

MINUTES

FORMAL MEETING OF CITY COUNCIL

CITY HALL, 206 S. MAIN STREET, COUNCIL CHAMBERS
Monday, November 28, 2016 - 5:30 p.m.

1. **CALL TO ORDER**

Mayor Knox H. White

2. **INVOCATION**

Councilmember Gaye Sprague

3. **PLEDGE OF ALLEGIANCE**

4. **ROLL CALL**

The following members of City Council were in attendance: Mayor Knox White, Amy Doyle, Lillian Flemming, Jil Littlejohn, David Sudduth, George Fletcher, and Gaye Sprague

5. **APPROVAL OF THE MINUTES**

November 14, 2016; Approved as submitted

6. **COMMUNICATIONS / ANNOUNCEMENTS FROM THE MAYOR AND COUNCIL**

None

7. **CITIZENS WISHING TO ADDRESS COUNCIL**

Emily McSherry, founder of CannabisForward, spoke in support of educating and advocating cannabis in South Carolina and referred to anticipated action this year on the state level. Ms. McSherry stated she comes to initiate the conversation with the City and begin the process of discussing ways to forego certain charges against possession of one ounce or less and to reduce the possession to a ticketable offense with a maximum fine of \$75.

8. **PRESENTATION**

a. Annual Financial Audit Greene Finney and Horton

David Phillips with Greene, Finney and Horton presented the results of the FY2015-2016 audit and financial statement of the City as of June 30, 2016. Mr. Phillips provided a presentation highlighting the outcome of the audit. Mr. Phillips recognized the City for receiving the Government Finance Officers Association award for the 28th consecutive year, announced the City has received an unmodified opinion that is the best opinion the City can receive, and advised the total fund balance for the General Fund is \$22.9 million. Mr. Phillips referred to the strong fund balance of the City and to the recent AAA rating received from the credit agencies.

Mr. Phillips commented on the General Fund Revenues, which is \$74.6 million, and Expenditures of \$65 million and advised the City came in approximately \$4.3 million under budget. Mr. Phillips reviewed the key funds of the City and commented specifically on capital projects funding, including Verdae Woodruff Fire Station,

Public Works Operations Center, Parking, Sewer and Stormwater improvements. Mr. Phillips commented on total long-term obligations and total debt service payments for 2017.

As to changes next year, Mr. Phillips stated there will be some auditing/accounting updates and referred to GASB 77 (tax abatement disclosures) and GASB 74/75 (post-employment benefit liabilities). As to any compliance issues, Mr. Phillips advised there were no findings to note. Mr. Phillips referred to performing an audit on the Community Development Block Grant Program and having no findings to report.

In summary, Mr. Phillips advised the City has an unmodified opinion and a healthy financial condition as of June 30, 2016.

- b. LiveWell Greenville Recognition Awards City Community Center

Sally Wills, Executive Director of LiveWell Greenville, recognized with an award the following city of Greenville Community Centers for providing healthy afterschool care: Bobby Pearce Community Center, David Hellams Community Center, Nicholtown Community Center, and West Greenville Community Center.

9. PUBLIC HEARING

- a. None

10. APPOINTMENTS – Boards and Commissions

- a. Community Development Advisory Committee

Mayor White appointed James McAdens as a Mayoral appointment to the Community Development Advisory Committee to a full two-year term ending November 1, 2018.

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

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

- a. Ordinance to appropriate \$35,000 from the Utility Undergrounding Fund balance for relocation of overhead facilities at the West Greenville Village Plaza
- b. Ordinance to amend Chapter 19 of the Code of Ordinances of the City of Greenville pertaining to the regulation of Communication Towers within the public right-of-way

- c. Ordinance to appropriate \$45,000 in the Law Enforcement Special Revenue Fund, Department of Homeland Security Account, for the purpose of rebanding and reprogramming public safety communication devices

12. NEW BUSINESS – (Ordinance – First Reading)

- a. Ordinance to abandon a portion of an existing storm drain easement and to accept a new storm drain easement in connection with a new development located on East Broad Street; and matters related thereto
- b. Ordinance to appropriate \$2,500 in the Capital Projects Fund Arts in Public Places Project Account for the purchase and installation of a plaque in memory of Dundas Grant Peacock and in recognition of his donation of a kinetic sculpture entitled Octo 2

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

- a. Resolution to repeal Resolution Number 86-R-2 and to approve provisions for grave sites located on property owned by Verdae Properties, Inc.

REGULAR AGENDA

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

- a. Ordinance to abandon an unimproved, unnamed public alley located on Briarcliff Drive (AB-8-2016)

Councilmember Sprague moved, seconded by Councilmember Doyle, to approve second and final reading. The motion carried 6-0, with Councilmember Flemming abstaining. *(See attached statement.)*

15. NEW BUSINESS – (Ordinances – First Reading)

- a. Ordinance to appropriate \$175,000 in the Wastewater Fund from Piedmont Natural Gas and AT&T for costs associated with construction of a sewer line in support of the enclave at Laurens Development and future development in the area

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

- b. Ordinance to approve a Quit Claim Deed from the city of Greenville to Abiding Workspaces XI, LLC for real property consisting of approximately 0.142 acre located at the intersection of Meadow Street and Nassau Street

Councilmember Sprague moved, seconded by Councilmember Littlejohn, to approve first reading. The motion carried unanimously.

- c. Ordinance to rezone approximately 1.095 acres located at West Stone Avenue and Townes Street from OD, Office and Institutional District, to C-2, Local Commercial District (Tax Map Numbers 0009000401600, 0009000401700, 0009000401900, and 0009000401500) (Z-20-2016)

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

Councilmember Doyle asked about the factors of the three different properties going or not going through. Development Planner Nathalie Schmidt responded the business owners in the area have commented positively to incoming commercial business.

After discussion, the motion carried 6-0, with Councilmember Fletcher abstaining. *(See attached statement.)*

- d. Ordinance to appropriate \$6,000 in the Miscellaneous Grants Fund to support the Fire Department S.A.F.E. Program for a donation from Corley Plumbing Air Electric

Councilmember Sudduth moved, seconded by Councilmember Sprague, to approve first reading.

Chief Stephen Kovalcik and Fire Inspector Will Broschious introduced Chris Corley and Katie Sullivan from Corley Plumbing Air Electric and thanked them for the donation.

After discussion, the motion carried unanimously.

- e. Ordinance to appropriate \$62,388 in the Miscellaneous Grants Fund for Park Improvements at Cleveland Park along the Swamp Rabbit Trail

Councilmember Sprague moved, seconded by Councilmember Littlejohn, to approve first reading. The motion carried unanimously.

- f. Ordinance to rezone approximately 2.424 acres located at 8 Bennett Street from RM-2, Single-Family and Multifamily Residential District, to OD, Office and Institutional District, and R-6, Single-Family Residential District (Tax Map Number 0037000100700) (Z-22-2016)

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

Economic Development Marketing Analyst Kevin Howard provided an update advising sealed bids are due on December 5 and the Greenville Local Development Committee will provide a recommendation on December 12. Mr. Howard provided factors involving having one or more bidders and uses of both pieces of property if there is more than one bidder.

After discussion, the motion carried unanimously.

- g. Ordinance to modify the existing Lewis Plaza Planned Development located at 1720 Augusta Street, to rezone property at 21 Aberdeen Drive from C-2, Local Commercial, to PD, Planned Development, and to approve the First Amendment to the Planned Development Agreement for Lewis Plaza Redevelopment (Tax Map Numbers 0216000101000 and 0216000100110) (Z-19-2016)

Councilmember Sudduth moved, seconded by Councilmember Littlejohn, to approve first reading.

Deputy City Manager Nancy Whitworth advised the matter is for rezoning of a medical office building and the addition of a new office building. Paul Holder provided an update on the development stating he anticipates permit submissions in January, beginning the medical building in January or February, and potentially having another nine to ten months in construction. Mr. Holder advised the traffic review is to occur after the Harris Teeter is open and is in the contract. Ms. Whitworth responded they would check the agreement to determine whether it is 12 or 24 months after the opening. Mr. Holder also advised architectural changes are being made to the plans.

After discussion, the motion carried unanimously.

- h. Ordinance to appropriate \$160,000 in Fund Balance in the State Accommodations Tax Fund for various contingency funding applications

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

- i. Ordinance to annex and zone 16.98 acres located at Woodside Avenue and East Main Street from County Zoning I-1, Industrial District, and R-10, Single-Family Residential District, to City Zoning PD, Planned Development District, and to approve a Planned Development Agreement (Tax Map Numbers 0122000300100, 0122000300600, 0122000601100, 0122000501600, 0122000501400) (AX-8-2016)

Councilmember Sudduth moved, seconded by Councilmember Sprague, to approve first reading. The motion carried unanimously.

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

- a. Resolution to modify the composition of the Accommodations Tax Advisory Committee and to provide additional guidelines concerning the allocation of tourism-related funds; and matters related thereto

Councilmember Doyle moved, seconded by Councilmember Littlejohn, to approve first and final reading. The motion carried unanimously.

- b. Resolution to amend the Bylaws of the Youth Commission

Councilmember Littlejohn moved, seconded by Councilmember Sprague, to approve first and final reading. The motion carried unanimously.

17. **ADJOURN.** There being no further business, the meeting adjourned at 6:12 p.m.

KNOX H. WHITE, MAYOR

CAMILLA G. PITMAN, MMC, Certified PLS
CITY CLERK

MEETING NOTICE POSTED AND MEDIA NOTIFIED ON NOVEMBER 23, 2016.



STATEMENT OF POTENTIAL CONFLICT OF INTEREST

TO: MAYOR OR PRESIDING OFFICER, GREENVILLE CITY COUNCIL
FROM: Lillian Flemming

Pursuant to City Code Section 2-266, "I make this statement concerning the matter described below, action or decision upon which will directly affect an economic interest as contemplated by the Ethics, Government Accountability and Campaign Reform Act of 1991:"

A. The matter requiring action or decision is as follows:

FORMAL MEETING AGENDA

Agenda Item No. 14a, Ordinance to abandon an unimproved, unnamed public alley located on Briarcliff Drive (AB-8-2016)

B. The nature of my potential conflict is as follows:

- A member of my immediate family or by marriage relationships is recommended for appointment to a City Board or Commission creating a conflict.
- I have an economic interest which will be affected by the action.
- A member of my immediate family has an economic interest which will be directly affected.
- An individual with whom I am associated has an economic interest which will be affected.
- A business (either for profit or not for profit) with whom I am associated has an economic interest which may be affected directly or indirectly.

C. As a result of my potential conflict:

- I hereby withdraw/abstain from any votes, deliberations or other actions on this matter and request that my disqualification and the grounds therefore be noted in the minutes.
- I hereby left the meeting during the vote, deliberation or other action on this matter and request that my absence and the grounds therefore be noted in the minutes.

Date: 11/28/2016

Signature: Lillian B. Flemming
Lillian B. Flemming

THE CITY CLERK SHALL NOTE THIS AND THE ABOVE GROUNDS IN THE MINUTES.

[Signature]
Mayor or Presiding Officer



PUBLIC HEARING
City of Greenville, South Carolina

To: Honorable Mayor and Members of City Council
From: John F. Castile, City Manager

Agenda Item No.

9a

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

PUBLIC HEARING DATE: December 12, 2016

PURPOSE OF HEARING:

To receive public comment regarding a proposed right of way abandonment of Bayou Street

REQUESTOR/APPLICANT:

Macedonia Missionary Baptist Church, Inc.

SUMMARY BACKGROUND:

The city of Greenville has received a petition from Macedonia Missionary Baptist Church requesting the abandonment of Bayou Street adjacent to their property located at 10 Young Street (Tax Map Number 112-5-1). The applicant owns each property on either side of the street. The abandonment is requested in conjunction with the church's plans to develop a Life Center on their campus. The proposed area of abandonment is highlighted in blue on the attached site location map and shown more accurately on the attached plat.

Bayou Street is an existing, low-volume residential street between Jenkins Street and Young Street. Bayou Street is partially located in the city of Greenville and partially located in Greenville County. The City will abandon its portion of the street concurrently with the County abandoning their portion of the street. The request is to combine the abandoned right of way and the applicant's existing properties at Tax Map Numbers 85-2-4, 85-2-7, 112-6-6, 112-6-5 and 112-6-7 into one parcel. 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.

REQUIRED SIGNATURES

Department Director

DocuSigned by:
Mike Murphy
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City Attorney

DocuSigned by:
Michael S. Pitts
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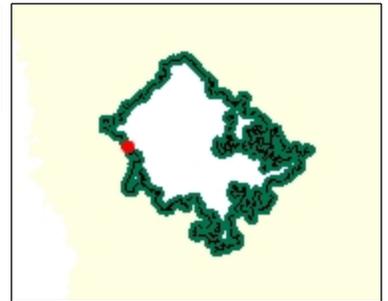
Zoning Administrator

City Manager

DocuSigned by:
John Castile
 FC2569CAE224473...



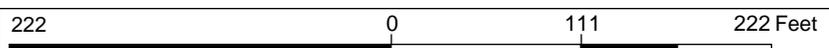
AB 16-09 Bayou St Site Map



Legend

- Parcels with Ownership
- Street Centerlines (County)
- Interstate
- US Highway
- SC State Road
- Local Road
- City of Greenville Limits
- 2015 Aerial Photography

Notes



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.



PUBLIC HEARING
City of Greenville, South Carolina

Agenda Item No.

To: Honorable Mayor and Members of City Council
From: John F. Castile, City Manager

9b

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

PUBLIC HEARING DATE: December 12, 2016

PURPOSE OF HEARING:

To receive public comment regarding the proposed right of way abandonment of an unimproved, unnamed public alley located off of Crystal Avenue.

REQUESTOR/APPLICANT:

CO B, LLC

SUMMARY BACKGROUND:

The city of Greenville has received a petition from CO B, LLC requesting the abandonment of an unimproved, unnamed alley across their property designated as Tax Map Number 211-8-40 located on Crystal Avenue. The alley is not opened or used. The alley measures 13.5 feet wide by 200 feet in length and was originally established with a subdivision of property owned by Central Realty Corp. in 1946 as recorded in Plat Book B at Page 174. The alley and surrounding properties have since been reconfigured and the alley no longer exists on the Greenville County property maps. The property is located in the City but there is no record of the alley ever being dedicated as public right of way. There is also no record of the alley ever being abandoned. The applicant has requested a quitclaim deed from the City to clear up title issues on their property.

The right of way area to be abandoned is highlighted in blue on the attached site location map and shown more accurately on the attached plat. The City will issue a quitclaim deed releasing its right, title and interest in the alley to the respective property owners having frontage on the alley.

REQUIRED SIGNATURES

Department Director

DocuSigned by:
Mike Murphy
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City Attorney

DocuSigned by:
Michael S. Pitts
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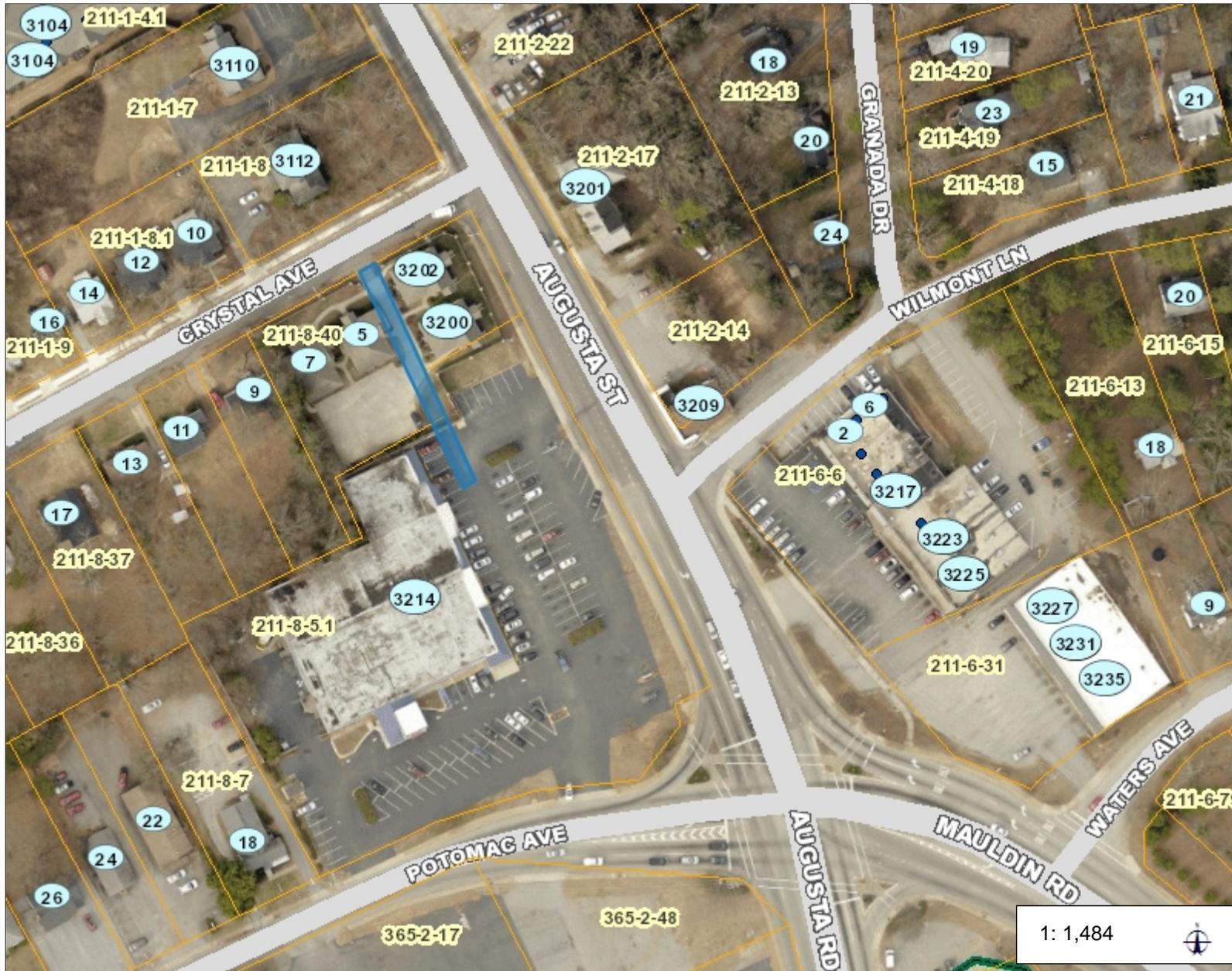
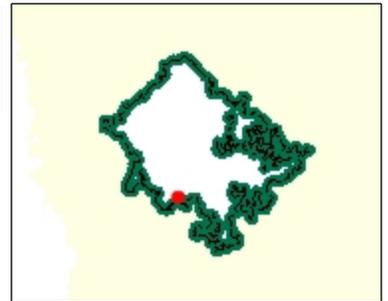
Zoning Administrator

City Manager

DocuSigned by:
John Castile
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AB 16-10 site map



Legend

- Parcels with Ownership
- Street Centerlines (County)
- Interstate
- US Highway
- SC State Road
- Local Road
- City of Greenville Limits
- 2015 Aerial Photography

1: 1,484



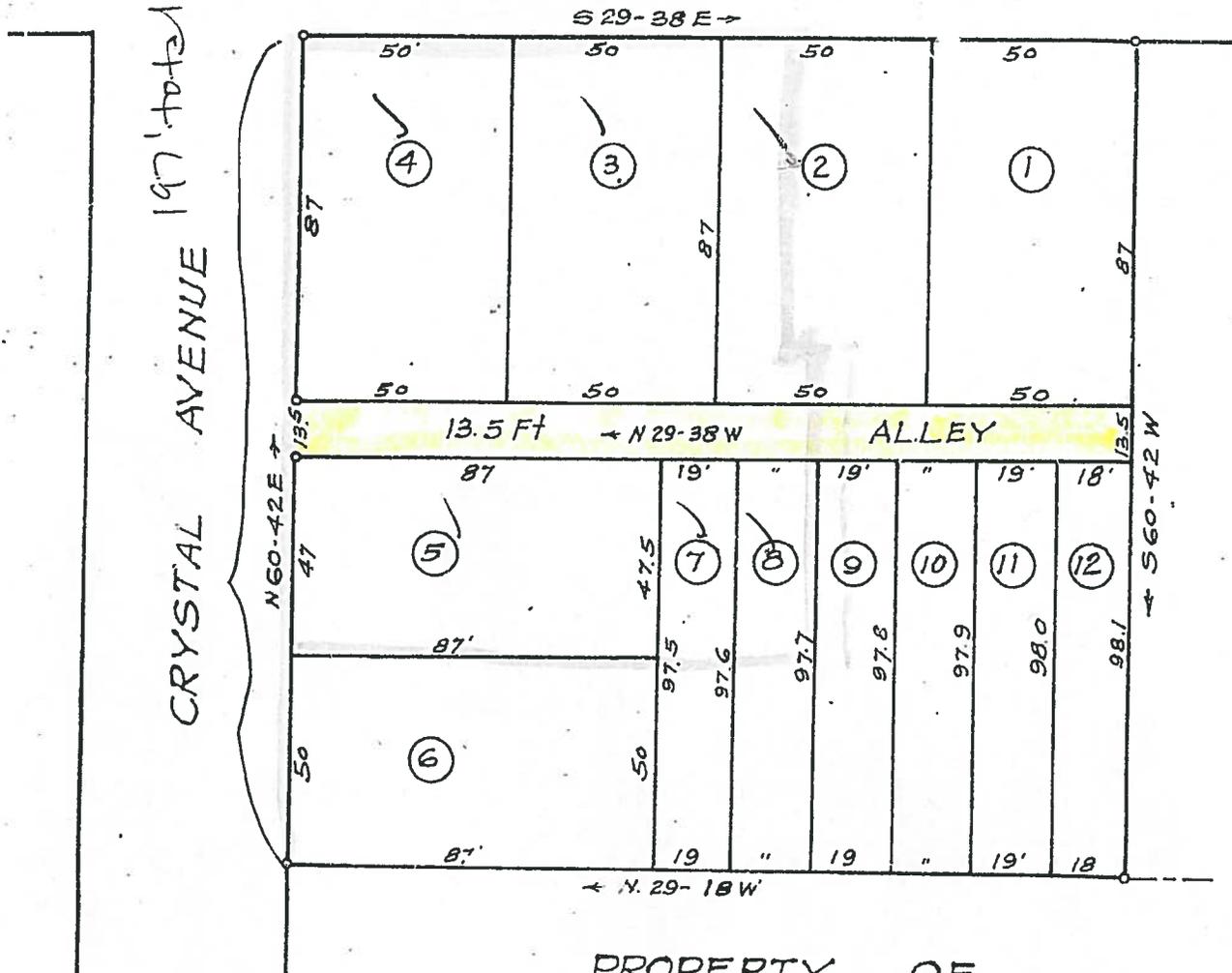
NAD_1983_HARN_StatePlane_South_Carolina_FIPS_3900_Feet_Intl
 © City of Greenville, SC Date Created: 11/21/2016

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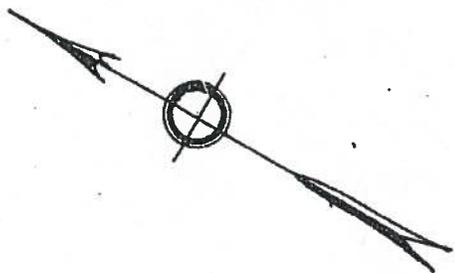
Notes

Plat Book B, Page 174

AUGUSTA ROAD



PROPERTY OF
 CENTRAL REALTY CORP.
 NEAR GREENVILLE S.C.
 Scale 1"=40' July 1946



DALTON & NEVES



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

To: **Honorable Mayor and Members of City Council**
From: **John F. Castile, City Manager**

Agenda Item No.

11a

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

AGENDA DATE REQUESTED: December 12, 2016

ORDINANCE/RESOLUTION CAPTION:

TO ABANDON A PORTION OF AN EXISTING STORM DRAIN EASEMENT AND TO ACCEPT A NEW STORM DRAIN EASEMENT IN CONNECTION WITH A NEW DEVELOPMENT LOCATED ON EAST BROAD STREET; AND MATTERS RELATED THERETO

SUMMARY BACKGROUND:

210 East Broad, LLC is the owner of certain real property identified at Tax Map Number 006200300300 and is developing the Fountains Greenville multi-family development project. The city of Greenville owns a storm drain located on the property within an existing easement. As part of the multi-family development project, 210 East Broad, LLC is relocating the existing storm drain line owned by the City and has requested that the City abandon a portion of the existing easement and accept a new storm drain easement along the relocated storm drain line.

IMPACT IF DENIED / APPROVED:

If approved, the existing easement will be abandoned and a new easement accepted by the City. If denied, a portion of the storm drain system will be located on private property without an easement.

FINANCIAL IMPACT:

None

REQUIRED SIGNATURES

Department Director

DocuSigned by:
Mike Murphy
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City Attorney

DocuSigned by:
Michael S. Pitts
5E0F2A267E2D413...

OMB Director

City Manager

DocuSigned by:
John Castile
FC2569CAE224473...

A N O R D I N A N C E

TO ABANDON A PORTION OF AN EXISTING STORM DRAIN EASEMENT AND TO ACCEPT A NEW STORM DRAIN EASEMENT IN CONNECTION WITH A NEW DEVELOPMENT LOCATED ON EAST BROAD STREET; AND MATTERS RELATED THERETO

WHEREAS, 210 East Broad, LLC is the owner of certain real property identified as Tax Map Number 0062000300300 (“210 East Broad Property”) and is developing the Fountains Greenville multi-family development project; and

WHEREAS, a storm drain line owned by the city of Greenville is located on the 210 East Broad Property within an easement recorded in Deed Book 1950 at Page 1063; and

WHEREAS, as part of the multi-family development project, 210 East Broad, LLC is relocating the existing storm drain line owned by the City and requests the City abandon a portion of the existing easement while accepting a new storm drain easement along the relocated storm drain line; and

WHEREAS, a portion of the easement area required for the relocation of the line is located on adjacent property owned by South State Bank identified as Tax Map Number 0062000300106 (“Bank Property”); and

WHEREAS, the City desires to accept a new storm drain easement along the relocated storm drain line and to abandon a portion of the existing storm drain easement, both of which are located on the 210 East Broad Property, and are more fully shown as Areas A (to be accepted) and D (to be abandoned) on the survey entitled “Storm Drainage Easement Abandonment and Dedication Plat for 210 East Broad, LLC” prepared by Site Design, Inc. dated July 20, 2016, attached hereto and made a part hereof as Exhibit A (“Survey”); and

WHEREAS, the abandonment and acceptance contemplated by this Ordinance is made contingent upon the City obtaining a new easement over the 210 East Broad Property, designated as Area A on the Survey, as well as an easement over the Bank Property, designated as Area B on the Survey;

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

Section 1. City Council approves abandoning by way of Quitclaim Deed a portion of the existing storm drain easement, designated as Area D on the Survey, contingent upon the City obtaining a new easement over the 210 East Broad Property, designated as Area A on the Survey, as well as a new easement over the Bank Property, designated as Area B on the Survey.

Section 2. City Council approves a new easement for Areas A and B on the Survey to be obtained from 210 East Broad, LLC and South State Bank, respectively. Said easements shall be in substantially the same form as that instrument attached hereto and made a part hereof as Exhibit B. 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 Council, then the matter shall be presented to Council for further review before the final execution.

Section 3. The City Manager is further authorized to execute on behalf of the City any deed, easement, or agreement approved by this Ordinance to allow for such technical variances as are consistent with the purposes of this Ordinance.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2016.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

occur to such structure, building or contents thereof due to the operation or maintenance, or negligence of operation or maintenance, of said pipeline or its appurtenances, or any accident or mishap that might occur therein or thereto.

6. TO HAVE AND TO HOLD, subject to limitations shown above, all and singular the right to the CITY OF GREENVILLE, South Carolina, its successors and assigns, and Grantor hereby binds the Grantor and the Grantor's heirs, personal representatives, successors and assigns, to warrant and forever defend all and singular said premises unto the Grantee herein, its successors and assigns, against themselves and every person whomsoever lawfully claiming or to claim the same, or any part thereof.

WITNESS my hand and seal this ____ day of _____, 20____.

WITNESSES:

Property Owner

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE) ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this ____ day of ____, 20____ by Property Owner.

Print Name: _____
Notary Public for South Carolina
My Commission Expires:_____

INTERNAL USE ONLY, NOT TO BE RECORDED AS PART OF THIS DOCUMENT

Storm Drain Easement from:

Address/Location:

210 East Broad

Tax Map No.:

0062000300300

APPROVED AS TO FORM:

Legal

REVIEWED BY:



Engineering



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

To: Honorable Mayor and Members of City Council
From: John F. Castile, City Manager

Agenda Item No.

11b

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

AGENDA DATE REQUESTED: December 12, 2016

ORDINANCE/RESOLUTION CAPTION:

TO APPROPRIATE \$2,500 IN THE CAPITAL PROJECTS FUND ARTS IN PUBLIC PLACES PROJECT ACCOUNT FOR THE PURCHASE AND INSTALLATION OF A PLAQUE IN MEMORY OF DUNDAS GRANT PEACOCK AND IN RECOGNITION OF HIS DONATION OF A KINETIC SCULPTURE ENTITLED OCTO 2

SUMMARY BACKGROUND:

The city of Greenville Arts in Public Places Commission worked with Dundas Grant Peacock to purchase and install a kinetic sculpture entitled Octo 2. In light of his passing, the City and Mr. Peacock's family would like to install a plaque in memory of Mr. Grant on the base of Octo 2. Mr. Peacock's family donated (through Schwab Charitable) \$2,500 for the plaque.

IMPACT IF DENIED / APPROVED:

Plaque will or will not be installed dependent upon denial or approval.

FINANCIAL IMPACT:

None

REQUIRED SIGNATURES

Department Director

DocuSigned by:

Nancy Whitworth

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DocuSigned by:

Kari Nelson

41A49000329242C...

City Attorney

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

John Castile

FC2569CAE224473...

OMB Director

City Manager

A N O R D I N A N C E

TO APPROPRIATE \$2,500 IN THE CAPITAL PROJECTS FUND ARTS IN PUBLIC PLACES PROJECT ACCOUNT FOR THE PURCHASE AND INSTALLATION OF A PLAQUE IN MEMORY OF DUNDAS GRANT PEACOCK AND IN RECOGNITION OF HIS DONATION OF A KINETIC SCULPTURE ENTITLED OCTO 2

WHEREAS, in 2014, the city of Greenville Arts in Public Places Commission worked with Dundas Grant Peacock to purchase and install a kinetic sculpture entitled *Octo 2* in a publicly-accessible streetscape area adjacent to 98 East McBee Avenue (reference Resolution No. 2014-17); and

WHEREAS, the city of Greenville and Mr. Peacock’s family would like to install a plaque in memory of Dundas Grant Peacock on the base of *Octo 2*; and

WHEREAS, the City has received a donation in the amount of \$2,500 from Schwab Charitable for the purpose of purchasing and installing a plaque at 98 East McBee Avenue in memory of Dundas Grant Peacock;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, City Council appropriates \$2,500 in the Capital Projects Fund Arts in Public Places Project Account for the purchase and installation of a plaque as reflected in the attached budget amendment (Attachment A) incorporated herein. This Ordinance shall become effective upon passage on the second and final reading.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2016.

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: John F. Castile, City Manager

Agenda Item No.

11c

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

AGENDA DATE REQUESTED: December 12, 2016

ORDINANCE/RESOLUTION CAPTION:

TO APPROPRIATE \$175,000 IN THE WASTEWATER FUND FROM PIEDMONT NATURAL GAS AND AT&T FOR COSTS ASSOCIATED WITH CONSTRUCTION OF A SEWER LINE IN SUPPORT OF THE ENCLAVE AT LAURENS DEVELOPMENT AND FUTURE DEVELOPMENT IN THE AREA

SUMMARY BACKGROUND:

Piedmont Natural Gas and AT&T, through the SC Utility Tax Credit Program, have both granted funding for costs associated with construction of a sewer line that will improve sanitary sewer service for McCall Capital's Enclave at Laurens development (1439 Laurens Road and 7 Airport Road Extension) which will also support future development in this area. In July, City Council approved an agreement with McCall Capital and an appropriation of \$1,500,000 in connection with the service improvements. McCall Capital plans to construct on the property a mixed-use development that includes residential, retail and office uses, and the City has identified a need to replace existing sewer service in and around this area in order to meet the needs of existing and future development. As part of the aforementioned needed sewer infrastructure improvements, the City has executed an agreement to enlist McCall Capital LLC to construct this sewer line. The funding received from Piedmont Natural Gas and AT&T will reduce the contribution from the City's Economic Development Project Account (ED3500) from \$700,000 to \$525,000.

IMPACT IF DENIED / APPROVED:

If appropriated, this funding will be used for costs associated with replacing the sewer line to meet the needs for this and future development.

FINANCIAL IMPACT:

This funding will be added to the existing project account (SA4104) and reduce the contribution from the City's Economic Development Project Account. The total appropriated budget will not increase.

REQUIRED SIGNATURES

Department Director

DocuSigned by:

Mike Murphy

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DocuSigned by:

Kari Nelson

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City Attorney

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

John F. Castile

FC2569CAE224473...

OMB Director

City Manager

A N O R D I N A N C E

TO APPROPRIATE \$175,000 IN THE WASTEWATER FUND FROM PIEDMONT NATURAL GAS AND AT&T FOR COSTS ASSOCIATED WITH CONSTRUCTION OF A SEWER LINE IN SUPPORT OF THE ENCLAVE AT LAURENS DEVELOPMENT AND FUTURE DEVELOPMENT IN THE AREA

WHEREAS, the city of Greenville has received a grant award in the amount of \$125,000 from Piedmont Natural Gas' Utility Tax Credit Program; and

WHEREAS, the City has received a grant award in the amount of \$50,000 from AT&T Utility Tax Credit Program; and

WHEREAS, the funds received will be used to support the construction of a sewer line associated with the McCall Capital's Enclave at Laurens Development; and

WHEREAS, the funds received will reduce funding previously appropriated from the City's Economic Development Project Account (ED3500) from \$700,000 to \$525,000 for this project; and

WHEREAS, the City's previously appropriated funding to support this project is sufficient and no additional funding is required;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the amount of \$175,000 is appropriated in the Wastewater Fund from Piedmont Natural Gas and AT&T for costs associated with construction of a sewer line in support of the Enclave at Laurens project 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 _____, 2016.

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: John F. Castile, City Manager

Agenda Item No.

11d

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

AGENDA DATE REQUESTED: December 12, 2016

ORDINANCE/RESOLUTION CAPTION:

TO APPROVE A QUIT CLAIM DEED FROM THE CITY OF GREENVILLE TO ABIDING WORKSPACES XI, LLC FOR REAL PROPERTY CONSISTING OF APPROXIMATELY 0.142 ACRE LOCATED AT THE INTERSECTION OF MEADOW STREET AND NASSAU STREET

SUMMARY BACKGROUND:

Abiding Workspaces XI, LLC owns property located at the intersection of Nassau and Meadow Streets (Tax Map Number 0052000501000). The City owns adjoining land on Nassau Street (Tax Map Number 0052000500900). There is no recorded documentation establishing a common boundary line between Abiding Workspaces' property and the City's property identified as Tax Map Number 0052000500900. The purpose of this Ordinance is for Council to approve a Quit Claim Deed to definitively establish the property line.

IMPACT IF DENIED / APPROVED:

If denied, the quit claim deed will not be approved. If approved, the quit claim deed will be approved.

FINANCIAL IMPACT:

N/A

REQUIRED SIGNATURES

Department Director

DocuSigned by:

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City Attorney

DocuSigned by:

 5E0F2A267E2D413...
 DocuSigned by:

OMB Director

City Manager

DocuSigned by:

 FC2569CAE224473...

A N O R D I N A N C E

TO APPROVE A QUIT CLAIM DEED FROM THE CITY OF GREENVILLE TO ABIDING WORKSPACES XI, LLC FOR REAL PROPERTY CONSISTING OF APPROXIMATELY 0.142 ACRE LOCATED AT THE INTERSECTION OF MEADOW STREET AND NASSAU STREET

WHEREAS, Abiding Workspaces XI, LLC owns property located at the intersection of Nassau and Meadow Streets (Tax Map Number 0052000501000); and

WHEREAS, the city of Greenville owns adjoining land on Nassau Street (Tax Map Number 0052000500900); and

WHEREAS, there is no recorded documentation establishing a common boundary line between the two properties; and

WHEREAS, City Council desires to approve a Quit Claim Deed in substantially the same form as Attachment A, attached hereto and incorporated herein, to establish a plotted boundary line as more fully shown on a survey entitled "SURVEY FOR ANDREW DEZEN," prepared by Site Design, Inc., dated October 16, 2016, attached hereto as Attachment B;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, that a quitclaim deed in substantially the same form as the quit claim deed attached hereto as Attachment A is approved. 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, the matter shall be presented to Council for further review before the final execution.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2016.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

EXHIBIT "A"

Property Description

All that certain piece, parcel or lot of land situate, lying and being in the City of Greenville, County of Greenville, State of South Carolina, at the intersection of Meadow Street and Nassau Street, containing 0.142 acres, 6,194 sq. ft., more or less, as shown on a survey entitled SURVEY FOR ANDREW DEZEN, prepared by Site Design, Inc., dated October 16, 2016, and recorded December _____, 2016, in the Greenville County ROD Office in Plat Book _____ at Page _____, reference to said survey being made for a complete metes and bounds description thereof.

This being the identical property conveyed to Abiding Workspaces XI, LLC, by quit-claim deed of Foothills Services, LLC, dated November 6, 2015, and recorded on November 25, 2015, in the Greenville County ROD Office in Deed Book 2477 at Page 3940. The within described property may also have been a portion of the property conveyed to The City of Greenville, a Municipal Corporation, by deed of Judd B. Farr dated July 29, 1998, and recorded July 30, 1998, in the Greenville County ROD Office in Deed Nook 1778 at Page 373.

TMS 0052.00-05-010.00



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

To: Honorable Mayor and Members of City Council
From: John F. Castile, City Manager

Agenda Item No.

11e

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

AGENDA DATE REQUESTED: December 12, 2016

ORDINANCE/RESOLUTION CAPTION:

TO APPROPRIATE \$6,000 IN THE MISCELLANEOUS GRANTS FUND TO SUPPORT THE FIRE DEPARTMENT S.A.F.E PROGRAM FOR A DONATION FROM CORLEY PLUMBING AIR ELECTRIC

SUMMARY BACKGROUND:

The city of Greenville has received a donation from Corley Plumbing Air Electric to support Fire Department activities. The \$6,000 will be used to support the Fire Department's smoke alarm and fire education (S.A.F.E.) program. Corley Plumbing Air Electric will be the title sponsor for the S.A.F.E. program.

IMPACT IF DENIED / APPROVED:

If denied, the City will have to reject the donation and support the activities described above without the additional funding.

FINANCIAL IMPACT:

None. This is a donation with no matching requirements.

REQUIRED SIGNATURES

Department Director

DocuSigned by:
Stephen Kovalcik

C5DC7BD64F6246A...
DocuSigned by:

Kai Nelson

41A49000329242C...

City Attorney

DocuSigned by:

Michael S. Pitts

5E0F2A267E2D413...
DocuSigned by:

John F. Castile

FC2569CAE224473...

