



City Council Agenda

Agenda Of 7-8-2019

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ITEM 16C - ACCEPT DONATION OF PROPERTY FROM HOLLINGSWORTH FUNDS, INC..PDF

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Questions on an agenda item? Contact Camilla Pitman, city clerk, at cpitman@greenvillesc.gov. All media inquiries, please contact Leslie Fletcher, city public information officer, at lfletcher@greenvillesc.gov



AGENDA

FORMAL MEETING OF CITY COUNCIL

CITY HALL, 206 S. MAIN STREET, COUNCIL CHAMBERS
Monday, July 8, 2019 - 5:30 p.m.

1. Call to Order Mayor Knox H. White
2. Invocation Councilmember Jil Littlejohn
3. Pledge of Allegiance
4. Roll Call
5. Approval of the Minutes June 24, 2019
6. Communications/Announcements from the Mayor and Council
7. Citizens Wishing to Address Council
8. Presentation
None
9. Public Hearing
 - a. Abandonment of a portion of Viola Street (AB-3-2019)
 - b. Abandonment of a portion of East Washington Street (AB-4-2019)
10. APPOINTMENTS – Boards and Commissions
 - a. Springwood Cemetery Advisory Committee
 - b. Design Review Board – Neighborhood Panel
 - c. Design Review Board – Urban Panel

CONSENT AGENDA

There will be no discussion of Consent Agenda items unless a Council member so requests in which event the item in question will be considered separately.

11. UNFINISHED BUSINESS -- (Ordinances – Second and Final Reading)
 - a. Ordinance to approve the FY2019 Operating Budget for the South Carolina Technology and Aviation Center Board of Directors and to accept the FY 2018 Annual Auditor's Report
(Roll Call)
 - b. Ordinance to annex approximately 0.30 acre of real property located on Mason Street along with approximately 0.15 acre of right-of-way along Mason Street and to provide the zoning designation of RM-1, Single-family and Multifamily Residential District (Tax Map Number 0118001401300) (AX-4-2019)
(Roll Call)

- c. Ordinance to rezone approximately 24.73 acres of real property located on Fairforest Way and United Way from I-1, Industrial District, to RM-3, Single-family and Multifamily Residential District (Tax Map Number M011010100315) (Z-7-2019)
(Roll Call)
 - d. Ordinance to amend Chapter 40, Taxation, Article IV, Special Tax Assessment for Rehabilitated Historic Property, of the Code of Ordinances of the City of Greenville to provide for administrative revisions
(Roll Call)
 - e. Ordinance approving amendments to the City of Greenville's Firefighters' Pension Fund Plan
(Roll Call)
 - f. Ordinance to abandon Cemetery Street and an unnamed alley located between Cemetery Street and East Stone Avenue (AB-1-2019)
(Roll Call)
 - g. Ordinance to abandon Solomon Circle (AB-2-2019)
(Roll Call)
 - h. Ordinance to appropriate \$38,125 in the Hospitality Tax Fund to support the Lake Conestee Nature Park pursuant to the city of Greenville's Agreement with Conestee Foundation, Inc.
(Roll Call)
- 12. NEW BUSINESS -- (Ordinances – First Reading)**
None
- 13. NEW BUSINESS -- (Resolutions – First and Final Reading)**
None

REGULAR AGENDA

- 14. UNFINISHED BUSINESS -- (Ordinances – Second and Final Reading)**
- a. Ordinance to rezone approximately 0.252 acre of real property located on Easley Bridge Road from RM-2, Single-family and Multifamily Residential District, to RDV, Redevelopment District (Tax Map Number 0077000300400) (Z-8-2019)
(Roll Call)
 - b. Ordinance authorizing a sublease and license agreement between the City of Greenville and Sutera USA, LLC for the purpose of locating trash receptacles in the vicinity of Boggs Street (REVISED)
(Roll Call)

15. NEW BUSINESS -- (Ordinances – First Reading)

- a. Ordinance to rezone approximately 19.388 acres of real property located on Haywood Road and Pelham Road from R-6, Single-Family Residential District, to PD, Planned Development District (Tax Map Numbers 0278000200300 and 0278000200301) (Z-26-2018) (REVISED)
(Roll Call)
- b. Ordinance to annex approximately 0.097 acre of real property located at 13 Ridge Street and to provide the zoning designation of RM-1, Single-family and Multifamily residential district (Tax Map Number 0106000201200) (AX-6-2019)
(Roll Call)
- c. Ordinance to rezone approximately 2.567 acres of real property located on Solomon Circle and Chick Springs Road from RM-2, Single and Multifamily residential district, to R-6, Single-family residential district (Tax Map Number 0185000200702) (Z-9-2019)
(Roll Call)
- d. Ordinance to abandon a portion of Viola Street (AB-3-2019)
(Roll Call)
- e. Ordinance to abandon a portion of East Washington Street (AB-4-2019)
(Roll Call)
- f. Ordinance to appropriate \$55,000 in the Law Enforcement Special Revenue Fund, Department of Homeland Security, and \$45,000 in the Law Enforcement Special Revenue Fund, Department of Justice Account, for a total of \$100,000 for the purpose of funding a collaborative software development initiative to enhance existing police information systems
(Roll Call)

16. NEW BUSINESS -- (Resolutions – First and Final Reading)

- a. Resolution to certify property at Woodside Avenue and East Main Street as an Abandoned Textile Mill Site (Tax Map Number 0122000300100)
- b. Resolution to certify 711 W. Washington Street as an abandoned building site (Tax Map Number 0052000200100)
- c. Resolution to accept a dedication from Hollingsworth Funds, Inc. of 11,680 square feet (0.27 acre) of real property for the Salters Road Realignment Project
- d. Resolution to express City Council's support for enhancing the sworn pay plan of the Greenville Police Department to ensure greater parity and equity among competing organizations, to ensure the City remains an employer of first choice for recruiting purposes, and to ensure the retention of a highly qualified and experienced police workforce

17. ADJOURN



MINUTES

FORMAL MEETING OF CITY COUNCIL

CITY HALL, 206 S. MAIN STREET, COUNCIL CHAMBERS
Monday, June 24, 2019 - 5:30 p.m.

1. CALL TO ORDER

Mayor Knox H. White

2. INVOCATION

Councilmember Amy Doyle

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

The following members of City Council were in attendance: Mayor Knox White, Amy Doyle, Lillian Flemming, Wil Brasington, Russell Stall, and George Fletcher

Absent: Jil Littlejohn

5. APPROVAL OF THE MINUTES

June 10, 2019; Approved as submitted

June 17, 2019; Approved as submitted

6. COMMUNICATIONS / ANNOUNCEMENTS FROM THE MAYOR AND COUNCIL

None

7. CITIZENS WISHING TO ADDRESS COUNCIL

Randall Maddox, 632 S. Main Street (27 Boggs Street), spoke on a trash issue along Boggs Street and provided photographs showing his concerns. Mr. Maddox stated he has been told the businesses are not up to code and requested Council correct the problem.

Public Works Director Mike Murphy provided information on the City's purchase of new underground trash cans and efforts to finalize a lease agreement to install the cans. Mr. Murphy stated the second and final reading of a lease agreement should come to Council on July 8 and then it should take a few weeks for installation. Mr. Murphy also stated the City has been cleaning more often, however, it has still been a problem. Mr. Murphy thanked the residents for their patience.

Councilmember Doyle suggested every permit application include a trash plan. Mr. Murphy advised each permit now requires a garbage collection plan and a review by the Solid Waste division.

8. PRESENTATION

a. Retirement Recognition of City Employees

Mayor White and City Council recognized a total of 605 combined years of service from this year's municipal retirees and acknowledged the following retirees in attendance:

<u>Employee</u>	<u>Department</u>
David Houghton	Fire
Richard Mullinax	Fire
Robert Sitton	Fire
Kenneth Spivey	Fire
Steven Whitman	Fire
Mark K. Teal	Office of Management and Budget
James B. Bell	Police
Antonio L. Thomas	Police
Joanne M. Smythe	Police
Sandra Davis-Sitton	Public Works
Donald J. Morgan	Public Works
Patricia Thackston	Public Works

9. PUBLIC HEARING

None

10. APPOINTMENTS – Boards and Commissions

None

CONSENT AGENDA

There will be no discussion of Consent Agenda items unless a Council member so requests in which event the item in question will be considered separately.

Councilmember Doyle moved, seconded by Councilmember Brasington, to approve second and final reading of agenda items 11a, 11b, 11c, and 11d, first reading of agenda item 12a, and first and final reading of agenda items 13a, 13b, and 13c of the Consent Agenda. The motion carried unanimously.

11. UNFINISHED BUSINESS -- (Ordinances – Second and Final Reading)

- a. Ordinance to extend for an additional four months, through November 30, 2019, that Municipal Service Agreement, between Duke Energy Carolinas, LLC and City of Greenville for use of city rights-of-way
- b. Ordinance to annex approximately 0.27 acre of real property located on Ridge Street along with approximately 0.086 acre of right-of-way along Ridge Street and Guess Street and to provide the zoning designation of RM-1, Single-family and Multifamily Residential District (Tax Map Number 0106000200800) (AX-3-2019)
- c. Ordinance to appropriate \$1,252,715 in the Capital Projects Fund and \$32,947 in the General Fund for the Augusta Fire Station Project (FD1001) and to authorize the reallocation of previously appropriated funds for the same purpose
- d. Ordinance to appropriate \$160,000 in the Law Enforcement Special Revenue Fund, Department of Justice Account for the purpose of funding the Greenville County Multijurisdictional Drug Enforcement Unit, the purchase of smartphone decryption

software, validation studies of recruit hiring practices and health screening criteria, and personal protective equipment carriers for the Greenville Police Department

12. NEW BUSINESS -- (Ordinances – First Reading)

- a. Ordinance to approve the FY2019 Operating Budget for the South Carolina Technology and Aviation Center Board of Directors and to accept the FY 2018 Annual Auditor's Report

13. NEW BUSINESS -- (Resolutions – First and Final Reading)

- a. Resolution to provide for a merit increase to the City Attorney
- b. Resolution to reappoint the Municipal Judge and provide for a merit increase
- c. Resolution to reappoint various judicial positions in Municipal Court under Chapter 22, Municipal Court, of the Code of Ordinances of the City of Greenville

REGULAR AGENDA

14. UNFINISHED BUSINESS – (Ordinances – Second and Final Reading)

None

15. NEW BUSINESS – (Ordinances – First Reading)

- a. Ordinance to annex approximately 0.30 acre of real property located on Mason Street along with approximately 0.15 acre of right-of-way along Mason Street and to provide the zoning designation of RM-1, Single-family and Multifamily Residential District (Tax Map Number 0118001401300) (AX-4-2019)

Councilmember Stall moved, seconded by Councilmember Brasington, to approve first reading.

Tyler Morgan, 102 Mason Street, spoke as the property owner in support of the annexation.

After discussion, the motion carried unanimously.

- b. Ordinance to rezone approximately 24.73 acres of real property located on Fairforest Way and United Way from I-1, Industrial District, to RM-3, Single-family and Multifamily Residential District (Tax Map Number M011010100315) (Z-7-2019)

Councilmember Doyle moved, seconded by Councilmember Stall, to approve first reading.

Assistant Planning and Development Manager Shannon Lavrin stated the Planning Commission found the rezoning to be a good opportunity in an area where there has

been residential growth and advised the Commission voted 6-0 in favor of the rezoning.

Councilmember Fletcher asked whether there had been any industrial prospects for the property, and Ms. Lavrin responded there had not.

After discussion, the motion carried unanimously.

- c. Ordinance to rezone approximately 0.252 acre of real property located on Easley Bridge Road from RM-2, Single-family and Multifamily Residential District, to RDV, Redevelopment District (Tax Map Number 0077000300400) (Z-8-2019)

Councilmember Doyle moved, seconded by Councilmember Flemming, to approve first reading.

Ms. Lavrin stated the Planning Commission recommended denial by a vote of 4-2 based on staff's recommendation. Ms. Lavrin advised there is no surrounding RDV property, the property is in the middle of an area where there is residential and multifamily adjacent to C-3, and it was the opinion of the Planning staff that RDV was not the most appropriate zoning. Ms. Lavrin also advised staff recommended against C-3 which would encroach commercial zoning into the neighborhood. Ms. Lavrin stated staff has been told the desire is to put an office on the property, which is permitted in RM-2 by special exception and is an option through the Board of Zoning Appeals.

Councilmember Flemming asked if there would be a cost for the applicant to go before the Board of Zoning Appeals. Ms. Lavrin responded there would be an application fee, however, it might be possible to allow the rezoning fee to be applied towards the special exception fee.

Councilmember Fletcher asked for clarification regarding spot zoning. Ms. Lavrin stated the property is only a quarter of an acre and while it does not reference to an acreage requirement for spot zoning, the Planning and Development Manager is of the opinion that anything under two acres has the potential to be viewed in that light.

Ahmed Abdeladi, 11 Easley Bridge Road, spoke as the applicant in support of Item 15c. Mr. Abdeladi stated that Planning staff previously recommended he pursue RDV, however, prior to the last Design Review Board meeting he was advised by a staff member of concerns by the neighbors about spot zoning. Mr. Abdeladi also stated he met with the neighbors and the Sterling Neighborhood Association provided him with a letter of support.

Councilmember Doyle requested a map for public viewing during the discussion. Ms. Lavrin provided an exhibit map from the agenda item and pointed out the surrounding properties and zoning classifications.

Dot Russell, 4A Odessa Street, President of the Sterling Neighborhood Association, spoke in support of Item 15c. Ms. Russell stated the community

supports Mr. Abdeladl and is willing to do whatever necessary to assist Mr. Abdeladl. Ms. Russell asked for Council's assistance as well.

Councilmember Doyle asked for other uses allowed in RDV zoning. Ms. Lavrin responded the zoning allows for restaurants with a special exception for a drive-thru, small retail, office uses, some medical uses, and a funeral home. Ms. Lavrin stated the Planning Department did not want C-3 for the property because it is more intense and encroaches into the neighborhood.

Councilmember Flemming stated she appreciates the Planning Commission advising Mr. Abdeladl to look at a zoning less intense for the community. Councilmember Flemming also stated she supports the neighborhood and sees no problem with RDV zoning.

Ms. Russell questioned if Council is deciding on the rezoning based on what future business might be on the property. Mayor White responded that Council could consider that factor as part of the process and stated RDV zoning serves as a protective zoning classification.

Councilmember Brasington asked if the applicant would have the same results with pursuing an RM-2 with a special exemption as he would with a RDV zoning. Ms. Lavrin responded she did not assist the applicant with this item and could not comment without further investigation. Councilmember Brasington asked if special exemption requests from the Board of Zoning Appeals would come to City Council for action. Ms. Lavrin responded those special exemptions are satisfied by the Board of Zoning Appeals as long as they meet all the requirements.

After discussion, the motion carried unanimously.

- d. Ordinance to amend Chapter 40, Taxation, Article IV, Special Tax Assessment for Rehabilitated Historic Property, of the Code of Ordinances of the City of Greenville to provide for administrative revisions

Councilmember Brasington moved, seconded by Councilmember Fletcher, to approve first reading. The motion carried unanimously.

- e. Ordinance approving amendments to the City of Greenville's Firefighters' Pension Fund Plan

Councilmember Brasington moved, seconded by Councilmember Stall, to approve first reading. The motion carried unanimously.

- f. Ordinance to abandon Cemetery Street and an unnamed alley located between Cemetery Street and East Stone Avenue (AB-1-2019)

Councilmember Brasington moved, seconded by Councilmember Stall, to approve first reading. The motion carried unanimously.

- g. Ordinance to abandon Solomon Circle (AB-2-2019)

Councilmember Doyle moved, seconded by Councilmember Stall, to approve first reading. The motion carried unanimously.

- h. Ordinance to appropriate \$38,125 in the Hospitality Tax Fund to support the Lake Conestee Nature Park pursuant to the city of Greenville's Agreement with Conestee Foundation, Inc.

Councilmember Fletcher moved, seconded by Councilmember Brasington, to approve first reading. The motion carried unanimously.

16. NEW BUSINESS – (Resolution – First and Final Reading)

- a. Resolution to support the "Ban the Box" initiative by increasing employment opportunities for qualified applicants with past criminal convictions

Councilmember Flemming thanked Assistant City Attorney Logan Wells and Human Resources Director Athena Miller for their assistance and shared that the City has been implementing the actions in the Resolution for years.

Councilmember Flemming moved, seconded by Councilmember Stall, to approve first and final reading.

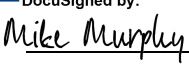
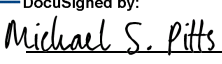
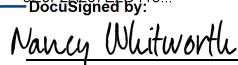
Mayor White thanked Councilmember Littlejohn for her participation early in the process. Councilmember Stall thanked Jerry Blassingame for his efforts with moving the item forward and referred to the action being a catalyst for other municipalities.

After discussion, the motion carried unanimously.

- 17. ADJOURN.** There being no further business, the meeting adjourned at 6:25 p.m.

KNOX H. WHITE, MAYOR

CAMILLA G. PITMAN, MMC, Certified PLS
CITY CLERK

	PUBLIC HEARING City of Greenville, South Carolina To: Honorable Mayor and Members of City Council From: Nancy P. Whitworth, Interim City Manager	Agenda Item No. 9a
NATURE OF ITEM: ☒ Abandonment ☐ Annexation/Zoning ☐ Street Closure ☐ Text Amendment ☐ Other		
PUBLIC HEARING DATE: July 8, 2019 PURPOSE OF HEARING: TO RECEIVE PUBLIC COMMENT FOR THE PROPOSED ABANDONMENT OF A PORTION OF VIOLA STREET (AB-3-2019) REQUESTOR/APPLICANT: Diamond Jubilee, LLC SUMMARY BACKGROUND: The city of Greenville has received a petition from Diamond Jubilee, LLC requesting the abandonment of a portion of Viola Street. The area to be abandoned is highlighted in red on the attached site location map and is shown more accurately on the attached plat. The applicant is proposing a new Comfort Inn Suites hotel at 600 Buncombe Street and is requesting an abandonment of the public right of way along their frontage of Viola Street to meet the required building setbacks. This section of Viola Street is currently closed to traffic and functions as pedestrian access from Buncombe Street to the Viola neighborhood. A portion of this section of Viola Street was abandoned in 2007 as part of the Viola Street Redevelopment project. The City will retain a public access easement to maintain the pedestrian access to the neighborhood but the remainder of the public right of way is proposed to be abandoned to accommodate the hotel development. The abandonment will be subject to easements being established for all utilities currently located within the existing right of way. The abandonment has been reviewed by the City's Engineering, Public Works, Fire, and Police Departments as well as local utility providers with no objections found. If approved, the abandonment will be subject to the applicant dedicating easements to the existing utility providers with facilities currently located in the right of way.		
REQUIRED SIGNATURES		
Department Director DocuSigned by:  B8351B3CF7524D2... Zoning Administrator	City Attorney DocuSigned by:  5E0F2A267E2D413... City Manager DocuSigned by:  1DC2D48BBB5D4AB...	



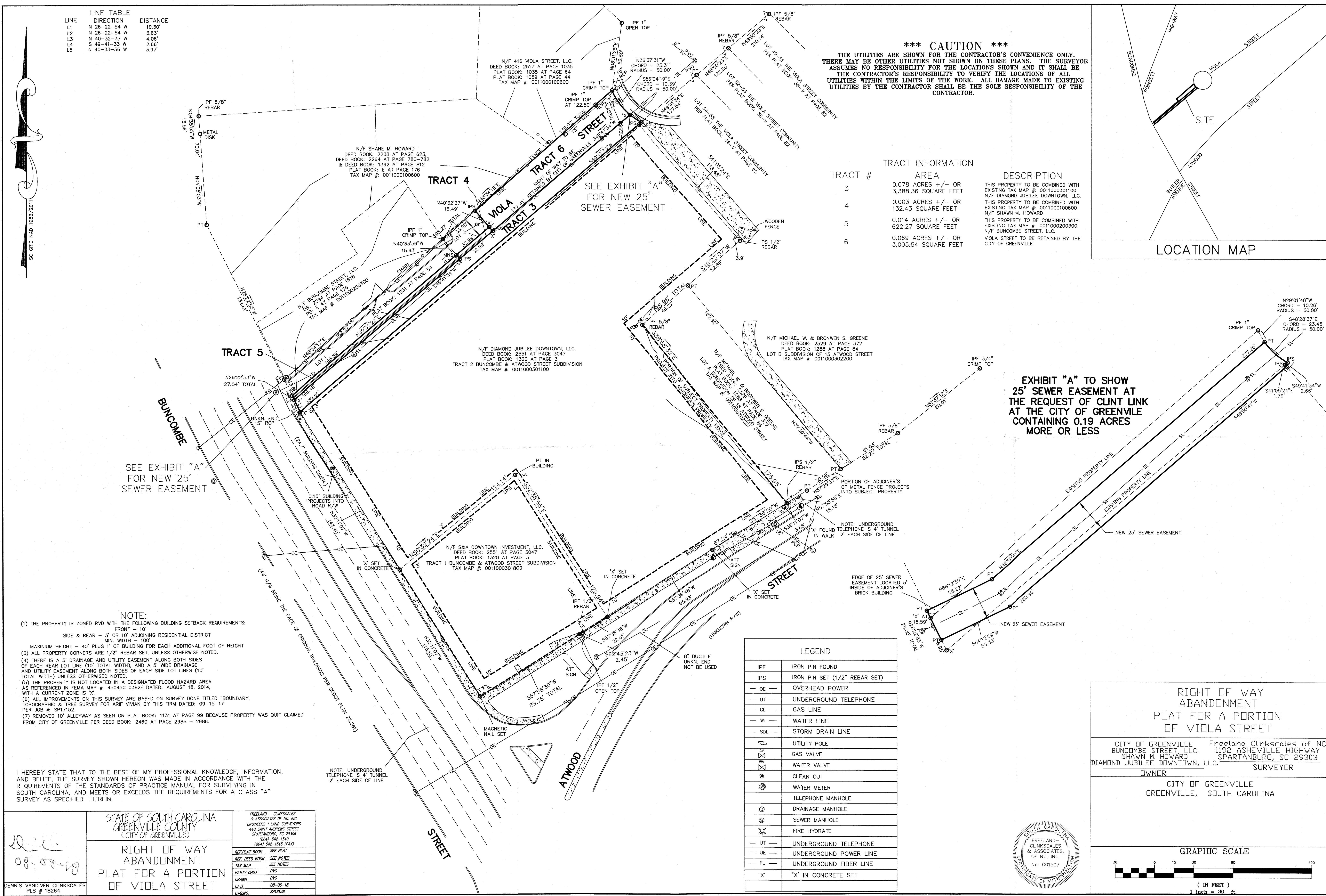
AB 19-03 Viola Street Abandonment



Legend

- Parcels with Ownership
- City of Greenville Limits
- 2019 Aerial Photography

Notes



*** CAUTION ***
THE UTILITIES ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

TRACT #	AREA	DESCRIPTION
3	0.078 ACRES +/- OR 3,388.36 SQUARE FEET	THIS PROPERTY TO BE COMBINED WITH EXISTING TAX MAP # 0011000301100 N/F DIAMOND JUBILEE DOWNTOWN, LLC.
4	0.003 ACRES +/- OR 132.43 SQUARE FEET	THIS PROPERTY TO BE COMBINED WITH EXISTING TAX MAP # 0011000100600 N/F SHAWN M. HOWARD
5	0.014 ACRES +/- OR 622.27 SQUARE FEET	THIS PROPERTY TO BE COMBINED WITH EXISTING TAX MAP # 0011000200300 N/F BUNCOMBE STREET, LLC.
6	0.069 ACRES +/- OR 3,005.54 SQUARE FEET	VIOLA STREET TO BE RETAINED BY THE CITY OF GREENVILLE

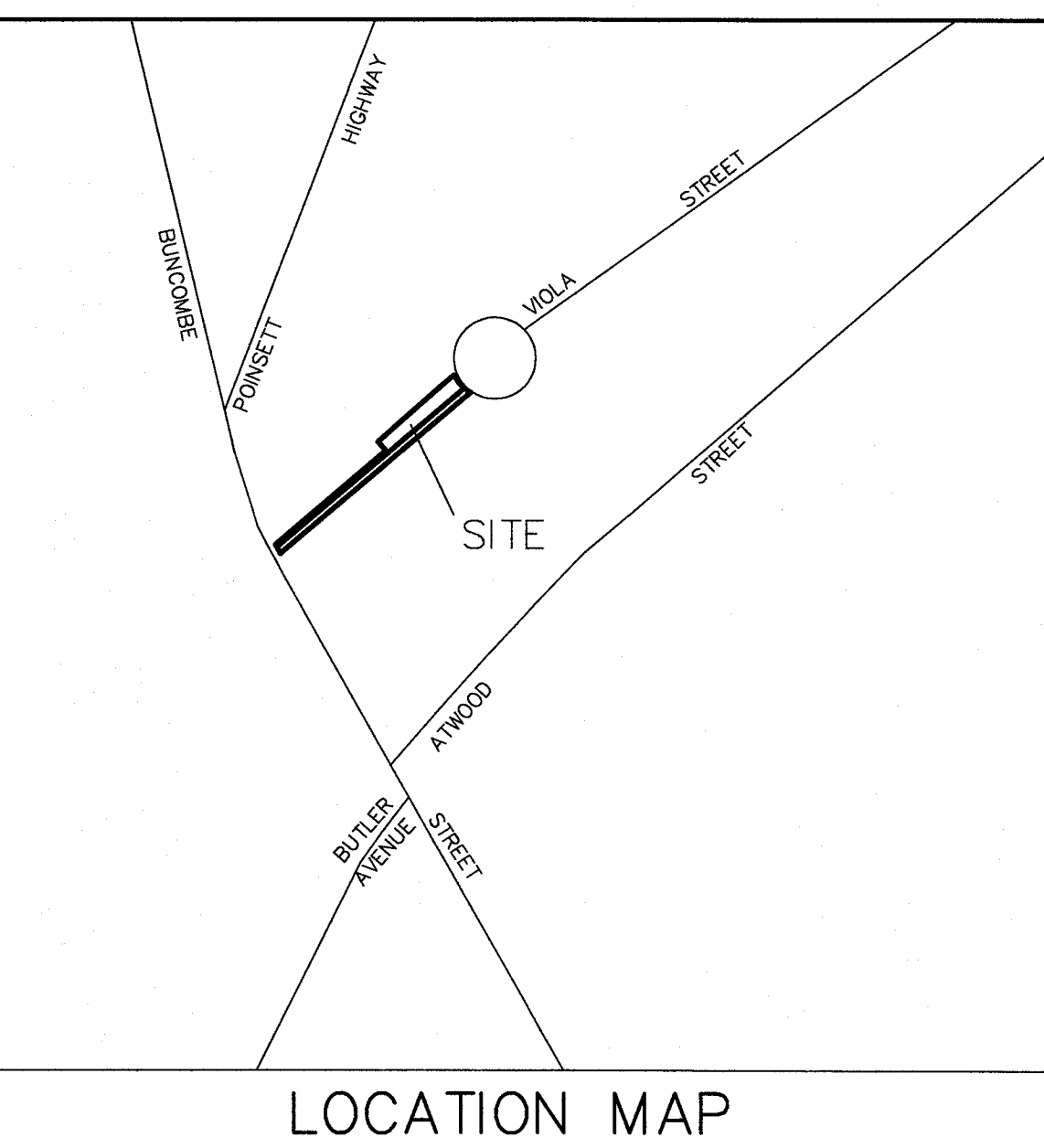


EXHIBIT "A" TO SHOW
25' SEWER EASEMENT AT
THE REQUEST OF CLINT LINK
AT THE CITY OF GREENVILLE
CONTAINING 0.19 ACRES
MORE OR LESS

SEE EXHIBIT "A"
FOR NEW 25'
SEWER EASEMENT

NOTE:
(1) THE PROPERTY IS ZONED RVD WITH THE FOLLOWING BUILDING SETBACK REQUIREMENTS:
FRONT - 10'
SIDE & REAR - 3' OR 10' ADJOINING RESIDENTIAL DISTRICT MIN. WIDTH - 100'
MAXIMUM HEIGHT - 40' PLUS 1' OF BUILDING FOR EACH ADDITIONAL FOOT OF HEIGHT
(2) ALL PROPERTY CORNERS ARE 1/2" REBAR SET, UNLESS OTHERWISE NOTED.
(3) THERE IS A 5' DRAINAGE AND UTILITY EASEMENT ALONG BOTH SIDES OF EACH REAR LOT LINE (10' TOTAL WIDTH), AND A 5' WIDE DRAINAGE AND UTILITY EASEMENT ALONG BOTH SIDES OF EACH SIDE LOT LINES (10' TOTAL WIDTH) UNLESS OTHERWISE NOTED.
(4) THE PROPERTY IS NOT LOCATED IN A DESIGNATED FLOOD HAZARD AREA AS REFERENCED IN FEMA MAP # 45045C 0382E DATED: AUGUST 18, 2014, WITH A CURRENT ZONE IS 'X'.
(5) ALL IMPROVEMENTS ON THIS SURVEY ARE BASED ON SURVEY DONE TITLED "BOUNDARY, TOPOGRAPHIC & TREE SURVEY FOR ARIF VIVIAN BY THIS FIRM DATED: 09-15-17 PER JOB # SP17152.
(6) REMOVED 10' ALLEYWAY AS SEEN ON PLAT BOOK: 1131 AT PAGE 99 BECAUSE PROPERTY WAS QUIT CLAIMED FROM CITY OF GREENVILLE PER DEED BOOK: 2460 AT PAGE 2985 - 2986.

