deliverables**

- Trends and Forces Report
- Comprehensive Plan Implementation Audit Report
- Opportunities and Issues Exercise (Public Engagement)
- Key Findings Report and Presentation
- Draft Vision and Guiding Principles
- Public Notices of Events

**Total Event Trips: 4**

1 Trip for Public Kick Off
2 Trips for Steering Committee
1 Trip for Council

## Phase 3: Plan Drafting

| Tasks | | Description |
|---|---|---|
| 3.1. | **Staff/Consultant Team Workshop to Develop Framework for Character-Based Land Plan and Small Area Plans** | In Phase 3, the Clarion Team will focus on the preparation of the **new land plan, small area plans, and new policy framework** components of the updated plan. |
| 3.2. | **Prepare and Present Draft Outline of Plan to Staff and Steering Committee** | Staff and consultant team will conduct a workshop to develop an agreed upon **framework for the character-based land plan and the small area plans**. |
| 3.3. | **Draft Policy Framework and Character-Based Land Plan and Small Area Plans** | This phase will be dedicated to the **preparation of the plan document** to provide actionable recommendations that support the vision and guiding principles. Using the general outline of the Horizons Plan, the document will be designed to be concise and user friendly. The organization of information and recommendations will be determined early in this phase with guidance from staff and the steering committee. |
| 3.4. | **Review Draft Elements with Staff and Steering Committee** | |
| 3.5. | **Test Draft Land Plan and Policy Framework at Public Workshop #2** | The **new policy framework** (goals, objectives, and strategies) will be developed using the public input and staff and Steering Committee direction. This phase includes several meetings to ensure ample time for review. |
| 3.6. | **Prepare Public Review Draft** | |
| 3.7. | **Present Public Review Draft to Steering Committee** | **Public workshop #2** will provide the public with a preview of the critical changes to the plan, and an opportunity to provide comments. |
| 3.8. | **Update Communications and activities on Website** | |

**Key Public Events: 5**

- Event 8: Staff/Consultant Team Workshop (Land Plan Framework)
- Event 9: (Steering Committee Meeting-Plan Outline)
- Events 10 - 11: (2 Steering Committee Meetings – Draft Plan Review)
- Event 12: (Public Workshop #2)
- Event 13: (Steering Committee Review Meeting – Public Review Draft)

**Deliverables**

- Annotated Plan Outline / Plan Design Template
- Framework and Drafts of Land Plan and Neighborhood/Small Area Plans
- Draft Plan Elements (narrative, maps, graphics)
- Web Content Updates
- Public Notices for Input Opportunities
- Public Review Draft of the Plan

**Total Event Trips: 6**

1 Staff/Consultant Team Workshop
4 Steering Committee Meetings
1 Public Workshop

**Phase 4: Adoption**

| Tasks | Description |
|---|---|
| 4.1 Final Edits to Public Review Plan Draft<br>4.2 Prepare Executive Summary Presentation<br>4.3 Facilitate Formal Recommendation by Planning Commission<br>4.4 Present at Official Council Public Hearing<br>4.5 Finalize Plan Document Upon Adoption by Council<br>4.6 Update Communications and Website<br>4.7 Deliver all Final Documents and Files to City | In Phase 4, the Clarion Team will **support City staff in the adoption process for the Comprehensive Plan**. Upon gathering feedback from the public the consultant will prepare a revised draft of the plan for formal consideration by the Planning and Zoning Commission. We will prepare an **executive summary presentation of the plan content** and **facilitate public hearings** with the Planning and Zoning Commission and City Council. |

**Key Public Events: 2**

- Event 14: (Planning and Zoning Commission Public Hearing)
- Event 15: (Council Public Hearing)

**Deliverables**

- Final Public Review Draft of the Plan
- Executive Summary Presentation
- Final Adopted Plan
- All Digital Files and Documents

**Total Events: 2**
1 Planning Commission Public Hearing
1 City Council Public Hearing

# *E. Project Schedule*

Clarion proposes a 14-month process. If selected for the Greenville Comprehensive Plan project, we will provide a more detailed work program and schedules for each phase and task, and will be coordinated with the City's meeting calendar.

