



**WINTERVILLE TOWN COUNCIL AGENDA
MONDAY, SEPTEMBER 13, 2021 - 7:00 PM
WINTERVILLE TOWN HALL ASSEMBLY ROOM
(LIMITED IN-PERSON ATTENDANCE)**

- I. CALL TO ORDER.**
- II. INVOCATION.**
- III. PLEDGE OF ALLEGIANCE.**
- IV. WELCOME.**
- V. APPROVAL OF AGENDA.**
- VI. PROCLAMATIONS:**
 1. 911 Day of Remembrance, 20th Anniversary
 2. Public Power Week.
- VII. PUBLIC HEARINGS:**
 1. Sutton Capital Group – Rezoning Request.
 2. Aquatic Holdings – Rezoning Request.
 3. Alfred Martin McLawhorn – Rezoning Request.
 4. Pitt County Farms, LLC – Rezoning Request.
- VIII. PUBLIC COMMENT:** *The Public Comment period of thirty minutes provides an opportunity for residents to comment on any item included in the agenda or to address the Town Council on any other matter related to the Town of Winterville. For an item included in the Public Hearing section of the agenda, residents should address the Council at the time the Mayor invites public comment on the item. No public comment may be made to the Council during the meeting, except during the Public Comment period or as part of a Public Hearing. Individual speakers are limited to a maximum of three minutes, and no more than three speakers may address the Council on a single matter. The Town Council may elect to take no action on the matter addressed by a speaker, may schedule the matter for further consideration at a future Council meeting, or may refer the matter to Town staff for disposition. Copies of the Town Public Comment Policy are available in the rear of the Assembly Room.*

IX. CONSENT AGENDA: *The following items are considered routine in nature and will not be discussed by the Town Council unless a Councilman or citizen requests that an item be removed from the Consent Agenda for further discussion. The Mayor may allow citizens to address an item or ask questions.*

1. Approval of the following sets of Council Meeting Minutes:
 - August 9, 2021 Regular Meeting Minutes.
2. Set Public Hearing for October 11, 2021: Winterville Interconnect Site - Annexation.
3. Set Public Hearing for October 11, 2021: Old Tar Road Pump Station - Annexation.
4. Direct Clerk to Certify Sufficiency: Holly Grove, Section 2 Annexation (Resolution 21-R-091).
5. Budget Amendment 2021-2022-2.

X. OLD BUSINESS:

XI. NEW BUSINESS:

1. ARPA Grant Project Ordinance.
2. Holly Grove, Section 2 – Final Plat.
3. Ange Plaza, Lots 14 and 15 – Final Plat.

XII. OTHER AGENDA ITEMS:

XIII. ITEMS FOR FUTURE AGENDAS/FUTURE WORK SESSIONS:

XIV. ANNOUNCEMENTS:

1. Outdoor Concert: “The Main Event Band” Friday, September 17, 2021 at 7:00 pm – Recreation Park Amphitheater.
2. Planning & Zoning Board Meeting: Monday, September 20, 2021 at 7:00 pm.
3. Board of Adjustment Meeting: Tuesday, September 21, 2021 at 7:00 pm.
4. Recreation Advisory Board: Tuesday, September 28, 2021 @ 6:30 pm – Operation Center.
5. Movies in the Park: “Toy Story 4” Friday, September 10, 2021 at 7:00 pm - Recreation Park Amphitheater.

XV. REPORTS FROM THE TOWN ATTORNEY, MAYOR AND TOWN COUNCIL, AND TOWN MANAGER.

XVI. ADJOURN.

SPECIAL NOTICE: *Anyone who needs an interpreter or special accommodations to participate in the meeting should notify the Town Clerk, Don Harvey at (252) 215-2344 at least forty-eight (48) hours prior to the meeting. (Americans with Disabilities Act (ADA) 1991.)*



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Proclamations

Meeting Date: September 13, 2021

Presenter: Donald Harvey, Town Clerk

Item to be Considered

Subject: Proclamations - September 2021.

Action Requested: None.

Attachment: Proclamations.

Prepared By: Donald Harvey, Town Clerk

Date: 9/1/2021

ABSTRACT ROUTING:

TC: 9/7/2021

TM: 9/7/2021

Final: tlp - 9/7/2021

Supporting Documentation

Presentation of the following, attached Proclamation:

- September 11, 2001 Remembrance, 20th Anniversary; and,
- Public Power Week, October 3 – 9, 2021.

Budgetary Impact: NA.

Recommendation: NA.



Proclamation

**September 11, 2001 Day of Remembrance
20th Anniversary**

WHEREAS, in an unprovoked and senseless act of terrorism, four civilian aircraft were hijacked on September 11, 2001, and crashed in New York City, Pennsylvania and the Pentagon, resulting in a momentous loss of innocent United States lives of all heritages; and,

WHEREAS, while we still continue to recover from the loss of innocent lives, the spirit of the United States has been revitalized, giving way to expressions of patriotism; and,

WHEREAS, inspired by the heroism of our nation's public service personnel, military service members and countless volunteers, our nation found unity and strength; and,

WHEREAS, from the tragedy of September 11 emerged a stronger nation, renewed by the spirit of national pride, and a true love of country; and,

WHEREAS, Americans also have fought back against terror by choosing to overcome evil with good by loving their neighbors as they would like to be loved, contributing to relief efforts, and volunteering their time to aid those in need.

NOW, THEREFORE, I, Douglas A. Jackson, Mayor of the Town of Winterville do hereby proclaim September 11, 2021, the 20th Anniversary of the attacks of September 11, 2001 and also the National Day of Service and Remembrance and urge our citizens to recognize the heroism of firefighters, rescue and law enforcement personnel, military service members and the many volunteers who responded to these tragic events with courage, selfless compassion, determination and skill; and to remember the victims and innocent lives lost as a result of the tragic events on September 11, 2001.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 11th day of September 2021.

Attest:



Douglas A. Jackson

Douglas A. Jackson, Mayor

Donald Harvey

Donald Harvey, Town Clerk



PROCLAMATION
PUBLIC POWER WEEK: OCTOBER 3 - 9, 2021

WHEREAS, the citizens of the Town of Winterville, place a high value on local choice community services and therefore have chosen to operate a community-owned, electric utility and, as customers and owners of our electric utility, have a direct say in utility operations and policies; and,

WHEREAS, the Town of Winterville provides our homes, businesses, schools, social services, and local government agencies with reliable, efficient, and safe electricity, employing sound business practices designed to ensure the best possible service and rates; and,

WHEREAS, the Town of Winterville is a valuable community asset that contributes to the well-being of local citizens through energy efficiency, customer service, environmental protection, economic development, and safety awareness; and,

WHEREAS, the Town of Winterville is a dependable and trustworthy institution whose local operation provides many consumer protections and continues to make our community a better place to live and work, and contributes to protecting environment; and,

WHEREAS, our community joins hands with more than 2,000 other public power systems in the United States in this celebration of public power, which puts our residents, businesses, and the community first; and,

NOW, THEREFORE, the Town of Winterville will continue to work to bring cost effective, safe, reliable electricity to community homes and businesses just as it has since 1900, the year when the utility was created to serve all the citizens of the Town of Winterville; and,

NOW, THEREFORE, I, Douglas A. Jackson, Mayor of the Town of Winterville hereby designate the week of October 3 – 9, 2021, Public Power Week to recognize the people behind public power in the Town of Winterville for their contributions to the community and to educate customer-owners, policy makers, and employees on the benefits of public power.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 13th day of September 2021.

Douglas A. Jackson, Mayor

Attest:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: September 13, 2021

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: Sutton Capital Group – Rezoning Request (Parcels 12045, 23479, and 38386).

Action Requested: Hold the Public Hearing.

Attachment: Rezoning Application, Rezoning Map, Legal Description, Notification of Rezoning, Address Labels to Adjacent Property Owners, Traffic Assessment Summary, and Staff Report.

Prepared By: Bryan Jones, Planning Director

Date: 8/25/2021

ABSTRACT ROUTING:

TC: 9/7/2021

TM: 9/7/2021

Final: tlp - 9/7/2021

Supporting Documentation

Applicant: Sutton Capital Group.

Location: Intersection of Reedy Branch Road and Davenport Farm Road.

Parcel Numbers: 12045, 23479, and 38386.

Site Data: 94.372 acres.

Current Zoning District: AR.

Proposed Zoning District: R-10 CD, R-8 CD, and R-6 CD.

- ❖ Proposed Zoning Districts: R-10 (33.773 Acres), R-8 (30.579 Acres), R-6 (22.613 Acres).
- ❖ Adjacent property owners were mailed notification of Public Hearing on August 25, 2021.
- ❖ Notification was posted on the site on June 8, 2021.
- ❖ Planning and Zoning Board recommended approval of the rezoning request (7-1) on July 19, 2021.

Conditions:

- (1) All lots will be single family residential.
- (2) 8-foot Side Setbacks.
- (3) All homes will be a minimum of 1,500 square feet (Heated).
- (4) The development will consist of fiber cement board exterior siding on all homes with some elevations consisting of brick or stone accents.
- (5) All homes will include a 2-car garage.
- (6) Dedication of 30-foot Greenway easement along Swift Creek.
- (7) Development will include amenity area with pool and cabana.

Budgetary Impact: TBD.

Recommendation: Approval of the Rezoning Request.



**REZONING APPLICATION
TOWN OF WINTERVILLE**

2571 Railroad St.
P O Box 1459
Winterville, NC 28590
Phone: (252) 756-2221

Staff Use Only
Appl. # _____

OWNERSHIP INFORMATION:

Applicant: Sutton Capital Group

Address: 1101 South Boulevard #106, Charlotte, NC 28203

Phone #: (704) 226-2588

Owner: H. Jenkins Family, LLC, & Beverly Davison and Eric Uhlenbrock, & Beverly Davison, Etal

Address: 445 Jackie Brinkley Rd, Aulander, NC 27805 & 320 Sea Oats Trail, Southern Shores, NC 27949

Phone #: _____

PROPERTY INFORMATION

Parcel #: 12045, 23479, 38386 Area (square feet or acres): 94.372 acres

Current Land Use: Vacant

Location of Property: NCSR 1128 (Davenport Farm Road) and NCSR 1311 (Reedy Branch Road)

ZONING REQUEST

Existing Zoning: AR Requested Zoning: R-10, R-8, R-6

Reason for zoning change: The proposed residential zoning will allow for the development of Urban Neighborhood in general conformance with the land use plan. Please see attached document for proposed conditions of the rezoning.

