



# City Council Agenda

Agenda Of 8-10-2020

Documents:

**[AGENDA OF 8-10-2020.PDF](#)**

Draft - Formal Minutes Of 7-13-2020

Documents:

**[DRAFT - FORMAL MINUTES OF 7-13-2020.PDF](#)**

Item 9a

Documents:

**[ITEM 9A - AB 4-2020 - ABANDON A PORTION OF MOHAWK DRIVE - PUBLIC HEARING.PDF](#)**

Item 15a

Documents:

**[ITEM 15A - AGREEMENT - DUKE ENERGY EASEMENT FOR UTILITY SERVICES NEW FIRE STATION 20 FARIS ROAD.PDF](#)**

Item 15b

Documents:

**[ITEM 15B - AGREEMENT - PROPERTY EXCHANGE WITH DUKE ENERGY \(GIBBS STREET\).PDF](#)**

Item 15b Presentation

Documents:

**[ITEM 15B - PRESENTATION - AGREEMENT - PROPERTY EXCHANGE WITH DUKE ENERGY \(GIBBS STREET\).PDF](#)**

Item 15c

Documents:

**[ITEM 15C - APPROPRIATION - 101,150 - DOJ CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING GRANT.PDF](#)**

Item 15d

Documents:

**ITEM 15D - CITY CODE - AMEND SECTIONS 19-3.2.2(F) AND 19-5.1 - TABLE OF DIMENSIONAL STANDARDS (Z-3-2020).PDF**

Item 15d Presentation

Documents:

**ITEM 15D - PRESENTATION - CITY CODE - AMEND SECTIONS 19-3.2.2(F) AND 19-5.1 - TABLE OF DIMENSIONAL STANDARDS (Z-3-2020).PDF**

Item 15e

Documents:

**ITEM 15E - APPROPRIATION - 400,000 - PUBLIC SAFETY INITIATIVE.PDF**

Item 15f

Documents:

**ITEM 15F - APPROPRIATION - 360,000 - SEWER IMPROVEMENTS WOODSIDE MILL VILLAGE.PDF**

Item 15g

Documents:

**ITEM 15G - APPROPRIATION - 693,729 - CARES ACT REIMBURSEMENT.PDF**

Item 16a

Documents:

**ITEM 16A - ADOPT REVISIONS TO 2015 FEMA MULTI-HAZARD MITIGATION PLAN.PDF**

Item 16a Presentation

Documents:

**ITEM 16A - PRESENTATION - ADOPT REVISIONS TO 2015 FEMA MULTI-HAZARD MITIGATION PLAN.PDF**

Item 16b

Documents:

**ITEM 16B - AGREEMENT - GREENLINE PARK, LLC - RAILROAD MINI PARK.PDF**

Item 16c

Documents:

**ITEM 16C - CERTIFY ABANDONED BUILDING SITE - 1203, 1205, 1207, 1211 PENDLETON STREET.PDF**

Item 16c Presentation

Documents:

**ITEM 16C - PRESENTATION - CERTIFY ABANDONED BUILDING SITE - 1203,  
1205, 1207, 1211 PENDLETON STREET.PDF**

Item 16d

Documents:

**ITEM 16D - MODIFY NEIGHBORHOOD TRAFFIC MANAGEMENT  
PROGRAM.PDF**

*Questions on an agenda item? Contact Camilla Pitman, city clerk, at [cpitman@greenvillesc.gov](mailto:cpitman@greenvillesc.gov).  
All media inquiries, please contact Communications Director Beth Brotherton, at  
[bbrotherton@greenvillesc.gov](mailto:bbrotherton@greenvillesc.gov).*



**CONSENT AGENDA**

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

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

None

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

None

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

None

**REGULAR AGENDA**

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

None

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

- a. Ordinance to approve an easement in favor of Duke Energy Carolinas, LLC for the purpose of providing Utility Service to City property located on Faris Road (Tax Map Number 0204001102400)  
*(Presented by Engineering Services Manager Dwayne Cooper)*  
(Roll Call)
- b. Ordinance to approve a property swap between the City of Greenville and Duke Energy Carolinas, LLC  
*(Presented by Engineering Services Manager Dwayne Cooper)*  
(Roll Call)
- c. Ordinance to appropriate \$101,150 in the Miscellaneous Grants Fund for the Department of Justice, Office of Justice Programs, Coronavirus Emergency Supplemental Funding Grant  
*(Presented by Interim Police Chief Howie Thompson)*  
(Roll Call)
- d. Ordinance to amend Section 19-3.2.2(F) and 19-5.1, Table of Dimensional Standards, of the Code of Ordinances of the City of Greenville to modify the maximum density requirements for the RM-3 Zoning Designation (Z-3-2020)  
*(Presented by Interim Planning and Development Services Director Jay Graham)*  
(Roll Call)

- e. Ordinance to appropriate \$400,000 from the Law Enforcement Special Revenue Fund, Department of Justice Account, for the purchase of equipment and training to support the public safety initiative  
(Roll Call)  
*(Presented by Interim Police Chief Howie Thompson)*
- f. Ordinance to appropriate \$360,000 in the Miscellaneous Grants Fund for sewer improvements in the Woodside Mill Village  
(Roll Call)  
*(Presented by Office of Management and Budget Director Matt Efird)*
- g. Ordinance to appropriate \$693,729 in the Miscellaneous Grants Fund to recognize Cares Act reimbursement from Greenville County for COVID-19 Expenditures  
(Roll Call)  
*(Presented by Office of Management and Budget Director Matt Efird)*

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

- a. Resolution to adopt revisions to the 2015 FEMA Multi-Hazard Mitigation Plan  
*(Presented by Engineering Services Manager Dwayne Cooper)*
- b. Resolution to approve a lease from Greenline Park, LLC for the City's continued use of property located in the Greenline/Spartanburg Neighborhood for the Railroad Mini Park (Tax Map Number 39.04-05-15)  
*(Presented by Parks and Recreation Business and Projects Manager Megan Young)*
- c. Resolution to certify 1203, 1205, 1207, 1211 Pendleton Street as an abandoned building site (Tax Map Number 0120000400100)  
*(Presented by Economic Development Project Manager Kevin Howard)*
- d. Resolution to modify and continue the current Neighborhood Traffic Management Program in the city of Greenville  
*(Presented by Public Works Director Mike Murphy)*

**17. STAFF REPORTS**

**18. ADJOURN**



# MINUTES

## FORMAL MEETING OF CITY COUNCIL

Monday, July 13, 2020 - 5:30 p.m.

Greenville City Hall - Closed to the Public

Virtual Meeting Viewing: <https://www.greenvillesc.gov/meeting>

Remote Viewing Location:  
Greenville Convention Center, 1 Exposition Drive – Room 102

---

1. **CALL TO ORDER**  
Mayor Knox H. White
2. **INVOCATION**  
Councilmember Ken Gibson (Suspended)
3. **PLEDGE OF ALLEGIANCE** (Suspended)
4. **ROLL CALL**  
The following members of City Council were in attendance: Mayor Knox White, John DeWorken, Lillian Flemming, Ken Gibson, Wil Brasington, Russell Stall, and Dorothy Dowe
5. **APPROVAL OF THE MINUTES**  
June 22, 2020; Approved as submitted
6. **COMMUNICATIONS / ANNOUNCEMENTS FROM THE MAYOR AND COUNCIL**
7. **CITIZENS WISHING TO ADDRESS COUNCIL**  
None
8. **PRESENTATION**  
None
9. **PUBLIC HEARING**  
None
10. **APPOINTMENTS – Boards and Commissions**
  - a. Boards and Commissions
    1. Greenville Transit Authority  
Councilmember DeWorken recommended appointment of Scott Craig to fill an unexpired term ending December 31, 2020. There being no further nominations, Mr. Craig was appointed by unanimous consent.

2. Design Review Board – Neighborhood  
Councilmember Flemming recommended appointment of Allison Tucker, Fred Guthier, and Matt Tindall to fill a full term each ending July 31, 2022. There being no further nominations, Ms. Tucker, Mr. Guthier, and Mr. Tindall were appointed by unanimous consent.
3. Design Review Board – Urban  
Councilmember Brasington recommended appointment of Danielle Fontaine and Mitch Lehde to fill a full term each ending July 31, 2022. There being no further appointments, Ms. Fontaine and Mr. Lehde were appointed by unanimous consent.
4. Springwood Cemetery Advisory Committee  
Councilmember Stall recommended appointment of Charlie Bryan, Thomas Drake, Earl Prevost, and Charles West to fill a full term each ending July 31, 2022. There being no further nominations, Mr. Bryan, Mr. Drake, Mr. Prevost, and Mr. West were appointed by unanimous consent.

b. Committees

1. Citizen Advisory Committee on Public Safety  
City Council recommended the following individuals to serve on the Advisory Committee as referred to in Resolution 2020-17 and as amended by Agenda Item 16b, which was approved during the meeting:

Mayor White - Reverend Stacey Mills and named as Chair  
Councilmember DeWorken - Wes Few  
Councilmember Flemming - Mary Duckett  
Councilmember Gibson – Karen Baynes-Dunning  
Councilmember Brasington – Cindy Crick  
Councilmember Stall recommend – Jerry Blassingame  
Councilmember Dowe recommend – Stacey Owens

Mayor White recognized Chair Chuck Hinton and Vice-Chair Delores Durham of the Public Safety Citizen Review Board as liaisons to the Committee. City Manager John McDonough reviewed the process and responsibilities of the Committee.

Council approved the recommendations unanimously by roll call vote.

**CONSENT AGENDA**

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

11. **UNFINISHED BUSINESS – (Ordinances – Second and Final Reading)**  
None

**12. NEW BUSINESS – (Ordinance – First Reading)**

None

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

None

<b>REGULAR AGENDA</b>
-----------------------

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

None

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

None

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

- a. Resolution to provide \$470,487 in funding from the State Accommodations Tax Fund for Round One of FY 2020-21 Funding  
*(Presented by Office of Management and Budget Director Matt Efird)*

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

Office of Management and Budget Director Matt Efird stated the Accommodations Tax Funding has met and is providing a preliminary recommendation for the first round of funding with anticipation of meeting again in the fall to determine what events are allowed to be held in light of COVID-19. ATAX Chairperson Tammy Johnson stated it was a very tough decision regarding the funding amounts and the committee hopes to grant more funding in the fall.

After discussion, the motion carried unanimously.

- b. Resolution to amend Resolution 2020-17 to make necessary adjustments to the composition and responsibilities of the ad hoc Citizen Advisory Committee on Public Safety  
*(Presented by Assistant City Attorney Leigh Paoletti)*

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

**17. NEW BUSINESS – (Emergency Ordinances – Final Reading)**

- a. Emergency Ordinance to temporarily restrict city issued permits for gatherings of a certain size, and matters related thereto  
*(Presented by Event Administrator Tara Eaker)*

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

Councilmember DeWorken shared his concern with the term “prohibit” which could be misunderstood, denoting events of 50 people or more are not necessarily prohibited but are required to submit a COVID-19 plan for socially distance as a part of the permitting process. Events and Cultural Affairs Director Angie Prosser recommended amending the language to provide clarification. Councilmember Gibson asked if a COVID-19 plan should be required for all public events.

Council discussed examples of permitted events, and Ms. Prosser and Event Administrator Tara Eaker explained the process of permitting those events. Ms. Prosser added that first amendment rights activities are not permitted events or included in this process.

City Attorney Mike Pitts referred to the expiration of the Governor’s Order prohibiting events of 50 people or more on public property. Mayor White stated this Ordinance is a matter of having something in place when the City is ready to issue permits again.

Ms. Prosser recommended refraining from permitting events until a COVID-19 decrease over a 14-day period occurs. Council commented in agreement with the recommendation.

Councilmember DeWorken shared his interest in the City Manager having flexibility. Mr. McDonough stated staff is receiving inquiries and the question is whether to allow events under certain conditions or to not entertain any applications for permits unless certain conditions are met. After Council discussion, Mr. McDonough recommended amending the Ordinance to prohibit city permitted events of a certain size for the next 30 days.