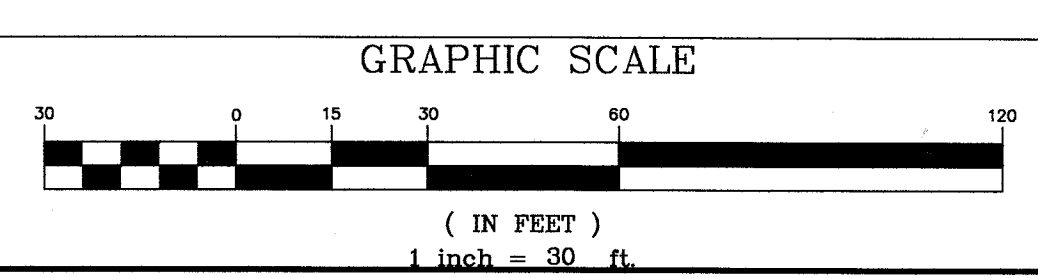
I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

LEGEND	
IPF	IRON PIN FOUND
IPS	IRON PIN SET (1/2" REBAR SET)
OE	OVERHEAD POWER
UT	UNDERGROUND TELEPHONE
GL	GAS LINE
WL	WATER LINE
SDL	STORM DRAIN LINE
UP	UTILITY POLE
GV	GAS VALVE
WV	WATER VALVE
CO	CLEAN OUT
WM	WATER METER
TM	TELEPHONE MANHOLE
DM	DRAINAGE MANHOLE
SM	SEWER MANHOLE
FH	FIRE HYDRATE
UT	UNDERGROUND TELEPHONE
UE	UNDERGROUND POWER LINE
FL	UNDERGROUND FIBER LINE
X	'X' IN CONCRETE SET

RIGHT OF WAY
ABANDONMENT
PLAT FOR A PORTION
OF VIOLA STREET

CITY OF GREENVILLE Freeland Clinkscales of NC
BUNCOMBE STREET, LLC. 1192 ASHEVILLE HIGHWAY
SHAWN M. HOWARD SPARTANBURG, SC 29303
DIAMOND JUBILEE DOWNTOWN, LLC. SURVEYOR

OWNER
CITY OF GREENVILLE
GREENVILLE, SOUTH CAROLINA



STATE OF SOUTH CAROLINA
GREENVILLE COUNTY
(CITY OF GREENVILLE)

RIGHT OF WAY
ABANDONMENT
PLAT FOR A PORTION
OF VIOLA STREET

DENNIS VANDIVER CLINKSCALES
PLS # 18264

08-08-18

DATE 08-08-18
DWG NO. SP18138

FREELAND - CLINKSCALES
& ASSOCIATES OF NC, INC.
ENGINEERS & LAND SURVEYORS
440 SAINT ANDREW'S STREET
SPARTANBURG, SC 29306
(803) 542-1540
(803) 542-1545 (FAX)

REF. PLAT BOOK SEE PLAT
REF. DEED BOOK SEE NOTES
TAX MAP SEE NOTES
PARTY CHIEF DVC
DRAWN DVC
DATE 08-08-18
DWG NO. SP18138



PUBLIC HEARING

City of Greenville, South Carolina

To: Honorable Mayor and Members of City Council
From: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

9b

NATURE OF ITEM: ☒ Abandonment ☐ Annexation/Zoning ☐ Street Closure ☐ Text Amendment ☐ Other

PUBLIC HEARING DATE: July 8, 2019

PURPOSE OF HEARING:

TO RECEIVE PUBLIC COMMENT FOR THE PROPOSED ABANDONMENT OF A PORTION OF EAST WASHINGTON STREET (AB-4-2019)

REQUESTOR/APPLICANT:

J. DARRYL HOLLAND

SUMMARY BACKGROUND:

The city of Greenville has received a petition from J. Darryl Holland requesting the abandonment of a portion of East Washington Street. The area to be abandoned is highlighted in red on the attached site location map and is shown more accurately on the attached plat.

The applicant is constructing a commercial development at 811 Laurens Road and is proposing to utilize the abandoned right of way as part of the required parking for the development. This section of East Washington Street is unimproved and currently terminates in a dead end with no connection to other city streets. The right of way abandonment will not result in any adverse impacts to traffic circulation or operations of the City's street system.

The abandonment has been reviewed by the City's Engineering, Public Works, Fire, and Police Departments as well as local utility providers with no objections found. If approved, the abandonment will be subject to the applicant dedicating easements to the existing utility providers with facilities currently located in the right of way.

REQUIRED SIGNATURES

Department Director

DocuSigned by:

Mike Murphy

B8351B3CF7524D2...

City Attorney

DocuSigned by:

Michael S. Pitts

5E0F2A267E2D413...

Zoning Administrator

City Manager

DocuSigned by:

Nancy Whitworth

1DC2D48BBB5D4AB...



AB 19-04 East Washington St Abandonment



Legend

- Parcels with Ownership
- City of Greenville Limits
- 2019 Aerial Photography



1: 2,400

Notes

400 0 200 400 Feet

NAD_1983_HARN_StatePlane_South_Carolina_FIPS_3900_Feet_Intl
© City of Greenville, SC Date Created: 6/21/2019

This map is user generated from the City of Greenville's MapIT 2.0 intranet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable and should be appropriately used with caution. Contact the GIS Division for all questions pertaining to the MapIT 2.0 program and data.

RIGHT OF WAY ABANDONMENT SURVEY FOR J. DARRYL HOLLAND CITY OF GREENVILLE, SOUTH CAROLINA			
PROPERTY ADDRESS LAURENS ROAD AND EAST WASHINGTON STREET			
40	0	40	80
			SCALE 1" = 40'
TAX PIN AS LABELED			
DATE 1/11/2018	FIELD CREW RCH / BGD	DRAWN BY RCH / BGD	

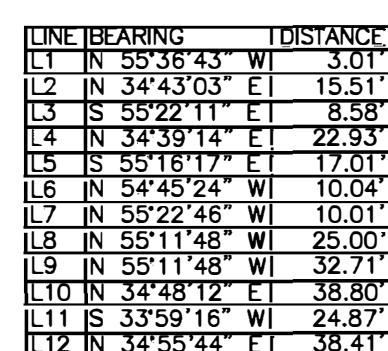
THESE SEALS ARE REPRODUCTIONS OF THE ORIGINAL SEALS OF THE SURVEYORS.

THIS SURVEY, AND ALL COPIES THEREOF, ARE INVALID WITHOUT THE ORIGINAL SIGNATURE, DATE, AND EMBOSSED SEAL OF ROBERT C. HOOKS

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN, ALSO THERE ARE NO KNOWN VISIBLE ENCROACHMENTS OR PROJECTIONS AFFECTING THE PROPERTY OTHER THAN THOSE SHOWN.

ROBERT C. HOOKS, P.S.
 S.C. REG. NO. 26598

DATE _____





REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council

FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

11a

☐ Ordinance/First Reading
 ☒ Ordinance/Second & Final Reading
 ☐ Resolution/First & Final Reading
 ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

TO APPROVE THE FY2019 OPERATING BUDGET FOR THE SOUTH CAROLINA TECHNOLOGY AND AVIATION CENTER BOARD OF DIRECTORS AND TO ACCEPT THE FY2018 ANNUAL AUDITOR'S REPORT

SUMMARY BACKGROUND:

The South Carolina Technology and Aviation Center (SCTAC) Board of Directors has reviewed and approved its FY2019 Operating Budget and FY2018 Annual Auditor's Report for the year ended September 30, 2018. The Board provides the same to City Council, as required by City Code §2-534, for approval and acceptance by Ordinance.

IMPACT IF DENIED:

Required by City Code §2-534

FINANCIAL IMPACT

N/A

REQUIRED SIGNATURES

Department Director _____

City Attorney _____

DocuSigned by:

Michael S. Pitts

5E0F2A267E2D413...
DocuSigned by:

OMB Director _____

DocuSigned by:

Karen K. Crawford

FF618FBE2A9C45B...

City Manager _____

Nancy Whitworth

1DC2D48BBB5D4AB...

A N O R D I N A N C E

TO APPROVE THE FY2019 OPERATING BUDGET FOR THE SOUTH CAROLINA TECHNOLOGY AND AVIATION CENTER BOARD OF DIRECTORS AND TO ACCEPT THE FY2018 ANNUAL AUDITOR'S REPORT

WHEREAS, the FY2019 Operating Budget for the South Carolina Technology and Aviation Center Board of Directors was reviewed and approved by the Board at its meeting on September 17, 2018, and the FY2018 Annual Auditor's Report performed by Bradshaw, Gordon, and Clinkscales, L.L.C., for the year ended September 30, 2018, was reviewed and approved by the Board at its meeting on March 18, 2019; and

WHEREAS, copies of the 2018 Annual Report to Councils, including the FY2018 Annual Auditor's Report and the FY2019 Operating Budget, were received by the City Clerk's Office on June 12, 2019, from Executive Director Jody Bryson for City Council's review and acceptance; and

WHEREAS, City Council has reviewed the FY2018 Annual Auditor's Report and the FY2019 Operating Budget and find both to be acceptable;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the FY2019 Operating Budget of the South Carolina Technology and Aviation Center Board of Directors as submitted to the city of Greenville on June 12, 2019, is approved and the FY2018 Annual Auditor's Report is accepted.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2019.

MAYOR

ATTEST:

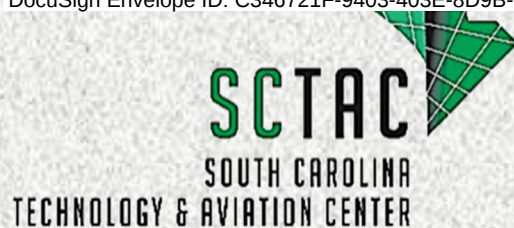
CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER



2 Exchange Street
Greenville, SC 29605
Phone: 864-299-3152
Fax: 864-299-0797



2018

ANNUAL REPORT TO COUNCILS
South Carolina Technology & Aviation Center

Visit us online at www.sc-tac.com
www.itic-sc.com

2018

ANNUAL REPORT TO COUNCILS

Dear Honorable Mayor, Chairman and Council Members,

Please find attached, copies of:

- FY 2018/2019 budget as adopted by the South Carolina Technology & Aviation Center (SCTAC) Board of Directors.
- Auditor's Letter related to the annual audit for FY 2018 as performed by Bradshaw, Gordon & Clinkscales, LLC; and

Please note financial information was not available from the South Carolina Public Employee Benefit Authority until March 2019 and resulted in the delayed issuance of our final audited financial statements by our auditors. If you would like to receive a copy of the full audit report, please contact Karen Gordon at (864) 451-5755 or karen.gordon@sc-tac.com.

I am also pleased to report SCTAC highlights of the past fiscal year, covering each of our four (4) programs of work:

- 1) *Property Management*
- 2) *Donaldson Field*
- 3) *Economic Development*
- 4) *International Transportation Innovation Center (ITIC)*

Please contact me directly should you have any questions or comments.

Regards,



Jody Bryson
SCTAC President and CEO
ITIC Executive Director



FY 2019 Operating Budget
Approved September 17, 2018

Revenues

Rentals	\$ 3,030,000
Airport Usage Fees	48,000
Fuel Flowage Fees and Other	100,000
Total Operating Revenues	\$ 3,178,000

Expenses

Compensation and Benefits	\$ 899,000
Maintenance, Fuel and Supplies	235,000
Utilities, Taxes and Insurance	695,000
Meals, Travel, Dues and Subscriptions	55,000
Governance and Compliance	113,000
Office Support	40,000
Marketing	120,000
Property Development	70,000
Non-Capitalized Asset Purchases and Improvements	100,000
Total Operating Expenses	\$ 2,327,000
 Operating Income	 \$ 851,000



BRADSHAW, GORDON & CLINKSCALES, LLC
CERTIFIED PUBLIC ACCOUNTANTS

Del L. Bradshaw, CPA/ABV, CFF
Dell Baker, CPA
Peter C. Tiffany, CPA/ABV, CFF
Mandy B. Satterfield

Sandra L. Watkins, CPA, CFP®
Ellison D. Smith, CPA
Brian M. Graham, JD
James B. Starks, IV, CPA

Roger B. ClinkScales, CPA
1954-2014

Roger R. Duncan, CPA
1956-2011

May 22, 2019

To Jody Bryson, President & CEO
and the Board of Directors
South Carolina Technology & Aviation Center

We have audited the financial statements of South Carolina Technology & Aviation Center ("SCTAC") for the year ended September 30, 2018. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated December 1, 2018. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

- **Qualitative Aspects of Accounting Practices**

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by SCTAC are described in Note 1 to the financial statements.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the business-type activities financial statements was:

Management's estimate of the depreciation expense is based on the expected useful lives of capital assets and the method of depreciation used. When formulating this estimate, management considers such factors as historical asset lives realized, technological advances and obsolescence, and the expected rate of depreciation. We evaluated the key factors and assumptions used to develop the depreciation estimate in determining that it is reasonable in relation to the financial statements taken as a whole.

Management's estimate of the allowance for uncollectible rental revenue is based on historical collection rates and an analysis of the collectability of individual tenants. We evaluated the key factors and assumptions used to develop the allowance in determining that it is reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

- **Difficulties Encountered in Performing the Audit**

We encountered no significant difficulties in dealing with management in performing and completing our audit.

- **Corrected and Uncorrected Misstatements**

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. The attached Schedule 1 summarizes uncorrected misstatements that were not material, either individually or in the aggregate, to the financial statements taken as a whole. The attached Schedule 2 summarizes misstatements detected as a result of audit procedures related to pension accounting, which were corrected by management in the basic financial statements. The adjusting entry is material to the financial statements as a whole.

- **Disagreements with Management**

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

- **Management Representations**

We have requested certain representations from management that are included in the management representation letter dated May 22, 2019.

- **Management Consultations with Other Independent Accountants**

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to SCTAC's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

- **Other Audit Findings or Issues**

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as SCTAC's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to the Schedule of SCTAC's Proportionate Share of the Net Pension Liability- South Carolina Retirement System, and the Schedule of the SCTAC's Contributions - South Carolina Retirement System, which are required supplementary information (**RSI**) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were not engaged to report on the Schedule of Revenues and Expenses - Budget and Actual - Proprietary Fund, which accompany the financial statements but are not RSI. We did not audit or perform other procedures on this other information, and we do not express an opinion or provide any assurance on it.

Restriction on Use

This information is intended solely for the use of the Board of Directors and management of SCTAC and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

Bradshaw, Gordon & Clinkscales, LLC

Bradshaw, Gordon & Clinkscales, LLC

Schedule 1

South Carolina Technology & Aviation Center
Pass Adjusting Journal Entries
September 30, 2018

Number	Date	Name	Account No	Debit	Credit
PAJE01	9/30/2018	2305 Tenant Deposits	2305	21,828.00	
PAJE01	9/30/2018	4000 Rentals	4000		-21,828.00
		To adjust tenant deposit liability balance to actual.			
PAJE02	9/30/2018	Rents and Fees Receivable, Net - Allowance for Dou	1504		-57,000.00
PAJE02	9/30/2018	Property and development: Bad debt expense	9089	57,000.00	
		Projected adjustment to allowance for doubtful accounts to increase for all over 90 day accounts receivable.			

Schedule 2

South Carolina Technology & Aviation Center
Adjusting Journal Entries
September 30, 2018

Number	Date	Name	Account No	Debit	Credit
AJE01	9/30/2018	1700 Deferred Pension Charges Asset	1700		-113,898.00
AJE01	9/30/2018	1700 Deferred Pension Charges Asset	1700		-15,868.30
AJE01	9/30/2018	1700 Deferred Pension Charges Asset	1700	59,371.00	
AJE01	9/30/2018	1700 Deferred Pension Charges Asset	1700	18,515.16	
AJE01	9/30/2018	2350 Net Pension Liability	2350	1,155,971.00	
AJE01	9/30/2018	2350 Net Pension Liability	2350		-994,379.00
AJE01	9/30/2018	2350 Net Pension Liability	2350	54,000.00	
AJE01	9/30/2018	2500 Deferred Pension Charges Liability	2500	27,326.00	
AJE01	9/30/2018	2500 Deferred Pension Charges Liability	2500		-131,631.00
AJE01	9/30/2018	5020 Operating Expenses: Compensation and Benefits:	5020		-65,007.10
AJE01	9/30/2018	5065 Operating Expenses: Compensation and Benefits:	5065		-54,000.76
AJE01	9/30/2018	5065 Operating Expenses: Compensation and Benefits:	5065	59,601.00	

To reverse PY and record CY net
pension liability.

SCTAC Celebrates 10th Anniversary of Rebranding

SCTAC celebrated 10 years as the South Carolina Technology & Aviation Center – following the 2008 rebranding of the former Donaldson Center Industrial Air Park and including the creation of an economic development strategy that would be global and proactive. This new strategy emphasizes job creation in a global economy with a focus on product development; partnering with economic development allies; and global marketing. SCTAC's total economic impact has increased from \$1.4 billion in 2010 to \$2.07 billion in 2018 – a 48% increase!

Terrance Ford Appointed to Board

The SCTAC Board of Directors unanimously approved Terrance Ford to serve as its Member-at-Large. Mr. Ford is Director of Legislative Affairs for AT&T.



PROPERTY MANAGEMENT

New SCARNG Facilities Open

The South Carolina Army National Guard (SCARNG) opened two new facilities in 2018: the Regional Field Maintenance Shop and the Joint Use Readiness Center. The Regional Field Maintenance Shop is 45,000 sq. ft. on 12 acres and employs 70 full-time personnel. The Joint Use Readiness Center is over 95,000 sq. ft. on 14 acres. SCARNG occupies the top floor and Greenville Technical College occupies the bottom two floors. SCTAC provided the land for both projects.



Existing Companies Lease Additional Property

Lockheed Martin leased additional ramp and hangar space in preparation for F-16V production. Michelin leased 2.25 acres adjacent to their Prime facility for employee parking.

SCTAC Adds New Tenants

SCTAC acquired a manufacturing facility located at 1927 Perimeter Road with two existing tenants: Little Roadside Maintenance (LRM) and Pro Electric Motor Service, Inc.





PROPERTY MANAGEMENT (con't)

Property Management Achievement

SCTAC was awarded the South Carolina Chamber of Commerce Safety Award for the seventh consecutive year.

Center Continues Property Improvements

SCTAC's property management team continued to make improvements to the park throughout 2018, including maintaining an aging infrastructure, mowing approximately 950 acres, and accomplishing many winter projects to improve the Center both functionally and visually.



DONALDSON FIELD

Reconstruction of "Taxiway A" Completed

The reconstruction of Taxiway Alpha North ("Taxiway A") was completed on schedule via grants totaling \$3.8 million from the FAA and South Carolina Aeronautics Commission. The reconstruction was accomplished in phases to accommodate customers and will allow larger cargo planes greater accessibility. The original pavement of Taxiway A North was approximately 70 years old.



Donaldson Field Ranks 5th in SC

The South Carolina Aeronautics Commission's *South Carolina Statewide Aviation System Plan & Economic Impact Report* ranked Donaldson Field 5th in total annual economic activity. This report noted Donaldson Field accounted for \$522 million of the total \$16.3 billion in annual economic impact among all 57 airports statewide.



New Emergency Airfield Gate Installed

A solar-powered emergency gate was installed on the airfield to provide the Donaldson Center Fire Department with safer and more efficient access to the airfield.



DONALDSON FIELD (con't)

SCTAC Successfully Completes FAA Part 139 Certification

In November, SCTAC successfully passed the FAA's annual Part 139 Inspection with no major issues cited. This federal inspection process consists of a 100-point checklist and review of manuals and records maintained by SCTAC. New airfield driver training and testing, along with the creation of an in-vehicle card were also accomplished as part of this process.



ECONOMIC DEVELOPMENT

SCTAC Designated as "Opportunity Zone"

Governor Henry McMaster announced that SCTAC received a 10-year designation as an "Opportunity Zone" by the U.S. Department of Treasury and Internal Revenue Service. This designation is a federal tax incentive program designed to encourage private investment.



EAS Change Systems Arrives at SCTAC

EAS Change Systems located their corporate headquarters for North and Central American operations at SCTAC. EAS Change Systems supports the plastic injection molding industry.

SCTAC Supports Expansion and New Construction

Approximately 6 acres were sold to an existing company which will be used for an expansion to SCTAC facility. In addition, approximately 23 acres were sold to a company for construction of a new facility.

Expansion Projects Underway

Construction is underway on numerous expansion projects at SCTAC including Vetoresina, LLC, Diversified Coatings Systems, Tiarco Chemical, Lockheed Martin, Hood Distribution, Solvay and Echelon Acquisition, LLC.





INTERNATIONAL TRANSPORTATION INNOVATION CENTER (ITIC)

ITIC Announces Upgrade Capabilities

ITIC completed a restructuring of its business plan to include track rental, events, consulting and grant research.



ITIC and Partners Receive Approval from USDOE

Following the installation of DSRC radios for testing and research, the USDOE conducted a site visit related to the Vehicle-In-Loop grant project and reviewed test results. Based on the results of the visit, USDOE officially approved funding for Year 2. Partners include Clemson University/CU-ICAR, Argonne National Laboratory and PTV Group.

Select USA Automotive Holds Spin-Off Event

ITIC partnered with the South Carolina Department of Commerce to host a spin-off event for the 2018 Select USA Automotive Conference which included a presentation and tour of the testbed, followed by a networking reception and dinner. Other partners included the Upstate SC Alliance and the South Carolina Automotive Council.



Test Track Enjoys Year of Growth in 2018

Test track usage increased by nearly 100% in 2018.

ITIC and CU-ICAR Co-Host CU-ICAR Board and Strategic Partners

ITIC and CU-ICAR co-hosted the CU-ICAR Board of Directors for a technology demonstration and experience event for their industry partners including Michelin Americas Research Center, Bosch, BMW, US Army, Borg Warner, Koyo JTEKT, Oak Ridge National Labs, GE Energy and Clemson University. Off-road and on-road demonstrations and experiences were included.





REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council

FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

11b

☐ Ordinance/First Reading
 ☒ Ordinance/Second & Final Reading
 ☐ Resolution/First & Final Reading
 ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

TO ANNEX APPROXIMATELY 0.30 ACRE OF REAL PROPERTY LOCATED ON MASON STREET ALONG WITH APPROXIMATELY 0.15 ACRE OF RIGHT-OF-WAY ALONG MASON STREET AND TO PROVIDE THE ZONING DESIGNATION OF RM-1, SINGLE-FAMILY AND MULTIFAMILY RESIDENTIAL DISTRICT (TAX MAP NUMBER 0118001401300) (AX-4-2019)

SUMMARY BACKGROUND:

David Tyler Morgan, owner of the subject property, applied for annexation of approximately 0.30 acre of real property located on Mason Street (Tax Map Number 0118001401300) along with approximately 0.15 acre of right-of-way along Mason Street (approximately 0.45 total acre to be annexed) (collectively the "Property") and for rezoning of the Property from county zoning designation R-7.5 to city zoning designation RM-1, Single-family and multifamily residential district.

The City Planning Commission, pursuant to public notice, held a public hearing on May 16, 2019, to consider the proposed annexation and rezoning. The motion to approve the application failed by a vote of 3-3.

Planning Staff Recommendation: Approve, with the condition that the parcel be added to the West Greenville Special Emphasis Neighborhood

Planning Commission Recommendation: Denial by a vote of 3-3

IMPACT IF DENIED:

The Property will not be annexed and rezoned.

FINANCIAL IMPACT

The Property annexed by this Ordinance shall be subject to intergovernmental agreements with Parker Sewer and Fire Subdistrict and Greater Greenville Sanitation district and governed by their terms.

REQUIRED SIGNATURES

Department Director _____

OMB Director _____

City Attorney _____

City Manager _____

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

Nancy Whitworth

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A N O R D I N A N C E

TO ANNEX APPROXIMATELY 0.30 ACRE OF REAL PROPERTY LOCATED ON MASON STREET ALONG WITH APPROXIMATELY 0.15 ACRE OF RIGHT-OF-WAY ALONG MASON STREET AND TO PROVIDE THE ZONING DESIGNATION OF RM-1, SINGLE-FAMILY AND MULTIFAMILY RESIDENTIAL DISTRICT (TAX MAP NUMBER 0118001401300) (AX-4-2019)

WHEREAS, David Tyler Morgan, owner of the subject property, applied for annexation of approximately 0.30 acre of real property located on Mason Street (Tax Map Number 0118001401300) along with approximately 0.15 acre of right-of-way along Mason Street (approximately 0.45 total acre to be annexed) (collectively the "Property") and for rezoning of the Property from county zoning designation R-7.5 to city zoning designation RM-1, Single-family and multifamily residential district; and

WHEREAS, the City Planning Commission, pursuant to public notice, held a public hearing on May 16, 2019, to consider the proposed annexation and rezoning and at that meeting a motion to approve the application failed by a vote of 3-3; and

WHEREAS, City Council has reviewed the covenant of annexation and has given due consideration to the Planning Commission's recommendation to deny the application and has nevertheless found the proposed zoning change of RM-1, Single-family multifamily residential district, to be compatible with the City's Comprehensive Development Plan; and

WHEREAS, City Council has determined that annexation of the Property would promote the City's policy of planned growth and development;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, there is annexed into the corporate limits of the city of Greenville real property owned by David Tyler Morgan, consisting of approximately 0.30 acre located on Mason Street (Tax Map Number 0118001401300) along with approximately 0.15 acre of right-of-way located along Mason Street (approximately 0.45 total acre to be annexed). The Property is identified more particularly on the attached Exhibits A and B, providing the legal description of the Property and annexation plat, respectively. The Property is provided the zoning designation of RM-1, Single-family and multifamily residential district. The Property will be included in City Council District 2.

Upon annexation, the Property shall become subject to the City's jurisdiction for the rendition of all municipal services, and all official maps regarding flood and storm water control shall be amended to include the property in such manner as the City Engineer determines to be in compliance with the criteria set forth in applicable storm water and flood management regulations of the City, as from time to time amended.

The Property annexed by this Ordinance shall be subject to intergovernmental agreements with Parker Sewer and Fire Subdistrict and Greater Greenville Sanitation district and governed by their terms.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

EXHIBIT A

LEGAL DESCRIPTION
LOT 313 ABNEY MILLS

BEGINING AT AN OLD IRON PIN AT THE CORNER OF TRACTION STREET AND MASON STREET AND CONTINUING S44-41-46W FOR 64.55', THENCE CONTINUING ALONG MASON STREET S44-41-46W FOR 68.50' TO AN IRON PIN AT THE JOINT CORNER OF LOTS 313 AND 314, THENCE N45-21-02W FOR 96.26' TO AN IRON PIN, THENCE N43-18-06E FOR 68.50', THENCE N43-18-06E FOR 70.42' TO AN IRON PIN ON THE RIGHT OF WAY OF TRACTION STREET, THENCE ALONG TRACTION STREET S42-00-00E FOR 99.8' TO THE POINT OF BEGINING, CONTAINING 0.30 AC.

LEGAL DESCRIPTION
MASON STREET R/W TO BE ANNEXED

BEGINING AT AN IRON PIN AT THE CORNER OF TRACTION STREET AND MASON STREET AND RUNNING S42-00-00E FOR 49.50', THENCE S44-41-46W FOR 130.16', THENCE N 45-21-02W FOR 49.42', THENCE N44-41-46E FOR 68.50', THENCE N44-41-46E FOR 64.55' TO THE POINT OF BEGINING CONTANING 0.15 AC.

[illegible]

LOT 313 ABNEY MILLS

13,312 SQ. FT. (0.30 AC.)

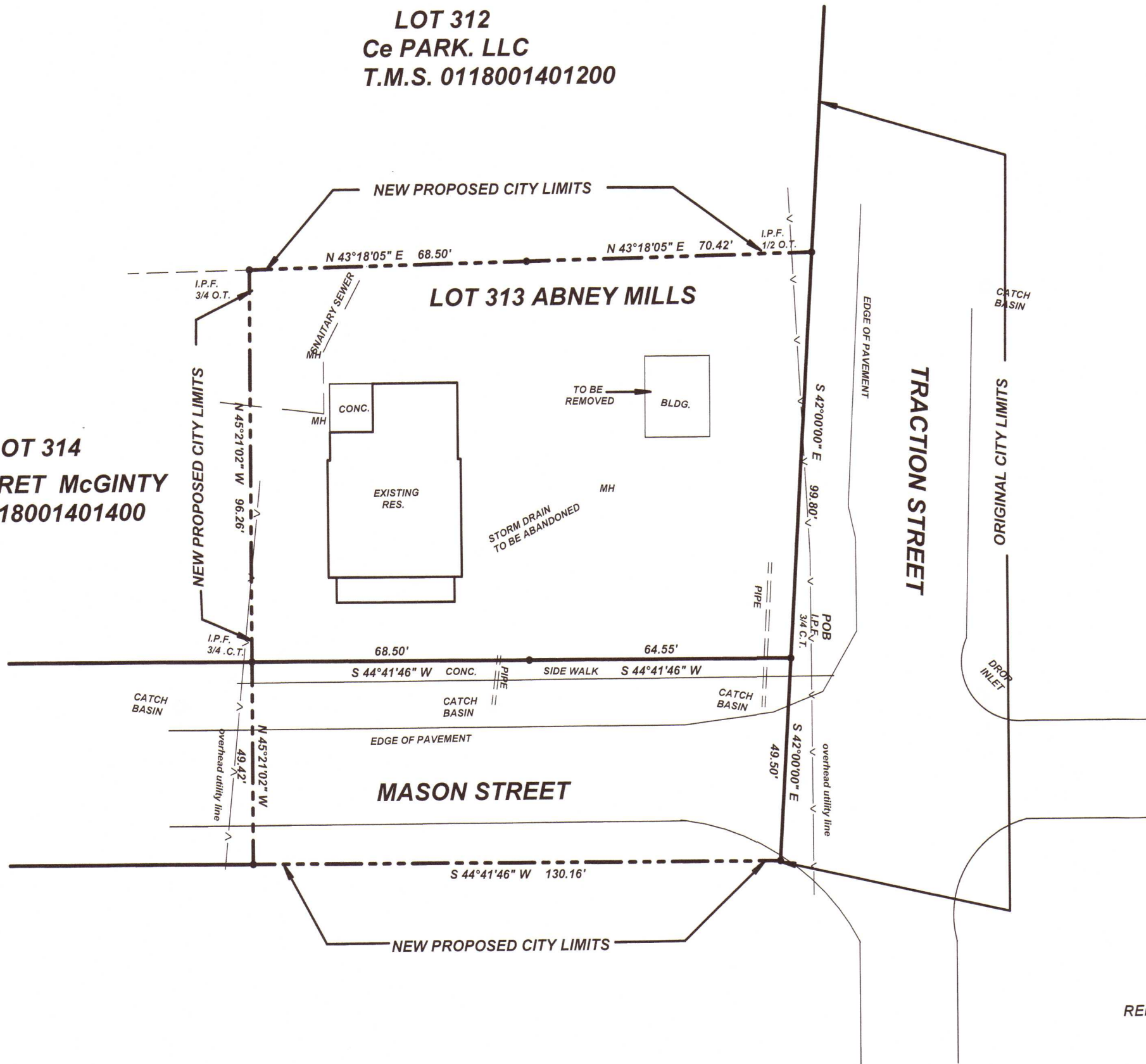
TOTAL AREA TO BE ANNEXED
T.M.S. 0118001401300 - 13,312.43 SQ. FT. (0.30 AC.)

STREET R/W - MASON ST. - 6504 SQ. FT. (0.15 AC.)

TOTAL ACREAGE TO BE ANNEXED 0.45 AC.

LOT 312
Ce PARK. LLC
T.M.S. 0118001401200

LOT 314
MARGARET McGINTY
T.M.S. 118001401400



REF. ZONING ORDINANCE SECTION 7:14

REF.

PLAT BOOK QQ PAGE 56
T.M.S. 0118001401300

NOTE:

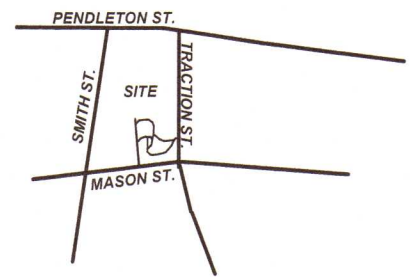
PARKER SEWER DISTRICT HAS A BLANKET EASEMENT
FOR THE SANITARY SEWER IN THIS SUBDIVISION.