OMB Director

City Manager

A N O R D I N A N C E

TO APPROPRIATE \$6,000 IN THE MISCELLANEOUS GRANTS FUND TO SUPPORT THE FIRE DEPARTMENT S.A.F.E PROGRAM FOR A DONATION FROM CORLEY PLUMBING AIR ELECTRIC

WHEREAS, the city of Greenville has received a donation in the amount of \$6,000 from Corley Plumbing Air Electric to support Fire Department activities; and

WHEREAS, the donation will be used to support training the Fire Department’s Smoke Alarm and Fire Education (S.A.F.E) program; and

WHEREAS, Corley Plumbing Air Electric will be the title sponsor for the S.A.F.E. program;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the amount of \$6,000 is appropriated in the Miscellaneous Grants Fund for a donation from Corley Plumbing Air Electric 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 _____, 2016.

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: John F. Castile, City Manager

Agenda Item No.

11f

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

AGENDA DATE REQUESTED: 12/12/2016

ORDINANCE/RESOLUTION CAPTION:

TO APPROPRIATE \$62,388 IN THE MISCELLANEOUS GRANTS FUND FOR PARK IMPROVEMENTS AT CLEVELAND PARK ALONG THE SWAMP RABBIT TRAIL.

SUMMARY BACKGROUND:

This request seeks to appropriate funds from the Park and Recreation Development Fund "PARD" by the South Carolina Department of Parks, Recreation and Tourism to replace existing exercise stations in Cleveland Park along the Swamp Rabbit Trail. The PARD grant is a state funded non-competitive reimbursable grant program for eligible local government or special purposes district entities within each county which provide recreational opportunities. The funds will be issued in conjunction with funds that have already been appropriated by City Council through the CIP process.

IMPACT IF DENIED / APPROVED:

The Parks and Recreation Department will not accept the grant if denied.

FINANCIAL IMPACT:

The grant requires a match of \$12,478. There is \$27,712 in the Cleveland Park Repairs and Neighborhood Access project (PR3410) that will serve as the match.

REQUIRED SIGNATURES

Department Director

DocuSigned by:
Dale Westermeier

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 DocuSigned by:

OMB Director

Kai Nelson

41A49000329242C...

City Attorney

DocuSigned by:
Michael S. Pitts

5E0F2A267E2D413...
 DocuSigned by:

City Manager

John F. Castile

FC2569CAE224473...

AN ORDINANCE

TO APPROPRIATE \$62,388 IN THE MISCELLANEOUS GRANTS FUND FOR PARK IMPROVEMENTS AT CLEVELAND PARK ALONG THE SWAMP RABBIT TRAIL

WHEREAS, the city of Greenville seeks to make park improvements at Cleveland Park; and

WHEREAS, the City applied for and has been awarded a \$62,388 grant by the South Carolina Department of Parks, Recreation and Tourism to make park improvements to Cleveland Park along the Swamp Rabbit Trail; and

WHEREAS, City Council wishes to provide a match to this grant in the amount of \$12,478 from the Cleveland Park Repairs and Neighborhood Access project (PR3410) as this project benefits the general public using the Park;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, an appropriation of \$62,388 is made in the Miscellaneous Grants Fund for Park improvements at Cleveland Park 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 _____, 2016.

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: John F. Castile, City Manager

Agenda Item No.

11g

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

AGENDA DATE REQUESTED: December 12, 2016

ORDINANCE/RESOLUTION CAPTION:

TO REZONE APPROXIMATELY 2.424 ACRES LOCATED AT 8 BENNETT STREET FROM RM-2, SINGLE-FAMILY & MULTIFAMILY RESIDENTIAL DISTRICT, TO OD, OFFICE AND INSTITUTIONAL DISTRICT, AND R-6, SINGLE-FAMILY RESIDENTIAL DISTRICT (TAX MAP NUMBER 0037000100700)(Z-22-2016)

SUMMARY BACKGROUND:

The city of Greenville, applied to the City Planning Commission and City Council to rezone property consisting of approximately 2.424 acres located at 8 Bennett Street, Tax Map Number 0037000100700, from RM-2, Single-family and Multifamily Residential District, to OD, Office and Institutional District (Lot 1), and R-6, Single-family Residential District (Lot 2). The City Planning Commission, pursuant to public notice, held a public hearing on October 20, 2016, to consider the proposed rezoning, and the Commission recommended approval of the proposed zoning designations of OD, Office and Institutional District (Lot 1) and R-6, Single-family Residential District (Lot 2).

IMPACT IF DENIED / APPROVED:

If denied, the property will not be rezoned. If approved, the property will be rezoned.

FINANCIAL IMPACT:

N/A

REQUIRED SIGNATURES

Department Director

DocuSigned by:

 1DC2D48BBB5D4AB...

OMB Director

City Attorney

DocuSigned by:

 5E0F2A267E2D413...
 DocuSigned by:

City Manager

FC2569CAE224473...

A N O R D I N A N C E

TO REZONE APPROXIMATELY 2.424 ACRES LOCATED AT 8 BENNETT STREET FROM RM-2, SINGLE-FAMILY AND MULTIFAMILY RESIDENTIAL DISTRICT, TO OD, OFFICE AND INSTITUTIONAL DISTRICT, AND R-6, SINGLE-FAMILY RESIDENTIAL DISTRICT (TAX MAP NUMBER 0037000100700) (Z-22-2016)

WHEREAS, the city of Greenville, applied to the City Planning Commission and City Council to rezone property consisting of approximately 2.424 acres located at 8 Bennett Street, Tax Map Number 0037000100700, from RM-2, Single-family and Multifamily Residential District, to OD, Office and Institutional District (Lot 1), and R-6, Single-family Residential District (Lot 2); and

WHEREAS, the City Planning Commission, pursuant to public notice, held a public hearing on October 20, 2016, to consider the proposed rezoning, and the Commission recommended approval of the proposed zoning designations of OD, Office and Institutional District, and R-6, Single-family Residential District; and

WHEREAS, City Council finds the OD, Office and Institutional, and R-6, Single-family Residential, classifications to be compatible with the City's Comprehensive Development Plan, consistent with the Rezoning Criteria of Chapter 19 of the Code of Ordinances of the City of Greenville, and compatible with the existing and permitted neighboring uses;

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 City of Greenville, South Carolina, shown as Tax Map Number 0037000100700 and located at 8 Bennett Street is rezoned from RM-2, Single-family and Multifamily Residential District, to OD, Office and Institutional District (Lot 1), and R-6, Single-family Residential District (Lot 2). The attached Summary Plat dated August 20, 2016, shown as Exhibit A, prepared by Site Design, Inc., is incorporated by reference for purposes of identifying the location of property. This Ordinance shall be effective upon second and final reading by City Council.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2016.

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: John F. Castile, City Manager

Agenda Item No.

11h

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

AGENDA DATE REQUESTED: December 12, 2016

ORDINANCE/RESOLUTION CAPTION:

TO MODIFY THE EXISTING LEWIS PLAZA PLANNED DEVELOPMENT LOCATED AT 1720 AUGUSTA STREET, TO REZONE PROPERTY AT 21 ABERDEEN DRIVE FROM C-2, LOCAL COMMERCIAL, TO PD, PLANNED DEVELOPMENT, AND TO APPROVE THE FIRST AMENDMENT TO THE PLANNED DEVELOPMENT AGREEMENT FOR LEWIS PLAZA REDEVELOPMENT (TAX MAP NUMBERS 0216000101000 AND 0216000100110) (Z-19-2016)

SUMMARY BACKGROUND:

Lewis Plaza Partners, LLC (“Developer”) is re-developing the Lewis Plaza site (“Project”). In connection with the Project, the Developer obtained a zoning designation of Planned Development (PD) and entered into a Planned Development Agreement (“PD Agreement”) with the city of Greenville. The scope of the Project has been expanded to include an additional use in the form of a health care facility. The Developer and the City desire to amend the PD Agreement in order to reflect the expanded Project as more fully set forth in the First Amendment to Planned Development Agreement for Lewis Plaza Redevelopment, attached to the Ordinance as Exhibit A (“First Amendment”).

The Planning Commission pursuant to public notice held a public hearing on October 20, 2016, to consider the proposed amendment to the development size and purpose, and recommended approval.

IMPACT IF DENIED / APPROVED:

If denied, the amendment will not be approved. If approved, the amendment will be approved.

FINANCIAL IMPACT:

N/A

REQUIRED SIGNATURES

Department Director

DocuSigned by:

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City Attorney

DocuSigned by:

 5E0F2A267E2D413...
 DocuSigned by:

OMB Director

City Manager

DocuSigned by:

 FC2569CAE224473...

AN ORDINANCE

TO MODIFY THE EXISTING LEWIS PLAZA PLANNED DEVELOPMENT LOCATED AT 1720 AUGUSTA STREET, TO REZONE PROPERTY AT 21 ABERDEEN DRIVE FROM C-2, LOCAL COMMERCIAL, TO PD, PLANNED DEVELOPMENT, AND TO APPROVE THE FIRST AMENDMENT TO THE PLANNED DEVELOPMENT AGREEMENT FOR LEWIS PLAZA REDEVELOPMENT (TAX MAP NUMBERS 0216000101000 AND 0216000100110) (Z-19-2016)

WHEREAS, Lewis Plaza Partners, LLC (“Developer”) is re-developing the Lewis Plaza site (“Project”); and

WHEREAS, in connection with the Project, the Developer obtained a zoning designation of Planned Development (PD) and entered into a Planned Development Agreement (“PD Agreement”) with the city of Greenville, recorded in the Greenville County Register of Deeds Office on October 5, 2015 in Book DE 2474 at Page 3249 and April 13, 2016 in Book DE 2485 at Page 5194; and

WHEREAS, the scope of the Project has been modified to include property located at 21 Aberdeen Drive (Tax Map Number 0216000101000), to rezone said property from C-2, Local Commercial, to PD, Planned Development, and to revise uses and square footages to include a 15,000 square foot medical facility (Tax Map Number 0216000100110); and

WHEREAS, the Developer and the City desire to amend the PD Agreement to reflect the modified Project as more fully set forth in the First Amendment to Planned Development Agreement for Lewis Plaza Redevelopment, attached hereto and incorporated herein as Attachment A (“First Amendment”); and

WHEREAS, the Planning Commission pursuant to public notice held a public hearing on October 20, 2016, to consider the proposed amendment to the development size and purpose, and recommended approval;

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

- Section 1: Modifications to the Existing Lewis Plaza Planned Development located at 1720 Augusta Road to include additional property located at 21 Aberdeen Drive (Tax Map Number 0216000101000) and to revise uses and square footages to include a 15,000 square foot medical facility (Tax Map Number 0216000100110) are approved.
- Section 2: The property located at 21 Aberdeen Drive (Tax Map Number 0216000101000) is rezoned from C-2, Local Commercial, to PD, Planned Development.
- Section 3: The First Amendment to the Planned Development Agreement for Lewis Plaza Redevelopment is hereby approved in substantially the same form as Attachment A attached hereto and incorporated herein by reference. The City Manager, in consultation with the City Attorney, may make or accept minor modifications to the working 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.

Section 4: This Ordinance shall become effective upon second and final reading.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2016.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

EXHIBIT A

STATE OF SOUTH CAROLINA)	FIRST AMENDMENT TO PLANNED
)	DEVELOPMENT AGREEMENT FOR
COUNTY OF GREENVILLE)	LEWIS PLAZA REDEVELOPMENT

THIS FIRST AMENDMENT TO PLANNED DEVELOPMENT AGREEMENT (the “First Amendment”) is entered into this ___ day of _____ 2016 by and between Lewis Plaza Partners, LLC, a South Carolina limited liability company, duly authorized by the Secretary of State of South Carolina to do business in the State (the “Developer”), and the City of Greenville, a municipal corporation under the laws of South Carolina (the “City”)

RECITALS

WHEREAS, Developer and City are parties to that certain Planned Development Agreement for Lewis Plaza Redevelopment recorded on October 5, 2015 in Book DE 2474 at Page 3249 and re-recorded April 13, 2016 in Book DE 2485 at Page 5194 in the Office of the Register of Deeds for Greenville County, South Carolina (the “PD Agreement”) for a planned development (“PD”) located at the intersection of Augusta Street and Aberdeen Drive for a mixed-use commercial development offering new and renovated retail spaces and offices anchored by a neighborhood grocery store (the “Project”), subject to City Council approval of the PD and the Agreement per the City's Land Management Ordinance Sec. 19-3-2.2 (N); and

WHEREAS, the Project has expanded to incorporate an additional use designated as health care facilities under Chapter 19 of the City Code of Ordinances; and

WHEREAS, in connection with the aforementioned expansion of the Project, certain changes to the boundaries of the Project have been approved by the City Planning Commission, and the Developer and City now desire to amend the PD Agreement as more particularly set forth herein.

NOW THEREFORE, in consideration of the terms and conditions set forth herein, and other good and valuable consideration, including the potential economic benefits to the City and Developer by entering this First Amendment, the receipt and sufficiency of such consideration being hereby acknowledged, the City and Developer agree that the PD Agreement is amended as follows:

1. The above recitals and the definitions in the PD Agreement are hereby incorporated into this First Amendment.

2. Section 1.a. of the PD Agreement is hereby deleted in its entirety and replaced with the following:

- a. Development Size and Purpose. The Developer desires to design, construct and renovate a mixed use development upon property located on Augusta Street, Aberdeen Drive and First Street consisting of approximately 6.5 acres of real property as more fully set forth in Exhibit A attached hereto and

EXHIBIT A

LEGAL DESCRIPTION

Parcel 1

All that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being in the City of Greenville, County of Greenville, State of South Carolina, shown as Lot 1, containing 5.536 acres (241,141 sq. ft.) and being more fully shown on that certain Summary Plat entitled "Subdivision Plat for Lewis Plaza Partners, LLC" prepared by Freeland and Associates, Inc., dated February 24, 2015, recorded March 31, 2015 in Plat Book 1204 at Page 49 in the Greenville County Register of Deeds Office, reference to which is craved for a more complete description.

Derivation: Being a portion the same property conveyed to Lewis Plaza Partners, LLC by (i) deed from Lewis Plaza Associates Limited Partnership dated January 27, 2012 and recorded in Deed Book 2400 at Page 2708 in the Greenville County Register of Deeds Office, and (ii) deeds from Nell M. Edwards dated as of January 29, 2015 and recorded in Deed Book 2459 at Page 2392 and Deed Book 2459 at Page 2397 in the Greenville County Register of Deeds Office.

TMS No.: 0216.00-01-001.10

Parcel 2

All that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being in the City of Greenville, County of Greenville, State of South Carolina, shown as "TMS #216-1-13.1 - To Be Abandoned", and being more fully shown on that certain Summary Plat entitled "Subdivision Plat for Lewis Plaza Partners, LLC" prepared by Freeland and Associates, Inc., dated February 24, 2015, recorded March 31, 2015 in Plat Book 1204 at Page 49 in the Greenville County Register of Deeds Office, reference to which is craved for a more complete description.

Derivation: Being the same property conveyed to Lewis Plaza Partners, LLC by deed of Wells Fargo Bank, N.A. dated June 30, 2016, and recorded on July 1, 2016, in Deed Book 2491, page 2110, in the Office of the Register of Deeds for Greenville County, South Carolina.

TMS No.: 0216.00-01-013.01

Parcel 3

All that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being in the City of Greenville, Greenville County, State of South Carolina, containing 0.414 acre (18,035 SF) and being more fully shown on that certain survey entitled "Survey for Lewis Plaza Partners, LLC, South State Bank, Chicago Title Insurance Company, Firm Title, Inc." prepared by C.O. Riddle Surveying Co., Inc., dated June 9, 2016, and recorded on July 5, 2016 in Plat Book 1243 at Page 55, in the Office of the Register of Deeds for Greenville County, South Carolina, and being more particularly described as follows:

Beginning at a spike set located at the intersection of the northern right-of-way of First Street and the eastern right-of-way of Aberdeen Drive; thence along said eastern right-of-way of Aberdeen Drive N

24-04-27 E for a distance of 190.19 feet to a spike set; thence leaving said right -of-way and running along the southern right-of-way of S. Lewis Plaza Drive S 65-58-37 E for a distance of 94.45 feet to a mag nail found; thence leaving said right -of-way and running along property now or formerly of Lewis Plaza Partners, LLC (TMS #0216000100110) S 23-37-13 W for a distance of 59.87 feet to a point; thence continuing along property now or formerly of Lewis Plaza Partners, LLC (TMS #0216000100110) S 24-02-25 W for a distance of 130.13 feet to a spike set in the northern right-of-way of First Street; thence running along the northern right-of-way of First Street N 66-05-31 W for a distance of 95.00 feet to the Point of Beginning, be all measurements a little more or less.

TMS No.: 0216.00-01-010.00

Parcel 4

ALL THAT CERTAIN piece, parcel or tract of land, with improvements thereon, situate, lying and being situate in the City of Greenville, County of Greenville, State of South Carolina, along the southern edge of the right-of-way of Augusta Street, containing 0.553 acres and being more fully shown on that certain survey entitled "ALTA/ACSM Land Title Survey for Lewis Plaza Partners, LLC and Protective Life Insurance Company" prepared by Freeland & Associates, Inc., dated May 12, 2011, last revised January 23, 2015, and being more particularly described as follows:

BEGINNING at a Mag Nail located on the southwestern right-of-way of Augusta Street (60' right-of-way) and being the common corner of Lewis Plaza Partners, LLC (TMS No. 216-1-11.0); thence along said right-of-way S 46°37'09" E for 124.78 feet to an iron pin; thence leaving said right-of-way and running thence along property now or formerly of Alvin J. Hotz, Jr. and Gloria J. Hotz, Co-Trustees (TMS No. 216-1-2) S 27°13'21" W for 183.32 feet to a Mag Nail; thence N 62 °37' 13" W for 120.66 feet to a Mag Nail; thence N 27°26'07" E for 217.71 feet to the Point of Beginning.

Derivation: Being the same property conveyed to Martin Building, LLC by (i) deed from Thomas Runge Martin, William Runge Martin and Eyl Runge Martin dated July 23, 2003 and recorded in Book 2047 at Page 1985 in the Greenville County Register of Deeds Office.

TMS No.: 0216.00-01-006.00

Parcel 5

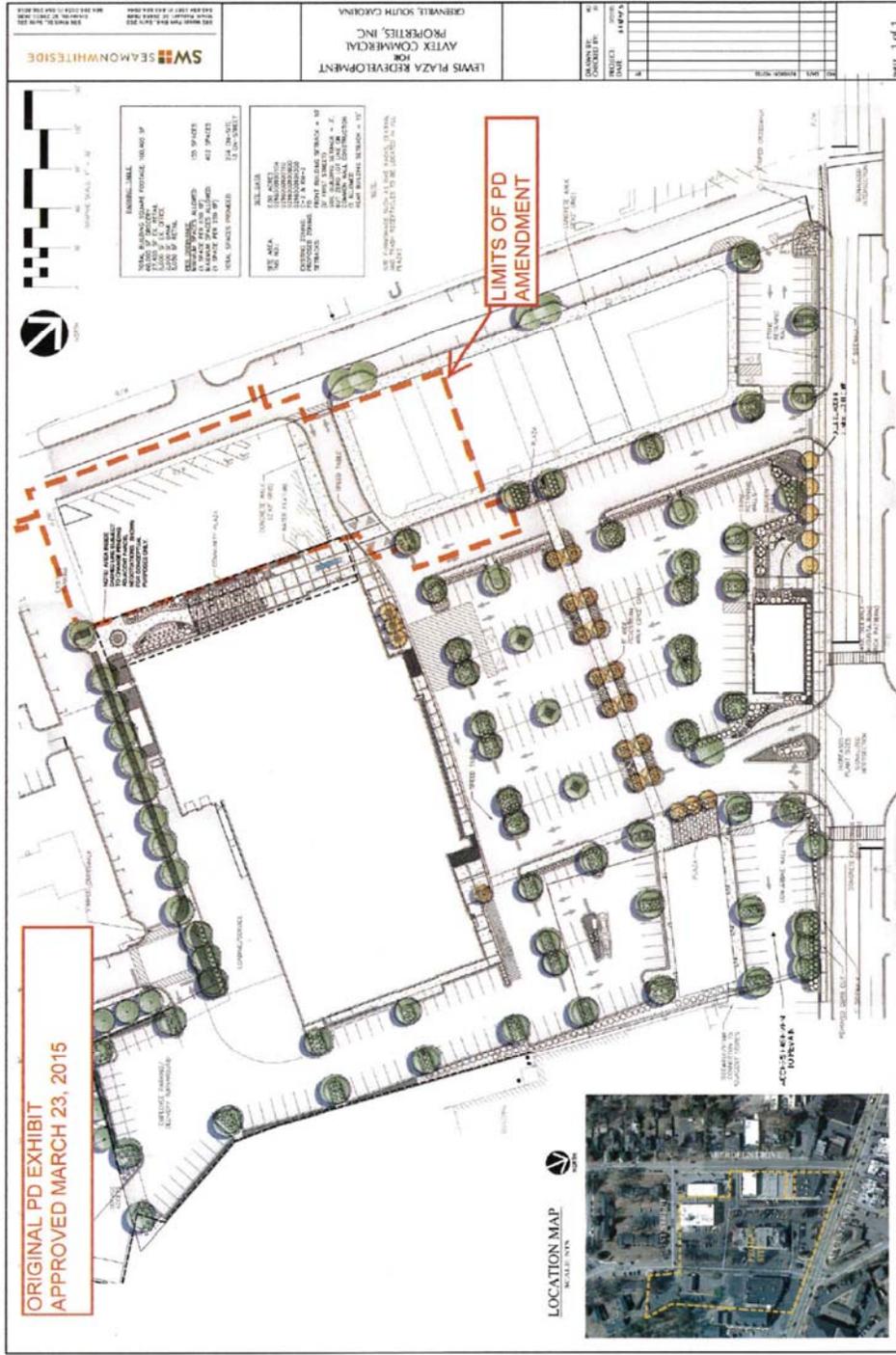
All that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being in the City of Greenville, County of Greenville, State of South Carolina, shown as Lot 2, containing 0.085 acres (3,686 sq. ft.) and being more fully shown on that certain Summary Plat entitled "Subdivision Plat for Lewis Plaza Partners, LLC" prepared by Freeland and Associates, Inc., dated February 24, 2015, recorded March 31, 2015 in Plat Book 1204 at Page 49 in the Greenville County Register of Deeds Office, reference to which is craved for a more complete description.

Derivation: Being the same property conveyed to Wells Fargo Bank, N.A. by deed of Lewis Plaza Partners, LLC dated June 30, 2016, and recorded on July 1, 2016, in Deed Book 2491, page 2140, in the Office of the Register of Deeds for Greenville County, South Carolina.

TMS No.: 0216.00-01-001-11

EXHIBIT B

REVISED SITE PLANS



9/15/16



NARRAMORE ASSOCIATES, INC.
ARCHITECTS & INTERIORS
1101 W. 11th Street, Suite 100
Greenville, SC 29601
Phone: 864.234.8888
Fax: 864.234.8888
www.narramore.com



10 WASHINGTON PARK
GREENVILLE, SC 29605
N.C. LICENSE # 000000000

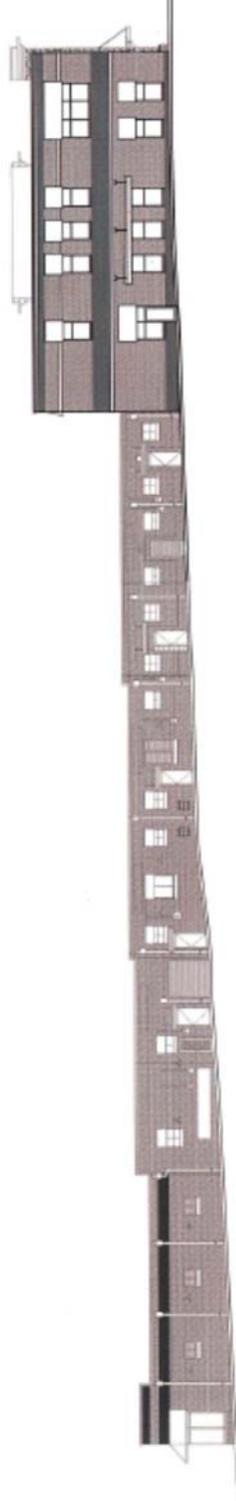
PROPOSED OFFICE BUILDING
12755 PLAZA SHOPPING CENTER
ACQUITA STREET
GREENVILLE, SC 29605



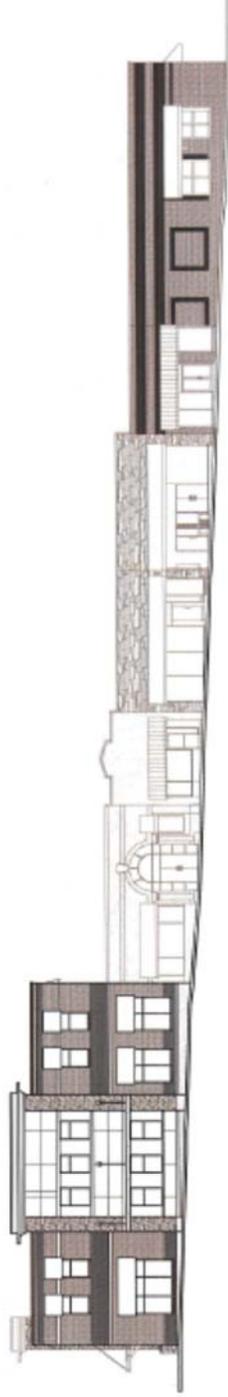
PERMIT DATA
PROJECT NUMBER: 16-000000000
DATE: 08/12/16

LEWIS PALAU
GREENVILLE, SC
A2.1
EXTERIOR
ELEVATIONS

T-16-2016 08/12/16



2 WEST ELEVATION (ABERDEEN VIEW)
SCALE: 1/8" = 1'-0"



1 EAST ELEVATION (PLAZA VIEW)
SCALE: 1/8" = 1'-0"



NARRAMORE ASSOCIATES, INC.
ARCHITECTS & PLANNERS
1000 W. GREENVILLE STREET
GREENVILLE, SC 29601
TEL: 864.671.1111
WWW.NARRAMORE.COM

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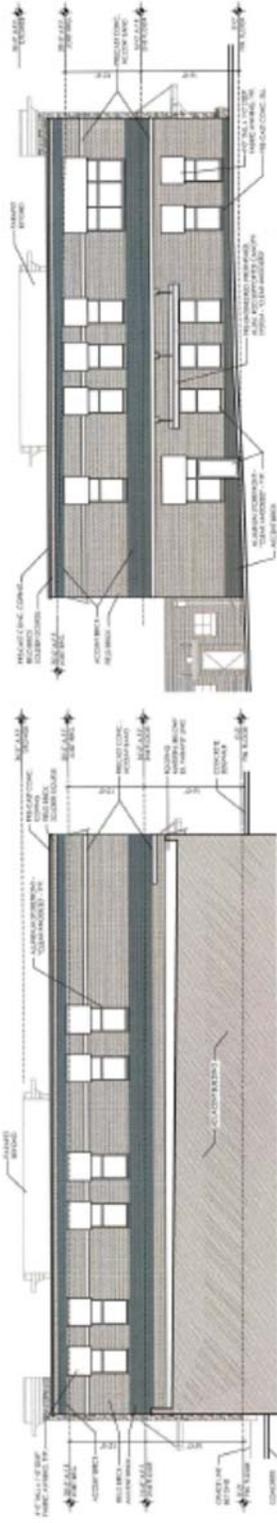
PROPOSED OFFICE BUILDING
LEWIS PLAZA SQUARE CENTER
GREENVILLE, SC 29601

REVISIONS

DATE
PROJECT NUMBER
ISSUE DATE

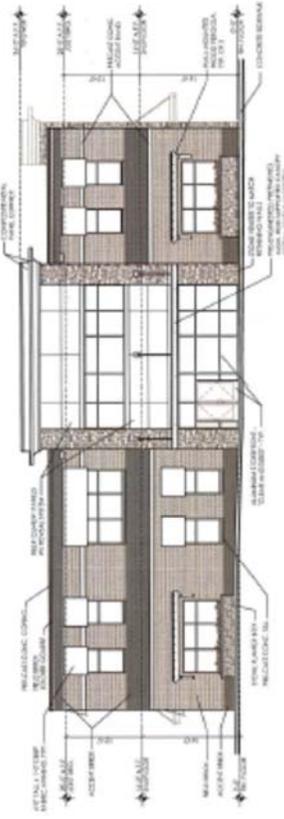
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OFFICE ELEVATIONS

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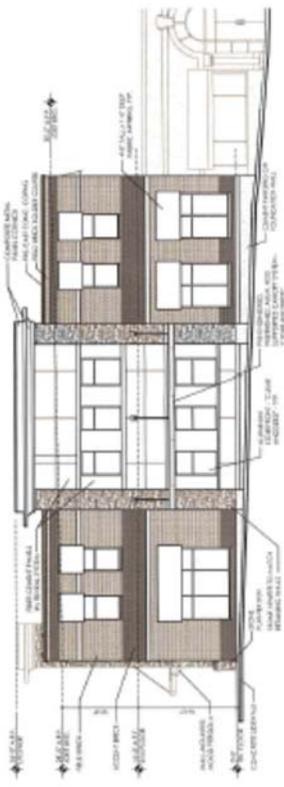


3 WEST ELEVATION (ABERDEEN VIEW)
SCALE 1/8" = 1'-0"

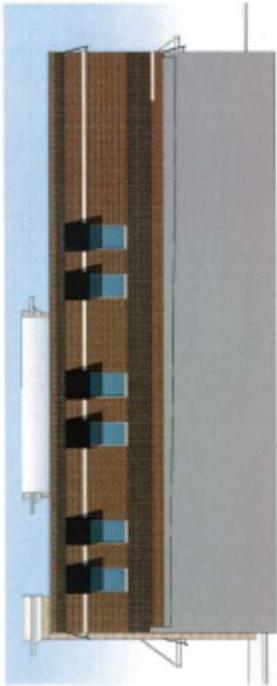
4 NORTH ELEVATION (AUGUSTA VIEW)
SCALE 1/8" = 1'-0"



2 SOUTH ELEVATION (ACCESS DRIVE VIEW)
SCALE 1/8" = 1'-0"



1 EAST ELEVATION (PLAZA VIEW)
SCALE 1/8" = 1'-0"



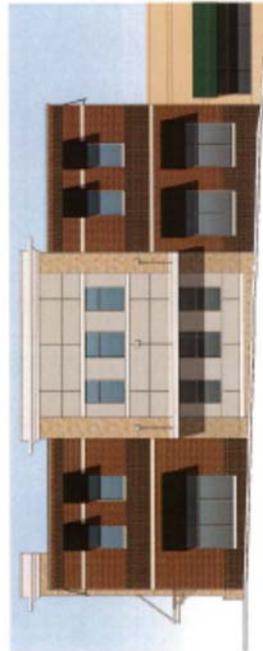
NORTH ELEVATION (AUGUSTA VIEW)



WEST ELEVATION (ABERDEEN VIEW)



SOUTH ELEVATION (ACCESS DRIVE VIEW)



EAST ELEVATION (PLAZA VIEW)

PROPOSED OFFICE BUILDING LEWIS PLAZA SHOPPING CENTER

GREENVILLE, SOUTH CAROLINA

NABHAMORE ASSOCIATES, INC.
Architects
1100 W. 10th Street, Suite 200
Greenville, SC 29615
Tel: 864.234.1100



2-18-2016



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

To: Honorable Mayor and Members of City Council
From: John F. Castile, City Manager

Agenda Item No.

11i

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

AGENDA DATE REQUESTED: December 12, 2016

ORDINANCE/RESOLUTION CAPTION:

TO APPROPRIATE \$160,000 IN FUND BALANCE IN THE STATE ACCOMMODATIONS TAX FUND FOR VARIOUS CONTINGENCY FUNDING APPLICATIONS

SUMMARY BACKGROUND:

The State Accommodations Tax Advisory Committee ("ATAC") met on November 9, 2016, for the purpose of reviewing \$190,000 contingency funding requests pursuant to the Accommodations Tax Grant in Aid Policy ("Policy") dated December 10, 2012. The ATAC formulated various recommendations using the criteria contained in the Policy. The City Manager recommends that City Council consider providing full funding of the contingency requests and waive the Policy requirements that limit financial support to not more than \$15,000 for an event with a total maximum award of \$50,000 for all contingency funding requests.

Additionally, unrelated to the contingency funding requests, the fiscal year 2017 budget contained approval of funding for the SEC Women's Basketball tournament which is also being addressed by this Ordinance.

The total amount of accommodations tax funding to be appropriated under this Ordinance is \$160,000 broken down as follows:

Total requested in contingency funding	\$190,000
SEC Women's Basketball Tournament	+ 20,000
Contingency funds already appropriated	- 50,000
	\$160,000 (total)

IMPACT IF DENIED / APPROVED:

If denied, successful execution of the events and their positive economic impact on the hospitality and lodging sectors may be negatively impacted.

FINANCIAL IMPACT:

The State Accommodations Tax Fund had an estimated fund balance, after maintenance of required working capital requirements, in the amount of \$641,000 at the end of fiscal year 2015-16.

REQUIRED SIGNATURES

Department Director

City Attorney

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

OMB Director

DocuSigned by:
Kai Nelson

City Manager

John F. Castile

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A N O R D I N A N C E

TO APPROPRIATE \$160,000 IN FUND BALANCE IN THE STATE ACCOMMODATIONS TAX FUND FOR VARIOUS CONTINGENCY FUNDING APPLICATIONS

WHEREAS, the State Accommodations Tax Advisory Committee (“ATAC”) met on November 9, 2016, for the purpose of reviewing contingency funding requests in a total amount of \$190,000 pursuant to the Accommodations Tax Grant in Aid Policy (“Policy”) dated December 10, 2012; and

WHEREAS, the ATAC formulated various recommendations using the criteria contained in the Policy; and

WHEREAS, the City Manager recommends, and City Council desires, to provide full funding of the contingency funding requests and waive the Policy requirements that limit financial support to not more than \$15,000 for an event with a total maximum award of \$50,000 for all contingency funding requests; and

WHEREAS, unrelated to the contingency funding requests, the fiscal year 2017 budget contained an approval for \$20,000 associated with the SEC Women’s Basketball Tournament and this item is being included in the Ordinance for purposes of appropriating the funds; and

WHEREAS, the current budget contains \$50,000 in contingency funding, thus requiring an additional appropriation of \$140,000 in addition to the funding described in the preceding paragraph; and

WHEREAS, the State Accommodations Tax Fund had an estimated fund balance, after maintenance of required working capital requirements, in the amount of \$641,000 at the end of fiscal year 2015-16;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the amount of \$160,000 in fund balance in the State Accommodations Tax Fund is appropriated, as reflected in the attached Exhibit, for the purpose of providing full financial support of the contingency funding applications recommended by the ATAC and the SEC Women’s Basketball Tournament. This Ordinance shall become effective upon passage on the second and final reading.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2016.

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: **John F. Castile, City Manager**

Agenda Item No.

11j

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

AGENDA DATE REQUESTED: December 12, 2016

ORDINANCE/RESOLUTION CAPTION:

TO ANNEX AND ZONE 16.98 ACRES LOCATED AT WOODSIDE AVENUE AND EAST MAIN STREET FROM COUNTY ZONING I-1, INDUSTRIAL DISTRICT, AND R-10, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO CITY ZONING PD, PLANNED DEVELOPMENT DISTRICT, AND TO APPROVE A PLANNED DEVELOPMENT AGREEMENT (TAX MAP NUMBERS 0122000300100, 0122000300600, 0122000601100, 0122000501600, 0122000501400)(AX-8-2016)

SUMMARY BACKGROUND:

This Ordinance annexes the Woodside Mill property into the city of Greenville and assigns a zoning classification of PD, Planned Development. The Planning Commission, pursuant to public notice, held a public hearing on November 17, 2016, to consider the proposed annexation, zoning and PD Agreement, and recommended approval with conditions, which are more fully set out in the PD Agreement.

REVISED: Exhibit C of the PD Agreement was revised to include Exterior Architectural Plans.

IMPACT IF DENIED / APPROVED:

If denied, the property will not be annexed or rezoned, and the PD Agreement will not be approved. If approved, the property will be annexed and rezoned, and the PD Agreement will be approved.

FINANCIAL IMPACT:

n/a

REQUIRED SIGNATURES

Department Director

DocuSigned by:
Nancy Whitworth
1DC2D48BBB5D4AB...

City Attorney

DocuSigned by:
Michael S. Pitts
5E0F2A267E2D413...

OMB Director

City Manager

DocuSigned by:
John Castile
FC2569CAE224473...

A N O R D I N A N C E

TO ANNEX AND ZONE 16.98 ACRES LOCATED AT WOODSIDE AVENUE AND EAST MAIN STREET FROM COUNTY ZONING I-1, INDUSTRIAL DISTRICT, AND R-10, SINGLE-FAMILY RESIDENTIAL DISTRICT TO CITY ZONING PD, PLANNED DEVELOPMENT DISTRICT, AND TO APPROVE A PLANNED DEVELOPMENT AGREEMENT (Tax Map Numbers 0122000300100, 0122000300600, 0122000601100, 0122000501600, 0122000501400) (AX-8-2016)

WHEREAS, Woodside Industrial Park LLC, is the owner in fee simple of approximately 14.12 acres of property at or near the Woodside Mill on Woodside Avenue and is prepared to have the property, including 2.86 acres of right-of-way (approximately 16.98 total acres), annexed and rezoned PD, Planned Development upon purchase by Woodside Mill Partners I, LLC, but not before; and

WHEREAS, Woodside Mill Partners I, LLC, applied for annexation of the property into the city of Greenville, to be effective when it closes on the sale of the property; and

WHEREAS, Woodside Mill Partners I, LLC, is in the process of acquiring the property from Woodside Industrial Park, LLC, and has acknowledged and endorsed the annexation petition, with the annexation to be effective upon its acquisition of the property; and

WHEREAS, the Developer and the City desire to enter into a Planned Development Agreement to reflect the Project as more fully set forth in the Woodside Mill Partners I, LLC and City of Greenville Planned Development Agreement (“PD Agreement”), attached hereto and incorporated herein as Attachment C; and

WHEREAS, the Planning Commission pursuant to public notice held a public hearing on November 17, 2016, to consider the proposed annexation, zoning and PD Agreement, and recommended approval with conditions, which are more fully set out in the PD Agreement; and

WHEREAS, City Council reviewed the covenant of annexation as well as the recommendations of the planning Commission and finds that the PD zoning is appropriate; and

WHEREAS, City Council has determined that annexation of the property would promote the City’s policy of planned growth and development and it is willing to defer the effective date of the annexation until the closing on the pending sale is consummated;

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

Section 1. There will be annexed into the corporate limits of the city of Greenville real property owned by, Woodside Industrial Park, LLC, and consisting of approximately 14.12 acres of real property and including 2.86 acres of right-of-way located at East Main Street and Woodside Avenue. The annexation is contingent upon Woodside Mill Partners I, LLC, closing upon the acquisition of the described property and City Council’s second and final reading of this Ordinance. The property is identified more particularly on the attached Attachments A and B, providing the annexation plat and property descriptions for Tax Map Numbers 0122000300100, 0122000300600, 0122000601100, 0122000501600, 0122000501400.

Section 2. Upon annexation, the property shall become subject to the City’s jurisdiction for the rendition of all municipal services, except to the extent otherwise provided for by intergovernmental agreement between the City and any special purpose district providing utility services, and then only to the extent and for the time set forth in such intergovernmental agreement. All official city 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.

Section 3. The property to be annexed will be rezoned PD, Planned Development, upon annexation of the property.