Councilmember Gibson moved, seconded by Councilmember Flemming, to amend the Ordinance to prohibit the issuance of any city issued event permit for the next 30 days and during that 30 day period the City Manager would be authorized to develop and implement a phased approach to permit events as circumstances warrant. Mr. Pitts reminded Council that approval of the Emergency Ordinance as amended would require a two-thirds vote.

Ms. Prosser raised concern with language regarding special event applications for beer, wine, and/or liquor since the matter has not been discussed. Mayor White responded that Council is dealing with the broad policy and not with the beer, wine, and/or liquor applications.

Councilmember Dowe recommended tabling or postponing the matter. Mr. Pitts responded he believes the City Manager has the inherent authority to issue or deny permits and the purpose of the Ordinance is to receive direction from Council. Mr. McDonough responded his interpretation is that he does not plan to have staff issue any permits on public property for the next 30 days.

Mr. Pitts recommended in order to avoid any procedure matters to amend the Ordinance. Mayor White agreed and suggested doing so instead of tabling the agenda item.

Following discussions, Councilmember Dowe moved, seconded by Councilmember Brasington, to table the agenda item until the next meeting. The motion to table carried 4-3, with Mayor White and Councilmembers Gibson and Stall opposing. The motion to amend the proposed Emergency Ordinance died due to the motion to table taking precedence.

## 18. STAFF REPORTS

- a. Unity Park Tree Management Plan. Capital Projects Manager Jeff Waters provided a presentation of information on the Tree Management Plan and the tree canopy in Unity Park. Mr. Waters advised 382 trees will be removed, 214 trees will be preserved and incorporated into the design, and 750 new trees will be planted in the park. Mayor White recommended planting trees that grow large and mature quickly.
- b. Mask Ordinance Enforcement Update. Mr. Pitts provided information on how the City is currently handling complaints on enforcement of the face mask Ordinance. Mr. Pitts stated there has been no enforcement required on any complaints involving individuals not wearing masks in grocery stores and pharmacies. Community Development Administrator Ginny Stroud advised there have been nine complaints on businesses, that contact has been made with those businesses and that no follow up contact has been required.
- c. Parallel Parkway/Traffic Reduction on Woodruff Road. Mr. McDonough stated a \$49,000,000 grant was awarded last week for the Woodruff Road Construction Relief Project.
- d. Economic Development Director. Mr. McDonough introduced Merle Johnson as the City's new Economic Development Director.
- e. TD Essential Market. Mr. McDonough recognized the TD Market for being highlighted in different media publications for its innovative efforts to insure public safety while connecting shoppers with local farmers and vendors during the pandemic.
- f. Traffic Calming. Mr. McDonough noted work on E. Park Avenue is underway with the new speed limit reduction signs installed and the first speed table being installed.
- g. Census Brigade. Mr. McDonough thanked staff who participated in the Census Brigade and referred to the increase numbers of citizens completing the 2020 Census.
- h. Main Street tower crane is now gone.
- i. Harris Teeter in the North Pointe Development has been approved to begin stocking shelves with an opening later this summer.

**19. ADJOURN.** There being no further business, the meeting adjourned at 6:47 p.m.

---

KNOX H. WHITE, MAYOR

---

CAMILLA G. PITMAN, MMC, Certified PLS  
CITY CLERK

MEETING NOTICE POSTED AND MEDIA NOTIFIED ON JULY 10, 2020.



**PUBLIC HEARING**  
**City of Greenville, South Carolina**

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

Agenda Item No.

9a

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

**PUBLIC HEARING DATE:** August 10, 2020

**PURPOSE OF HEARING:**

TO RECEIVE PUBLIC COMMENT FOR THE PROPOSED ABANDONMENT OF A PORTION OF MOHAWK DRIVE (AB-4-2020)

**REQUESTOR/APPLICANT:**

LR Partnership I, LLC

**SUMMARY BACKGROUND:**

LR Partnership I, LLC is proposing to abandon a portion of Mohawk Drive near its intersection with Wade Hampton Boulevard as shown on the attached site location map and plat. The abandonment is being proposed in conjunction with a mixed-use development at the corner of Mohawk Drive, Wade Hampton Boulevard, and Earle Street and involves abandoning a portion of city owned right of way of Mohawk Drive as well as a portion of the SCDOT's right of way of Wade Hampton Boulevard as shown.

Mohawk Drive was recently relocated at its intersection with Wade Hampton Boulevard as part of the NorthPointe project and the portion of right of way being abandoned is considered excess right of way. The abandonment has been coordinated with the City's proposed streetscape improvements on Mohawk Drive and will restrict the City implementing the streetscape enhancements. The abandonment will be subject to easements being established for all utilities currently located within the existing right of way.

**REQUIRED SIGNATURES**

**Department Director**

DocuSigned by:

*Mike Murphy*

B8351B3CF7524D2...

**City Attorney**

DocuSigned by:

*Michael Pitts*

5E0F2A267E2D413...

**Zoning Administrator**

**City Manager**

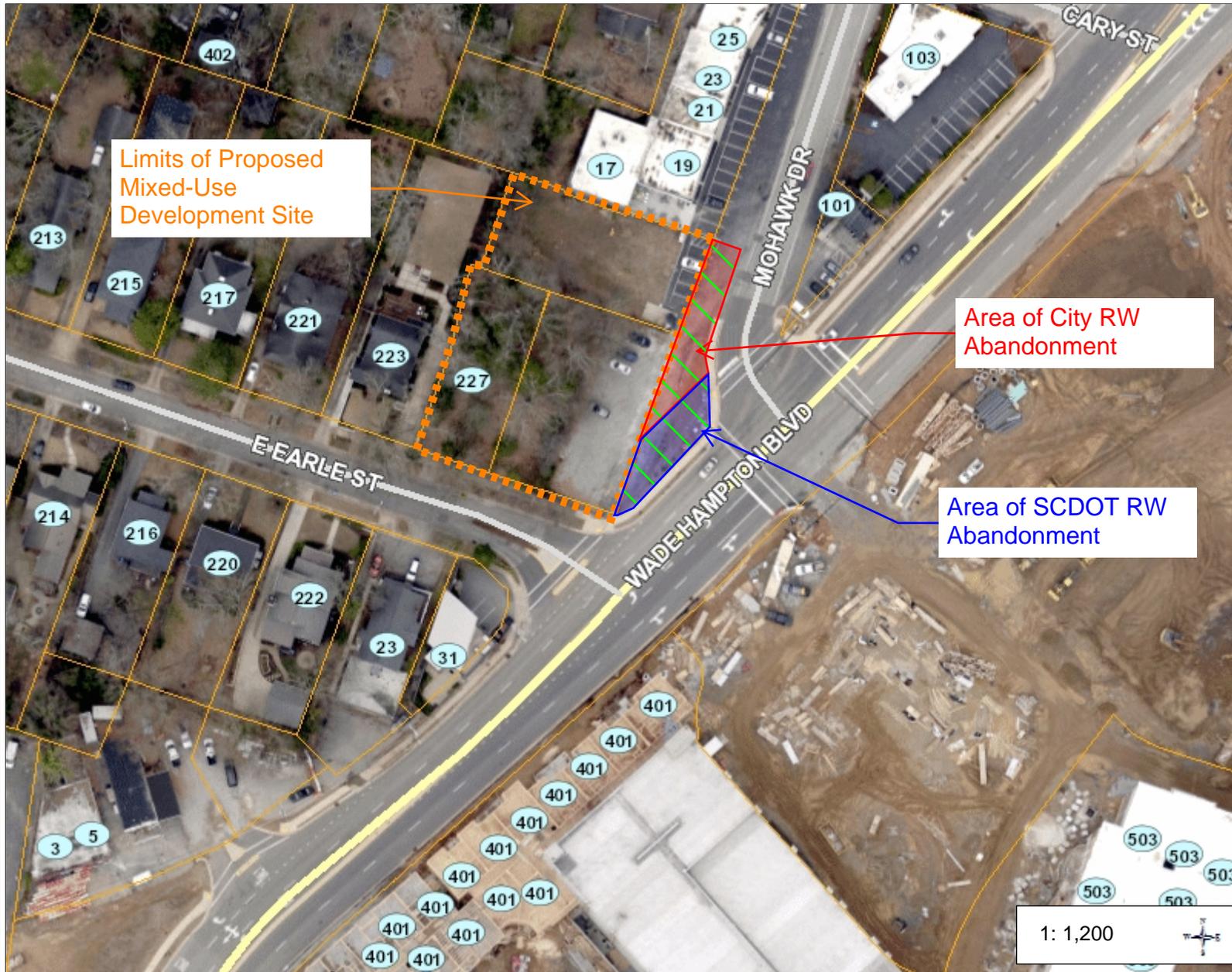
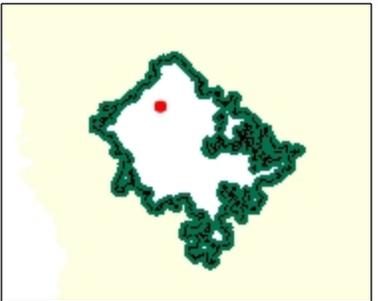
DocuSigned by:

*John McDonough*

FDC2AC15040F440...



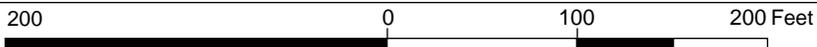
# AB 20-04 Mohawk Drive



### Legend

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

1: 1,200



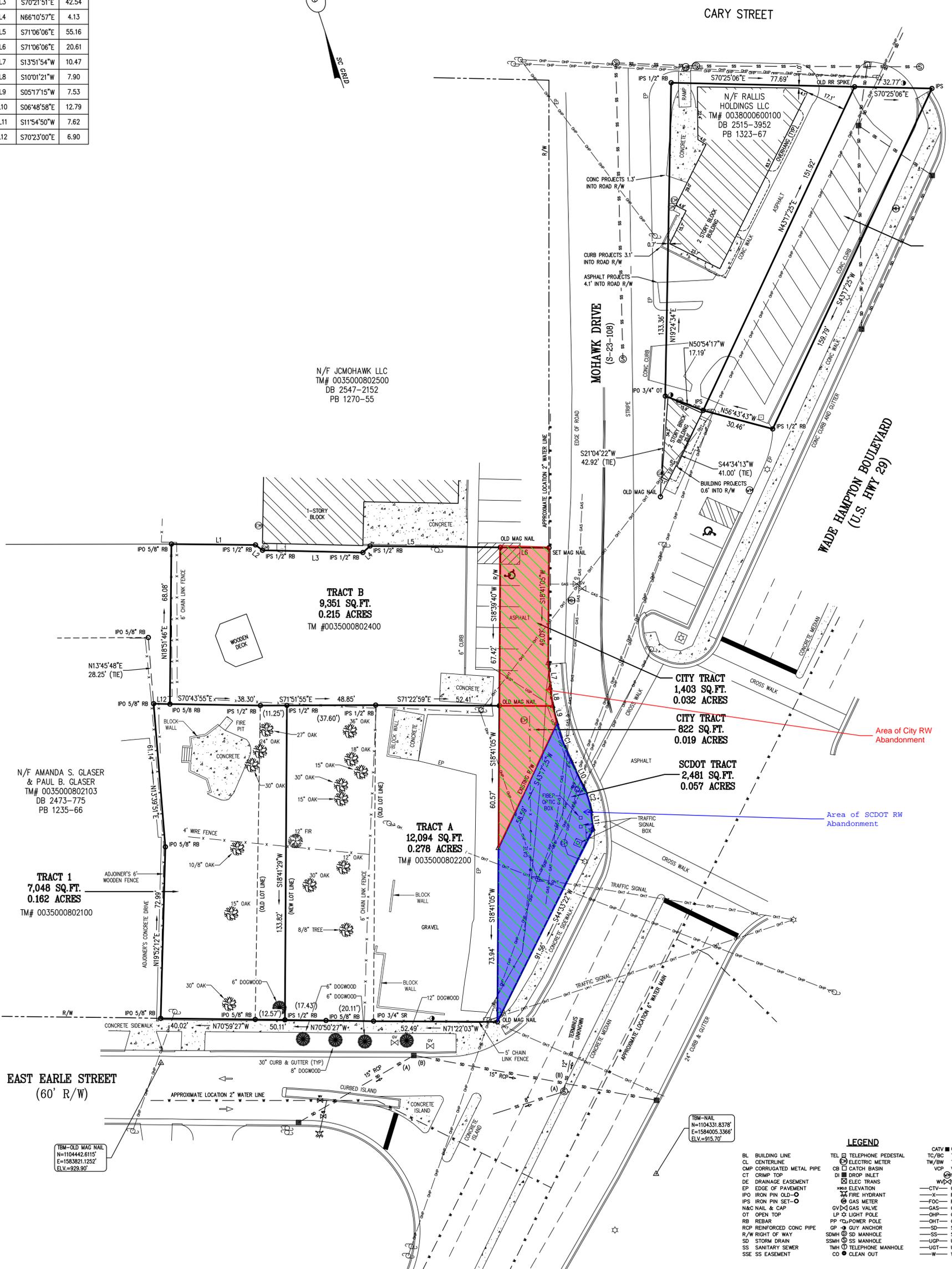
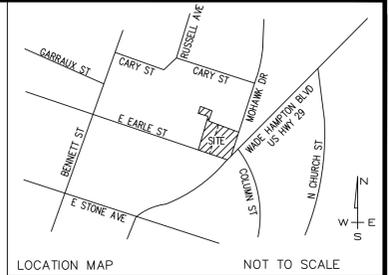
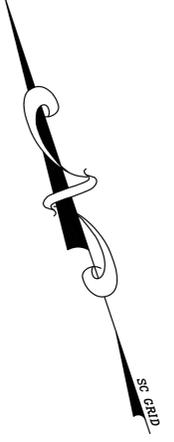
This map is user generated from the City of Greenville's MapIT 2.0 intranet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable and should be appropriately used with caution. Contact the GIS Division for all questions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