THIS PROPERTY IS SUBJECT TO ANY AND ALL RIGHTS OF WAY,
EASEMENT OR RESTRICTIONS OF RECORD OR ON THE GROUND.

THIS PLAT DOES NOT IMPLY A TITLE SEARCH, FLOOD STUDY,
WET LANDS DELINEATION OR ENVIRONMENTAL INSPECTION
BY THIS SURVEYOR.

EXISTING CITY LIMIT LINE

NEW CITY LIMIT LINE



LOCATION MAP N/S

CERTIFICATE OF ACCURACY

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION
AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN
ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM
STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN
SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS
FOR A CLASS A SURVEY AS SPECIFIED THEREIN.

4-15-19
DATE

REGISTERED SURVEYOR

S. C. REGISTRATION NO. 19890

ZONE R - 7.5

ANNEXATION PLAT FOR

TYLER MORGAN

ARBITRARY, LLC
OWNER

JOHN R. BARTLEY, JR., P.L.S. #19890
T. H. WALKER, JR., SURVEYING
180 FINLEY RD.
BELTON, S. C. 29627

SURVEYOR

DATE OCT. 08, 2018
REVISED MARCH 15, 2019
REVISED MARCH 29, 2019
REVISED APRIL 02, 2019

SCALE 1" = 30'





REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council

FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

11c

☐ Ordinance/First Reading
 ☒ Ordinance/Second & Final Reading
 ☐ Resolution/First & Final Reading
 ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

TO REZONE APPROXIMATELY 24.73 ACRES OF REAL PROPERTY LOCATED ON FAIRFOREST WAY AND UNITED WAY FROM I-1, INDUSTRIAL DISTRICT, TO RM-3, SINGLE-FAMILY AND MULTIFAMILY RESIDENTIAL DISTRICT (TAX MAP NUMBER M011010100315) (Z-7-2019)

SUMMARY BACKGROUND:

Applicant has requested rezoning from Industrial to Residential in order to facilitate a proposed residential development.

Planning Staff Recommendation: Approval
 Planning Commission Recommendation: Approval

IMPACT IF DENIED:

Rezoning will not be approved and the property will remain I-1 Industrial.

FINANCIAL IMPACT

REQUIRED SIGNATURES

Department Director _____

OMB Director _____

City Attorney _____

City Manager _____

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

Nancy Whitworth

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A N O R D I N A N C E

TO REZONE APPROXIMATELY 24.73 ACRES OF REAL PROPERTY LOCATED ON FAIRFOREST WAY AND UNITED WAY FROM I-1, INDUSTRIAL DISTRICT, TO RM-3, SINGLE-FAMILY AND MULTIFAMILY RESIDENTIAL DISTRICT (TAX MAP NUMBER M011010100315) (Z-7-2019)

WHEREAS, Chip Fogleman (the “Applicant”), on behalf of the owner, Ligon Properties LLC (the “Owner”), has applied to the City Planning Commission and City Council to rezone the property consisting of approximately 24.73 acres located on Fairforest Way and United Way, Tax Map Number M011010100315) (the “Property”), from I-1, Industrial district, to RM-3, Single-family and multifamily residential district; and

WHEREAS, the City Planning Commission pursuant to public notice held a public hearing on May 16, 2019, to consider the proposed rezoning, and the Commission recommended approval of the proposed zoning designation of RM-3, Single-family and multifamily residential district; and

WHEREAS, City Council finds the RM-3, Single-family and multifamily residential district, classification to be compatible with the City’s Comprehensive Development Plan and with the zoning of surrounding properties;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the parcel of property currently titled in the name of Ligon Properties LLC, shown as Tax Map Number M011010100315, and located on Fairforest Way and United Way shall be rezoned from I-1, Industrial district, to RM-3, Single-family and multifamily residential district. The attached map shown as Exhibit A, prepared by the City of Greenville Zoning Division, is incorporated by reference for purposes of identifying the location of property. This Ordinance shall be effective upon second and final reading.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

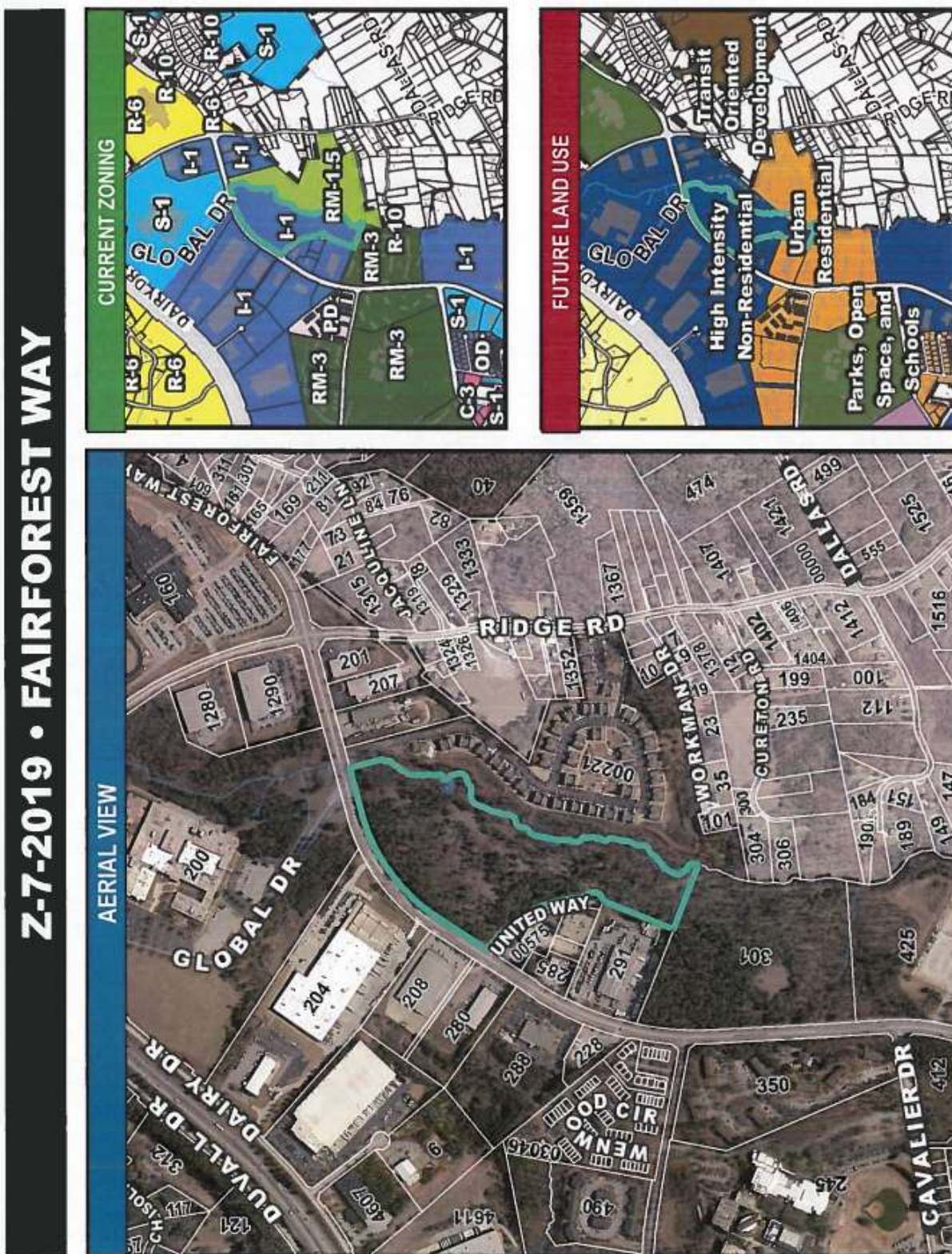
APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

EXHIBIT A





REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council
FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

11d

☐ Ordinance/First Reading
 ☒ Ordinance/Second & Final Reading
 ☐ Resolution/First & Final Reading
 ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

Ordinance to amend Chapter 40, Taxation, Article IV, Special Tax Assessment for Rehabilitated Historic Property, of the Code of Ordinances of the City of Greenville to provide for administrative revisions

SUMMARY BACKGROUND:

Planning staff is requesting administrative changes to Chapter 40, Taxation, Article IV, Special Tax Assessment for Rehabilitated Historic Property, of the Code of Ordinances to update language as follows:

- a. Amend references to change "design review panels (DRP)" to "design review board (DRB)."
- b. Amend Sec. 40-153, Standards for review of rehabilitatee work, to provide clarity to changes that were previously made under Ordinance No. 2017-87 amending Section 40-151(a).
- c. Amend Sec. 40-154(f) of the Code of Ordinances to remove decertification criterion "sale or transfer of ownership during the special assessment period other than in ordinary course within probate proceedings" as previously amended in South Carolina Code §4-9-195.

IMPACT IF DENIED:

If denied, Article IV will not be amended.

FINANCIAL IMPACT

N/A

REQUIRED SIGNATURES

Department Director _____

OMB Director _____

City Attorney _____

City Manager _____

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

Nancy Whitworth

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A N O R D I N A N C E

TO AMEND CHAPTER 40, TAXATION, ARTICLE IV, SPECIAL TAX ASSESSMENT FOR REHABILITATED HISTORIC PROPERTY, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO PROVIDE FOR ADMINISTRATIVE REVISIONS

WHEREAS, Planning staff recognizes the importance of making current the Code of Ordinances of the City of Greenville and requests consideration of the following amendments; and

WHEREAS, the reference to “design review panels (DRP)” in Chapter 40, Taxation, Article IV, Special Tax Assessment for Rehabilitated Historic Property, of the Code of Ordinances has been adapted to “design review board (DRB),” and staff is requesting that references to the same be amended in Article IV of the Code of Ordinances; and

WHEREAS, Planning staff requests an amendment to Sec. 40-153, Standards for review of rehabilitation work, to provide clarity to changes previously approved in Ordinance No. 2017-87 amending Section 40-151(a); and

WHEREAS, an amendment to South Carolina Code §4-9-195, Grant of special property tax assessments to “rehabilitated historic property” or “low and moderate income rental property” was previously made to remove decertification criterion “sale or transfer of ownership during the special assessment period other than in ordinary course within probate proceedings”, thus requiring an amendment to the same language in Sec. 40-154(f) of the Code of Ordinances;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the following amendments to Chapter 40, Taxation, Article IV, Special Tax Assessment for Rehabilitated Historic Property, of the Code of Ordinances of the City of Greenville are approved as follows:

1. Delete “DRP” and replace it with “DRB”, to change reference from panel to board in the following sections: Sec. 40-152(1)(a) and (b), Sec. 40-152(2)(b), Sec. 40-153(2), Sec. 40-154(b), Sec. 40-154(b)(2), Sec. 40-154(c), Sec. 40-154(d), and Sec. 40-154(e).
2. Amend Sec. 40-153(5), Time Limits, to include the underlined language for clarity:
 (5) *Time limits.* Upon preliminary certification, the property will be assessed for two years on the fair market value of the property at the time the preliminary certification was made. If the project is not complete after two years, but the minimum expenditures for rehabilitation have been incurred, the property continues to receive the special assessment until the project is complete, but not for more than five years. (The total special tax assessment period shall not exceed ten years, unless project received city council approval for an extended assessment period as set forth in Sec. 40-151.)
3. Amend Sec. 40-154, Process, to include the underlined language and exclude the strikeout language:
 (f) *Decertification.* When the property has received final certification and assessed as rehabilitated historic property, it remains so certified and must be granted the special assessment until the property becomes disqualified by any one of the following;
 - (1) Written notice by the owner to the ~~DRP~~ DRB and ~~county auditor~~ to remove the preferential assessment;

- (2) ~~Sale or transfer of ownership during the special assessment period, other than in ordinary course within probate proceedings;~~
- (32) Removal of historic designation by the City Council;
- (43) Rescission of the approval of rehabilitation work by the ~~DRP~~ DRB because of alterations or renovations by the owner or his estate which cause the property to no longer possess the qualities and features which made it eligible for final certification.

Under no circumstances shall the sale or transfer of ownership of real property certified and assessed in accordance with this section and any ordinance in effect at the time disqualify the property from receiving the special property tax assessment under this section.

4. Amend Sec. 40-154, Process, to include the following subsection:
- (i) Applicant. Once the governing body has granted the special property tax assessments authorized by this section, the owner of the property shall make application to the auditor for the special assessment provided for by this section.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council
FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

11e

☐ Ordinance/First Reading
 ☒ Ordinance/Second & Final Reading
 ☐ Resolution/First & Final Reading
 ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

APPROVING AMENDMENTS TO THE CITY OF GREENVILLE FIREFIGHTERS' PENSION FUND PLAN

SUMMARY BACKGROUND:

This Ordinance amends the Firefighters' Pension Fund Plan in three respects: (1) allows for the purchase of service credit in certain limited circumstances; (2) increases the death in the line of duty benefit to 100% percent of the firefighters' monthly compensation; and (3) gives City Council the flexibility to grant periodic cost of living adjustments.

IMPACT IF DENIED:

The Plan will not be amended.

FINANCIAL IMPACT

Increased costs associated with a higher level of death in the line of duty benefit should such a tragic event occur along with any increased costs for future COLAs should City Council authorize them. There will be no increased costs for service credit purchases as they must be actuarially-neutral per the Plan amendment.

REQUIRED SIGNATURES

Department Director

DocuSigned by:

Stephen Kovalcik

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OMB Director

City Attorney

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

City Manager

Nancy Whitworth

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A N O R D I N A N C E

APPROVING AMENDMENTS TO THE CITY OF GREENVILLE
FIREFIGHTERS' PENSION FUND PLAN

WHEREAS, the city of Greenville sponsors the Firefighters' Pension Fund Plan which was amended and restated effective July 1, 2015, (the "Plan") and approved by City Council by way of Ordinance No. 2016-04; and

WHEREAS, pursuant to Article IX of the Plan, the City reserves the right to amend the Plan from time to time; and

WHEREAS, the Fire Chief requested that the following changes to the Plan be considered: (a) that participants be allowed to purchase years of service under certain circumstances; (b) that the benefit payable upon death in the line of duty be increased to 100% of the deceased Participant's monthly compensation; and (c) that periodic cost-of-living adjustments be permitted so long as they are approved by City Council; and

WHEREAS, the Firefighters' Pension Fund Board of Trustees met on June 3, 2019, and unanimously recommended approval of the aforementioned plan amendments; and

WHEREAS, City Council desires to formally adopt the aforementioned amendments by way of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the Firefighters' Pension Fund Plan is hereby amended as follows:

1. Section 2.33 shall be amended to add the following language at the end of the definition:

"Year of Service" shall also include certain types of service credit purchased by a Participant within: (a) ninety (90) days of the Participant's date of hire or rehire; (b) ninety (90) days of the effective date of the Second Amendment to the Plan; or (c) a time period that is no longer than three (3) years prior to the Participant's Normal Retirement Date, provided that the Participant in this latter circumstance may only purchase so much service credit as is needed to bridge the time period from the date of purchase to the Participant's Normal Retirement Date. The following types of employment service are eligible for purchase under the Plan: (a) service previously credited under the Plan for a Participant who received a refund of Participant Contributions upon Termination of Employment; (b) service with the government of the United States or any agency or instrumentality thereof; or (c) service with any state of the United States or agency or instrumentality thereof. Notwithstanding the preceding, a Participant may not purchase service credit for a period of service for which the Participant also may receive a retirement benefit from another qualified retirement plan. The cost of purchased service credit shall be actuarially neutral and shall be calculated by the Plan's actuary under the same actuarial assumptions used in the valuation of the Plan's assets and liabilities and in the determination of benefit payments under the Plan, taking into account the impact of the purchase of service credit on a Participant's Accrued Benefit and Benefit Commencement Date. A Participant may purchase service credit under the Plan by a rollover contribution from

a qualified retirement plan or a lump sum payment. A Participant may not purchase service credit to the extent such purchase would violate Code Section 415 or any other provision of the Code.

2. **Sections 4.4(a)(2) and 4.4(b)(2) shall be amended by striking the references therein to “fifty percent (50%)” and replacing same with “one hundred percent (100%)”.**
3. **A new Section 4.11 shall be added as follows:**

4.11 **Cost of Living Adjustments.** In the sole discretion of the Employer and as established by the City Council, benefits payable under the Plan may be adjusted from time to time due to changes in the cost of living; provided, however, that any such adjustment shall be by an annual percentage increase that does not exceed the annual percentage increase in a cost-of-living index based on prices of all items and issued by the Bureau of Labor Statistics.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council

FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

11f

☐ Ordinance/First Reading
 ☒ Ordinance/Second & Final Reading
 ☐ Resolution/First & Final Reading
 ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

TO ABANDON CEMETERY STREET AND AN UNNAMED ALLEY LOCATED BETWEEN CEMETERY STREET AND EAST STONE AVENUE (AB-1-2019)

SUMMARY BACKGROUND:

The city of Greenville has received a petition from Builder's Partner, LLC requesting the abandonment of Cemetery Street and an unnamed Alley. Builder's Partner, LLC and Deep River South Development, LLC are the developers of a proposed 40-50 unit residential townhome development on the surrounding three acres of property and will incorporate the abandoned right of way into their proposed subdivision development. Cemetery Street is a public street owned by the City that provides secondary access to several properties along East Stone Avenue as well as Richland Cemetery. The abandoned right of way will be combined with four (4) existing parcels identified as Tax Map Numbers 39.3-1-6, 39.3-1-5, 39.3-1-2 and 39.2-1-7, all currently owned by JJSC Enterprises, LLC.

The abandonment has been reviewed by the City engineering, public works, fire, and police departments as well as local utility providers with no objections found. If approved, the abandonment will be subject to the applicant dedicating easements to the existing utility providers with facilities currently located in the right of way.

IMPACT IF DENIED:

The right of way will not be abandoned.

FINANCIAL IMPACT

None

REQUIRED SIGNATURES

Department Director

DocuSigned by:

Mike Murphy

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City Attorney

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

OMB Director

City Manager

Nancy Whitworth

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AN ORDINANCE

TO ABANDON CEMETERY STREET AND AN UNNAMED ALLEY LOCATED
BETWEEN CEMETERY STREET AND EAST STONE AVENUE (AB-1-2019)

WHEREAS, the city of Greenville may have rights and/or entitlements to Cemetery Street and an unnamed Alley located between Cemetery Street and East Stone Avenue to the extent that it is public right of way; and

WHEREAS, the City has received a petition from Builder's Partner, LLC requesting the abandonment of Cemetery Street and the unnamed Alley; and

WHEREAS, Builder's Partner, LLC and Deep River South Development, LLC are the developers of a proposed residential townhome development on the surrounding three acres of property and will incorporate the abandoned right of way into their proposed development; and

WHEREAS, Cemetery Street is a public street owned by the City that provides secondary access to several properties along East Stone Avenue as well as Richland Cemetery; and

WHEREAS, the right of way will be abandoned and combined with the existing abutting properties owned by JJSC Enterprises, LLC as shown in Exhibit A; and

WHEREAS, the right of way abandonment will not result in any adverse impacts to traffic circulation or operations of the City's street system; and

WHEREAS, pursuant to properly published notice, a public hearing was held before City Council on Monday, June 10, 2019, at which time Council provided the opportunity to hear from the public regarding the proposed abandonment;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, Cemetery Street and an unnamed Alley located between Cemetery Street and East Stone Avenue, which are both identified more particularly on Exhibit A, shall be abandoned and closed as a public right-of-way. Further, the abandonment and any subsequent conveyance by way of city quitclaim deed shall be subject to a full width utility easement preserving the currently existing rights and benefits for the present providers of water, sewer, electricity, telephone, and natural gas, if any, including maintenance easements for the same utilities. The City Manager is herewith authorized to execute such documents as reasonable to implement the purposes of this Ordinance.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

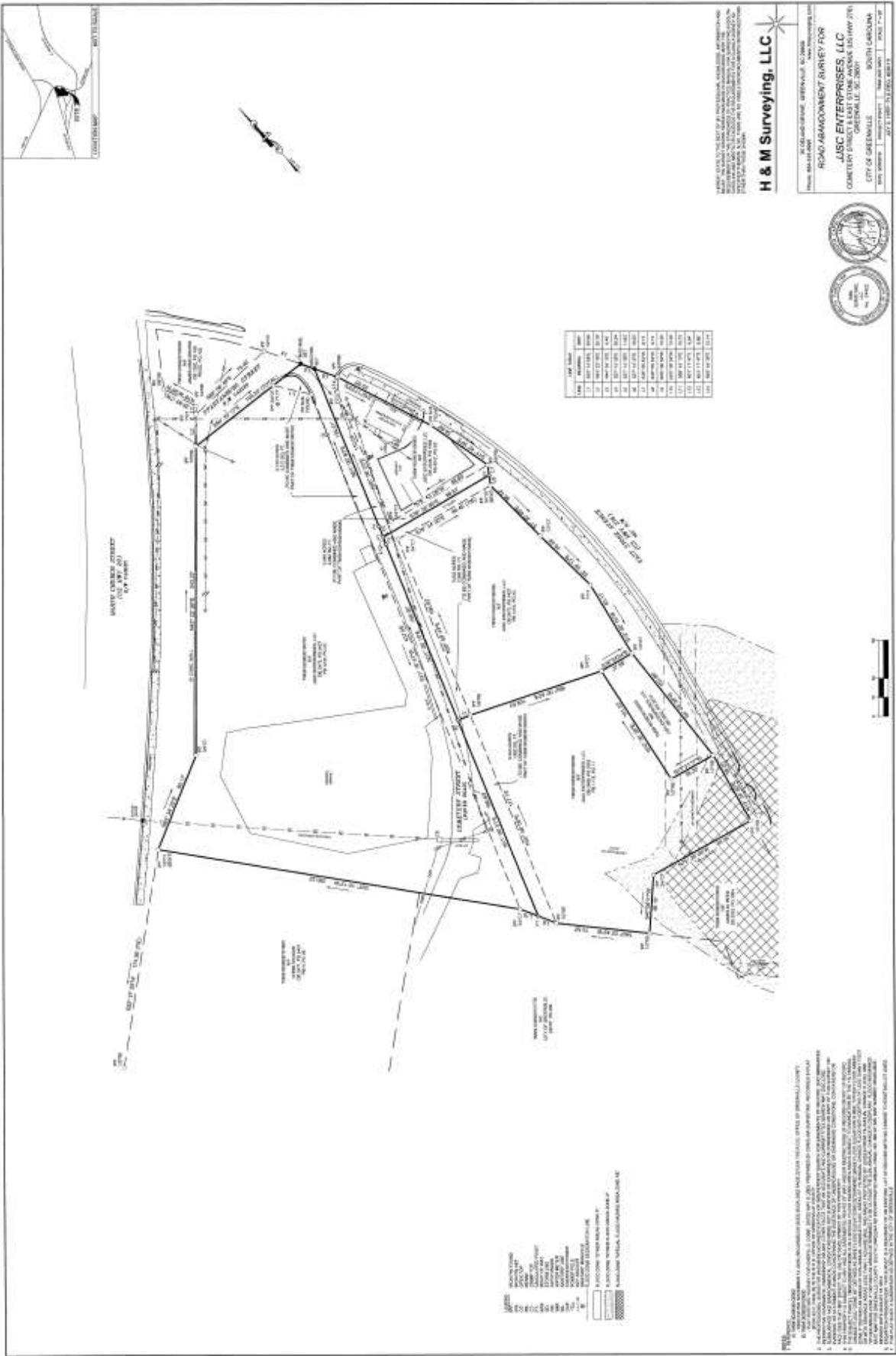
APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

EXHIBIT A





REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council
FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

11g

☐ Ordinance/First Reading
 ☒ Ordinance/Second & Final Reading
 ☐ Resolution/First & Final Reading
 ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:
 TO ABANDON SOLOMON CIRCLE (AB-2-2019)

SUMMARY BACKGROUND:

The city of Greenville has received a petition from Greenville County School District requesting the abandonment of Solomon Circle adjacent to their property at Summit Drive Elementary School. The proposed area of abandonment measures 13,334 square feet (0.306 acre).

The applicant is proposing improvements to Summit Drive Elementary School located at 424 Summit Drive which will include an expansion into the property surrounding Solomon Circle. The abandoned right of way will be combined with the applicant's existing parcel Tax Map Number 185-2-7.2.

The abandonment has been reviewed by the City engineering, public works, fire, and police departments as well as local utility providers with no objections found. If approved, the abandonment will be subject to the applicant dedicating easements to the existing utility providers with facilities currently located in the right of way.

IMPACT IF DENIED:

The right of way will not be abandoned.

FINANCIAL IMPACT

None

REQUIRED SIGNATURES

Department Director

DocuSigned by:

Mike Murphy

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City Attorney

DocuSigned by:

Michael S. Pitts

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OMB Director

City Manager

DocuSigned by:

Nancy Whitworth

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AN ORDINANCE

TO ABANDON SOLOMON CIRCLE (AB-2-2019)

WHEREAS, the city of Greenville may have rights and entitlements to Solomon Circle to the extent that it is public right of way; and

WHEREAS, the city of Greenville has received a petition from Greenville County School District requesting the abandonment of Solomon Circle adjacent to their property at Summit Drive Elementary School; and

WHEREAS, the right of way abandonment is being requested in conjunction with a proposed plan to expand and make other site improvements to Summit Drive Elementary School; and

WHEREAS, the right of way will be abandoned and combined with the School District's existing property identified as Tax Map Number 0185000200702 as shown on Exhibit A; and

WHEREAS, the right of way abandonment will not result in any adverse impacts to traffic circulation or operations of the City's street system; and

WHEREAS, pursuant to properly published notice, a public hearing was held before City Council on Monday, June 10, 2019, at which time Council provided the opportunity to hear from the public regarding the proposed abandonment;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, 13,334 square feet (0.306 acre) of right of way on Solomon Circle identified more particularly on Exhibit A, incorporated herein by reference, shall be abandoned and closed as a public right of way. Further, the abandonment and any subsequent conveyance by way of city quitclaim deed shall be subject to a full width utility easement preserving the currently existing rights and benefits for the present providers of water, sewer, electricity, telephone, and natural gas, if any, including maintenance easements for the same utilities. The City Manager is herewith authorized to execute such documents as reasonable to implement the purposes of this Ordinance.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

[illegible]



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council
FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

11h

☐ Ordinance/First Reading
 ☒ Ordinance/Second & Final Reading
 ☐ Resolution/First & Final Reading
 ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

TO APPROPRIATE \$38,125 IN THE HOSPITALITY TAX FUND TO SUPPORT LAKE CONESTEE NATURE PARK PURSUANT TO THE CITY OF GREENVILLE'S AGREEMENT WITH CONESTEE FOUNDATION, INC.

SUMMARY BACKGROUND:

On June 3, 2019, the City entered into an agreement with Conestee Foundation, Inc. (Foundation) to pay \$38,125 to the Foundation at the beginning of each quarter effective April 1, 2019. The City budgeted four quarterly payments in the FY 2019-20 Adopted Hospitality Tax budget, but did not appropriate the payment that was due effective April 1, 2019. Therefore, this appropriation is needed at this time.

IMPACT IF DENIED:

The City will not be able to honor its agreement with the Conestee Foundation, Inc.

FINANCIAL IMPACT

This appropriation will utilize \$38,125 in the Hospitality Tax Fund fund balance in FY 2019-20. The fund will have an estimated fund balance available for appropriation of approximately \$385,000 after this appropriation.

REQUIRED SIGNATURES

Department Director

DocuSigned by:

Marlaine Creasey Smith

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DocuSigned by:

OMB Director

Karen K Crawford

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City Attorney

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

City Manager

Nancy Whitworth

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A N O R D I N A N C E

TO APPROPRIATE \$38,125 IN THE HOSPITALITY TAX FUND TO SUPPORT THE LAKE CONESTEE NATURE PARK PURSUANT TO THE CITY'S AGREEMENT WITH CONESTEE FOUNDATION, INC.

WHEREAS, on June 3, 2019, the city of Greenville signed an agreement with Conestee Foundation, Inc. to provide \$38,125 at the beginning of each calendar quarter to support Lake Conestee Nature Park; and

WHEREAS, the agreement had an effective date of April 1, 2019, as stated in the first paragraph of the agreement, which made the first quarterly payment also due on April 1, 2019; and

WHEREAS, the City has already budgeted for four quarterly payments to take place during FY 2019-20 in the Adopted Hospitality Tax Fund budget; and

WHEREAS, the Hospitality Tax Fund fund balance has capacity to fund this additional quarterly payment that was due on April 1, 2019 in FY 2019-20; and

WHEREAS, the City finds that support of Lake Conestee Nature Park, which attracts over 100,000 visitors per year, is an appropriate use of tourism-related funds; and

WHEREAS, the projected remaining fund balance in the Hospitality Tax Fund after this appropriation will be approximately \$385,000;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the amount of \$38,125 is appropriated in the Hospitality Tax Fund, as reflected in the attached Exhibit. The Ordinance shall become effective on the second and final reading.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

BUDGET AMENDMENT						
BUDGET	Hospitality Tax Fund		REQUESTED BY			
FISCAL YEAR	2019-20		DATE			
<u>INCREASE</u>			<u>DECREASE</u>			
<u>Description</u>			<u>Description</u>			
Hospitality Tax Fund			Capital Projects Fund			
Fund Balance Appropriated (REV)		38,125				
Special Projects (EXP)		38,125				
Explanation:						
DATE			APPROVED BY			
				City Council/City Manager Camilla Pitman/City Clerk		
FOR OMB POSTING PURPOSES ONLY						
<u>Budget Adjustments</u>		Increase (Decrease) <u>Amount</u>	<u>Journal Entry</u>			
<u>Project Code</u>	<u>Account</u>		<u>Project Code</u>	<u>Account</u>		<u>Amount</u>
	122-0000-390-10-01	38,125				
	122-9030-455-30-14	38,125				
	Total	76,250		Total		-
	Prepared By					
	Posted By					
	Date			Number		



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council

FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

14a

☐ Ordinance/First Reading
 ☒ Ordinance/Second & Final Reading
 ☐ Resolution/First & Final Reading
 ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

TO REZONE APPROXIMATELY 0.252 ACRE OF REAL PROPERTY LOCATED ON EASLEY BRIDGE ROAD FROM RM-2, SINGLE-FAMILY AND MULTIFAMILY RESIDENTIAL DISTRICT, TO RDV, REDEVELOPMENT DISTRICT (TAX MAP NUMBER 0077000300400) (Z-8-2019)

SUMMARY BACKGROUND:

Applicant is requesting to have property near the intersection of Easley Bridge Road and Pendleton Street rezoned from RM-2 to RDV. The property is located outside the recently approved Pendleton Corridor Rezoning area. Staff and the Planning Commission recommended against the rezoning due to a potentially impermissible spot-zoning situation, the request on balance not meeting the stated criteria for a zoning map amendment, and over concerns about commercial infringement into the residential neighborhood along Arlington Avenue. The bases for the recommendation of denial are outlined in the staff report for this item, and in the May 16, 2019, Planning Commission meeting minutes.

Planning Staff Recommendation: Denial
 Planning Commission Recommendation: Denial

IMPACT IF DENIED:

The property will not be rezoned and will retain its current RM-2 zoning classification. If denied, the applicant cannot reapply for 12 months, unless the request is substantially different and council agrees to consider a new application for this property.