This application shall be accompanied by the following items:

- A map drawn to a scale of not less than 400 feet to the inch and not more than 20 feet to the inch showing the land covered by the proposed amendment;
- A legal description of the property;
- A list of the names and addresses of all owners of property involved in the map change and all adjoining property owners as shown on County tax records;
- A filing fee according to a regularly adopted Fee Schedule of the Town.

OWNER/AGENT STATEMENT

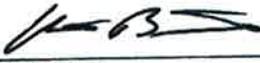
I, Darren Sutton, being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for 7 / 19 / 2021.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

DocuSigned by:
 7/19/2021
Signature Date
243D487A9D72466...

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

I, H. Jenkins Family, LLC, being the Owner of the property described herein, do hereby authorize Darren Sutton & Scott Anderson as agents for the purpose of this application.

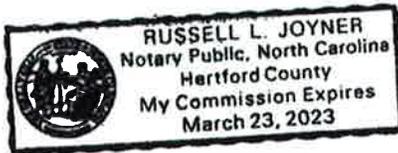
 7-16-2021
Signature Date

Sworn to and subscribed before me, this 16 day of July, 2021.


Notary Public

My Commission Expires:

03-23-2023



OWNER/AGENT STATEMENT

I, Darren Sutton, being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for 7 / 19 / 2021.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

[Signature]
Signature _____ Date 7/19/2021

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

I, Beverly Davison, Janet Hare, Joan Neitz, & Eric Uhlenbrock, being the Owners of the property described herein, do hereby authorize Darren Sutton & Scott Anderson as agents for the purpose of this application.

[Signature]
Signature _____ Date 7/16/2021

Sworn to and subscribed before me, this 16 day of July, 2021.

[Signature]

Notary Public

My Commission Expires:
Aug 25, 2024



OWNER/AGENT STATEMENT

I, Darren Sutton, being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for 7 / 19 / 2021.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

DocuSigned by:
 7/19/2021
Signature Date
243D487A9D72466...

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

I, Beverly Davison & Eric Uhlenbrock, being the Owner of the property described herein, do hereby authorize Darren Sutton & Scott Anderson as agents for the purpose of this application.

 7-16-2021
Signature Date

Sworn to and subscribed before me, this 16 day of July, 2021.


Notary Public

My Commission Expires:
Aug 25, 2024



OWNER/AGENT STATEMENT

I, Darren Sutton, being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for 7 / 19 / 2021.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance my result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

DocuSigned by:

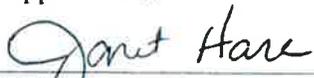
Signature

7/19/2021

Date

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

I, Beverly Davison, Janet Hare, Joan Neitz, & Eric Uhlenbrock, being the Owners of the property described herein, do hereby authorize Darren Sutton & Scott Anderson as agents for the purpose of this application.


Signature

7-17-2021
Date

Sworn to and subscribed before me, this 17 day of July, 2021.


Notary Public

My Commission Expires:

12-31-2024



OWNER/AGENT STATEMENT

I, Darren Sutton, being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for 7 / 19 / 2021.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

[Signature]
Signature

7/21/21
Date

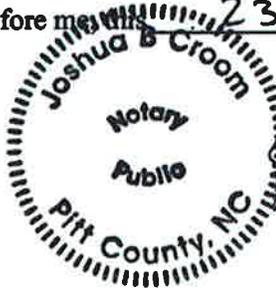
NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

I, ~~Beverly Davison, Janet Hare, Joan Neitz, & Eric Uhlenbrock~~, being the Owners of the property described herein, do hereby authorize Darren Sutton & Scott Anderson as agents for the purpose of this application.

[Signature]
Signature

7-23-21
Date

Sworn to and subscribed before me this 23 day of July, 2021.



[Signature]
Notary Public

My Commission Expires:
November 13, 2022

OWNER/AGENT STATEMENT

I, Darren Sutton, being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for 7 / 19 / 2021

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

[Signature]
Signature

7/27/21
Date

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

I, Beverly Davison, Janet Hare, Joan Neitz, & Eric Uhlenbrock, being the Owners of the property described herein, do hereby authorize Darren Sutton & Scott Anderson as agents for the purpose of this application.

[Signature]
Signature

7-20-21
Date

Sworn to and subscribed before me, this 20 day of July, 2021.

[Signature]
Notary Public

My Commission Expires:

12-16-2023



Sutton Capital Rezoning

Proposed Conditions:

~All lots will be single family residential

~ 8' Side Setbacks

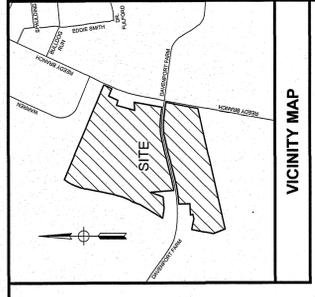
~ All homes will be a minimum of 1500 SF (Heated)

~The development will consist of fiber cement board exterior siding on all homes with some elevations consisting of brick or stone accents.

~All homes will include a 2 car garage

~Dedication of 30' Greenway easement along Swift Creek

~Development will include amenity area with pool and cabana.



PROPERTY OWNERS ADDRESSES WITHIN 100 FEET OF PROPERTY

CHURCH OF THE OPEN DOOR, INC. 4422 REEDY BRANCH ROAD WINTERVILLE, NC 28080	FEN INVESTMENT PROPERTIES, INC. 4422 REEDY BRANCH ROAD WINTERVILLE, NC 28080
JUDY DAIL BOWEN 217 FARGO GEORGE ROAD WINTERVILLE, NC 28080	ERIC UHLENBROCK 217 FARGO GEORGE ROAD WINTERVILLE, NC 28080
DOUG SALMON INSLES 455 DANFORTH FARM ROAD WINTERVILLE, NC 28080	REEDY BRANCH FMB CHURCH 4457 REEDY BRANCH ROAD WINTERVILLE, NC 28080
WILK EDNA DAVIS 217 FARGO GEORGE ROAD WINTERVILLE, NC 28080	PITTSBOROUGH COLLEGE 171 WEST 17TH STREET GREENVILLE, NC 27633
DAVENPORT, JR., ETAL 547 DANFORTH FARM ROAD WINTERVILLE, NC 28080	PITTSBOROUGH COLLEGE 171 WEST 17TH STREET GREENVILLE, NC 27633
	STELLA LITTLE FARM A PARTNERSHIP 217 FARGO GEORGE ROAD WINTERVILLE, NC 28080
	JAMES LITTLE FAMILY L.P. 217 FARGO GEORGE ROAD WINTERVILLE, NC 28080

WOODS/AGRICULTURAL BOARD OF TRUSTEES OF PITTSBOROUGH COLLEGE

WOODS/AGRICULTURAL BOARD OF TRUSTEES OF PITTSBOROUGH COLLEGE 171 WEST 17TH STREET GREENVILLE, NC 27633	WOODS/AGRICULTURAL BOARD OF TRUSTEES OF PITTSBOROUGH COLLEGE 171 WEST 17TH STREET GREENVILLE, NC 27633
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PROPERTY OWNERS ADDRESSES WITHIN 100 FEET OF PROPERTY

VACANT RALPH CLAYTON DAVENPORT, JR., ETAL ESTATE FILE 5202772	WOODS/AGRICULTURAL BOARD OF TRUSTEES OF PITTSBOROUGH COLLEGE 171 WEST 17TH STREET GREENVILLE, NC 27633
THURMAN DAVIS and wife EDNA DAVIS DB 2554, PG 750	WOODS/AGRICULTURAL BOARD OF TRUSTEES OF PITTSBOROUGH COLLEGE 171 WEST 17TH STREET GREENVILLE, NC 27633
SINGLE FAMILY DOMINION NO. 103 DB 1448, PG 288	WOODS/AGRICULTURAL BOARD OF TRUSTEES OF PITTSBOROUGH COLLEGE 171 WEST 17TH STREET GREENVILLE, NC 27633

PROPERTY OWNERS ADDRESSES WITHIN 100 FEET OF PROPERTY

SINGLE FAMILY JUDY DAIL BOWEN DB 358, PG 434	WOODS/AGRICULTURAL BOARD OF TRUSTEES OF PITTSBOROUGH COLLEGE 171 WEST 17TH STREET GREENVILLE, NC 27633
WOODS/AGRICULTURAL BOARD OF TRUSTEES OF PITTSBOROUGH COLLEGE 171 WEST 17TH STREET GREENVILLE, NC 27633	WOODS/AGRICULTURAL BOARD OF TRUSTEES OF PITTSBOROUGH COLLEGE 171 WEST 17TH STREET GREENVILLE, NC 27633