## Proposed Project Schedule

| Phases | Month | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| **Phase 1:** Project Initiation | | | | | | | | | | | | | | |
| **Phase 2:** Analysis and Visioning | | | | | | | | | | | | | | |
| **Phase 3:** Plan Drafting | | | | | | | | | | | | | | |
| **Phase 4:** Adoption | | | | | | | | | | | | | | |

**Public Engagement Events**

1. Stakeholder Interviews
2. Public Kick Off Meeting
3. Public Testing of Draft Plan Concepts

**Staff / Elected Official Meetings**

1. Reconnaissance Trip
2. Council Update
3. Land Plan / Small Area Plan Workshop
4. Planning and Zoning Commission Public Hearing
5. Council Public Hearing

**Steering Committee Meetings**

1. Launch
2. Review of Analysis and Key Findings
3. Review and Approval of Vision and Guiding Principles
4. Annotated Plan Outline Review
5. Review of Draft Plan Elements #1
6. Review of Draft Plan Elements #2
7. Review of Public Review Draft

# *F. Diversity Business Policy and M/WBE Form*

In keeping with our commitment to the communities in which we do business, Clarion Associates is an equal opportunity employer. This means that employment decisions are based on merit and business needs, and not on race, color, national origin, ancestry, sex, age, religion, creed, disability, or marital status.

Whenever possible, our firm identifies opportunities to hire M/WBE qualifying sub-consultants to assist our team in areas we don't have direct expertise and experience. This project did not present an opportunity to hire such a sub-consultant. M/WBE firms that we often work with provide services not warranted for this project, or provide services that are redundant with services being provided by Clarion Associates. However, we are open to discussing such opportunities with the City.

# Sub-Service Provider Utilization Plan
# FORM 1

**(Must be included with submission if subcontracting any portion of work)**

We Clarion Associates, do certify that on the
(Company Name)
Comprehensive Plan we proposed to expend a minimum of 0 %
(Project Name)

of the total dollar amount of the contract with certified MBE firms and a minimum of 0 % of the total dollar amount with WBE firms.

| Name, Address, & Phone Number of Sub-Service Provider | *M/WBE Category | Work description | % of Work |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |

*Minority categories: Black, African American (**B**), Hispanic or Latino (**L**), Asian American (**A**) American Indian (**I**), Female (**F**) Socially and Economically Disadvantaged (**S**) Disabled (**D**)

The undersigned intends to enter into a formal agreement with M/WBE firms for work listed in this schedule conditional upon execution of a contract with the current scope proposed by the Owner.

The undersigned hereby certifies that he/she has read the terms of this agreement and is authorized to bind the submitter to the agreement herein set forth.

Date: January 29, 2015

Name & Title of Authorized Representative Leigh Anne King, Principal

Signature of Authorized Representative Leigh Anne King

*#1000867*

# AGREEMENT FOR PROFESSIONAL SERVICES

**THIS AGREEMENT**, effective as of the __th day of ___, 2015, by and between the City of Greenville, North Carolina (hereinafter referred to as the Client), and Clarion Associates, LLC doing business at 101 Market Street, Suite D, Chapel Hill, North Carolina 27516 (hereinafter referred to as the Consultant).

**WHEREAS**, the Client desires to prepare a new Comprehensive Plan; and

**WHEREAS**, the Client desires to engage the Consultant to render these professional services in connection with this project; and

**WHEREAS**, the Consultant desires to undertake the project.

**NOW, THEREFORE**, the parties hereto mutually agree as follows:

1. **Scope of Services.**
   The Consultant agrees to provide professional services to prepare a new Comprehensive Plan for the Client. The services to be performed are described in Exhibit A attached hereto and incorporated herein (Exhibit A is titled "Scope of Services"). The Client agrees to provide supporting services to the Consultant as described in Exhibit A.

2. **Time of Performance.** The services of the Consultant are to commence on the date of execution of this Agreement by both Client and Consultant, and will be undertaken and completed consistent with the Project Schedule set out in Exhibit A. The time of performance may be extended by mutual agreement of the parties.

3. **Method of Payment & Total Project Amount.** The Client shall compensate Consultant for its services in accordance with the Project Budget set out in Exhibit B. It is understood and agreed that the total compensation and reimbursement to be paid for the professional services rendered under this Agreement shall not exceed the sum of $140,000 as set out in Exhibit B. Consultant may invoice Client on a monthly basis for the percent of work completed on each phase, and Client will pay Consultant within 30 days of receipt of the invoice, as long as the work is satisfactorily completed. By mutual agreement, the Client and Consultant may reallocate the budget among project tasks if the total budget amount remains unchanged.