FINANCIAL IMPACT

None.

REQUIRED SIGNATURES

Department Director _____

OMB Director _____

City Attorney _____

City Manager _____

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

Nancy Whitworth

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A N O R D I N A N C E

TO REZONE APPROXIMATELY 0.252 ACRE OF REAL PROPERTY LOCATED ON EASLEY BRIDGE ROAD FROM RM-2, SINGLE-FAMILY AND MULTIFAMILY RESIDENTIAL DISTRICT, TO RDV, REDEVELOPMENT DISTRICT (TAX MAP NUMBER 0077000300400) (Z-8-2019)

WHEREAS, Ahmed Abdeladl (the “Owner”), as owner of property consisting of approximately 0.252 acre located on 11 Easley Bridge Road, Tax Map Number 0077000300400, has applied to the City Planning Commission and City Council to rezone the property from RM-2, Single-family and multifamily residential district, to RDV, Redevelopment district; and

WHEREAS, the City Planning Commission pursuant to public notice held a public hearing on May 16, 2019, to consider the proposed rezoning, and the Commission recommended denial of the proposed zoning designation of RDV based on a determination that the request constituted impermissible spot-zoning, and that even if it did not constitute spot-zoning, upon evaluating the criteria for rezoning under Section 19-2.3.2(E)(2), those factors weighed against re-zoning for those reasons set forth in the Staff report, a copy of which is attached hereto and made a part here of as Exhibit A; and

WHEREAS, having given due consideration to the Planning Commission’s recommendation, City Council nevertheless finds the RDV classification to be compatible with the City’s Comprehensive Development Plan and with the zoning of surrounding properties;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the parcel of property currently titled in the name of Ahmed Abdeladl, shown as Tax Map Number 0077000300400, and located on Easley Bridge Road shall be rezoned from RM-2, Single-family and multifamily residential district, to RDV, Redevelopment district. The attached map shown as Exhibit B, prepared by the City of Greenville Zoning Division, is incorporated by reference for purposes of identifying the location of property. This Ordinance shall be effective upon second and final reading.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

EXHIBIT A



**Planning Staff Report to
Greenville Planning Commission
May 8, 2019
for the May 16, 2019 Public Hearing**

Docket Number:	Z-8-2019
Applicant:	Ahmed Abdeladl
Property Owner:	Ahmed Abdeladl
Property Location:	11 Easley Bridge Road
Tax Map Number(s):	0077000300400
Acreage:	0.252 acre
Zoning:	RM-2, Single- & Multi-Family Residential District
Proposal:	REZONE 0.252 acre located at 11 Easley Bridge Road from RM-2, Single- & Multi-Family Residential District to RDV, Redevelopment District
Staff Recommendation:	Deny

Applicable Sections of the City of Greenville Code of Ordinances:
Sec. 2-372 *Function, Powers, and Duties of the Planning Commission*
Sec.19-2.1.2 (A) (2) (b) *Zoning District Map Amendments (Rezoning)*
Sec.19-2.3.2 (E) (2) *Amendments to Zoning District Map*
Sec.19-3.2 *District Descriptions*

Staff Analysis:

The subject property consists of 0.252 acre on 11 Easley Bridge Road and is currently zoned RM-2, Single- & Multi-Family Residential District. The lot is approximately 60 feet wide from where it fronts Easley Bridge Road, and maintains that width for approximately 120 feet towards the property interior. For this initial 120 or so feet, the property abuts a parcel with C-3 zoning on its eastern boundary. Thence, from this point, the property angles down and terminates at point approximately 200 feet from Easley Bridge Road. The property ends before it reaches Arlington Avenue; its only frontage is along Easley Bridge Road. Other than the aforementioned extent that abuts the C-3 parcel, all other shared property lines abut parcels with RM-2 zoning. The property across Easley Bridge Road is zoned C-3 and has a Spinx gas station.

The property is located *outside* the Pendleton Street corridor that was rezoned under Z-20-2018, which rezoned many of the C-3 properties along Pendleton Street from C-3 to RDV. However, the property is in close proximity to the intersection of Easley Bridge Road and Pendleton Street. All four corners of this intersection are zoned C-3, with RDV extending along Pendleton Street. The properties drop to RM-2 immediately after the corner along South Academy Street. Traveling south on Easley Bridge Road away from the intersection, the properties on the west side of Easley Bridge Road are zoned RDV and FRD; along the east side, they transition from C-3 to RM-2. As Easley Bridge Road continues into the county, the zoning varies between R-7.5 Single-family Residential District, OD Office District, and C-2 Commercial District.

The property currently has what appears to be a single-family residence with driveway access to Easley Bridge Road. The applicant indicated that he intends to use the property for an office. If the property were rezoned, any use permitted in the RDV district could be developed at this site.

The applicant initially requested to rezone the property to C-3. At the pre-application meeting for this rezoning request, staff informed the applicant neighborhood concerns about C-3 that were expressed throughout the recent Pendleton Street rezoning process. Given these known community concerns and potential impacts of C-3 zoning on the neighborhood, staff indicated it would recommend against a C-3 rezoning. Instead, at the pre-application meeting, staff suggested he apply for a rezone to RDV, which is less intense and consistent with the newly rezoned properties along the Pendleton Street corridor. Upon receiving the application at hand, staff was alerted that rezoning this property to RDV would be considered spot-zoning, which is not permitted under South Carolina state law. Consequently, staff informed the applicant that they would be recommending denial because of the spot-zoning issue. The Planning office offered to refund the application fee if the applicant withdrew the application before the neighborhood meeting and preparation of staff reports, which requires significant staff time and resources. However, the applicant indicated he wished to proceed with the neighborhood meeting and public hearing.

The subject property is located within the Sterling Special Emphasis Neighborhood. The applicant conducted the required neighborhood meeting at the regular monthly meeting of the Sterling Neighborhood Association on May 9, 2019. The attendees were receptive to the request and expressed few concerns for the proposed rezoning to RDV.

Staff offers the following responses to the Rezoning Criteria found at Section 19-2.3.2(E)(2), *Amendments to Zoning District Map*.

1. Consistent with the Comprehensive Plan: The Future Land Use designation for this property is Mixed-Use Neighborhood. Residential and low-intensity commercial uses are appropriate for this district. RDV is the least intensive commercial zoning districts in the Greenville, and the rezoning request is arguably supported by the Future Land Use Map. However, the request is considered spot zoning and should not be approved.
2. Changed conditions since the original designation: The applicant wishes to use the property for a commercial office. Staff explained that an office use is permitted by Special Exception under the property's current RM-2 zoning. However, the applicant wanted to proceed with a commercial rezoning request. The applicant's desire to use the property for an office is the primary condition that has changed.
3. Addresses a demonstrated community need: The applicant proposes an office use for the property. Unfortunately, without conducting a detailed economic analysis, staff cannot speak to the need for increased office space in this particular area. The applicant appears to desire a commercial zoning designation for his benefit rather than to meet any demonstrable community need.
4. Compatible with surrounding uses: RDV is an appropriate zoning classification for this area, especially for properties that are not directly situated at a major intersection. RDV also serves as a transition between intensive commercial areas and adjacent neighborhoods. However, this particular property extends a significant distance into the RM-2 district that fronts Arlington Avenue. Staff has concerns that redevelopment of this property into another use in RDV other than an office, as proposed, could have lasting impacts on the established residential neighborhood around Arlington Avenue.
5. Promotes logical development pattern: Rezoning to RDV is more appropriate than extending the C-3 zoning designation away from the intersection. However, with no other RDV parcels abutting the subject property, this is considered spot zoning and should not be approved.

6. Will not result in "strip" or ribbon commercial development: The subject property is rather small and limited in its development potential. Staff does not believe rezoning, if approved, would result in strip or ribbon development.
7. Will not create an isolated zoning district: The property establishes an RDV zone in an area where the only abutting parcels are RM-2 and C-3. The parcel area is smaller than two acres, so it cannot be considered a standalone zoning district. Therefore, this is considered a spot-zone.
8. Surrounding property values: It is possible that the surrounding RM-2 properties could be negatively impacted by future commercial development at the subject location, given the extent that this particular parcel extends back towards Arlington Avenue.
9. Effect on natural environment: There are no perceived environmental impacts that would result from the rezoning.
10. Public facilities and services: Public facilities and services are available to the site.

Conclusion: The rezoning request does not readily satisfy many of the criteria for a zoning map amendment listed in Section 19-2.3.2(E)(2), as outlined above. Moreover, rezoning the property to RDV is considered spot zoning, as no other adjacent parcels are currently zoned RDV and the property is not at least two acres in size. For these reasons, staff recommends denial of the rezoning request.

Fire Department Comments

Recommend: Approve

City Engineer Comments

Recommend: Approve

Civil Engineer Comments

Recommend: Approve

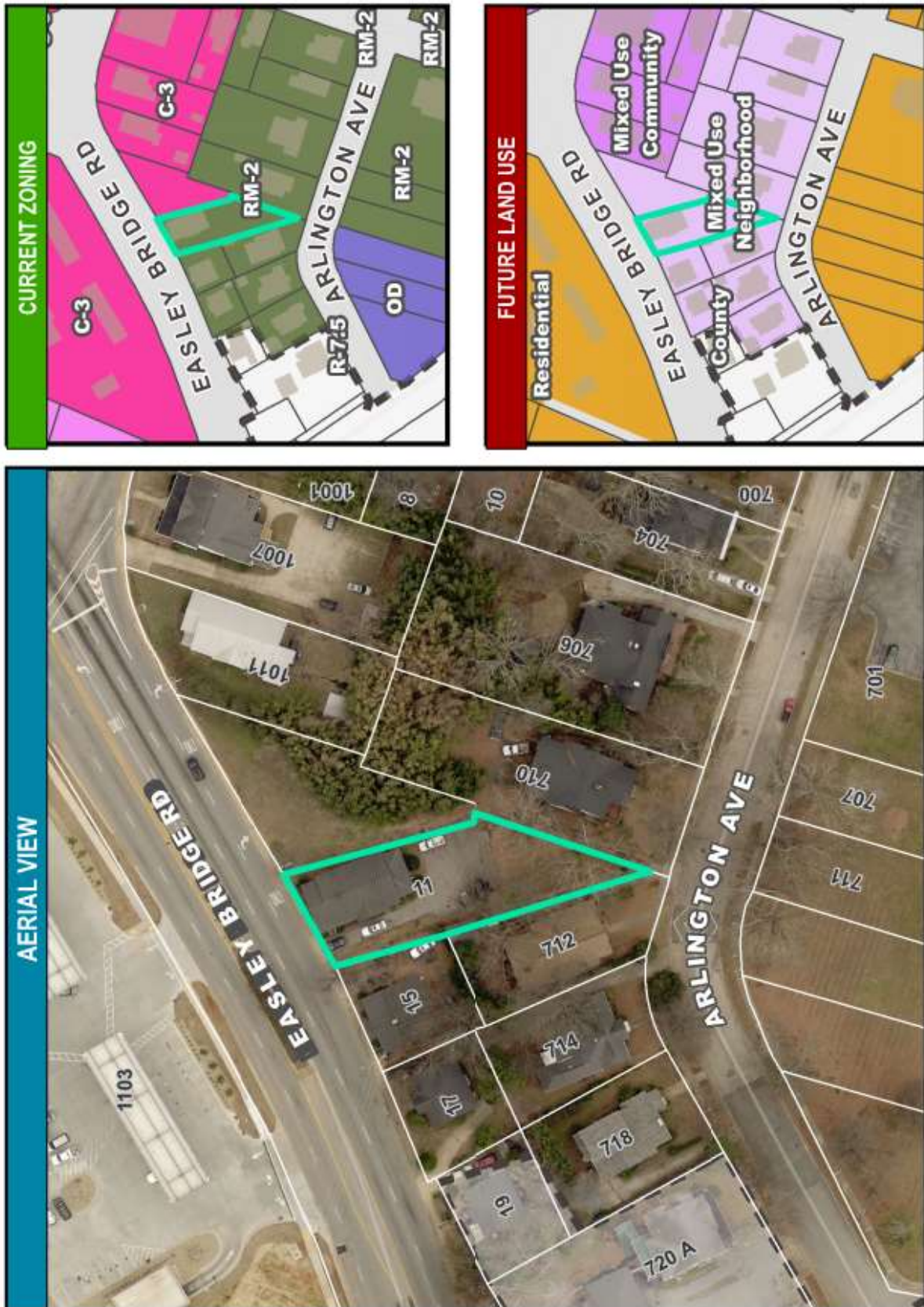
Environmental Engineer Comments

Recommend: Approve

Traffic Engineer Comments

Recommend: Approve

EXHIBIT B





REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council
FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

14b

☐ Ordinance/First Reading
 ☒ Ordinance/Second & Final Reading
 ☐ Resolution/First & Final Reading
 ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

AUTHORIZING A SUBLEASE AND LICENSE AGREEMENT BETWEEN THE CITY OF GREEVILLE AND SUTERA USA, LLC FOR THE PURPOSE OF LOCATING TRASH RECEPTACLES IN THE VICINITY OF BOGGS STREET (REVISED)

SUMMARY BACKGROUND:

In an effort to provide a convenient place for businesses in and around Boggs Street a/k/a Boggs Alley in downtown Greenville to dispose of their trash and recyclables, the City leased from River Street Development, Inc. a portion of a paved parking lot located at 24 River Street (Tax Map Number 0070000101300). This Ordinance authorizes the City Manager to enter into a Sublease with Sutera USA, LLC ("Sutera") of the aforementioned portion of parking lot so that Sutera may install four (4) fully underground waste and recycling containers, which Sutera will maintain, service, and empty pursuant to terms substantially similar to the Sublease attached to this Ordinance and further authorizes the City Manager to carry out any action and/or execute such documents as may be necessary to implement the purposes of this Ordinance.

The Agreement attached to this Ordinance has been revised since first reading on April 22, 2019.

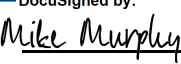
IMPACT IF DENIED:

The Sublease and License Agreement will not be approved.

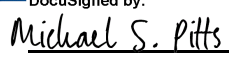
FINANCIAL IMPACT

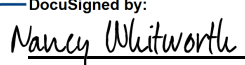
N/A

REQUIRED SIGNATURES

Department Director 
DocuSigned by: B8351B3CF7524D2...

OMB Director _____

City Attorney 
DocuSigned by: 5E0F2A267E2D413...

City Manager 
DocuSigned by: 1DC2D48BBB8D4AB...

A N O R D I N A N C E

AUTHORIZING A SUBLEASE AND LICENSE AGREEMENT BETWEEN THE CITY OF GREENVILLE AND SUTERA USA, LLC FOR THE PURPOSE OF LOCATING TRASH RECEPTACLES IN THE VICINITY OF BOGGS STREET

WHEREAS, in an effort to provide a convenient place for businesses in and around Boggs Street a/k/a Boggs Alley in downtown Greenville to dispose of their trash and recyclables, the City has leased from River Street Development, Inc. ("River Street") real property comprising a portion of a paved parking lot located at 24 River Street (Tax Map Number 0070000101300) (the entire parking lot hereinafter the "Parking Lot" and that portion leased from River Street by the City hereinafter the "Premises") as more particularly described within the Lease, a copy of which is ~~attached hereto as~~ made Exhibit 1 to the Sublease and License Agreement, which is attached hereto and made a part hereof as Attachment A (the "Sublease"); and

WHEREAS, the City desires to sublease the Premises to Sutera USA, LLC ("Sutera") so that Sutera may install four (4) partially underground waste and recycling containers, the size and dimensions of which are more fully set forth in Exhibit B to the Lease (the "Containers"), which Sutera will maintain, service, and empty pursuant to terms substantially similar to the Sublease, as well individual agreements with its customers (the "Customers"); and

WHEREAS, the City additionally desires to grant the Customers a non-exclusive license for the sole purpose of providing pedestrian access to the Premises so that the Customers may dispose of their trash and recyclables in the Containers; and

WHEREAS, City Council desires to approve the Sublease and authorize the City Manager to take whatever additional action is necessary to grant Sutera and its customers access to the leased premises for purposes of waste disposal;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the Sublease and License Agreement between the City of Greenville and Sutera USA, LLC, is hereby approved in substantially the same form as that which is attached hereto as Attachment A. The City Manager is herewith authorized to carry out any action and/or execute such documents as may be necessary to implement the purposes of this Ordinance. The City Manager, in consultation with the City Attorney, may make or accept minor modifications to the wording and designations of the attached documents as may be necessary or appropriate, provided there is no compromise of the substantive purposes of this Council action. Should the City Manager or City Attorney, or both, determine that any modification of previously negotiated terms is significant and warrants further action by City Council, then the matter shall be presented to Council for further review before the final execution.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

REVISED 7/8/2019

Ordinance No. 2019-____

Page 2

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

ATTACHMENT A

STATE OF SOUTH CAROLINA)
) SUBLEASE AND LICENSE AGREEMENT
 COUNTY OF GREENVILLE)

THIS SUBLEASE AND LICENSE AGREEMENT (the "Sublease") is made and entered this ____ day of _____ 2019 by and between the City of Greenville, South Carolina, a municipal corporation and political subdivision of the State of South Carolina (the "City") and Sutera USA, LLC, a South Carolina limited liability company ("Sutera") (collectively, the "Parties").

WHEREAS, in an effort to provide a convenient place for businesses in and around Boggs Street a/k/a Boggs Alley in Downtown, Greenville to dispose of their trash and recyclables, the City has leased from River Street Development, Inc. ("River Street") real property comprising a portion of a paved parking lot located at 24 River Street (Tax Map No. 0070000101300) (the entire parking lot hereinafter the "Parking Lot" and that portion leased from River Street by the City hereinafter the "Premises") as more particularly described within said Lease, a copy of which is attached hereto and made a part hereof as **Exhibit 1** (the "Lease");

WHEREAS, the City desires to Sublease the Premises to Sutera so that Sutera may install four (4) fully ~~partially~~ underground waste and recycling containers, the size and dimensions of which are more fully set forth in Exhibit B to the Lease (the "Containers") which Sutera will maintain, service, and emptying pursuant to the terms of this Sublease as well individual agreements with its customers (the "Customers");

WHEREAS, the City additionally desires to grant the Customers a non-exclusive license for the sole purpose of providing pedestrian access to the Premises so that the Customers may dispose of their trash and recyclables in the Containers.

NOW, THEREFORE for rent payments set forth below and other good and valuable consideration, including the promises contained herein, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Sublease and Non-Exclusive License to Sutera. The City hereby agrees to Sublease the premises to Sutera for the sole purpose of Sutera installing, maintaining, servicing, and emptying the Containers. The City additionally grants Sutera a non-exclusive license for ingress and egress over and through the Parking Lot in order to facilitate the installation, maintenance, servicing, and emptying of the Containers. In emptying the Containers, Sutera shall use a size appropriate vehicle with a capacity of 25 yards or less. Vehicular access to the Premises and Containers shall be limited by via either River Street and/or Sutera vehicles pulling straight in and backing straight out of the Parking Lot along the path designated on **Exhibit 2**, attached hereto and made a part hereof.

2. Rent. During the term of this Sublease, Sutera shall pay monthly rent to the City in the amount of \$150 payable on or before the fifth day of each month. Sutera has the option of paying annual rent in the amount of \$1,800 due within ten (10) days of execution of this Sublease and payable on or before said date each year thereafter. In the event of early termination, Sutera shall receive a prorated refund of its annual rent payment.

3. Non-Exclusive License to the Customers. The City additionally grants unto the Customers a non-exclusive license for pedestrian and non-motorized roll cart ingress and egress to the Containers along the path designated on **Exhibit 3**, attached hereto and made a part hereof.

4. Customer Obligations and Sutera's Obligation to Procure Customer Indemnification of the City. Sutera shall use best efforts to ensure that the Customers: (a) use the Containers in strict conformity with Applicable Laws (as that term is defined below) to include a prohibition on

disposal of prohibited materials including, but in no way limited to, grease and hazardous substances; (b) properly deposit all waste and recyclables in the appropriate Container(s); (c) use only pedestrian, non-motorized roll carts for ingress and egress to the Containers along the path designated on Exhibit D; and (d) do not engage in any other activity that would cause damage to the Premises or the Parking Lot (collectively, the "Customer Obligations"). Sutera shall utilize individual Customer agreements which shall include: (a) a provision by which the Customer shall undertake the Customer Obligations and, further, defend, indemnify and hold harmless the City (as well as its employees, agents and officials) from and against any and all claims, damages, losses, liabilities and expenses, including without limitation reasonable attorneys' fees, which arise out of the exercise by the Customers of their rights under this Sublease or their breach of the Customer Obligations, but only to the extent that the same does not arise out of the gross negligence or willful misconduct of the City (or its employees, agents and officials) and (b) a requirement that each Customer maintain commercial general liability insurance with limits of at least \$1,000,000 naming both the City and Sutera as named insured as evidenced by a proper certificate of insurance issued by an entity with authority to bind coverage on behalf of Customer's insurance carrier.

5. Conditions, Restrictions and Reservations. The Sublease and license rights set forth above are granted and conveyed subject to the following conditions, restrictions and reservations:

- (a) Sutera and Customers shall exercise their rights under this Sublease in a manner which (i) does not unreasonably disrupt or interfere with the rights of other parties granted an easement or lease to use and enjoy the Parking Lot and (ii) complies with all applicable laws, rules, regulations, codes, ordinances, zoning codes, building codes and orders of each governmental authority having jurisdiction over the Parties (collectively, "Applicable Laws").
- (b) If Sutera or Customers cause any material damage to the Parking Lot, or any improvement located thereon, Sutera shall promptly restore, or cause to be restored, the same to its condition existing immediately prior to the occurrence of such material damage.
- (c) Sutera shall defend, indemnify and hold harmless the City and River Street (as well as their respective employees, agents and officials) from and against any and all claims, damages, losses, liabilities and expenses, including without limitation reasonable attorneys' fees, which arise out of the exercise by Sutera or Customers of their rights under this Sublease, but only to the extent that the same does not arise out of the gross negligence or willful misconduct of the City or River Street (or their respective employees, agents and officials).

6. Insurance. Sutera shall procure and maintain insurance for the duration of this Sublease against any and all claims for injuries to persons or damages to property which may in any way arise from, or in connection with, the performance of the work hereunder by Sutera, its agents, representatives or employees. Such insurance shall be in the following minimum amounts:

Minimum Coverages and Limits:

- | | | |
|----|-----------------------|-------------------------------|
| a. | General Liability | \$1,000,000 per occurrence |
| b. | Automobile Liability | \$1,000,000 per occurrence |
| c. | Workers' Compensation | Statutory Limits |
| d. | Employer's Liability | \$500,000/\$500,000/\$500,000 |
| e. | Pollution Liability | \$1,000,000 per occurrence |

Certificates showing proof of such insurance shall be submitted to City at e-mail inscerts@greenvillesc.gov prior to commencement of services under this Sublease. Further, it shall be an affirmative obligation upon Sutera to advise City, by e-mail sent to inscerts@greenvillesc.gov, within two days of the cancellation or substantive change of any insurance policy set out herein, and failure to do so shall be construed to be a breach of this Agreement.

The General Liability policy is to contain or be endorsed to name City, its officers, officials, agents and employees as additional insureds as respects the liability arising out of the activities performed under this Sublease. Such coverage shall be primary and shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

Contractor shall maintain Workers' Compensation Insurance for all of Sutera's employees who are in any way connected with the performance under this Sublease. Such insurance shall comply with all applicable state laws and provide a waiver of subrogation against the City, its officers, officials, agents and employees.

Sutera and/or its insurers are responsible for payment of any liability arising out of Workers' Compensation, unemployment or employee benefits offered to its employees. Insurance is to be placed with insurers with a current A.M. Best's rating of not less than A:VII and licensed to do business in the State of South Carolina, unless otherwise approved by City; and Sutera shall not self-insure in satisfaction of any of the insurance requirements set out herein without the express written consent of City.

Sutera shall be fully and solely liable for any costs or expenses arising as a result of a coverage deductible, co-insurance penalty, or self-insured retention, including any loss not covered because of the operation of such deductible, co-insurance penalty or self-insured retention.

Sutera shall cause each of its contractor's performing services hereunder, if any, to purchase and maintain insurance of the type set out herein, unless Sutera's insurance provides coverage on behalf of each contractor.

7. Standards of Service. Sutera shall install, service, maintain, and empty the Containers in strict accordance with Applicable Laws. Further, Sutera shall use best efforts to: (i) keep the Containers and the Premises in good working order and (ii) keep the Containers and Premises in a clean and sanitary condition. Sutera shall regularly and periodically inspect the Premises in order to ensure the foregoing, but in no event less than weekly. Should Sutera be in breach of the foregoing obligations, City shall give Sutera written notice thereof and City shall allow Sutera the time specified herein to cure such breach. If Sutera fails to (i) effectuate the maintenance and repair of the Containers as required hereunder within five (5) business days after the need for such maintenance or repair arises and a written request for such maintenance and/or repair is given to Sutera, except in case of emergency repairs, in which case only such notice, if any, as is reasonable under the circumstances shall be required, or if the nature of the repair is such that it can be cured but cannot reasonably be remedied within said five (5) business day period and work thereon is not commenced within the period and diligently prosecuted to completion or (ii) keep the Premises in a reasonably clean and sanitary condition, within twenty-four (24) business hours after written notice thereof via email, then in either event City, at its option, in addition to any other rights or remedies available at law or in equity, may carry out such maintenance, repair, and/or cleaning on behalf of Sutera and bill Sutera for the commercially reasonable cost thereof, which shall be paid by Sutera within thirty (30) days after receipt of demand therefor accompanied by supporting documentation of the costs thereof.

8. Term and Early Termination. The term of the Sublease shall correspond to the term of the underlying Lease (the "Term") unless terminated sooner pursuant to this Section 8. The City may terminate this Sublease due to a material breach by Sutera provided that Sutera shall have ten (10) business days to cure said breach. In any event, the City may terminate this Sublease for any reason or no reason upon providing Sutera at least one hundred eighty days (180) days advance written notice. The foregoing notwithstanding, should River Street serve the City with its written notice of intent to terminate the underlying Lease, then the aforementioned time periods shall accelerate such that the Sublease is terminated and Sutera must satisfy its obligations under this Section 8 on or before the date the underlying Lease terminates. Upon termination of the Sublease, ~~regardless of cause the City Sutera~~ shall remove the Containers at its sole expense and restore the Premises to its original condition existing as of the inception of the Sublease except in the event of termination by the City for a material breach by Sutera, in which case Sutera shall take such action and bear all costs associated with the removal of the Containers and restoration of the Premises. Should this Sublease be recorded in the Greenville County land records, Sutera shall execute a document for recordation evidencing the termination. In addition, should the City terminate the Sublease during the first two (2) years for any reason other than a material breach by Sutera, the City shall reimburse Sutera for its capital investment of Sixty Thousand Dollars (\$60,000.00) in the Containers ("Sutera Investment") on a pro rata basis such that the Sutera Investment to be reimbursed during said two (2) year period is reduced by Twenty-five Hundred Dollars (\$2,500.00) each month the Sublease is in effect.

9. Notices. Any notice required hereunder will be in writing and will be deemed given when received or refused, as the case may be. Notice may be given by electronic mail, personal delivery, nationally recognized overnight express mail, or deposited in the mail, registered or certified postage and charges prepaid and addressed to the party for whom intended at the address specified below, or at such other address as such party may have substituted therefore by notice in the manner set forth above.

To City:

City of Greenville

Greenville, South Carolina 296_____

Attn: _____

Email: _____

To Sutera:

Sutera USA, LLC

Attn: _____

Email: _____

10. Miscellaneous. If any part or provision of this Sublease is held invalid or unenforceable under applicable law, such invalidity or unenforceability shall not in any way affect the validity or enforceability of the remaining parts and provisions of this Sublease. Termination of this Sublease shall not relieve any obligations incurred by the Parties hereto, one to the other, prior to such termination. This Sublease and the rights, obligations and remedies of the Parties hereto, shall in all respects be governed by and construed in accordance with the laws of the State of South Carolina. The rights and obligations herein shall run with the land and inure to and be binding upon the successors and assigns of the Parties hereto. The waiver by either party of a breach of this Sublease shall not operate as a waiver of any subsequent breach, and no delay in acting with regard to any breach of this Sublease shall be construed to be a waiver of the breach.

REVISED 7/8/2019

Ordinance No. 2019-____

Page 7

Any dispute arising under, or related in any manner to, the Sublease shall be brought exclusively in the State or federal courts sitting in Greenville County, South Carolina.

[SIGNATURES ON PAGES TO FOLLOW]

REVISED 7/8/2019

Ordinance No. 2019-____

Page 8

IN WITNESS WHEREOF, the parties hereto have entered into this agreement effective as of the date first above written.

WITNESSES:

CITY OF GREENVILLE, SOUTH CAROLINA

Witness 1

By:_____

Nancy P. Whitworth
Interim City Manager

Witness 2

STATE OF SOUTH CAROLINA)

)

ACKNOWLEDGMENT

COUNTY OF GREENVILLE)

The foregoing instrument was acknowledged before me this ____ day of _____,
20____ by the duly authorized officer/agent for _____.

Notary Public for South Carolina

Print Name: _____

My Commission Expires: _____

REVISED 7/8/2019

Ordinance No. 2019-____

Page 9

Witness 1

SUTERA USA, LLC

By:_____

Printed Name: :_____

Title:_____

Witness 2

STATE OF SOUTH CAROLINA)

)

ACKNOWLEDGMENT

COUNTY OF GREENVILLE)

)

The foregoing instrument was acknowledged before me this ____ day of _____,
20____ by the duly authorized officer/agent for _____.

Notary Public for South Carolina

Print Name: _____

My Commission Expires: _____

REVISED 7/8/2019

Ordinance No. 2019-____

Page 10

Approved as to Form:

Legal Department

Reviewed:

Public Works Director

OMB Director

Reviewed:

Risk Manager

Received:

Purchasing Administrator

EXHIBIT 1

STATE OF SOUTH CAROLINA)
) LEASE
COUNTY OF GREENVILLE)

THIS LEASE (Agreement) is made and entered into this 3rd day of April, 2019 by and between the CITY OF GREENVILLE, SOUTH CAROLINA, a municipal corporation ("City") and RIVER STREET DEVELOPMENT INC., a South Carolina corporation, ("River Street") each a "Party" or collectively "Parties."

WITNESSETH:

WHEREAS, River Street is the owner of certain real property and improvements known as Tax Map Number 0070000101300 and located at 24 River Street, Greenville, South Carolina ("Parking Lot"), as more particularly described on Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, in connection with its general operations, the City desires to lease from River Street two parking spaces located in the Parking Lot and subsequently sublease said parking spaces to Sutera Corporation ("Sutera") for the sole purpose of Sutera installing, on said parking spaces identified as the "Container Area" as more particularly described and shown on Exhibit A-1, four subterranean trash and/or recycling collection containers ("Containers"), as more particularly described on Exhibit B attached hereto and incorporated herein by reference, to be used daily by Sutera's restaurant and retail sales establishment customers doing business in the immediate vicinity.