### Notes

NOTE: EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAN, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: RIGHTS-OF-WAY, EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. - ANY FLOOD PLAIN DATA SHOWN HEREON IS AN APPROXIMATE LOCATION GRAPHICALLY PLOTTED FROM THE REFERENCED FEMA MAP UNLESS OTHERWISE NOTED. - THIS SURVEY DOES NOT CONSTITUTE A TITLE RESEARCH, FLOOD STUDY, WETLAND DELINEATION OR ENVIRONMENTAL INSPECTION BY SURVEYOR.

CURVE TABLE				
CURVE #	LENGTH	RADIUS	CHORD BEARING	CHORD
C1	17.38	93.43	S02°21'12"E	17.36
C2	9.99	31.18	N01°35'18"E	9.94

LINE TABLE		
LINE #	BEARING	LENGTH
L1	S71°06'06"E	35.62
L2	S33°53'04"E	3.73
L3	S70°21'51"E	42.54
L4	N66°10'57"E	4.13
L5	S71°06'06"E	55.16
L6	S71°06'06"E	20.61
L7	S13°51'54"W	10.47
L8	S10°01'21"W	7.90
L9	S05°17'15"W	7.53
L10	S06°48'58"E	12.79
L11	S11°54'50"W	7.62
L12	S70°23'00"E	6.90



**LEGEND**

BL BUILDING LINE	TEL TELEPHONE PEDESTAL	TC/BC CABLE TV PEDESTAL
CL CENTERLINE	EM ELECTRIC METER	TC/BW TOP/BOTTOM CURB
CM CORRUGATED METAL PIPE	CB CATCH BASIN	TW/BW TOP/BOTTOM WALL
CT CRIMP TOP	DI DROP INLET	WV WATER VALVE
DE DRAINAGE EASEMENT	EL ELEC TRANS	WV/WATER VALVE
EP EDGE OF PAVEMENT	EL ELEVATION	WV/WATER VALVE
IPO IRON PIN OLD	FD FIRE HYDRANT	WV/WATER VALVE
IPS IRON PIN SET	GM GAS METER	WV/WATER VALVE
N&C NAIL & CAP	GV GAS VALVE	WV/WATER VALVE
OT OPEN TOP	LP LIGHT POLE	WV/WATER VALVE
RB REBAR	PP POWER POLE	WV/WATER VALVE
RCP REINFORCED CONC PIPE	SD SANITARY SEWER	WV/WATER VALVE
R/W RIGHT OF WAY	SMH SS MANHOLE	WV/WATER VALVE
SD STORM DRAIN	SS SANITARY SEWER	WV/WATER VALVE
SS SANITARY SEWER	SS SANITARY SEWER	WV/WATER VALVE
SSE SS EASEMENT	TMH TELEPHONE MANHOLE	WV/WATER VALVE
	CO CLEAN OUT	WV/WATER VALVE

EXHIBIT FOR:  
**VIA, LLC**  
GREENVILLE COUNTY, SOUTH CAROLINA

SCALE 1"=20'	PROPERTY ADDRESS E. EARLE ST.	TAX PIN SHOWN HEREON
DATE 7/17/2019	FIELD CREW RJ/RM	DRAWN BY HS

**SITE DESIGN, INC.**  
CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS

800 E. WASHINGTON ST. STE. B GREENVILLE, SC 29601  
PH: (864)271-0496 FAX: (864)271-0402  
www.sitedesign-inc.com



# REQUEST FOR COUNCIL ACTION

## City of Greenville, South Carolina

Agenda Item No.

15a

**TO:** Honorable Mayor and Members of City Council  
**FROM:** John F. McDonough, City Manager

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

**AGENDA DATE REQUESTED:** August 10, 2020

**ORDINANCE/RESOLUTION CAPTION:**

ORDINANCE TO APPROVE AN EASEMENT IN FAVOR OF DUKE ENERGY CAROLINAS, LLC FOR THE PURPOSE OF PROVIDING UTILITY SERVICE TO CITY PROPERTY LOCATED ON FARIS ROAD (TAX MAP NUMBER 0204001102400)

**SUMMARY BACKGROUND:**

This Ordinance approves an easement in favor of Duke Energy Carolinas, LLC to provide utility service to property located on Faris Road commonly known as the "New Fire Station."

**IMPACT IF DENIED:**

The Easement will not be approved and Duke will not be able to provide utility services to the new Fire Station.

**FINANCIAL IMPACT:**

None.

### REQUIRED SIGNATURES

Department Director DocuSigned by: Mike Murphy  
B8351B3CF7524D2...

OMB Director \_\_\_\_\_

City Attorney DocuSigned by: Michael Pitts  
5E0F2A267E2D413...

City Manager DocuSigned by: [Signature]  
FDC2AC15040F440...

AN ORDINANCE

TO APPROVE AN EASEMENT IN FAVOR OF DUKE ENERGY CAROLINAS, LLC FOR THE PURPOSE OF PROVIDING UTILITY SERVICE TO CITY PROPERTY LOCATED ON FARIS ROAD (TAX MAP NUMBER 0204001102400)

WHEREAS, the city of Greenville (“City”) is the owner of those certain tract of land located on Faris Road having Tax Map Number 0204001102400 (“Property”); and

WHEREAS, the Property is commonly known as the “New Fire Station”; and

WHEREAS, the City desires to have utility service to the Property; and

WHEREAS, City Council has determined it is in the best interests of the City to enter into an Easement Agreement in favor of Duke Energy Carolinas, LLC for the purpose of providing service to the Property;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, City Council approves entering into an easement agreement in favor of Duke Energy Carolinas, LLC, subject to terms and conditions that are substantially similar to those as set out in Attachment 1, attached hereto and incorporated herein by reference. The City Manager, in consultation with the City Attorney, may make or accept minor modifications to the wording and designations of the attached documents as may be necessary or appropriate, provided there is no compromise of the substantive purposes of this Council action. Should the City Manager or City Attorney, or both, determine that any modification of previously negotiated terms is significant and warrants further action by City Council, then the matter shall be presented to Council for further review before the final execution.

DONE, RATIFIED AND PASSED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

REVIEWED:

\_\_\_\_\_  
CITY MANAGER

ATTACHMENT 1

EASEMENT

SOUTH CAROLINA  
GREENVILLE COUNTY  
Parcel No. 0204001102400

Prepared By: Duke Energy Carolinas, LLC  
Return To: Duke Energy  
Attn: Pietrina Clark Evans  
425 Fairforest Way  
Greenville SC 29607

THIS EASEMENT ("Easement") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2020 ("Effective Date"), from THE CITY OF GREENVILLE, ("GRANTOR," whether one or more), to Duke Energy Carolinas, LLC, a North Carolina limited liability company ("DEC"); its successors, licensees, and assigns.

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of ONE DOLLAR (\$1.00), the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto DEC, its successors, licensees, and assigns, the perpetual right, privilege, and easement to go in and upon the land of GRANTOR situated in said County and State, described as follows: All that certain piece, parcel or lot of land, situate, lying and being in Greenville County, in the State of South Carolina, being a portion of the land described in a deed from K.O.B. Enterprises, LLC, unto The City of Greenville, recorded December 14, 2018 in Deed Book 2554, Page 3313; also designated on a plat entitled "Recombination Survey for City of Greenville & K.O.B. Enterprises, LLC", recorded December 14, 4 2018 in Plat Book 1324, Page 18; all in the Register of Deeds Office for Greenville County, South Carolina (the "Property"), LESS AND EXCEPT any prior out-conveyances, and to construct, reconstruct, operate, patrol, maintain, inspect, repair, replace, relocate, add to, modify and remove electric and/or communication facilities thereon including but not limited to, supporting structures such as poles, cables, wires, underground conduits, enclosures/transformers, vaults and manholes and other appurtenant apparatus and equipment (the "Facilities") within an easement area being twenty (20) feet wide, together with an area ten (10) feet wide on all sides of the foundation of any DEC enclosure/transformer, vault or manhole (the "Easement Area"), for the purpose of transmitting and distributing electrical energy and for communication purposes of DEC and Incumbent Local Exchange Carriers. The centerline of the Facilities shall be the center line of the Easement Area.

The right, privilege and easement shall include the following rights granted to DEC: (a) ingress and egress over the Easement Area and over adjoining portions of the Property (using lanes, driveways and paved areas where practical as determined by DEC); (b) to relocate the Facilities and Easement Area on the Property to conform to any future highway or street relocation, widening or improvement; (c) to trim and keep clear from the Easement Area, now or at any time in the future, trees, limbs, undergrowth, structures or other obstructions, and to trim or clear dead, diseased, weak or leaning trees or limbs outside of the Easement Area which, in the opinion of DEC, might interfere with or fall upon the Facilities; and (d) all other rights and privileges reasonably necessary or convenient for DEC's safe, reliable and efficient installation, operation, and maintenance of the Facilities and for the enjoyment and use of the Easement Area for the purposes described herein.

TO HAVE AND TO HOLD said rights, privilege, and easement unto DEC, its successors, licensees, and assigns, forever, and GRANTOR, for itself, its heirs, executors, administrators, successors, and assigns, covenants to and with DEC that GRANTOR is the lawful owner of the Property and the Easement Area in fee and has the right to convey said rights and Easement.

IN WITNESS WHEREOF, this EASEMENT has been executed by GRANTOR and is effective as of the Effective Date herein.

THE CITY OF GREENVILLE

Witnesses:

\_\_\_\_\_  
(Witness #1 Signature)

\_\_\_\_\_  
(Witness #2 Signature)

By: \_\_\_\_\_

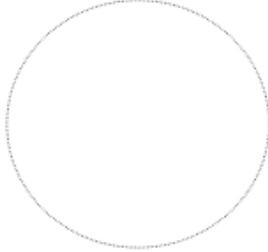
Print John McDonough

Title: City Manager

SOUTH CAROLINA, \_\_\_\_\_ COUNTY

I, \_\_\_\_\_, a Notary Public of \_\_\_\_\_ County, South Carolina, certify that \_\_\_\_\_ (name), \_\_\_\_\_ (title), for THE CITY OF GREENVILLE personally appeared before me this day and acknowledged the due execution of the foregoing EASEMENT.

Witness my hand and notarial seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.



\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_



# REQUEST FOR COUNCIL ACTION

## City of Greenville, South Carolina

Agenda Item No.