Section 4. This Ordinance shall take effect upon the closing of the sale of the property by Woodside Industrial Park, LLC to Woodside Mill Partners I, LLC, but not before date of second and final reading of this Ordinance.

Section 5. That the PD Agreement is approved in substantially the same form as Attachment C attached hereto and incorporated herein by reference. The City Manager, in consultation with the City Attorney, may make or accept minor modifications to the working 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.

Section 6. In the event that Woodside Mill Partners I, LLC, does not close upon the acquisition of the described property within twelve calendar months of second and final reading of this Ordinance, the Ordinance shall not come into operation and any subsequent annexation would require a new petition. The foregoing notwithstanding, City Council may extend the time within which the closing must occur, thereby extending the time within which this Ordinance shall become effective provided it has received a written request to that effect which is signed by Woodside Industrial Park, LLC, and Woodside Mill Partners I, LLC.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2016.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

ATTACHMENT A**REAL PROPERTY DESCRIPTIONS:*****TMS 122-3-1***

Commencing at an "X" In the concrete, being the Intersection of the eastern Right-of-Way of Woodside Avenue and the northern Right-of-Way of East Main Street, said point being the Point of Beginning; thence N 20°54'39" E a distance of 552.63 feet to a $\frac{5}{8}$ " bent rebar; thence S 73°44'51" E a distance of 374.40 to a $\frac{5}{8}$ " rebar; thence S 48°24'40" E a distance of 130.24 feet to a $\frac{1}{2}$ " open top; thence S 70°02'15" E for a distance of 65.00 feet to a $\frac{5}{8}$ " rebar; thence S 56°44'33" E for a distance of 82.95 feet to a $\frac{5}{8}$ " rebar; thence S 27°13'38" E for a distance of 74.68 feet to a $\frac{5}{8}$ " rebar; thence S 75°01'23" E for a distance of 13.57 feet to a $\frac{5}{8}$ " rebar; thence S75°01'23" E for a distance of 84.43 feet to a $\frac{5}{8}$ " rebar; thence S 16°34'56" W for a distance of 175.37 to a $\frac{5}{8}$ " rebar (bent); thence S12°44'35" W for a distance of 532.71 feet to a $\frac{5}{8}$ " rebar; thence N 54°54'17" W for a distance of 910.51 feet to an "X" In concrete, said point being the Point of Beginning and containing 538,210 square feet or 12.355 acres, more or less. Said description includes Tract TMS-3-6 and associated easement.

TMS 12-5-14

Commencing at a $\frac{1}{2}$ " rebar, being the intersection of the southern Right-of-Way of East Main Street and the western Right-of-Way of 2nd Street, said point being the Point of Beginning; thence S 35°05'31" W for a distance of 149.88 feet to a $\frac{5}{8}$ " rebar; thence N 54°54'20" W for a distance of 113.93 feet to a $\frac{5}{8}$ " rebar; thence N 34°50'36" E for a distance of 150.58 feet to a point In the southern Right-of-Way of East Main Street; thence along said Right-of-Way, S 54°33'27" E for a distance of 113.77 feet to a $\frac{1}{2}$ " rebar, said rebar being the Point of Beginning and containing 17,103 square feet or 0.392 acres, more or less.

TMS 12-5-16

Commencing at a $\frac{5}{8}$ " rebar, being the Intersection of the southern Right-of-Way of East Main Street and the eastern Right-of-Way of 3rd Street, said point being the Point of Beginning; thence S 54°59'11" E for a distance of 120.18 feet to a $\frac{5}{8}$ " rebar; thence S 34°50'16" W for a distance of 150.70 feet to a $\frac{5}{8}$ " rebar; thence N 54°49'55" W for a distance of 120.12 feet to a $\frac{3}{4}$ " open top pin; thence N 35°07'43" E for a distance of 150.38 feet to a $\frac{5}{8}$ " rebar, said point being the Point of Beginning and containing 18,087 square feet or 0.415 acres, more or less.

TMS 12-6-11

Commencing at a $\frac{5}{8}$ " rebar, being the intersection of the southern Right-of-Way of East Main Street and the western Right-of-Way of 3rd Street, said point being the Point of Beginning; thence S 35°08'34" W for a distance of 219.76 feet to $\frac{1}{2}$ " rebar; thence N 54°53'33" W for a distance of 188.85 feet to a $\frac{5}{8}$ " rebar; thence N 34°57'32" E for a distance of 210.86 feet to a $\frac{5}{8}$ " rebar; thence S 54°53'38" E for a distance of 189.47 feet to a $\frac{5}{8}$ " rebar, said point being the Point of Beginning and containing 41,561 feet or 0.954 acres, more or less.

Right-of-Way of East Main Street, Woodside Avenue, 3rd Street and 2nd Street Alley

Commencing at an "X" In the concrete, being the Intersection of the eastern Right-of-Way of Woodside Avenue and the northern Right-of-Way of East Main Street, said point being the Point of Beginning; thence, continuing along Right-of-Way, S 54°54'17" E for a distance of 910.51 feet to a $\frac{5}{8}$ " rebar; thence S 12°44'35" W for a distance of 71.65 feet to a point; thence N 74°25'02" W for a distance of 27.17 feet to a point; thence N 52°23'35" W for a distance of 80.28 feet to a point; thence N 54°33'27" E for a distance of 90.10 feet to a point, said point being the intersection of the southern Right-of-Way of East Main Street and the Eastern Right-of-Way of 2nd Street; thence N 54°33'27" W for a distance of 50.00 feet to a $\frac{1}{2}$ " rebar, said point being the intersection of the southern Right-of-Way of East Main Street and western Right-of-Way of 2nd Street; thence, along the southern Right-of-Way of East Main Street, N 54°33'27" W for a distance of 113.77 feet to a point, said point being the Intersection the southern Right-of-Way of East Main Street and the eastern Right-of-Way of 2nd Street Alley; thence, along the eastern Right-of-Way of 2nd Street Alley, S 34°50'36" W for a distance of 150.58 feet to a $\frac{5}{8}$ " rebar; thence N 55°27'40" W for a distance of 12.14 feet to a $\frac{5}{8}$ " rebar; thence, along the western Right-of-Way of 2nd Street Alley, N 34°50'36" for a distance of 150.70 feet to a $\frac{5}{8}$ " rebar; thence, along the southern Right-of-Way of East Main Street, N 54°59'11" W for a distance of 120.18 feet to a $\frac{5}{8}$ " rebar; thence, along the eastern Right-of-Way of 3rd Street, S 35°07'43" W for a distance of 150.38 feet to an $\frac{3}{4}$ " open top; thence N 54°51'27" W for a distance of 43.93 feet to a point In the western Right-of- Way of 3rd Street; thence, along the western Right-of-Way of 3rd Street, N 35°08'34" E for distance of 149.84 feet to a $\frac{5}{8}$ " rebar; thence, along the southern Right-of-Way of East Main Street, N 54°53'38" W for a distance of 189.47 feet to a $\frac{5}{8}$ " rebar; thence N 54°49'21" W for a distance of 194.56 feet to an $\frac{1}{2}$ " open top, thence N 54°49'21" W for a distance of 63.99 feet to a point, said point being the Intersection of the western Right-of-Way of Woodside Avenue and the Southern Right-of-Way of West Main Street; thence, crossing said West Main Street, N 22°30'40" E for a distance of 72.20 feet to a point, said point being the Intersection of northern Right-of-Way of West Main Street and the western Right-of-Way of Woodside Avenue; thence along the western Right-of-Way of Woodside Avenue the following three (3) calls, N 20°54'39" E for a distance of 246.71 feet to a point, said point being the Intersection Woodside Avenue and the southern Right-of-Way of 4th Street; thence, crossing 4th Street, N20°54'39" E for a distance of 41.26 feet to a point; thence, N 20°54'39" E for a distance of 259.41 feet to a point; thence S 59°42'22" E for a distance of 60.81 feet to a point; thence S 20°54'39" W for a distance of 552.63 feet to an "X" in concrete, said point being the Point of Beginning and containing 110,916 square feet or 2.546 acres, more or less.

Right-of-Way of Vance Alley

Commencing at a $\frac{5}{8}$ " rebar, said rebar being located at the intersection of the northern Right-of-Way of East Main Street and the western Right-of-Way of Vance Alley; thence N 12°44'36" E for a distance of 532.71 feet to a nail found at $\frac{5}{8}$ " bent rebar; thence, crossing Vance Alley, S 75°20'15" E for a distance of 25.01 feet to a point, said point being in the eastern Right-of-Way of Vance Alley; thence, along the eastern Right-of-Way, S 12°44'35" W for a distance of 564.72 feet to a point; thence, crossing back across Vance Alley, N 24°32'18" W for a distance of 41.27 feet to a $\frac{5}{8}$ " rebar, said rebar being the Point of Beginning and containing 13,718 square feet or 0.31 acres, more or less.

ATTACHMENT C

STATE OF SOUTH CAROLINA)	WOODSIDE MILL PARTNERS I, LLC AND
)	CITY OF GREENVILLE
)	PLANNED DEVELOPMENT AGREEMENT
COUNTY OF GREENVILLE)	[WOODSIDE AVENUE & EAST MAIN STREET]

This Planned Development Agreement (the “Agreement”) by and between Woodside Mill Partners I, LLC, a Georgia limited liability company duly authorized by the Secretary of State of South Carolina to do business in the State (the “Developer”), and the City of Greenville, a political subdivision and municipal corporation organized and existing under the laws of South Carolina (the “City”), is entered into this ____ day of _____, 201__ (the “Effective Date”).

WHEREAS, upon application to the City Planning Commission, the Developer received a recommendation for approval with conditions for a planned development (“PD”) at Woodside Avenue and East Main Street for mixed-use development to include approximately 300 for-rent residential units (Building 2), 4,225 square feet of retail and office use (Building 1), approximately 2,400 square feet even venue use (Building 5), approximately 6,459 square feet of brewery or restaurant use(s) (Building 6), approximately 11,500 square feet for retail or commercial use(s) (Building 8, Building 9), and approximately 25,000 square feet of retail, commercial or residential use(s) (Building 7) (collectively the “Project”) subject to City Council approval of the PD and the Agreement per the City’s Land Management Ordinance; and

WHEREAS, the Project meets the goals of the West Side Comprehensive Plan and will serve as a significant driver of revitalization for the Woodside Mill Neighborhood and surrounding area; and

WHEREAS, a PD is required to achieve a high level of aesthetics, high-quality development, historic preservation and environmental sensitivity, and the Agreement formalizes the ways in which the Project shall conform to these ideals. This PD mixes different types of compatible uses characterized by a unified site design for a mixed-use development. The PD provides specific uses, densities, setbacks and other requirements as outlined below and the attached exhibits.

NOW THEREFORE, in consideration of and for the mutual exchange of promises set forth in this Agreement, the parties covenant with one another to perform as follows:

1. Developer Commitments
 - a. Development Size and Purpose. The Developer, its agents or assigns, shall be responsible for the design and construction of a mixed use development located at Woodside Avenue and East Main Street (TM# 0122000300100, 0122000300600, 0122000601100, 0122000501600, 0122000501400) on property that is now owned or under contract or long term ground lease by the Developer or Developer’s affiliate (the “Property”) and referenced in **Exhibit A**. The Project shall consist of approximately 14.12 acres of real property and contain a residential component.
 - b. Investment. The Developer covenants that it shall make an investment of not less than Thirty-Five Million Dollars (\$35,000,000.00) in design, development, construction and land costs (the “Developer Investment”) in the Project.
 - c. Implementation of Investment. Subject to any delays caused by force majeure, Developer covenants that it shall use best efforts to begin the Project not later than one year after receipt of all permits from the City and shall use its best efforts to complete the initial

phase, consisting of site improvements as more fully set forth in **Exhibit B** as well as buildings 1,2,3,4,6 as more fully set forth in **Exhibit F**, of the Project on or before January 1, 2019 as evidenced by the issuance of a certificate of occupancy by the City. Additional phases will be completed as market demand permits.

- d. A brewery located on the site shall obtain a Conditional Use Permit from the City Planning Staff.
- e. Any nonresidential uses that are not accessory to the residential use(s) on the property, and which will be open between midnight and 5:00am shall obtain a Conditional Use Permit from the City Planning Staff.
- f. All other undefined 'retail or commercial' uses shall be limited to uses allowed in the C-2, Local Commercial Zoning District.
- g. Any aspects of the Project that are not defined in the approved plans and PD Agreement shall comply with the applicable provisions of the City Code.

2. **Site Plan.** The Developer shall substantially adhere to the attached site plans (**Exhibit B**) which shows building locations, landscaping, setbacks, parking circulation, stormwater detention, and site amenities. A final development plan is required for staff approval and must substantially conform to **Exhibit B** as well as all applicable development and design standards set forth in Chapter 19 of the Greenville City Code.

3. **Elevations and Floor Plans.** The Developer shall construct Project improvements in accordance with the attached elevations and floor plans (**Exhibit C**) which show building mass and scale, height, and the type of materials to be used for building exteriors, windows, and the special features. Final plans shall meet Secretary of Interior Standards for Rehabilitation or otherwise receive approval by the South Carolina Department of Archives and History.

4. **Details on Appearance.** The Developer shall adhere to the attached appearance details (**Exhibit D, Exhibit E**) which include color renderings of the site, a sketched perspective view, and the materials color scheme. Materials shall match those referenced by photograph in Exhibit E and meet Secretary of Interior Standards for Rehabilitation or otherwise receive approval by the South Carolina Department of Archives and History.

5. **Streetscape and Landscaping.** The Developer shall substantially adhere to the attached Landscaping Plan for the Project (**Exhibit B, Exhibit C**) which includes interior parking lot landscaping, landscaping around the building and the perimeter of the site, an outdoor common area for residents, street trees, exterior signage and streetscape improvements.

6. **Parking.** The Project will contain approximately 590 off-street parking spaces and a number of on-street parking spaces along East Main Street to be determined at a later date by the Developer and the City Traffic Engineering Department. These spaces are sufficient to meet peak demand in the Project, and can be shared between uses in the Project.

7. **Environmental Considerations.** The Project shall conform to all applicable environmental requirements and standards of the City.

8. **Special Tax Assessment.** The City recognizes the Developer will seek a Special Property Tax Assessment pursuant to Chapter 40, Article IV of the City Code of Ordinances, as may be amended from time to time. The Developer acknowledges that action may be required on the part of Greenville County in order to maximize the benefit of the Special Assessment with respect to all taxing entities. The Developer shall be responsible for obtaining necessary approvals from Greenville County, if any. The City agrees to cooperate with the developers efforts in that regard.

9. Compliance with Law. The Developer shall adhere to all federal, state and local laws and regulatory requirements for the construction of the Project and all related roads, utilities, storm water detention and all other Project-related infrastructure and appurtenances including, but in no way limited to, the building code and all applicable environmental laws.

10. Assignment. The Developer is not authorized to assign its rights under the Agreement to third parties without first having received from the City a written consent, which consent shall not be unreasonably withheld, executed with the same formality of the Agreement; provided, however, the Developer shall be entitled to assign its rights under the Agreement, in whole or in part, without further consent to one or more Affiliates of Developer. For purposes of this Agreement, "Affiliate" shall mean an entity that: (a) controls the Developer; (b) is under common control with the Developer; or (c) is controlled by the Developer. The Developer shall provide written notification to the City of any such assignment to an Affiliate and, further shall supply reasonable documentation of Affiliate status.

11. Modification. No material modification of the Agreement shall be binding upon the parties unless the same is first reduced to writing in a document having the same formality as the Agreement and executed by the duly authorized officer for each party, it being agreed that reasonable extensions of time may be granted without City Council approval. Changes which materially affect the PD concept set forth in this Agreement, the designated general use of parcels of land or overall architectural character of the Project (or any component thereof) shall be considered major modifications which will require approval by the City utilizing the procedure set forth in Section 19-2.3.3 of the Greenville City Code. The foregoing notwithstanding, a minor deviation may be approved by the Administrator (as such term is defined in Section 19-2.1.5 of the Greenville City Code) in his sole discretion where such minor deviations are limited to technical considerations which could not be reasonably anticipated at the time of approval or any other change which has no material effect on the character of the PD plan or the Agreement. The City acknowledges that the Developer intends to seek state and federal tax credits, and such that credits are necessary to the feasibility of the Project. The Project must comply with the standards imposed by the South Carolina State Historic Preservation Office and National Parks Service, and the City and Developer shall reasonably cooperate with each other to approve such deviations to the PD or Agreement as may be required to achieve or maintain compliance with those standards.

12. Merger of Negotiations. This Agreement constitutes the entire agreement between the parties. All prior negotiations and representations of both parties are merged into the Agreement, and no prior statement, whether written or oral, shall be binding upon either party unless reduced to writing and contained in the Agreement.

13. Applicable Law. The Agreement shall be subject to, and interpreted under, the laws of the State of South Carolina. Any dispute arising out of, or related in any manner to the PD or the Agreement must be brought in the Greenville County Court of Common Pleas following the exhaustion of any and all available administrative remedies.

14. Execution and Recording Required. This Agreement shall be null and void if not executed and recorded in the Office of the Greenville County Register of Deeds by the Developer within thirty (30) days of the effective date of the adopting ordinance.

15. No Joint Venture. The parties acknowledge the City is acting solely in a governmental capacity in approving the PD, this Agreement or any other approvals related to the Project. Accordingly, the parties further acknowledge that no joint venture is intended or created between the Developer (or any Affiliate of the Developer) and the City and the parties expressly disclaim same.

16. Indemnification. The Developer shall indemnify, defend and hold harmless the City, as well as its officers, officials and employees, from and against all claims of any nature whatsoever, at law or in equity, arising out of, or related in any manner to, the PD, this Agreement or the Project, excluding only those claims resulting from the sole negligence or willful misconduct of the City, its officers, officials and/or employees. This provision shall survive termination of the Agreement.

17. Miscellaneous. 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. The waiver of a breach of this Agreement by either party 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. Headings are inserted for convenience only and shall not be considered for any other purpose. All exhibits referenced above are attached hereto and incorporated herein as part of the Agreement.

[Remainder of Page Intentionally Left Blank]

EXHIBIT B

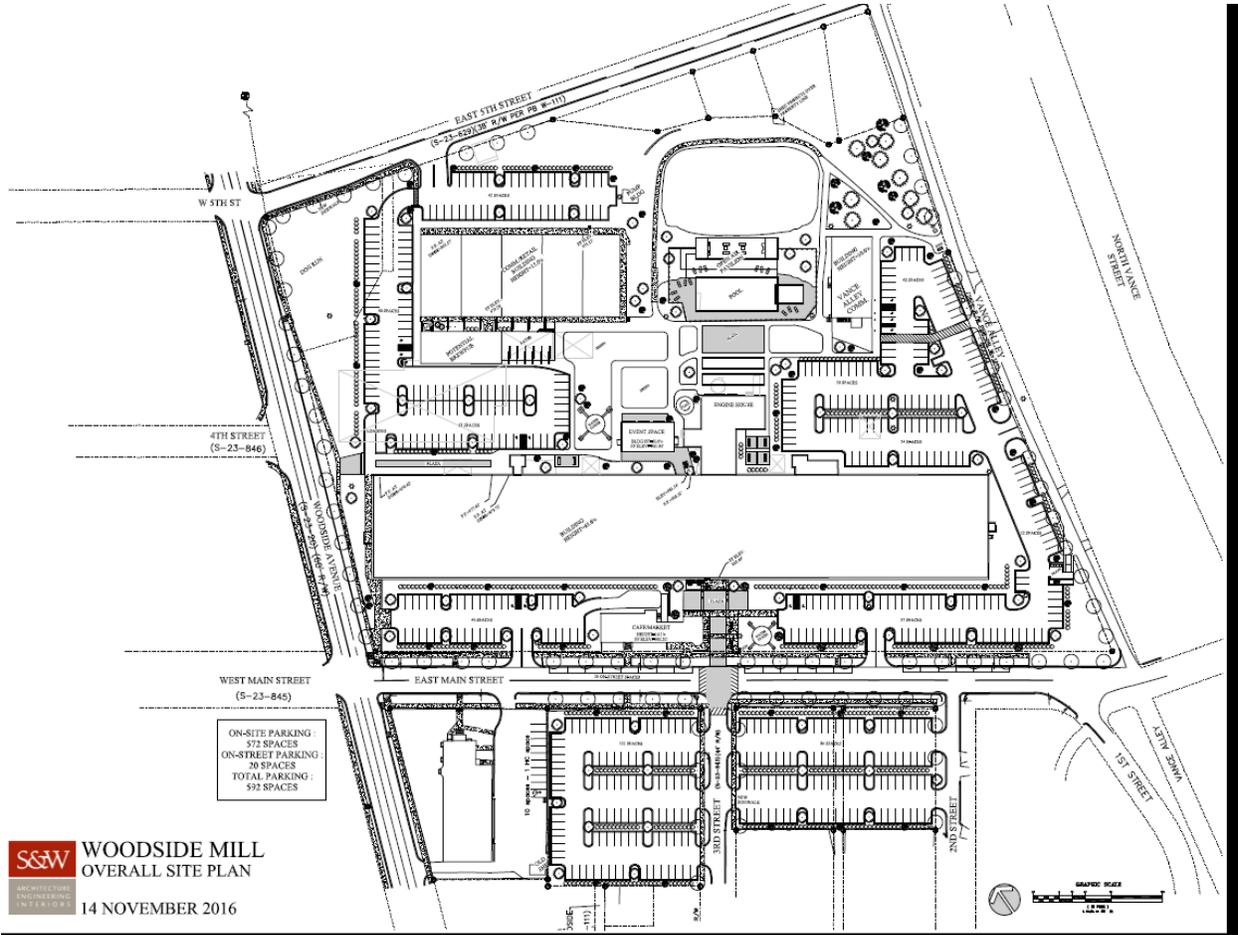
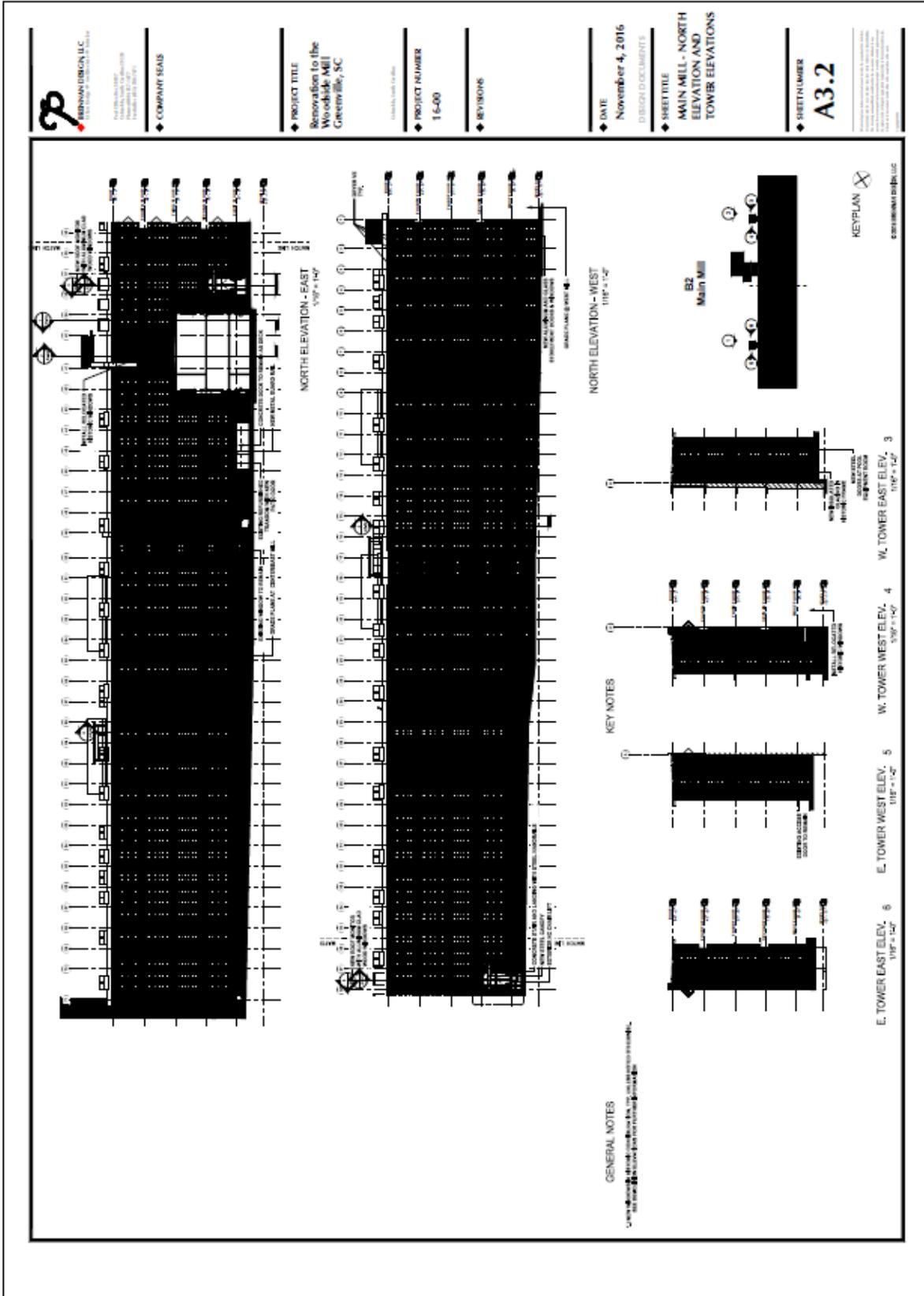
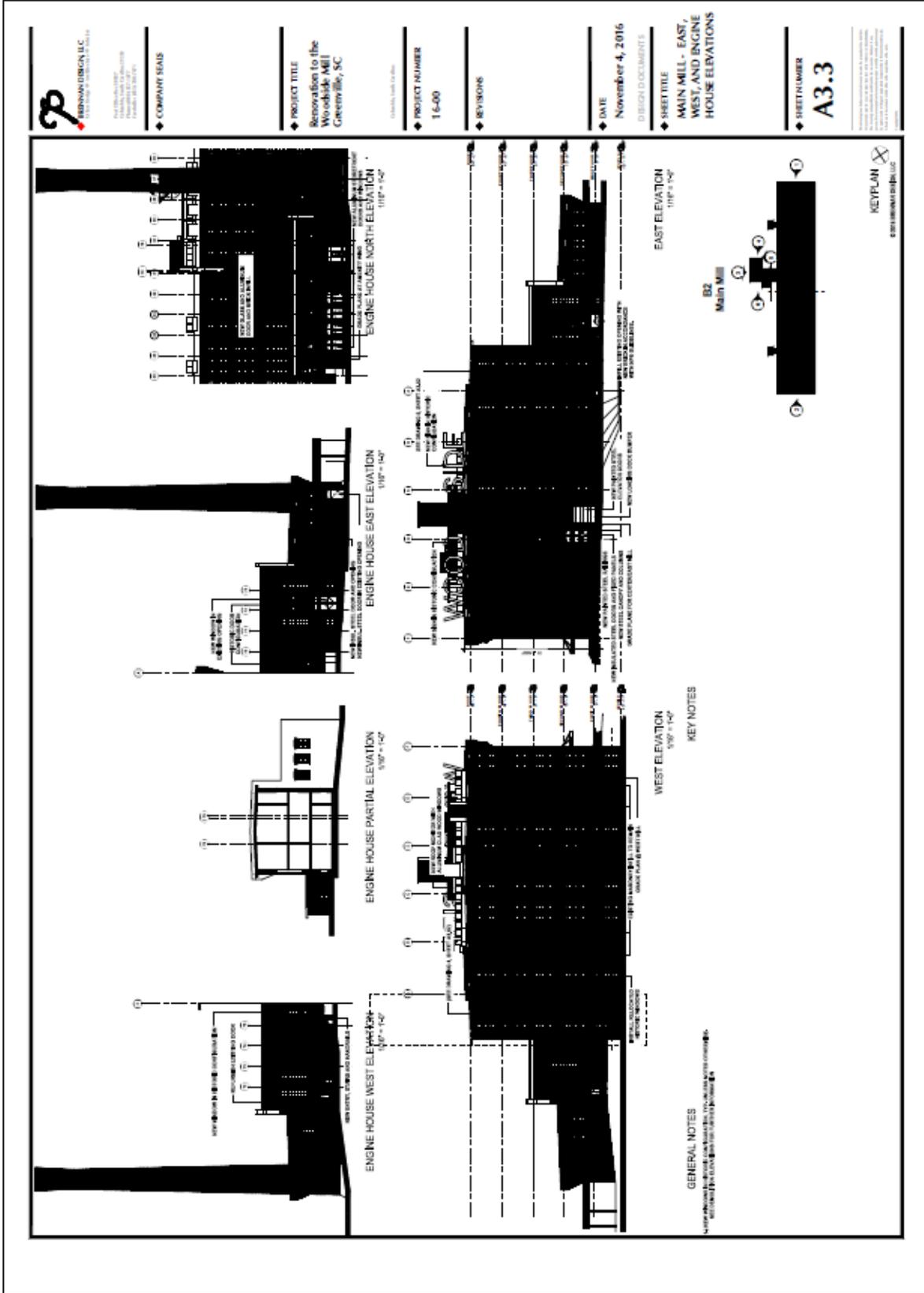
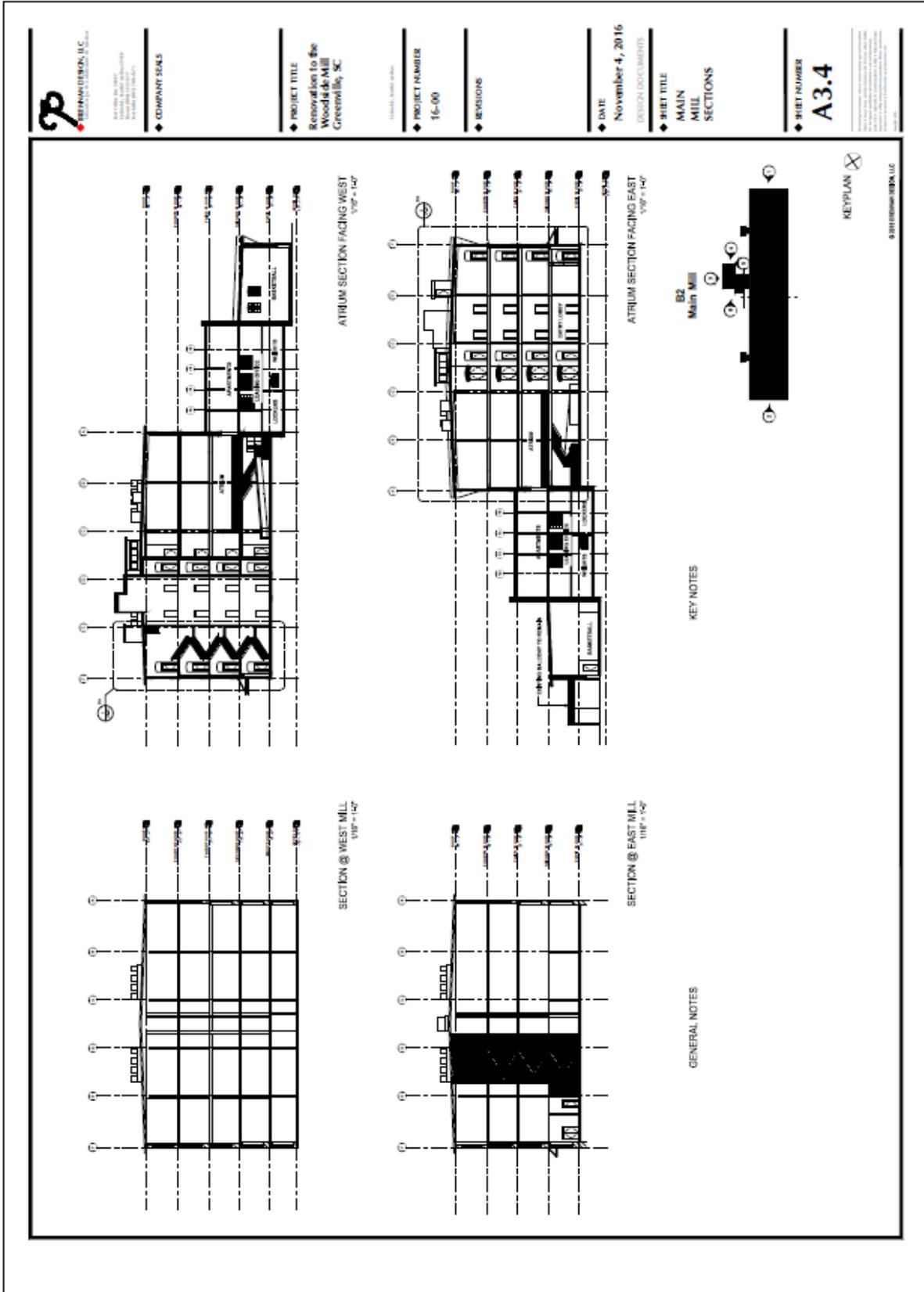


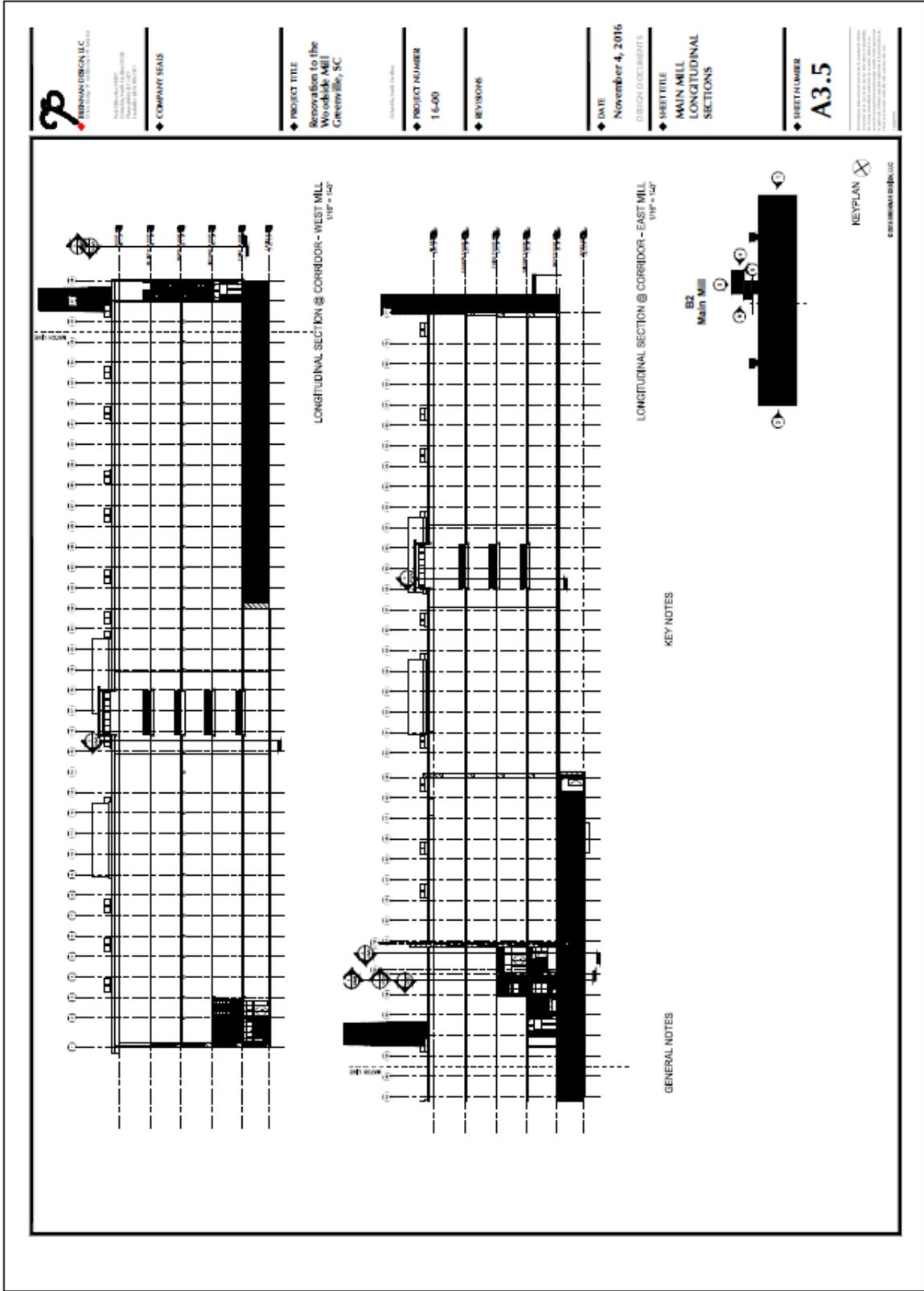
EXHIBIT C

<p>CODES IN EFFECT: BUILDING CODE 2015 INTERNATIONAL BUILDING CODE (IBC) FIRE CODE 2015 INTERNATIONAL FIRE CODE (IFC) PLUMBING CODE 2015 INTERNATIONAL PLUMBING CODE (IPC) MECHANICAL CODE 2015 INTERNATIONAL MECHANICAL CODE (IMC) ELECTRICAL CODE 2015 NATIONAL ELECTRICAL CODE (NEC) ACCESSIBILITY CODE 2003 AMERICAN NATIONAL STANDARDS INSTITUTE, ACCESSIBILITY GUIDELINES (ANSI A117.1, 1998) FAIR HOUSING ACT 1991 FAIR HOUSING ACT ZONING ZONING I-1, R-10</p>		<p>LOCATION MAP:</p>
<p>SIGNATURES:</p> <p>WOODSIDE MILL PARTNERS, LLC BY _____ TITLE _____ DATE _____</p>	<p>PROJECT TEAM (DESIGN CONSULTANTS):</p> <p>Developer: WOODSIDE MILL PARTNERS, LLC, Architect: BRENNAN DESIGN, LLC, 1219 WASHINGTON STREET, W. COLLEGE, WASHINGTON DC 20004 Landscape Architect: STEVENS & WILKINSON, 400 WASHINGTON ST., WASHINGTON, DC 20001 Civil Engineer: ????? Structural Engineer: MABRY ENGINEERING, 400 WASHINGTON ST., WASHINGTON, DC 20001 MEP Engineer: ????? Lighting Designer: ?????</p>	<p>SIGNATURES:</p> <p>BRENNAN DESIGN, LLC BY _____ TITLE _____ DATE _____</p>
<p>SIGNATURES:</p> <p>WOODSIDE MILL PARTNERS, LLC BY _____ TITLE _____ DATE _____</p>	<p>SIGNATURES:</p> <p>WOODSIDE MILL PARTNERS, LLC BY _____ TITLE _____ DATE _____</p>	<p>SIGNATURES:</p> <p>WOODSIDE MILL PARTNERS, LLC BY _____ TITLE _____ DATE _____</p>