PROPERTY OWNERS ADDRESSES WITHIN 100 FEET OF PROPERTY

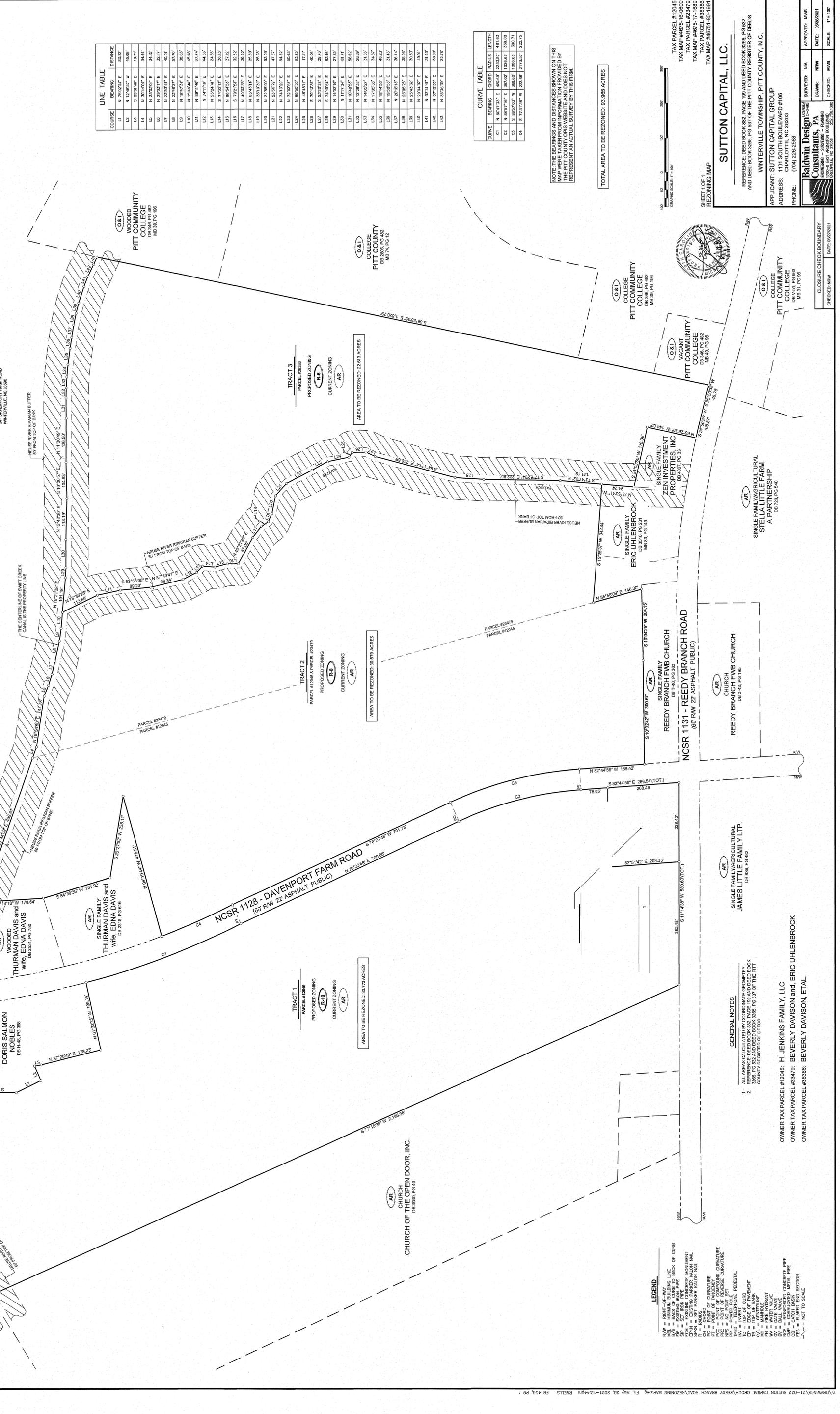
CHURCH OF THE OPEN DOOR, INC. DB 3800, PG 40	WOODS/AGRICULTURAL BOARD OF TRUSTEES OF PITTSBOROUGH COLLEGE 171 WEST 17TH STREET GREENVILLE, NC 27633
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PROPERTY OWNERS ADDRESSES WITHIN 100 FEET OF PROPERTY

WOODS/AGRICULTURAL BOARD OF TRUSTEES OF PITTSBOROUGH COLLEGE 171 WEST 17TH STREET GREENVILLE, NC 27633	WOODS/AGRICULTURAL BOARD OF TRUSTEES OF PITTSBOROUGH COLLEGE 171 WEST 17TH STREET GREENVILLE, NC 27633
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PROPERTY OWNERS ADDRESSES WITHIN 100 FEET OF PROPERTY

WOODS/AGRICULTURAL BOARD OF TRUSTEES OF PITTSBOROUGH COLLEGE 171 WEST 17TH STREET GREENVILLE, NC 27633	WOODS/AGRICULTURAL BOARD OF TRUSTEES OF PITTSBOROUGH COLLEGE 171 WEST 17TH STREET GREENVILLE, NC 27633
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LINE TABLE

COURSE	BEARING	DISTANCE
L1	N 70°22'24" E	80.22
L2	N 74°46'37" W	45.08
L3	S 89°04'48" E	19.71
L4	N 30°44'09" E	3.464
L5	N 33°03'01" E	3.415
L6	N 29°03'17" E	3.217
L7	N 23°53'44" E	40.01
L8	N 23°46'27" E	57.70
L9	N 18°47'32" E	36.03
L10	N 18°46'48" E	45.88
L11	N 18°41'07" E	67.74
L12	N 18°41'07" E	44.56
L13	N 57°24'41" E	24.83
L14	S 74°32'12" E	36.13
L15	N 89°54'57" E	37.12
L16	S 72°13'57" E	32.32
L17	N 49°03'37" E	30.82
L18	N 65°43'14" E	25.50
L19	N 35°19'00" E	55.03
L20	N 22°50'00" E	47.57
L21	N 74°13'00" E	84.27
L22	N 72°50'57" E	50.63
L23	N 49°46'17" E	17.11
L24	N 49°46'17" E	40.00
L25	S 79°42'55" E	29.78
L26	S 83°52'27" E	63.46
L27	N 49°03'37" E	27.85
L28	N 11°73'34" E	61.71
L29	N 10°49'53" E	58.87
L30	N 12°29'35" E	28.89
L31	N 14°02'27" E	31.83
L32	N 17°03'37" E	34.87
L33	N 18°41'07" E	46.23
L34	N 18°41'07" E	31.43
L35	N 18°41'07" E	36.74
L36	N 23°02'26" E	30.08
L37	N 23°02'26" E	26.53
L38	N 23°02'26" E	49.37
L39	N 23°02'26" E	38.57
L40	N 23°02'26" E	38.57
L41	N 23°02'26" E	22.97

CURVE TABLE

CURVE	BEARING	CHORD	RADIUS	LENGTH
C1	N 80°47'33" E	485.69	2233.37	481.83
C2	N 86°57'16" E	387.22	1026.65	398.00
C3	S 86°57'33" W	388.50	1026.65	398.00
C4	S 77°31'36" W	1222.68	2173.37	1222.75

NOTE: THE BEARINGS AND DISTANCES SHOWN ON THIS MAP ARE CALCULATED BY THE SURVEYOR AND DO NOT REPRESENT AN ACTUAL SURVEY BY THIS FIRM.

TOTAL AREA TO BE REZONED: 93.585 ACRES



GRAPHIC SCALE: 1" = 100'

DATE: 05/28/2021

CHECKED: MRW

DATE: 05/28/2021

APPLICANT: SUTTON CAPITAL GROUP

ADDRESS: 1101 SOUTH BOULEVARD #106

CHARLOTTE, NC 28203

PHONE: (704) 226-2558

WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

REFERENCE DEED BOOK 882, PAGE 169 AND DEED BOOK 3265, PG 532 AND DEED BOOK 3265, PG 537 OF THE PITT COUNTY REGISTER OF DEEDS

TAX PARCEL #12045

TAX MAP #4675-16-0800

TAX PARCEL #23479

TAX MAP #4675-17-1689

TAX PARCEL #38396

TAX MAP #46751-80-1991

APPROVED: MRW

DATE: 05/28/2021

SCALE: 1" = 100'

OWNER TAX PARCEL #12045: H. JENKINS FAMILY, LLC

OWNER TAX PARCEL #23479: BEVERLY DAVIDSON and, ERIC UHLENBROCK

OWNER TAX PARCEL #38396: BEVERLY DAVIDSON, ETAL.

GENERAL NOTES

- ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
- REFERENCE DEED BOOK 882, PAGE 169 AND DEED BOOK 3265, PG 532 AND DEED BOOK 3265, PG 537 OF THE PITT COUNTY REGISTER OF DEEDS

LEGEND

- R/W = RIGHT-OF-WAY LINE
- B/B = BACK OF CURB TO BACK OF CURB
- SIP = SET IN PLACE
- EM = EXISTING CONCRETE MONUMENT
- SPK = SET PARKER VALCON NAIL
- CH = CHORD
- PT = POINT OF INTERSECTION
- PCC = POINT OF COMPOUND CURVATURE
- NBS = NO POINT SET
- TFED = TELEPHONE FEDESTAL
- TP = TOP OF CURB
- ED = EDGE OF PAVEMENT
- C/L = CENTERLINE
- FH = FIRE HYDRANT
- OV = DATE VALVE
- B/V = BASE VALVE
- CONP = CONCRETE PIPE
- CP = CORRUGATED METAL PIPE
- FES = FLARED END SECTION
- = NOT TO SCALE

TRACT 1
PARCEL #12045
PROPOSED ZONING: RA-20
CURRENT ZONING: AR
AREA TO BE REZONED: 31.773 ACRES

TRACT 2
PARCEL #23479 & PARCEL #23478
PROPOSED ZONING: R-8
CURRENT ZONING: AR
AREA TO BE REZONED: 30.579 ACRES

TRACT 3
PARCEL #38396
PROPOSED ZONING: R-8
CURRENT ZONING: AR
AREA TO BE REZONED: 22.813 ACRES

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**LEGAL DESCRIPTION OF PROPERTY
TO BE REZONED FROM AR TO R-10 CD
SUTTON CAPITAL, LLC
TRACT 1
WINTERVILLE TOWNSHIP, PITT, NC
MAY 28, 2021**

Beginning at a point on the western right-of-way of NCSR 1131 (Reedy Branch Road), said point being the northeastern corner of the Church of the Open Door, Inc. Property as described in Deed Book 3930, Page 40 of the Pitt County Register of Deeds, said point also being located S 11°14'38" W 580.60' as measured along the western right-of-way of NCSR 1131 (Reedy Branch Road) from a point where the western right-of-way of NCSR 1131 (Reedy Branch Road) intersects the southern right-of-way of NCSR 1128 (Davenport Farm Road). From the above described beginning, so located, running thence as follows:

Leaving the western right-of-way of NCSR 1131 (Reedy Branch Road) and with the northern line of above referenced Church of the Open Door, Inc. Property, S 77°15'38" W 2,196.36', thence N 21°04'34" W 222.47', thence N 11°02'43" E 398.00', thence S 78°13'33" E 196.64', thence N 75°02'24" E 80.22', thence N 12°48'57" W 45.08', thence S 89°01'48" E 19.71', thence N 87°20'49" E 178.23', thence N 01°22'25" W 198.14' to a point on the curved southern right-of-way of NCSR 1128 (Davenport Farm Road), thence with the curved southern right-of-way of NCSR 1128 (Davenport Farm Road), an arc distance of 481.63', said curve to the left having a radius of 2,233.57' and a chord bearing N 80°47'33" E 480.69' to the point of tangency, thence N 76°23'48" E 700.66' to the point of curvature, thence with a curve to the right an arc distance of 369.00', said curve having a radius of 1,026.65' and a chord bearing N 86°57'16" E 367.02' to the point of tangency, thence S 82°44'56" E 78.05', thence leaving the southern right-of-way of NCSR 1128 (Davenport Farm Road), S 11°11'48" W 228.82', thence S 82°51'42" E 208.33' to a point on the western right-of-way of NCSR 1131 (Reedy Branch Road), thence with the western right-of-way of NCSR 1131 (Reedy Branch Road), S 11°14'38" W 352.18' to the point of beginning containing 32.682 acres and being a portion of the property described in Deed Book 882, Page 199 of the Pitt County Register of Deeds.

**LEGAL DESCRIPTION OF PROPERTY
TO BE REZONED FROM AR TO R-8 CD
SUTTON CAPITAL, LLC
TRACT 2
WINTERVILLE TOWNSHIP, PITT, NC
MAY 28, 2021**

Beginning at a point on the northern right-of-way of NCSR 1128 (Davenport Farm Road), said point being the southwestern corner of the Reedy Branch FWB Church as described in Deed Book T-40, Page 302 of the Pitt County Register of Deeds. From the above-described beginning, so located, running thence as follows:

With the northern right-of-way of NCSR 1128 (Davenport Farm Road), N 82°44'56" W 189.42' to the point of curvature, thence with a curve to the left an arc distance of 390.71', said curve having a radius of 1,086.65' and a chord bearing S 86°57'03" W 388.60' to the point of tangency, thence S 76°23'48" W 701.73' to the point of curvature, thence with a curve to the right an arc distance of 222.75', said curve having a radius of 2,173.57' and a chord bearing S 77°31'36" W 388.60', thence leaving the northern right-of-way of NCSR 1128 (Davenport Farm Road), N 04°19'44" W 418.31', thence S 20°27'52" W 238.11', thence S 84°39'36" W 201.92', thence N 82°14'18" W 178.64', thence N 30°44'09" E 439.61', thence N 30°44'09" E 34.64', thence N 19°56'50" E 147.78', thence N 33°03'01" E 34.15', thence N 29°03'17" E 32.17', thence N 23°53'44" E 40.01', thence N 23°48'27" E 57.70', thence N 18°47'32" E 38.03', thence N 15°46'46" E 45.98', thence N 75°30'25" E 113.66', thence N 89°11'40" E 67.74', thence S 83°58'05" E 89.23', thence N 87°49'41" E 96.34', thence N 74°11'10" E 44.56', thence N 55°24'41" E 24.83', thence S 74°32'12" E 36.13', thence N 86°54'53" E 37.12', thence S 79°21'53" E 32.32', thence N 40°21'25" E 87.05', thence N 49°03'33" E 39.92', thence N 65°43'14" E 25.50', thence N 35°19'30" E 25.23', thence N 22°55'00" E 53.03', thence N 53°56'29" E 47.57', thence N 74°13'20" E 84.22', thence N 72°52'57" E 50.63', thence N 89°50'30" E 63.23', thence N 46°48'11" E 17.11', thence S 79°43'35" E 40.06', thence S 53°20'22" E 29.76', thence S 64°11'04" E 240.69', thence S 74°45'54" E 83.46', thence S 77°52'04" E 222.95', thence S 73°47'02" E 121.19', thence S 15°25'37" W 342.44', thence N 85°58'08" E 146.00', thence S 10°04'25" W 204.15', thence S 10°32'42" W 300.67' to the point of beginning containing 37.579 acres and being a portion of the properties described in Deed Book 3265, Page 532 and Deed Book 882, Page 199 both of the Pitt County Register of Deeds.

**LEGAL DESCRIPTION OF PROPERTY
TO BE REZONED FROM AR TO R-6 CD
SUTTON CAPITAL, LLC
TRACT 3
WINTERVILLE TOWNSHIP, PITT, NC
MAY 28, 2021**

Beginning at a point on the western right-of-way of NCSR 1131 (Reedy Branch Road), said point being the southeastern corner of the Pitt Community College Property as described in Deed Book 346, Page 482 and recorded in Map Book 49, Page 95 both of the Pitt County Register of Deeds. From the above-described beginning, so located, running thence as follows:

With the western right-of-way of 1131 (Reedy Branch Road), S 25°50'32" W 48.75' and S 24°50'56" W 108.87', thence leaving the western right-of-way of NCSR 1131 (Reedy Branch Road), N 66°26'39" W 144.82', thence S 24°03'50" W 176.06', thence N 73°53'34" W 94.24', thence N 73°47'02" W 121.19', thence N 77°52'04" W 222.95', thence N 74°45'54" W 83.46', thence N 64°11'04" W 240.69', thence N 53°20'22" W 29.76', thence N 79°43'35" W 40.06', thence S 46°48'11" W 17.11', thence S 89°50'30" W 63.23', thence S 72°52'57" W 50.63', thence S 74°13'20" W 84.22', thence S 53°56'29" W 47.57', thence S 22°55'00" W 53.03', thence S 35°19'30" W 25.23', thence S 65°43'14" W 25.50', thence S 49°03'33" W 39.92', thence S 40°21'25" W 87.05', thence N 79°21'53" W 32.32', thence S 86°54'53" W 37.12', thence N 74°32'12" W 36.13', thence S 55°24'41" W 24.83', thence S 74°11'10" W 44.56', thence S 87°49'41" W 96.34', thence N 83°58'05" W 89.23', thence S 89°11'40" W 67.74', thence S 75°30'25" W 113.66', thence N 16°21'28" E 101.18', thence N 14°02'10" E 27.83', thence N 11°17'34" E 81.71', thence N 12°42'30" E 118.19', thence N 10°00'57" E 104.93', thence N 11°30'49" E 126.50', thence N 10°48'53" E 58.62', thence N 12°29'35" E 28.89', thence N 14°05'27" E 31.83', thence N 17°05'33" E 34.87', thence N 18°44'53" E 48.23', thence N 19°30'56" E 31.43', thence N 20°18'18" E 36.74', thence N 23°05'28" E 35.06', thence N 25°43'32" E 30.53', thence N 29°04'07" E 49.91', thence N 32°41'41" E 31.93', thence N 37°12'33" E 38.03', thence N 35°36'39" E 22.76', thence S 66°58'35" E 1,820.79' to the point of beginning containing 22.613 acres and being a portion of the property described in Deed Book 3265, Page 537 of the Pitt County Register of Deeds.



2571 Railroad Street
PO Box 1459
Winterville, NC 28590

Phone (252)215-2358
Fax (252)756-3109
www.wintervillenc.com

**Town Council
Public Hearing
Rezoning Request**

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on Monday, September 13, 2021 at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, to hold a Public Hearing on the following request:

Sutton Capital Group has submitted a rezoning application to rezone Parcels 12045, 23479, and 38386 (94.372 Acres) from Agricultural- Residential (AR) to R-10 CD, R-8 CD, and R-6 CD Zoning Districts. The R-10 and R-8 Residential Districts are quiet, medium density neighborhoods consisting of single-family residences along with limited home occupations and private and public community uses. The R-6 Residential District is a quiet, relatively high-density neighborhood consisting of single-family and two-family residences along with limited home occupations and private and public community uses. Per the application, the following conditions are proposed: (1) All lots will be single family residential. (2) 8' Side Setbacks (3) All homes will be a minimum of 1500 SF (Heated). (4) The development will consist of fiber cement board exterior siding on all homes with some elevations consisting of brick or stone accents. (5) All homes will include a 2-car garage. (6) Dedication of 30' Greenway easement along Swift Creek. (7) Development will include amenity area with pool and cabana.

Copies of the Zoning Ordinance and Map are on file at the Planning Department Office in the Town Hall and are available for public inspection by contacting bryan.jones@wintervillenc.com or the Winterville Planning Department at (252) 215-2358 or at wintervillenc.com.

The Town of Winterville will be keeping measures in place in an ongoing effort to mitigate the spread of COVID-19. These measures include limiting physical attendance at the meeting, employing social distancing, and implementing remote participation. The meeting is open to the public; however, limited attendance will be allowed to attend in-person due to COVID-19 provisions and the meeting will be available electronically. The public is encouraged to watch the meeting live on YouTube (www.wintervillenc.com/videos). Those that wish to address the Planning and Zoning Board during the meeting should contact the Town Clerk at (252) 215-2344 to register by **one business day before the meeting at 5:00 p.m. The public may submit written comments to the Town Clerk's office, 2571 Railroad Street, Winterville, NC 28590, or via email to don.harvey@wintervillenc.com. Please include your name and address.