4. **General Terms and Conditions.**
   A. Termination of Agreement: The Client shall have the right to terminate this Agreement, with or without cause, by giving written notice to the Consultant of such termination and specifying the effective date thereof. Notice shall be

given at least 30 days before the effective date of such termination. In such event all finished or unfinished documents, data, studies and reports prepared by the Consultant pursuant to this Agreement shall become the Client's property. Consultant shall be entitled to receive compensation in accordance with the Agreement for any satisfactory work completed pursuant to the terms of this Agreement prior to the date of termination.

B. Changes. The Client may, from time to time, request changes in the scope of services of the Consultant to be performed hereunder. Such changes, including the increase or decrease in the amount of the Consultant's compensation, which are mutually agreed upon between the Client and the Consultant, shall be in writing and upon execution shall become part of the Agreement.

C. Assignability. Any assignment or attempted assignment of this Agreement by Consultant without the prior written consent of the Client shall be void; provided, however, that claims for money due or to become due to the Consultant from the Client under this Agreement may be assigned to a bank, or other financial institution, without such approval. Notice of any such assignment or transfer shall be furnished to the Client.

D. Audit. The Client or any of its duly authorized representatives shall have access to any books, documents, papers, and records of Consultant which are pertinent to Consultant's performance under this Agreement, for the purposes of making an audit, examination, or excerpts. The Consultant shall maintain records for 3 years after the agreement ends.

E. Ownership of Documents. Drawings, illustrations, and other documents prepared by Consultant in connection with this Agreement shall be property of the Client. However, Consultant shall have the right to utilize such documents in the course of its marketing, professional presentations, and for other business purposes.

F. Use of Work. Consultant assigns to Client the right to: 1) reproduce the work prepared under this Agreement; 2) distribute copies to the public; and 3) display the work publicly. Consultant shall have the right to use materials produced in the course of this contract for marketing purposes and professional presentations, articles, speeches and other business purposes.

G. Governing Law. This Agreement has been executed by the parties hereto on the day and year first above written and shall be governed by the laws of the State of North Carolina. Consultant shall also comply with all applicable state and federal laws and regulations and resolutions of Client, and shall commit

no trespass on any public or private property in the performance of any of the work embraced by this Agreement.

H. Notices. Any notice concerning the terms and conditions of this Agreement from Consultant to the Client shall be in writing and delivered, either personally or by mail (postage prepaid), by email or facsimile transmission and shall be addressed as follows:

Merrill Flood, Director
Department of Community Development
City of Greenville
P.O. Box 7207
Greenville, NC 27835-7207
Facsimile number: (252)329-4483
Email: MFlood@greenvillenc.gov

Notices to Consultant from Client shall be in writing and delivered, either personally or by mail (postage prepaid), by email or facsimile transmission and shall be addressed to:

Leigh Anne King, Principal
Clarion Associates
101 Market Street, Suite D
Chapel Hill, North Carolina 27516
Facsimile number: (919) 967-9077
Email: laking@clarionassociates.com

Notices shall be deemed effective upon delivery in the event of personal delivery, and after three (3) days when mailed, postage prepaid; if transmitted by facsimile or email, upon verified receipt of the electronic transmission. Either party may change its address in reference to notices by written notification to the other party.

5. **Indemnification.** The Consultant agrees to protect, defend, indemnify and hold the Client and its officers, employees, and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character in connection with or arising directly or indirectly out of this agreement and/or the performance hereof and caused by the negligence or intentional misconduct of the Consultant or sub-consultants.

6. **Independent Consultant.** Consultant is an independent contractor. Notwithstanding any provision appearing in this Agreement, all personnel assigned

by Consultant to perform work under the terms of the Agreement shall be and remain at all times, employees of the Consultant for all purposes. The Consultant, its agents and employees, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees of Client.

**7. Inquiries Regarding Payment.** All inquiries regarding payment of invoices are to be directed to:

Merrill Flood, Director
Department of Community Development
City of Greenville
P.O. Box 7207
Greenville, NC 27835-7207
Facsimile number: (252)329-4483
Email: MFlood@greenvillenc.gov

**8. Anti-discrimination Clause.** Consultant does not discriminate against any person because of race, color, religion, national origin, or handicap in any of the services provided.

**9. Extent of Agreement.** This Agreement represents the entire and integrated agreement between the Client and the Consultant and supersedes all prior negotiations, representations or agreement, either written or oral. This Agreement may be amended only by written Agreement signed by both the Client and the Consultant.