WHEREAS, River Street is agreeable to allowing City to sublease the Container Area to Sutera for the purpose of Sutera locating the Containers in the Container Area.

NOW, THEREFORE, for and in consideration of the sum of One Hundred and Forty Dollars (\$140.00) per month, payable in advance on the first day of each month, the parties agree as follows:

1. River Street hereby agrees to lease to City the Container Area for the sole purpose of subleasing the Container Area to Sutera for the sole purpose of Sutera placing four Containers in the Container Area.
2. River Street grants unto the City a non-exclusive easement for ingress and egress over and through the Parking Lot to facilitate the installation, and maintenance (excluding emptying) servicing, and emptying of the Containers by Sutera provided that the City's and Sutera's use of the said easement does not unreasonably interfere with River Street's operation of the Parking Lot.
3. River Street grants unto the City a non-exclusive easement for the ingress and egress over and through the Parking Lot and Container Area for Sutera's customers to make trash and/or recycling deposits into the Containers.
4. City shall coordinate the installation of the Containers with Sutera and River Street. City shall supervise and direct the work to install the Containers in the Container Area. All work shall be completed in a substantial, expeditious and workmanlike manner.

5. Conditions, Restrictions and Reservations. The easement and rights granted pursuant to Sections 2 and 3 of this Agreement are granted and conveyed subject to the following conditions, restrictions and reservations:

(a) City and the intended third-party beneficiaries hereof, including Sutera and their respective employees, agents, contractors, customers, and invitees of the City (the "Beneficiaries"), shall exercise its rights under this Agreement in a manner which (i) does not unreasonably disrupt or interfere with the rights of other parties granted an easement or lease to use and enjoy the Parking Lot, (ii) complies with all applicable laws, rules, regulations, codes, ordinances, zoning codes, building codes and orders of each governmental authority having jurisdiction over the parties (collectively, "Applicable Laws").

(b) If City or its Beneficiaries cause any material damage to the Parking Lot, or any improvement located thereon, in exercising its rights under this Agreement, City shall promptly restore, or cause to be restored, the same to its condition immediately prior to the occurrence of such material damage.

(c) City shall cause Sutera to defend, indemnify and hold harmless River Street from and against any and all claims, damages, losses, liabilities and expenses, including without limitation reasonable attorneys' fees, which arise out of the exercise by any of the Beneficiaries of any of their rights under this Agreement, but only to the extent that the same does not arise out of the gross negligence or willful misconduct of River Street. So long as this Agreement shall be in force and effect, City shall cause Sutera, at Sutera's own expense, to keep, or cause to be kept, in force comprehensive general liability insurance in such commercially reasonable amounts as reasonably necessary to fully insure Sutera's indemnity obligations arising hereunder.

6. The parties acknowledge that Sutera will install, service, and maintain the Containers in the Container Area. City shall use best efforts to cause: (i) the Containers to be maintained and kept in good working order, and (ii) the Container Area to be kept in a commercially reasonable clean and sanitary condition. City shall regularly and periodically inspect the Container Area in order to ensure that all required maintenance work is performed on a timely basis. Should City be in breach of the foregoing obligations, River Street shall give City written notice thereof and River Street shall allow City the time specified herein to cure such breach. If City fails to (i) effectuate the maintenance and repair of the Containers as required hereunder within ten (10) days after the need for such maintenance or repair arises and a written request for such maintenance and/or repair is given to City, except in case of emergency repairs, in which case only such notice, if any, as is reasonable under the circumstances shall be required, or if the nature of the repair is such that it can be cured but cannot reasonably be remedied within said ten (10) day period and work thereon is not commenced within the period and diligently prosecuted to completion, or (ii) keep the Container Area in a commercially reasonable clean and sanitary condition, within twenty-four (24) hours after written notice thereof, then River Street, at its option, in addition to any other rights or remedies available at law or in equity, may carry out such commercially reasonable maintenance, repair, and/or cleaning on behalf of City and bill the City for the commercially reasonable cost thereof, which shall be paid by City within thirty (30) days after receipt of demand therefor accompanied by supporting documentation of the costs thereof.

7. If any part or provision of this Agreement is held invalid or unenforceable under applicable law, such invalidity or unenforceability shall not in any way affect the validity or enforceability of the remaining parts and provisions of this Agreement.

8. The Lease and easement rights granted by this Agreement shall be perpetual in nature, except that they shall terminate upon the following:

(a) Either party may terminate this Agreement for any reason upon providing the other party with at least Sixty (60) days written notice prior to the date this Agreement shall terminate ("Termination Date"), it being understood that the party providing such notice will provide as much additional notice as is commercially reasonable. City shall cause the removal of the Containers and the restoration of the Parking Lot on or before the Termination Date. All costs of removal shall be borne by the City. After the Termination Date, at the request of River Street, City shall enter into a commercially reasonable termination of this Agreement for recordation in the real property records of Greenville County, South Carolina.

9. Termination of this Agreement shall not relieve any obligations incurred by the parties hereto, one to the other, prior to such termination.

10. This Agreement and the rights, obligations and remedies of the parties hereto, shall in all respects be governed by and construed in accordance with the laws of the State of South Carolina.

11. The rights and obligations herein shall run with the land and inure to and be binding upon the successors and assigns of the parties hereto;

12. River Street shall retain the right to make all use of the Parking Lot so long as such use shall not unreasonably interfere with the rights granted to City herein.

13. The waiver by either party of a breach of this Agreement shall not operate as a waiver of any subsequent breach, and no delay in acting with regard to any breach of this Agreement shall be construed to be a waiver of the breach.

14. Any notice required hereunder will be in writing and will be deemed given when received or refused, as the case may be. Notice may be given by personal delivery, nationally recognized overnight express mail or deposited in the mail, registered or certified postage and charges prepaid and addressed to the party for whom intended at the address specified below, or at such other address as such party may have substituted therefore by notice in the manner set forth above.

To City:

City of Greenville
206 S Main Street
Greenville, South Carolina 29601
Attn: City Manager

To River Street:

River Street Development, Inc.
101 Falls Park Drive, Suite 700
Greenville, South Carolina 29601
Attn: Mr. Phillip R. Hughes

REVISED 7/8/2019

Ordinance No. 2019-____

Page 14

[SIGNATURE PAGE TO FOLLOW]

REVISED 7/8/2019

Ordinance No. 2019-____
Page 15

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

River Street Development Inc. (SEAL)

Witness

By:

Phil Hughes, President

Witness

STATE OF SOUTH CAROLINA)

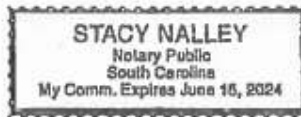
)

ACKNOWLEDGMENT

COUNTY OF GREENVILLE)

)

THE FOREGOING INSTRUMENT was acknowledged before me this 6th day of March, 2019 by Phil Hughes as President of River Street Development Inc.



Stacy Nalley [SEAL]
Notary Public for South Carolina
My Commission Expires: 6-16-2024

[Signatures continued on next page]

REVISED 7/8/2019

Ordinance No. 2019-____

Page 16

Signed, sealed and delivered
in the presence of:

City of Greenville (SEAL)

Cynthia S. Dilardo
Witness

By: Nancy Whitworth
Nancy Whitworth

Longa D. Drannan
Witness

Its: City Manager

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

ACKNOWLEDGMENT

THE FOREGOING INSTRUMENT was acknowledged before me this 3 day of
April, 2019 by Nancy Whitworth as City Manager of the City of Greenville, South
Carolina.

Sandra S. Templeton [SEAL]
Notary Public for South Carolina
My Commission Expires: 1-21-2025

SANDRA S. TEMPLETON

Notary Public for the State of South Carolina
My Commission Expires January 21st 2025

Exhibit A

(Property description for 24 River Street)

All that certain piece, parcel or lot of land together with all improvements thereon, situate lying and being in the City and County of Greenville, State of South Carolina and being described as follows:

Beginning at an old railroad spike on the eastern right-of-way of River Street at the intersection with the northern right-of-way of Boggs Street and running along the eastern right-of-way of River Street N. 10-30-56 W. for a distance of 73.95 feet to a 3/4" open top iron pin; thence in a northeasterly direction along the joint property line of other property currently owned by River Street Development, Inc., a distance of approximately 194 feet to an old pin, thence S. 11-22-36 E. for a distance of 79.28 feet to an old 5/8" open top iron pin on the northern right-of-way of Boggs Street; thence turning and running with the northern right-of-way of Boggs Street S. 82-40-00 W. for a distance of 51.16 feet to a point; thence continuing with said right-of-way S. 79-26-04 W. for a distance of 146.02 feet to the point of beginning.

This is a portion of the same property conveyed to River Street Development, Inc., by deed of Renee W. King *W/k/a* Renee W. Ballew and Brenda W. Petty dated and recorded October 17, 2011 in the Register of Deeds Office for Greenville County, SC in Deed Book 2395 at Page 2617.

REVISED 7/8/2019

Ordinance No. 2019-____

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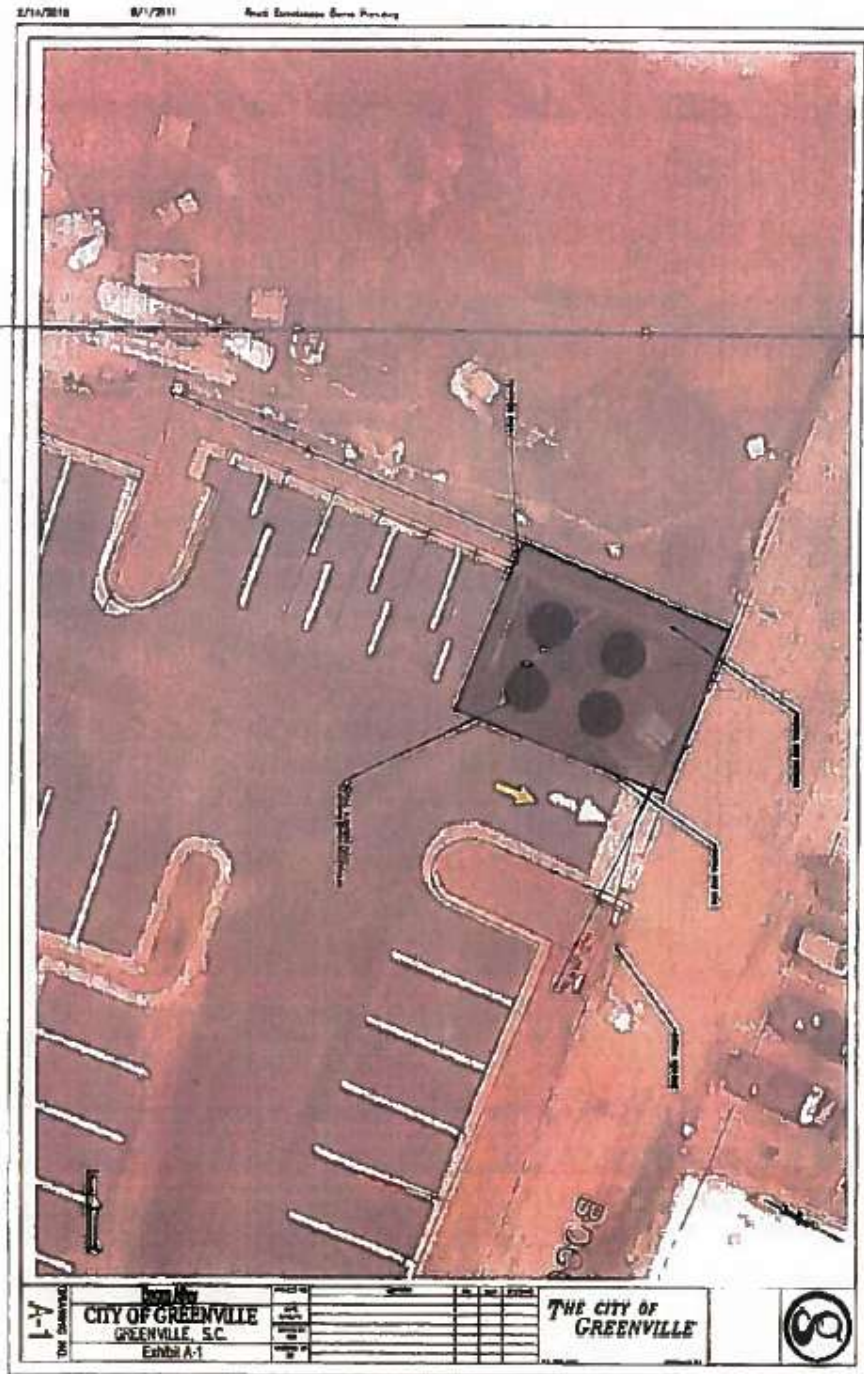
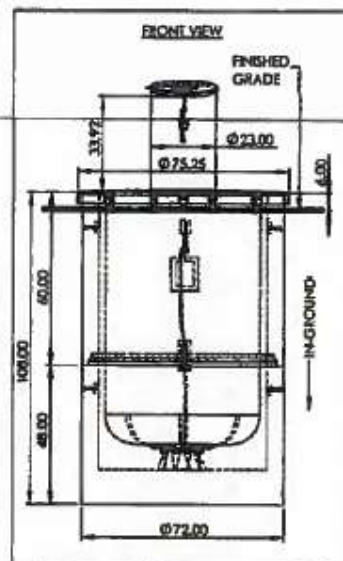
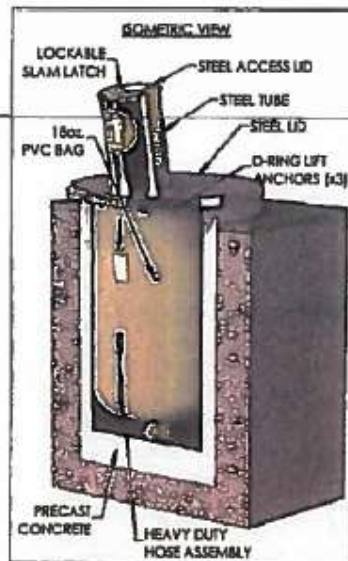


EXHIBIT B**PRODUCT SPECIFICATIONS SHEET****SUTERA**

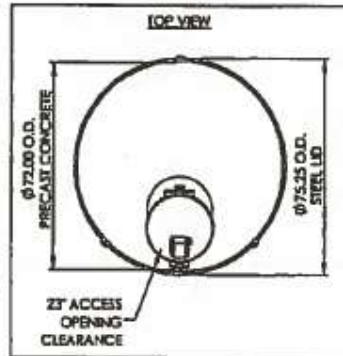
In-ground waste containment

PRODUCT DESCRIPTION:

FS-4: FULLY IN-GROUND WASTE CONTAINMENT SYSTEM
 UTILIZING STEEL & CONCRETE CONSTRUCTION, THIS UNIT WILL NOT FLOAT OUT OF THE GROUND AND CAN
 CONTAIN 5.44 cu.yds. (41.57 Bbls) OF WASTE.



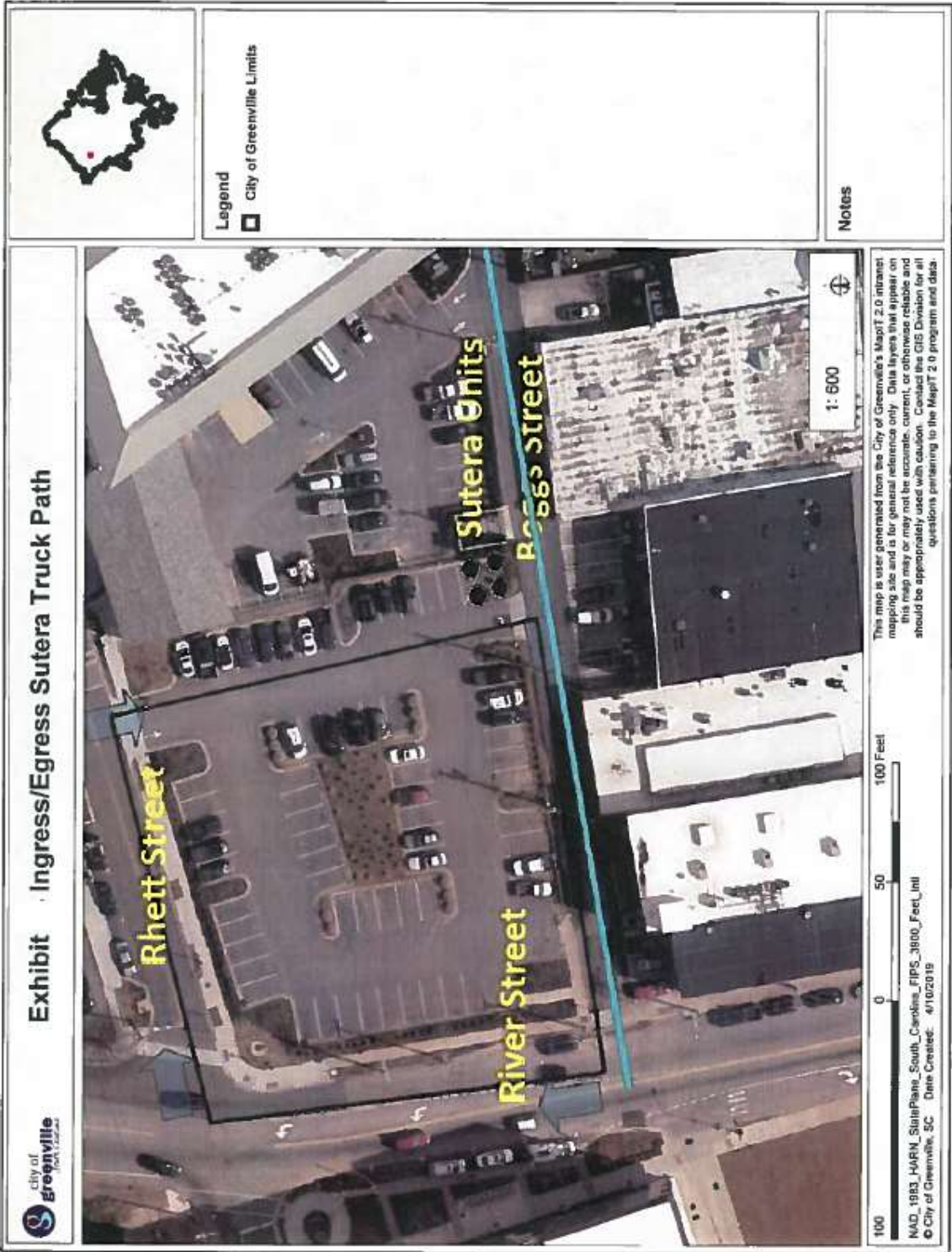
SPECIFICATIONS:
MANUFACTURE: SUTERA USA, LLC
MODEL NO: FS-4
USAGE: "WASTE" or "RECYCLING"
ITEM AC CODE:
CONSTRUCTION: MILD STEEL
PAINT: PAINT, COLOR: GREEN
HINGED ACCESS TO CONTAINMENT WELL:
STEEL TUBE:
CONSTRUCTION: MILD STEEL
PAINT: PAINT, COLOR: GREY
STEEL LID:
CONSTRUCTION: MILD STEEL
PAINT: PAINT, COLOR: GREY (POW-DIP COATING)
LOCKABLE SLAM LATCH:
ITS MASTER LOCK 1LN (SUPPLIED)
LINE LAG:
18oz. POLYESTER COATED PVC BAG, COLOR: GREEN
c/v: 8 quick links, 1 security rope loop, 1 rope pouch,
1 rope, 1 clambush, 1 heavy duty hose assembly, 8
rope loops
PRECAST CONCRETE:
CONTAINMENT CAPACITY: 5.44 cu.yds (41.57 Bbls)
ADVANTAGE:
WILL NOT FLOAT OUT OF THE GROUND, SEE SEPARATE
BUOYANCY CALCULATION SHEET, AVAILABLE UPON
REQUEST.
MAINTENANCE:
KEEP CLEAN BY SPRAYING DOWN WITH CLEAN WATER,
GREASE ACCESS LID RING ANNUALLY
REPAIR REQUIREMENTS:
CONTENTS TO BE REMOVED BY VERTICAL LIFT
SEE PROOF / INCIDENT PROOF / AERIAL PROOF / IMPACT
RESISTANT / NO ROLLBACK PROTECTION REQUIRED



SUTERA USA, LLC
 Tel. 1-866-524-9082
 fax. 864-627-0804
UNITED STATES:
 55 Commerce Center
 Greenville, SC. 29615
CANADA:
 700 Rupert Street
 Waterloo, ON. N2V 2B5



EXHIBIT 2







REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council
FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

15a

☒ Ordinance/First Reading ☐ Ordinance/Second & Final Reading ☐ Resolution/First & Final Reading ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

TO REZONE APPROXIMATELY 19.388 ACRES OF REAL PROPERTY LOCATED ON HAYWOOD ROAD AND PELHAM ROAD FROM R-6, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO PD, PLANNED DEVELOPMENT DISTRICT (TAX MAP NUMBERS 0278000200300 AND 0278000200301) (Z-26-2018) REVISED

SUMMARY BACKGROUND:

The Planning Commission conducted a public hearing on the original proposed rezoning, which included at that time a gas station and an unspecified commercial parcel, on March 21, 2019, and by a vote of 5-2 passed a motion recommending approval of the PD rezone to City Council with comments and conditions. When presented for first reading on April 22, 2019, to City Council, Council voted to table the original Adams Hill PD application with instructions to further study specific aspects of the project including traffic, access points, density, land use, narrowing the permitted land uses on the unspecified commercial parcel, stormwater, and consideration of affordable housing as part of the development.

The applicant submitted a revised application for Adams Hill with the gas station removed and replaced by a sit-down restaurant, and the commercial outparcel identified for a dental office use. The remainder of the application remains approximately the same as the original. The Planning Commission conducted a public hearing on June 20, 2019, and voted to recommend approval with comments and conditions.

Revised ordinance to rezone two parcels, a total of 19.388 acres, at the corner of Haywood Road and Pelham Road from R-6 to PD, and to approve the PD for the site consisting of the following:

- Approximately 280 multi-family units primarily situated along Pelham Road
- Approximately 170 senior living units primarily situated along Haywood Road
- A sit-down restaurant at the northwest corner of the intersection of Haywood Road and Pelham Road
- A dental office or similar use on the parcel fronting Pelham Road
- Site, roadway, and infrastructure improvements

EXHIBIT B is updated with revised PD application materials.

EXHIBIT C includes revised staff report with comments and conditions.

IMPACT IF DENIED:

The PD will not be approved and the property will retain its current R-6 zoning classification.

FINANCIAL IMPACT

None

REQUIRED SIGNATURES

Department Director _____

OMB Director _____

City Attorney _____

City Manager _____

DocuSigned by:

Michael S. Pitts

5E0F2A267E2D413...

DocuSigned by:

Nancy Whitworth

1DC2D48BBB5D4AB...

A N O R D I N A N C E

TO REZONE APPROXIMATELY 19.388 ACRES OF REAL PROPERTY LOCATED ON HAYWOOD ROAD AND PELHAM ROAD FROM R-6, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO PD, PLANNED DEVELOPMENT DISTRICT (TAX MAP NUMBERS 0278000200300 AND 0278000200301) (Z-26-2018)

WHEREAS, Dan Bruce (“the Applicant”), on behalf of the owner, Beacon Hill Development LLC, has applied to the City Planning Commission and City Council to rezone approximately 19.388 acres located on the northwest corner of the intersection of Haywood Road and Pelham Road (Tax Map Numbers 0278000200300 and 0278000200301) (“the Property”) from R-6, Single-family residential district, to PD, Planned development district; and

~~WHEREAS, the rezoning application proposes a mix of residential and commercial land uses including a senior living facility, multifamily development, fueling station, and commercial outparcel interconnected with shared parking lots, access points, driveways, open space, sidewalks, and associated site infrastructure, with a proposed development name of “Adam’s Hill,” all as more fully set forth with documents attached hereto and incorporated herein as Exhibit B (the “PD”); and~~

~~WHEREAS, the City Planning Commission, pursuant to public notice, held a public hearing on March 21, 2019, to consider the proposed rezoning, and the Commission recommended approval of the proposed zoning designation of PD, Planned Development, subject to the conditions listed in the staff report and included in the Planning Commission motion for approval; and~~

WHEREAS, the original application, which was recommended for approval by the Planning Commission on March 21, 2019, and subsequently presented to City Council at its regular meeting on April 22, 2019, proposed a mix of residential and commercial land uses including a senior living facility, multifamily development, fueling station, and commercial outparcel interconnected with shared parking lots, access points, driveways, open space, sidewalks, and associated site infrastructure, with a proposed development name of “Adams Hill”; and

WHEREAS, City Council, at its meeting on April 22, 2019, voted to table the Ordinance and remand the matter to the Planning Commission with instructions to further study specific aspects of the project; and

WHEREAS, the Applicant has submitted a revised rezoning application with the fueling station removed and the previously unspecific commercial outparcel now identified, such that the application now proposes a mix of residential and commercial land uses including a senior living facility, multifamily development, sit-down restaurant, and dental office interconnected with shared parking lots, access points, driveways, open space, sidewalks, and associated site infrastructure, with a proposed development name of “Adams Hill,” all as more fully set forth with documents attached hereto and incorporated herein as Exhibit B (the “PD”); and

WHEREAS, the City Planning Commission, pursuant to public notice, held a public hearing on June 20, 2019, to consider the proposed rezoning, and the Commission recommended approval of the proposed zoning designation of PD, Planned Development, subject to the conditions listed in the staff report and included in the Planning Commission motion for approval; and

WHEREAS, City Council finds the PD, Planned Development, classification to be compatible with the City’s Comprehensive Development Plan and with the zoning of surrounding properties; and

WHEREAS, City Council additionally finds that the PD meets the criteria set forth in Section 19-3.2.2(N) of the Code of Ordinances of the City of Greenville;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, as follows:

Section 1. The Property currently titled in the name of Beacon Hill Development LLC, shown as Tax Map Numbers 0278000200300 and 0278000200301, and located at the intersection of Haywood Road and Pelham Road, shall be rezoned from R-6, Single-Family Residential District, to PD Planned Development. The attached maps shown as Exhibit A, prepared by the city of Greenville Zoning Division, are incorporated by reference for purposes of identifying the location of property.

Section 2. The PD is hereby approved for the property rezoned by this Ordinance, subject to all comments and conditions included in the June 13, 2019, Planning Staff Report, attached hereto as Exhibit C, ~~along with the additional conditions as identified by the Planning Commission and set forth in Exhibit D, which were incorporated in the Planning Commission motion to recommend approval.~~

Section 3. In order to provide the City with PD documents that accurately reflect the approved Planned Development with the required changes and conditions as set forth in this Ordinance, and for archival purposes, the applicant shall, as an additional condition, and within ninety (90) calendar days of the passage of this Ordinance, provide a revised PD document submittal to the city of Greenville Planning Office that addresses and incorporates all comments, conditions, and changes as required by this Ordinance. Unless an extension is granted in writing by the Planning and Zoning Administrator, failure to submit revised PD documents within ninety (90) calendar days of the second and final reading shall be grounds for termination of any vested rights granted herein in accordance with Section 19-2.2.14 (B) of the Code of Ordinances of the City of Greenville. This Ordinance shall be effective upon second and final reading.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

Exhibit A

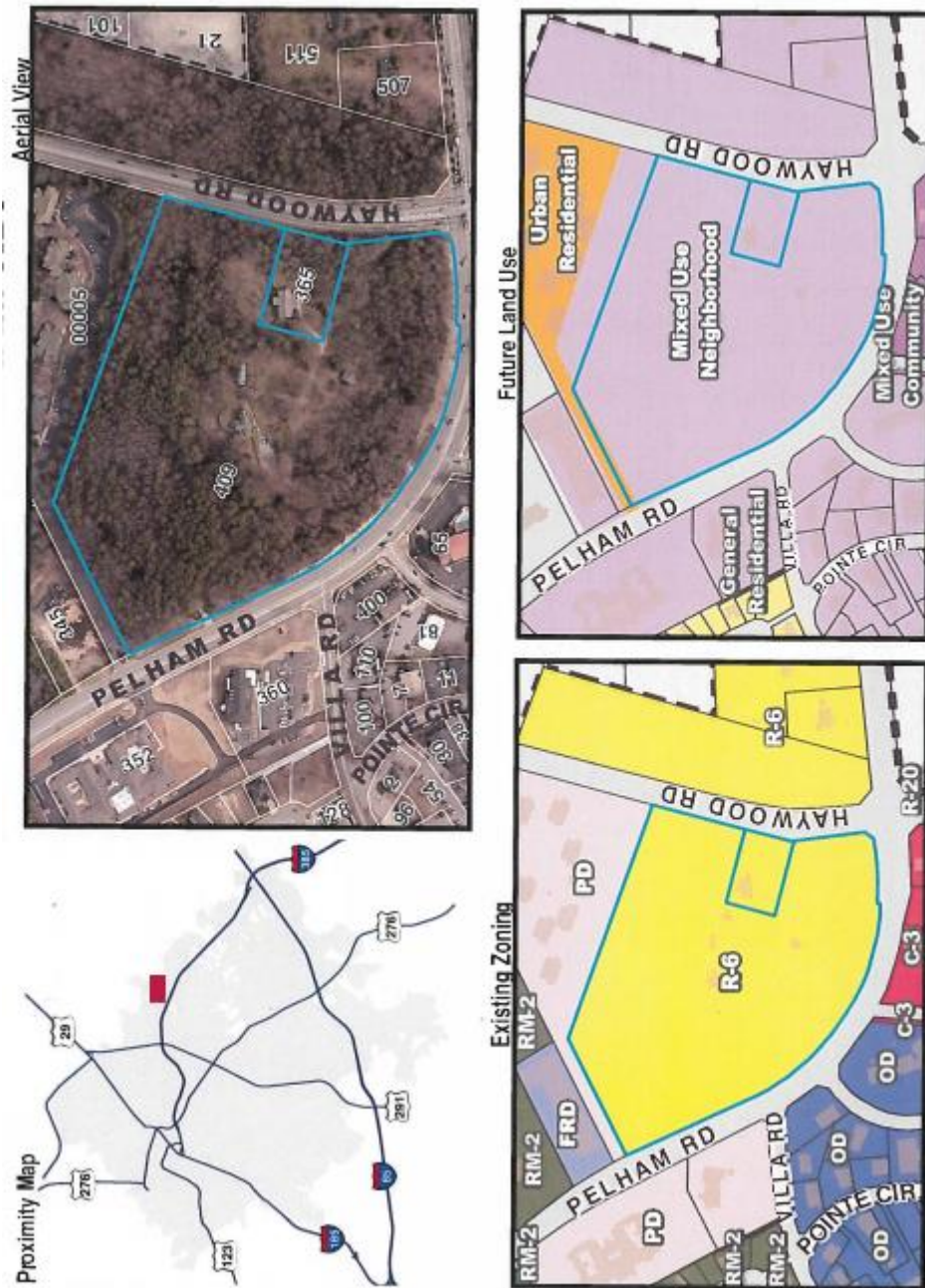


Exhibit B

ADAMS HILL PLANNED DEVELOPMENT

Pelham Road at Haywood Road
City of Greenville

Beacon Hill, LLC
P.O. Box 8716
Greenville, SC 29604



SITE DESIGN, INC.