SUTTON CAPITAL GROUP
1101 SOUTH BLVD # 106
CHARLOTTE, NC 28203

CHURCH OF THE OPEN DOOR
4584 REEDY BRANCH RD
WINTERVILLE, NC 28590

RALPH CLAYTON DAVENPORT,
JR
DARREN ELWOOD DAVENPORT
547 DAVENPORT FARM RD
WINTERVILLE NC 28590

PITT COUNTY
1717 W FIFTH ST
GREENVILLE NC 27834

JAMES LITTLE FAMILY LTP
203 DAVENPORT FARM RD
WINTERVILLE NC 28590

TRIPP FARMS LLC
105 MARION DR
GREENVILLE, NC 27858

HAROLD PICKETT
450 DAVENPORT FARM RD
WINTERVILLE, NC 28590

JASON TREMAIN BARNETT
JEANNETTE M BARNETT
933 VAN GERT DRI
WINTERVILLE, NC 28590

JUDY DAIL BOWEN
535 DAVENPORT FARM RD
WINTERVILLE NC 28590

PITT COMMUNITY COLLEGE
BOARD OF TRUSTEES
PO DRAWER 7007
GREENVILLE NC 27835

STELLA LITTLE FARM A
PARTNERSHIP
217 KING GEORGE ROAD
GREENVILLE NC 27858

BLANIE ALLEN MORE, JR
ARDETH L MOYE
237 DAVENPORT FARM RD
WINTERVILLE, NC 28590

ZEN INVESTMENT
PROPERTIES, INC
4422 REEDY BRANCH ROAD
WINTERVILLE, NC 28590

LYNELLE M SMITH
931 STEVENS CREEK CIR
FORSYTH, IL 62535

JAMES J FERENCZY
CATHY J FERENCZY
4568 REEDY BRANCH ROAD
WINTERVILLE, NC 28590

DORIS SALMON NOBLES
455 DAVENPORT FARM RD
WINTERVILLE NC 28590

THURMAN DAVIS
EDNA DAVIS
450 DAVENPORT FARM ROAD
WINTERVILLE, NC 28590

REEDY BRANCH FWB
CHURCH
4457 REEDY BRANCH RD
WINTERVILLE, NC 28590

KEVIN LITTLE
203 DAVENPORT FARM RD
WINTERVILLE, NC 28590

ERIC UHLENBROCK
4432 REEDY BRANCH ROAD
WINTERVILLE, NC 28590

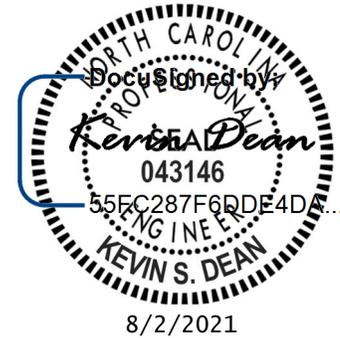
MEMORANDUM

To: Mr. Darren Sutton
Sutton Capital Group

From: Kevin Dean, P.E.
Kimley-Horn and Associates, Inc.

Date: August 2, 2021

Subject: Davenport Farm Road Residential – Traffic Assessment



Kimley-Horn has performed a Traffic Assessment for the proposed Davenport Farm Road Residential project located on the north and south sides of Davenport Farm Road west of Reedy Branch Road in Winterville, North Carolina. As currently envisioned the project proposes the construction of approximately 215 single family homes with access along Reedy Branch Road and Davenport Farm Road, and project build-out is anticipated in 2027.

This report presents trip generation, distribution, traffic analyses, and recommendations for transportation improvements required to meet anticipated traffic demands in conjunction with the proposed development in the 2027 study year.

Study Area

The following intersections were included in this analysis:

- Davenport Farm Road at Reedy Branch Road
- Reedy Branch Road at Site Driveway
- Davenport Farm Road at Site Driveway

Figure 1 shows the existing laneage at the intersection of Reedy Branch Road and Davenport Farm Road.

Existing and Background Traffic

Weekday 13-hour (6:00 AM to 7:00 PM) turning movement counts collected on February 14, 2019 were obtained from the North Carolina Department of Transportation (NCDOT) online traffic count database. Based on discussion with Town staff and NCDOT, a 2% annual growth rate was applied to the count volumes up to the baseline year 2021 to estimate existing year volumes. It should be noted that while these counts were collected prior to the opening of the NC 11 Bypass, these counts were determined to be more appropriate for use in this evaluation than collecting counts in current conditions when schools are not in session.

To calculate projected background traffic volumes, a 2% annual growth rate was applied up to the study year 2027. Town staff indicated that no specific approved development traffic was required for inclusion beyond that background growth.

Figure 2 shows the existing peak hour traffic volumes and Figure 3 shows the projected (2027) background peak hour traffic volumes at the study intersections.

Trip Generation and Assignment

The trip generation potential of the proposed development was determined using the traffic generation data published in the *ITE Trip Generation Handbook* (Institute of Transportation Engineers, Tenth Edition, 2017). As shown below in Table 1, the proposed Davenport Farm Road Residential development is expected to generate 2,104 new trips on a typical weekday, with 157 new trips during the AM peak hour and 212 new trips during the PM peak hour. While there is the potential that portions of the project may be developed as age-restricted or “age-targeted” homes, which have been found to generate fewer trips than traditional single family homes, the analysis was performed assuming all single family units in order to be conservative.

Table 1 ITE Traffic Generation (Vehicles)								
Land Use Code	Land Use	Intensity		Daily	AM Peak Hour		PM Peak Hour	
				Total	In	Out	In	Out
210	Single Family Detached Housing	215	d.u.	2,104	39	118	134	78

It is our understanding that the current zoning permits the construction of approximately 180 single-family homes, which would be expected to generate approximately 1,786 trips on a typical weekday with 133 trips during the AM peak hour and 179 trips during the PM peak hour. As such, this proposed rezoning is anticipated to result in only 318 additional daily trips, 24 additional AM peak hour trips, and 33 additional PM peak hour trips.

Trip Distribution and Assignment

The proposed generated trips were assigned to the surrounding roadway network. The directional distribution and assignment were based on land uses and existing travel patterns in the area.

- 40% to/from the east on Davenport Farm Road
- 25% to/from the west on Davenport Farm Road
- 20% to/from the north on Reedy Branch Road
- 15% to/from the south on Reedy Branch Road

Figure 4 shows the site traffic distribution and percent assignment for the new site trips.

Site Trip Development and Build-out Traffic

The site-generated trips were added to the projected (2027) background peak hour traffic volumes to obtain the projected (2027) build-out peak hour traffic volumes.

Figure 5 shows the projected (2027) build-out peak hour traffic volumes at the study intersections.

Capacity Analysis

Capacity analyses were performed using Synchro Version 10 software. Synchro intersection level-of-service (LOS) reports are attached. Table 2 summarizes the LOS for the study intersections.

Table 2 Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Davenport Farm Road at Reedy Branch Road		
Existing (2021) Traffic – All-Way Stop	F (78.3)	F (89.1)
Background (2027) Traffic – All-Way Stop	F (140.3)	F (144.6)
Build-out (2027) Traffic – All-Way Stop	F (182.7)	F (180.8)
Build-out (2027) Traffic – Signalized	C (28.6)	C (27.4)
Reedy Branch Road at Site Driveway (Unsignalized)		
Build-out (2027) Traffic	EB – B (13.6) NBL – A (7.9)	EB – B (13.9) NBL – A (8.4)
Davenport Farm Road at Site Driveway (Unsignalized)		
Build-out (2027) Traffic	NB – C (17.2) SB – C (23.3) EBL – A (8.1) WBL – A (8.7)	NB – C (20.3) SB – D (30.3) EBL – A (8.6) WBL – A (8.7)

Analyses indicate that the existing intersection of Reedy Branch Road at Davenport Farm Road currently operates with long delays and queues in the peak hours. Long delays and queues are expected to continue in the future traffic conditions if the intersection remains in the current all-way stop configuration. However, based on the turning movement count data from February 2019, a preliminary traffic signal warrant analysis indicate that the Manual on Uniform Traffic Control Devices 4-hour vehicular volume warrants are currently satisfied at this intersection. The intersection is projected to meet the 8-hour vehicular volume warrants at build-out of the proposed development. With a traffic signal in place, this intersection is expected to operate acceptably at project build-out.

Analyses indicate that the site driveways are also expected to operate at acceptable LOS and with no queuing issues at project build-out.

Recommendations

Based on the analysis presented herein, the following improvement is recommended to be performed to address existing network conditions and accommodate anticipated site-generated traffic:

Reedy Branch Road at Davenport Farm Road:

- Install a traffic signal if warranted and approved by the Town and NCDOT

Figure 6 shows the future roadway laneage.

Should you have any questions or comments, please do not hesitate to contact me at (919) 678-4185 or kevin.dean@kimley-horn.com.

Attachments: Conceptual Site Plan, Figures 1-6, Traffic Count Data, Trip Generation, Volume Development Worksheets, Synchro LOS Reports



**Town of Winterville Planning Department
Zoning Staff Report**

GENERAL INFORMATION

APPLICANT	Sutton Capital Group, LLC
HEARING TYPE	Rezoning Request
REQUEST	Agricultural-Residential (AR) to R-10 CD, R-8 CD, R-6 CD
CONDITIONS	n/a
LOCATION	Intersection of Reedy Branch Rd. and Davenport Farm Rd.
PARCEL ID NUMBER(S)	12045; 23479; 38386
PUBLIC NOTIFICATION	Adjacent property owners were mailed notification of the Public Hearing on August 25, 2021. Notification was posted on site on June 8th, 2021. 20 properties were mailed notification. Notification was published in the Daily Reflector on September 1, 2021 and September 8, 2021.
TRACT SIZE	94.372 acres
TOPOGRAPHY	Flat
VEGETATION	Partially Cleared / Agricultural; Partially Wooded

SITE DATA

EXISTING USE	Agricultural / Vacant
---------------------	-----------------------

ADJACENT PROPERTY	ZONING	ADJACENT LAND USE
N	O&I	PCC/Wooded
E	AR	Single Family/Church
W	AR/RA-20 (Greenville Zoning)	Single Family/Agricultural
S	AR	Church

ZONING DISTRICT STANDARDS

DISTRICT SUMMARIES	EXISTING	REQUESTED
ZONING DISTRICT DESIGNATION	AR	R-10; R-8; R-6
MAX DENSITY	n/a	n/a



TYPICAL USES	Low-density residential and agricultural uses; where urban development is expected.	(R-10 & 8) Medium Density; single-family residential; limited home occupations. (R-6) relatively high-density; single-family and two-family; limited home occupations.
--------------	---	--

SPECIAL INFORMATION

OVERLAY DISTRICT	N/A
ENVIRONMENTAL / SOILS	Potential wetlands
FLOODPLAIN	N/A
STREAMS	(50' Riparian Buffer along tributary off of Swift Creek) Stream feature located internally and along western property line.
OTHER	If >1 acre is disturbed, site must meet Phase 2 stormwater requirements and provide Soil Erosion and Sedimentation Control Permit
SITE PLAN REQUIREMENTS	Subdivision plan required

**These regulations may not reflect all requirements for all situations. See the Town of Winterville Zoning Ordinance for all applicable regulations for site requirements for this zoning district.