**10. Mediation.** All claims, disputes, and other matters in question between the parties to this Agreement arising out of or relating to this Agreement concerning a breach thereof, may be submitted to non-binding mediation upon agreement of the parties. The cost of said mediation shall be split equally between the parties. Mediation conducted under this Agreement shall occur in Pitt County, North Carolina. The parties agree to exercise any legal or equitable rights or remedies in a Superior Court of Pitt County, North Carolina.

**11. Severability.** In the event that any provision of this Agreement shall be held to be invalid or unenforceable, the remaining provisions of this agreement shall remain valid and binding upon the parties hereto.

**CLARION ASSOCIATES LLC** **GREENVILLE, NORTH CAROLINA**

**BY:** _____ **BY:** _____

**Craig Richardson**

**Title: _____** **Title:_____**
**Director**

**Date: _____** **Date: _____**

**ATTEST:**

**BY:**

**Printed Name:**

**Title: City Clerk**

**(SEAL):**

**APPROVED AS TO FORM**

_____
**City Attorney**

**PRE-AUDIT CERTIFICATION:**

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

_____
**Finance Director**

DRAFT

## EXHIBIT A: SCOPE OF SERVICES

The following scope of services is a series of tasks, with deliverables, to facilitate the development of the new Greenville, North Carolina, Comprehensive Plan. The project schedule, tasks, and deliverables include work components for both the Consultant and City staff.

# Phase 1: Project Initiation

The project initiation phase will be used to gather information, and establish the working relationship between the Consultant, City staff, and the City's stakeholders. Though much of the preliminary work can be completed in conference calls and web meetings, the Consultant will conduct a multi-day reconnaissance trip to hold project management discussions with City staff, meet with stakeholders, tour the city with staff, and conduct a kickoff meeting with the Steering Committee.

### Task 1.1: Develop Project Management Plan

During Task 1, the Consultant will meet with staff to finalize the work plan, public engagement strategy, and schedule. The Clarion team will work with City staff to set the final public participation strategy into action, with emphasis on outreach and communication through a series of two workshops to occur at specific milestones over the course of the project. Coordination with the Planning Commission and the City Council will be discussed to ensure they are briefed at key milestones throughout the project.

### Task 1.2: Collect Data and Reports

During this task, the Consultant will prepare an inventory of data and reports needed for analysis. The inventory will include regional and local plans, transportation studies, environmental studies, infrastructure studies, related plans, development codes, other relevant background studies, and other information (GIS data, utility data, building permit data, etc.). Any data or reports not readily available on the internet will be requested from City staff. The team will review this information and may request additional information or explanation of data.

### Task 1.3: Conduct Reconnaissance Tour and Stakeholder Interviews

During this first task, the Consultant will tour the City with staff members, and begin documenting current land development patterns, and other issues of relevance to the project. The team will meet with key community leaders, business leaders, and City department representatives to learn about critical current and future issues that will likely have an impact on the policies and actions included in the plan. Interviews with City staff will focus on gaining information to update the existing conditions portions of the comprehensive plan and to identify critical infrastructure and programmatic issues that will have an impact on plan policies.

### Task 1.4: Create Project Brand and Communication Channels

As part of the kickoff meeting with City staff, the Consultant will discuss project branding ideas, objectives for developing the project website, other communication channels (e.g., social media) and how these will be used, coordinated, and managed over the life of the project. The Clarion team will develop a website specifically for the Comprehensive Plan Update. The website will be maintained and updated throughout the project as necessary to reflect upcoming events and status updates. The Consultant will work with the City to identify the most appropriate community networks to deliver updates and event notices to members of the public that may not have internet access or capabilities. The Consultant can prepare the content for such communications and can prepare and manage a listserv for providing ongoing electronic communications with interested persons. City staff will be responsible for arranging to have advertisements within the newspaper, on the City's website, and distribution of Consultant developed communications delivered via postal service.