1. INTRODUCTION:

This Statement of Intent ("SOI") is to describe in detail the proposed planned development of a +/- 19.4-acre site located at the northwest corner of Pelham Road ("**Pelham**") and Haywood Road ("**Haywood**") (the "**Adams Hill Planned Development**" or the "**Site**"). The Site consists of two parcels with the following tax sheets:

- 0278000200300 (existing R-6 zoning)
- 0278000200301 (existing R-6 zoning)

The Site is currently owned by Beacon Hill Development, LLC (the "**Master Developer**"), which is a real estate development, investment, and management company and is leading the efforts for development of the Site. The Master Developer is comprised of principals that have extensive experience in developing real estate properties in the Greenville area and the Southeastern United States. Mr. Dan Bruce, president of the Master Developer, has owned and assembled numerous properties surrounding the Site; including assembling the land for Haywood Mall and developing Orchard Park. His relationship to the site and the previous owners (Adams family) date back to the 1970's. It was at that time Mr. Bruce arranged the donation of 18 acres that was restricted and designated as a buffer for future development including Orchard Park and the Adams property.

The Master Developer will be partnering with developers of the multifamily and senior living components. Together, the "**Adams Hill Developers**" are excited to bring a modern, mixed-use development to this prominent Site, which sits at the highest point within the City of Greenville. The site is bordered by multifamily residential to the northeast, self-storage to the northwest, Haywood to the east, and Pelham to the south.

The Site will be subdivided into 4 parcels, each with its own unique use:

- Lot A (+/- 10.0 acres): Multifamily.
- Lot B (+/- 5.7 acres): Senior Living.
- Lot C (+/- 1.4 acres): Medical / Dental Office.
- Lot D (+/- 2.3 acres): Sit Down Restaurant.

The intent of the Adams Hill Developers is to put forth a master-planned, mixed-use development that would otherwise not be possible under standalone zoning for each of the four uses. Please refer to bold, underlined green text throughout this document to review the Adams Hill Developers plan to achieve this intent.

2. EXISTING ZONING & SITE CONDITIONS

The Site has the following zoning-related attributes:

- Existing zoning: R-6 (single-family residential)
- Existing use: two single-family residences in a wooded setting
- Neighboring zoning:
 - North & west: PD
 - South (across Pelham & Haywood intersection): C-3
 - South (along Pelham): O-D & PD
 - East (across Haywood): R-6 separated by a buffer with permanent, restrictive covenants
 - School district: Greenville County School District
 - Schools: East North Street Elementary; Greenville Middle Academy, and Eastside High

- The Greenville County School District has confirmed these assignments & service for the Adams Hill Planned Development

3. TRANSPORTATION, DRAINAGE, & UTILITIES

3.1 Transportation

The Site currently has the following transportation-related attributes:

- Existing road frontage: ~750' along Haywood Road & ~1,545' along Pelham
- Existing curb-cuts: 1 on Pelham. None on Haywood
- Existing sidewalk: None along property; however, there is sidewalk along the southside of Pelham

The Master Developer proposes the following transportation-related improvements:

- Proposed curb-cuts: 4 points of ingress / egress in total.
 - Driveway 1 (northern driveway on Haywood): Full access
 - Driveway 2 (southern driveway on Haywood): Right-in & right-out
 - Driveway 3: (eastern driveway on Pelham): Right-in & right-out
 - Driveway 4: (western driveway on Pelham): Full access, signalized. Located at the existing T-intersection with Villa Road
- Proposed, external sidewalk: Along Pelham & Haywood ROWs connecting to crosswalks at the intersection of Pelham & Haywood
- Proposed crosswalk: Across Pelham, connecting pedestrian traffic from Pelham and Villa Road
- Deceleration lane on Pelham Road for new ingress/egress points.
- Improvements and signalization to maintain a comparable level of service
- Restriping for additional turn lane at Pelham and Haywood south bound
- Concrete median divider on Haywood Road from the Haywood Rd / Pelham Rd intersection to the northern driveway (Driveway 1).
- Concrete median divider on Pelham Road across from eastern driveway on Pelham (Driveway 3) to prevent left turn movement at the Driveway 3 encroachment.

3.2 Drainage

A new stormwater drainage system will be designed to meet and exceed local, state, and federal regulations involving stormwater flow/discharge, siltation, and erosion control. The Site does not lie within designated flood zones or delineated wetlands. Stormwater peak runoff will be addressed with stormwater detention ponds and underground detention. Existing stormwater flow from the Site is conveyed to two discharge locations: (i) a portion of the Site discharges to the north and enters the existing stormwater system of Beacon Ridge Apartments and (ii) the remaining portion of the Site discharges to the SCDOT right of way of Pelham and Haywood. The discharge points will remain unchanged.

3.3 Utilities

The Master Developer proposes the following utility-related improvements:

- Proposed Sanitary sewer: New extension will be constructed to serve the Site. The sanitary sewer system will be owned & maintained by Metro Connects
- Water: To be provided by the Greenville Water System
- Electricity: To be provided by Duke Energy
- Natural Gas: To be provided by Piedmont Natural Gas

4. DEVELOPMENT SCHEDULE

The Adams Hill Developers propose the following:

- Site-wide infrastructure: to be constructed in one phase beginning in 2019 when permits have been approved (to include sanitary sewer, domestic water, data, and electricity)
- Lot A – Multifamily: Beginning construction in 2019 with a +/- 20-month construction schedule
- Lot B – Senior: Beginning construction in 2019 with a +/- 20-month construction schedule
- Lot C – Medical / Dental Office: Schedule unknown at this time
- Lot D – Sit Down Restaurant: Schedule unknown at this time

5. DEVELOPMENT CONCEPT

5.1 Landscape Architecture

The intent of landscape guidelines within the PD is to provide an aesthetically pleasing environment for property owners and residents of the PD that exceed the minimum requirements of The City of Greenville. These guidelines are intended to maintain and enhance property values, enhance the appearance of all development, provide adequate buffers between different land uses, improve the character, appearance, and micro-climate of the city, address heat and noise abatement, and reduce erosion and stormwater runoff.

The following area general requirements for landscaping within the PD:

- All planting areas shall be protected from vehicle damage by the installation of curbing or other methods.
- The plant materials used in and around parking lots and adjacent to street rights-of-way and pedestrian ways shall be designed to ensure visibility at intersections and safety of pedestrians.
- All planting areas shall be stabilized with ground covers, mulches, or other approved materials to prevent soil erosion and to allow rainwater infiltration.
- All plants shall be placed in such a manner as to ensure maintenance access, to maintain unobstructed sight distances, and shall be a species suitable for proposed location, including conflicts with all utility easements and rights-of-way.
- All planting areas shall be automatically irrigated, rain sensors shall be required on all automatic irrigation systems that will receive city water.
- Canopy trees shall have a minimum size at planting of 3" caliper, 14' height and 6' of clear trunk. Ornamental/understory trees shall have a minimum size at planting of 2" caliper, 10' height and 5' clear trunk.
- All trees shall come from the City of Greenville's list of approved of tree species.
- Seasonal plantings to provide color and enhanced appearance around signage and at intersections.
- Enhanced foundation plantings and ornamental plantings around the senior living and multifamily parcels.

The public road frontage streetscape will incorporate improvements along Pelham Road which will include a meandering 8' sidewalk with lawn strip. The public road frontage streetscape along Haywood

Road will include a 5' lawn strip and 6' sidewalk to help activate the streetscape. With the exception of the area contained within the sight distance triangle (as shown on site plans) along Pelham Road, street trees shall be planted at a spacing of 40 feet on-center for shade trees or 20 feet on-center for ornamental and understory trees along the entire length of the street frontage along Pelham Road and Haywood Road. Ornamental and understory trees shall be used as street trees only when there is an overhead obstacle which would preclude the use of taller-growing shade trees.

Parking areas will be landscaped to exceed City of Greenville requirements by requiring a minimum of 1.2 trees and 10 shrubs per 2,000 sf, or portion thereof, vehicular use area. Emphasis will be placed on locating canopy trees to break up parking areas and reduce the urban heat island effect. No more than ten continuous parking spaces shall be allowed without an island (minimum 180 sf) containing a canopy tree. Canopy trees shall be diverse in nature and a mixture of naturalized species shall be used. Parking areas visible from any public right of way shall be screened with a 2'-3' high evergreen hedge or berm. Lighting in parking areas shall be provided to meet the functional needs of safe circulation of vehicles and pedestrians, and provide protection of people and property. Poles shall be no taller than 15' above grade. Fixtures shall of the cut off variety to minimize glare off site. Light selection, including bollards and other site lighting, shall be of a uniform selection and design to create a cohesive appearance. Pedestrian paths and walkways shall be illuminated for safety.

The primary Pelham entrance to the site will consist of a median divided drive and will include street trees and outdoor lighting to enhance the entrance. Crosswalk areas will be enhanced with specialty paving. An art form and monument sign for the development will be located at the corner of Pelham and Haywood outside of the sight triangle. The entrance drive will terminate at a round- a-bout which will serve as the interior access to the multifamily units, senior living facility, medical / dental office, and sit down restaurant. This junction will be enhanced with specialty paving, detailed landscaping, an art element and lighting. In addition, the major road "spokes" from the round-a-bout will all features 5'-wide sidewalks, which will encourage pedestrian connectivity throughout the Site, which is a key component of the Planned Development proposal that would not be possible with standalone zoning. Please refer to the Connectivity and Open Space plan depicting these internal sidewalks.

Each of the components of the Site will be heavily-amenitized with the inclusion of:

- Lot A – Multifamily:
 - ~17,000 ft² of activated, external courtyard & amenity deck space for multifamily residents. Amenities to include the following:
 - Resort-style pool with sunshelf and semi-private cabanas
 - Outdoor, community dining area with grills & family seating
 - Greenspace for outdoor games including cornhole, bocce ball, etc.
 - Pet areas with exercise paths
 - ~2,000 ft² interior space for a cooperative working space available to not only multifamily residents, but also the wider community
 - ~8,000 ft² of interior space for the use of multifamily residents including:
 - 24-hour, state-of-the-art fitness center
 - Standalone separate yoga / cross training room
 - Indoor, tiled pet spa area
 - Multiple gathering areas with community seating and automated mail & package access
- Lot B – Senior living:
 - ~10,000 ft² of motor court space to serve as an outdoor amenity directly access from the shared round-a-bout

- ~30,000 ft² of activated, external courtyard & amenity deck space for senior living residents. Amenities to include:
 - Outdoor, community dining area with grills & family seating
 - Play area for children and outdoor games
 - Secure Memory Care courtyard with outdoor space for residents and their family members
- ~25,000 ft² of interior space for the senior living residents. Amenities to include:
 - Multiple dining venues and a café
 - Spa/salon
 - Fitness and exercise
 - Onsite rehab services
 - Multipurpose room for movies, speakers, church and other activities
 - Arts & crafts
- Various social and entertainment engagement areas
- Lot C – Medical / Dental Office:
- Lot D – Sit Down Restaurant:
 - Art form at the corner of Pelham & Haywood. The Adams Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning
 - Outdoor benches and/or tables
- Other amenities shared between Lots:
 - Activated greenspace to serve as an outdoor amenity between the multifamily & senior uses for enjoyment of the public. The Adams Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning
 - Master-developed entrance road lined by parallel parking creating a feeling of organic, mixed-use development leading to a shared round-a-bout via internal, interconnected roadways to each of the 4 Lots. The Adams Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning
 - The site's family history originated with settlers from Beacon Hill of Boston, which is also the highest point in Boston, Massachusetts. Art Pieces will be chosen to reflect "Adams Hill" as the highest point in the City of Greenville. The Art Pieces will be placed in the Round-a-bout and the corner of Pelham and Haywood.

Please refer to each subsection below for additional detail above on these amenity spaces. Additionally, this application includes an exhibit on the open spaces proposed within the Site.

Foundation landscaping shall be provided along all sides of buildings. These plantings shall have a minimum depth of 6 feet. Foundation planting shall compliment the building's architecture, emphasizing vertical elements while not blocking views from windows.

Screening shall be provided for all exterior equipment, service and/or delivery areas, trash storage, and accessory uses and structures that may produce noise, odors, glare, vibration, etc.. This screening shall comprise of evergreen plant material, fencing or a combination thereof.

Total open space will be comprised of common open space and private open space. Total open space will exceed City of Greenville requirements by requiring a minimum of 240 sf per dwelling unit, of which private open space may be provided at a rate of 100 sf per dwelling unit. The remaining difference of the open space must be common open space. The common open space may be comprised of green space,

hardscape, and/or canopy trees for usable areas of walking or gathering. Connectivity shall be provided between these spaces and the buildings and parking areas to provide easy accessibility and to form an uninterrupted network of "vehicle free areas". Sidewalks shall be a minimum of 4' wide. Entry points and intersections of pedestrian walkways should be framed by enhanced landscaping, lighting, and hardscape materials scaled to the pedestrian context. Art elements are encouraged at strategic points throughout the development. Access to public transportation shall be provided as necessary. Additionally, the landscape architecture for all lots will complement one another. The Adams Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning.

5.1 Lot A – Multifamily

The multifamily portion of the Site will be primarily accessed from Driveway #4 (the signalized intersection at Pelham); however, the multifamily residents will also enjoy use of the interconnected, internal roads from each of the four points of ingress & egress across the larger Site. The Adams Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning.

The multifamily project is comprised of larger, 3/4-story residential buildings (up to 55' in height as defined by 19-5.2.9) throughout Lot A. The Adams Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning.

The multifamily project will feature ~280 units with a mix of one, two, and three bedroom units. The clubhouse and leasing facility will be approximately ~10,000 ft² and is integrated into the courtyard building. Of the 10,000 ft² of internal, amenity space, the multifamily project will dedicate ~2,000 ft² of this space for a cooperative & collaborative workspace with semi-private offices and community working spaces.

Regarding construction, the courtyard building will be stepped to work with the natural topography of the Site and the courtyard will also have a level change which will create an interesting landscape and hardscape design for the pool area. Entering this project from Pelham residents will drive uphill with the front of the Clubhouse/Leasing office in view at the top of the hill. There will be a parallel parking street between the courtyard building and the angled building creating the feel of an urban streetscape. At the end of that streetscape there will be a round-a-bout that will access the parking areas for both buildings as well as giving a connection to the adjacent Senior housing project. The large residential buildings will provide "tuck-under" garages on the parking lot sides of the building that will have direct access to the corridors leading to the units.

The architectural style for the multifamily project is "mountain rustic" meets "industrial" and mixes elements like wood brackets, stone columns, steep peaked roof elements and earth tones along with red brick, larger window elements and flat roofed areas found in both mountain and industrial styles. The multifamily elevations shall be comprised of at least 15% non-siding materials. None of the siding will be vinyl.

*Architecture design standards will be generally consistent with city design guidelines and will meet or exceed the non-residential development standards set forth in Section 19-6.5 of the City's Code of Ordinances. Additionally, the architecture for Lot A will complement the architecture featured in Lots B, C, and D. The Adams Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning.

*All signage shall conform to the signage standards set forth in 19-6.6 of the City of Greenville Ordinances. Additionally, the signage design for Lot A will complement the signage featured in Lots B, C, and D. The Adams Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning.

5.2 Lot B – Senior Living

The senior living portion of the Site will be primarily accessed from Driveway #1 (the full access intersection on Haywood); however, the senior living residents will also enjoy use of the interconnected, internal roads from each of the four points of ingress & egress across the larger Site. The Adams Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning.

The senior living project will feature independent living (“IL”) units will be generally on the northern portion of the senior site, primarily facing the northern property line and the internal streets to the west. The tallest portion of IL units will be four stories, the bottom level accommodating private garages. The majority of the building will be three stories. The IL units will create a common use amenity courtyard with two levels of amenity and open spaces abutting the central, two story commons building. The courtyard will open to Haywood on the East, reducing the presence of the structure along the street front. The central commons building will serve as the center of hospitality for all residents, housing functions such as main entry/lobby, dining, living rooms, fitness centers, back of house, etc. The main entry faces a hospitality style motor court for resident drop off and short term visitor parking.

The senior living project will feature its main motor court connecting to the central round-a-bout, creating a focal element for the primary entrance to the development. The southern portion of the building will house assisted living (“AL”) and memory care (“MC”) units. The AL and MC unit portion of the building will be three stories and create an internal courtyard for AL residents that faces the commons building and dining rooms. MC will be on the ground level and AL will occupy the second and third levels. MC will have its own courtyard at the southeast corner of the facility which serves outdoor space requirements for MC residents. It will be a fenced courtyard, compatible with the architecture, and continuously monitored by staff. The facility will have consistent finishes consisting of a masonry base, complimenting fiber cement fields, warm wood tone accents (on fiber cement materials), and dark soffits, windows, and balcony details similar to current transitional design trends. The commons building at the center of the facility will be primarily warm wood finishes (on fiber cement materials) to better identify the entry and hospitality portion of the facility.

*Architecture design standards will be generally consistent with city design guidelines and will meet or exceed the non-residential development standards set forth in Section 19-6.5 of the City’s Code of Ordinances. Additionally, the architecture for Lot B will complement the architecture featured in Lots A, C, and D. The Beacon Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning.

*All signage shall conform to the signage standards set forth in 19-6.6 of the City of Greenville Ordinances. Additionally, the signage design for Lot B will complement the signage featured in Lots A, C, and D. The Beacon Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning.

5.3 Lot C – Medical / Dental Office

The Medical / Dental Office portion of the Site will be primarily accessed from Driveways #2 & #3 (the right-in, right-out on Haywood & the right-in, right-out on Pelham); however, the medical / dental customers will also enjoy use of the interconnected, internal roads from each of the four points of ingress

& egress across the larger Site. The Adams Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning.

*Architecture design standards will be generally consistent with city design guidelines and will meet or exceed the non-residential development standards set forth in Section 19-6.5 of the City's Code of Ordinances. Additionally, the architecture for Lot C will complement the architecture featured in Lots A, B, and D. The Beacon Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning.

*All signage shall conform to the signage standards set forth in 19-6.6 of the City of Greenville Ordinances. Additionally, the signage design for Lot C will complement the signage featured in Lots A, B, and D. The Beacon Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning.

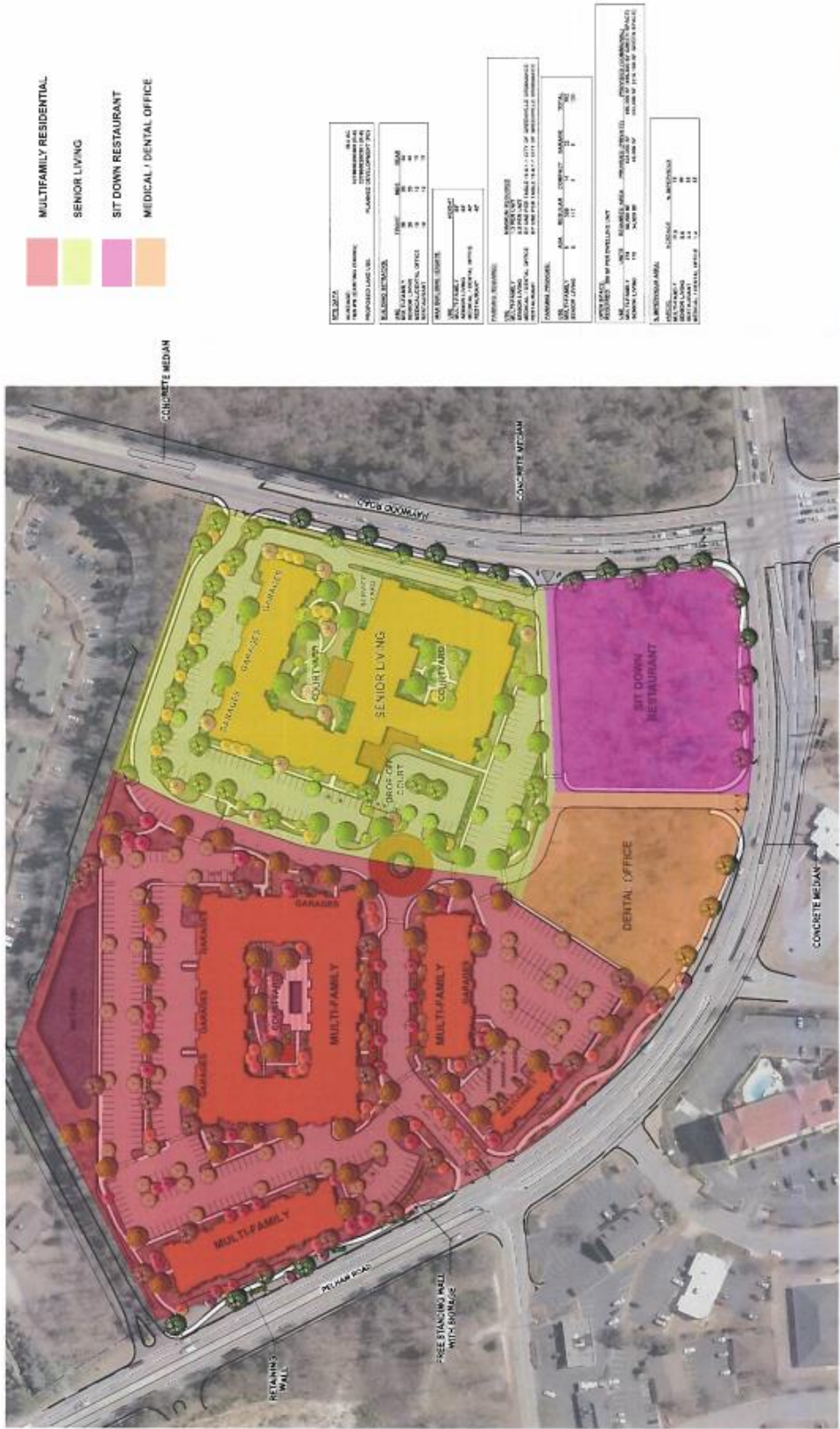
5.4 Lot D – Sit Down Restaurant (drive thru prohibited)

Lot D is restricted to a sit down type restaurant, which drive through order and pick up windows are prohibited. The sit down restaurant portion of the Site will be primarily accessed from Driveways #2 & #3 (the right-in, right-out on Haywood & the right-in, right-out on Pelham); however, the restaurant customers will also enjoy use of the interconnected, internal roads from each of the four points of ingress & egress across the larger Site. The Adams Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning.

Additionally, the southeast corner of Lot D will feature an art feature that faces the intersection of Pelham & Haywood and ties into the art feature in the central round-a-bout. The Adams Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning.

*Architecture design standards will be generally consistent with city design guidelines and will meet or exceed the non-residential development standards set forth in Section 19-6.5 of the City's Code of Ordinances. Additionally, the architecture for Lot D will complement the architecture featured in Lots A, B, and C. The Beacon Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning.

*All signage shall conform to the signage standards set forth in 19-6.6 of the City of Greenville Ordinances. Additionally, the signage design for Lot D will complement the signage featured in Lots A, B, and C. The Beacon Hill Developers believe this is a key component of the Planned Development Proposal that would not be possible with standalone zoning.







Adams Hill

CONNECTIVITY PLAN

May 20, 2019



REVISED 7/8/2019

Ordinance No. 2019 - _____

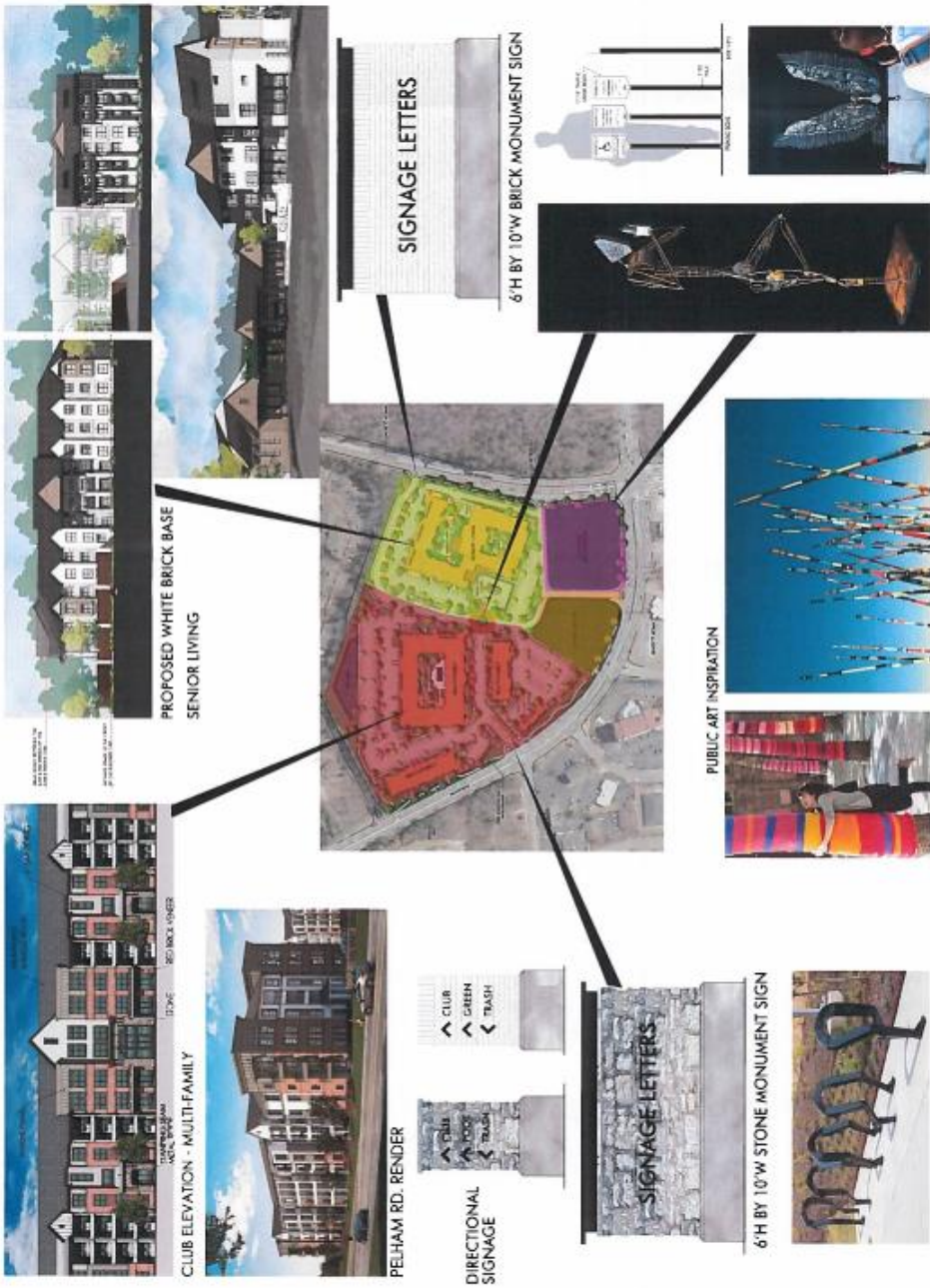
Page 16



BOULEVARD TREATMENT



BUILDING FRONTS AND PLAZA AREAS





VIEW FROM DROP-OFF COURT

LIV Greenville
SENIOR LIVING

February 11, 2018

 SITE DESIGN, INC.
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christian brock & associates
prag

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LIV Greenville
PELHAM ROAD RENDERING
February 11, 2019



LIV Greenville
CONCEPTUAL ELEVATION

February 11, 2019

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CONCEPTUAL ELEVATION

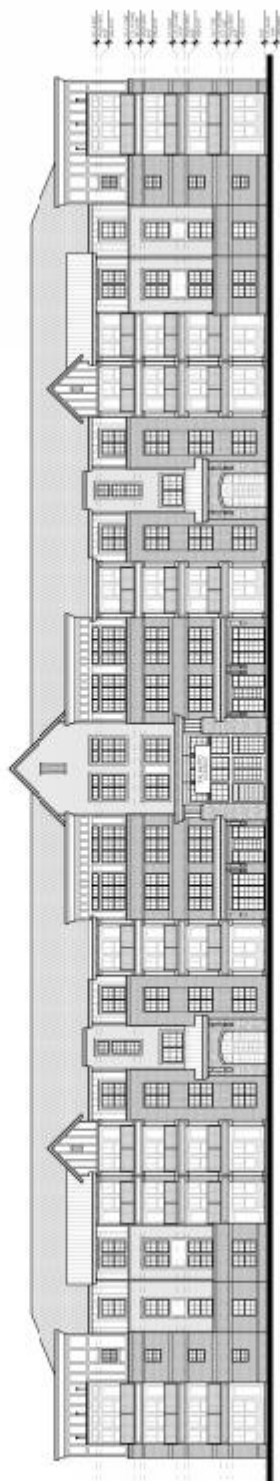
February 11, 2019

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Building II Front Elevation
Pelham Side