15b

**TO:** Honorable Mayor and Members of City Council  
**FROM:** John F. McDonough, City Manager

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

**AGENDA DATE REQUESTED:** August 10, 2020

**ORDINANCE/RESOLUTION CAPTION:**

ORDINANCE TO APPROVE A PROPERTY EXCHANGE BETWEEN THE CITY AND DUKE ENERGY CAROLINAS, LLC

**SUMMARY BACKGROUND:**

As part of the Unity Park plan, the city of Greenville wishes to construct a multi-use path on the west side of Hudson Street to connect city neighborhoods with the park. Additional right of way is needed at the Duke Energy substation. The Agreement proposes to swap the property needed for the City sidewalk owned by Duke with a portion of the abandoned right of way of Gibbs Street and a portion of the adjacent lot owned by the City.

**IMPACT IF DENIED:**

The property will not be exchanged.

**FINANCIAL IMPACT:**

None.

**REQUIRED SIGNATURES**

Department Director

DocuSigned by:

*Mike Murphy*

B8351B3CF7524D2...

City Attorney

DocuSigned by:

*Michael Pitts*

5E0F2A267E2D413...

DocuSigned by:

OMB Director

City Manager

*John F. McDonough*

FDC2AC15040F440...

AN ORDINANCE

TO APPROVE A PROPERTY EXCHANGE BETWEEN THE CITY AND DUKE ENERGY CAROLINAS, LLC

WHEREAS, the city of Greenville (the "City") is the owner of that certain parcel of land located adjacent to the Hudson Street Retail Substation Lot and containing Gibbs Street, said property being more particularly identified as Tax Map Number 0055000100501 ("City Property"); and

WHEREAS, Duke Energy is the owner of that certain parcel of land identified as Tax Map Number 0055000100500 located adjacent to Hudson Street, on which its Hudson Street Retail Substation is located ("Duke Energy Property"); and

WHEREAS, the City has approved the abandonment of a portion of Gibbs Street subject to the proposed property exchange agreement attached hereto and incorporated herein as Attachment 1 (the "Agreement"); and

WHEREAS, the City and Duke Energy are interested in completing a land transaction in which Duke Energy would convey to the City a portion of the Duke Energy Property and the City would convey to Duke Energy the City Property as proposed in the Agreement;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, City Council approves entering into the Agreement with Duke Energy Carolinas, LLC for the installation and maintenance of electrical and/or communications facilities onto the portion of the City Property shown as Tract B and Tract C on Exhibit A of the Agreement. The City Manager may make minor adjustments to the attached agreement after consultation with the City Attorney, provided they conform to the purposes of this Ordinance.

DONE, RATIFIED AND PASSED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

REVIEWED:

\_\_\_\_\_  
CITY MANAGER

## ATTACHMENT 1

**AGREEMENT**

This Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between **Duke Energy Carolinas, LLC**, a North Carolina limited liability company ("**Duke Energy**") and the **City of Greenville, South Carolina**, a Municipal Corporation and political subdivision of the State of South Carolina ("**City**").

## RECITALS:

1. Duke Energy is the owner of that certain parcel of land identified as Tax Map Number 0055000100500 ("**Duke Energy Property**") located adjacent to Hudson Street, on which its Hudson Street Retail Substation ("**Substation**") is located. Duke Energy desires to expand the Substation into Gibbs Street once the street is closed, and into the adjacent parcel owned by the City.
2. The City is the owner of that certain parcel of land located adjacent to the Hudson Street Retail Lot and containing Gibbs Street, said property being more particularly identified as Tax Map Number 0055000100501 ("**City Property**").
3. Subject to terms and conditions to be mutually agreed upon, the City and Duke Energy are interested in completing a land transaction in which Duke Energy would convey to the City a portion of the Duke Energy Property and the City would convey to Duke Energy the City Property ("**Land Transaction**"). The approximate amount of land needed for Substation expansion is 15,299.511 square feet, the approximate location of which is shown as Tracts "B" and "C" on **Exhibit A** attached hereto and incorporated herein by this reference.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Duke Energy and the City agree as follows:

1. Duke Energy and the City agree to negotiate in good faith the Land Transaction described herein based on the following premises:
  - (a) The City will abandon and convey to Duke Energy a 7,731.525 square feet portion of Gibbs Street right of way that is needed for the expansion of the Duke facility shown as Tract "B" on Exhibit A.
  - (b) The City will convey to Duke Energy a 7,567.986 square feet portion of Tax Map Number 0055000100101 shown as Tract "C" on Exhibit A.
  - (c) Duke will convey to the City a 2,311.375 square feet portion of tax map Number 0055000100500 shown as Tract "A" on Exhibit A.
  - (d) Tracts "A", "F", "D", and "E" shown on Exhibit A will be dedicated as public right of way.

- (e) The property across Gibbs Street is currently zoned Unity Park Core (UP-C) in the Unity Park Neighborhood District Code. Duke Energy will exceed the requirements of the ordinance by incorporating a 5' side setback (3' for grounding and 5' total for the gravel apron).
- (f) Duke Energy shall not be required to make any additional plantings.
- (g) The City shall be responsible for relocation, outside the proposed Substation footprint, of any above or below ground utilities not owned by Duke Energy that would be impacted by the expanded footprint of the Substation.
- (h) The location of the Substation is within a floodplain. The former Gibbs Street is considered "existing impervious" and the addition of fencing and substation gravel will not be considered "new impervious surface" with regard to stormwater runoff calculations.
- (i) Duke Energy is aware that the City Property is in a floodplain, and a major stormwater permit is required for all work in a regulatory floodplain. The City will work with Duke to identify areas in and around the Duke Energy Property and the neighboring parcels owned by Duke Energy, identified as Tax Map Numbers 0055000100502 and 0055000100211 and shown on Exhibit A, for compensatory storage per FEMA and City ordinance requirements, and mutually develop a site plan that complies with all FEMA and City requirements.
- (j) All of the properties included with this transaction are in a zoning classification that includes an electrical substation as a permitted use. Any public interaction regarding the property swap or Substation Expansion will be coordinated between the City and Duke Energy, provided however, that nothing in this subparagraph shall be interpreted to limit the City's compliance with the South Carolina Freedom of Information Act or any similar such laws.
- (k) Duke Energy agrees to design and apply for the necessary floodplain and stormwater permits prior to closing the Land Transaction. The Land Transaction will not close unless and until all applicable permits have been approved. The closing date will be within 30 days of the receipt of all applicable permits unless otherwise mutually agreed by the Parties in writing.

The items listed in Subparagraphs 1(a) through (d) shall occur at the closing of the Land Transaction. The items listed in Subparagraphs 1(e) through (i) and (k) shall occur prior the closing of the Land Transaction. The Land Transaction shall be documented by separate agreement setting forth the terms of the Land Transaction.

2. This Agreement is made and executed with the intention that the construction, interpretation and validity hereof shall be determined in accordance with and governed by the laws of the State of South Carolina.

3. This Agreement constitutes the entire agreement between Duke Energy and the City with respect to the subject matter hereof and supersedes all prior oral or written agreements and understandings with respect to that subject matter.

**IN WITNESS WHEREOF**, Duke Energy and the City have executed this Agreement by their duly authorized representatives as of the Effective Date.

**DUKE ENERGY CAROLINAS, LLC**

**CITY OF GREENVILLE**

By: \_\_\_\_\_

By: \_\_\_\_\_

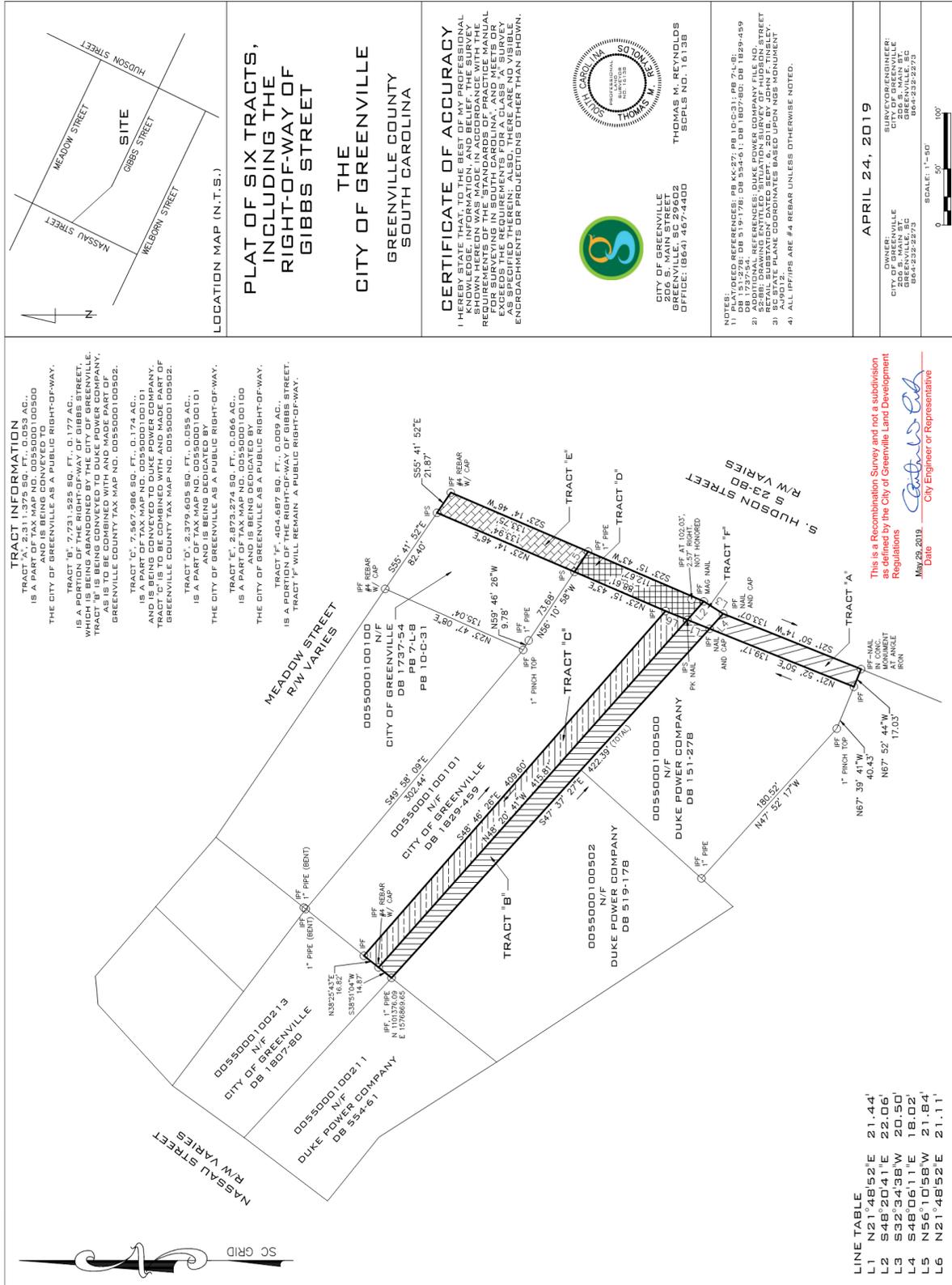
Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

# Exhibit A



**TRACT INFORMATION**  
 TRACT "A", 2.311.375 SQ. FT., 0.053 AC., IS A PART OF TAX MAP NO. 0055000100500 AND IS BEING DEDICATED BY THE CITY OF GREENVILLE AS A PUBLIC RIGHT-OF-WAY.  
 TRACT "B", 2.751.525 SQ. FT., 0.172 AC., IS A PORTION OF THE RIGHT-OF-WAY OF GIBBS STREET, WHICH IS BEING ABANDONED BY THE CITY OF GREENVILLE. TRACT "B" IS BEING CONVEYED TO DUKE POWER COMPANY, GREENVILLE COUNTY TAX MAP NO. 0055000100502.  
 TRACT "C", 2.379.605 SQ. FT., 0.055 AC., IS A PART OF TAX MAP NO. 0055000100101 AND IS BEING CONVEYED TO DUKE POWER COMPANY. TRACT "C" IS TO BE COMBINED WITH AND MADE PART OF GREENVILLE COUNTY TAX MAP NO. 0055000100502.  
 TRACT "D", 2.379.605 SQ. FT., 0.055 AC., IS A PART OF TAX MAP NO. 0055000100101 AND IS BEING DEDICATED BY THE CITY OF GREENVILLE AS A PUBLIC RIGHT-OF-WAY.  
 TRACT "E", 2.873.274 SQ. FT., 0.066 AC., IS A PART OF TAX MAP NO. 0055000100100 AND IS BEING DEDICATED BY THE CITY OF GREENVILLE AS A PUBLIC RIGHT-OF-WAY.  
 TRACT "F", 404.687 SQ. FT., 0.009 AC., IS A PORTION OF THE RIGHT-OF-WAY OF GIBBS STREET. TRACT "F" WILL REMAIN A PUBLIC RIGHT-OF-WAY.