PERMANENT DESIGN LLC
Architectural & Engineering Firm

11400 WOODBRIDGE DRIVE
GREENVILLE, SC 29615
TEL: 864.606.1234
WWW.PDMDESIGN.COM

◆ COMPANY SEAL

◆ PROJECT TITLE
Restoration to the
Woodside Mill
Greenville, SC

◆ PROJECT NUMBER
16-00

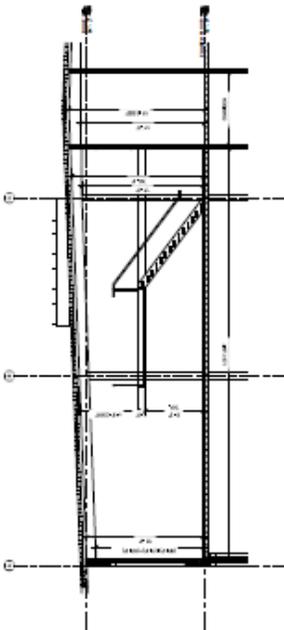
◆ REVISIONS

◆ DATE
November 4, 2016

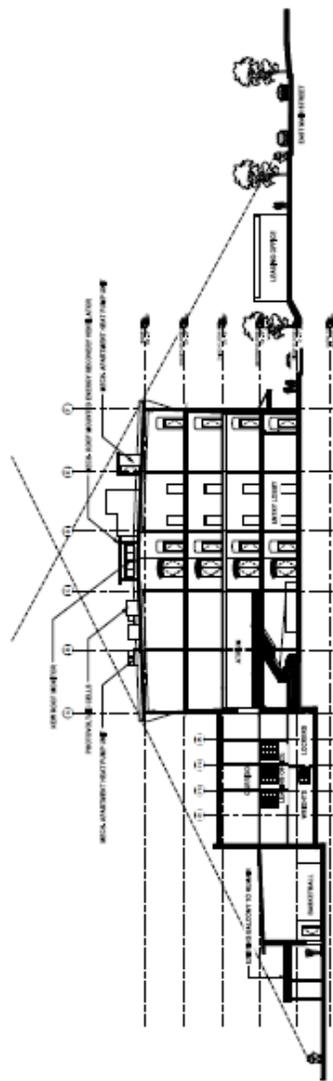
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MAIN MILL
NPS
SECTION

◆ SHEET NUMBER
A3.6

SECTION @ MEZZANINE UNIT
3/8" = 1'-0"



SECTION WITH SIGHTLINE DIAGRAM
3/8" = 1'-0"

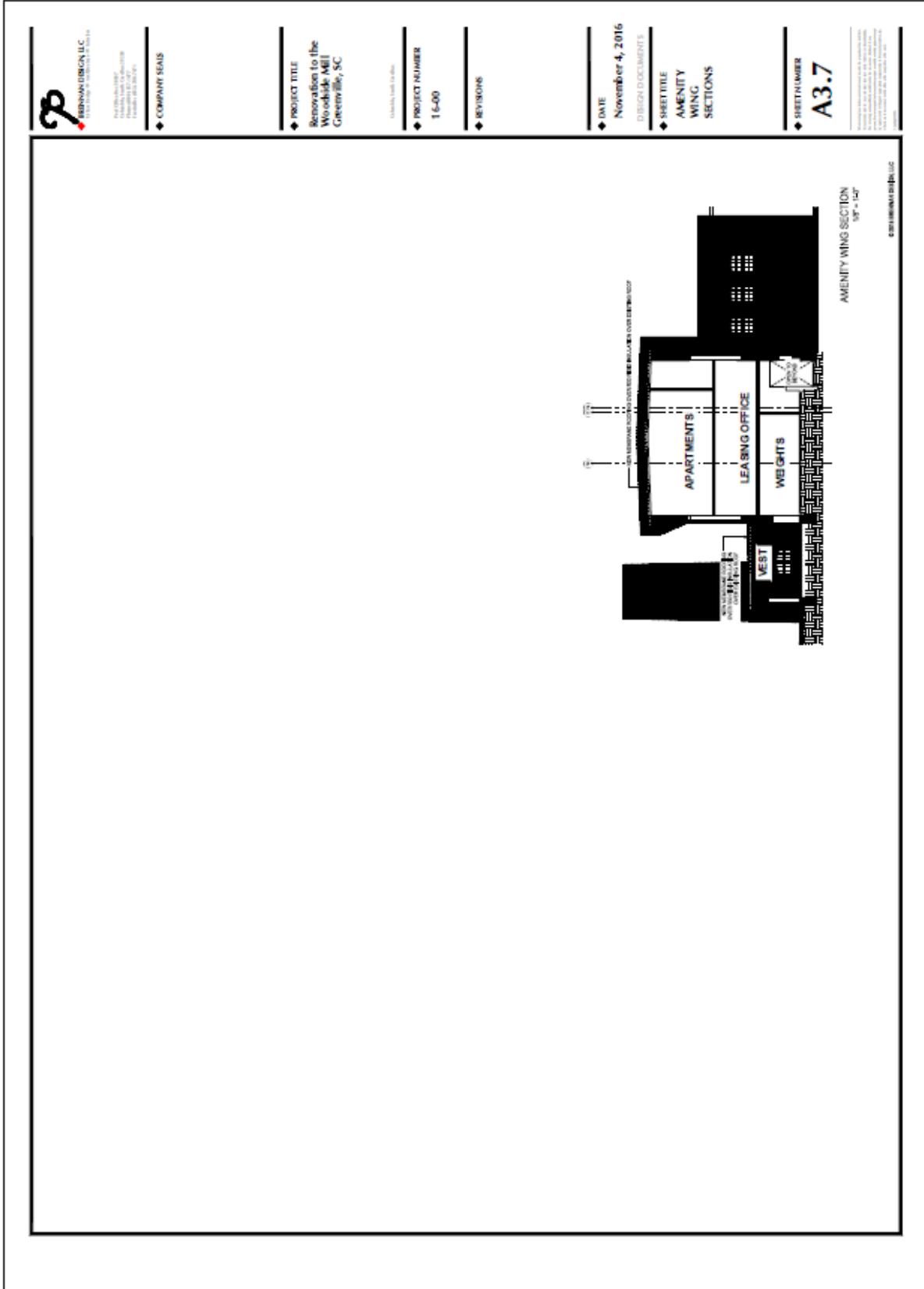


KEY PLAN



GENERAL NOTES

KEY NOTES



PERNSHAW DESIGN LLC
 1101 W. STATE ST. SUITE 100
 GREENVILLE, SC 29601
 (864) 686-1100

COMPANY SEALS

PROJECT TITLE
 Renovation to the
 Woodside Mill
 Greenville, SC

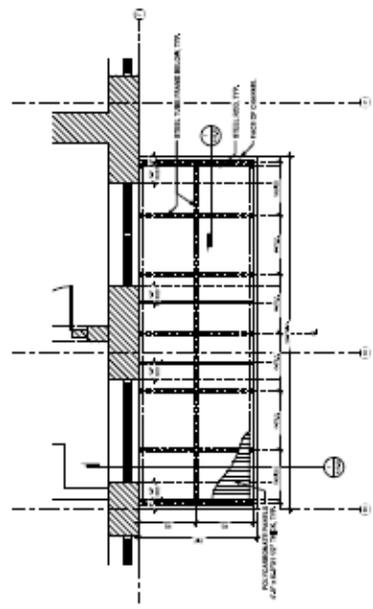
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 16-00

REVISIONS

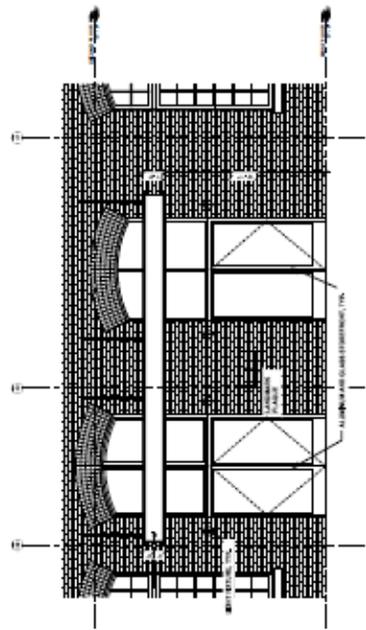
DATE
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SHEET TITLE
 DESIGN DOCUMENTS
 ENLARGED
 CANOPY
 DRAWINGS

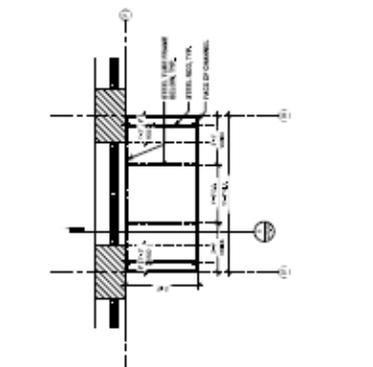
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A5.4



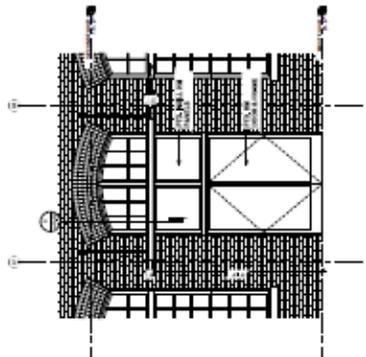
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3/8" = 1'-0"



ENLARGED CANOPY #1 ELEVATION
3/8" = 1'-0"



ENLARGED CANOPY #2 PLAN
3/8" = 1'-0"



ENLARGED CANOPY #2 ELEVATION
3/8" = 1'-0"

PERMANENT ARCHITECTURE
 1000 W. BROADWAY, SUITE 1000
 CHARLOTTE, NC 28202
 PHONE: 704.375.1000
 WWW.PAARCHITECTS.COM

COMPANY SEALS

PROJECT TITLE
 Renovation to the
 Woodside Mill
 Greenville, SC

PROJECT NUMBER
 16-00

REVISIONS

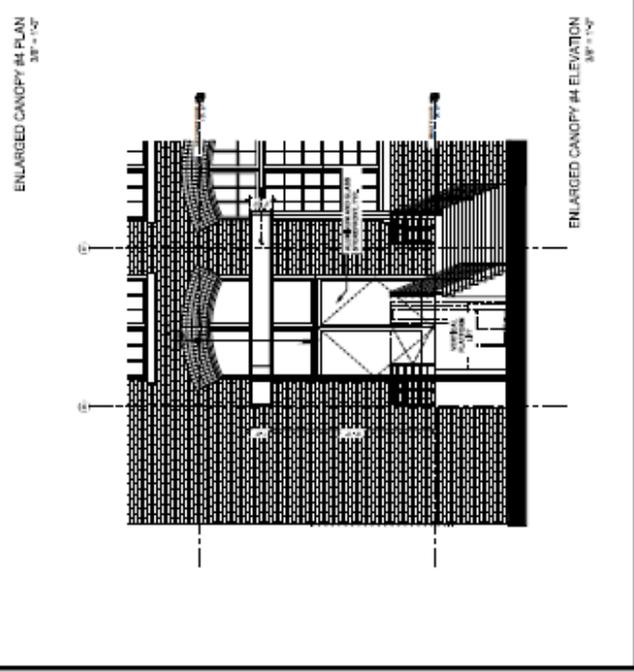
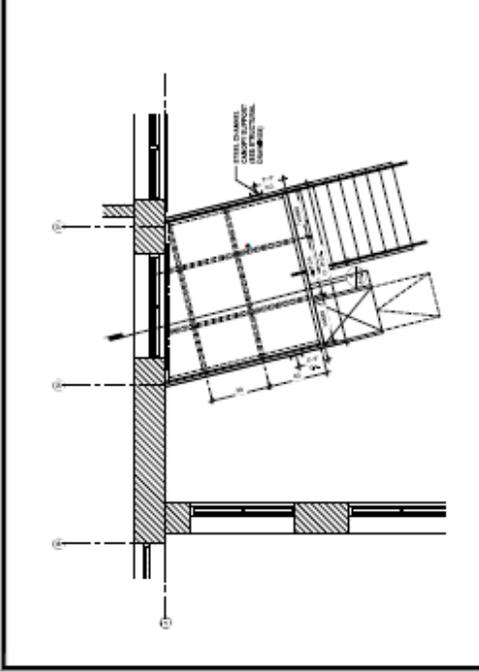
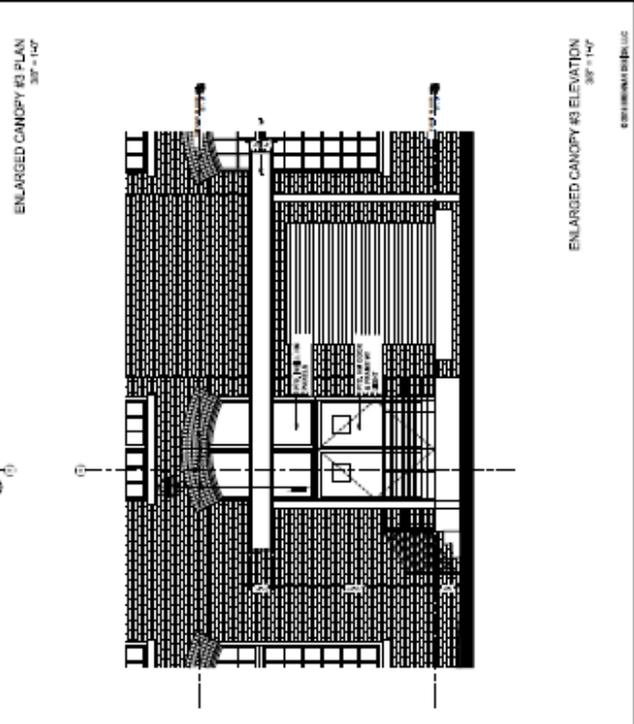
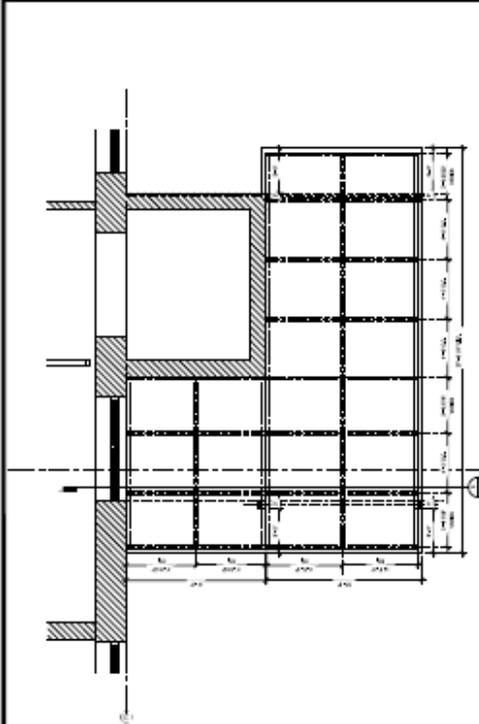
DATE
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DESIGN DOCUMENTS

SHEET TITLE
 ENLARGED
 CANOPY
 DRAWINGS

SHEET NUMBER
A5.5

PERMANENT ARCHITECTURE IS AN EQUAL OPPORTUNITY FIRM. WE ENCOURAGE ALL QUALIFIED INDIVIDUALS TO APPLY. WE DO NOT DISCRIMINATE ON THE BASIS OF RACE, GENDER, RELIGION, NATIONAL OR ETHNIC ORIGIN, SEXUAL ORIENTATION, OR AGE. WE ARE AN AFFIRMATIVE ACTION EMPLOYER.





PBRANDIRION LLC
1115 Maplewood Drive, Suite 100
Greenville, SC 29615
Phone: 864.671.1111
www.pbrandirion.com

COMPANY SEALS

PROJECT TITLE
Renovation to the
Woodlake Mill
Greenville, SC

PROJECT NUMBER
16-00

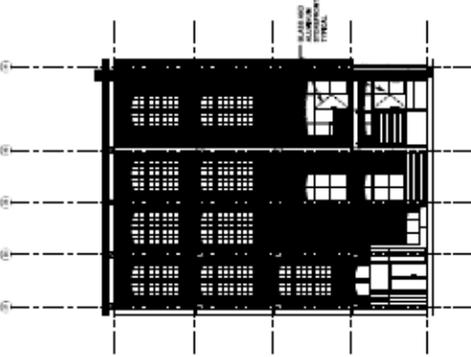
REVISIONS

DATE
November 4, 2016

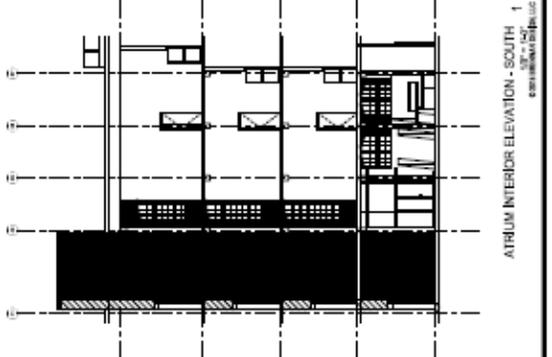
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SHEET TITLE
LOBBY/ATRIDIUM
INTERIOR
ELEVATIONS

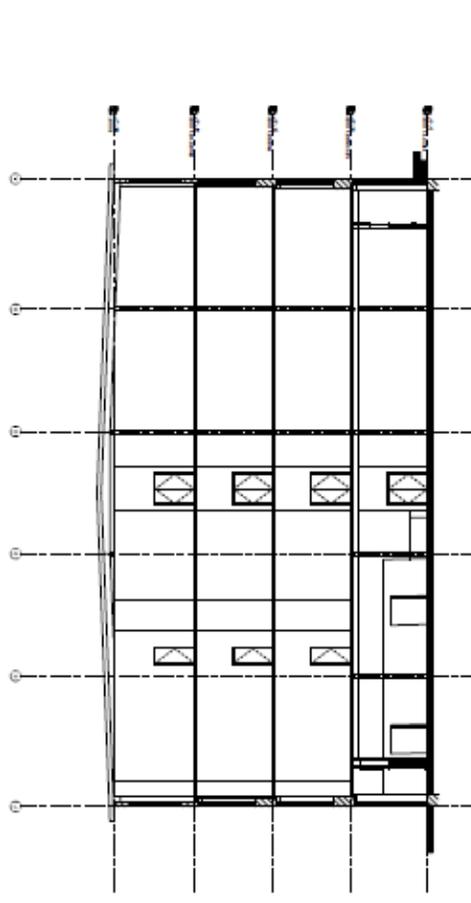
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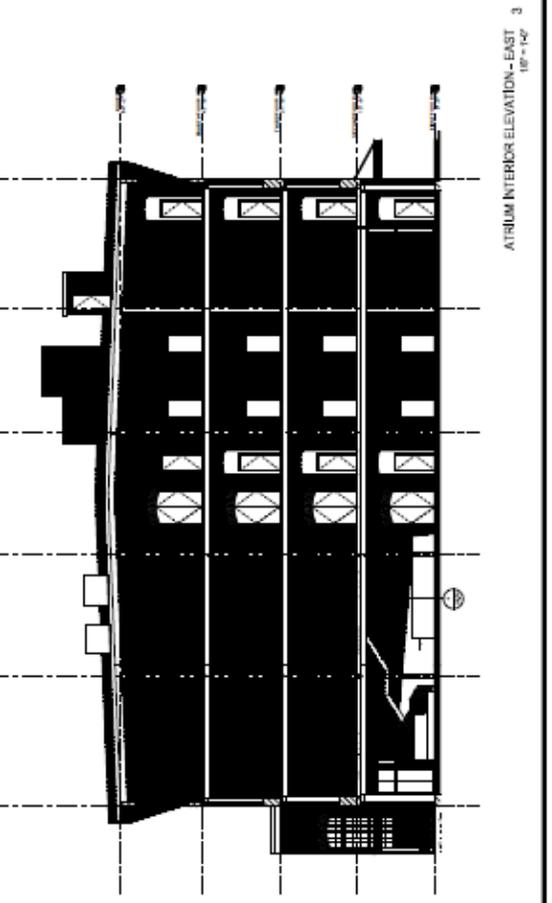
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ATRIDIUM INTERIOR ELEVATION - SOUTH
18'-0" x 14'-0" 1



ATRIDIUM INTERIOR ELEVATION - WEST
18'-0" x 14'-0" 4



ATRIDIUM INTERIOR ELEVATION - EAST
18'-0" x 14'-0" 3

PERINAW DESIGN, LLC
11415 WOODBRIDGE DRIVE, SUITE 100
 GREENVILLE, SOUTH CAROLINA 29615
 TEL: 864.636.1111 FAX: 864.636.1112
 WWW.PERINAWDESIGN.COM

COMPANY SEAL

PROJECT TITLE
 Renovation to the
 Woodside Mill
 Greenville, SC

PROJECT NUMBER
 16-00

REVISIONS

DATE
 November 4, 2016

DESIGN DOCUMENTS

SHEET TITLE
 ENLARGED LOBBY
 INTERIOR
 ELEVATIONS

SHEET NUMBER
A7.2

THIS DOCUMENT IS THE PROPERTY OF PERINAW DESIGN, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF PERINAW DESIGN, LLC.

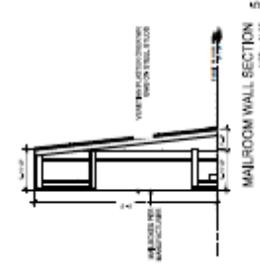
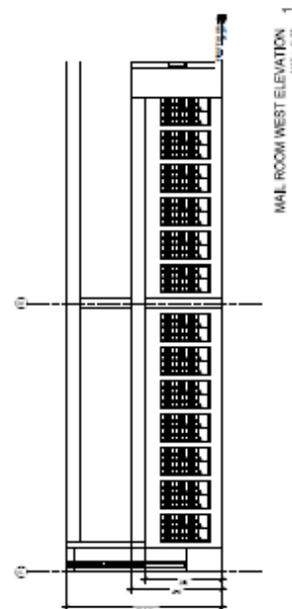
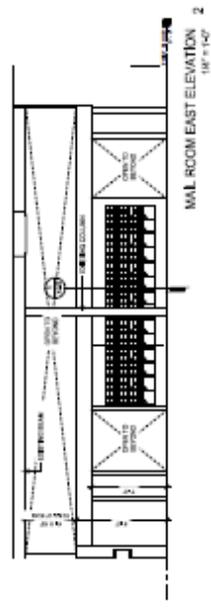
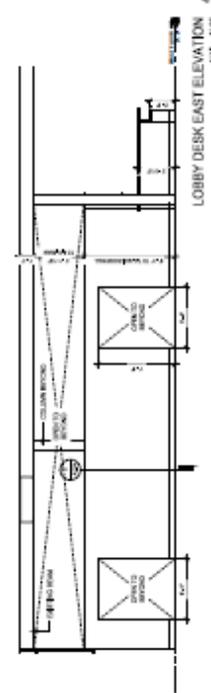
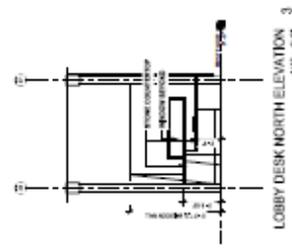


EXHIBIT D

MEMORANDUM

February 15, 2010

TO: Antonio Aguilar, Historical Architect, Technical Preservation Services, National Park Service

FROM: Kathryn G. Smith, History Matters, LLC on behalf of Woodside Partners

RE: NPS #23405; Historic Preservation Certification Application - Part 2 for Woodside Cotton Mill, Greenville, SC; *Proposed Revisions.*

I have prepared the following information to address the design issues that you raised with Woodside Partners' proposed rehabilitation of the historic Woodside Cotton Mill complex located in Greenville, South Carolina. In addition, I have attached sketches and photographs that architect Daryl Carrington has prepared to clarify the complex's existing conditions as well as the revisions to its proposed rehabilitation.

Please review the explanatory text and attachments and let me know your thoughts. Once we've heard from you, we will revise the rehabilitation plans and submit a formal amendment/continuation for you to act upon.

Thank you in advance for your advice and guidance.

Location and Design of the Proposed Atrium

Pages 01 through 03 of the attached packet depict a revised atrium design. So that future occupants and visitors to the complex may easily understand how the Main Mill appeared before the rehabilitation, the new design retains significant portions of the existing historic wood flooring along the north wall of the Main Mill. The new atrium design retains all horizontal and vertical main support members (i.e. columns and floor beams). In areas where the flooring is removed, new horizontal steel bracing that is easily distinguishable from the original construction members will be added to provide the necessary lateral support (as shown on page 02). The retained floor area along the north wall will be used to display salvaged historic machinery that relates to the Mill's history.

Pages 01 - 03**External Glass Vestibules**

The external glass vestibules that were proposed originally are eliminated in the revised rehabilitation plans. Instead, a single, internal vestibule located at the main south and north entrances to the Main Mill will be provided to create an internal airlock. The exterior doors will be inserted in modified window openings with the new doors placed at the plane of the historic windows.

Pages X and X

Canopy Design Details

Pages #X through #X are sketches of the various proposed entrance and perimeter canopies. They depict how all exterior entrances to the Main Mill will be protected by cantilevered or cable-hung canopies, composed of painted steel structures. The canopies will be glazed with clear polycarbonate glazing (see sample photo on page #X). The secondary entrances (south elevation, west end and east elevation) will have cable-hung canopies. These canopy structures will project at the point of the transom breaks in the existing windows.

The main entrance to the mill will be sheltered by a two-part canopy. A cantilevered, painted steel-and-clear-polycarbonate canopy supported by an industrial-style, painted steel bracket will project from the building face at the level of the springing of the existing window openings' segmental arches. This higher placement will distinguish this as the main entrance and also will allow for the construction of a freestanding driveway and walkway canopy that will extend south from the main entrance to cover the front driveway and connect to the rental office building just south of the Main Mill. This freestanding walkway canopy will be constructed of materials similar to those used in the cantilevered entrance canopies.

A similar, but smaller freestanding loading bay canopy will be constructed at the east entrance. It will shelter the existing loading bay there and allow for off-loading of large items during inclement weather.

Continuous, low-profile, painted-steel-and-clear-polycarbonate canopies are proposed for the Cotton Storehouse #7. The canopies will extend approximately six (6) feet off the face of the building and be supported by painted steel brackets. Along the north elevation, the canopies will sit approximately four inches below the second level window sills. On the south elevation the top of the canopy will fall approximately two (2) feet below the top of the parapet wall.

Pages XX - XX

Visibility of Rooftop Elements

As requested, we have provided additional distant setting views of the mill complex as it exists today (see pages X - X). The photos show that the existing rooftop elements (including elevator penthouses and ventilation hoods) are minimally visible from a distance. Pages X - XX contain three-dimensional simulated views from various points that show that the proposed new rooftop elements (mechanical energy recovery ventilators, mechanical heat pumps, central reconstructed monitor, photovoltaic cells, and a roof deck) will either not be visible at all or will only be minimally visible to viewers looking at the Mill from a great distance.

PLEASE NOTE: The two reconstructed light monitor sections planned for the east and west ends of the Main Mill have been removed from the design.

Pages XX - XX

Dryer Vents

The proposed venting plan for the apartments' dryer units has been modified to specify that all top floor dryers will be vented through the roof. Lower floor units will be vented through the exterior wall. Each 4-inch-round vent will be capped on the exterior by a small hood that will be painted to match the brick background and thus camouflage the vents. On the north and south elevations, below the top floor, the vents will be inserted between windows. (See [Page X](#) for photographs of a similar sample installation at another site.)

Page XX

Boiler Room (Building#4) Vehicle Bay Infill

In order to preserve the full size of the existing vehicle bays that are located on the Boiler Room's north elevation, the infill has been redesigned to retain the full extent of each opening. Instead of inserting windows in the top two thirds of these bays as the original design proposed, fully glazed storefronts will be extended to the ground. One, fully glazed, single-light door will be located in the westernmost bay.

Page XX

Boiler Room (Building#4) & Engine House (Building #3) Details

The existing floor structures in both the Boiler Room and Engine House will be retained and reused. The existing floor support structures will be repaired. Severely deteriorated floor sections will be replaced in kind. The existing flooring and floor structure in the Boiler Room (#4) will be retained and repaired in kind as needed.

In the Engine House (#3), the large, full-height concrete structure that fills most of the basement space will be removed and new steel pipe columns will be installed to support the first floor above in the removal area. The second floor, which appears to have been added at an unknown date, intersects the tall windows that lit what was once a double-height space. In order to obtain the required acoustical separation, a narrow (approximately 2-inch) horizontal member will be inserted between the floor and the window to fill the minimal gap there.

The Part 2 application that was submitted to the SC SHPO in September 2009 included drawings that depicted the retention of the floors along with proposed floor plans. (See Drawings AD2.01, AD2.03, AD2.05, and MM A2.14; for proposed section see A3.04.) A detail and specifications for the acoustical separation between the Engine House floors will be included when we submit an amendment to the Part 2 application.

Cotton Storehouse (Building#7) Rehabilitation Details

Further investigation of the structural condition of the Cotton Storehouse (Building #7) showed that the existing internal structure can be largely repaired and reinforced; only selected areas will require replaced in kind. Drawing [AD2.12 REVISED](#) (on page X) depicts the proposed plan for rehabilitating the

interior spaces of Building #7. The plan on page XX identifies the columns that require replacement based on the structural engineer's report, which was submitted as Attachment 2 of the Part 2 application.

In Bay E, the missing upper level floor will be reconstructed at the south end to create a mezzanine area in this unit. In Bay D, three segments of the floor structure (beams and flooring) will be replaced in kind. In Bays A through C, select areas of flooring and beams will be replaced in kind. Isolated columns (approximately four) will be replaced in kind in bays A through C.

As described in the Part 2 application, approximately 58 feet (the bays are each 100 feet deep) of the second floor structure in each bay will be removed because the upper level is not occupiable due to extremely low ceiling heights. In the removal areas, the existing columns will be salvaged, reinstalled, and reinforced to support the roof structure above the new, double-height space. Where necessary, the columns will be extended to reach from the first floor to the roof.

Page X and X

Main Mill - Fire Rating and Acoustical Separation between Floors

The floors throughout the Main Mill will be layered with a two-inch, lightweight concrete layer to obtain the required fire rating and acoustical separation between floors. The first floor areas of the Main Mill that are at grade and the upper levels of the atrium will not receive the lightweight concrete floor layer. Instead, the existing wood and concrete floors will be retained and repaired.

Main Mill - Basement Dropped Ceiling Details

Details that show the depth and window setback of the proposed dropped ceiling in the Main Mill basement will be submitted as part of a full Part 2 Amendment.

Main Mill - Replacement of Deflected and Damaged Columns

Plans that highlight which columns in the Main Mill will be replaced will be submitted as part of a formal Part 2 amendment. In addition, a structural engineer's report and photos of the deflection and damage will be submitted with the amendment.

Interior Paint Removal

Wherever possible, existing lead paint will be encapsulated throughout the interiors of all of the buildings.

Landscape Plan

A revised, oversized landscape plan sheet (Drawing #L1.0) will be submitted with the full amendment.

Oversize Elevation Sheets

Oversize sheets of the existing (demolition) and proposed building elevations (all buildings) will be submitted with the full amendment.

Legal Property Boundary

A revised ALTA/ASCM Survey Sheet with the legal boundary of the property controlled by Woodside Partners will be submitted with the full amendment.

Bathroom Tower Windows

The plan for altering the windows on the two Bathroom Towers that project from the north elevation of the Main Mill remains the same. The proposed alterations are necessary to provide adequate light to and views from the apartment units that will incorporate these spaces. We do not believe that these alterations will alter the essential character of the Main Mill as a whole; we feel that they will retain the distinctive character of the specialized historic windows that originally lit the bathroom spaces. The historic, high-set, small windows will be retained and repaired on the most prominent elevation - the north elevation – of both towers. Only sixteen (16) tower windows, of the hundreds in the Main Mill, will be modified.

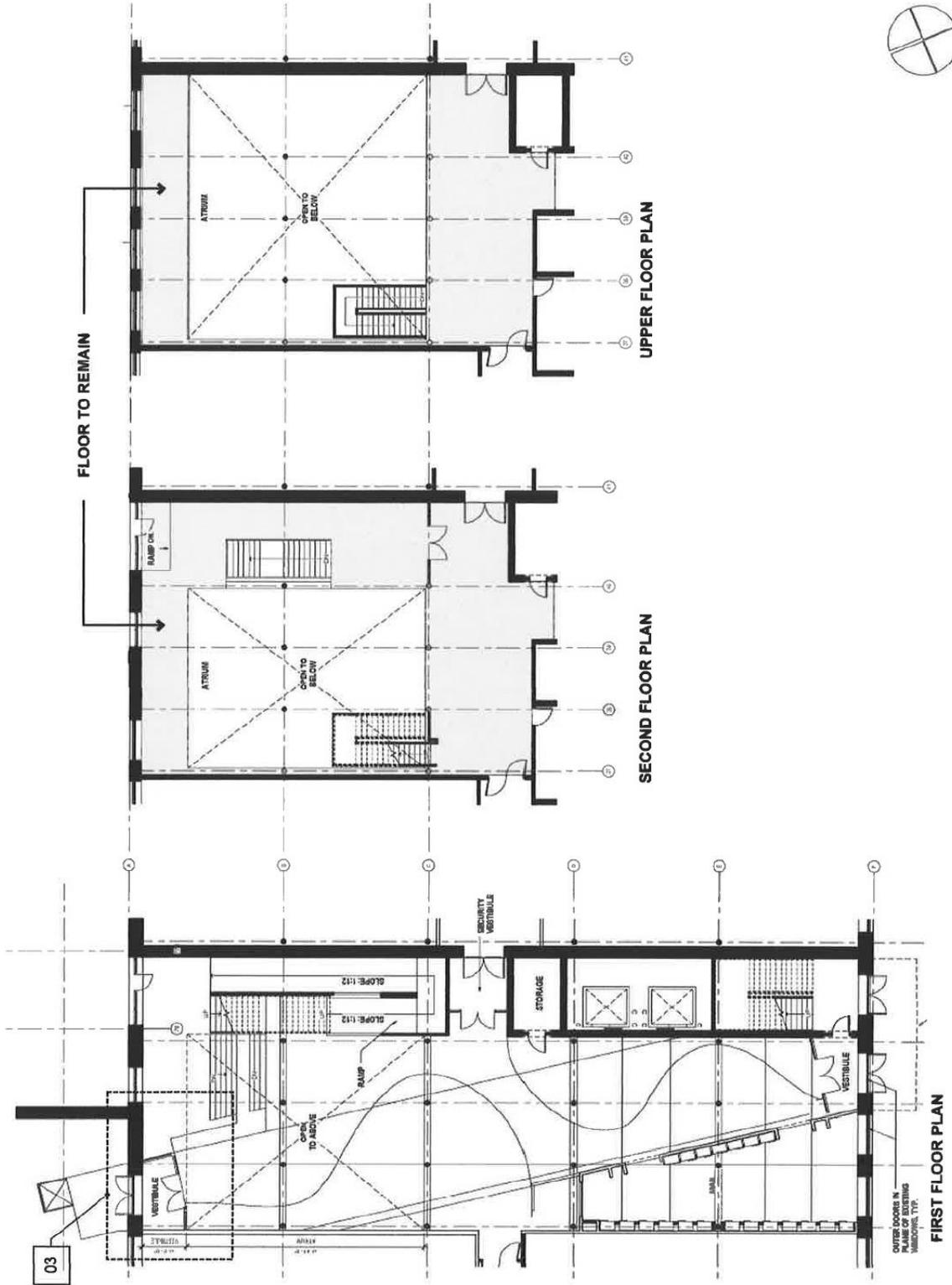
It is our understanding that the NPS has approved unglazed sash for historic openings in limited areas on another industrial building that was rehabilitated using historic preservation tax credits. See Attachment 1 of the September 2009 Part 2 submission for example.

Replacement Windows

Shop drawings and more detailed specifications for the proposed windows that will replace the existing brick infilled windows will be submitted with a formal amendment/continuation submission.

Structural Investigations

Additional sections of the April 2009 “Woodside Mill Condition Assessment” report prepared by Britt, Peters, and Associates, Inc., consulting engineers will be submitted with the amendment. The sections will provide documentation and support for the proposed structural repairs.