### Task 1.5: Launch the Project with the Steering Committee

On the initial project trip, the Consultant will also conduct a kickoff meeting with the project Steering Committee to educate members on the purpose of the Comprehensive Plan, review project objectives, establish roles and responsibilities, present the project schedule, present public engagement activities, and brainstorm initial key community issues to be addressed in the plan.

| Phase 1 Summary of Work and Schedule | |
|---|---|
| Task Timeline | Month 1 - Month 2 |
| Consultant Trips / Meetings | Included in this task are the following set of meetings:<br>• Project kickoff meeting with staff, City reconnaissance tour, stakeholder interviews, and Steering Committee kickoff meeting |
| Consultant Responsibilities and Deliverables | Consultant is responsible for:<br>• Data and information request memorandum<br>• Project management plan and schedule<br>• Public engagement strategy<br>• Stakeholder interview notes<br>• Project brand and website<br>• Presentation and materials for Steering Committee kickoff meeting |
| Greenville City Staff Responsibilities | Staff is responsible for:<br>• Setting up meetings, invitation and notification of meetings, and printing of meeting materials<br>• Assisting with acquisition of plans, studies, and data<br>• Reviewing and discussing the project management, public engagement, and project communication strategies provided by the Consultant<br>• Attending project meetings with Consultant<br>• Project advertising via newspaper, City website, and mailings through postal service (as needed) |

## Phase 2: Analysis and Visioning

In Phase 2, the Consultant will focus on three objectives: (1) technical analysis to update the plan elements and inform critical policy questions, (2) engage the community in an assessment of key issues and opportunities, and (3) develop a community vision and a set of guiding principles for the plan.

While the new Comprehensive Plan will include an update of data, trends, and community facilities projections, we also recommend conducting strategic analysis that respond to critical policy issues identified by the Steering Committee and staff. The intent is to ensure that the technical analysis is responsive to the values of the community and provides pertinent information needed to have a robust dialogue on policy alternatives.

This task also includes a formal audit of plan implementation. This includes both assessing what has been achieved in the 2010 Horizons Plan, and opportunities for synthesizing key goals and strategies found in newly adopted plans.

Critical public engagement tasks will include the community kickoff meeting that will provide opportunities to review the technical analysis findings, engage in discussions about key issues and opportunities, and participate in a visioning exercise. Two meetings with the Steering Committee will be conducted to serve as check points for the Key Findings Report, draft vision, and guiding principles, as well as a courtesy review meeting with the City Council to provide an update on the project.

## Task 2.1: Develop Analysis Priorities and Conduct Technical Analysis

The purpose of this task is to develop the strategic priorities for updating data and trends in the Comprehensive Plan, and to conduct analyses and map community conditions and trends. These data and trends will help inform development of the comprehensive plan's policy framework.

Early in Phase 2, the Clarion team will conduct a conference call with City staff to identify the critical data updates that are needed for the new Comprehensive Plan, and any new analysis that should be incorporated. The Clarion team will use national, state, and local sources for data to update plan elements. Clarion will work with City departments for additional data and relevant information, and will procure this information in Phase 1. The Consultant will consider information about community character in the City's nine planning areas, development, and redevelopment activity, housing trends, commercial market factors, environmental conditions, and demand/capacity information for key public facilities. Clarion will summarize data in tables, maps and graphs and identify observable trends. These data and conditions will be compiled into the draft Plan document template to be developed by the Consultant. It is recommended that these data be prepared as an appendix to the policy portions of the Comprehensive Plan so that they can be updated regularly, as data becomes available. These new sections will be presented in summary form to the Steering Committee and at the first community-wide workshop.

## Task 2.2: Conduct Plan Implementation Audit

The Consultant will work with City staff to complete a Comprehensive Plan Implementation Audit. Prepared in matrix form, this audit will identify which implementation actions are completed, ongoing, not initiated but still relevant, or no longer relevant. The audit will also address recently adopted plans, such as the Strategic Plan, and components of the plans that should be incorporated into the new Comprehensive Plan. This can occur as a series of teleconferences, videoconferences or via email.

## Task 2.3: Identify Neighborhood / Small Area Plan Priorities

In this task, the Consultant will discuss with City staff the priorities for developing up to four small area plans. This includes the specific study areas of the small area plans, the analyses to be conducted and included in the small area plans, and the specific approach for how policy guidance will be included in the small area plans. These discussions can be held via teleconference, videoconference, or by email.

## Task 2.4: Begin Neighborhood / Small Area Plan Analyses

Following completion of Task 2.3, the Consultant will being preparing analyses for the small area plans as agreed upon in Task 2.3. This information will be used as the base data for the small area plans.