**LOCATION MAP (N.T.S.)**

**PLAT OF SIX TRACTS, INCLUDING THE RIGHT-OF-WAY OF GIBBS STREET**

**THE CITY OF GREENVILLE**  
 GREENVILLE COUNTY  
 SOUTH CAROLINA

**CERTIFICATE OF ACCURACY**  
 I HEREBY STATE THAT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THE INFORMATION SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR PROFESSIONAL SURVEYORS IN SOUTH CAROLINA, WHICH EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN. ALSO, THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.



THOMAS M. REYNOLDS  
 LICENSE NO. 16158



CITY OF GREENVILLE  
 206 S. MAIN STREET  
 GREENVILLE, SC 29602  
 OFFICE: (864) 426-7460

**NOTES:**  
 1) PLAT/DEED REFERENCES: PB K-27; PB 10-C-31; PB 7-L-8; DB 1-73-7-8; DB 519-178; DB 554-61; DB 1807-80; DB 1829-459  
 2) ADDITIONAL REFERENCES: DUKE POWER COMPANY FILES AND RETAIL SUBSTATION DATED SEPT. 6, 2018, BY JOHN F. TINELEY, AUG. 12, 2018. PLANE COORDINATES BASED UPON NGS MONUMENT.  
 4) ALL I.P.P.F.'S ARE #4 REBAR UNLESS OTHERWISE NOTED.

APRIL 24, 2019

CITY ENGINEER: DAVID W. HALE  
 206 S. MAIN ST.  
 GREENVILLE, SC 29602  
 864-232-2273



This is a Recombination Survey and not a subdivision as defined by the City of Greenville Land Development Regulations.  
 May 28, 2019  
 Date  
 City Engineer or Representative

**LINE TABLE**

L1	N21°48'52"E	21.44'
L2	S48°20'41"E	22.06'
L3	S32°34'38"W	20.50'
L4	S48°06'11"E	18.02'
L5	N56°10'58"W	21.84'
L6	N21°48'52"E	21.11'

# Property Swap with Duke Energy, Carolinas, LLC:







# REQUEST FOR COUNCIL ACTION

## City of Greenville, South Carolina

Agenda Item No.

15c

**TO:** Honorable Mayor and Members of City Council  
**FROM:** John F. McDonough, City Manager

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

**AGENDA DATE REQUESTED:** August 10, 2020

**ORDINANCE/RESOLUTION CAPTION:**

ORDINANCE TO APPROPRIATE \$101,150 IN THE MISCELLANEOUS GRANTS FUND FOR THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING GRANT

**SUMMARY BACKGROUND:**

The CARES Act allocated funding to the US Department of Justice (DOJ) to provide financial support to law enforcement agencies to assist in preparing for and responding to the COVID-19 pandemic. The city of Greenville was automatically awarded funding as a Bureau of Justice Assistance (BJA) grant recipient.

The grant funding will be used to offset approved expenditures, including overtime, personal protective equipment (PPE), supplies and training.

**IMPACT IF DENIED:**

If denied, the City will have to reject the grant funds.

**FINANCIAL IMPACT:**

The approval of this appropriation will reduce the reliance on the General Fund for law-enforcement related COVID expenditures.

### REQUIRED SIGNATURES

Department Director

DocuSigned by:  
*Howie Thompson*

EDD8600A95F84FA...  
DocuSigned by:

OMB Director

*Matt Edlund*

44928B1C67864BE...

City Attorney

DocuSigned by:  
*Michael Pitts*

5E0F2A267E2D413...  
DocuSigned by:

City Manager

*John MCV*

FDC2AC15040F440...

A N O R D I N A N C E

TO APPROPRIATE \$101,150 IN THE MISCELLANEOUS GRANTS FUND FOR THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING GRANT

WHEREAS, the CARES Act allocated funding to the US Department of Justice (DOJ) to provide financial support to law enforcement agencies to assist in preparing for and responding to the COVID-19 pandemic; and

WHEREAS, the city of Greenville was automatically awarded funding as a Bureau of Justice Assistance (BJA) grant recipient; and

WHEREAS, the City will utilize the grant funding to offset approved expenditures, including overtime, personal protective equipment (PPE), supplies and training;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the amount of \$101,150 is appropriated in the Miscellaneous Grants Fund for the Coronavirus Emergency Supplemental Funding grant, 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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
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. McDonough, City Manager

Agenda Item No.

15d

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

**AGENDA DATE REQUESTED:** August 10, 2020

**ORDINANCE/RESOLUTION CAPTION:**

ORDINANCE TO AMEND SECTION 19-3.2.2(F) AND 19-5.1, TABLE OF DIMENSIONAL STANDARDS, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO MODIFY THE MAXIMUM DENSITY REQUIREMENTS FOR THE RM-3 ZONING DESIGNATION (Z-3-2020)

**SUMMARY BACKGROUND:**

Staff submits a text amendment to address an inconsistency based on other multifamily residential districts that permit a maximum residential density per the associated number within the district name, for example, RM-1 permits 10 units per acre; and RM-2 permits 20 units per acre. However, RM-3 also permits 20 units per acre leaving the RM-3 designation superfluous. Therefore, this amendment would allow 30 units per acre for the RM-3 designation.

The City Planning Commission, pursuant to public notice, held a public hearing on July 16, 2020, to consider the proposed text amendment. The application was recommended for approval by a vote of 7-0.

Planning Staff Recommendation: Approve

Planning Commission Recommendation: Approval by a vote of 7-0

**IMPACT IF DENIED:**

The text amendment will not be approved, and the permitted maximum dwelling units per acre within the RM-3 zoning designation will remain as 20 dwelling units per acre.

**FINANCIAL IMPACT:**

None

#### REQUIRED SIGNATURES

Department Director

DocuSigned by:

*Jonathan B. Graham*

219319F5AC3C445...

City Attorney

DocuSigned by:

*Michael Pitts*

5E0F2A267E2D413...

DocuSigned by:

OMB Director

City Manager

*John F. McDonough*

FDC2AC15040F440...

AN ORDINANCE

TO AMEND SECTION 19-3.2.2(F) AND 19-5.1, TABLE OF DIMENSIONAL STANDARDS, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO MODIFY THE MAXIMUM DENSITY REQUIREMENTS FOR THE RM-3 ZONING DESIGNATION (Z-3-2020)

WHEREAS, the city of Greenville desires to modify the maximum density requirements for the RM-3 zoning designation for 20 dwelling units per acre to 30 units per acre; and

WHEREAS, the City Planning Commission, pursuant to public notice, held a public hearing on July 16, 2020, to consider the proposed text amendment, and the Commission recommended approval of the proposed text amendment; and

WHEREAS, City Council finds the text amendment to be compatible with the City's Comprehensive Development Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, Section 19-3.2.2(F) and 19-5.1, Table of Dimensional Standards, of the Code of Ordinances of the City of Greenville is hereby amended as set forth in Exhibit A, attached hereto and incorporated herein by reference. This Ordinance shall be effective upon second and final reading.

DONE, RATIFIED AND PASSED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

REVIEWED:

\_\_\_\_\_  
CITY MANAGER

## EXHIBIT A

## Section 19-3.2.2 F.

(F)

*RM-3: Single-family and multifamily residential district.* The RM-3 district is intended to encourage a mixture of medium-density to high-density housing types, including multifamily units, high-rise multifamily units, townhouses, single-family detached, and single-family attached dwellings. The maximum density for multifamily development is ~~20~~ 30 units per acre. Complementary uses customarily found in residential districts, such as community recreation facilities, places of worship, and schools may be allowed. Professional office uses may be allowed.

## Section 19-5.1 (Table of Dimension Standards)

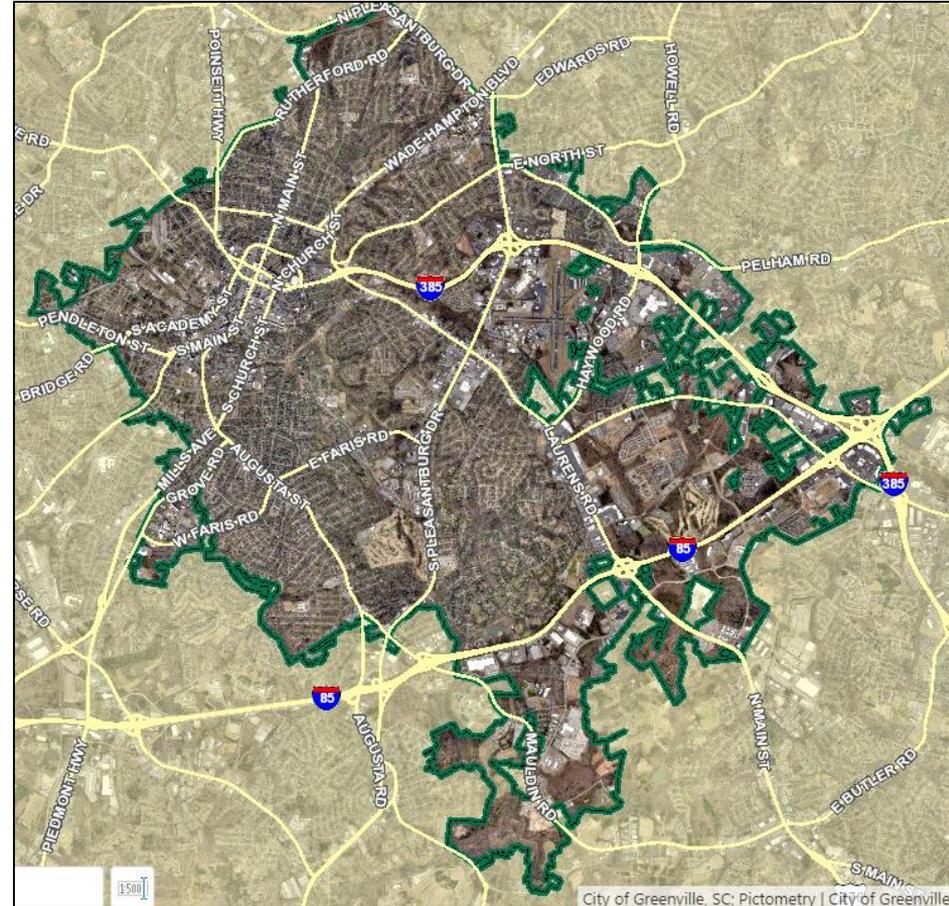
RESIDENTIAL DISTRICTS							
Zone	Max Density & Min. Lot (sq. ft.)	Minimum Width (in feet)	Max Coverage (percentage)(11)	Front-Setback Min (in feet) (1)	Side-Setback Min (in feet)	Rear Setback Min (in feet)	Height Max (in feet) (8)
R-6	6,000	40	40	20	5	15	35
R-9	9,000	60					
RM-1	10 units/acre	40 for single-family detached; None for all other	40	20	5 for single-family detached and duplex; 15 for other uses	15	40 (2, 12)
RM-1.5	15 units/acre						
RM-2	20 units/acre						
RM-3	30 units/acre						
High-rise apartments in RM-3 and OD	1 acre	150	25 3	25	25	25	None (4)
Nonresidential uses in all residential districts	None	None	40	25	15	15	40 (2, 12)
Accessory structures			50% of principal structure	NP	5	5	20 (9)