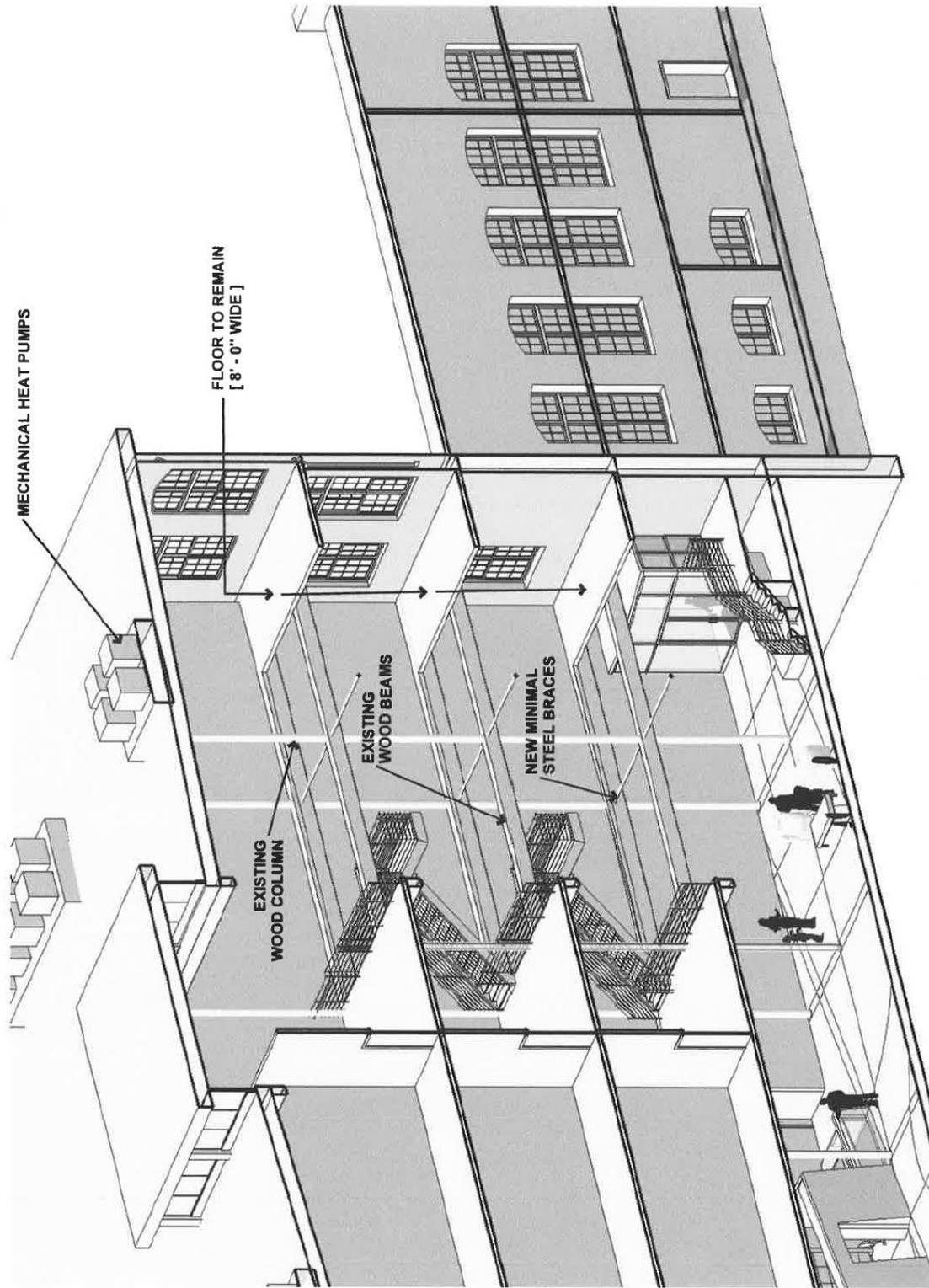


03

01

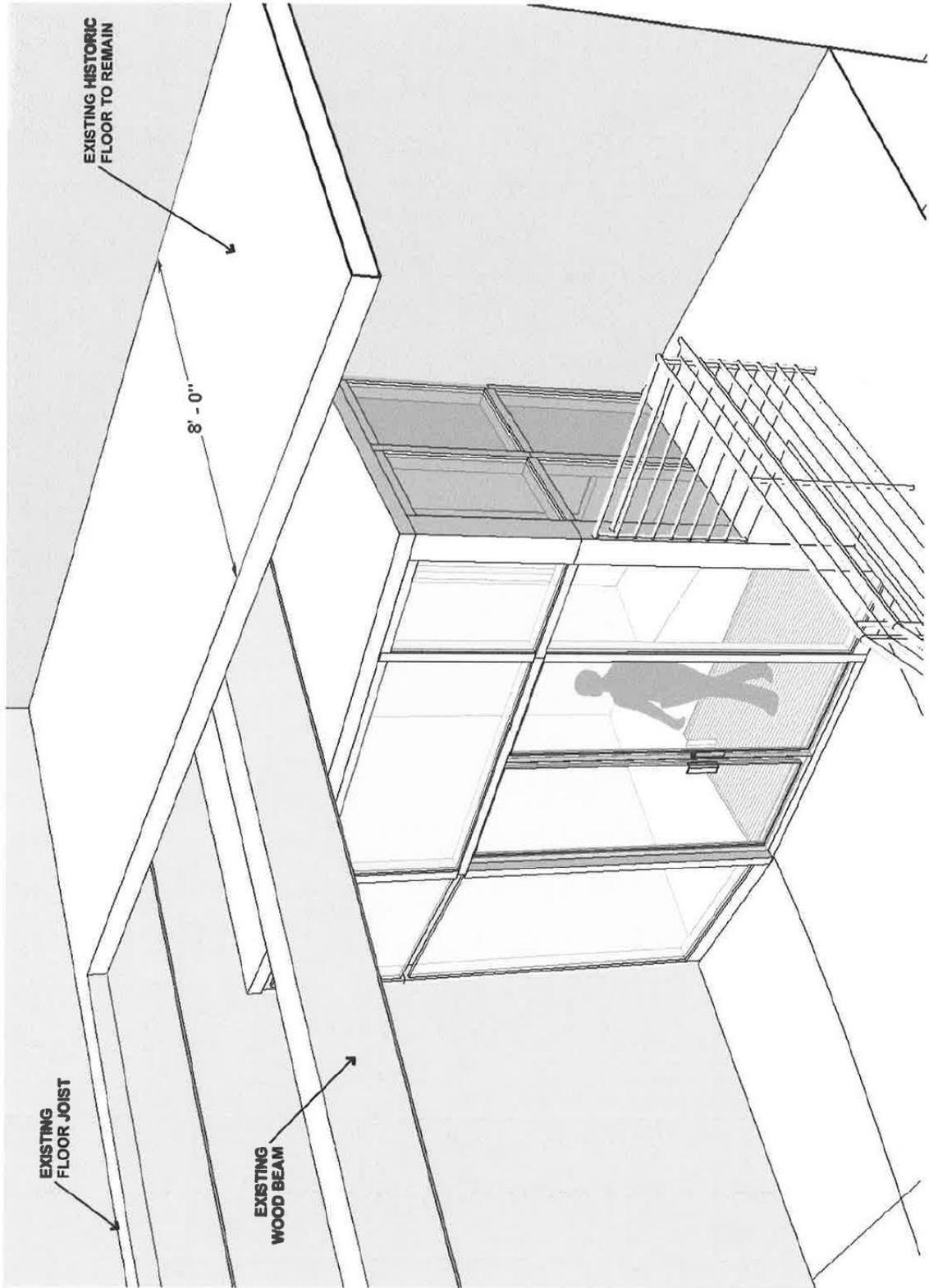
MAIN MILL
REVISED ATRIUM PLANS

WOODSIDE NPS CLARIFICATION - 02/15/10

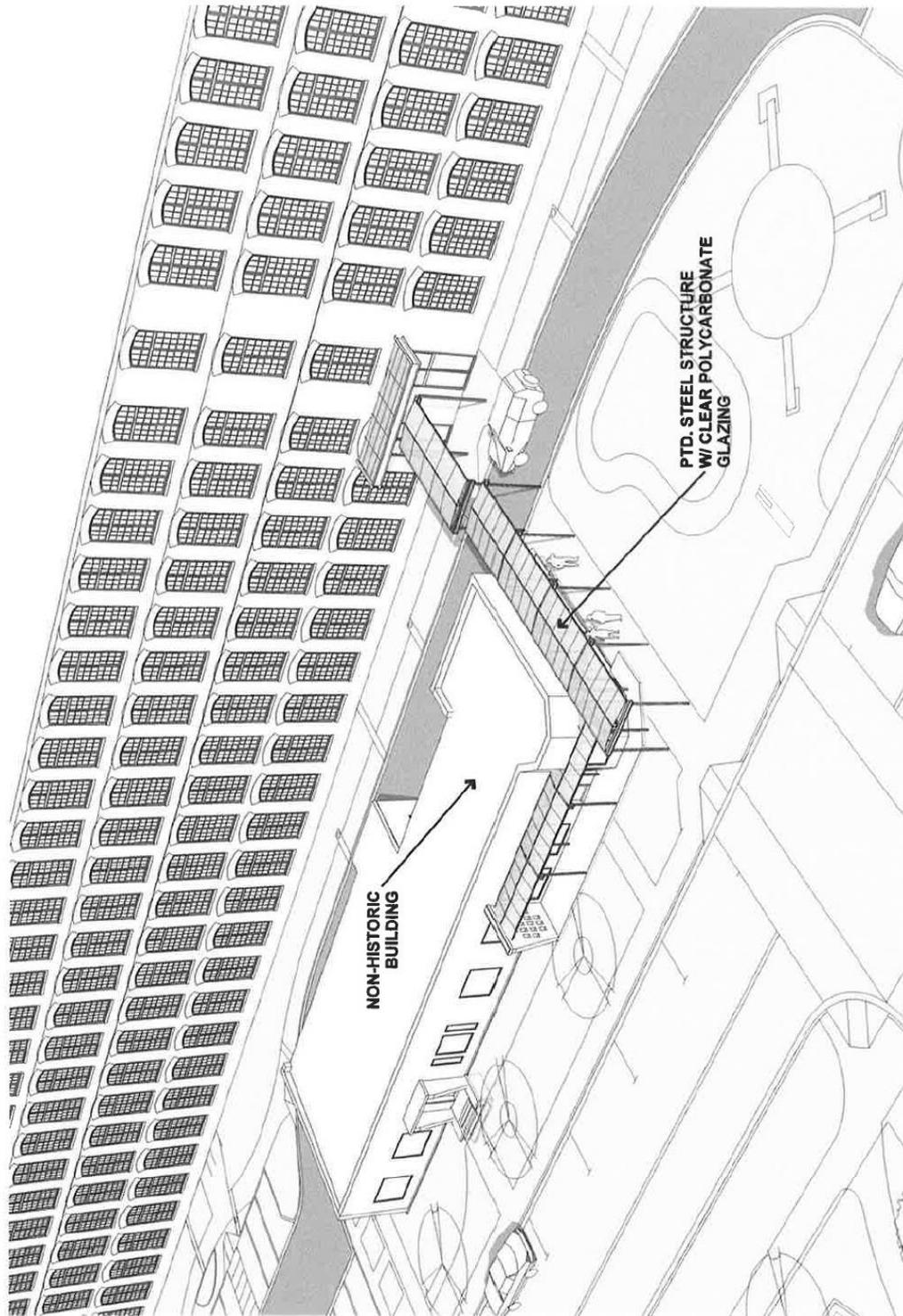


02 ATRIUM VIEW
CUT-AWAY SECTION

WOODSIDE NPS CLARIFICATION - 02/15/10

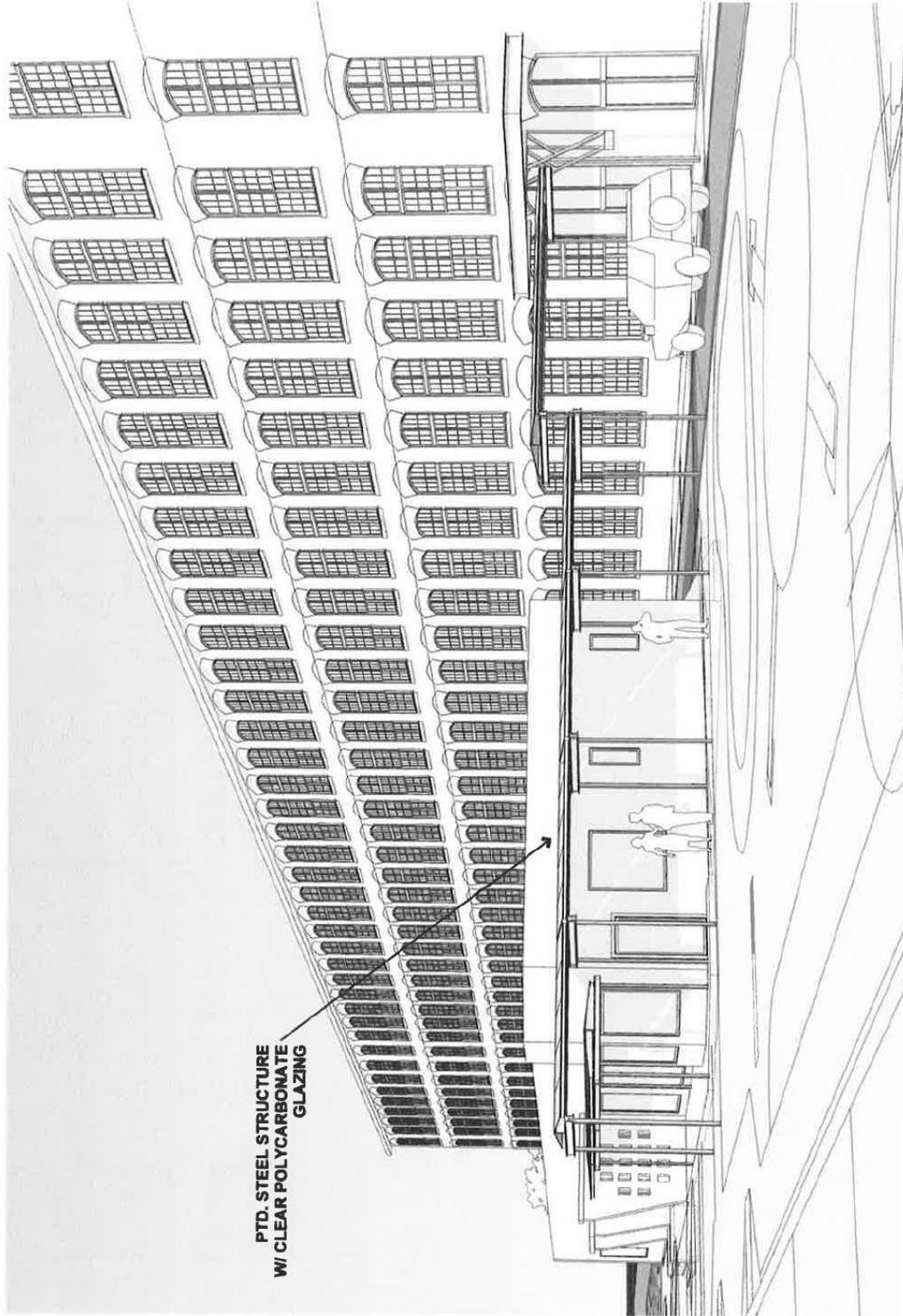


03 ATRIUM VIEW
CUT-AWAY SECTION - DETAIL VIEW - NORTH ENTRANCE VESTIBULE
WOODSIDE NPS CLARIFICATION - 02/15/10



04 MAIN MILL
MAIN ENTRY - AERIAL VIEW - CANOPY SKETCH

WOODSIDE NPS CLARIFICATION - 02/15/10



05 MAIN MILL

MAIN ENTRY - STREET VIEW - CANOPY SKETCH

WOODSIDE NPS CLARIFICATION - 02/15/10

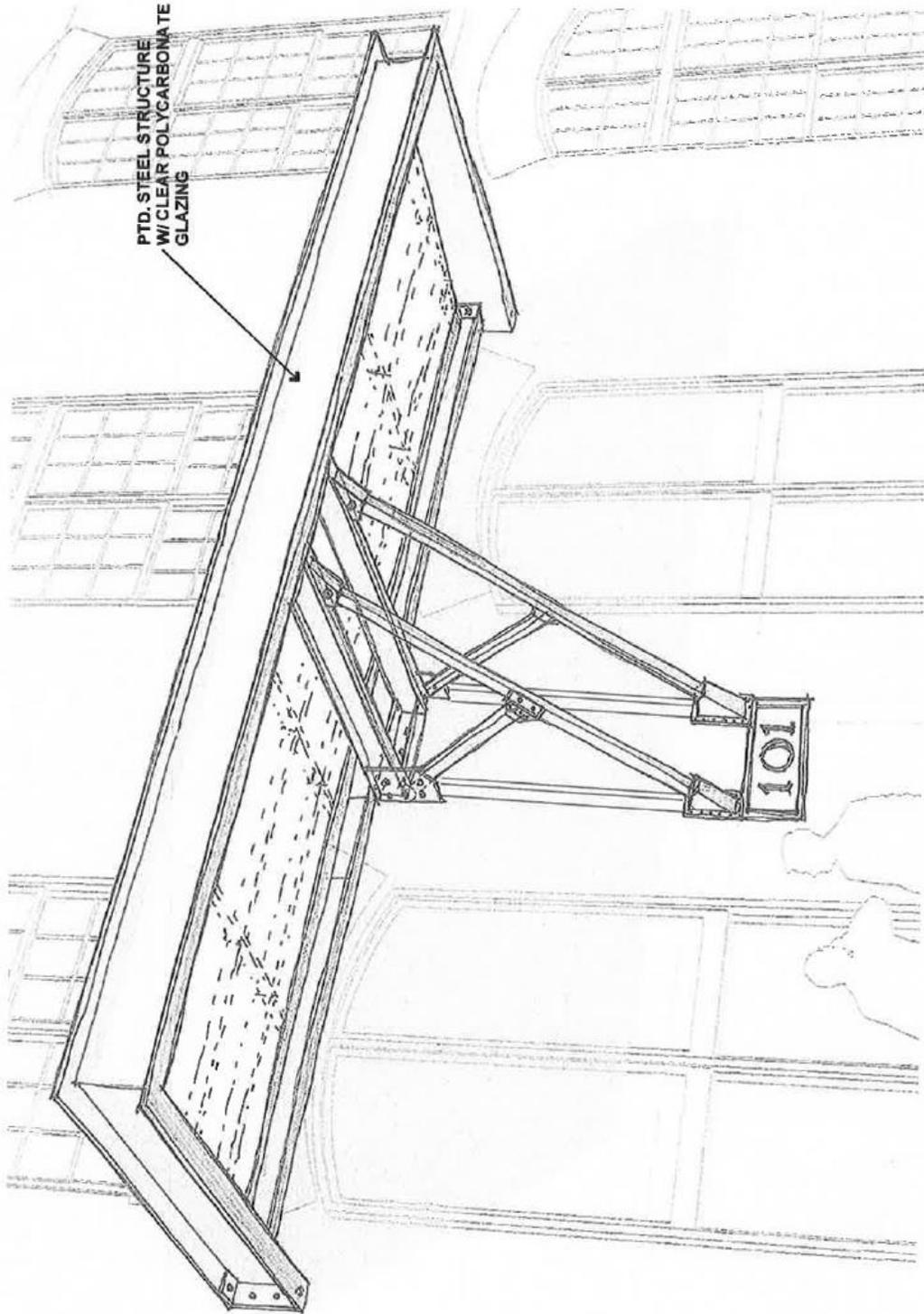


PTD. STEEL STRUCTURE
W/ CLEAR POLYCARBONATE
GLAZING

06

MAIN MILL
MAIN ENTRY - STREET VIEW - CANOPY SKETCH

WOODSIDE NPS CLARIFICATION - 02/15/10

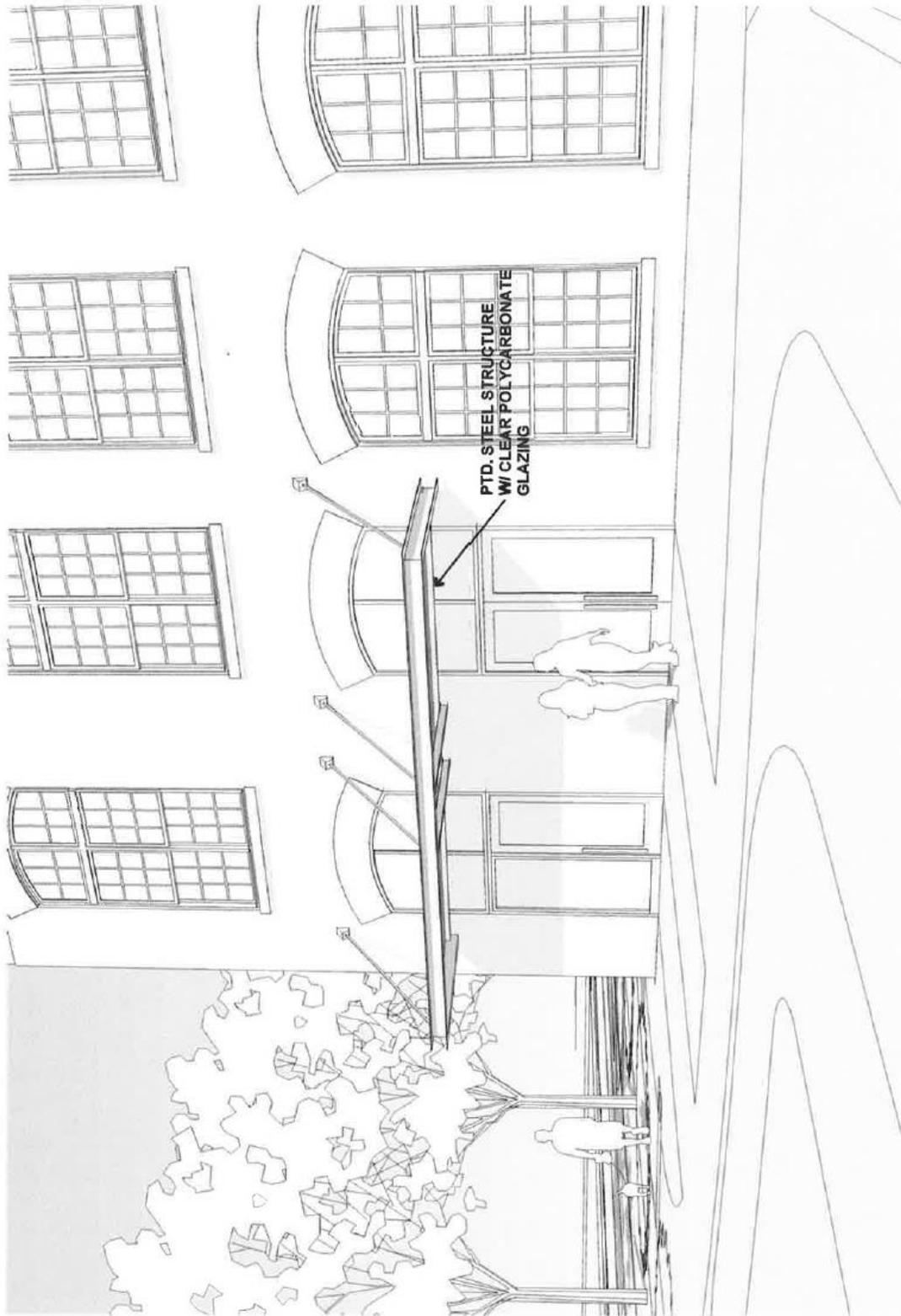


07

MAIN MILL

MAIN ENTRY - DETAIL VIEW - CANOPY SKETCH [LOWER CANOPY NOT SHOWN]