## Task 2.5: Community Kickoff Meeting

The Consultant will work with City staff to design an event that will (1) educate the City's citizens about the project, its purpose, and role of the plan in policy decision-making, and (2) provide opportunities through facilitated exercises for participants to make their voice heard on the issues and problems they would like addressed by the plan. A formal logistics plan will be prepared to help with the implementation event. The Consultant will prepare the plan for the meeting, the presentation materials, and the content for advertising the event. The City staff will arrange for the meeting venue, advertise the event in local newspapers and on the City's website, and print presentation materials.

## Task 2.6: Prepare Key Findings Report

Upon completion of Tasks 2.1-2.5, the Consultant will prepare a key findings report that summarizes the salient themes from the technical analysis, stakeholder input, and public engagement exercises. The intent is for these preliminary themes to serve as a starting point for identifying the priority plan goals and outcomes. The Consultant will provide a staff review draft to City staff, and City staff will provide a consolidated set of comments for revising the report before it is distributed to the Steering Committee and publicly published.

## Task 2.7: Steering Committee Review of Key Findings / Vision Exercise

The Consultant will facilitate a Steering Committee meeting to review the Key Findings Report and to conduct a visioning exercise. The Consultant and the City staff will decide on the best method for engaging the Steering Committee in a visioning exercise prior to the meeting. The Consultant will prepare the materials for this meeting.

## Task 2.8: Draft a Community Vision and Guiding Principles for Plan

Following Task 2.7, the Consultant will prepare a draft community vision and guiding principles for the plan. The Consultant will provide a staff review draft to City staff, and City staff will provide a consolidated set of comments for revising the report before it is distributed to the Steering Committee and publicly published.

## Task 2.9: Steering Committee Review of Draft Vision and Guiding Principles

A second Phase 2 Steering Committee meeting will be held to review the draft vision statement and guiding principles for the plan. The Consultant will facilitate an open dialogue with Steering Committee members to refine and revise the draft products.

## Task 2.10: Council Courtesy Review of Draft Vision and Guiding Principles

The Consultant will prepare a presentation for City Council to brief them on the planning approach, the meetings held to date, the products prepared, and the draft vision and guiding principles. A critical aspect of this meeting is getting input from City Council on the draft vision and guiding principles.

## Task 2.11: Update Communications on Website

As public documents and events are ready for distribution to the public, the project website will be updated, and listserv emails will be sent out to keep interested parties abreast of project activity.

| Phase 2 Summary of Work and Schedule | |
|---|---|
| Task Timeline | Month 3 - Month 6 |
| Consultant Trips / Meetings | Included in this task are the following set of meetings:<br>• Community kickoff meeting #1<br>• Two Steering Committee meetings<br>• Formal project briefing to City Council |
| Consultant Responsibilities and Deliverables | Consultant is responsible for:<br>• Data and trends update (in plan format)<br>• Comprehensive Plan implementation audit matrix<br>• Opportunities and issues exercise and meeting materials (community kickoff meeting)<br>• Key Findings Report and presentation<br>• Draft vision and guiding principles<br>• Content for public notices for events |
| Greenville City Staff Responsibilities | Staff is responsible for:<br>• Setting up meetings, invitation and notification of meetings, and printing of meeting materials<br>• Reviewing and discussing draft Consultant work products and providing a single set of consolidated comments for each work product to the Consultant<br>• Attending project meetings with Consultant<br>• Project advertising via newspaper, City website, and mailings through postal service (as needed) |

# Phase 3: Plan Drafting

In Phase 3, the Clarion Team will focus on the preparation of the new land use plan, small area plans, and new policy framework components of the updated plan. This phase will be dedicated to the preparation of the plan document to provide actionable recommendations that support the vision and guiding principles generated in Phase 2. Using the general outline of the Horizons Plan, the document will be designed to be concise and user friendly. The organization and formatting of information and recommendations will be determined early in this phase with guidance from City staff. The new policy framework will be developed using the public input and staff and Steering Committee direction. This phase includes several meetings to ensure ample time for review. Public workshop #2 will provide the public with a preview of the critical changes to the plan, and an opportunity to provide comments.

## Task 3.1: Multi-Day Workshop to Develop a Framework for a Character-Based Land Plan and Small Area Plans

The City staff and Consultant will conduct a multi-day workshop to develop an agreed upon framework for the character-based land use plan and the small area plans. This two-to-three day workshop will first gather City staff to discuss the framework and approach for the land use plan and small area plans. Then key stakeholder focus groups will be assembled, including representatives of neighborhoods from small area plan study areas, to discuss the desired land use and design outcomes. Reconnaissance trips and additional data collection may be conducted as part of this task. The outcome will be a new character-based land planning framework that can be used for the entire City, and for the small area plans.