## APPLICANT

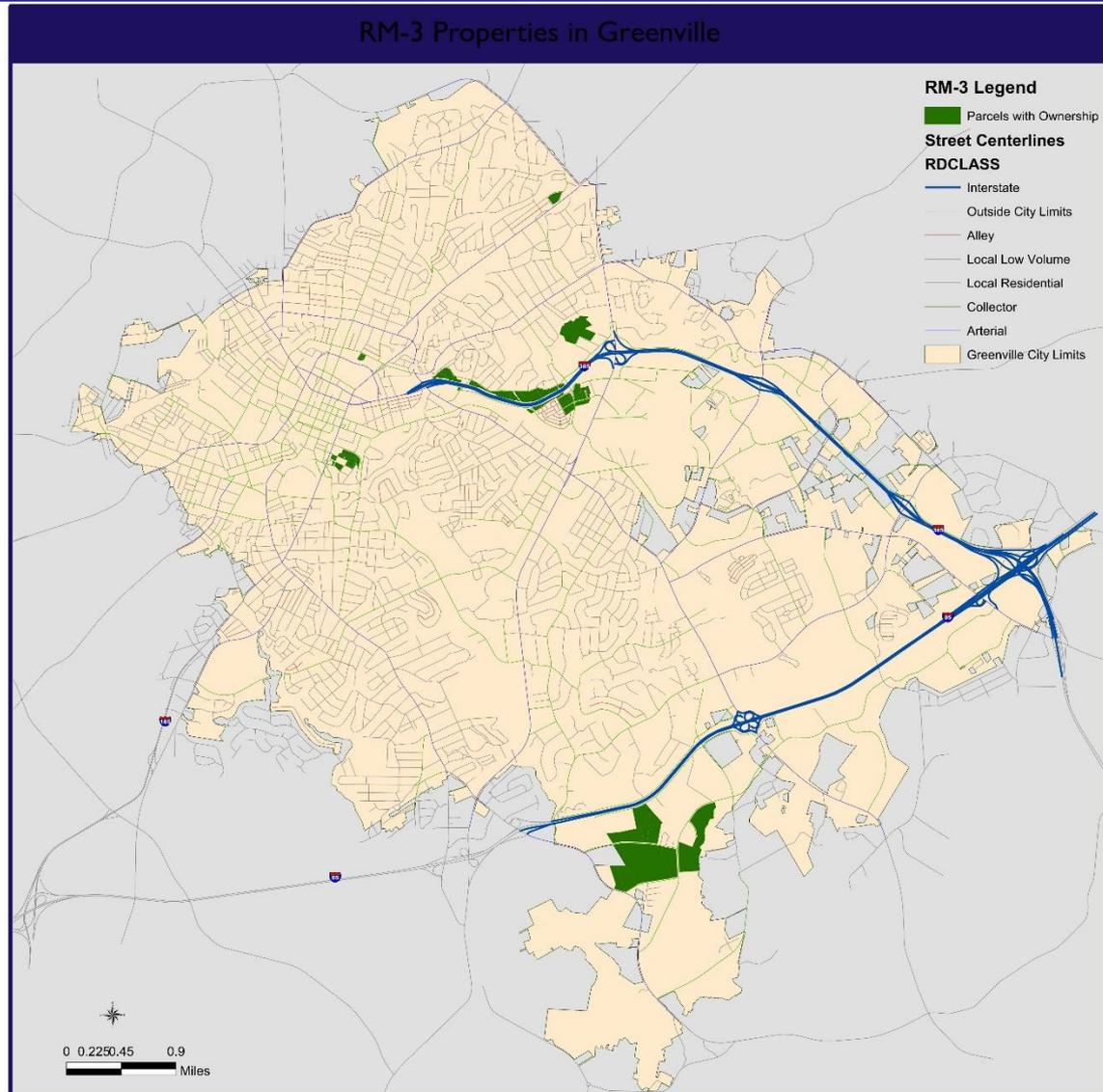
City of Greenville

## REQUEST

**TEXT AMENDMENT** to Section(s) 19-3.2.2(F) and 19-5.1 Table of Dimensional Standards related to the maximum density requirements for the RM-3 zoning designation (See attached TM#s list)



# Z-3-2020 | RM-3 TEXT AMENDMENT



**STAFF RECOMMENDATION**

Recommend approval of text amendment to City Council

**PLANNING COMMISSION DECISION**

Motion to recommend approval of the text amendment to City Council passed with a 7-0 vote.



## REQUEST FOR COUNCIL ACTION

### City of Greenville, South Carolina

Agenda Item No.

15e

**TO:** Honorable Mayor and Members of City Council  
**FROM:** John F. McDonough, City Manager

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

**AGENDA DATE REQUESTED:** August 10, 2020

**ORDINANCE/RESOLUTION CAPTION:**

ORDINANCE TO APPROPRIATE \$400,000 FROM THE LAW ENFORCEMENT SPECIAL REVENUE FUND, DEPARTMENT OF JUSTICE ACCOUNT, FOR THE PURCHASE OF EQUIPMENT AND TRAINING TO SUPPORT THE PUBLIC SAFETY INITIATIVE

**SUMMARY BACKGROUND:**

The Greenville Police Department has identified the need to implement a public safety program providing officers with the equipment, training, and resources necessary to ensure the highest quality customer service for the citizens of Greenville. This funding will be used to purchase crowd management protective equipment, bicycle crowd management equipment, a traffic response vehicle (TRV), and the technological hardware and software to support the initiative.

The crowd management PPE is an immediate need as the current equipment is either expired or nearing end of serviceable life. Portions of the funding will be used to outfit every officer with the appropriate PPE to mitigate any possible physical, chemical, and/or biological harm.

Funds will be used to purchase and expand the Current GPD bicycle crowd management team. This includes the bicycles, protective equipment for the riders, and up-fit costs associated with the bicycles.

The traffic response vehicle (TRV) will be used to respond to traffic related incidents. This vehicle will be equipped with the tools necessary to provide assistance to stranded motorists, vehicle collisions, traffic direction needs, etc. Each component of the Public Safety Initiative program requires a large investment from the city of Greenville to complete the acquisition of the equipment and personnel training. The GPD has recognized that the \$400,000 is available in the Law Enforcement Special Revenue Fund, DOJ account. By utilizing this funding source, the City's general fund would not be affected.

**IMPACT IF DENIED:**

The Greenville Police Department would not be able to fund these equipment acquisitions with the current budget.

**FINANCIAL IMPACT:**

There is no financial impact to the City's general fund.

#### REQUIRED SIGNATURES

**Department Director** DocuSigned by:  
*Howie Thompson*  
EDD8600A95F84FA...  
DocuSigned by:

**OMB Director** DocuSigned by:  
*Matt Edgard*  
44928B1C67864BE...

**City Attorney** DocuSigned by:  
*Michael Pitts*  
5E0F2A267E2D413...  
DocuSigned by:

**City Manager** DocuSigned by:  
*John F. McDonough*  
FDC2AC15040F440...

A N O R D I N A N C E

TO APPROPRIATE \$400,000 FROM THE LAW ENFORCEMENT SPECIAL REVENUE FUND, DEPARTMENT OF JUSTICE ACCOUNT, FOR THE PURCHASE OF EQUIPMENT AND TRAINING TO SUPPORT THE PUBLIC SAFETY INITIATIVE

WHEREAS, the Greenville Police Department (the “Department”) has identified the need to implement a public safety program (the “Program”) in order to provide police officers with the equipment, training, and resources necessary to ensure the highest quality customer service for the citizens of Greenville; and

WHEREAS, the program requires funding to purchase crowd management protective equipment, bicycle crowd management equipment, a traffic response vehicle (TRV), and the technological hardware and software to support the public safety initiative; and

WHEREAS, the crowd management protective equipment is an immediate need as the current equipment is either expired or nearing end of serviceable life and the Department desires to outfit every officer with the appropriate equipment to provide them with protection to mitigate physical, chemical, and/or biological harm; and

WHEREAS, funds will be used to purchase and expand the current Greenville Police Department bicycle crowd management team which includes bicycles, protective equipment for the riders, and up-fit costs associated with the bicycles; and

WHEREAS, the traffic response vehicle (TRV) will be used to respond to traffic related incidents and will be equipped with the tools necessary to provide assistance to stranded motorists, minor vehicle collisions, traffic direction needs, etc.; and

WHEREAS, each component of the Program requires a large investment from the city of Greenville to complete the acquisition of the equipment and personnel training; and

WHEREAS, the Department has recognized that funding in the amount of \$400,000 is available in the Law Enforcement Special Revenue Fund, Department of Justice account and that by utilizing this funding source, the City’s General Fund would not be impacted;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the amount of \$400,000 is appropriated from the Law Enforcement Special Revenue Fund for the purpose of funding the Greenville Police Department’s Public Safety Initiative 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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

REVIEWED:

\_\_\_\_\_  
CITY MANAGER





# REQUEST FOR COUNCIL ACTION

## City of Greenville, South Carolina

Agenda Item No.

15f

**TO:** Honorable Mayor and Members of City Council  
**FROM:** John F. McDonough, City Manager

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

**AGENDA DATE REQUESTED:** August 10, 2020

**ORDINANCE/RESOLUTION CAPTION:**

AN ORDINANCE TO APPROPRIATE \$360,000 IN THE MISCELLANEOUS GRANTS FUND FOR SEWER IMPROVEMENTS IN THE WOODSIDE MILL VILLAGE

**SUMMARY BACKGROUND:**

The city of Greenville applied for and was awarded a grant in the amount of \$360,000 from the South Carolina Rural Infrastructure Authority. The grant funds will be used to install approximately 1,300 linear feet of new eight-inch gravity sewer main in the Woodside Mill Village as recommended by comprehensive design efforts. Matching funds of \$606,805 are required and are already appropriated in Woodside Mill project.

**IMPACT IF DENIED:**

If denied, the City will have to reject the grant funds.

**FINANCIAL IMPACT:**

Additional funds in the amount of \$606,805 are needed to complete the project and are available in the project's existing construction budget.

### REQUIRED SIGNATURES

Department Director \_\_\_\_\_

DocuSigned by:

*Matt Edgard*

44928B1C67864BE...

City Attorney \_\_\_\_\_

DocuSigned by:

*Michael Pitts*

5E0F2A267E2D413...

DocuSigned by:

City Manager \_\_\_\_\_

*John McDonough*

FDC2ACT15040F440...

A N O R D I N A N C E

TO APPROPRIATE \$360,000 IN THE MISCELLANEOUS GRANTS FUND FOR SEWER IMPROVEMENTS IN THE WOODSIDE MILL VILLAGE

WHEREAS, the city of Greenville applied for and was awarded a grant in the amount of \$360,000 from the South Carolina Rural Infrastructure Authority; and

WHEREAS, the grant funds will be used to install approximately 1,300 linear feet of new eight-inch gravity sewer main in the Woodside Mill Village as recommended by comprehensive design efforts; and

WHEREAS, additional funds in the amount of \$606,805 will be needed to complete the project and are available in the Woodside Sewer Relocation project;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the amount of \$360,000 is appropriated in the Miscellaneous Grants Fund for sewer improvements in the Woodside Mill Village 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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

REVIEWED:

\_\_\_\_\_  
CITY MANAGER





# REQUEST FOR COUNCIL ACTION

## City of Greenville, South Carolina

Agenda Item No.

15g

**TO:** Honorable Mayor and Members of City Council  
**FROM:** John F. McDonough, City Manager

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

**AGENDA DATE REQUESTED:** August 10, 2020

**ORDINANCE/RESOLUTION CAPTION:**

ORDINANCE TO APPROPRIATE \$693,729 IN THE MISCELLANEOUS GRANTS FUND TO RECOGNIZE CARES ACT REIMBURSEMENT FROM GREENVILLE COUNTY FOR COVID-19 EXPENDITURES

**SUMMARY BACKGROUND:**

The city of Greenville applied for and was awarded \$693,729 in reimbursement for COVID-related expenditures as a part of Greenville County's CARES Act allocation. Eligible expenses include those for technology and remote working, cleaning and sanitizing, personal protective equipment (PPE), preparation and response efforts and refunds granted to city customers.

The funds will be recognized in the Miscellaneous Grants Fund and then transferred as revenue to the funds in which the expense occurred. Ninety-percent of the revenue will go to the General Fund, 4.7 percent to the Zoo Fund, 3 percent to the Parking Fund, and the remainder split between seven other funds based on actual expenses.

**IMPACT IF DENIED:**

If denied, the City will have to reject the reimbursement funds.

**FINANCIAL IMPACT:**

The impact of approving this appropriation is positive as it will increase the fund balance and/or net position of the impacted funds.