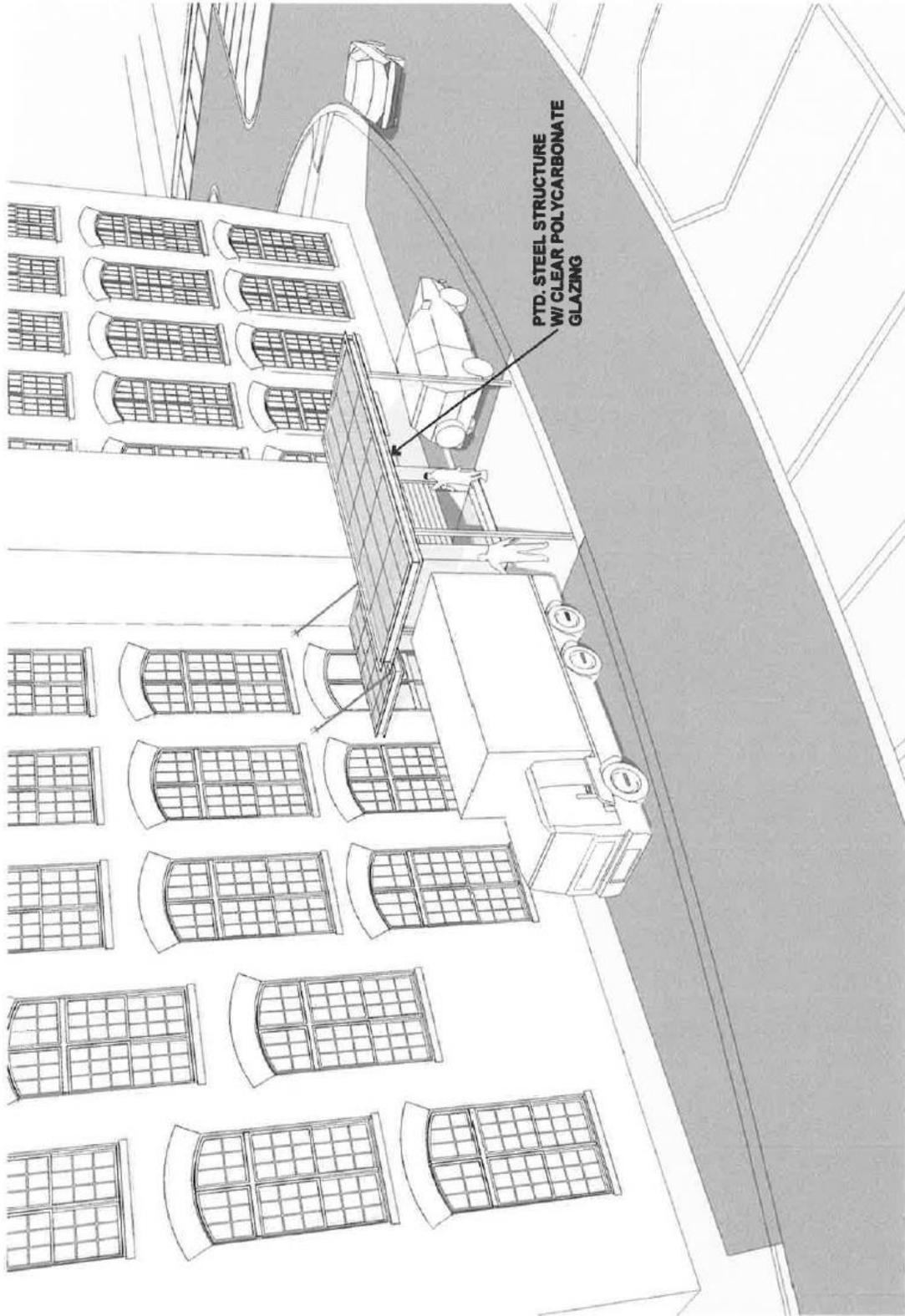
WOODSIDE NPS CLARIFICATION - 02/15/10



08 MAIN MILL

WEST ENTRY (TYPICAL ENTRY) - STREET VIEW - CANOPY SKETCH

WOODSIDE NPS CLARIFICATION - 02/15/10



09 MAIN MILL

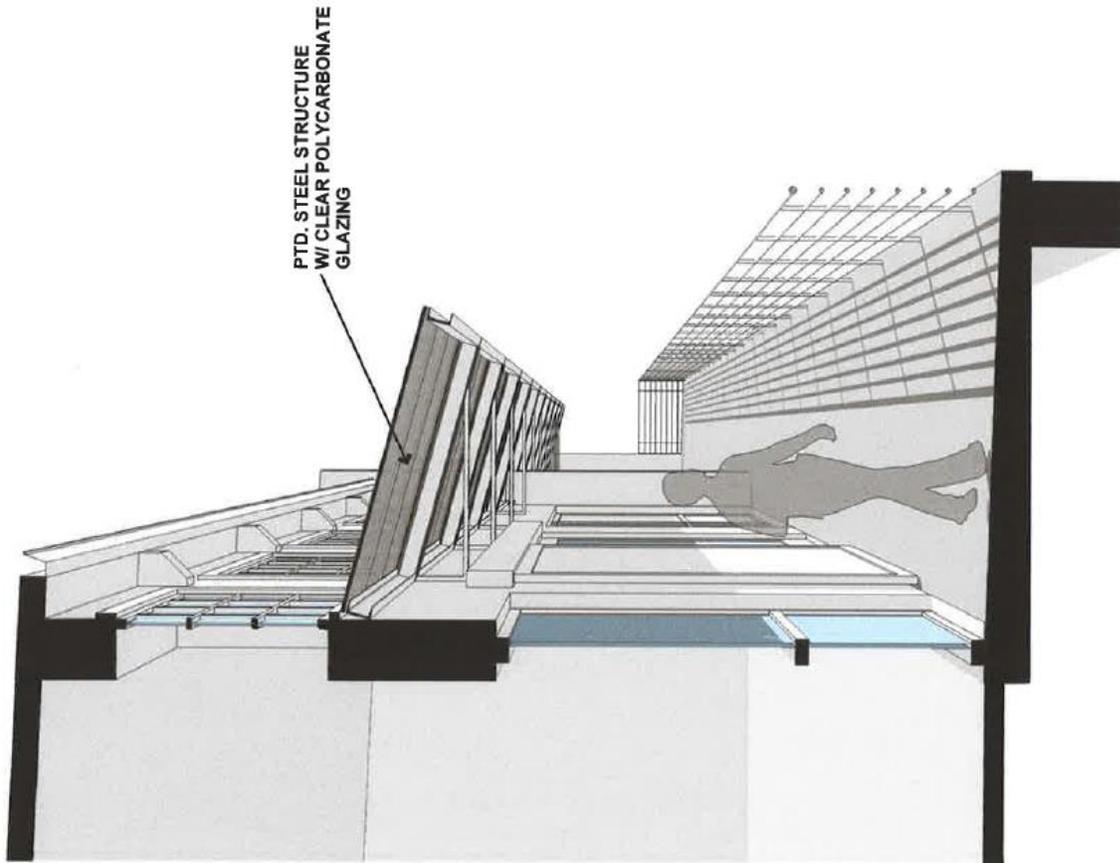
EAST ENTRY (LOADING DOCK) - AERIAL VIEW - CANOPY SKETCH

WOODSIDE NPS CLARIFICATION - 02/16/10



10 COTTON HOUSE
TYPICAL CANOPY SKETCH

WOODSIDE NPS CLARIFICATION - 02/15/10



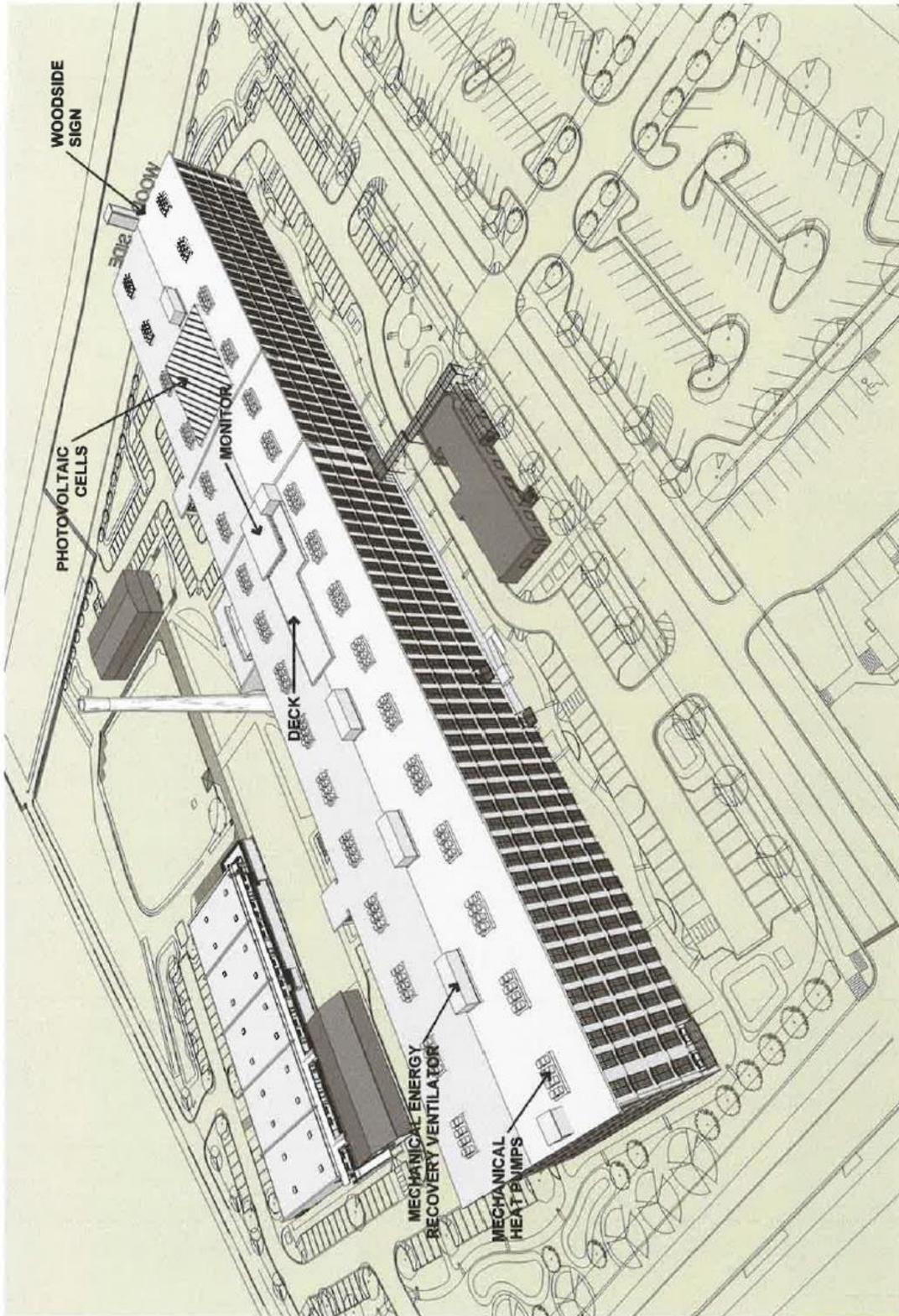
11 COTTON HOUSE
CUT-AWAY SECTION - TYPICAL CANOPY SKETCH

WOODSIDE NPS CLARIFICATION - 02/15/10



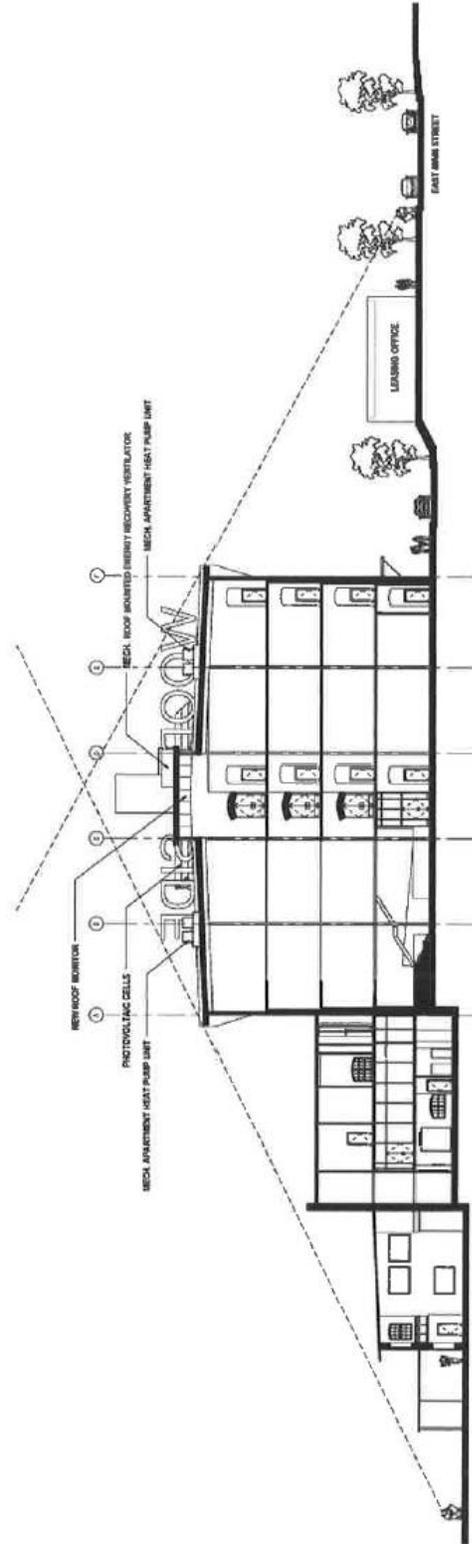
SAMPLE CANOPY: PAINTED STEEL STRUCTURE W/ CLEAR POLYCARBONATE GLAZING

12 CANOPIES
SAMPLE CANOPY PHOTO



WOODSIDE NPS CLARIFICATION - 02/15/10

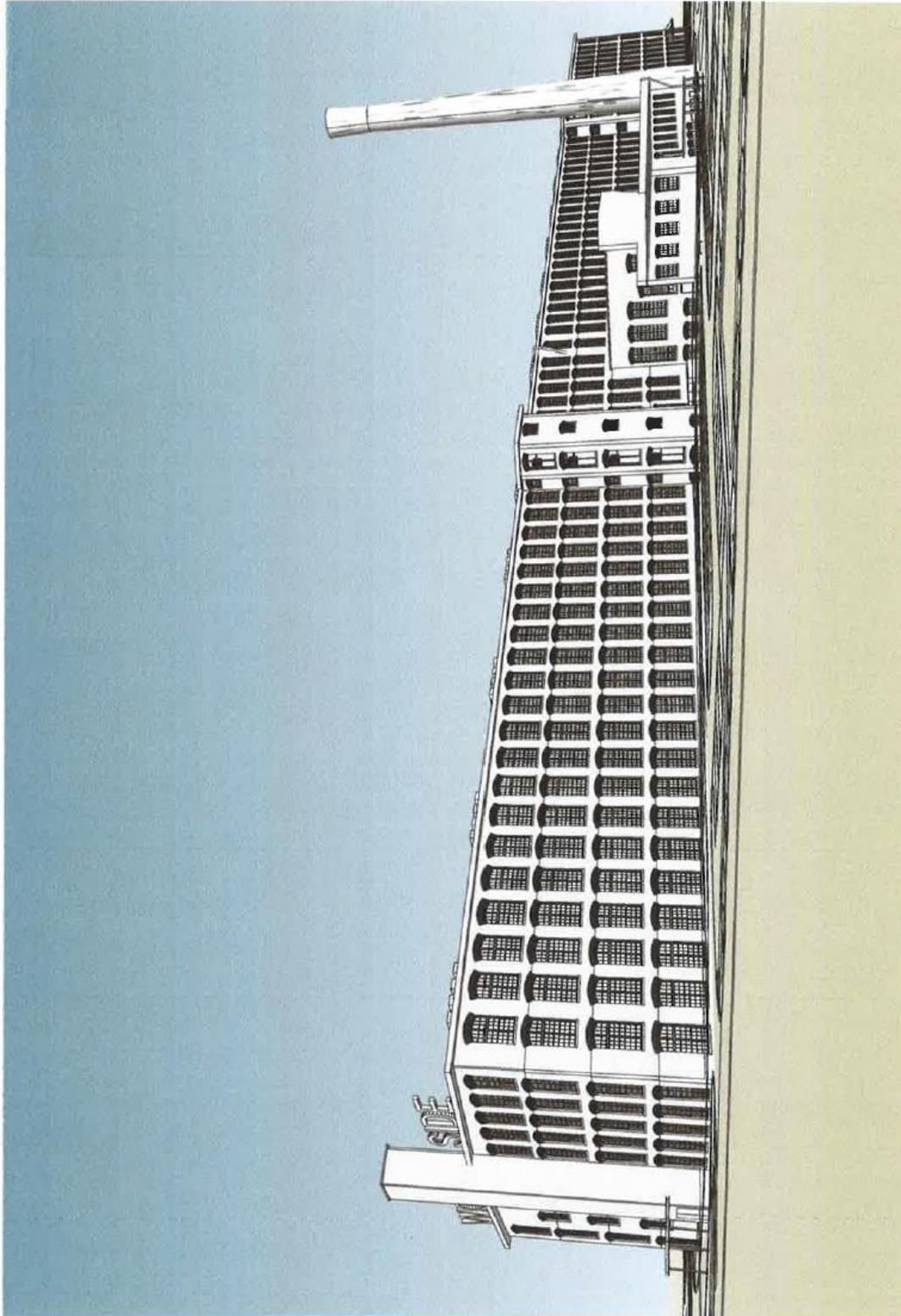
13 MAIN MILL ROOFTOP - AERIAL VIEW



14 MAIN MILL

SIGHTLINE SECTION - ROOFTOP ELEMENTS

WOODSIDE NPS CLARIFICATION - 02/16/10

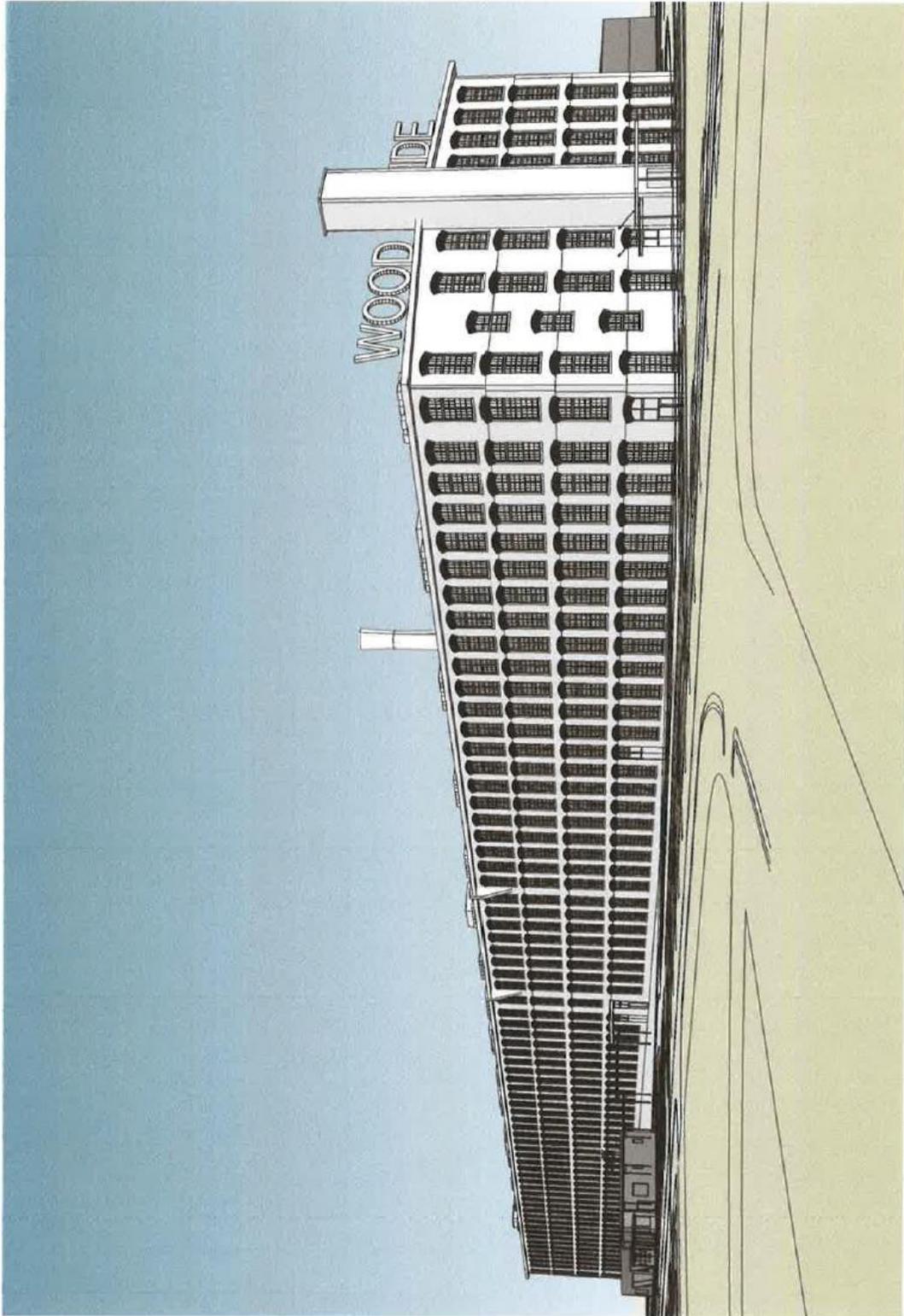


15

MAIN MILL

NORTHEAST CORNER - STREET VIEW

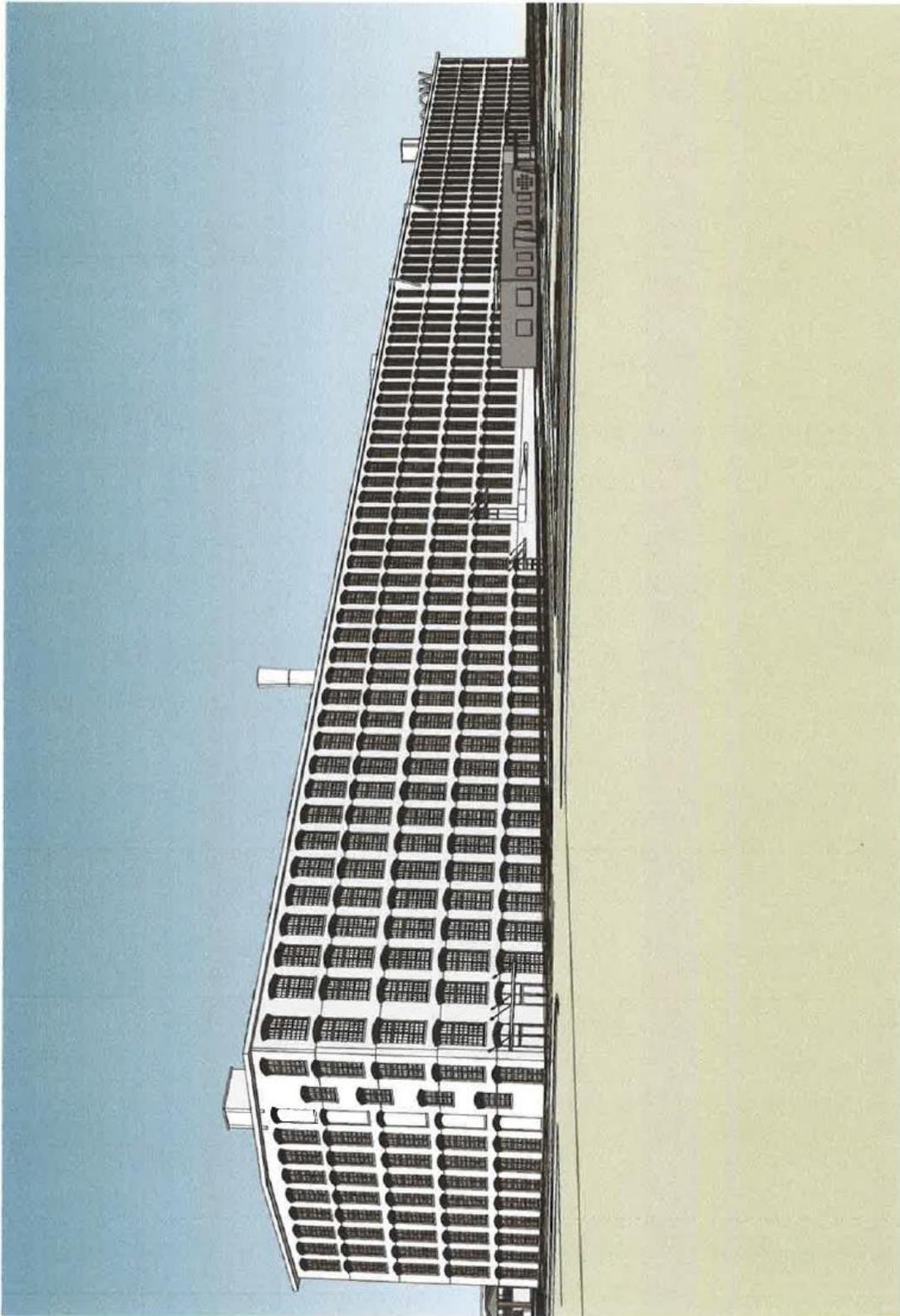
WOODSIDE NPS CLARIFICATION - 02/15/10



16

MAIN MILL
SOUTHEAST CORNER - STREET VIEW

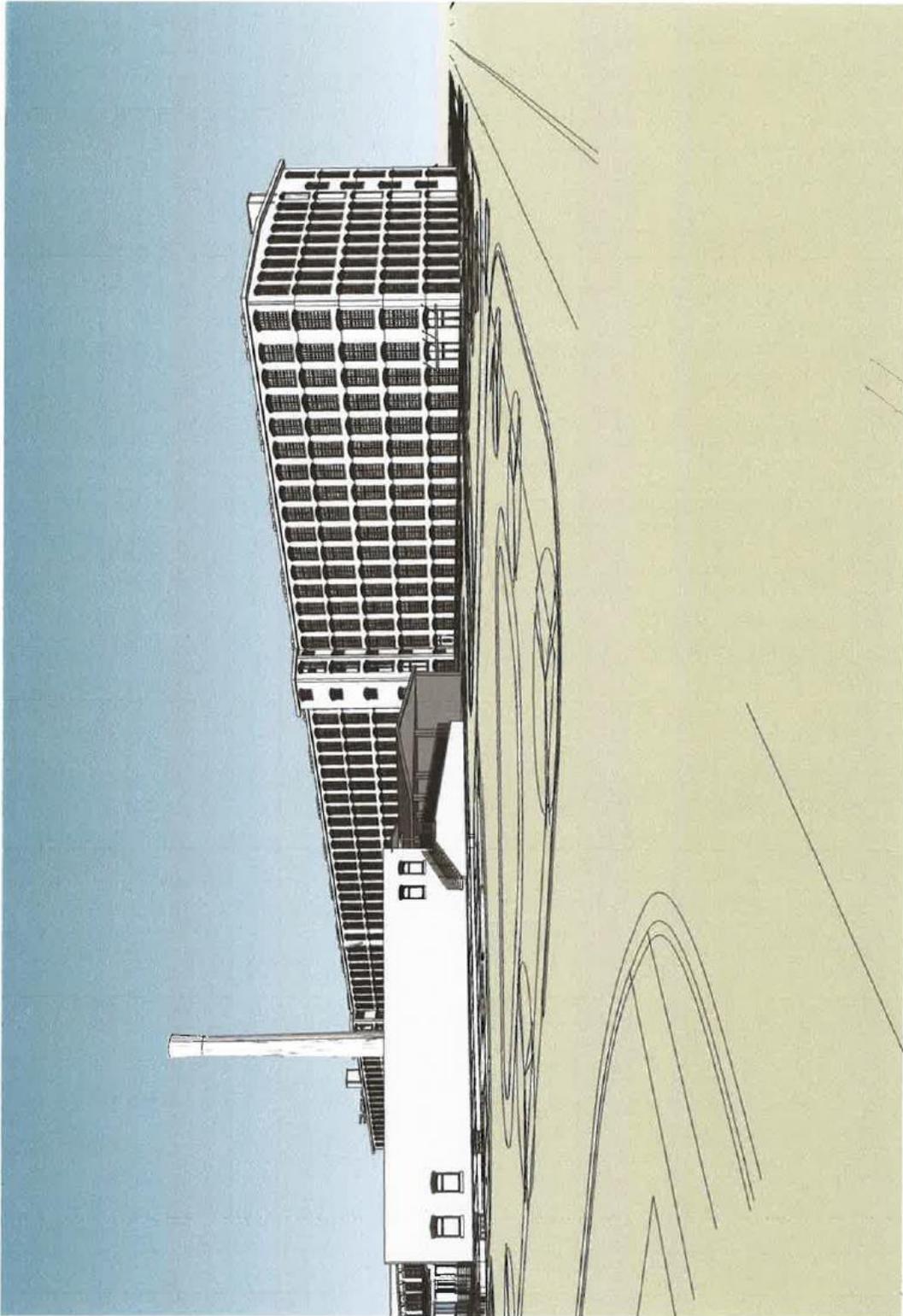
WOODSIDE NPS CLARIFICATION - 02/15/10



17

MAIN MILL
SOUTHWEST CORNER - STREET VIEW

WOODSIDE NPS CLARIFICATION - 02/15/10



18 MAIN MILL

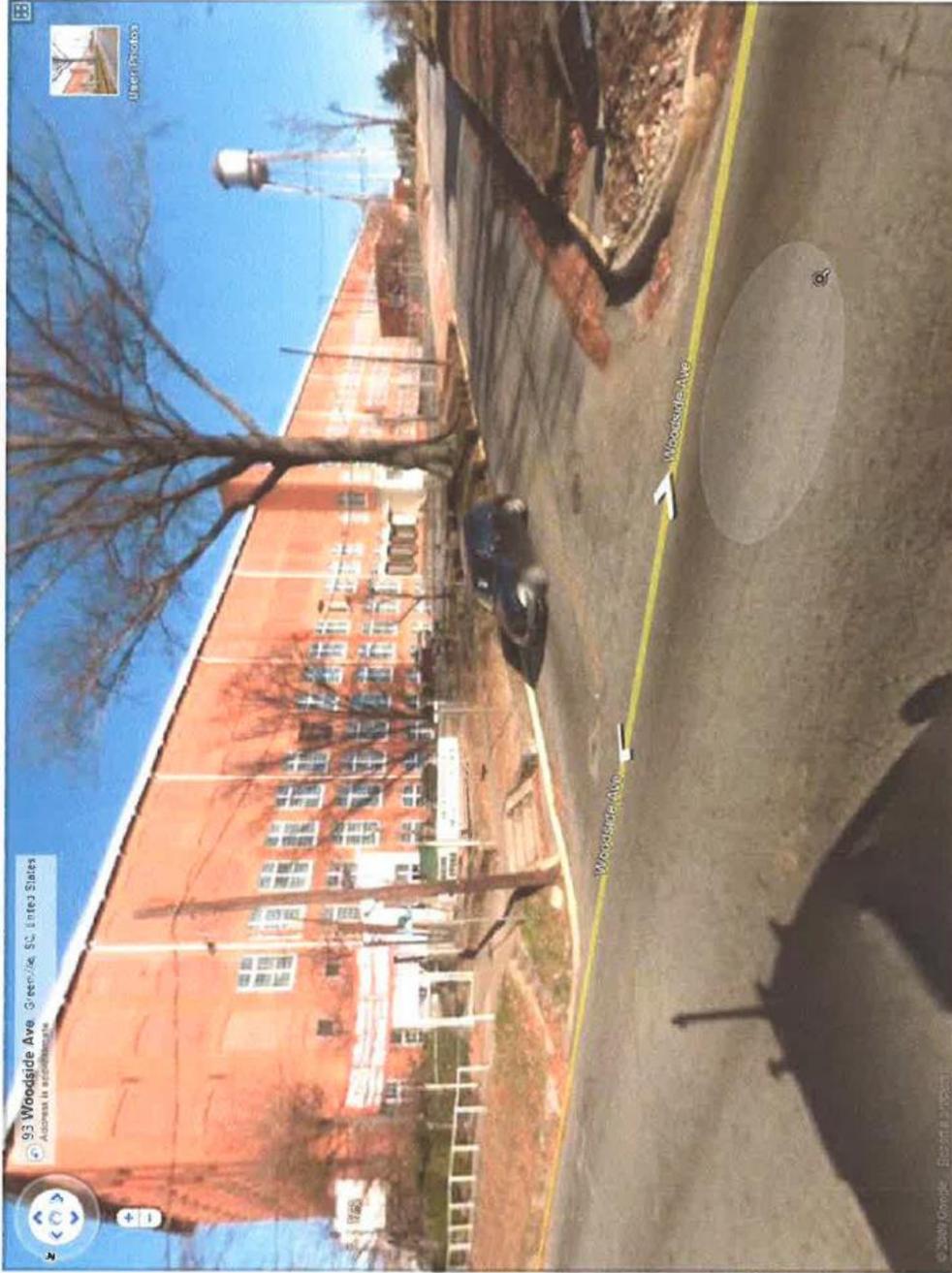
NORTHWEST CORNER - STREET VIEW

WOODSIDE NPS CLARIFICATION - 02/15/10



20 MAIN MILL
EXISTING SETTING VIEW

WOODSIDE NPS CLARIFICATION - 02/15/10



21

MAIN MILL
EXISTING SETTING VIEW

WOODSIDE NPS CLARIFICATION - 02/15/10



22 MAIN MILL
EXISTING SETTING VIEW

WOODSIDE NPS CLARIFICATION - 02/16/10



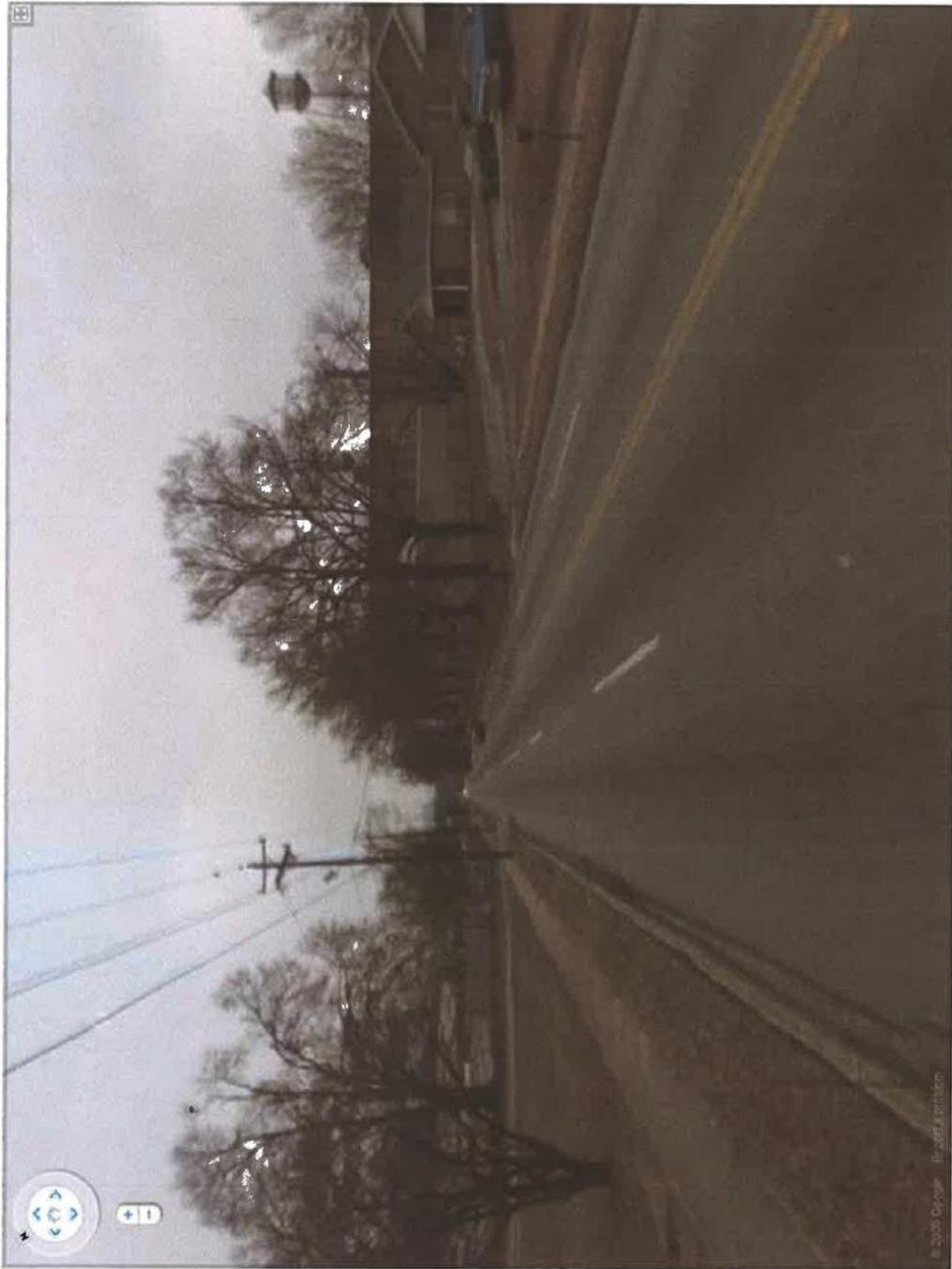
23 MAIN MILL
EXISTING SETTING VIEW

WOODSIDE NPS CLARIFICATION - 02/15/10



24 MAIN MILL
EXISTING SETTING VIEW

WOODSIDE NPS CLARIFICATION - 02/15/10



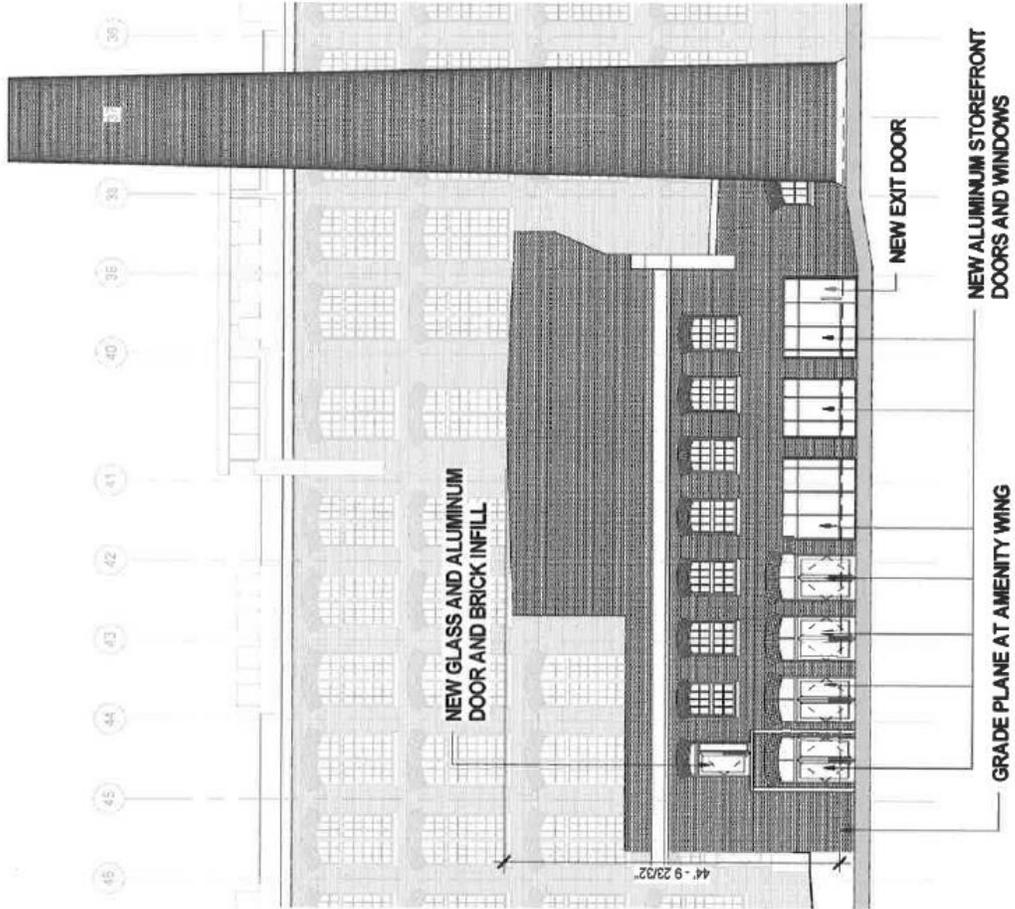
25 MAIN MILL
EXISTING SETTING VIEW

WOODSIDE NPS CLARIFICATION - 02/15/10



WOODSIDE NPS CLARIFICATION - 02/15/10

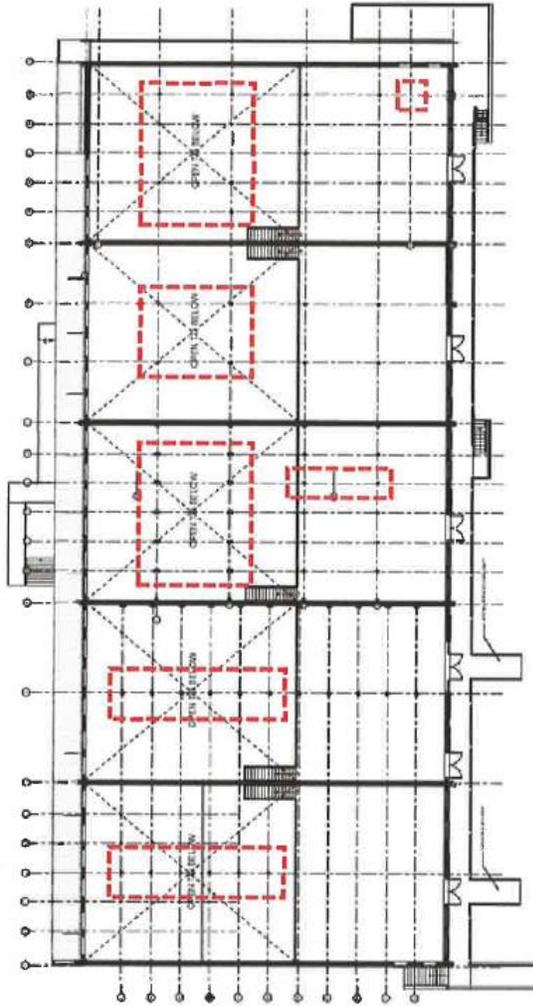
WALL VENTS
PHOTOS



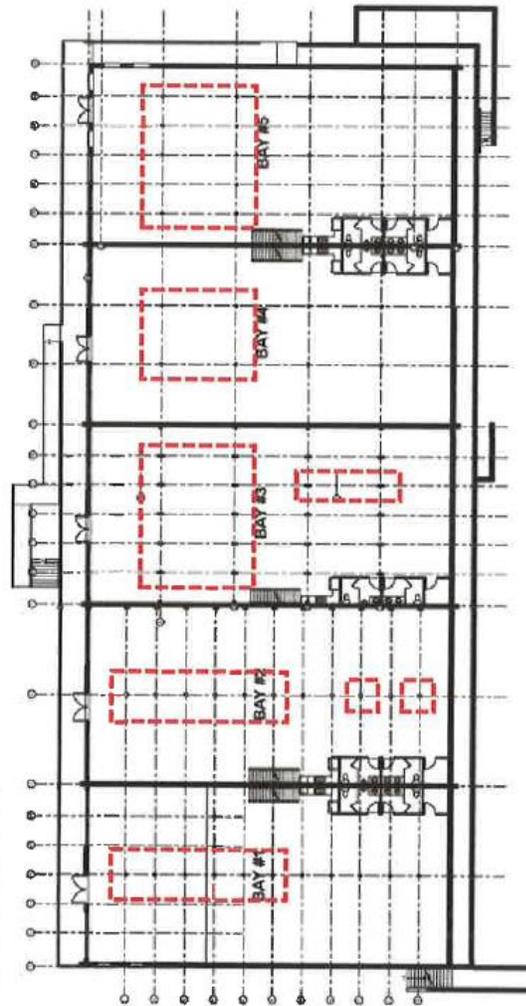
27 MAIN MILL

ENGINE ROOM - REVISED NORTH ELEVATION

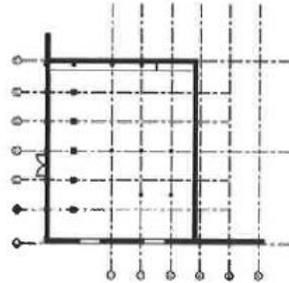
WOODSIDE NPS CLARIFICATION - 02/15/10



SECOND FLOOR PLAN



FIRST FLOOR PLAN



BASEMENT PLAN

 EXISTING COLUMNS TO BE REPLACED
PER STRUCTURAL DRAWINGS

EXHIBIT E

WOODSIDE MILL | DESIGN IMAGERY

OUTDOOR SPACES & CANOPIES



WOODSIDE MILL | DESIGN IMAGERY

OUTDOOR SPACES & CANOPIES



WOODSIDE MILL | DESIGN IMAGERY
OUTDOOR SPACES & CANOPIES



WOODSIDE MILL | DESIGN IMAGERY

OUTDOOR SPACES & CANOPIES



WOODSIDE MILL | DESIGN IMAGERY

OUTDOOR SPACES & CANOPIES



WOODSIDE MILL | DESIGN IMAGERY

OUTDOOR SPACES & CANOPIES



WOODSIDE MILL | DESIGN IMAGERY

OUTDOOR SPACES & CANOPIES



WOODSIDE MILL | DESIGN IMAGERY

OUTDOOR SPACES & CANOPIES



WOODSIDE MILL | DESIGN IMAGERY

OUTDOOR SPACES & CANOPIES



WOODSIDE MILL | DESIGN IMAGERY

OUTDOOR SPACES & CANOPIES



WOODSIDE MILL | DESIGN IMAGERY

NATURAL POOL



WOODSIDE MILL | DESIGN IMAGERY

NATURAL POOL



WOODSIDE MILL | DESIGN IMAGERY

SITE & SIGNAGE



WOODSIDE MILL | DESIGN IMAGERY

SITE & SIGNAGE



WOODSIDE MILL | DESIGN IMAGERY

SITE & SIGNAGE



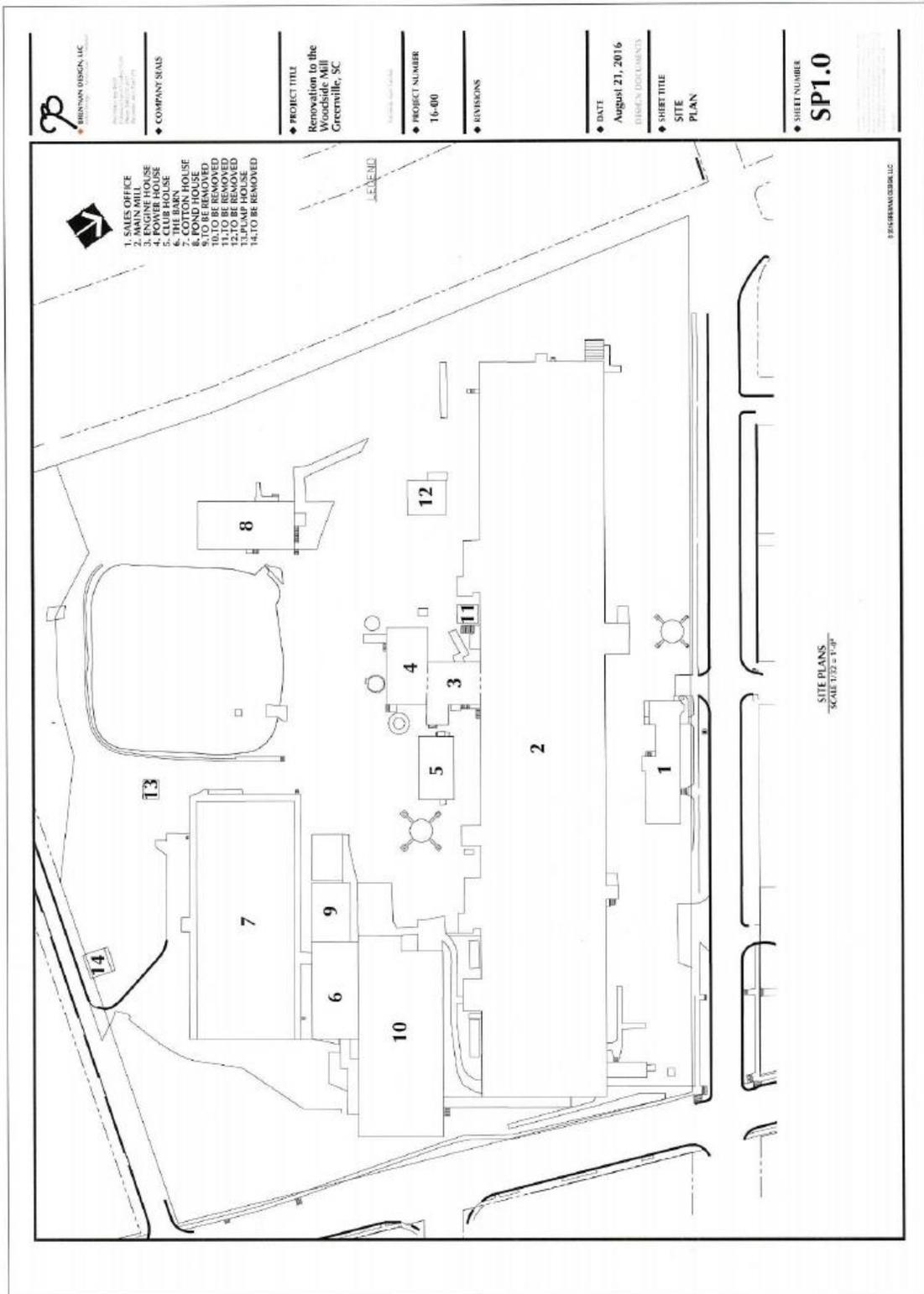
WOODSIDE MILL | DESIGN IMAGERY

SITE & SIGNAGE



EXHIBIT F

78 11-27-23
84 02-22-2016
11-10-16





REQUEST FOR COUNCIL ACTION City of Greenville, South Carolina

To: Honorable Mayor and Members of City Council
From: John F. Castile, City Manager

Agenda Item No.

13a

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

AGENDA DATE REQUESTED: December 12, 2016

ORDINANCE/RESOLUTION CAPTION:

TO APPROVE A DECLARATION OF ENCROACHMENT PERMIT FOR SUB-SURFACE AND SURFACE FOR GREENVILLE RHP HOLDINGS, LLC, TO INSTALL AND MAINTAIN A MONUMENT SIGN ON FALLS PARK DRIVE IN FRONT OF 171 RIVER PLACE (TAX MAP NUMBER 0060000300327)

SUMMARY BACKGROUND:

Greenville RHP Holdings, LLC is the owner of real property more fully described herein as 171 River Place (also known as Tax Map Number 0060000300327) located in the city of Greenville together with the improvements constructed thereon in the form of a building. Greenville RHP Holdings, LLC desires to install and maintain a monument sign including footings in a planter on Falls Park Drive in front of 171 River Place which includes sub-surface and surface encroachments which extend under and onto the City's public-right-of-way or public space in a manner which complies with the requirements of the public right-of-way, and is likely to promote public use of an area the City has targeted for economic development. Under the conditions contained in Declaration of Encroachment Permit (Sub-Surface and Surface) (For Monument Sign) (Not for Leased Property) (Combined Contract Nos. 16-715, 16-716), which is attached to the Resolution as Exhibit A and incorporated herein by reference, Greenville RHP Holdings, LLC desires to acquire, and the City desires to grant, certain rights to install and maintain a monument sign including footings in a planter on Falls Park Drive in front of 171 River Place.

City Code §36-15 authorizes City Council by resolution to approve such encroachments when found to comply with the criteria contained in that section.

IMPACT IF DENIED / APPROVED:

If denied, the Declaration of Encroachment Permit for Sub-Surface and Surface for Greenville RHP Holdings, LLC, will not be approved. If approved, the Declaration of Encroachment Permit for Sub-Surface and Surface for Greenville RHP Holdings, LLC, will be approved.

FINANCIAL IMPACT:

N/A

REQUIRED SIGNATURES

Department Director

DocuSigned by:
Mike Murphy
B8351B3CF7524D2...

City Attorney

DocuSigned by:
Michael S. Pitts
5E0F2A267E2D413...

OMB Director

City Manager

DocuSigned by:
John Castile
FC2569CAE224473...

A R E S O L U T I O N

TO APPROVE A DECLARATION OF ENCROACHMENT PERMIT FOR SUB-SURFACE AND SURFACE FOR GREENVILLE RHP HOLDINGS, LLC, TO INSTALL AND MAINTAIN A MONUMENT SIGN ON FALLS PARK DRIVE IN FRONT OF 171 RIVER PLACE (TAX MAP NUMBER 0060000300327)

WHEREAS, Greenville RHP Holdings, LLC is the owner of real property more fully described herein as 171 River Place (also known as Tax Map Number 0060000300327) located in the city of Greenville, together with the improvements constructed thereon in the form of a building; and

WHEREAS, Greenville RHP Holdings, LLC desires to install and maintain a monument sign including footings in a planter on Falls Park Drive in front of 171 River Place which includes sub-surface and surface encroachments which extend under and onto the City's public right-of-way or public space in a manner which complies with the requirements of the public right-of-way, and is likely to promote public use of an area the City has targeted for economic development; and

WHEREAS, under the conditions contained in Declaration of Encroachment Permit (Sub-Surface and Surface) (For Monument Sign) (Not for Leased Property) (Combined Contract Nos. 16-715, 16-716), which is attached hereto as Exhibit A and incorporated herein by reference, Greenville RHP Holdings, LLC desires to acquire, and the City desires to grant, certain rights to install and maintain a monument sign including footings in a planter on Falls Park Drive in front of 171 River Place (also known as Tax Map Number 0060000300327) which will encroach under and onto the public right of way as shown on Attachment A to the Declaration of Encroachment Permit; and

WHEREAS, City Code §36-15 authorizes City Council by resolution to approve such encroachments when found to comply with the criteria contained in that section; and

WHEREAS, City Council, after reviewing the conceptual plans for the encroachments, has determined the proposed encroachments present no physical threat of safety or undue interference to pedestrians, motor vehicles, drivers and passengers, or to others in lawful use of city property or to their property, all as provided in §36-15; and

WHEREAS, City Council has determined the encroachments are compatible in use and design with the public right-of-way or public space;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, there is hereby approved by this Resolution, a Declaration of Encroachment Permit with Greenville RHP Holdings, LLC, for the purposes of installing and maintaining a monument sign including footings in a planter on Falls Park Drive in front of 171 River Place (also known as Tax Map Number 0060000300327) which will encroach under and onto the public right of way. The Declaration of Encroachment Permit will be substantially similar to that which is provided as Exhibit A to this Resolution, with the City Manager authorized to make such minor adjustments as may be consistent with the City's interest, the purpose of this Resolution, the completion of the structures in accordance with submitted plans and engineering review, and with the rights of the public using this space.

RESOLVED THIS _____ DAY OF _____, 2016.

MAYOR

Attest:

CITY CLERK

EXHIBIT A

STATE OF SOUTH CAROLINA) **DECLARATION OF ENCROACHMENT PERMIT**
) **(SUB-SURFACE and SURFACE)**
) **(For Monument Sign)**
) **(Not for Leased Property)**
 COUNTY OF GREENVILLE) **(Combined Contracts Nos. 16-715, 16-716)**

THIS DECLARATION OF ENCROACHMENT PERMIT ("Encroachment Permit") is made this seventh day of October, 2016 by the CITY OF GREENVILLE, South Carolina, a Municipal Corporation ("Grantor"), and Greenville RHP Holdings, LLC ("Grantee").

WHEREAS, Grantee is the owner of certain real property more fully described herein as 171 River Place (also known as Tax Map Number: 0060000300327) located in the City of Greenville, South Carolina, together with the improvements constructed thereon in the form of a building; and

WHEREAS, Grantee desires to erect an encroachment which will encroach under and onto the Grantor's public right-of-way or public space in a manner which complies with the requirements of public right-of-way, and is likely to promote public use of an area the Grantor has targeted for economic development; and

WHEREAS, Grantor, after viewing the conceptual plans, deems that the encroachment encroaches under and onto the public right-of-way or public space; and

WHEREAS, Grantor has determined that the encroachment presents no physical threat of safety to pedestrians, motor vehicle drivers and passengers, or others in lawful use of the public right-of-way or public space, or to their property; and

WHEREAS, Grantor has determined that the encroachment is compatible in use and design with the public right-of-way or public space; and

WHEREAS, Grantor has determined that the encroachment will enhance the value of the building and will not decrease the value of any building in the immediate vicinity; and

WHEREAS, Grantor deems that there is no adverse impact or undue interference created by this encroachment for pedestrians and for nearby premises; and

WHEREAS, under the conditions described herein, Grantee desires to acquire, and Grantor desires to grant, certain rights: To install and maintain a monument sign including footings in a planter on Falls Park Drive in front of 171 River Place as shown on Attachment A, which is attached and incorporated by reference into this Encroachment Permit; and

WHEREAS, the Grantor did pass Resolution Number: [Click here to enter text.](#) [Click here to enter text.](#) authorizing this declaration of encroachment permit.

NOW THEREFORE, in consideration of the mutual covenants and agreements contained in this Encroachment Permit, and the payment by Grantee to Grantor of **One Dollar and NO/100 (\$1.00)** and the permit fee, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Encroachment on Public Property.** The Grantor does hereby consent to said encroachment onto and under public right-of-way or public property, subject to the conditions and limitations described in this document, and does hereby grant and convey an encroachment under and onto the public right-of-way or public space for the limited purpose of installing and maintaining a monument sign including footings in a planter on Falls Park Dr. in front of 171 River Place as more fully set out in Attachment A.
2. **Maintenance.** The Grantee shall at all times maintain the encroachment extending onto and under the public right-of-way or public space in a structurally safe condition. Whenever the Grantor makes a finding that the encroachment is no longer structurally safe, the Grantor shall issue to the Grantee a written notice stating the deficiencies and corrective action required. The Grantee shall have 30 days from the date of notice to comply. If the Grantee fails to achieve compliance within 30 days, the Grantor shall be authorized to have the encroachment removed and the costs of removal and storage, if any, assessed to the Grantee and this Encroachment Permit shall be deemed terminated. The foregoing notwithstanding, Grantor shall take whatever action it deems necessary, without liability or obligation to the Grantee in the event Grantor determines, in its sole discretion, the encroachment presents an immediate threat to public safety.
3. **Indemnification and Insurance.** Notwithstanding anything herein to the contrary, the Grantee shall indemnify and hold the Grantor free and harmless from and against any and all liabilities, losses, claims, judgments, suits, causes of action and/or expenses of any kind or nature, resulting from personal injury and/or death to persons, or property damage, resulting from or in any way arising out of or in any way connected with the existence, construction, installation, or maintenance of the encroachment as contemplated by this Encroachment Permit or any additional improvements, should any be authorized in the same area, including the payment of reasonable attorneys' fees.