LANDSCAPING & BUFFER REQUIREMENTS

Development must meet requirements of the Zoning Ordinance (Article X-A. Vegetation and Buffering Requirements).

TRANSPORTATION

STREET CLASSIFICATION	Reedy Branch/Davenport Farm– NCDOT Roads
SITE ACCESS	All access must be designed and constructed to meet the Town of Winterville / NCDOT standards.
TRAFFIC COUNTS (per NCDOT Annual Average Daily Traffic Map)	Davenport Farm Rd- 8500 Reedy Branch Rd- 6700
TRIP GENERATION	N/A
SIDEWALKS	Required.
TRAFFIC IMPACT STUDY (TIS)	Recommended.
STREET CONNECTIVITY	N/A
OTHER	N/A



MPACT ANALYSIS

Land Use Compatibility

The proposed R-10, R-8, and R-6 Conditional Districts would allow land uses that are compatible with the general character of the area.

Town of Winterville Comprehensive Land Use Plan Policies

The Future Land Use Map designates this property as an Urban Neighborhood character area. The requested **R-10; R-8; R-6 Districts** are generally consistent with this character area as defined by the future land use designation.

Comprehensive Land Use Plans - Recommendations & Implementation

Urban Neighborhood - General Character:

- Somewhat higher density, predominantly single family detached residential housing. This land use type was identified as one that is appropriate and valued. This flexible land use type is appropriate for many parts of the planning area.

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is encouraged to discuss this proposed rezoning with owners of surrounding properties.

Traffic Impact / Analysis

The existing traffic patterns on Davenport Farm Road and Reedy Branch Road tend to be congested, especially during peak hours. This is due to the roads being two lane and having a four-way stop at the intersection. Staff recommends providing information on the necessary future upgrades to the rights-of-way and intersection.



Staff Analysis

The 94.372-acre property is currently being used for agriculture. The property North of the request is zoned O&I and is partially wooded but also used for a college campus (PCC). West of the request is zoned AR/RA-20(Greenville Zoning), partially being vacant and partially containing single-family homes. South of the request is zoned AR and is being used as a church campus (Open Door Church). East of the request is zoned AR and is single-family residential and a church (Reedy Branch FWB).

The R-10; R-8; and R-6 Conditional District rezoning request is consistent with the intent and purpose of the Zoning Ordinance, the Future Land Use Plan and is generally compatible with the existing development and trends in the surrounding area. With consideration to the existing environmentally sensitive areas that exist on site (i.e. floodplain, buffered stream features) and the combination of the proposed R-10 CD, R-8 CD, and R-6 CD zoning districts, the proposed development is within the density recommendations provided within the Urban Neighborhood character area.

Staff Recommendation

Staff recommends **approval** of the rezoning request for the 94.372 acres from AR to R-10 CD, R-8 CD, R-6 CD with the following conditions:

- (1) All lots will be single family residential.
- (2) 8' Side Setbacks
- (3) All homes will be a minimum of 1500 SF (Heated).
- (4) The development will consist of fiber cement board exterior siding on all homes with some elevations consisting of brick or stone accents.
- (5) All homes will include a 2-car garage.
- (6) Dedication of 30' Greenway easement along Swift Creek.
- (6) Development will include amenity area with pool and cabana.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: September 13, 2021

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: Aquatic Holdings, LLC – Rezoning Request (Portion of Parcel 82774).

Action Requested: Hold the Public Hearing.

Attachment: Rezoning Application, Rezoning Map, Legal Description, Notification of Rezoning, Address Labels to Adjacent Property Owners, and Staff Report.

Prepared By: Bryan Jones, Planning Director

Date: 8/25/2021

ABSTRACT ROUTING:

TC: 9/7/2021

TM: 9/7/2021

Final: tlp - 9/7/2021

Supporting Documentation

Applicant: Aquatic Holdings, LLC.

Location: Beacon Road east of its intersection with Winterville Pkwy.

Parcel Numbers: 82774.

Site Data: 1.3090.

Current Zoning District: OI.

Proposed Zoning District: GB.

- ❖ Proposed Zoning District: General Business (GB).
- ❖ Adjacent property owners were mailed notification of the Public Hearing on August 25, 2021.
- ❖ Notification was posted on the site on July 6, 2021.
- ❖ Planning and Zoning Board unanimously recommended approval on July 19, 2021.

Budgetary Impact: TBD.

Recommendation: Approval of the Rezoning Request.



REZONING APPLICATION
TOWN OF WINTERVILLE
2571 Railroad Steet
P O Box 1459
Winterville, NC 28590
Phone: (252) 756-2221

Staff Use Only
Appl. # _____

OWNERSHIP INFORMATION:

Applicant: Aquatic Holdings LLC

Address: 556 Third Street Ayden, NC 28513

Phone #: (252) 746-6785

Owner: Aquatic Holdings LLC

Address: 556 Third Street, Ayden, NC 28513

Phone #: (252) 746-6785

PROPERTY INFORMATION

Parcel #: 82774 Area (square feet or acres): 1.3090 acres

Current Land Use: Vacant

Location of Property: East of Aquaventure on Beacon Drive

ZONING REQUEST

Existing Zoning: O&I Requested Zoning: GB

Reason for zoning change: Owner has an offer to purchase which is contingent upon obtaining rezoning
 which would allow for automobile repair . The portion of the property adjacent to Beacon Drive is
 presently zoned GB with OI at the rear 100' of the lot. Approximately 1.3 acres of the 3.03 acre lot is zoned
 O&I therefore approximately 43% of the existing zoning is not useable for the proposed use which
 necessitates the need for the proposed rezoning

This application shall be accompanied by the following items:

- A map drawn to a scale of not less than 400 feet to the inch and not more than 20 feet to the inch showing the land covered by the proposed amendment;
- A legal description of the property;
- A list of the names and addresses of all owners of property involved in the map change and all adjoining property owners as shown on County tax records;
- A filing fee according to a regularly adopted Fee Schedule of the Town.

OWNER/AGENT STATEMENT

I, G. Tommy Pate Jr., being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for 7 / 19 / 21.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

G. Tommy Pate Jr. Signature 6/29/2021 Date

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

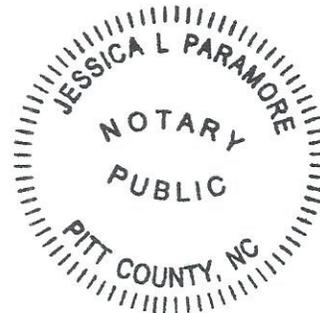
I, _____, being the Owner of the property described herein, do hereby authorize _____ as agent for the purpose of this application.

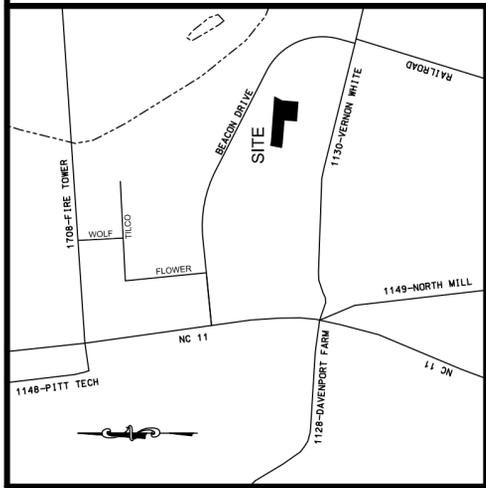
Signature Date

Sworn to and subscribed before me, this 29th day of June, 2021.