## Task 3.2: Prepare and Present Draft Outline of Plan to Staff

The Consultant will prepare a draft outline of the plan for presentation to City staff. This outline will build on the existing Horizons Plan organization and include recommendations for making the plan content more streamlined, user-friendly, and illustrative. The Consultant will provide a staff review draft to City staff, and City staff will provide a consolidated set of comments for revising the report before it is shared with the Steering Committee. The Consultant and City-staff may also consider holding a teleconference or video conference to discuss the draft structure.

## Task 3.3: Draft Policy Framework and Character-Based Land Plan and Small Area Plans

Using all of the information collection through Task 3.2, the Consultant will begin drafting the policy framework, the character-based land use plan, and the small area plans. It is expected that many of the existing objectives and policy statements in the currently adopted Horizon Plan will be carried-forward into the new plan as identified in Task 2.2. There will also be many new policies and actions that will be added. The Consultant and the City staff will develop a detailed schedule for delivery and review of the plan chapters. For each of these chapters, the Consultant will provide a staff review draft to City staff, and City staff will provide a consolidated set of comments to revise the chapter before it is shared with the Steering Committee.

## Task 3.4: Review Draft Elements with Staff and Steering Committee

The Consultant will host two meetings with the Steering Committee to present the draft policy framework, draft character-based land plan, and small area plans. The material will be shared with the Steering Committee in advance of the meetings and the Committee members will be given a presentation of the approach and the policy framework elements. The objectives of these two meetings are to make sure the content is well understood, to answer any questions about the content, and to identify any critical issues.

## Task 3.5: Test Draft Land Plan and Policy Framework at Public Workshop #2

Following Task 3.4, the Consultant will revise the draft policy framework and prepare it for review and testing at the second community meeting. This meeting will be organized using a public open house format to unveil the preliminary policy framework, character-based land use plan, and small area plans. The material will be organized into key station areas to facilitate ease of review and comment by participants. A brief overview presentation can be provided to give background on the project and open

house instructions to participants. The recommendations will be tested during the second meeting via survey materials. The Consultant will prepare materials, assist with production of publicity, conduct the open house with City staff, and document input from the second open house.

### Task 3.6: Prepare Public Review Draft

After the public open house, the Consultant will prepare a public review draft of the Comprehensive Plan that incorporates the input provided by the public. These changes will be tracked for easier viewing by the City staff and Steering Committee. The Consultant will provide a review draft to City staff, which in turn will provide a consolidated set of comments for revising the Plan before it is shared with the Steering Committee.

### Task 3.7: Present Public Review Draft to Steering Committee

A meeting will be conducted to brief the Steering Committee on the key comments provided at the public open house #2. The Consultant will facilitate a discussion with the Steering Committee to identify any final adjustments to the plan before it proceeds through the public adoption phase.

### Task 3.8: Update Communications and Activities on Website

As public documents and events are ready for conveying to the public, the project website will be updated, and listserv emails will be sent out to keep interested parties abreast of project activity.

| Phase 3 Summary of Work and Schedule | |
|---|---|
| Task Timeline | Month 7 - Month 11 |
| Consultant Trips / Meetings | Included in this task are the following set of meetings:<br>• Multi-day workshop to develop a framework for a character-based land plan and small area plans<br>• Three Steering Committee meetings<br>• Community meeting #2 |
| Consultant Responsibilities and Deliverables | Consultant is responsible for:<br>• Annotated plan outline / plan design template<br>• Framework and drafts of land plan and neighborhood/small area plans<br>• Draft plan elements (narrative, maps, graphics)<br>• Web content updates<br>• Public notices for input opportunities<br>• Public review draft of the plan |
| Greenville City Staff Responsibilities | Staff is responsible for:<br>• Setting up meetings, invitation and notification of meetings, and printing of meeting materials<br>• Reviewing and discussing draft Consultant work products and providing a single set of consolidated comments for each work product to the Consultant<br>• Attending project meetings with Consultant<br>• Project advertising via newspaper, City website, and mailings through postal service (as needed) |

# Phase 4: Adoption

In Phase 4, the Consultant will support City staff through the formal adoption process for the Comprehensive Plan. Upon gathering feedback from the public, the Consultant will prepare a revised draft of the plan. The Consultant will prepare an executive summary presentation of the plan and facilitate public hearings with the Planning and Zoning Commission and City Council.