### REQUIRED SIGNATURES

Department Director \_\_\_\_\_

DocuSigned by:

*Matt Edlund*

44928B1C67864BE...

City Attorney \_\_\_\_\_

DocuSigned by:

*Michael Pitts*

5E0F2A267E2D413...

DocuSigned by:

City Manager \_\_\_\_\_

*John F. McDonough*

FDC2AC15040F440...

A N O R D I N A N C E

TO APPROPRIATE \$693,729 IN THE MISCELLANEOUS GRANTS FUND TO RECOGNIZE CARES ACT REIMBURSEMENT FROM GREENVILLE COUNTY FOR COVID-19 EXPENDITURES

WHEREAS, the city of Greenville incurred substantial expenses preparing for and responding to the COVID-19 pandemic; and

WHEREAS, Greenville County received a direct allocation of CARES Act funding from the Department of the Treasury and allocated a portion of those funds to offset expenditures made by municipalities in the County; and

WHEREAS, the City applied for and received approval for reimbursement in the amount of \$693,729 for COVID-related expenditures as reflected in the attached Exhibit; and

WHEREAS, the reimbursement will be allocated to the Fund in which the expenditures occurred and recognized as revenue for Fiscal Year 2019-2020;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the amount of \$693,729 is appropriated in the Miscellaneous Grants Fund to recognize CARES Act reimbursement. This Ordinance shall become effective upon passage on the second and final reading.

DONE, RATIFIED AND PASSED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

REVIEWED:

\_\_\_\_\_  
CITY MANAGER

## EXHIBIT

<b>BUDGET ADJUSTMENT - FY 20</b>				
<b>Account Number</b>	<b>Account Description</b>		<b>Increase / (Decrease)</b>	<b>Project No.</b>
128-0000-331-10-20	Fed. Rev. / US Dept of Treasury		693,729	CV2020
128-9020-491-81-10	Transfer - General Fund		622,757	CV2020
128-9020-491-81-19	Transfer - Community Dev.		1,262	CV2020
128-9020-491-81-20	Transfer - Stormwater		2,237	CV2020
128-9020-491-81-21	Transfer - Wastewater		2,762	CV2020
128-9020-491-81-37	Transfer - Events Mgmt..		2,442	CV2020
128-9020-491-81-41	Transfer - Capital Proj. Fund		4,777	CV2020
128-9020-491-81-61	Transfer - Parking		20,344	CV2020
128-9020-491-81-67	Transfer - Solid Waste		2,719	CV2020
128-9020-491-81-69	Transfer - Zoo		32,650	CV2020
128-9020-491-81-80	Transfer - Fleet		1,779	CV2020

To appropriate funding for FY 20 County Cares Act Funding.

**JOURNAL ENTRY - FY 20**

<b>Account</b>	<b>Account Description</b>	<b>Debit</b>	<b>Credit</b>	<b>Project</b>
128-9020-491-81-10	Transfer - General Fund	622,756.73		CV2020
128-9020-491-81-19	Transfer - Community Dev.	1,261.91		CV2020
128-9020-491-81-20	Transfer - Stormwater	2,236.90		CV2020
128-9020-491-81-21	Transfer - Wastewater	2,762.08		CV2020
128-9020-491-81-37	Transfer - Events Mgmt..	2,442.14		CV2020
128-9020-491-81-41	Transfer - Capital Proj. Fund	4,776.49		CV2020
128-9020-491-81-61	Transfer - Parking	20,344.10		CV2020
128-9020-491-81-67	Transfer - Solid Waste	2,718.92		CV2020
128-9020-491-81-69	Transfer - Zoo	32,650.18		CV2020
128-9020-491-81-80	Transfer - Fleet	1,778.90		CV2020
010-0000-391-81-28	Transfer - Misc. Grants Fund		622,756.73	CV2020
119-0000-391-81-28	Transfer - Misc. Grants Fund		1,261.91	CV2020
120-0000-391-81-28	Transfer - Misc. Grants Fund		2,236.90	CV2020
121-0000-391-81-28	Transfer - Misc. Grants Fund		2,762.08	CV2020
137-0000-391-81-28	Transfer - Misc. Grants Fund		2,442.14	CV2020
141-0000-391-81-28	Transfer - Misc. Grants Fund		4,776.49	CV2020
461-0000-391-81-28	Transfer - Misc. Grants Fund		20,344.10	CV2020
467-0000-391-81-28	Transfer - Misc. Grants Fund		2,718.92	CV2020
467-0000-391-81-28	Transfer - Misc. Grants Fund		32,650.18	CV2020
580-0000-391-81-28	Transfer - Misc. Grants Fund		1,778.90	CV2020
128-0000-101-05-00	Cash - Misc. Grants Fund		693,728.35	
010-0000-101-05-00	Cash - General Fund	622,756.73		
119-0000-101-05-00	Cash - Community Dev.	1,261.91		
120-0000-101-05-00	Cash - Stormwater	2,236.90		
121-0000-101-05-00	Cash - Wastewater	2,762.08		
137-0000-101-05-00	Cash - Events Mgmt..	2,442.14		
141-0000-101-05-00	Cash - Capital Proj. Fund	4,776.49		
461-0000-101-05-00	Cash - Parking	20,344.10		
467-0000-101-05-00	Cash - Solid Waste	2,718.92		
467-0000-101-05-00	Cash - Zoo	32,650.18		
580-0000-101-05-00	Cash - Fleet	1,778.90		

To record funding for FY 20 County Cares Act Funding.



A RESOLUTION

TO ADOPT REVISIONS TO THE 2015 FEMA MULTI-HAZARD MITIGATION PLAN

WHEREAS, the Federal Emergency Management Administration (FEMA) makes grants available to municipalities for the express purpose of receiving certain types of non-emergency disaster assistance, including the funding of mitigation projects; and

WHEREAS, the city of Greenville adopted an updated Multi-Hazard Mitigation Plan in 2015; and

WHEREAS, a Disaster Mitigation Committee was created to identify and prioritize mitigation initiatives; and

WHEREAS, the updated plan will replace the existing plan in the Countywide Multi-Hazard Mitigation Plan adopted by Council on July 13, 2015;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the 2019 revisions to the 2015 FEMA Multi-Hazard Mitigation Plan are approved and adopted. The updated Plan is available to the public on the City's website in the Environmental Engineering section.

RESOLVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
CITY CLERK



**Multi-Hazard  
Mitigation Plan  
Annual Update  
2019**

# Hazards of Concern



Winter Storms



Floods



Heat Wave



Dam Failure



Tornadoes, Thunderstorms



Earthquakes, Wildfires



# Multi-Hazard Mitigation Plan:

- Next Major Update in 2020
- Meets Disaster Mitigation Act of 2000
  - FEMA planning mitigation requirements for local governments as a condition of mitigation grant assistance
- Community Rating System (CRS) Credit



# Mitigation Techniques

1. Prevention
2. Public Education & Awareness
3. Natural Resource Protection
4. Emergency Services
5. Property Protection
6. Structural Projects



# Initiatives Implementation Phases

## ❖ Phase 1

❖ Begin implementation 1-3 years after 2015

## ❖ Phase 2

❖ Begin implementation 3-5 years after 2015

## ❖ Phase 3

❖ Reevaluate during 2020 plan if not yet begun





## REQUEST FOR COUNCIL ACTION

### City of Greenville, South Carolina

Agenda Item No.

16b

**TO:** Honorable Mayor and Members of City Council  
**FROM:** John F. McDonough, City Manager

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

**AGENDA DATE REQUESTED:** August 10, 2020

**ORDINANCE/RESOLUTION CAPTION:**

RESOLUTION TO APPROVE A LEASE FROM GREENLINE PARK, LLC FOR THE CITY'S CONTINUED USE OF PROPERTY LOCATED IN THE GREENLINE/SPARTANBURG NEIGHBORHOOD FOR THE RAILROAD MINI PARK (TAX MAP NUMBER 39.04-05-15)

**SUMMARY BACKGROUND:**

The City, on behalf of City's Parks and Recreation Department, currently leases the property identified as Greenville County Tax Map Number 39.04-05-15 in the Greenline/Spartanburg neighborhood in the city of Greenville (the "Property") for use as a park commonly known as Railroad Mini Park, but this prior lease expired according to its terms on June 20, 2020. The City's Parks and Recreation Department desires to continue to use the Property for a park and Lessor is willing to lease the property for continued use as a Railroad Mini Park under the terms and conditions set forth in the Lease Agreement attached to this Resolution.

**IMPACT IF DENIED:**

The Lease will not be approved.

**FINANCIAL IMPACT:**

N/A

#### REQUIRED SIGNATURES

**Department Director** *Angela Prosser*  
DocuSigned by: A251EDD25B774BE...

**City Attorney** *Michael Pitts*  
DocuSigned by: 5E0F2A267E2D413...

**OMB Director** \_\_\_\_\_

**City Manager** *John F. McDonough*  
DocuSigned by: FDC2AC15040F440...

A RESOLUTION

TO APPROVE A LEASE FROM GREENLINE PARK, LLC FOR THE CITY'S CONTINUED USE OF PROPERTY LOCATED IN THE GREENLINE/SPARTANBURG NEIGHBORHOOD FOR THE RAILROAD MINI PARK (TAX MAP NUMBER 39.04-05-15)

WHEREAS, the City, on behalf of City's Parks and Recreation Department, currently leases the property identified as Greenville County Tax Map Number 39.04-05-15 in the Greenline/Spartanburg neighborhood in the city of Greenville (the "Property") for use as a park commonly known as Railroad Mini Park, but this prior lease expired according to its terms on June 20, 2020; and

WHEREAS, the City's Parks and Recreation Department desires to continue to use the Property for a park in the Greenline/Spartanburg neighborhood, and Lessor is willing to lease the Property to the City for continued use as Railroad Mini Park under the terms and conditions set forth in the "LEASE FOR RAILROAD MINI PARK TAX MAP NUMBER 39.04-05-15", which is attached hereto and incorporated herein as Exhibit A (the "Lease"); and

WHEREAS, the City's Parks and Recreation Department desires to continue to use the Property for a park in the Greenline/Spartanburg neighborhood, and Greenline Park, LLC is willing to lease the Property to the City for continued use as a Railroad Street Park as set forth in substantially the same form as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, that the City Manager is authorized to execute on behalf of the City of Greenville an agreement to lease from Greenline Park, LLC, property located in Greenline/Spartanburg Neighborhood (Tax Map Number 39.04-05-15) to use as a Railroad Mini Park on a form and subject to the terms and conditions that are substantially similar to those as set out in Exhibit A, "Lease for Railroad Mini Park Tax Map Number 39.04-05-15," attached hereto and incorporated herein by reference. The City Manager, in consultation with the City Attorney, may make or accept minor modifications to the wording and designations of the attached document 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.

This Resolution shall become effective upon the date of passage.

RESOLVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
CITY CLERK

EXHIBIT A

STATE OF SOUTH CAROLINA	)	LEASE FOR RAILROAD MINI PARK
	)	TAX MAP NUMBER 39.04-05-15
COUNTY OF GREENVILLE	)	

THIS LEASE is made and entered into on \_\_\_\_\_, but effective as of June 21, 2020 (the "Effective Date"), by and between the City of Greenville, South Carolina, a duly organized and validly existing body politic of the State of South Carolina (the "City"), and Greenline Park, LLC, a South Carolina limited liability company, whose principal address is 219 E. Washington Street, Suite A, Greenville, SC 29601 ("Lessor").

WHEREAS, the City, on behalf of City's Parks and Recreation Department, has previously leased the property identified as Greenville County Tax Map Number 39.04-05-15 in the Greenline/Spartanburg neighborhood in the City of Greenville (the "Property") for use as a park commonly known as Railroad Mini Park, but this prior lease expired according to its terms on June 20, 2020; and

WHEREAS, the City's Parks and Recreation Department desires to continue to use the Property for a park in the Greenline/Spartanburg neighborhood, and Lessor is willing to lease the Property to the City for continued use as Railroad Mini Park under the terms and conditions set forth herein.