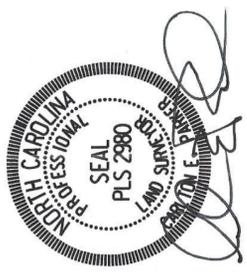
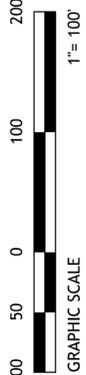
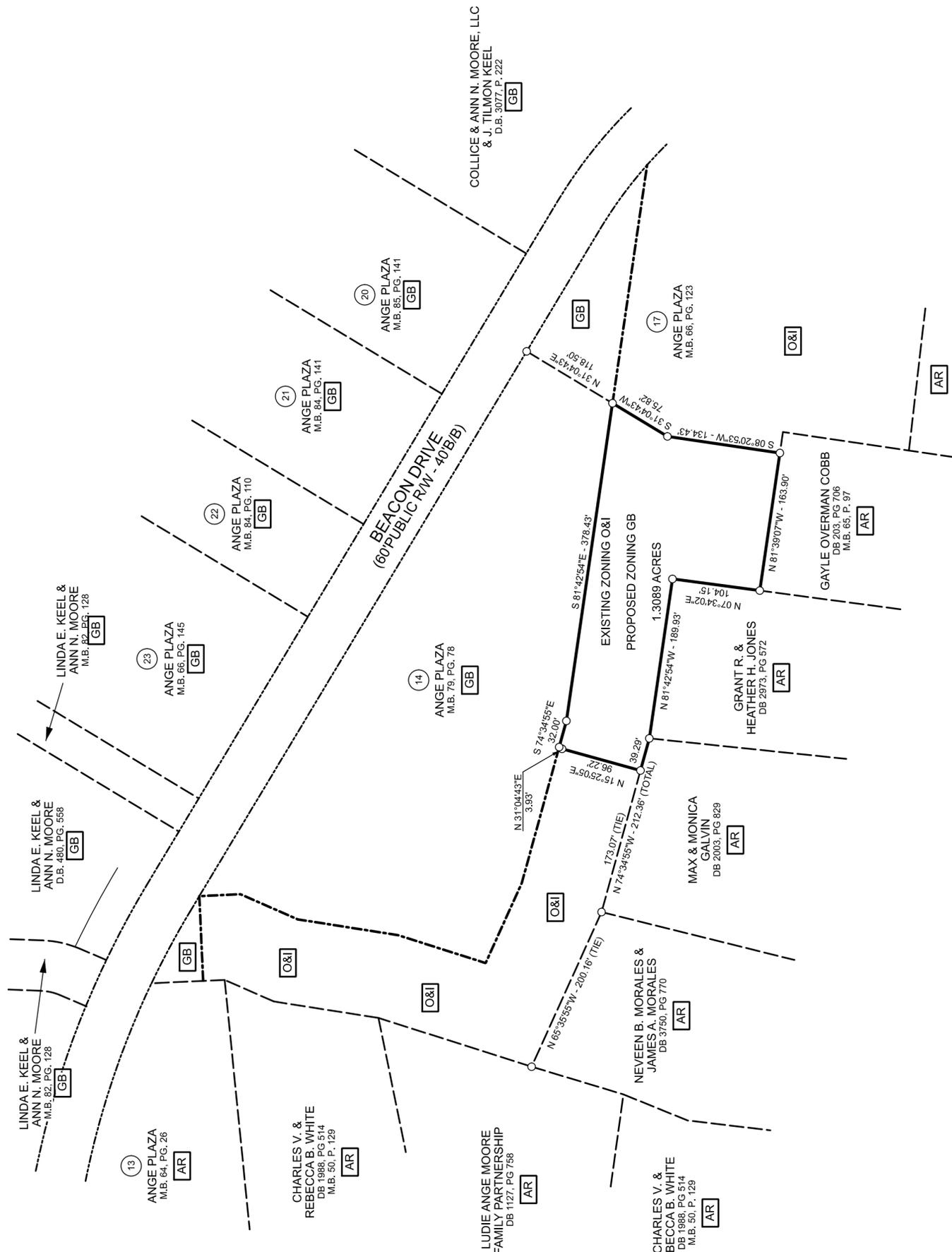
Jessica L. Paramore
Notary Public

My Commission Expires:
12-16-2025





VICINITY MAP
1"=1000'



SHEET 1 OF 1

REZONING MAP FOR			
AQUATIC HOLDINGS, LLC			
A PORTION OF THE PROPERTY RECORDED IN DEED BOOK 3368, PAGE 741 PT THE PITT COUNTY REGISTRY			
WINTERVILLE WINTERVILLE TOWNSHIP PITT COUNTY NORTH CAROLINA			
OWNER:	AQUATIC HOLDINGS LLC	SURVEYED:	N/A
ADDRESS:	566 THIRD ST AYDEN NC 28513	APPROVED:	CEP
PHONE:	(252) 746-6785	DRAWN:	WCO
MALPASS & ASSOCIATES NC LICENSE NO. C-1289 1645 E. ARLINGTON BLVD., SUITE D GREENVILLE, N.C. 27858 (252) 756-1780		DATE:	06/29/21
		CHECKED:	WKM
		SCALE:	1"= 100'

Legal Description For
Aquatic Holdings, LLC

Lying and being situate in Winterville, Winterville Township, Pitt County, North Carolina and being more particularly described as follows:

Beginning at a point in the eastern line of Lot 14 Ange Plaza as recorded in map book 79, page 78 of the Pitt County Registry said point being located S 31-04-43 W – 118.50' from the northeast corner of said Lot 14 Ange Plaza, thence from said point of beginning with the eastern line of Lot 14 Ange Plaza **S 31-04-43 W – 75.82'**, thence **S 08-20-53 W – 134.43'** to the northern line of the Gayle Overman Cobb property as recorded in deed book 203, page 706, thence with the northern line of the Gayle Overman Cobb property **N 81-39-07 W – 163.90'** to the eastern line of the Grant R. Jones property as recorded in deed book 2973, page 572, thence with the eastern line of the Grant R. Jones property **N 07-34-02 E – 104.15'**, thence with the northern line of the Grant R. Jones property **N 81-42-54 W – 189.93'** to the northeast corner of the Max Galvin property as recorded in deed book 2003, page 829, thence with the northern line of the Max Galvin property **N 74-34-55 W – 39.29'**, thence leaving the northern line of the Max Galvin property **N 15-25-05 E – 96.22'**, thence **N 31-04-43 E – 3.93'**, thence **S 74-34-55 E – 32.00'**, thence **S 81-42-54 E – 378.43'** to the point of beginning containing **1.3089 acres**.



2571 Railroad Street
PO Box 1459
Winterville, NC 28590

Phone (252)215-2358
Fax (252)756-3109
www.wintervillenc.com

**Town Council
Public Hearing
Rezoning Request**

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on Monday, September 13, 2021 at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, in order to consider the following request:

Aquatic Holdings, LLC has submitted a rezoning application to rezone a portion of Parcel 82774 (1.3090 Acres) as shown on the attached map from Office and Institutional to General Business. The purpose of the General Business District (GB) is to accommodate those business that serve the traveling public, require large amounts of land for display and parking, and are not oriented to the pedestrian shopper.

Copies of the Zoning Ordinance and Map are on file at the Planning Department Office in the Town Hall and are available for public inspection by contacting bryan.jones@wintervillenc.com or the Winterville Planning Department at (252) 215-2358 or at wintervillenc.com.

The Town of Winterville will be keeping measures in place in an ongoing effort to mitigate the spread of COVID-19. These measures include limiting physical attendance at the meeting, employing social distancing, and implementing remote participation. The meeting is open to the public; however, limited attendance will be allowed to attend in-person due to COVID-19 provisions and the meeting will be available electronically. The public is encouraged to watch the meeting live on YouTube (www.wintervillenc.com/videos). Those that wish to address the Planning and Zoning Board during the meeting should contact the Town Clerk at (252) 215-2344 to register by **one business day before the meeting at 5:00 p.m. The public may submit written comments to the Town Clerk's office, 2571 Railroad Street, Winterville, NC 28590, or via email to don.harvey@wintervillenc.com. Please include your name and address.

AQUATIC HOLDINGS, LLC
556 THIRD STREET
AYDEN, NC 28513

LUDIE ANGE MOORE FAMILY
PARTNERSHIP
PO BOX 1207
WINTERVILLE, NC 28590

GRANT ROWLSON JONES
HEATHER H JONES
209 VERNON WHITE ROAD
WINTERVILLE NC 28590

COLLICE & ANN MOORE LLC
NALUKAI LLC
4300 SAPPHIRE CT, STE 116
GREENVILLE, NC 27834

POOL PRO OF GREENVILLE
LLC
1703 HIGHWAY 123 S
HOOKERTON, NC 28538

JAMES HUDSON
2875 LANING CIRCLE
GRIMESLAND, NC 27837

NEVEEN B MORALES
JAMES A MORALES
181 VERNON WHITE ROAD
WINTERVILLE NC 28590

GAYLE OVERMAN COBB
225 VERNON WHITE ROAD
WINTERVILLE NC 28590

CEDAR LANDING
PROPERTIES, LLC
3 REST HAVEN ROAD EXT
BATH, NC 27808

CHARLES VERNON WHITE
REBECCA BRIGHT WHITE
139 VERNON WHITE ROAD
WINTERVILLE, NC 28590

MAX GALVAN
MONIKA GALVAN
193 VERNON WHITE ROAD
WINTERVILLE NC 28590

REGIONAL ACCEPTANCE CORP
PO BOX 167
WINSTON SALEM, NC 27102

PITT COUNTY FARM BUREAU
INC
3200 CHARLES BV
GREENVILLE NC 27858



Town of Winterville Planning Department
Zoning Staff Report

GENERAL INFORMATION

APPLICANT	Aquatic Holdings LLC
HEARING TYPE	Rezoning Request
REQUEST	OI to GB
CONDITIONS	N/A
LOCATION	214 Beacon Drive
PARCEL ID NUMBER(S)	82774
PUBLIC NOTIFICATION	Adjacent property owners were mailed notification of the Public Hearing on August 25, 2021. Notification was posted on site on July 6, 2021. 13 properties were mailed notification.
TRACT SIZE	1.3090 acres
TOPOGRAPHY	Flat
VEGETATION	Vacant/Partially Wooded

SITE DATA

EXISTING USE	Vacant
---------------------	--------

ADJACENT PROPERTY	ZONING	ADJACENT LAND USE
N	GB	Commercial
E	O&I	Commercial
W	O&I	Commercial
S	AR	Residential

ZONING DISTRICT STANDARDS

DISTRICT SUMMARIES	EXISTING	REQUESTED
ZONING DISTRICT DESIGNATION	O&I	GB
MAX DENSITY	n/a	n/a
TYPICAL USES	For residences, business/professional offices, and institutional areas	Accommodate businesses that serve the traveling public, with large amount of land for display and parking



SPECIAL INFORMATION

OVERLAY DISTRICT	N/A
ENVIRONMENTAL / SOILS	N/A
FLOODPLAIN	N/A
STREAMS	N/A
OTHER	If >1 acre is disturbed, site must meet Phase 2 stormwater requirements and provide Soil Erosion and Sedimentation Control Permit
SITE PLAN REQUIREMENTS	N/A

**These regulations may not reflect all requirements for all situations. See the Town of Winterville Zoning Ordinance for all applicable regulations for site requirements for this zoning district.