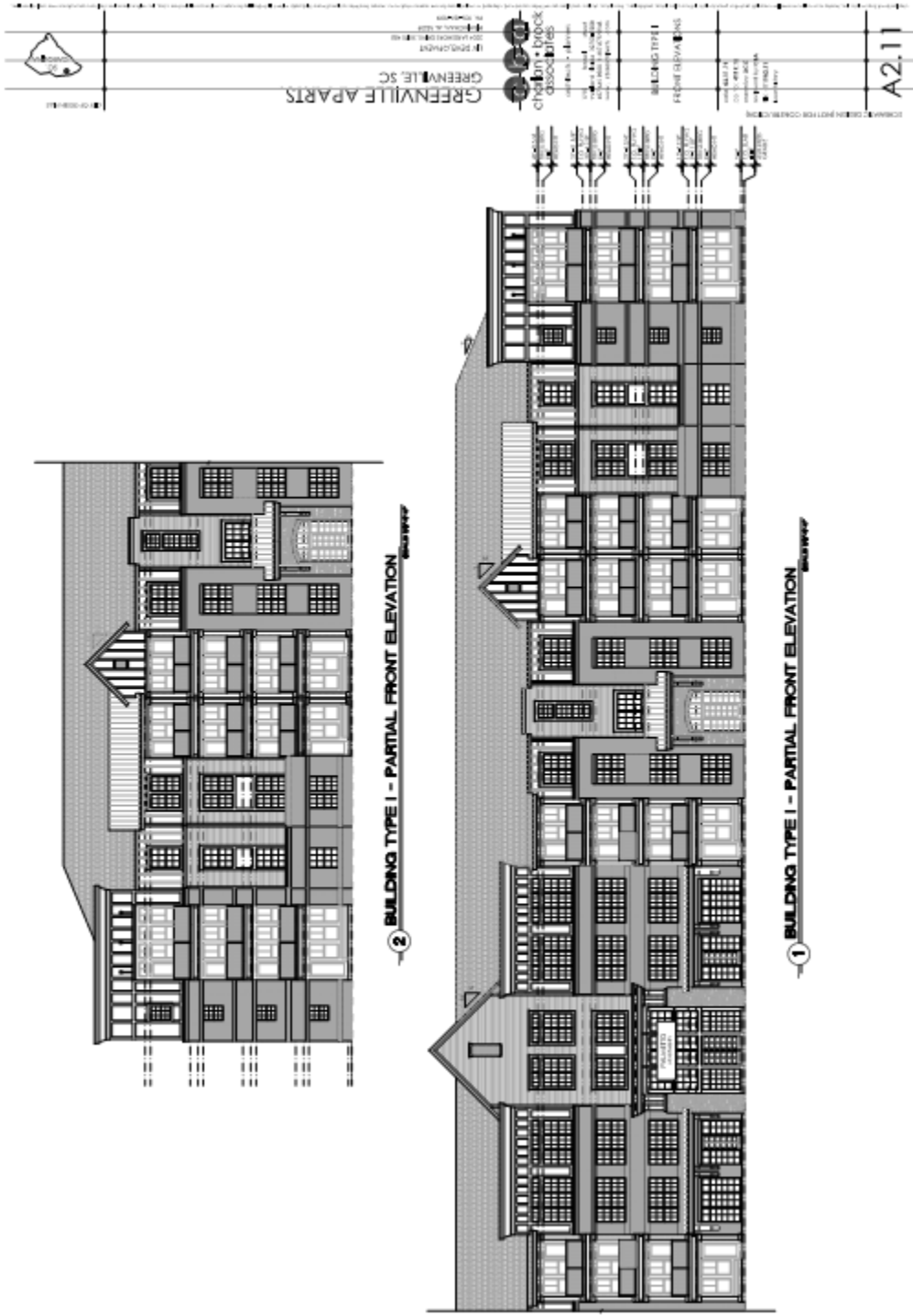
Club Front Elevation
South End

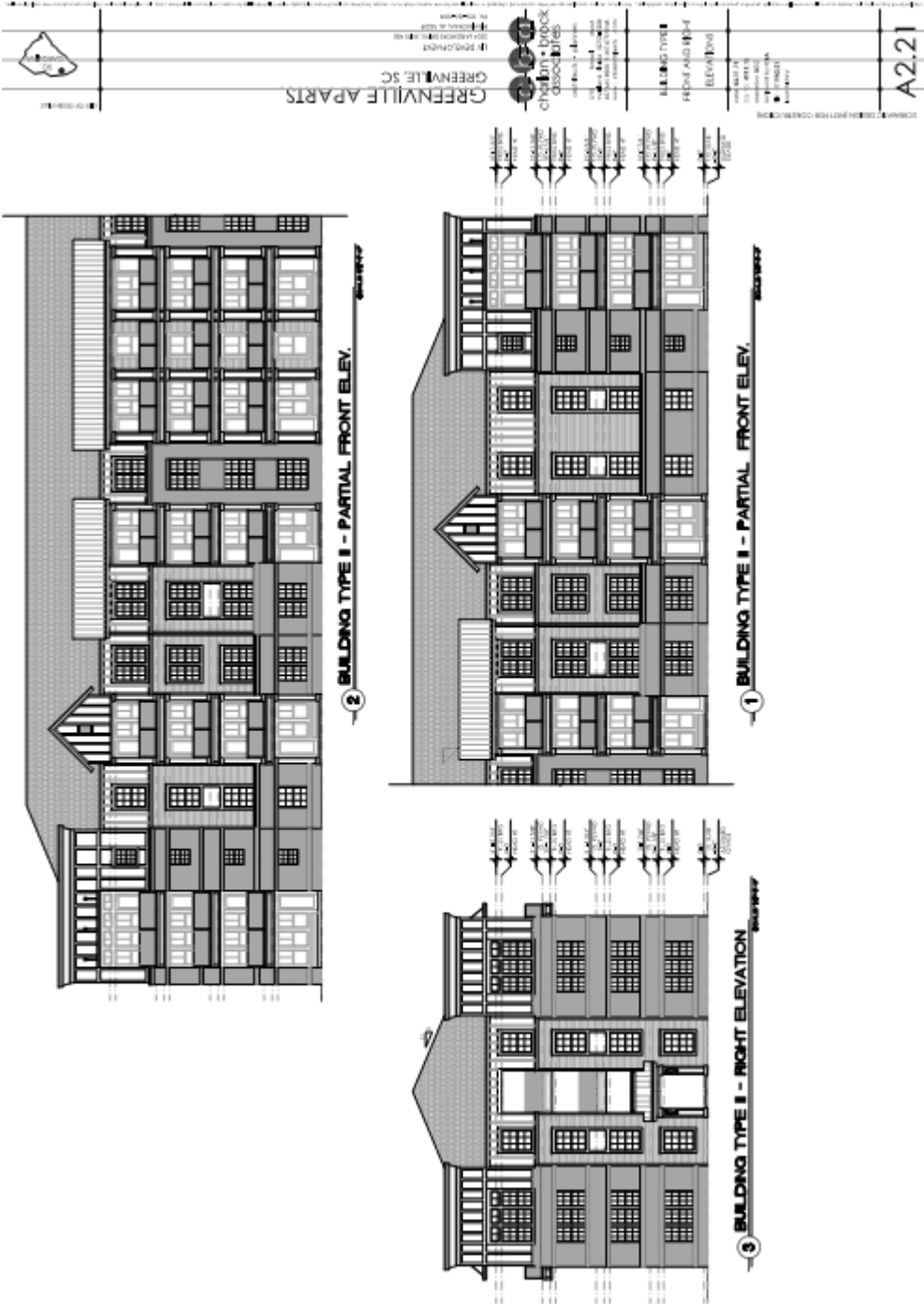
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CONCEPTUAL ELEVATIONS

February 11, 2019





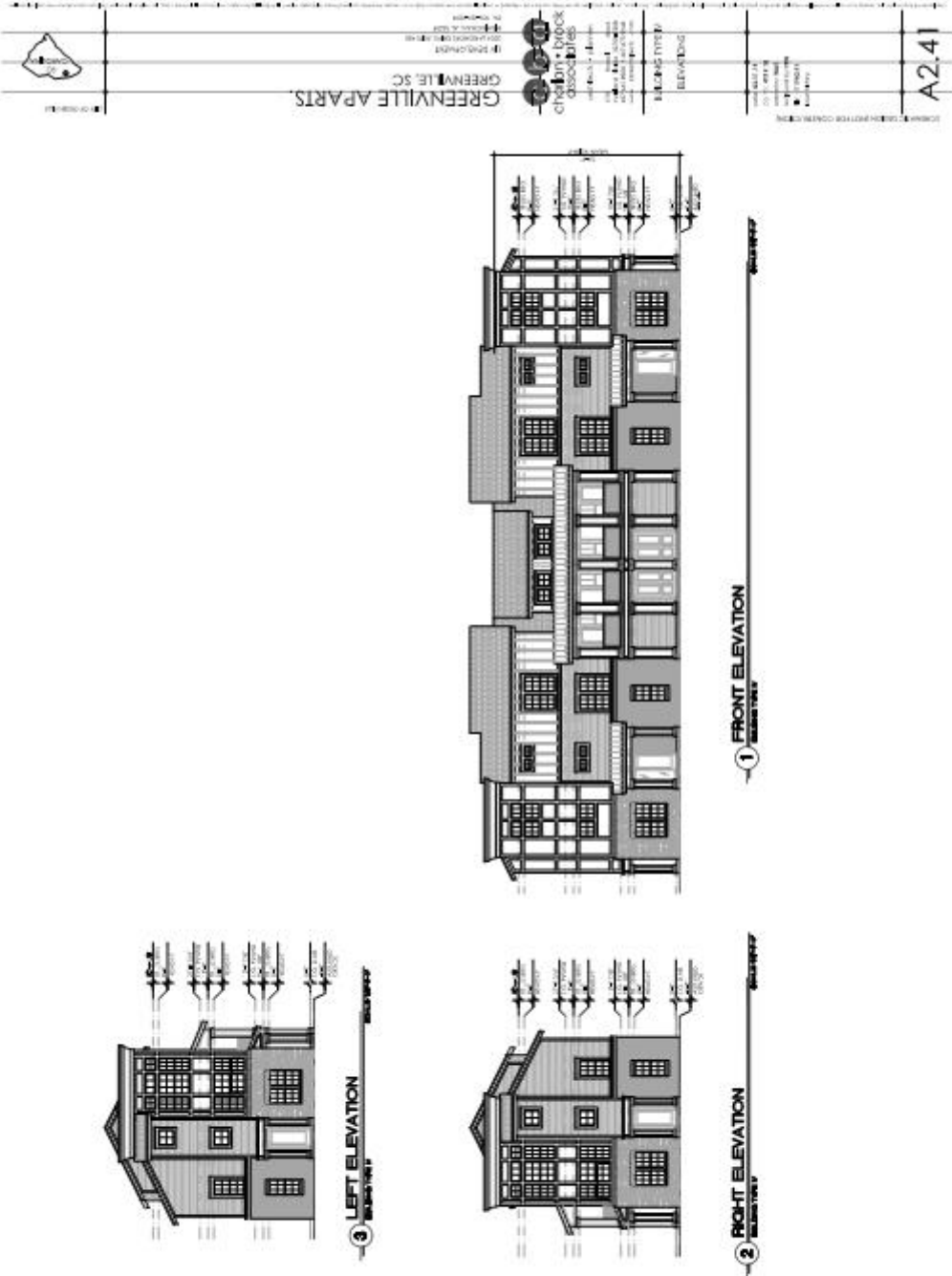


Exhibit C



**Planning Staff Report to
Greenville Planning Commission
June 13, 2019
for the June 20, 2019 Public Hearing**

Docket Number:	Z-26-2018
Applicant:	Dan Bruce
Property Owner:	BEACON HILL DEVELOPMENT LLC
Property Location:	345 HAYWOOD RD
Tax Map Number:	027800-02-00300
Acreage:	18.394 Acres
Zoning:	R-6, Single-Family Residential District
Property Owner:	BEACON HILL DEVELOPMENT LLC
Property Location:	365 PELHAM RD
Tax Map Number:	027800-02-00301
Acreage:	.994 Acre
Zoning:	R-6, Single-Family Residential District
Proposal:	REZONE 19.4 ACRES FROM R-6 TO PD, PLANNED DEVELOPMENT
Staff Recommendation:	Recommend Approval with Conditions to City Council

Staff Analysis:**Applicable Sections of the City of Greenville Code of Ordinances:**

Sec. 2-372, Function, Powers, and Duties of the Planning Commission
Sec. 19-1.3, Purpose and Intent
Sec. 19-2.1.2, Planning Commission Powers and Duties
Sec. 19-6.5, Design Standards for Nonresidential Development
Sec. 19-6.8, Design Standards for Multifamily Residential
Sec. 19-2.3.3, Planned Development District

Application History:

- *December 20, 2018* – This application was originally presented at the Planning Commission's regular December meeting. The staff report included a recommendation for denial. At the request of the applicant, the Planning Commission voted to defer the application to allow time for revisions to address staff and Planning Commission concerns, which are noted in the staff report and minutes from that meeting.
- *January 17, 2019* – The applicant resubmitted for the January Planning Commission meeting, but subsequently requested an additional deferral to further modify their application.
- *March 21, 2019* – The applicant presented the revised application at the March public hearing. Staff recommended approval with comments and conditions. The Planning Commission likewise recommended approval with additional comments and conditions. These are reflected in the staff report and minutes from the March 21 Planning Commission meeting, and were also incorporated in the ordinance that was eventually presented to City Council.

- *April 22, 2019* – The ordinance was presented to City Council for first reading. Councilmembers heard numerous public comments, received information from the applicant, and asked staff for clarification on certain items. Ultimately, Council voted to table the application, with instructions to further study specific aspects of the project including traffic, access points, density, land use, narrowing the permitted land uses on the unspecified commercial parcel, stormwater, and consideration of affordable housing as part of the development.
- *June 20, 2019* – The revised application has been submitted for a new public hearing and consideration by Planning Commission. Once the Planning Commission makes its recommendation, the request will go back to City Council for first and second reading.

Summary of Changes:

- The gas station, previously proposed at the corner of Pelham Rd and Haywood Rd, has been removed from the project. In its place, a "sit down restaurant" is now proposed. Eligible restaurants within Table 19-4.1.2, *Table of Uses*, in the Land Management Ordinance would include: restaurants with indoor and outdoor seating and/or food service areas and restaurants with indoor seating only. Restaurants with a drive-thru are prohibited. Any request for another use other than a "sit down restaurant" would be considered a major modification and would require an amendment to the Planned Development (PD) by Planning Commission and Council.
- The previously unspecified commercial parcel is now shown as a dental office. Staff contends some flexibility should be granted for this parcel, and a medical or office use would also be appropriate; provided, however, that any such use shall not exceed the traffic counts or peak hour trips shown for the Dental Office in the traffic report.
- The access points and site layouts for the previous gas station have been removed. Final site design, building orientation, and parking lot layouts will be reviewed by the Planning Commission as part of the Final Development Plan (FDP) review and approval process for the future site development.
- The Statement of Intent includes language that indicates the buildings across all four lots within the Adams Hill development will feature complimentary architecture. Revised renderings for the multifamily development are not included in the revised PD submittal. The architecture firm is awaiting final PD zoning approval before they begin architectural revisions. Final architecture for all buildings will be reviewed by the Planning Commission during the FDP review and approval process.
- The applicant has indicated that the service drive between the senior living facility and Haywood Road provides essential access for service vehicles to the senior living facility. Previously, staff and the Planning Commission requested, and included as a condition of PD approval, that this service drive be grass-paved or structured soil to deemphasize this drive as a means of vehicular access, while still providing required fire and emergency access. Staff is agreeable to a change to the previous staff conditions and accepts this service drive as a 12-foot paved driveway for daily use by service vehicles, with additional structured soil or pervious pavement provided alongside the paved drive in order to provide the required fire access width in the event of an emergency.

Staff Comments in Response to City Council's Motion to Table

At its meeting on April 22, 2019, Council voted to table the application, with instructions to further study specific aspects of the project. Staff provides the following comments in response to the items that Council felt warranted additional study and the modified application:

- *Traffic* – The previous gas station proposal expected to generate an additional 8,400 trips per day, including an estimated 307 trips during the AM peak hour and 389 during the PM peak hour. With the removal of the gas station and new specified uses for the two commercial parcels, the total daily trip generation is now 3,304 trips per day, with 194 in the AM peak hour and 269 in the PM peak hour. The City's Traffic Engineer, who previously recommended denial due to traffic impacts, has changed her recommendation to approval, noting that, based on the updated impact analysis, the revised scope of the project and proposed improvements will sufficiently mitigate the future traffic generated by the development. Only minor increases in delay are now expected.
- *Access Points* – The locations of the proposed access points meet SCDOT and City of Greenville Engineering standards. The new signalized intersection at Villa Road will provide a safe means of

ingress and egress for the development. With newly installed medians and other road improvements, the access points nearest to the Pelham-Haywood intersection will be right-in, right-out only. Finally, as the updated traffic report indicates, the change in use to a sit-down restaurant will result in significantly reduced traffic access to the development compared to the previous gas station proposal.

- *Density* – The number of residential units remains unchanged from the previous submittal. Approximately 280 multifamily units and 170 senior living units remain proposed for a total of 450 units. This equals 23.2 dwelling units per acre across the entire 19.4-acre site. The current zoning classification of R-6 would permit approximately 100 single-family residences to be developed, with consideration for land lost to roads and other infrastructure. The requested density is possible from the PD zoning designation, provided that the PD demonstrates “superior design or the provision of additional amenities such as public open space.” Staff believes that with the required changes and conditions identified in the previous staff report, the development achieves the superior design and open space requirements to justify an increase in unit density.
- *Land Use* – The community expressed many concerns about a gas station being placed on such a prominent and already congested intersection. The Planning Commission required a reconfiguration of the pumps in order to mitigate the visual impact of the gas station, to the extent possible. With the gas station removed, and the use categories now identified for both sites, staff believes many of the land use concerns have been addressed. Moreover, as explained in its previous staff report, staff supports a rezone of this property to include a mix of residential and commercial uses. The proposed uses are appropriate for this intersection, and the zoning change is consistent with the Future Land Use Map.
- *Narrowing the permitted land uses on the unspecified commercial parcel* – As detailed above, the unspecified parcel is now shown as a Dental Office.
- *Stormwater* – Final stormwater plans will be reviewed during the permitting stage.
- *Consideration of affordable housing* – The applicant has not committed to a provision of affordable housing as part of this development. Staff fully supports the provision of new affordable and workforce housing throughout the city. However, in the State of South Carolina, inclusionary zoning is not permitted, and provisions that require affordable housing may not be included as a condition to a request to rezone. Staff continues to encourage the developer to consider an affordability component. The City’s Community Development Department is available to provide or recommend resources and strategies that could allow for a number of the units to be provided at a more affordable rate.

Department Recommendations, Comments, and Conditions for Revised Application

Planning Department: *Recommend Approval with Comments and Conditions*

Comments and Conditions:

1. Proposed uses shall serve the idea of a Mixed Use Neighborhood, as recommended by the Future Land Use Map. Permitted uses shall be limited to those reflected on the PD Regulating Plan and Statement of Intent.
2. The corner parcel shall be limited to a sit-down restaurant with combined customer and employee capacity not to generate more than 604 daily vehicle trips, 5 total new AM peak hour trips, or 28 total new PM peak hour trips.
3. The previously unspecified commercial parcel fronting Pelham Road shall be limited to a dental, medical, or office use, with combined customer and employee capacity not to generate more than 264 daily vehicle trips, 18 total new AM peak hour trips, or 26 total new PM peak hour trips.
4. At the time of FDP submittal, architectural details shall be improved as mentioned in the staff report, and any other applicable multifamily design standards or non-residential design standards shall be addressed for staff and Planning Commission review and approval.
5. A comprehensive sign package shall be submitted that complies with the intent of the PD and the City’s Sign Ordinance.
6. The fire and service lane along the senior living facility (next to Haywood Rd) shall be a 12-foot paved driveway for daily use by service vehicles, with additional structured soil or pervious pavement provided alongside the paved drive in order to provide the required fire access width in the event of an emergency. The final design shall be reviewed and approved by the Planning Commission as part of the FDP for the senior living facility.

7. Any trees, on the proposed site, that are protected under the City's ordinances must receive proper review and permits prior to any site grading or tree removal.
8. All Fire Department, Civil Engineer, and City Engineer review comments must be addressed as part of each FDP.
9. Per 19-2.2.13. Conditions of approval. General. As a condition of the approval, the proposed use, and the premises to be developed or used, pursuant to such approval, is required to comply with the general goals and policies of this chapter or with particular standards of this chapter to prevent or minimize adverse effects from the proposed development on surrounding lands.

Additional Conditions (as recommended by Planning Commission on March 21, 2019):

10. Special consideration should be given for a clear and direct route providing access from the public transit stop to the interior of the site
11. Architecture should be consistent with the senior living facility, with the senior living facility being the standard that all of the architecture on the site should achieve
12. The water retention facilities should be treated as an amenity, rather than something that would detract from the development, and must be maintained
13. All building designs, including those for the future outparcel, must be presented as FDPs to the planning commission for review and approval
14. Special design consideration should be given to the face of all retaining walls, particularly the one at Haywood Road so that it is an amenity rather than a large concrete wall face
15. Screen service and garbage areas and control odors near open space or relocate them away from the open space entirely
16. Consideration of light pollution potential and photometrics must be presented as part of the permit and review process for each FDP.

City Engineer: *Approve with Conditions*

Comments and Conditions:

The Development will have to comply with all City and State requirements including street improvements, sewer capacity improvements, and stormwater management facilities. The following improvements must be completed as a condition of approval for the PD zoning:

- 1) A mast arm signal is to be installed at the Villa/Pelham intersection.
- 2) Dual left lanes are to be installed on the southbound Haywood approach to Pelham Road.
- 3) Signal timing shall be adjusted as approved by City Traffic Engineering and the SCDOT.
- 4) Concrete medians to be added on Haywood Road north of Pelham Rd.
- 5) Deceleration lanes to be added for right turns into the development.
- 6) Any other improvement required by the SCDOT or by the standard requirements for road construction.

The applicant has agreed to all of the items that the Engineering staff has requested, short of grade separating the intersection, or adaptive signal controls on the Haywood corridor. The existing level of service (LOS) of the intersection at Pelham/Haywood is an F at peak hours. The installation of these items and timing changes to the signals do not fully mitigate all of the impacts from the proposed development on the intersection, but do reduce the impacts.

Civil Engineering: *Approve with Conditions*

Comments and Conditions:

- 1) All proposed public and private improvements shall meet the requirements of Section 19-6.7 Site Development and Related Infrastructure of the City's Land Management Ordinance. The design and construction of the public and private infrastructure shall conform to all applicable federal and state regulations and the requirements of the City's design and specifications manual.
- 2) All improvements proposed within the City's public right of way shall be subject to the requirements of Articles I and II of Chapter 36 – Streets, Sidewalks and Other Public Places of the City of Greenville Code of Ordinances. As required, all improvements or construction activity performed within the public right of way require an approved encroachment permit.
- 3) A Site Plan Permit will be required for the development detailing the demolition, grading and stormwater, utility improvements and site access.

- 4) A traffic impact analysis will be required as a condition of site permit approval if the administrator determines that a proposed development will generate 100 or more traffic trips during the peak hour or if the administrator determines that a proposed development involving substantial improvement or change of use will generate 125 or more traffic trips during the peak hour. Improvements to the existing transportation infrastructure by a developer will be required as a condition of permit issuance if the projected level of service for the build-out year of the development descends below level "D" for any intersection within the study area as a result of the proposed development.
- 5) The improvements shall comply with Chapter 11 of the International Building Code for site accessibility. Per Section 1104, a minimum of one accessible route shall be provided from each site arrival point (public transportation stops, accessible parking, accessible passenger loading zones and public streets or sidewalks) to the accessible building entrance served. Additionally, an accessible route shall be provided within the site to connect accessible buildings, facilities, elements and spaces on the site.

Traffic Engineering: *Approve with Conditions*

Comments and Conditions:

Based on the updated impact analysis, the revised scope of the project indicates that the proposed improvements will sufficiently mitigate the future traffic generated by the development. Only minor increases in delay are expected.

All proposed improvements as recommended in the study are to be implemented.

The developer is to restudy the network 6 months after the development is completed in order to ensure that the proposed timings and infrastructure improvements are adequate.

Environmental Engineering: *Approve with Comments*

Comments and Conditions:

- 1) Wastewater – Wastewater service for the development will be subject to the following conditions:
 - a. A revised PSSAR must be submitted to include the sit down restaurant. There are existing City sewer mains available to serve this development. The developer must confirm that the existing sewer system/treatment plant has available flow from the City and ReWa.
 - b. The wastewater permitting and acceptance process shall meet those requirements set forth in the City of Greenville Design and Specifications Manual Chapter 8.
 - c. Each building shall have a separate and direct connection to the City's sanitary sewer main.
 - d. Prior to using an existing lateral, the existing lateral must be tested to ensure that it conforms to City of Greenville performance requirements. Provide a video documenting the condition of the existing service connection prior to its reuse. A new lateral will be required if the existing lateral is in poor condition. The final Certificate of Occupancy will not be issued until the lateral is shown to be in good condition or a new lateral is installed.
 - e. Each building shall require a new service fee through ReWa.
- 2) Stormwater Management – The development is considered a larger common plan and must be performed in conformance with the City's stormwater ordinance (Article 19-7: Stormwater Management). Specifically, you will need to have a Professional Engineer prepare a non-single family site plan for the development and it will be subject to the following conditions:
 - a. A stormwater plan is required to be submitted with the non-single family site plan permit. Submit the major, minor or the soil erosion and sediment control stormwater plan as appropriate.
 - b. At a minimum, a stormwater plan should include:
 - i. Proposed layout.
 - ii. Appropriate erosion control best management practice standard details.
 - iii. A construction entrance.
 - iv. A concrete washout.
 - v. Silt fence
 - c. The plan should also show any drainage details needed to ensure the development will not adversely impact adjacent properties and will adequately control runoff from offsite.

- a. If the proposed development creates a new impervious surface greater than or equal to 0.25 acres, water quantity will be required for the 2, 10 & 25 year 24 hour storm event with no significant increase in the 100 year 24 hour storm event.
 - b. Any stormwater drainage system conveying offsite water shall be designed in compliance with the Stormwater Ordinance.
 - c. Water quality treatment is required when either:
 - The proposed development has a total impervious surface area ratio of 60% or greater and disturbs 50% or more of the parcel or larger common plan over a five year period; or;
 - The proposed development creates a new impervious surface greater than or equal to 0.25 acres.
- 3) Floodplain – A portion of the subject property is not located in a FEMA floodplain as determined utilizing 2014 Flood Insurance Rate Maps.

Fire Marshall: *Approve with Conditions*

Comments and Conditions:

This project must be developed utilizing all current IFC codes that are in effect upon the date of submittal. Fire access and drive aisle widths will be expected to comply with aerial access requirements as discussed in predevelopment meetings. When presenting a site plan, I will need to see detail regarding the proposed partially paved partially grass through paver fire access road.



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council

FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

15b

☒ Ordinance/First Reading ☐ Ordinance/Second & Final Reading ☐ Resolution/First & Final Reading ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

TO ANNEX APPROXIMATELY 0.097 ACRE OF REAL PROPERTY LOCATED AT 13 RIDGE STREET AND TO PROVIDE THE ZONING DESIGNATION OF RM-1, SINGLE-FAMILY AND MULTIFAMILY RESIDENTIAL DISTRICT (TAX MAP NUMBER 0106000201200) (AX-6-2019)

SUMMARY BACKGROUND:

Renaissance Custom Homes, LLC, owner of the subject property, applied for annexation of approximately 0.097 acre of real property located at 13 Ridge Street (Tax Map Number 0106000201200) (the "Property") and for rezoning of the Property from county zoning designation RM-10 to city zoning designation RM-1, Single-family and multifamily residential district.

The City Planning Commission, pursuant to public notice, held a public hearing on June 20, 2019, to consider the proposed annexation and rezoning. The motion to approve the application was approved by a vote of 5-0.

Planning Staff Recommendation: Approve with the condition that the parcel be added to the West Greenville Special Emphasis Neighborhood

Planning Commission Recommendation: Approve by a vote of 5-0

IMPACT IF DENIED:

The Property will not be annexed and rezoned.

FINANCIAL IMPACT

The Property annexed by this Ordinance shall be subject to intergovernmental agreements with Parker Sewer and Fire Subdistrict and Greater Greenville Sanitation District and governed by their terms.

REQUIRED SIGNATURES

Department Director _____

OMB Director _____

City Attorney _____

City Manager _____

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

Nancy Whitworth

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A N O R D I N A N C E

TO ANNEX APPROXIMATELY 0.097 ACRE OF REAL PROPERTY LOCATED AT 13 RIDGE STREET AND TO PROVIDE THE ZONING DESIGNATION OF RM-1, SINGLE-FAMILY AND MULTIFAMILY RESIDENTIAL DISTRICT (TAX MAP NUMBER 0106000201200) (AX-6-2019)

WHEREAS, Renaissance Custom Homes, LLC, owner of the subject property, applied for annexation of approximately 0.097 acre of real property located at 13 Ridge Street (Tax Map Number 0106000201200) (the "Property") and for rezoning of the Property from county zoning designation RM-10 to city zoning designation RM-1, Single-family and multifamily residential district; and

WHEREAS, the City Planning Commission, pursuant to public notice, held a public hearing on June 20, 2019, to consider the proposed annexation and rezoning and at that meeting a motion to approve the application was approved by a vote of 5-0; and

WHEREAS, City Council has reviewed the covenant of annexation as well as the Planning Commission's recommendation to approve with the condition that the parcel be added to the West Greenville Special Emphasis Neighborhood and has found the proposed zoning change of RM-1, Single-family and multifamily residential district, to be compatible with the City's Comprehensive Development Plan; and

WHEREAS, City Council has determined that annexation of the Property would promote the City's policy of planned growth and development;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, there is annexed into the corporate limits of the city of Greenville real property owned by Renaissance Custom Homes, LLC, consisting of approximately 0.097 acre of real property located at 13 Ridge Street (Tax Map Number 0106000201200) (the "Property"). The Property is identified more particularly on the attached Exhibits A and B providing the legal description of the Property and annexation plat, respectively. The Property is provided the zoning designation of RM-1, Single-family and multifamily residential district. The Property will be included in City Council District 2.

Upon annexation, the Property shall become subject to the City's jurisdiction for the rendition of all municipal services, and all official maps regarding flood and storm water control shall be amended to include the property in such manner as the City Engineer determines to be in compliance with the criteria set forth in applicable storm water and flood management regulations of the City, as from time to time amended.

The Property annexed by this Ordinance shall be subject to intergovernmental agreements with Parker Sewer and Fire Subdistrict and Greater Greenville Sanitation District and governed by their terms.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

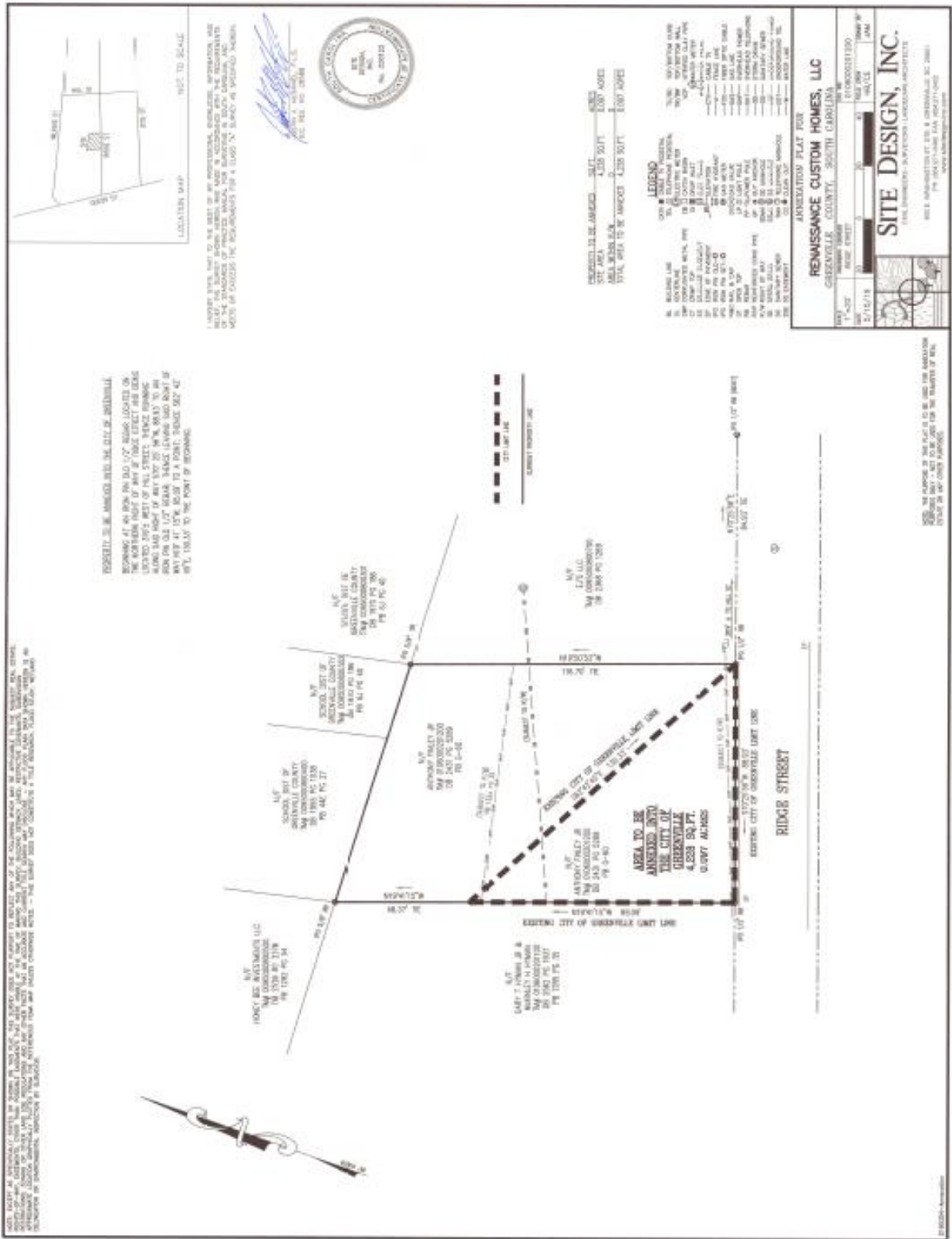
CITY MANAGER

EXHIBIT A

PROPERTY TO BE ANNEXED INTO THE CITY OF GREENVILLE

BEGINNING AT AN IRON PIN OLD 1/2" REBAR LOCATED ON THE NORTHERN RIGHT OF WAY OF RIDGE STREET AND BEING LOCATED 319'± WEST OF HILL STREET; THENCE RUNNING ALONG SAID RIGHT OF WAY S70° 25' 56"W, 88.93' TO AN IRON PIN OLD 1/2" REBAR; THENCE LEAVING SAID RIGHT OF WAY N19° 41' 15"W, 95.09' TO A POINT; THENCE S62° 42' 45"E, 130.33' TO THE POINT OF BEGINNING.