Should the Grantor be named in any suit, action or claim under the terms hereof, then the Grantee shall appear and defend the Grantor at its sole cost and expense; provided that the Grantor shall always have the option to appear and defend such action or claim on its own behalf, and all reasonable costs for same shall be borne by the Grantee. The foregoing indemnity shall survive the expiration, termination, or assignment of this Encroachment Permit.

The Grantee shall maintain liability insurance coverage with the Grantor named as an additional insured for the encroachment in an amount not less than: (1) that maintained by the Grantee for the property referenced above; (2) the maximum amount permitted for recovery by the State Tort Claims Act as from time to time amended; or (3) One Million Dollars (\$1,000,000.00), whatever is the greater amount.

Certificates showing proof of such insurance shall be submitted by the party(ies) required to provide insurance hereunder to the City prior to commencement of constructing and/or installing the encroachment granted by this Encroachment Permit, and evidence of such insurance shall be forwarded to City's Risk Manager on an annual basis during the duration of this encroachment permit. Further, it shall be an affirmative obligation upon the party(ies) required to provide insurance hereunder to advise City's Risk Manager at Fax No. 864-298-2744, e-mail mteal@greenville.gov, PO Box 2207, Greenville, SC 29602, within two days of the cancellation or substantive change of any insurance policy set out herein. Failure to maintain said liability insurance shall result in the termination of this encroachment permit.

4. Duration. The encroachment permit shall begin on the date recited in the preamble, and shall be for a term of **forty (40) years** and shall be automatically renewed for terms of **ten (10) years** each, for a maximum of **three (3) renewed terms**, unless terminated by written notice delivered to Grantee not less than **six (6) months** prior to expiration of proceeding term.

Upon demolition of the monument sign on the Grantee's Property or upon an alteration of said sign resulting in the encroachment no longer extending over and on the public right-of-way or public space, then the rights granted under paragraph one (1) of this Encroachment Permit shall terminate; provided that destruction by fire or other casualty shall not result in a termination of rights under this Encroachment Permit and Grantee shall be entitled to rebuild, repair, or restore the encroachment pursuant to the terms hereof. In any event, the term, including any extension thereof, shall automatically terminate when Grantee ceases to operate the business for which the encroachment is granted, unless Grantor consents to an assignment of this Encroachment Permit as more fully set forth below in paragraph seven (7).

5. Recordation: This Encroachment Permit shall be recorded in the real estate records of Greenville County, South Carolina. Upon termination of all or part of this Encroachment Permit, pursuant to the above provisions, either party may submit to the other, a document canceling or modifying this Encroachment Permit of record and the other party shall execute and return promptly such document.

6. **Appurtenant.** Subject to termination pursuant to paragraph 4 above, this Encroachment Permit and other rights and duties granted herein shall be binding upon and shall inure to the benefit of the Grantor and the Grantee and their respective successors and assigns as owners of the public right-of-way or public space and Grantee's Property, respectively. All rights and obligations granted hereunder shall run with the land and shall automatically become rights and obligations of the successors and assigns of the owner of the public right-of-way or public space and Grantee's Property, respectively; and neither Grantee nor any successor of Grantee shall remain obligated in any way for the performance of any term or condition of this Encroachment Permit after conveyance of all its interest in Grantee's Property, other than for an obligation to indemnify the Grantor or its successors against claims, suits, costs, damages, or expenses arising during its period of ownership of Grantee's Property. If the Grantor should convey its interest in the public right-of-way or public space, such conveyance shall in no way affect the Encroachment Permit and related privileges, rights and permits granted herein.
7. **Obligations Upon Termination.** Upon termination of the term or the term as renewed, or for reasons herein provided, the Grantee shall remove the encroachments. If it fails to remove the encroachment within thirty (30) days, the Grantor shall be authorized to have the encroachment removed and the costs of removal and storage, if any, assessed to the Grantee.
8. **Cancellation of Record.** Upon termination of all or part of this Encroachment Permit, pursuant to the herein provisions, the Grantor may record a document canceling or modifying this Encroachment Permit executed by the Grantor.
9. **Additional Temporary Encroachments.** The Grantee shall be entitled to such additional temporary encroachments over and/or onto the public right-of-way or public space on a reasonable basis as may from time to time be necessary for the construction and maintenance duties and rights otherwise granted herein, the dimensions of which shall be reasonably determined in each instance by the Grantor, provided the Grantee returns the public right-of-way or public space to a safe, usable condition subject to professional standards and otherwise applicable under codes, and to an appearance at least equal to that prior to any disruption by the Grantee to the surface of the public right-of-way or public space.
10. **Compliance Requirements.** Nothing contained herein shall be construed to relieve the Grantee from the obligation to comply with the Zoning and Building Ordinances and regulations otherwise applicable to the premises and to the encroachment area or from any other federal, state, or municipal law which may be applicable.
11. **Remedies.** Either party may enforce this Encroachment Permit by an appropriate action at law or in equity, including specific performance, with the prevailing party entitled to recover reasonable attorneys' fees, court costs, and reasonably incurred expenses related to enforcement.

12. **Notice.** All notices and communications hereunder shall be in writing and shall be delivered personally or sent by certified mail, return receipt requested, addressed to the parties as follows:

GRANTOR

The City of Greenville
Attention: City Manager
206 South Main Street
Post Office Box 2207
Greenville, South Carolina 29602

Telephone: 864-467-4420
Fax: 864-467-4424
E-mail: www.greatergreenville.com

Grantee

Name:	Greenville Rhp Holdings, LLC
Address:	171 Falls Park Dr.
Telephone:	(864) 271-9856
E-mail:	paughtry@windsoraughtry.com

[Signatures on following pages]

WITNESSES:

CITY OF GREENVILLE (Grantor)

BY: _____

ITS: _____

STATE OF SOUTH CAROLINA)) COUNTY OF GREENVILLE)	ACKNOWLEDGMENT
<p>The foregoing instrument was acknowledged before me this ____ day of _____, 20__ by _____, City Manager for the City of Greenville, South Carolina.</p>	
<p>SWORN to before me this _____ day of _____, 20__.</p>	
<p>_____ NOTARY PUBLIC FOR SOUTH CAROLINA (Signature)</p>	
<p>_____ (Printed Name of Notary)</p>	
<p>My Commission Expires: _____</p>	

WITNESSES:

Debbie Blalock

Paul C. Aughton, III (Grantee)

BY: Paul C. Aughton, III

STATE OF SOUTH CAROLINA)	
)	ACKNOWLEDGMENT
COUNTY OF GREENVILLE)	
<p>The foregoing instrument was acknowledged before me this <u>5th</u> day of <u>December</u>, 20<u>16</u> by <u>Paul C. Aughton, III</u>, authorized agent/officer for <u>Greenville RHP Holdings, LLC</u>.</p>	
<p>SWORN to before me this <u>5th</u> day of <u>December</u>, 20<u>16</u>.</p>	
<p><u>Bonnie H. Cagle</u> NOTARY PUBLIC FOR SOUTH CAROLINA (Signature)</p>	
<p><u>Bonnie H. Cagle</u> (Printed Name of Notary)</p>	
<p>My Commission Expires: <u>April 16, 2017</u></p>	

Contract Title: Declaration of Encroachment Permit, Greenville RHP Holdings, LLC

Tax Map Number: 0060000300327

APPROVED AS TO FORM:

Michael S. Pitts Digitally signed by Michael S. Pitts
DN: cn=Michael S. Pitts, o=City of Greenville, ou=City
Attorney's Office, email=mpitts@cityofgreenville.com, c=US
Date: 2016.11.07 15:23:49Z

Legal Department

REVIEWED BY:

John Brogdon John Brogdon
2016.11.04 16:54:52 -0400

Construction and Inspection

Mary Douglas Hirsch Digitally signed by Mary Douglas
Hirsch
Date: 2016.11.15 14:11:08 -0500

Economic Development Department

Mark Teal Digitally signed by Mark Teal
Date: 2016.11.15 13:10:45
-0500

Risk Management

Kim Jones Kim Jones
2016.11.07 15:53:56 -0500

Building/Zoning



PROPOSED ELEVATION VIEW
SCALE: 1/8" = 1'

EDGE OF SIGN TO MIDDLE OF ROAD IS 27'
EDGE OF SIGN TO EDGE OF SIDEWALK IS 8'
ISLAND IS 15' WIDE X 45' LONG.

EXISTING CONDITIONS
SCALE: 1/8" = 1'

DATE: 03/25/2016

BY: [Signature]

CHECKED: [Signature]

COLORS: [Color swatches]

PROJECT: [Project Name]

LOCATION: [Location]

SCALE: [Scale]

SIGN CRAFTERS

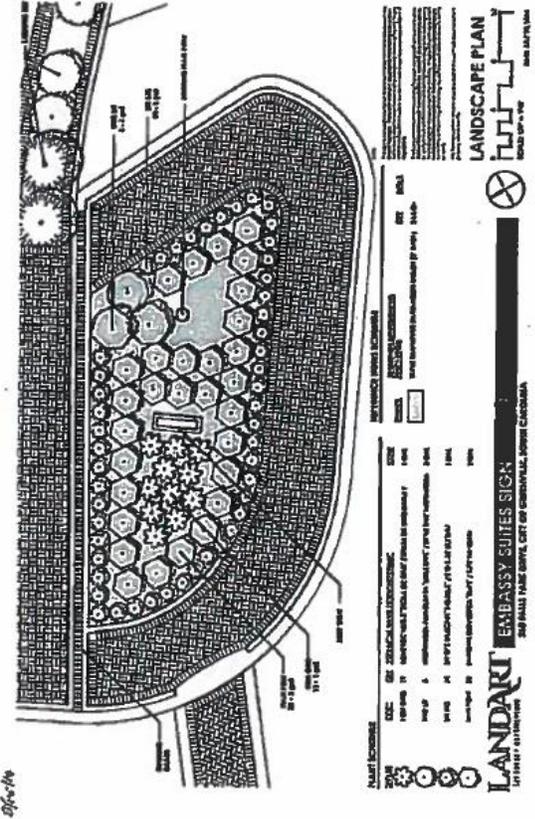
10000 W. 10th Street, Suite 100
Denver, CO 80202
Phone: (303) 751-1111
Fax: (303) 751-1112
www.signcrafters.com

CLARENCE CONSULTANTS

10000 W. 10th Street, Suite 100
Denver, CO 80202
Phone: (303) 751-1111
Fax: (303) 751-1112
www.clarenceconsultants.com

Attachment 'A' 16-715

EDGE OF SIGN TO MIDDLE OF ROAD IS 27'
EDGE OF SIGN TO EDGE OF SIDEWALK IS 8"
ISLAND IS 15' WIDE x 45' LONG



Attachment 'A' 16-715

8'-0" (14") OH
7'-0" (001) ROUTED ALUMINUM FACE

13'-0" (001) ROUTED ALUMINUM FACE
1'-0" (001) HULL 1/2" x 1/2" (001) BASE

8' DEEP SIGN RETURNS
1 1/2" DEEP MASONRY

NOTE: BACKGROUNDS MUST BE OPAQUE - ONLY GRAPHICS CAN ILLUMINATE

DF ILLUMINATED MONUMENT
SCALE: 3/8" = 1'

SIGN AREA = 31.3 SQ. FT

FABRICATE & INSTALL ONE (1) DF ILLUMINATED SIGN ALUMINUM FACES w/ T ALUMINUM FRAME ROUTED & PUSH THRU LOGOS. ONLY COPOLYESTER CAN ILLUMINATE - BACKGROUND MUST BE OPAQUE. 8' DEEP ALUMINUM SIGN LOGOS PAINTED DARK BRONZE (ACTUAL COLOR TBD); INTERNAL LED ILLUMINATION. SIGN MOUNTED ON TOPPER PAINTED DARK BRONZE. APPROX. 1 1/2" DEEP ROCK WALL (MORTARSTONE BRANNA) SURROUNDING ALUMINUM FACES & RETURNES

SIGN CRAFTERS
2700 Highway 101, Suite 101, Jacksonville, FL 32218
Phone: 904.731.1234
www.signcrafters.com

CLIENT: EMBASSY SUITES
LOCATION: GREENVILLE, SC
DESIGNER: LUC
DRAWING NO: 2016080101
DATE: 08/11/16

DATE: 08/11/16

SCALE: 3/8" = 1'

NOTES:
1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. ALL MATERIALS TO BE APPROVED BY ARCHITECT.
3. ALL MATERIALS TO BE MATCHED TO EXISTING.
4. ALL MATERIALS TO BE MATCHED TO EXISTING.
5. ALL MATERIALS TO BE MATCHED TO EXISTING.

COLORS:
1. ALUMINUM BRONZE
2. POLYESTER
3. POLYESTER
4. POLYESTER
5. POLYESTER
6. POLYESTER
7. POLYESTER
8. POLYESTER
9. POLYESTER
10. POLYESTER

Attachment 'A' 16-715

ZEEVELD TECHNICAL SERVICES, INC.

9'6" OAK MONUMENT I. D. SIGN
EMBASSY SUITES
GREENVILLE, SC

WIND LOAD = 115 MPH, WIND PRESSURE = 35# / FT², EXPC, RISK CAT II
ASCE 7-10

SIGN: 5'-0" W x 9'-6" H AREA = 47.5 FT² W_f = 750# (EST.)

BEND. MT. AT GRADE (WIND) = 47.5(35)(4.5) = 7481 FT# (REQ'D.)

STEEL PIPE POLE: 4" ϕ x .237" WALL, SCH 40, A53B, SEC. MOD. = 3.02 in³
(AISC 13TH ED)

ALLOW. BEND. MT. = 35000 x 3.02 / 12
= 8808 FT# > 7481 FT# REQ'D. OK

AUGERED CONCRETE FOOTING: 1'6" ϕ x 5'-0" DEEP

CONCRETE FOOTING WT. = $\pi (1.5/2)^2 (5.0)(150) = 1325 \text{ FT#}$

SOIL RESIST. PRESSURE = $\pi (1.5)(5.0)(200) = 4712 \text{ FT#}$

OVERTURNING RESIST. MT. (Dd. WT.) = (1325 + 750)(1.5/2) = 1556 FT#

OVERTURNING RESIST. MT. (SOIL) = (4712)(5/3) = 7853 FT#

TOTAL = 9409 FT#
> 7481 FT# REQ'D. OK



Attachment 'A' 16-715



REQUEST FOR COUNCIL ACTION
City of Greenville, South Carolina

To: Honorable Mayor and Members of City Council
From: John F. Castile, City Manager

Agenda Item No.

14a

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

AGENDA DATE REQUESTED: December 12, 2016

ORDINANCE/RESOLUTION CAPTION:

TO REZONE APPROXIMATELY 1.095 ACRES LOCATED AT WEST STONE AVENUE AND TOWNES STREET FROM OD, OFFICE AND INSTITUTIONAL DISTRICT, TO C-2, LOCAL COMMERCIAL DISTRICT (TAX MAP NUMBERS 0009000401600, 0009000401700, 0009000401900, and 0009000401500)(Z-20-2016)

SUMMARY BACKGROUND:

Westone Development, LLC, applied to the City Planning Commission and City Council to rezone properties consisting of approximately 1.095 acres located at West Stone Avenue and Townes Street, Tax Map Numbers 0009000401600, 0009000401700, 0009000401900, and 0009000401500, from OD, Office and Institutional District, to C-2, Local Commercial District.

The City Planning Commission, pursuant to public notice, held a public hearing on October 20, 2016, to consider the proposed rezoning, and the Commission recommended approval of the proposed zoning designation of C-2, Local Commercial.

IMPACT IF DENIED / APPROVED:

If denied, the properties will not be rezoned. If approved, the properties will be rezoned.

FINANCIAL IMPACT:

N/A

REQUIRED SIGNATURES

Department Director

DocuSigned by:
Nancy Whitworth
 1DC2D48BBB5D4AB...

City Attorney

DocuSigned by:
Michael S. Pitts
 5E0F2A267E2D413...

OMB Director

City Manager

DocuSigned by:
John F. Castile
 FC2569CAE224473...

AN ORDINANCE

TO REZONE APPROXIMATELY 1.095 ACRES LOCATED AT WEST STONE AVENUE AND TOWNES STREET FROM OD, OFFICE AND INSTITUTIONAL DISTRICT, TO C-2, LOCAL COMMERCIAL DISTRICT (TAX MAP NUMBERS 0009000401600, 0009000401700, 0009000401900, AND 0009000401500) (Z-20-2016)

WHEREAS, Westone Development, LLC, applied to the City Planning Commission and City Council to rezone properties consisting of approximately 1.095 acres located at West Stone Avenue and Townes Street, Tax Map Numbers 0009000401600, 0009000401700, 0009000401900, and 0009000401500, from OD, Office and Institutional District, to C-2, Local Commercial District; and

WHEREAS, the City Planning Commission, pursuant to public notice, held a public hearing on October 20, 2016, to consider the proposed rezoning, and the Commission recommended approval of the proposed zoning designation of C-2, Local Commercial; and

WHEREAS, City Council finds the C-2, Local Commercial, classification to be compatible with the City's Comprehensive Development Plan, consistent with the Rezoning Criteria of Chapter 19 of the Code of Ordinances of the City of Greenville, and compatible with the existing and permitted neighboring uses;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the parcels of property currently titled in the names Rhonda A. Fink (Tax Map Numbers 0009000401500 and 0009000401600), TLNM Properties, LLC (Tax Map Number 0009000401700), and BECO Properties, LLC (Tax Map Number 0009000401900), and located at West Stone Avenue and Townes Street are rezoned from OD, Office and Institutional District, to C-2, Local Commercial District. The attached map shown as Exhibit A, prepared by the City of Greenville Planning Division, is incorporated by reference for purposes of identifying the location of property. This Ordinance shall be effective upon second and final reading by City Council.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2016.

MAYOR

ATTEST:

CITY CLERK

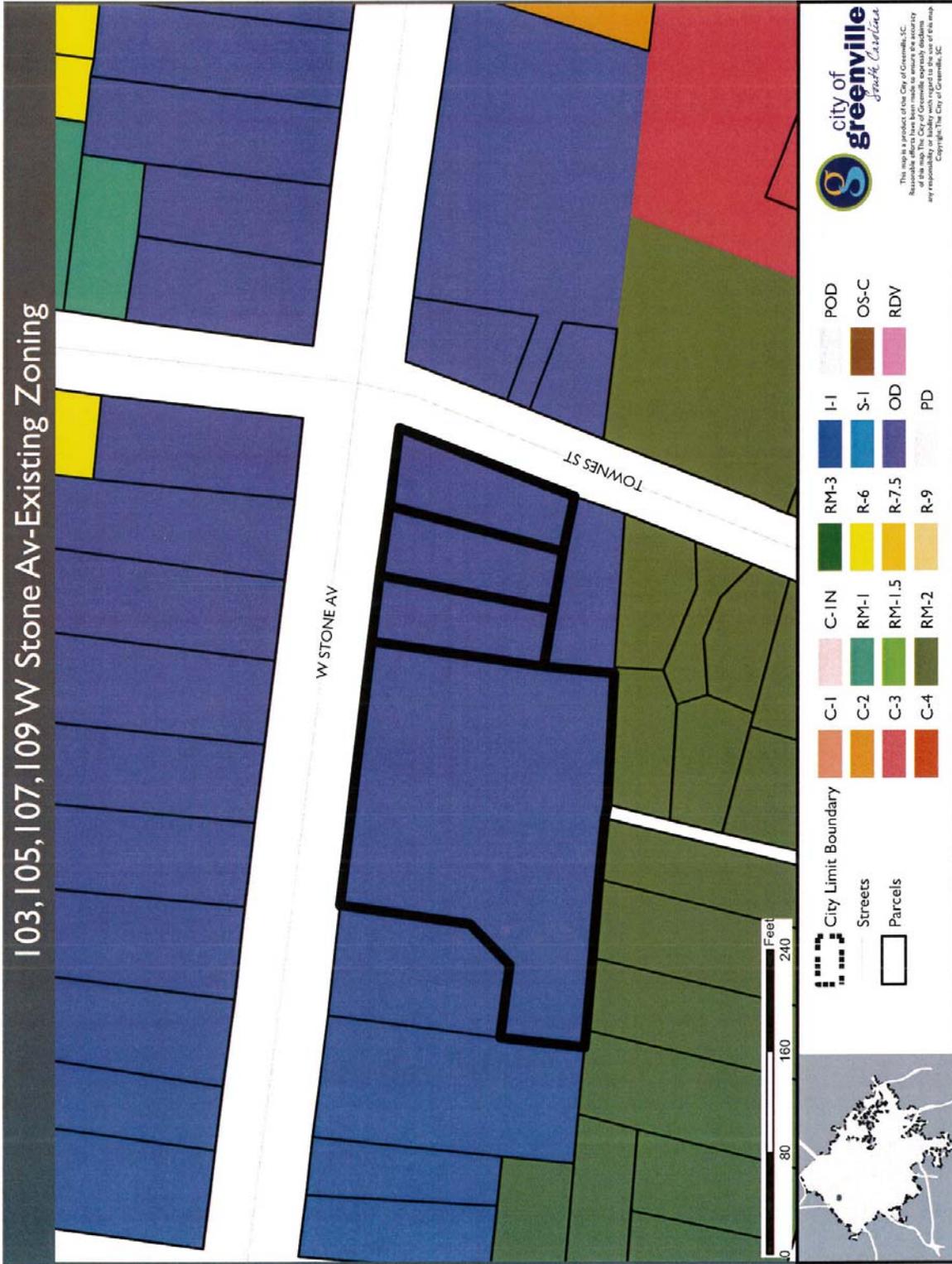
APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

EXHIBIT





REQUEST FOR COUNCIL ACTION City of Greenville, South Carolina

To: Honorable Mayor and Members of City Council
From: John F. Castile, City Manager

Agenda Item No.

15a

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

AGENDA DATE REQUESTED: December 12, 2016

ORDINANCE/RESOLUTION CAPTION:

ORDINANCE TO ADOPT IN PRINCIPLE THE "BALANCING PROSPERITY AND HOUSING AFFORDABILITY IN GREENVILLE" REPORT AND TO APPROPRIATE \$2 MILLION FROM THE CITY'S UNASSIGNED GENERAL FUND BALANCE IN FURTHERANCE OF AFFORDABLE HOUSING

SUMMARY BACKGROUND:

City Council recognized a need for a committee to review the affordable housing programs currently being offered and the funding provided for the provision of affordable housing, assess the need for affordable housing, and develop policies, planning and financial tools that can be implemented to support the development of affordable housing and preservation of our Special Emphasis Neighborhoods. City Council further prioritized the issue of affordable housing by establishing the Affordable Housing Special Committee, consisting of three members of City Council, to work with a volunteer steering committee to complete the strategy (collectively, the Committee). The Committee, comprised of volunteers representing a variety of community interests related to affordable housing, worked with czb LLC and assisted with the formulations of the strategy findings and recommendations. The Committee has concluded its work and identified two key strategies to be implemented to address the affordable housing challenges while also contributing to the long-term fiscal health and competitiveness in Greenville. The two are: 1) the active preservation of existing units that are already affordable and the production of new units and 2) the acquisition of property to support the production of new affordable housing. This information was shared with City Council in a Work Session on November 28, 2016. Implementation of these strategies is recommended to be funded with \$3 million in local resources including a \$2 million appropriation from the City's unassigned General Fund balance to be complemented by \$1 million dollars from philanthropic, corporate and other charitable sources.

IMPACT IF DENIED / APPROVED:

If approved, recommendations made in the plan can be implemented; if denied, other funding sources will have to be explored.

FINANCIAL IMPACT:

\$2 million from the unassigned General Fund balance.

REQUIRED SIGNATURES

Department Director

DocuSigned by:

Nancy Whitworth

1DC2D48BBB5D4AB...
DocuSigned by:

Kai Nelson

41A49000329242C...

City Attorney

DocuSigned by:

Michael S. Pitts

5E0F2A267E2D413...
DocuSigned by:

John Castile

FC2569CAE224473...

OMB Director

City Manager

AN ORDINANCE

TO ADOPT IN PRINCIPLE THE “BALANCING PROSPERITY AND HOUSING AFFORDABILITY IN GREENVILLE” REPORT AND TO APPROPRIATE \$2 MILLION FROM THE CITY’S UNASSIGNED GENERAL FUND BALANCE IN FURTHERANCE OF AFFORDABLE HOUSING

WHEREAS, City Council recognized a need for a committee to review the affordable housing programs currently being offered and the funding provided for the provision of affordable housing, assess the need for affordable housing, and develop policies, planning and financial tools that can be implemented to support the development of affordable housing and preservation of the City’s Special Emphasis Neighborhoods; and

WHEREAS, City Council established the Affordable Housing Special Committee, consisting of three members of City Council, to work with a volunteer steering committee to complete the strategy (collectively, the “Committee”); and

WHEREAS, the Committee, comprised of volunteers representing a variety of community interests related to affordable housing, worked with czb, LLC and assisted with the formulation of the strategy findings and recommendations; and

WHEREAS, the Committee has concluded its work and identified two key strategies to be implemented to address the affordable housing challenges while also contributing to the long-term fiscal health and competitiveness in Greenville; and

WHEREAS, the two key strategies are: (1) the active preservation of existing units that are already affordable as well as the production of new units and (2) the acquisition of property to support the production of new affordable housing; and

WHEREAS, the Committee further recommended that implementation of these strategies should be funded with \$3 million dollars in local resources, including a \$2 million dollars appropriation from the City’s unassigned General Fund balance to be complemented by \$1 million dollars from philanthropic, corporate and other charitable sources; and

WHEREAS, City Council desires to adopt in principle the aforementioned czb, LLC study, accept the specific recommendations from the Committee as outlined above and appropriate \$2 million dollars from the City’s unassigned General Fund balance in furtherance of the City’s affordable housing initiatives;

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

Section 1. The czb, LLC study entitled “Balancing Prosperity and Housing Affordability in Greenville” is hereby adopted in principle. Further, the City specifically adopts the following two strategies in furtherance of its affordable housing initiative: (1) the active preservation of existing units that are already affordable as well as the production of new units and (2) the acquisition of property to support the production of new affordable housing.

Section 2. There is hereby appropriated \$2 million dollars from the City’s unassigned General Fund balance in furtherance of the City’s affordable housing initiative as reflected in the attached Exhibit incorporated herein. The City Manager is respectfully directed to formulate a plan for the expenditure of the funds (“Plan”) which shall then be approved by City Council by way of Resolution. The Plan shall address among other things, the manner in which the City’s investment is to be complemented by \$1 million dollars in investment from philanthropic, corporate and other charitable sources. No funds appropriated hereunder shall be expended until the Plan is approved by City Council.

Section 3. This Ordinance shall become effective upon passage on the second and final reading.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2016.

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: John F. Castile, City Manager

Agenda Item No.

15b

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

AGENDA DATE REQUESTED: December 12, 2016

ORDINANCE/RESOLUTION CAPTION:

TO AMEND CHAPTER 2, ARTICLE III, DIVISION 6, OF THE OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO MAKE CERTAIN CHANGES TO THE COMMISSION ON FIRE AND POLICE PRACTICES

SUMMARY BACKGROUND:

The purpose of this Ordinance is to improve the relationship between the community and public safety departments. The Commission on Fire and Police Practices ("Commission") proposes the following amendments: (a) that the name of the Commission be changed to the Public Safety Citizen Review Board to better reflect its dual responsibility of addressing employment grievances made by uniformed personnel and, of equal importance, receiving complaints from concerned citizens pertaining to the City's public safety departments; (b) the Commission membership should be increased from five to seven members in order to reflect the City's growth; and (c) the Commission should ensure that all citizens have an opportunity to publicly address the Board at each meeting concerning matters within its jurisdiction.

City Council desires to adopt the Commission's recommendations and thanks its members for its distinguished service to the City.

IMPACT IF DENIED / APPROVED:

If denied, Chapter 2, Article III, Division 6, will not be amended. If approved, Chapter 2, Article III, Division 6, will be amended and the relationship between the community and public safety departments will improve.

FINANCIAL IMPACT:

N/A

REQUIRED SIGNATURES

Department Director _____

City Attorney _____

DocuSigned by:

Michael S. Pitts

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DocuSigned by:

John Castile

OMB Director _____

City Manager _____

FC2569CAE224473...

AN ORDINANCE

TO AMEND CHAPTER 2, ARTICLE III, DIVISION 6, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO MAKE CERTAIN CHANGES TO THE COMMISSION ON FIRE AND POLICE PRACTICES

WHEREAS, as successor to the Civil Service Commission that was established pursuant to authority granted from the General Assembly in the 1930's, the city of Greenville, pursuant to Ordinance No. 2005-44, established the Commission on Fire and Police Practices ("Commission") to afford uniformed sworn personnel of the City's Fire and Police Departments the opportunity to grieve certain issues pertaining to hiring, promotion and disciplinary action to an independent body made up of citizens; and

WHEREAS, the Commission is also empowered to hear citizen complaints concerning the public safety departments; and

WHEREAS, in light of the recent climate on both the national and local levels concerning the relationship between the community and public safety, the Commission recently met on multiple occasions to re-examine its policies and procedures; and

WHEREAS, as a result of those meetings and having afforded ample opportunity for public input, the Commission recommends the following: (a) the name of the Commission be changed to the Public Safety Citizen Review Board to better reflect its dual responsibility of addressing employment grievances made by uniformed personnel and, of equal importance, receiving complaints from concerned citizens pertaining to the City's public safety departments; (b) the Commission membership should be increased from five to seven members in order to reflect the city's growth; (c) the Commission should ensure that all citizens have an opportunity to publicly address the Board at each meeting concerning matters within its jurisdiction; and (d) that citizens have multiple reporting mechanisms made available to them; and

WHEREAS, City Council desires to adopt the Commission's recommendations and thank its members for its distinguished service to the City;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, Chapter 2, Article III, Division 6, of the Code of Ordinances of the City of Greenville be amended to reflect those changes shown on the attached Exhibit. This Ordinance shall take effect upon passage at second and final reading.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2016.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

EXHIBIT

~~COMMISSION~~ PUBLIC SAFETY CITIZEN REVIEW BOARD ON FIRE AND POLICE PRACTICES

Sec. 2-309. - Purpose.

- (a) The city council finds that the demands and challenges for uniformed employees serving in the city police and fire departments are different from those of employees serving in other city departments. People engaged in law enforcement and fire suppression are subjected to danger more regularly and with less notice than other people in the work force. Ordinarily, uniformed employees in the police and fire departments require training and certification under state law to perform their duties. They are organized in groups in which mutual support and chain of command are far more integral to the success of their individual responsibilities than is the case for employees in other departments. The characteristics of their organization and the authority vested in the departments can lead to abuses. Some abuses are those which the employees can sustain when the organizational structure and its practices perpetuate or cover inequitable treatment. Some abuses are those that less responsible uniformed employees might inflict upon members of the public at large under the pretense of exercising their duly vested powers and responsibilities.
- (b) In these circumstances, there is merit in having independent citizens of good character and good judgment make conclusions after reasonable inquiry about general departmental practices and specific events which are brought to their attention. This division establishes the mechanism by which such inquiries can be made and such conclusions can be reached in a way that protects the public interest and promotes the integrity of the city organization.
- (c) The city council further finds citizens will benefit from an independent board that is empowered to consider larger policy issues as they pertain to public safety and to hear specific concerns from the public at large concerning the public safety departments when those concerns are significant enough to warrant scrutiny and independent judgment.

(Code 1997, § 2-309; Ord. No. 2005-44, § 2(exh. B), 5-31-2005)

Sec. 2-310. – ~~Commission~~ Public Safety Citizen Review Board on fire and police practices.

There is established a ~~commission~~ public safety citizen review board on fire and police practices to exercise the powers vested in it in accordance with the provisions of this division. The ~~commission board~~ shall receive and review internal complaints from uniformed employees about policies, practices and procedures in the police department and fire department. The ~~commission board~~ shall also receive and review external complaints about uniformed employees of the police department and fire department. Uniformed employees shall include all personnel who have been trained and certified in accordance with the general law of the state to exercise the authority of a law enforcement officer or a firefighter, regardless of whether they wear uniforms in the exercise of their duties on a regular basis.

(Code 1997, § 2-310; Ord. No. 2005-44, § 2(exh. B), 5-31-2005)

Sec. 2-311. - Members and terms of office; uniformed participants.

- (a) The ~~commission~~ board shall consist of ~~seven~~ five voting members, selected by the city council for staggered terms of office of four years each. Each member must be a person who resides in the city, is at least 30 years of age, and has sound judgment and good moral character. No member shall be the spouse, parent, child or sibling of any employee of the police department or fire department. The city council shall exercise care in its selection of members to maintain a total membership that is reasonably representative of a cross section of a diverse population.
- (b) In addition to the voting members, there shall be one nonvoting participant representative of the uniformed employees from the police department and one nonvoting participant representative of the uniformed employees from the fire department. Each participant shall be selected by the city manager after consultation with the chief of the affected department and other members of the department as deemed appropriate by the city manager. Each participant shall have at least five continuous years' experience with the department and no participant shall be the grade of lieutenant or higher. Each nonvoting participant shall be authorized to volunteer statements or to answer questions from the ~~commission~~ board during hearings and deliberations, but nonvoting participants shall not vote on actions taken by the ~~commission~~ board. Each nonvoting member shall be subject to disciplinary action for violating committee provisions of confidentiality.

(Code 1997, § 2-311; Ord. No. 2005-44, § 2(exh. B), 5-31-2005; Ord. No. 2006-68, 8-7-2006; Ord. No. 2011-51, 6-13-2011)

Sec. 2-312. - Meetings.

The ~~commission~~ board shall establish a regular schedule for meetings that occur no less than four times each year on a quarterly basis. The committee shall also make provision for special meetings as special needs arise. At each regular meeting, citizens shall be afforded an opportunity to address the board on matters within the board's jurisdiction pursuant to such reasonable rules as the board may adopt to ensure a balance between good order and the rights of citizens to be heard.

(Code 1997, § 2-312; Ord. No. 2005-44, § 2(exh. B), 5-31-2005; Ord. No. 2008-02, 1-28-2008)

Sec. 2-313. - Complaints.

- (a) Internal complaints.
- (1) Any uniformed employee of the police department or fire department who believes that the policies and practices of that department result continually in acts of unfairness, or believes that on a single occasion, there has been an especially damaging impact, may file a written statement requesting the ~~commission~~ board to review those practices, or to address the circumstances of the single event. The uniformed employee may, in the alternative, elect to petition through the grievance procedures otherwise applicable to employees in general, but the uniformed employee cannot exercise both procedures. The complaint must specify what actions the employee has taken to seek a redress of the grievance internally and should say in what respects the department's internal procedures have not or will not address the problem.

- (2) The following complaints in ordinary circumstances shall not be addressed to the ~~commission~~ board:
- a. Annual employee evaluations.
 - b. Job assignments.
 - c. Amounts of compensation.
- (3) Notwithstanding the list of exclusions in subsection (a)(2) of this section, such items may be presented to the ~~commission~~ board for review when there is a compelling reason to do so and the employee describes succinctly how departmental procedures otherwise in place fail to evaluate properly the employee's circumstances.
- (b) External complaints. Any person who has a complaint about the conduct or statements of a uniformed employee of the police department or fire department may initiate ~~file~~ a complaint with the department, through the human resources department or directly with the ~~commission~~ board. All external complaints, regardless of how received, shall first be investigated by the affected department and the complainant shall be informed of the final departmental determination. If the complainant is not satisfied with the determination, he or she may seek further review by the board in accordance with the procedure outlined in this division. ~~provided procedures available in the department have been exhausted without a result satisfactory to the complaining person.~~ All final departmental determinations must inform the complaining person of this opportunity.

(Code 1997, § 2-313; Ord. No. 2005-44, § 2(exh. B), 5-31-2005)

Sec. 2-314. - Powers of the commission board.

- (a) Upon receipt of a complaint and the final agency determination made without undue delay, the ~~commission~~ board may undertake an inquiry through its own membership, or through city staff from outside the police or fire departments, or through some combination of those resources to determine the accuracy of the facts and circumstances set forth in the complaint. Upon completion of the inquiry, the ~~commission board~~ shall summarize its findings and recommended actions and shall submit those to the complaining employee or to the complaining member of the public, and shall submit the same findings and recommendations to the chief of the affected department and to the city manager. The chief and the city manager may designate one or more persons to receive and assess such reports and recommendations on a regular basis.
- (b) In exercising its duties under subsection (a) of this section, the ~~commission~~ board shall have access to all reasonably relevant personnel records or records related to personnel, except to the limited extent such access is specifically precluded by state or federal law. Personnel records which are not relevant shall not be made available. The ~~commission board~~ shall have access to records and files kept in the ordinary course of departmental operations. The ~~commission board~~ shall have access to other investigations and inquires within the department and relevant to the inquiry before the ~~commission board~~. Any assertion by a department head or a person keeping the records to be provided that their disclosure to the ~~commission board~~ would breach confidentiality of highly personal information, threaten public security, or harm an ongoing investigation shall be resolved by the city attorney.

- (c) The ~~commission~~ board shall have the authority to summon for interview any city employee, other than the city manager, the city attorney or members of their immediate office staffs. Nor shall the elected officials of the city be subjected to a summons from the ~~commission~~ board. The ~~commission~~ board has authority to invite for interview any member of the public having knowledge of the facts. The conversations may be held in private to the full extent otherwise permitted by law. The ~~commission~~ board may delegate one or more members to conduct private interviews, provided their meetings and discussions occur in compliance with state law. The ~~commission~~ board or delegated ~~commission~~ board members may hold such conversations in private without notifying the chiefs or supervisors within the respective departments.
- (d) The ~~commission~~ board on its own may initiate its own inquiry into established practices of the respective departments, or into the facts giving rise to a specific occurrence, provided the ~~commission~~ board first delivers to the city manager a written statement of its intent to do so. Upon completion of such inquiries, the ~~commission~~ board shall make a summary of its findings and present them along with any recommendations to the city manager.
- (e) The ~~commission~~ board may request legal services from the city attorney.
- (f) The ~~commission~~ board may from time request appearances before city council for purposes of discussing items of interest or concern related to the management or operations of the police department or fire department. Such appearances may be in open session or closed session to the extent permitted or required by applicable law.
- (g) Information which is lawfully classified as confidential and which is received as confidential information by the ~~commission~~ board shall not be disclosed, directly or indirectly, by ~~commission~~ board members to media representatives, other members of the public, or to employees. Nothing in this subsection shall preclude the disclosure of all relevant information to the extent necessary or appropriate by the committee in its reports to the chiefs and the city manager.

(Code 1997, § 2-314; Ord. No. 2005-44, § 2(exh. B), 5-31-2005)

Sec. 2-315. - Retaliation prohibited.

- (a) No chief, supervisor or coworker of a complaining employee shall retaliate, directly or indirectly, in any manner against the employee who exercises rights under this division or who makes statements to the ~~commission~~ board or its delegated member or representative.
- (b) No uniformed employee of the police department or of the fire department shall retaliate, directly ~~or~~ or indirectly, in any manner against any complaining person who is part of the general public for having submitted a complaint or report to the ~~commission~~ board.
- (c) Any violation of this section shall be a basis for disciplinary action, including dismissal.

(Code 1997, § 2-315; Ord. No. 2005-44, § 2(exh. B), 5-31-2005)

Secs. 2-316—2-330. - Reserved.



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

To: Honorable Mayor and Members of City Council
From: John F. Castile, City Manager

Agenda Item No.