NOW THEREFORE, for valuable consideration and the mutual promises hereinafter set forth between the parties hereto, the legal sufficiency of which is hereby acknowledged by the parties, it is agreed as follows:

- I. Lessor hereby leases the Property to the City for continued use as the Railroad Mini Park, and City shall maintain the Property as a neighborhood park.
- II. The term of this Lease shall be for three (3) years, commencing on the Effective Date hereinabove referenced and expiring on June 20, 2023; provided, that the City shall have the right to extend this Lease for three (3) successive one-year terms thereafter, each extending from June 21<sup>st</sup> to June 20<sup>th</sup> of the following year, by notifying Lessor, in writing, of the City's intent to extend the Lease prior to the end of the then-current term of the Lease. Either party may terminate this Lease at any time upon thirty (30) days written notice to the other party.
- III. During the term of this Lease, the City shall pay the amount of annual property taxes and assessments due on the Property. Upon receipt of the yearly tax notice, Lessor shall forward the same to the City's Parks and Recreation Department for payment directly to the tax assessor at least thirty (30) days prior to the imposition of any penalties or late fees. Lessor agrees to pay for all penalties assessed due to its failure to forward the tax notice to the City as set forth herein. Lessor shall send the notice to:

City of Greenville, South Carolina  
Attention: Director of Parks and Recreation  
P.O. Box 2207  
Greenville, SC 29602

- IV. The City shall obtain the prior written approval from Lessor before commencing any improvements on the Property, which approval shall not be unreasonably withheld.
- V. The City shall maintain throughout the term of this Lease general commercial liability insurance on the Property, in an amount not less than \$1,000,000 per occurrence and \$3,000,000 in the aggregate. The City shall name Lessor as an additional insured on the policy with respect to Railroad Mini Park (if under a combined policy). The City shall provide Lessor with a certificate evidencing such insurance coverage and shall provide Lessor with evidence of renewal of such policy at least ten (10) days prior to the expiration thereof.
- VI. Upon termination of this Lease, the City shall make all good faith efforts to remove all property of the City from the Property within thirty (30) days of termination.
- VII. This Lease shall inure to the benefit of and be binding upon the parties hereto and upon their respective successors and permitted assigns. Neither party shall assign this Lease without the prior written approval of the other party.
- VIII. This Lease sets forth all the covenants, promises, agreements, conditions, and understandings between the City and Lessor concerning the Property. No subsequent alteration, amendment, change, or addition to this Lease shall be binding unless reduced to writing and signed by both parties hereto.

*[Signature pages follow]*

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

**GREENLINE PARK, LLC**

\_\_\_\_\_  
J. Russ Davis, Jr.  
Manager of Homes Urban, LLC, its  
Sole Member

**CITY OF GREENVILLE, SOUTH CAROLINA**

\_\_\_\_\_  
John McDonough  
City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
City Legal Department

Reviewed:

\_\_\_\_\_  
City Interim Director of Parks & Recreation

Reviewed:

\_\_\_\_\_  
City Director of OMB

Reviewed:

\_\_\_\_\_  
City Risk Manager

Received:

\_\_\_\_\_  
City Purchasing Administrator



# REQUEST FOR COUNCIL ACTION

## City of Greenville, South Carolina

Agenda Item No.

16c

**TO:** Honorable Mayor and Members of City Council  
**FROM:** John F. McDonough, City Manager

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

**AGENDA DATE REQUESTED:** August 10, 2020

**ORDINANCE/RESOLUTION CAPTION:**

A RESOLUTION TO CERTIFY 1203, 1205, 1207, 1211 PENDLETON STREET AS AN ABANDONED BUILDING SITE (TAX MAP NUMBER 0120000400100)

**SUMMARY BACKGROUND:**

This Resolution certifies real property located at 1203, 1205, 1207, 1211 Pendleton Street (Tax Map Number 0120000400100) as an abandoned building site for purposes of the South Carolina Abandoned Building Revitalization Act. The Resolution itself provides no tax relief. The applicant is seeking State Tax Income Tax Credits.

**IMPACT IF DENIED:**

The site will not be certified as an abandoned building site.

**FINANCIAL IMPACT:**

N/A

### REQUIRED SIGNATURES

Department Director

DocuSigned by:

*Merte Johnson*

3048A48FF4054A0...

City Attorney

DocuSigned by:

*Michael Pitts*

5E0F2A267E2D413...

OMB Director

City Manager

DocuSigned by:

*JF McDonough*

FDC2AC15040F440...

A R E S O L U T I O N

TO CERTIFY 1203, 1205 1207, 1211 PENDLETON STREET AS AN ABANDONED BUILDING SITE (TAX MAP NUMBER 0120000400100)

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

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

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

WHEREAS, BIG AL, LLC (the “Company”) is the owner and developer and is responsible for all of the rehabilitation expenses associated with certain real property at 1203, 1205, 1207, 1211 Pendleton Street (the “Property”) upon which there is one building and is further identified by Greenville County Tax Map Parcel Number 0120000400100 (the “Building Site”); and

WHEREAS, the Company is rehabilitating the Building Site which is located within the city limits of Greenville; and

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

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

- Section 1. The Company has submitted to the City a request to certify the Building Site pursuant to Section 12-67-160 of the South Carolina Abandoned Buildings Revitalization Act (the “Request to Certify”).
- Section 2. Based solely on the information supplied by the Company including but not limited to, the affidavit of Kathy Harris, floor plan submitted the Company, and the City’s search of its business license records, the City hereby certifies (i) the Building Site constitutes an abandoned building as defined by Section 12-67-120(1) of the Act, and (ii) the geographic area of the Building Site is consistent with Section 12-67-120(2) of the Act.
- Section 3. This Resolution provides no tax relief whatsoever and the City expresses no opinion regarding the availability of same to the Company beyond the certification contained herein.
- Section 4. This Resolution shall be become effective upon the date of enactment.

RESOLVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
CITY CLERK

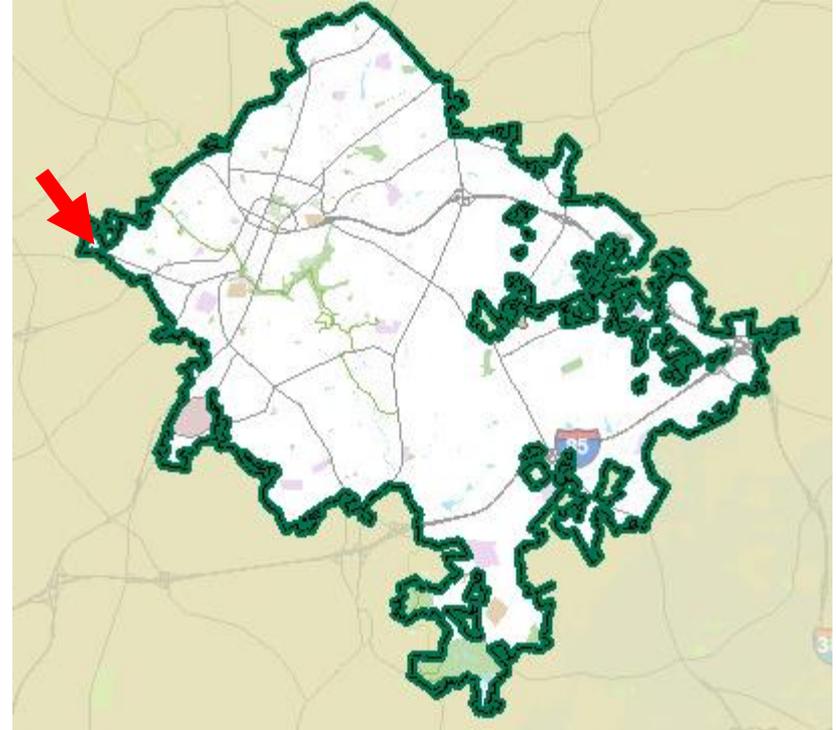
# 1203, 1205 1207, 1211 PENDLETON STREET

## APPLICANT

BIG AL, LLC.

## REQUEST

- Certify Property at 1203, 1205, 1207, 1211 Pendleton Street as an Abandoned Building Site



# 1203, 1205 1207, 1211 PENDLETON STREET

**PARCEL LOCATION  
TMS# 0120000400100**



**1203, 1205 1207, 1211 PENDLETON STREET**

**STAFF RECOMMENDATION**

**Approval**

**FISCAL IMPACT**

No fiscal impact (seeking state Income Tax Credits)



# REQUEST FOR COUNCIL ACTION

## City of Greenville, South Carolina

Agenda Item No.

16d

**TO:** Honorable Mayor and Members of City Council  
**FROM:** John F. McDonough, City Manager

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

**AGENDA DATE REQUESTED:** August 10, 2020

**ORDINANCE/RESOLUTION CAPTION:**

A RESOLUTION TO MODIFY AND CONTINUE THE CURRENT NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM IN THE CITY OF GREENVILLE

**SUMMARY BACKGROUND:**

This Resolution adopts changes to the guidelines for the City's Neighborhood Traffic Calming Plan.

**IMPACT IF DENIED:**

The modifications will not be made.

**FINANCIAL IMPACT:**

None

### REQUIRED SIGNATURES

Department Director

DocuSigned by:

*Mike Murphy*

B8351B3CF7524D2...

City Attorney

DocuSigned by:

*Michael Pitts*

5E0F2A267E2D413...

DocuSigned by:

OMB Director

City Manager

*John F. McDonough*

FDC2AC15040F440...

A R E S O L U T I O N

TO MODIFY AND CONTINUE THE CURRENT NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM IN THE CITY OF GREENVILLE

WHEREAS, the city of Greenville implements a Neighborhood Traffic Calming Program (the “Program”) to evaluate and implement, where appropriate, a neighborhood’s request for traffic calming measures; and

WHEREAS, while not required by State law, the City nevertheless established certain Program guidelines (the “Guidelines”) and has amended same, by way of prior resolutions, the most recent of which was Resolution Number 2003-31 passed by City Council on May 19, 2003; and

WHEREAS, the Guidelines have not been modified since passage of the aforementioned Resolution; and

WHEREAS, given the passage of time and the amount of growth the City has experienced in the last seventeen (17) years, which has resulted in, among other things, impacts from commercial uses migrating or “creeping” into adjacent neighborhoods, it is appropriate to revisit the Guidelines; and

WHEREAS, to that end, the Public Works Director and the City Engineer at a work session presented recommended modifications to the existing Guidelines to the City Council on June 22, 2020; and

WHEREAS, City Council has reviewed these recommendations, finds them to be appropriate and, therefore, desires to adopt the guidelines;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the Guidelines, as set forth in Resolution Number 2003-31, are hereby modified as follows:

Section 1. Street closures, diverters, neck downs, or any other device that restricts access or circulation shall be removed from the list of available traffic calming devices.

Section 2. City staff shall develop a process to remove traffic calming devices previously installed where appropriate. Absent a finding of compelling circumstances by the City Engineer, the removal process may only be initiated by residents residing within the original traffic calming study area.

Section 3. In the event the City Engineer determines, in his or her sole discretion, that a street already has traffic calming devices installed to an extent that renders additional devices imprudent due to insufficient spacing, inefficient operation, or any other factor supported by sound traffic engineering judgment, those additional devices shall be ineligible for consideration. The City Engineer may assess additional options not included in the list of traffic calming devices for consideration.

Section 4. City streets eligible for traffic calming shall carry an average daily traffic volume between 300 and 2,500 vehicles per day. City streets with less than 300 vehicles per day with an 85th percentile speed greater than 10-mph above the legal or posted speed limit or which may be affected by additional traffic by the installation of traffic calming devices on nearby streets shall also be eligible for traffic calming devices.

Section 5. The provisions set forth herein and in Resolution Number 2003-31 shall serve as guidelines only. Deviation therefrom may be authorized by the City Engineer if, in his or her professional judgment, strict adherence is not required with respect to a particular traffic calming project or where substantial compliance with procedure is demonstrated.

Section 6. All remaining provisions of Resolution Number 2003-31 not otherwise modified or amended above shall remain in effect.

Section 7. These modifications to the Guidelines shall be effective immediately upon passage of this Resolution. Any petition seeking the installation of traffic calming devices not yet approved for installation by the City Engineer, or City Council as appropriate, shall be subject to this Resolution.

RESOLVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
CITY CLERK