EXHIBIT B





REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council

FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

15c

☒ Ordinance/First Reading ☐ Ordinance/Second & Final Reading ☐ Resolution/First & Final Reading ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

AN ORDINANCE TO REZONE APPROXIMATELY 2.567 ACRES OF REAL PROPERTY LOCATED ON SOLOMON CIRCLE AND CHICK SPRINGS ROAD FROM RM-2, SINGLE- AND MULTI-FAMILY RESIDENTIAL DISTRICT, TO R-6, SINGLE-FAMILY RESIDENTIAL DISTRICT (TAX MAP NUMBER 0185000200702) (Z-9-2019)

SUMMARY BACKGROUND:

Greenville County Schools proposes an expansion of Summit Drive Elementary School to include a new building behind the current facility and a new drive onto Chick Springs Road. The existing school property is zoned R-6 while this adjacent parcel is zoned RM-2. Before the properties can be consolidated, the zoning districts must be the same.

This school expansion project also depends on the abandonment of of Solomon Circle, and receiving a Special Exception to expand a school in an R-6 district. The BZA granted the Special Exception on June 13, 2019. The Abandonment Ordinance is scheduled for second and final reading on August 12, 2019.

IMPACT IF DENIED:

The school property would have split-zoning, which is not permitted under the Land Management Ordinance.

FINANCIAL IMPACT

None

REQUIRED SIGNATURES

Department Director _____

OMB Director _____

City Attorney _____

City Manager _____

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

Nancy Whitworth

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A N O R D I N A N C E

TO REZONE APPROXIMATELY 2.567 ACRES OF REAL PROPERTY LOCATED ON SOLOMON CIRCLE AND CHICK SPRINGS ROAD FROM RM-2, SINGLE-FAMILY AND MULTIFAMILY RESIDENTIAL DISTRICT, TO R-6, SINGLE-FAMILY RESIDENTIAL DISTRICT (TAX MAP NUMBER 0185000200702) (Z-9-2019)

WHEREAS, Greenville County Schools, as owner of property consisting of approximately 2.567 acres located on Solomon Circle and Chick Springs Road, Tax Map Number 0185000200702, has applied to the City Planning Commission and City Council to rezone the property from RM-2, Single-family and multifamily residential district, to R-6, Single-family residential district; and

WHEREAS, the City Planning Commission pursuant to public notice held a public hearing on June 20, 2019, to consider the proposed rezoning, and the Commission recommended approval of the proposed zoning designation of R-6; and

WHEREAS, City Council finds the R-6 classification to be compatible with the City's Comprehensive Development Plan and with the zoning of surrounding properties;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the parcel of property currently titled in the name of Greenville County Schools, shown as Tax Map Number 0185000200702, and located on Solomon Circle and Chick Springs Road, shall be rezoned from RM-2, Single-family and multifamily residential district, to R-6, Single-family residential district. The attached map shown as Exhibit A, prepared by the City of Greenville Zoning Division, is incorporated by reference for purposes of identifying the location of property. This Ordinance shall be effective upon second and final reading.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

EXHIBIT A





REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council

FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

15d

☒ Ordinance/First Reading ☐ Ordinance/Second & Final Reading ☐ Resolution/First & Final Reading ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

TO ABANDON A PORTION OF VIOLA STREET (AB-3-2019)

SUMMARY BACKGROUND:

The city of Greenville has received a petition from Diamond Jubilee, LLC requesting the abandonment of a portion of Viola Street. The applicant is proposing a new Comfort Inn Suites hotel at 600 Buncombe Street and is requesting an abandonment of the public right of way along their frontage of Viola Street to meet the required building setbacks. This section of Viola Street is currently closed to traffic and functions as pedestrian access from Buncombe Street to the Viola neighborhood. A portion of this section of Viola Street was abandoned in 2007 as part of the Viola Street Redevelopment project. The City will retain a public access easement to maintain the pedestrian access to the neighborhood but the remainder of the public right of way is proposed to be abandoned to accommodate the hotel development. The abandonment will be subject to easements being established for all utilities currently located within the existing right of way.

The abandonment has been reviewed by the City's Engineering, Public Works, Fire, and Police Departments as well as local utility providers with no objections found. If approved, the abandonment will be subject to the applicant dedicating easements to the existing utility providers with facilities currently located in the right of way.

IMPACT IF DENIED:

The right of way will not be abandoned and the proposed hotel development cannot be approved as currently planned.

FINANCIAL IMPACT

None

REQUIRED SIGNATURES

Department Director

DocuSigned by:

Mike Murphy

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City Attorney

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

OMB Director

City Manager

Nancy Whitworth

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A N O R D I N A N C E

TO ABANDON A PORTION OF VIOLA STREET (AB-3-2019)

WHEREAS, the city of Greenville may have rights and/or entitlements to Viola Street to the extent that it is public right of way; and

WHEREAS, the City has received a petition from Diamond Jubilee, LLC requesting the abandonment of a portion of Viola Street between the existing cul-de-sac and Buncombe Street; and

WHEREAS, the portions of Viola Street to be abandoned are identified as Tracts 3-5, inclusive, on that Plat entitled "Right of Way Abandonment Plat for a Portion of Viola Street" drawn by Freeland-Clinkscates & Associates of NC, Inc., dated August 6, 2018, attached hereto and made a part hereof as Exhibit A (the "Road Section"); and

WHEREAS, Diamond Jubilee, LLC is the developer of a proposed hotel at 600 Buncombe Street and will utilize the abandoned right of way to meet the required setbacks for development; and

WHEREAS, part of the Road Section was abandoned and closed to traffic in 2007 as part of the Viola Street Redevelopment Project and this section of the road currently functions as a pedestrian access only between Buncombe Street and the Viola Neighborhood; and

WHEREAS, a public access easement will be established to maintain the pedestrian access to the Viola neighborhood and the right of way abandonment will not result in any adverse impacts to traffic circulation or operations of the City's street system; and

WHEREAS, the right of way will be abandoned and combined with the existing properties as shown in Exhibit A under that portion of the plat designated "Tract Information"; and

WHEREAS, pursuant to properly published notice, a public hearing was held before City Council on Monday, July 8, 2019, at which time Council provided the opportunity to hear from the public regarding the proposed abandonment;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, that the Road Section as described above shall be abandoned and closed as a public right of way. Further, the abandonment and any subsequent conveyance by way of city quitclaim deed shall be subject to a full width utility easement preserving the currently existing rights and benefits for the present providers of water, sewer, electricity, telephone, and natural gas, if any, including maintenance easements for the same utilities as well as a pedestrian access easement to serve the residents of the Viola neighborhood. The City Manager is herewith authorized to execute such documents as reasonable to implement the purposes of this Ordinance.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

[illegible]



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council

FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

15e

☒ Ordinance/First Reading ☐ Ordinance/Second & Final Reading ☐ Resolution/First & Final Reading ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

TO ABANDON A PORTION OF EAST WASHINGTON STREET (AB-4-2019)

SUMMARY BACKGROUND:

The city of Greenville has received a petition from J. Darryl Holland requesting the abandonment of a portion of East Washington Street.

The applicant is constructing a commercial development at 811 Laurens Road and is proposing to utilize the abandoned right of way as part of the required parking for the development. This section of East Washington Street is unimproved and currently terminates in a dead end with no connection to other city streets. The right of way abandonment will not result in any adverse impacts to traffic circulation or operations of the City's street system.

The abandonment has been reviewed by the City's Engineering, Public Works, Fire, and Police Departments as well as local utility providers with no objections found. If approved, the abandonment will be subject to the applicant dedicating easements to the existing utility providers with facilities currently located in the right of way.

IMPACT IF DENIED:

The right of way will not be abandoned and the parking lot for the proposed commercial development cannot be approved as currently planned.

FINANCIAL IMPACT

None

REQUIRED SIGNATURES

Department Director

DocuSigned by:

Mike Murphy

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City Attorney

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

OMB Director

City Manager

Nancy Whitworth

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AN ORDINANCE

TO ABANDON A PORTION OF EAST WASHINGTON STREET (AB-4-2019)

WHEREAS, the city of Greenville may have rights and/or entitlements to East Washington Street to the extent that it is public right-of-way; and

WHEREAS, the City has received a petition from J. Darryl Holland requesting the abandonment of a portion of East Washington; and

WHEREAS, J. Darryl Holland is the developer of a commercial development at 811 Laurens Road and is proposing to utilize the abandoned right-of-way as part of the required parking for the development; and

WHEREAS, this section of East Washington Street is unimproved and terminates in a dead end with no connection to other city streets; and

WHEREAS, the right of way abandonment will not result in any adverse impacts to traffic circulation or operations of the City's street system; and

WHEREAS, the right-of-way will be abandoned and combined with the existing abutting properties as shown in Exhibit A; and

WHEREAS, pursuant to properly published notice, a public hearing was held before City Council on Monday, July 8, 2019, at which time Council provided the opportunity to hear from the public regarding the proposed abandonment;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA that a portion of East Washington Street, which is identified more particularly on the plat attached hereto and made a part hereof as Exhibit A as "Right-Of-Way to Be Abandoned 0.05 acres 2,226 Sq. Ft.," shall be abandoned and closed as a public right-of-way. Further, the abandonment and any subsequent conveyance by way of city quitclaim deed shall be subject to a full width utility easement preserving the currently existing rights and benefits for the present providers of water, sewer, electricity, telephone, and natural gas, if any, including maintenance easements for the same utilities. The City Manager is herewith authorized to execute such documents as reasonable to implement the purposes of this Ordinance.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

[illegible]



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council

FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

15f

☒ Ordinance/First Reading ☐ Ordinance/Second & Final Reading ☐ Resolution/First & Final Reading ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

TO APPROPRIATE \$55,000 IN THE LAW ENFORCEMENT SPECIAL REVENUE FUND, DEPARTMENT OF HOMELAND SECURITY, AND \$45,000 IN THE LAW ENFORCEMENT SPECIAL REVENUE FUND, DEPARTMENT OF JUSTICE ACCOUNT, FOR A TOTAL OF \$100,000 FOR THE PURPOSE OF FUNDING A COLLABORATIVE SOFTWARE DEVELOPMENT INITIATIVE TO ENHANCE EXISTING POLICE INFORMATION SYSTEMS

SUMMARY BACKGROUND:

The Greenville Police Department will use these funds in the following manner:

\$100,000 will be used to reimburse Greenville County for software development services through an independent contractor to upgrade and enhance existing police information systems to current industry standards, and to create a mobile field reporting environment that is web-based, input device agnostic, efficient for its officers to use in any assignment, and validates key data fields, traps data errors, and improves overall user experience, system performance and efficiency. Funding will come from the Department of Homeland Security Fund (\$55,000) and the Department of Justice Fund (\$45,000) for this initiative.

IMPACT IF DENIED:

If denied, improvements to the Records Management System serving the Greenville Police Department will not occur and the needed improvements will need to be sought through other means and funding sources.

FINANCIAL IMPACT

After this appropriation, the Department of Justice account will have approximately \$577 remaining; and the Department of Homeland Security will have approximately \$16,155 remaining for future appropriation.

REQUIRED SIGNATURES

Department Director

DocuSigned by:

Karen K. Crawford

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DocuSigned by:

Karen K. Crawford

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City Attorney

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

Nancy Whitworth

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OMB Director

City Manager

A N O R D I N A N C E

TO APPROPRIATE \$55,000 IN THE LAW ENFORCEMENT SPECIAL REVENUE FUND, DEPARTMENT OF HOMELAND SECURITY, AND \$45,000 IN THE LAW ENFORCEMENT SPECIAL REVENUE FUND, DEPARTMENT OF JUSTICE ACCOUNT, FOR A TOTAL OF \$100,000 FOR THE PURPOSE OF FUNDING A COLLABORATIVE SOFTWARE DEVELOPMENT INITIATIVE TO ENHANCE EXISTING POLICE INFORMATION SYSTEMS

WHEREAS, the existing police reporting systems and services, related databases, and business processes and workflows for the Greenville Police Department are wholly managed and supported by Greenville County Information Technology; and

WHEREAS, these legacy systems also prevent Greenville Police and Greenville County Records Division from enjoying the full functionality and benefits of a modern Records Management System and related data services; and

WHEREAS, the existing police reporting systems and services, related databases, and business processes and workflows prevent Greenville Police supervisors and Greenville County Records Division from efficiently processing and approving reports, thereby creating unnecessary delays in subsequent service delivery through delayed follow-up investigations, crime analytics and force deployment strategies, and

WHEREAS, the Greenville Police Department wishes to create a mobile field reporting environment that is web-based, input device agnostic, built on the newest industry standards, efficient for its officers to use in any assignment, and validates key data fields, traps data errors, and improves overall user experience, system performance and efficiency; and

WHEREAS, the Greenville Police Department will reimburse Greenville County for software development independent contractor services for the purpose of achieving these objectives;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the amount of \$100,000 is appropriated in the Law Enforcement Special Revenue Fund as reflected in the attached Exhibit. This Ordinance shall become effective upon passage on the second and final reading.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

BUDGET AMENDMENT									
BUDGET		Law Enforcement Fund		REQUESTED BY		Police Department			
FISCAL YEAR		2019-20		DATE		July 08, 2019			
INCREASE				DECREASE					
<u>Description</u>				<u>Description</u>					
Law Enforcement Fund									
Fund Balance Appropriated (REV)		100,000							
Data Processing Equip (EXP)		100,000							
Explanation:		To appropriate \$100,000 in the Law Enforcement Special Revenue fund for the purpose of funding a software development initiative for Police Information Systems. The funding will be split between DOJ (\$45,000) and DOHS (\$55,000).							
DATE				APPROVED BY					
						City Council/City Manager Camilla Pitman/City Clerk			
FOR OMB POSTING PURPOSES ONLY									
Budget Adjustments				Journal Entry					
<u>Project Code</u>	<u>Account</u>		<u>Increase (Decrease) Amount</u>	<u>Project Code</u>	<u>Account</u>			<u>Amount</u>	
LEXXX	127-0000-390-10-01		45,000		127-0000-390-10-01		DR	45,000	
LEXXX	127-4014-422-63-02		45,000	LEXXX	127-0000-390-10-01		CR	45,000	
LEXXX	127-0000-390-10-01		55,000		127-0000-390-10-01		DR	55,000	
LEXXX	127-4016-422-63-02		55,000	LEXXX	127-0000-390-10-01		CR	55,000	
Total			200,000	Total				200,000	
Prepared By									
Posted By									
Date						Number			



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council

FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

16a

☐ Ordinance/First Reading
 ☐ Ordinance/Second & Final Reading
 ☒ Resolution/First & Final Reading
 ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

TO CERTIFY PROPERTY AT WOODSIDE AVENUE AND EAST MAIN STREET AS AN ABANDONED TEXTILE MILL SITE (TAX MAP NUMBER 0122000300100)

SUMMARY BACKGROUND:

This Resolution certifies real property located at Woodside Avenue and East Main Street and further identified as Greenville County Tax Map Number 0122000300100 (the "Property") for purposes of the South Carolina Textiles Communities Revitalization Act. This Resolution itself provides no tax relief.

IMPACT IF DENIED:

The site will not be certified.

FINANCIAL IMPACT

N/A

REQUIRED SIGNATURES

Department Director _____

OMB Director _____

City Attorney _____

City Manager _____

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

Nancy Whitworth

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A R E S O L U T I O N

TO CERTIFY PROPERTY AT WOODSIDE AVENUE AND EAST MAIN STREET AS AN ABANDONED TEXTILE MLL SITE (TAX MAP NUMBER 0122000300100)

WHEREAS, the South Carolina Textiles Communities Revitalization Act (the “Act”) was enacted in Title 12, Chapter 65 of the South Carolina Code of laws (2008), as amended, to create an incentive for the rehabilitation, renovation, and redevelopment of abandoned textile mill sites located in South Carolina; and

WHEREAS, the Act provides that it is necessary to encourage private investment and restore and enhance the tax base of the taxing districts in the areas by the redevelopment of these abandoned textile mill sites; and

WHEREAS, Section 12-65-30 of the Act provides that a taxpayer who rehabilitates an abandoned textile mill site is eligible either for a credit against certain income taxes, license fees or premium taxes, or a credit against local property taxes; and

WHEREAS, CG Woodside Partners, LLC (the “Taxpayer”) is the Owner and responsible for some or all of the rehabilitation expenses associated with certain real property located at Woodside Avenue and East Main Street and further identified as Greenville County Tax Map Number 0122000300100 (the “Property”); and

WHEREAS, the Taxpayer desires to rehabilitate the Property; and

WHEREAS, the Property is located within the city limits of Greenville, South Carolina; and

WHEREAS, pursuant to the Act, a taxpayer may apply to the municipality or county in which the textile mill site is located for a certification of the textile mill site made by ordinance or binding resolution of the governing body of the municipality or county, which certification shall include findings that the:

- 1) textile mill site was a textile mill as defined in S.C. Code Section 12-65-20(3),
- 2) textile mill site has been abandoned as defined in S.C. Code Section 12-65-20(1),
- 3) geographic area of the textile mill site is consistent with the definition of a textile mill site, as defined in S.C. Code Section 12-65-20(4); and

WHEREAS, the prior owner applied for and received a certification in its name; and

WHEREAS, no rehabilitation work has occurred to date and the Property has been abandoned for purposes of the Act at all relevant times; and

WHEREAS, the Taxpayer has applied to the city of Greenville for a certification of the Property as a textile mill site under the Act in order to encourage investment by potential investors in the redevelopment of the Property; and

WHEREAS, the City wishes to provide the requested certification following due inquiry;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA:

Section 1. CG Woodside Partners, LLC has submitted to the City a request for a certification of the Property as a textile mill site pursuant to Section 12-65-60 of the Act.

Section 2. Based upon the information provided to it by the CG Woodside Partners, LLC and the City's search of its business license records, the City hereby certifies that (i) the Property was a textile mill as defined in S.C. Code Section 12-65-20(3) of the Act, (ii) the Property has been abandoned as defined in S.C. Code Section 12-65-20(1) of the Act, and (iii) the geographic area of the Property is consistent with the definition of a textile mill site, as defined in S.C. Code Section 12-65-20(4) of the Act to the extent it contains a "Textile Mill" and "Ancillary Uses" thereto (as those terms are defined in the Act).

Section 3. This Resolution provides no tax relief whatsoever and the City expresses no opinion regarding the availability of the same to CG Woodside Partners, LLC beyond the certification contained herein.

Section 4. This Resolution shall become effective upon the date of enactment.

RESOLVED THIS _____ DAY OF _____, 2019.

MAYOR

Attest:

CITY CLERK



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council

FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

16b

☐ Ordinance/First Reading
 ☐ Ordinance/Second & Final Reading
 ☒ Resolution/First & Final Reading
 ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

TO CERTIFY 711 WEST WASHINGTON STREET AS AN ABANDONED BUILDING SITE (TAX MAP NUMBER 0052000200100)

SUMMARY BACKGROUND:

This Resolution certifies real property located at 711 West Washington Street as an abandoned building site for purposes of the South Carolina Abandoned Building Revitalization Act. This Resolution itself provides no tax relief.

IMPACT IF DENIED:

The site will not be certified.

FINANCIAL IMPACT

N/A

REQUIRED SIGNATURES

Department Director _____

OMB Director _____

City Attorney _____

City Manager _____

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

Nancy Whitworth

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A R E S O L U T I O N

TO CERTIFY 711 WEST WASHINGTON STREET AS AN ABANDONED
BUILDING SITE (TAX MAP NUMBER 0052000200100)

WHEREAS, the South Carolina Abandoned Buildings Revitalization Act (the “Act”) was enacted in Title 12, Chapter 67 of the South Carolina Code of Laws (1976), as amended, to create an incentive for the rehabilitation, renovation and redevelopment of abandoned buildings located in South Carolina; and

WHEREAS, the Act provides that restoration of abandoned buildings into productive assets for the communities in which they are located serves a public and corporate purpose and results in job opportunities; and

WHEREAS, Section 12-67-140 of the Act provides that a taxpayer who rehabilitates an abandoned building is eligible either for a credit against certain state income taxes, corporate license fees or insurance premium taxes, or a credit against local real property taxes; and

WHEREAS, Borden Investors, LLC is the owner and developer and is responsible for all of the rehabilitation expenses associated with certain real property at 711 West Washington Street (the “Property”) upon which there is one building and is further identified by Greenville County Tax Map Parcel Number 0052000200100 (the “Building Site”); and

WHEREAS, Borden Investors, LLC desires to rehabilitate the Building Site which is located within the city limits of Greenville; and

WHEREAS, Borden Investors, LLC has requested that the City certify that the Building Site is an eligible abandoned building site as defined by the Act;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF GREENVILLE, SOUTH CAROLINA:

Section 1. Borden Investors, LLC has submitted to the City a request to certify the Building Site pursuant to Section 12-67-160 of the South Carolina Abandoned Buildings Revitalization Act.

Section 2. Based solely on the information supplied by Borden Investors, LLC and the City’s search of its business license records, the City hereby certifies (i) the Building Site constitutes an abandoned building as defined by Section 12-67-120(1) of the Act, and (ii) the geographic area of the Building Site is consistent with Section 12-67-120(2) of the Act.

Section 3. This Resolution provides no tax relief whatsoever and the City expresses no opinion regarding the availability of same to Borden Investors, LLC beyond the certification contained herein.

Section 4. This Resolution shall become effective upon the date of enactment.

RESOLUTION NO. 2019-_____

Page 2

RESOLVED THIS _____ DAY OF _____, 2019.

MAYOR

Attest:

CITY CLERK



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council

FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

16c

☐ Ordinance/First Reading
 ☐ Ordinance/Second & Final Reading
 ☒ Resolution/First & Final Reading
 ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

TO ACCEPT A DEDICATION FROM HOLLINGSWORTH FUNDS, INC. OF 11,680 SQUARE FEET (0.27 ACRE) OF REAL PROPERTY FOR THE SALTERS ROAD REALIGNMENT PROJECT

SUMMARY BACKGROUND:

The Salters Road Realignment Project is a road improvement project proposed by the city of Greenville to address traffic capacity within the rapidly developing Verdae area of the City. The proposed road improvements involve widening and relocating Salters Road between Verdae Boulevard and Mall Connector Road, and as currently proposed, will require new right of way from property owned by Hollingsworth Funds, Inc., identified as Tax Map Number 0261000100200.

Hollingsworth Funds, Inc. entered into a letter of intent to dedicate in fee simple the 0.27 acre of real property to the City for the future Salters Road Realignment Project in exchange for a portion of the existing right of way of Questover Drive to be abandoned by the City. City Council approved the abandonment of Questover Drive at its regular scheduled Council Meeting on January 28, 2019.

IMPACT IF DENIED:

The City will miss an opportunity to secure a critical piece of right of way needed for the Salters Road Realignment, thereby, jeopardizing the ability to construct the future road improvements as currently proposed.

FINANCIAL IMPACT

None

REQUIRED SIGNATURES

Department Director
 DocuSigned by: *Mike Murphy*
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OMB Director

City Attorney
 DocuSigned by: *Michael S. Pitts*
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City Manager

DocuSigned by: *Nancy Whitworth*
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RESOLUTION NO. 2019-_____

A R E S O L U T I O N

TO ACCEPT A DEDICATION FROM HOLLINGSWORTH FUNDS, INC. OF
11,680 SQUARE FEET (0.27 ACRE) OF REAL PROPERTY FOR THE SALTERS
ROAD REALIGNMENT PROJECT

WHEREAS, the Salters Road Realignment Project is a road improvement project proposed by the city of Greenville and identified in the Greenville-Pickens Area Transportation Study Group (GPATS) Horizon 2040 Long-Range Transportation Plan to address traffic capacity within the rapidly developing Verdae area of the City; and

WHEREAS, the proposed road improvements involve widening and relocating Salters Road between Verdae Boulevard and Mall Connector Road, and as currently proposed, will require the dedication of real property from Hollingsworth Funds, Inc. to accommodate the contemplated road improvements; and

WHEREAS, Hollingsworth Funds, Inc. entered into a letter of intent with the city of Greenville and Salters Road Venture, LLC for the dedication of the necessary land in exchange for a portion of the existing right of way of Questover Drive to be abandoned by the City; and

WHEREAS, City Council approved the abandonment of Questover Drive at its regular scheduled Council Meeting on January 28, 2019;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the city of Greenville hereby accepts from Hollingsworth Funds, Inc. a dedication of real property in fee simple totaling 11,680 square feet (0.27 acre) for the future Salters Road Realignment Project as shown more specifically on Exhibit A. The City Manager is herewith authorized to carry out any action and/or execute such documents as reasonable to implement the purposes of this Resolution. This authority shall apply without further action by City Council to any minor revision or amendment to such documents.

RESOLVED THIS _____ DAY OF _____, 2019.

MAYOR

Attest:

CITY CLERK

VICINITY MAP

LEGEND

RECOMBINATION, RIGHT-OF-WAY DEDICATION, AND SUBDIVISION PLAT

RECOMBINATION OF 8.38 ACRES OF LAND AND RIGHT-OF-WAY DEDICATION OF 50' R/W OF SALTERS ROAD TO THE CITY OF GREENVILLE, SOUTH CAROLINA, AND LOTS 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 8



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council
FROM: Nancy P. Whitworth, Interim City Manager

Agenda Item No.

16d

☐ Ordinance/First Reading ☐ Ordinance/Second & Final Reading ☒ Resolution/First & Final Reading ☐ Information Only

AGENDA DATE REQUESTED: July 8, 2019

ORDINANCE/RESOLUTION CAPTION:

TO EXPRESS CITY COUNCIL'S SUPPORT FOR ENHANCING THE SWORN PAY PLAN OF THE GREENVILLE POLICE DEPARTMENT TO ENSURE GREATER PARITY AND EQUITY AMONG COMPETING ORGANIZATIONS, TO ENSURE THE CITY REMAINS AN EMPLOYER OF FIRST CHOICE FOR RECRUITING PURPOSES, AND TO ENSURE THE RETENTION OF A HIGHLY QUALIFIED AND EXPERIENCED POLICE WORKFORCE

SUMMARY BACKGROUND:

The support will supplement the personnel budget of the Greenville Police Department to adjust sworn police officer compensation within its pay plan structure, to maintain organizational competitiveness.

Three years ago, the City created and substantially invested in a pay plan for the Police Department in order to assure that it could competitively attract, retain and promote a highly qualified and experienced police workforce. The plan has not been adjusted since its inception.

The current annual compensation study conducted by City's Human Resources Department, completed in early 2019, revealed that the Police Department was less competitive among regional police and sheriff agencies. The City wishes to continue to be an employer of first choice for police candidates, as well as reduce the risk of elevated attrition rates associated with less competitive compensation programs.

City Council desires a highly qualified, professional, experienced and motivated police workforce and recognizes the value and importance of its public safety personnel to the overall quality of life within the city of Greenville.

IMPACT IF DENIED:

The Police Department's compensation will be less competitive; the City may experience difficulty recruiting new police officers and will risk greater attrition of experienced officers, with corresponding risks to capacity, capability and service quality.

FINANCIAL IMPACT

The Resolution will allow City Manager to move forward to formulate and present a proposal for the appropriate compensation adjustments on August 12, 2019.

REQUIRED SIGNATURES

Department Director _____

City Attorney _____

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

OMB Director _____

DocuSigned by:

Karen K. Crawford

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City Manager _____

Nancy Whitworth

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A R E S O L U T I O N

TO EXPRESS CITY COUNCIL’S SUPPORT FOR ENHANCING THE SWORN PAY PLAN OF THE GREENVILLE POLICE DEPARTMENT TO ENSURE GREATER PARITY AND EQUITY AMONG COMPETING ORGANIZATIONS, TO ENSURE THE CITY REMAINS AN EMPLOYER OF FIRST CHOICE FOR RECRUITING PURPOSES, AND TO ENSURE THE RETENTION OF A HIGHLY QUALIFIED AND EXPERIENCED POLICE WORKFORCE

WHEREAS, the city of Greenville has previously created and substantially invested in a police pay plan designed to best serve its interests of recruiting, retaining and advancing sworn police officers, and

WHEREAS, the City has a vested interest in maintaining a highly qualified and experienced police workforce; and

WHEREAS, three fiscal years have expired without an adjustment to the Police pay structure; and

WHEREAS, the City’s Human Resources Department has conducted an annual comprehensive market analysis among regional police and sheriff agencies, the results of which demonstrated that the Greenville Police Department was less competitive; and

WHEREAS, the City also wishes to insulate itself from a potentially escalating attrition rate of experienced officers departing for competing police and sheriff agencies; and

WHEREAS, City Council recognizes the value and importance of its public safety personnel to the overall quality of life within the City;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, City Council hereby strongly supports the enhancement of the pay plan for sworn police officers and respectfully requests the City Manager formulate and present a proposal for making the appropriate compensation adjustments on August 12, 2019.

RESOLVED THIS ____ DAY OF _____, 2019.

MAYOR

Attest:

CITY CLERK