## Task 4.1: Final Edits to Public Review Plan Draft

Based on the input provided by the Steering Committee and City staff in Task 3.7, the Consultant will prepare a final Public Review draft of the Comprehensive Plan to present at formal adoption hearings.

## Task 4.2: Prepare Executive Summary Presentation

The Consultant will prepare an executive summary presentation to be delivered to the Planning and Zoning Commission and the City Council public hearings. This presentation will focus on the key themes and guiding principles identified early in the process, and the policies and strategies included in the plan to implement the vision and guiding principles. The purpose is to provide an overview presentation that highlights the critical messages and proposed outcomes for the Comprehensive Plan. The Plan document will be made available prior to these meetings, allowing adequate time for review by the Commission and Council.

## Task 4.3: Facilitate Formal Recommendation by Planning and Zoning Commission

The Consultant will present the executive summary presentation at a public hearing set for the Planning and Zoning Commission. The Consultant will assist in facilitating discussion with the Commission and respond to any questions or concerns related to the content of the Plan. Upon Commission approval of the Plan to go forward to the City Council for a formal public hearing, any suggested revisions made by the Planning Commission will be documented in a formal memorandum to be shared with the City Council.

## Task 4.4: Present at City Council Public Hearing

The Consultant will present the executive summary presentation and Planning and Zoning Commission memorandum to the City Council at a public hearing. The Consultant will assist in facilitating discussion with the Commission and respond to any questions or concerns related to the content of the Plan.

## Task 4.5: Finalize Plan Document Upon Adoption by Council

Following adoption of the plan, the Consultant will make final edits requested by the City Council.

## Task 4.6: Update Communications on Website

As public documents and events become ready to convey to the public, the project website will be updated, and listserv emails will be sent out to keep interested parties abreast of project activity.

## Task 4.7: Deliver all Final Digital Files to City

The Consultant will transmit all final electronic documents and mapping files generated over the course of the project to City staff.

DRAFT

| Phase 4 Summary of Work and Schedule | |
|---|---|
| Task Timeline | Month 12 - Month 14 |
| Consultant Trips / Meetings | Included in this task are the following set of meetings:<br>• Planning and Zoning Commission Public Hearing<br>• City Council Public Hearing |
| Consultant Responsibilities and Deliverables | Consultant is responsible for:<br>• Final Public Review Draft of the Plan<br>• Executive Summary Presentation<br>• Final Adopted Plan<br>• All Digital Files and Documents |
| Greenville City Staff Responsibilities | Staff is responsible for:<br>• Setting up meetings, invitation and notification of meetings, and printing of meeting materials<br>• Reviewing and discussing draft Consultant work products and providing one set of consolidated comments to the Consultant<br>• Attending project meetings with Consultant<br>• Project advertising via newspaper, City website, and mailings through postal service (as needed) |

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# EXHIBIT B: COMPENSATION FOR SCOPE OF SERVICES

The Consultant will conduct the work set out in Exhibit A and will be compensated for that work in a budget not to exceed $140,000. This includes all labor and travel expenses for the Consultant: Clarion Associates, LLC and its sub-consultants. The itemized fee for each of the four phases of work is set out in the table below.

| Project Phases | Total |
|---|---|
| Phase 1: Project Initiation | $ 21,650 |
| Phase 2: Analysis and Visioning | $ 45,230 |
| Phase 3: Plan Drafting | $ 63,410 |
| Phase 4: Adoption | $ 9,710 |
| | **$ 140,000** |

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# City of Greenville, North Carolina

**Meeting Date: 4/9/2015**
**Time: 7:00 PM**

**Title of Item:** Update from Human Resources Department

**Explanation:** Mayor Allen Thomas requested a presentation from Human Resources Director Leah Futrell on the status of modernizing the Human Resources Department practices, areas of focus (merit pay criteria, joint pay & benefits, job classifications and promotions, grievance processes, etc), and steps of plan going forward with measurables for results.

**Fiscal Note:** No direct cost to provide an update.

**Recommendation:** Receive the update from Human Resources Director Leah Futrell.

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**Viewing Attachments Requires Adobe Acrobat. Click here to download.**

**Attachments / click to download**

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