15c

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

AGENDA DATE REQUESTED: December 12, 2016

ORDINANCE/RESOLUTION CAPTION:

TO MODIFY THE SUB-DISTRICT ZONING DESIGNATION OF CERTAIN PROPERTIES WITHIN THE HAYNIE-SIRRINE NEIGHBORHOOD PLANNED DEVELOPMENT DISTRICT FROM NEIGHBORHOOD GENERAL (NG) TO UNIVERSITY RIDGE VILLAGE CENTER (URVC) AND NEIGHBORHOOD CENTER (NC) ON AN AREA OF 6.32 ACRES BOUNDED BY THRUSTON STREET, HOWE STREET, AND AUGUSTA STREET (TAX MAP NUMBERS 0091010600102, 0091010600103, 0091010600101)

SUMMARY BACKGROUND:

McMillan Pazdan Smith on behalf of the property owner, Greenville Housing Authority, applied to the Planning Commission to modify the Haynie-Sirrine PD in order to rezone an area of the 'Neighborhood General' sub-district to 'University Ridge Village Center' sub-district for the purpose of allowing greater building height.

The City Planning Commission, pursuant to public notice, held a public hearing on November 17, 2016, to consider the proposed rezoning, and the Commission recommended approving the modification to 'University Ridge Village Center' sub-district for a portion of the site that includes the existing building at the corner of Howe Street and Thruston Street, and recommended 'Neighborhood Center' sub-district for the remainder of the site for two proposed new buildings, which would satisfy both existing and proposed building heights and provide a gradual height transition between surrounding zones.

IMPACT IF DENIED / APPROVED:

If denied, the Sub-District zoning designation of certain properties within the Haynie-Sirrine Neighborhood Planned Development District will not be modified.

FINANCIAL IMPACT:

N/A

REQUIRED SIGNATURES

Department Director

DocuSigned by:

 1DC2D48BBB5D4AB...

City Attorney

DocuSigned by:

 5E0F2A267E2D413...

OMB Director

City Manager

DocuSigned by:

 FC2569CAE224473...

AN ORDINANCE

TO MODIFY THE SUB-DISTRICT ZONING DESIGNATION OF CERTAIN PROPERTIES WITHIN THE HAYNIE-SIRRINE NEIGHBORHOOD PLANNED DEVELOPMENT DISTRICT FROM NEIGHBORHOOD GENERAL (NG) TO UNIVERSITY RIDGE VILLAGE CENTER (URVC) AND NEIGHBORHOOD CENTER (NC) ON AN AREA OF 6.32 ACRES BOUNDED BY THRUSTON STREET, HOWE STREET, AND AUGUSTA STREET (TAX MAP NUMBERS 0091010600102, 0091010600103, 0091010600101) (Z-24-2016)

WHEREAS, McMillan Pazdan Smith on behalf of the property owner, Greenville Housing Authority, applied to the Planning Commission to modify the Haynie-Sirrine PD in order to rezone an area of the ‘Neighborhood General’ sub-district to ‘University Ridge Village Center’ sub-district for the purpose of allowing greater building height; and

WHEREAS, the City Planning Commission, pursuant to public notice, held a public hearing on November 17, 2016, to consider the proposed rezoning, and the Commission recommended approving the modification to ‘University Ridge Village Center’ sub-district for a portion of the site that includes the existing building at the corner of Howe Street and Thruston Street, and recommended ‘Neighborhood Center’ sub-district for the remainder of the site for two proposed new buildings, which would satisfy both existing and proposed building heights and provide a gradual height transition between surrounding zones; and

WHEREAS, City Council finds the ‘University Ridge Village Center’ sub-district and ‘Neighborhood Center’ sub-district classifications to be compatible with the Haynie-Sirrine Neighborhood Master Plan, the City’s Comprehensive Plan, and compatible with the existing and permitted neighboring uses;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the Sub-District zoning designation of the parcels of property consisting of approximately 6.32 acres bounded by Thruston Street, Howe Street, and Augusta Street are rezoned to University Ridge Village Center and Neighborhood Center as reflected on the map attached hereto as Exhibit A, which was prepared by the City of Greenville Planning Division and is incorporated by reference for purposes of identifying zoning sub-districts. This Ordinance shall be effective upon second and final reading by City Council.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2016.

MAYOR

ATTEST:

CITY CLERK

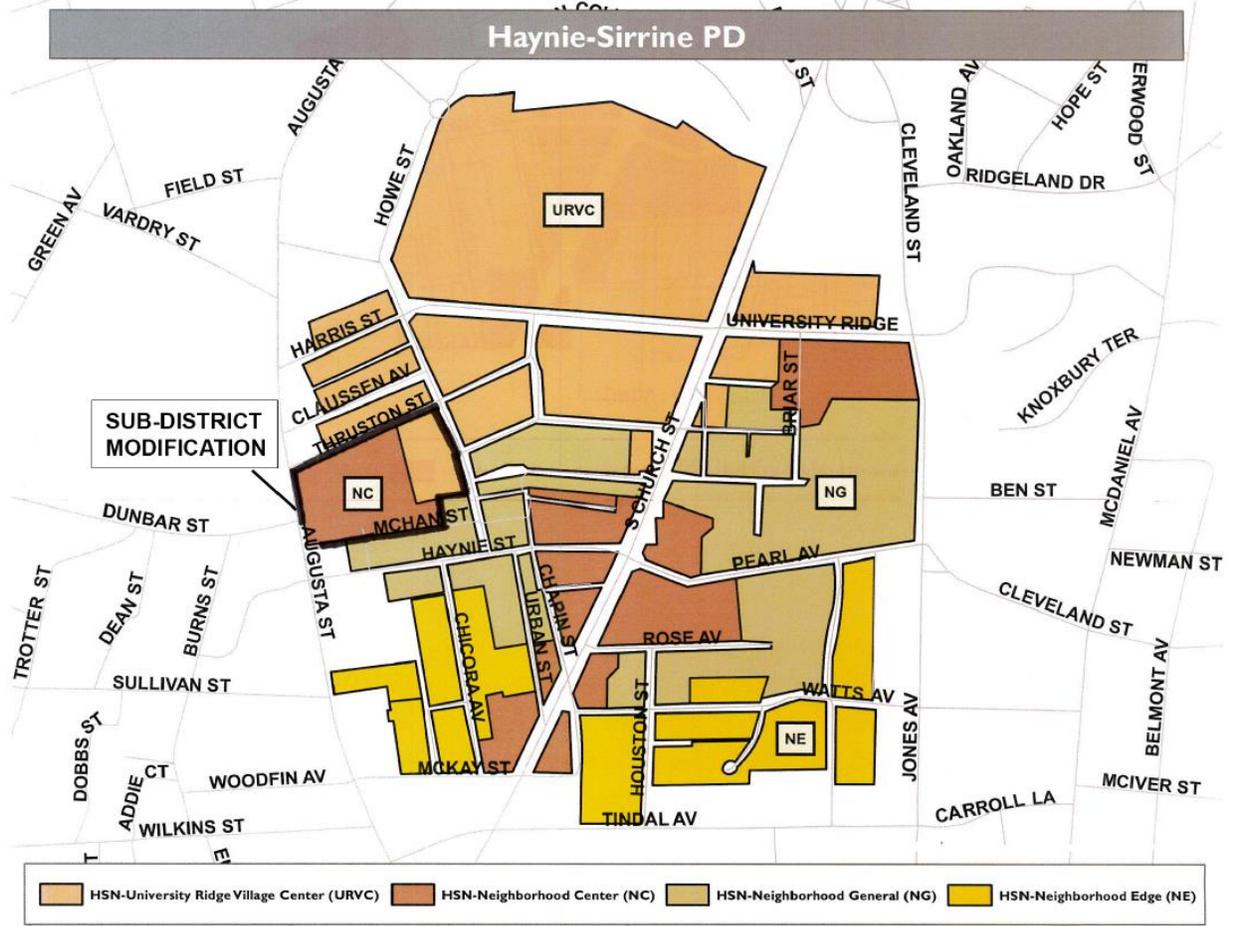
APPROVED AS TO FORM:

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: John F. Castile, City Manager

Agenda Item No.

16a

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

AGENDA DATE REQUESTED: 12/12/16

ORDINANCE/RESOLUTION CAPTION:

TO APPROVE A MUNICIPAL STATE HIGHWAY AGREEMENT BETWEEN SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION AND THE CITY OF GREENVILLE FOR THE CHURCH STREET BRIDGE REHABILITAION PROJECT

SUMMARY BACKGROUND:

The South Carolina Department of Transportation (SCDOT) is rehabilitating the Church Street Bridge. The project is located within the municipal limits of the city of Greenville. Consequently, a municipal state highway project agreement is necessary before SCDOT can construct the project. The project consists of hydro demolition of the existing deck, structural repairs, replacement of bridge deck surface, replacement of sidewalks, and repair of lighting conduits and circuits. The bid is scheduled to bid in December and construction is expected to start in April and finish at the end of July.

IMPACT IF DENIED / APPROVED:

If denied, the project will not be built within the city limits. If approved, the project will be built.

FINANCIAL IMPACT:

There is no financial impact.

REQUIRED SIGNATURES

Department Director

DocuSigned by:

Mike Murphy

B8351B3CF7524D2...

City Attorney

DocuSigned by:

Michael S. Pitts

5E0F2A267E2D413...

DocuSigned by:

OMB Director

City Manager

John Castile

FC2569CAE224473...

A RESOLUTION

TO APPROVE A MUNICIPAL STATE HIGHWAY AGREEMENT BETWEEN SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION AND THE CITY OF GREENVILLE FOR THE CHURCH STREET BRIDGE REHABILITATION PROJECT

WHEREAS the South Carolina Department of Transportation (“SCDOT”) proposes to construct, reconstruct, alter or improve the certain segments of the highway(s) in the State Highway System referenced above which are located within the corporate limits of the city of Greenville (hereinafter, “the City”); and

WHEREAS, S.C. Code §57-5-820 and §57-5-830 require the approval of a city council when major improvements are made to state roads within the municipality, except in those cases where urgent action is needed for bridge safety; and

WHEREAS, City Council has reviewed proposed plans for the Church Street Bridge Rehabilitation Project (“Project”) and Council is prepared to authorize the construction and improvements of the aforesaid highway(s) in accordance with plans to be prepared by the SCDOT, attached hereto and incorporated herein by reference as Exhibit A (“the Project Plans”) including, but not limited to, the requirement that any landscaping removed or disturbed as a result of the Project shall be replaced in as good as condition as existing prior to commencement of the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, there is approved the Municipal State Highway Project Agreement between South Carolina Department of Transportation and the city of Greenville identified more particularly in Exhibit B, which is incorporated herein by reference. The Mayor is herewith authorized to execute the Agreement in substantially the same form as provided in Exhibit B, and he shall have authority to permit the final document to have technical variances from the attached Exhibit, when such variances are compatible with the purpose of the Resolution and not adverse in a significant way to the interests of the City or the public. This Resolution shall take effect upon passage.

RESOLVED THIS _____ DAY OF _____, 2016.

MAYOR

Attest:

CITY CLERK

EXHIBIT A

SCDOT
South Carolina Department of Transportation

PROPOSED PLANS FOR
GREENVILLE COUNTY
PROJECT ID P028821
REHABILITATE ROUTE US 29 (SOUTH CHURCH STREET)
OVERPASS OVER S-75 (McBEE AVENUE)

BRIDGE PLANS ID: _____
SHEET NO.: 1

INDEX OF SHEETS

1. Title Sheet
2. Summary of Estimator Quantities
3. General Notes
4. General Details
5. Reinforcing Bar Detail
6. Bridge Plan and Profile
7. Bridge Section
8. Steps of Construction (1 of 2)
9. Steps of Construction (2 of 2)
10. Sidewalk and Median Details (1 of 2)
11. Sidewalk and Median Details (2 of 2)
12. Structure Drainage System Details
13. Traffic Control Plans
14. Existing Plans (For Information Only)

SITE LOCATION

3 DAYS BEFORE BIDDING IN SOUTH CAROLINA
CALL 811
SOUTH CAROLINA (811) (811)
ALL UTILITIES MAY NOT BE A MEMBER OF 811

ASSET ID _____

TRAFFIC DATA
2015 ADT: 24500 V.P.D.
2035 ADT: 35525 V.P.D.
TRUCKS: 4 %

PROPOSED PLANS

NET LENGTH OF ROADWAY	LANE	FEET	LANE	FEET
NET LENGTH OF BRIDGES	LANE	FEET	LANE	FEET
NET LENGTH OF PROJECT	LANE	FEET	LANE	FEET
LENGTH OF EXPOSED BRIDGE	LANE	FEET	LANE	FEET
GRABALL LENGTH OF PROJECT	LANE	FEET	LANE	FEET

LAYOUT

NET LENGTH OF ROADWAY	LANE	FEET	LANE	FEET
NET LENGTH OF BRIDGES	LANE	FEET	LANE	FEET
NET LENGTH OF PROJECT	LANE	FEET	LANE	FEET
LENGTH OF EXPOSED BRIDGE	LANE	FEET	LANE	FEET
GRABALL LENGTH OF PROJECT	LANE	FEET	LANE	FEET

NOTE: QUANTITIES ARE NOT TO BE USED FOR BIDDING ON THE AS-BUILT BASIS. THE QUANTITIES ARE FOR INFORMATION ONLY AND SHOULD BE USED AS A GUIDE ONLY. THE CONTRACTOR SHALL VERIFY THE QUANTITIES AND MAKE ANY NECESSARY ADJUSTMENTS TO THE QUANTITIES BEFORE BIDDING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE QUANTITIES AND MAKE ANY NECESSARY ADJUSTMENTS TO THE QUANTITIES BEFORE BIDDING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE QUANTITIES AND MAKE ANY NECESSARY ADJUSTMENTS TO THE QUANTITIES BEFORE BIDDING.

South Shop Plans list:
SCDOT
Advanced Support Engineer
Amit L. Gupta
Charlotte, NC 28201

Approver's License of Bridge P:
Amit L. Gupta
License No. 872-22-487

DATE	PLN. NO.	DATE

ENGINEER OF RECORD

DATE _____

FOR CONTRACT ID: _____

DMARC NO. 700-01

REVIEWED	BY	CHK	DATE

Printed: Thursday, November 03, 2016 10:02 AM

REVISION NUMBER	3
DESCRIPTION	POBRES1-080

BRIDGE REHABILITATION NOTES

The exact extent of reconstruction work, repair or replacement shall be determined prior to the commencement of work. The extent of reconstruction work shall be determined by the Inspector and other information available at the time, which shall constitute the basis for the contract documents. It is the responsibility of the contractor to coordinate with the conditions.

All dimensions of new construction on rehabilitation projects are subject to the RIE and the Contractor is to verify conduct a field inspection to determine and verify the extent of work. The RIE and the Contractor are to jointly conduct a field inspection to determine and verify the extent of work. The RIE and the Contractor are to jointly conduct a field inspection to determine and verify the extent of work. The RIE and the Contractor are to jointly conduct a field inspection to determine and verify the extent of work.

- SCOPE OF WORK AND CONSTRUCTION SEQUENCE**
1. Remove pedestrian detour racks (sheet 101) in accordance with the Special Provisions.
 2. Prepare deck surface using hydroblasting, overlay or high, remove and replace sidewalks and median as part of this work in accordance with the staging plans.
 3. Re-align deck expansion joints. See sheet 4 for details.
 4. Clean out and perform repairs to structure drainage system. See sheet 12 for details.
 5. Clean and joint existing structural steel girders, diaphragms, and bearings in spans 1-5.
- It is the Contractor's sole obligation and responsibility to use methods, equipment, materials, and labor to complete the work in accordance with the Special Provisions of the required work with minimum delay.

MATERIAL & WORKMANSHIP

Conform to the specifications with the South Carolina Department of Transportation 2007 Standard Specifications for Road and Bridge Construction, unless otherwise specified on the Plans or in the Special Provisions.

COORDINATION OF PLANS, SPECIFICATIONS, AND SPECIAL PROVISIONS

General notes shall govern over the Standard Specifications, but the remainder of the plans govern over the Standard Specifications. See Subsection 101.02 of the Standard Specifications.

REINFORCING STEEL

Conform to the specifications with the current A.C.I. 308R-11. Reinforcing steel shall be furnished by the Contractor and shall conform to the specifications for reinforcing steel. Reinforcing steel shall be furnished by the Contractor and shall conform to the specifications for reinforcing steel.

CONCRETE

Provide the class of concrete as noted in the contract documents. For concrete, the class of concrete is not specified in the contract documents. The contractor shall provide the class of concrete as noted in the contract documents.

STRUCTURAL STEEL

Layout dimensions and standard heights of beams shown are for lateral bracing. Beams which shall be braced when in place. In a girder, the bracing shall be provided by the Contractor. In a truss, the bracing shall be provided by the Contractor.

ORIENTATION IN RELATION TO STATIONING

Left and right sides, where referred to in these plans, are in relation to the direction of travel.

SPECIFICATIONS

Refer to the Standard Specifications, 6th Edition, with amendments through 2012.

ANSI/AASHTO/AWS D1.5 Bridge Welding Code (Latest Edition) with amendments through 2012.

FIELD PAINTING OF STRUCTURAL STEEL

Comply with Section 710 of the Standard Specification and the Special Provisions.

DECK REPAIR

Refer to the specifications for deck repair. The contractor shall provide the materials and labor for deck repair. The contractor shall provide the materials and labor for deck repair.

PEDESTRIAN DETOUR IMPROVEMENTS

Refer to the specifications for pedestrian detour improvements. The contractor shall provide the materials and labor for pedestrian detour improvements. The contractor shall provide the materials and labor for pedestrian detour improvements.

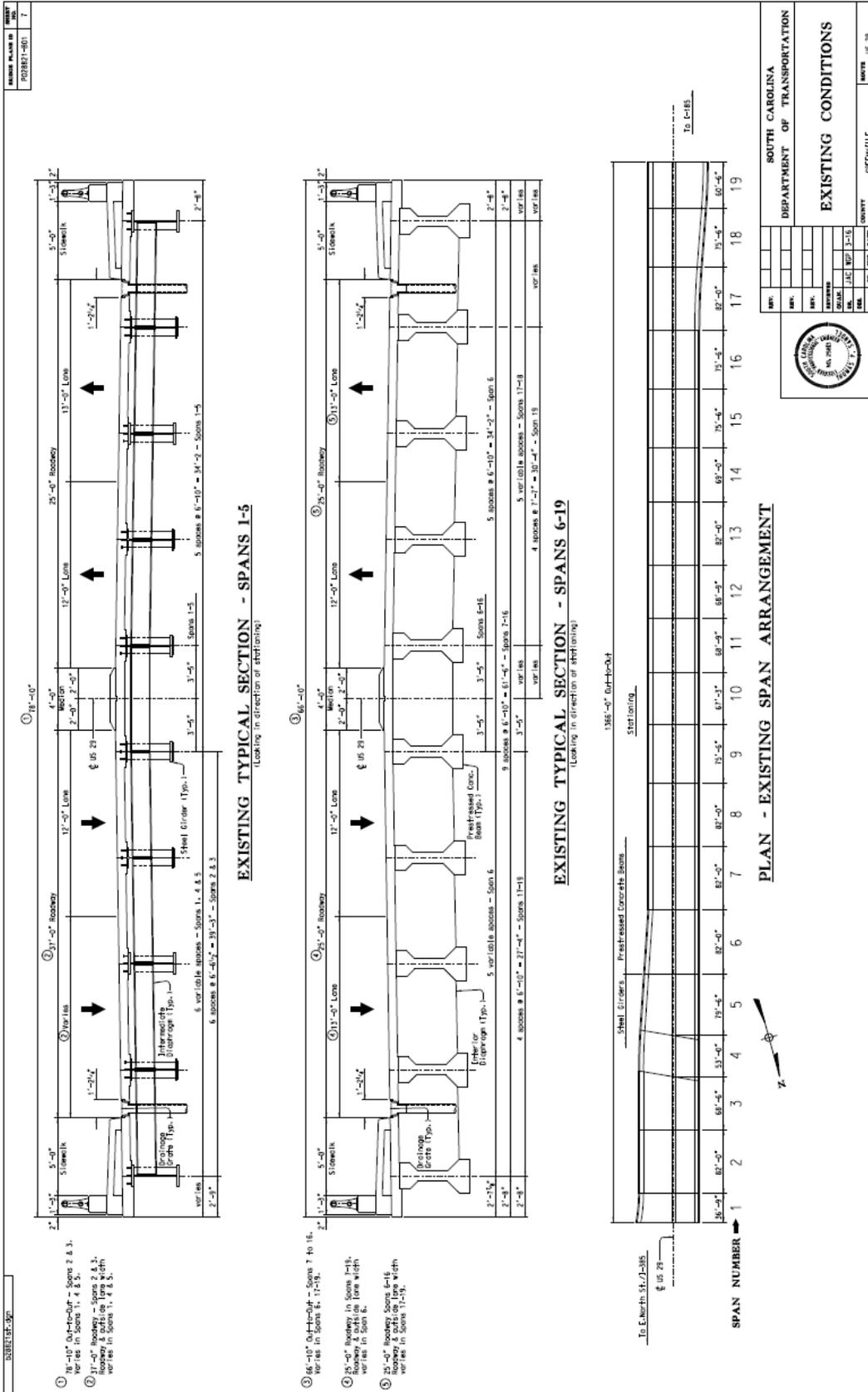


SOUTH CAROLINA
DEPARTMENT OF TRANSPORTATION

GENERAL NOTES

DATE	BY	CHKD	DATE

COUNTY: GREENVILLE DRAWN: US 29

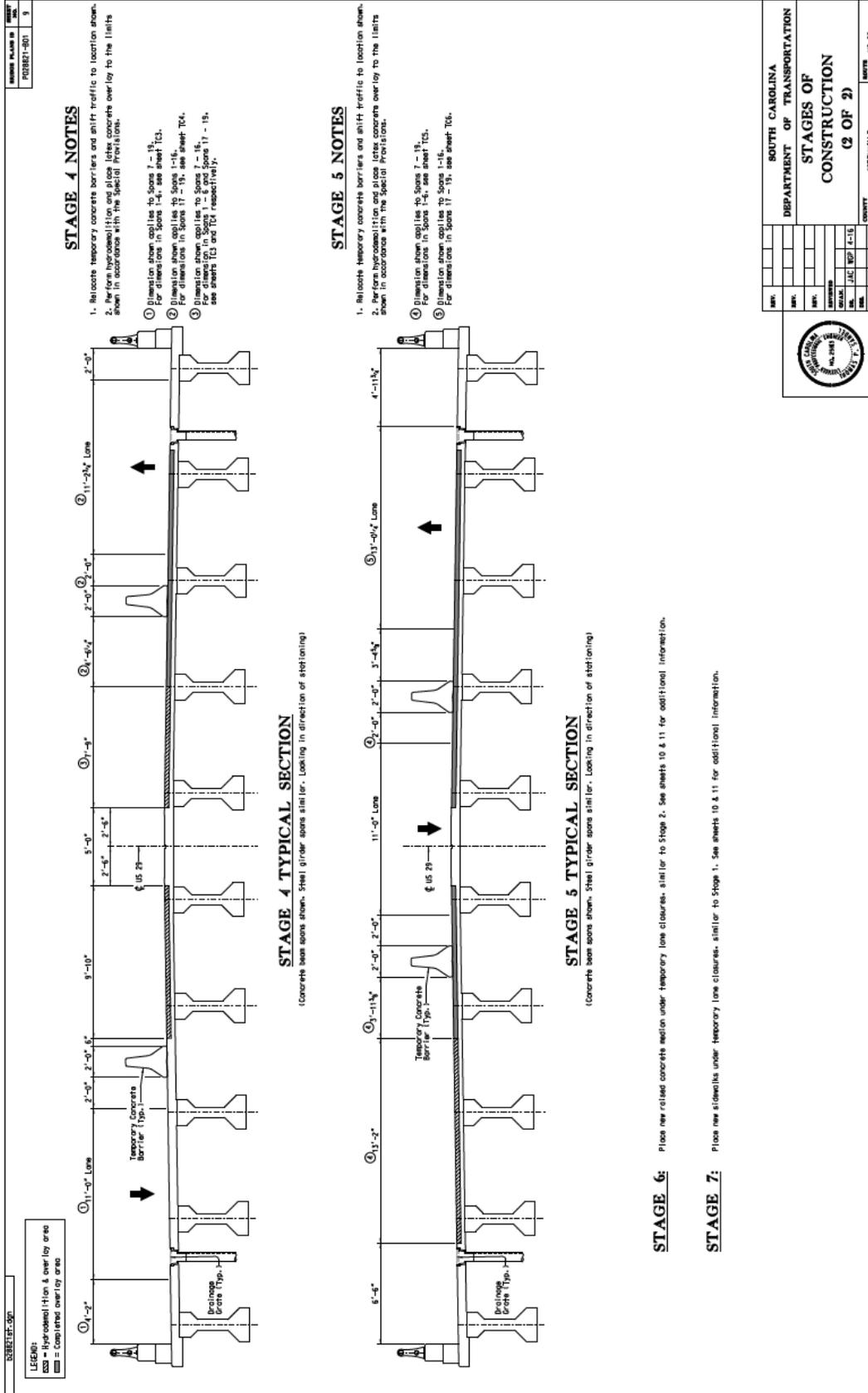


SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION

EXISTING CONDITIONS

DATE: JUL 20 2016
BY: [Signature]
CHECKED BY: [Signature]

PROJECT: [Blank]
SHEET: [Blank] OF [Blank]



PRINTED THROUGH SOUTHERN ELECTRIC COMPANY

DATE:	NO.:	REV.:	BY:	CHK.:	DATE:	NO.:	REV.:	BY:	CHK.:	DATE:
SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION STAGES OF CONSTRUCTION (2 OF 2)										
COUNTY: GREENVILLE										SHEETS: US 29



PROJECT NO. 2016-001

DATE 12/17

NOTES

1. Clean out all existing drainage grates and 6" dia. cast-iron support pipes to completely remove debris. Include all cost associated with cleaning out the portions of an existing drainage system being retained in the unit price bid for "Clean Out of Existing Drain Basin".

2. Remove and dispose all existing 6" dia. stone aggregate, wrought iron pipe downspouts, cast-iron downspouts, cast-iron support pipes, cast-iron pipe, cast-iron pipe hangers, cast-iron pipe brackets, and 1/2" dia. expansion bolts. Bolts may be externally coated and holes filled with concrete. Grout or bolts may be cut flush with face of cap or column and 500BT approved rust inhibitor applied to remaining surface. Contractor shall provide and install all new drainage system components, including outlet, work described in note 3 below, in the lump sum price bid for "Install of Structures and Appurtenances".

3. Provide new 6" dia. fiberglass pipe and fittings meeting the requirements of ASTM D 2936 and the accelerated UV weathering requirements of ASTM F 154.

4. Prepare all fiberglass pipe and fittings green to match Federal Specification 24372, ASTM A 153, or mechanically galvanized in accordance with ASTM A 123, Class 70.

5. The drainage system details on this sheet are schematic drawings only. The contractor shall evaluate each unique location to determine the proper fittings, pipe lengths, spacings, and materials to be used. The contractor shall conduct a field review with the SDC to verify the details required of each outlet as described in note 3 below.

6. Replace all existing or damaged drainage grates of the direction of the SDC. Use existing plan and section drawings for existing grates. Grates shall be removed and installed in the lump sum price bid for "Structure Drainage System".

7. Install new pipes in accordance with Section 725 of the Standard Specifications.

8. Include all cost of labor and materials necessary to fabricate and install new fiberglass drainage system pipes, fittings, hardware, etc. in the lump sum price bid for "Structure Drainage System".

9. Provide 10" Min. dia. 1/2" Fiberglass reducer or collector fitting may be substituted for rectangular or circular 10" Min. dia. 1/2" Fiberglass reducer or collector fitting.

10. Place of pipe end is offset 1/2" from face of column according to existing plans. Minimum break length at end or provide 1/2" thick steel plate welded to base of 6" dia. fiberglass pipe in vertical pipe position.

11. Provide outlet for new downspouts at the following locations as follows:
 Pier 15 in line of details shown. 6" dia. fiberglass pipe into existing drainage system using cast iron pipe bracket to match current conditions.
 Pier 16 and 17 as shown. Typical Drain Pipe Elevation and Section showing cast iron pipe bracket and cast iron pipe into existing drainage system.
 Piers 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 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, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

TYPICAL DRAIN PIPE ELEVATION
(Concrete base shown. Steel Grate shown still.)

④ DRAIN BOX DETAILS

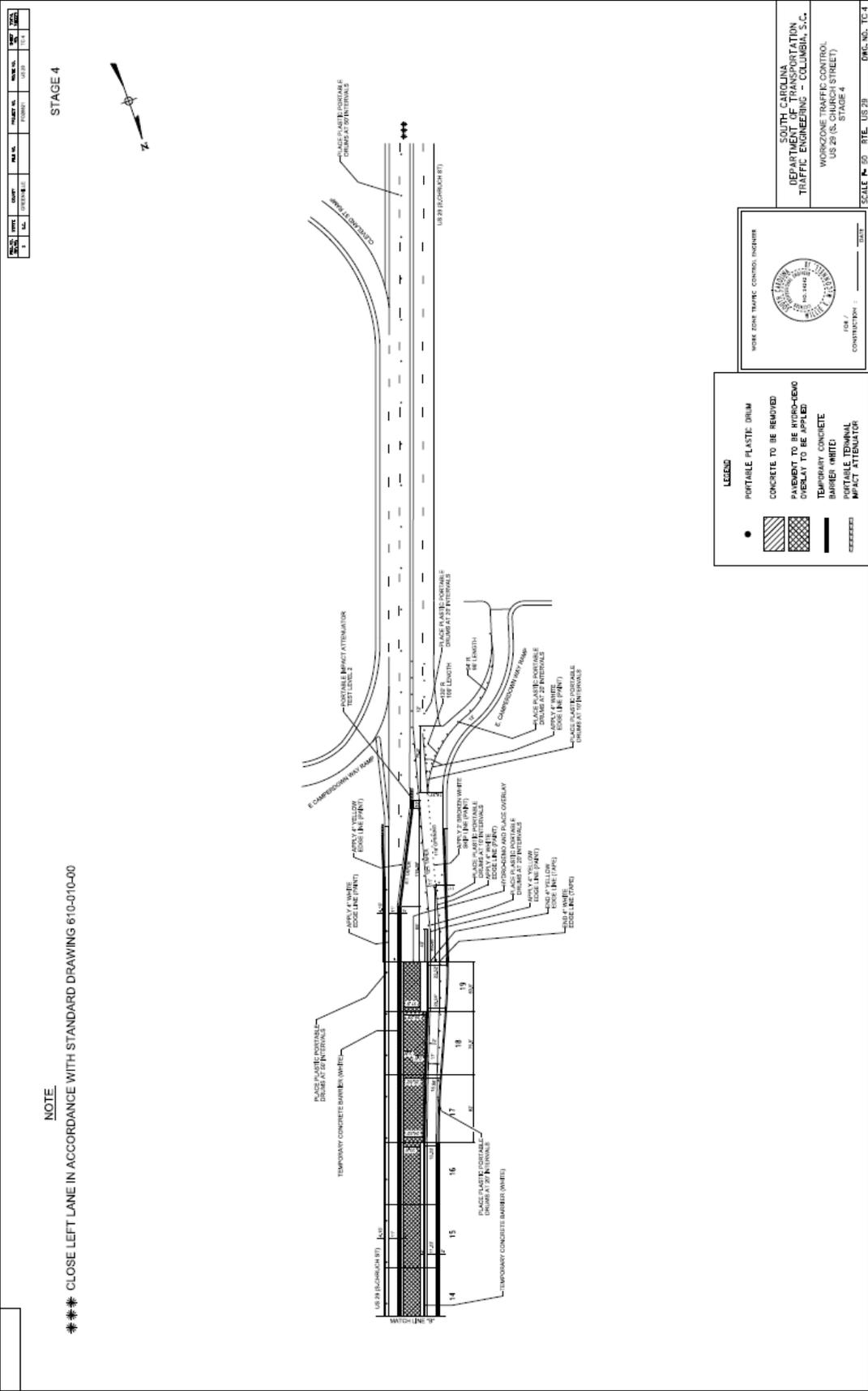
⑤ DRAIN PIPE BRACKET DETAIL

⑥ ALTERNATE PIPE OUTLET DETAIL
(For landscaped areas only)

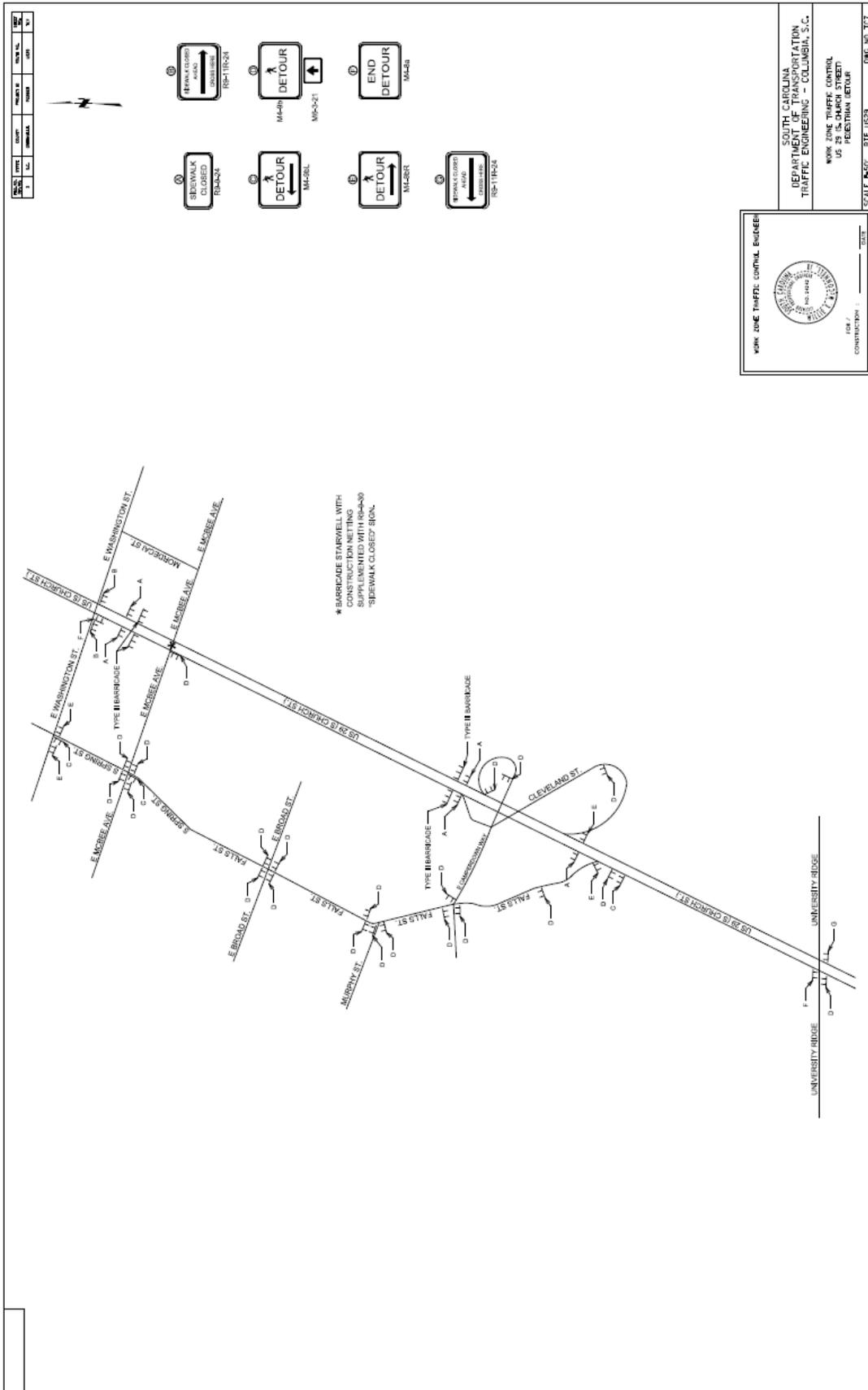
QUANTITIES

SOUTH CAROLINA
DEPARTMENT OF TRANSPORTATION
STRUCTURE DRAINAGE SYSTEM DETAILS

DATE: 12/17/16
BY: [Signature]
COUNTY: OCEWILLE
SHEET: US 23



\\s01n01\TE\T\T-7\02-09\17\TE-M-2\Cr16\09\09\10\US 29@2828197.dgn 22-AUG-2016



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EXHIBIT B

SCDOT RW Form 807 (07-08)

MUNICIPAL STATE HIGHWAY PROJECT AGREEMENT

STATE OF SOUTH CAROLINA)
) RESOLUTION
COUNTY OF GREENVILLE)

Road/Route US 29 (Church Street) at S-75 (McBee Avenue), MM 6.070
File
Item Bridge Rehabilitation
Project P028821
PIN

WHEREAS, the South Carolina Department of Transportation ("SCDOT") proposes to construct, reconstruct, alter, or improve the certain segments of the highway(s) in the State Highway System referenced above which are located within the corporate limits of the City of Greenville (hereinafter, "the City").

WHEREAS, the City wishes to authorize the construction and improvements of the aforesaid highway(s) in accordance with plans to be prepared by the SCDOT ("the Project Plans").

NOW THEREFORE, BE IT RESOLVED that, pursuant to S.C. Code Ann. §57-5-820 (1991), the City does hereby consent to the construction or improvements of the aforesaid highway(s) within its corporate limits in accordance with the Project Plans. The foregoing consent shall be the sole approval necessary from the City for SCDOT to complete the project under the Project Plans and constitutes a waiver of any and all other requirements with regard to construction within the City's limits. The foregoing waiver and consent shall also extend to the benefit of utility companies engaged in relocating utility lines on account of the project. Further, the City shall exempt all existing and new right-of-way and all other properties purchased in connection with right-of-way for the highway(s) from any general or special assessment against real property for municipal services.

BE IT FURTHER RESOLVED, that the City will assist SCDOT in causing all water, sewer and gas pipes, manholes, or fire hydrants, and all power or telephone lines or poles located within the existing right-of-way to be relocated at the utility company's expense, except where the utility can demonstrate a prior right of occupancy. To the extent that City-owned utilities are to be relocated, those utility lines and/or appurtenances may be replaced upon the new highway right-of-way at such locations as may be approved by SCDOT. SCDOT shall not be liable for damages to property or injuries to persons as a consequence of the placing, maintenance, or removal of any utilities by the City or its contractors. Future utility installations by the City within the limits of the new right-of-way after project completion shall be pursuant to a standard utility encroachment permit obtained in the normal course and issued pursuant to SCDOT's "A Policy for Accommodating Utilities on Highway Rights-of-Way."

BE IT FURTHER RESOLVED, that the City hereby signifies its agreement to accept for maintenance purposes those sections of a highway remaining after the highway is relocated pursuant to S. C. Code Ann. 57-5-120 upon notification by the SCDOT of its abandonment of the highway.

BE IT FURTHER RESOLVED, that the City hereby signifies its intention to faithfully observe the provisions of Chapter 5, Title 56, Code of Laws of South Carolina, 1976, and all amendments thereto relating to the regulation of traffic on the street, or streets, to be constructed, reconstructed, altered or improved as hereinabove identified and further agrees to refrain from placing or maintaining any traffic control devices upon any section of said street, or streets, without having first obtained written approval of the South Carolina Department of Transportation as required in S.C. Code §56-5-930 (1976, as amended), nor enacting any traffic regulation ordinances inconsistent therewith.

IN WITNESS WHEREOF, this Resolution is adopted and made a part of the Municipal records this _____ day of _____, 20____, and the original of this Resolution will be filed with the South Carolina Department of Transportation at Columbia.

Dated: _____, South Carolina
Municipality

ATTEST: By: _____
Mayor

Clerk