LANDSCAPING & BUFFER REQUIREMENTS

Development must meet requirements of the Zoning Ordinance (Article X-A. Vegetation and Buffering Requirements).

TRANSPORTATION

STREET CLASSIFICATION	Beacon Drive – Town of Winterville Road
SITE ACCESS	All access must be designed and constructed to meet the Town of Winterville standards.
TRAFFIC COUNTS (per NCDOT Annual Average Daily Traffic Map)	N/A
TRIP GENERATION	N/A
SIDEWALKS	N/A
TRAFFIC IMPACT STUDY (TIS)	TBD
STREET CONNECTIVITY	N/A
OTHER	N/A



IMPACT ANALYSIS

Land Use Compatibility

The proposed GB (General Business) zoning district would allow land uses that are compatible with the general character of the area.

Town of Winterville Comprehensive Land Use Plan Policies

The Future Land Use Map designates this property as a Neighborhood Center character area. The requested **GB - General Business** zoning district is generally consistent with this character area as defined by the future land use designation.

Comprehensive Land Use Plans - Recommendations & Implementation

Neighborhood Center - General Character:

- Context-appropriate commercial, retail, services, professional offices, and occasionally residential located at key locations and crossroads that serve the general neighborhood around them. Small-lot residential or patio homes and/or attached residential could be part of the land use mix.

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is encouraged to discuss this proposed rezoning with owners of surrounding properties.

Staff Analysis

The 1.3090 acre property is vacant with a partially wooded area at the southernmost part of the parcel. The property North of the request is zoned GB (Pool Pro/ Pitt County Farm Bureau). West of the request is zoned GB (Aquaventure). South of the request is zoned AR (single family residential). East of the request is zoned O&I (Regional Acceptance/NC Department of Revenue).

The GB – General Business rezoning request is consistent with the intent and purpose of the Zoning Ordinance, the Future Land Use Plan and is generally compatible with the existing development and trends in the surrounding area.

Staff Recommendation

Staff recommends **approval** of the rezoning request for the 1.3090 acres from O&I to GB – General Business.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: September 13, 2021

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: Alfred Martin McLawhorn, William Farkas – Rezoning Request (Parcels 39149 and 16203).

Action Requested: Hold the Public Hearing.

Attachment: Rezoning Application, Rezoning Map, Legal Description, Notification of Rezoning, Address Labels to Adjacent Property Owners, and Staff Report.

Prepared By: Bryan Jones, Planning Director

Date: 8/25/2021

ABSTRACT ROUTING:

TC: 9/7/2021

TM: 9/7/2021

Final: tlp - 9/7/2021

Supporting Documentation

Applicant: Carl Parker.

Location: Mill Street north of its intersection with Laurie Ellis Road.

Parcel Numbers: 39149 and 16203.

Site Data: 11.6153 acres.

Current Zoning District: R-8.

Proposed Zoning District: MR.

- ❖ Proposed Zoning District: Multi-Family Residential (MFR).
- ❖ Adjacent property owners were mailed notification of the rezoning request on August 25, 2021.
- ❖ Notification was posted on the site on June 29, 2021.
- ❖ Planning and Zoning Board unanimously recommended approval on July 19, 2021.

Budgetary Impact: TBD.

Recommendation: Approval of the Rezoning Request.



**REZONING APPLICATION
TOWN OF WINTERVILLE**

2571 Railroad Steet
P O Box 1459
Winterville, NC 28590
Phone: (252) 756-2221

Staff Use Only
Appl. # _____

OWNERSHIP INFORMATION:

Applicant: CARL PARKER

Address: 1645 E. ARLINGTON BLVD. STE. "D"
GREENVILLE, NC 27858

Phone #: (252) 355- 3055

Owner: ALFRED MARTIN McLAWHORN, WILLIAM O. FARKAS, TRUSTEE

Address: 89 OPRY LANE
ARCHER LODGE, NC 27527

Phone #: _____

PROPERTY INFORMATION

Parcel #: 39149 & 16203

Area (square feet or acres): 11.6153 ACRES TOTAL

Current Land Use: AGRICULTURE AND RESIDENTIAL

Location of Property: 2752 MILL ST
WINTERVILLE, NC 28590

ZONING REQUEST

Existing Zoning: R-8

Requested Zoning: MR

Reason for zoning change: IN ORDER TO ALLOW FUTURE MULTI-FAMILY RESIDENTIAL
DEVELOPMENT IN ACCORDANCE WITH THE CURRENT COMPREHENSIVE LAND USE PLAN.

This application shall be accompanied by the following items:

- A map drawn to a scale of not less than 400 feet to the inch and not more than 20 feet to the inch showing the land covered by the proposed amendment;
- A legal description of the property;
- A list of the names and addresses of all owners of property involved in the map change and all adjoining property owners as shown on County tax

OWNER/AGENT STATEMENT

I, CARL PARKER, being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for 7 / 19 / 21.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

[Signature] Signature 6/24/21 Date

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

I, Alfred Martin McLawhorn, being the Owner of the property described herein, do hereby authorize CARL PARKER as agent for the purpose of this application.

[Signature] Signature 06/22/2021 Date

Sworn to and subscribed before me, this 22 day of June, 2021.

[Signature]
Notary Public

My Commission Expires:
8/9/2022



OWNER/AGENT STATEMENT

I, CARL PARKER, being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for 7 / 19 / 21.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

Signature *Carl Parker* Date 6/24/21

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

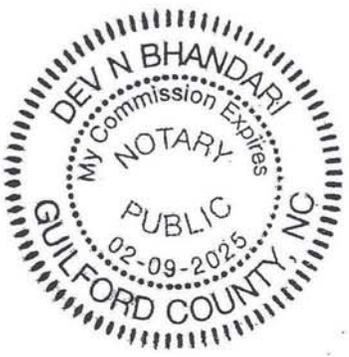
I, _____, being the Owner of the property described herein, do hereby authorize CARL PARKER as agent for the purpose of this application.

Signature *William O. Farkas* Date 6/23/21

Sworn to and subscribed before me, this 23rd day of JUNE, 2021.

Dev N Bhandari
Notary Public

My Commission Expires:
02.09.25



Staff Use Only

Appl. #: _____ Fee Amount _____ Date Paid _____

Planning Board Recommendation: APPROVED Meeting Date: _____
DENIED

Conditions/Comments: _____

Board of Aldermen Decision: APPROVED Meeting Date: _____
DENIED

Conditions/Comments: _____

Legal Description For
Alfred Martin McLawhorn

Lying and being situate in Winterville, Winterville Township, Pitt County, North Carolina and being more particularly described as follows:

Tract 1

To be rezoned from R-8 to MR

Beginning at a point in the western right of way of NCSR 1149 – Mill Street said point being the northeast corner of the Wilkerson Associates property as recorded in deed book 2755, page 624 of the Pitt County Registry, thence from said point of beginning with the northern line of the Wilkerson Associates property and the northern line of the Wintergreen Commons, LLC property as recorded in deed book 3718, page 17 **N 67-42-51 W – 1063.62'** to the eastern right of way of NC Hwy 11, thence with the eastern right of way of NC Hwy 11 **91.23' along the arc of a curve said curve being to the left having a radius of 2964.79' and a chord bearing N 12-30-56 E – 91.22'**, thence **N 11-10-34 E – 50.00'**, thence **N 10-21-40 E – 50.00'**, thence **N 09-42-18 E – 50.00'**, thence **N 09-11-42 E – 50.00'**, thence **N 08-52-04 E – 43.67'** to the southern line of the R.E. Davenport, Jr. Family Limited Partnership property as recorded in deed book 775, page 168, thence with the southern line of the R.E. Davenport, Jr. Family Limited Partnership property **S 85-45-29 E – 632.91'**, thence leaving the southern line of the R.E. Davenport, Jr. Family Limited Partnership property **S 56-33-49 W – 158.67'**, thence **S 11-06-09 W – 291.77'**, thence **S 67-42-51 E – 562.13'** to the western right of way of NCSR 1149 – Mill Street, thence with the western right of way of NCSR 1149 – Mill Street **S 22-08-12 W – 106.56'** to the point of beginning containing **6.3702 acres**.

Tract 2

To be rezoned from R-8 to MR

Beginning at a point in the western right of way of NCSR 1149 – Mill Street said point being the northeast corner of the Luther E. Carraway, Jr. & Teresa A. Brozowski property as recorded in deed book 3371, page 58 of the Pitt County Registry, thence from said point of beginning with the northern line of Luther E. Carraway, Jr. & Teresa A. Brozowski property **N 67-42-35 W – 277.35'**, thence with the western line of Luther E. Carraway, Jr. & Teresa A. Brozowski property **S 22-17-09 W – 220.00'**, thence **N 67-42-51 W – 284.46'**, thence **N 11-06-09 E – 291.77'**, thence **N 56-33-49 E – 158.67'** to the southern line of the R.E. Davenport, Jr. Family Limited Partnership property as recorded in deed book 775, page 168, thence with the southern line of the R.E. Davenport, Jr. Family Limited Partnership property **S 87-47-38 E – 297.12'** to the southwest corner of the ASA Winterville, LLC property as recorded in deed book 2712, page 426 (Lot 1 Winterville Square Apartments as record in map book 32, page 28), thence with the southern line of the ASA Winterville, LLC property **S 85-59-37 E – 226.17'** to the western right of way of NCSR 1149 – Mill Street, thence with the western right of way of NCSR 1149 – Mill Street **S 13-27-50 W – 185.39'**, thence **S 20-12-35 W – 187.24'** to the point of beginning containing **5.2451 acres**.



2571 Railroad Street
PO Box 1459
Winterville, NC 28590

Phone (252)215-2358
Fax (252)756-3109
www.wintervillenc.com

**Town Council
Public Hearing
Rezoning Request**

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on Monday, September 13, 2021 at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, in order to consider the following request:

The applicant, Carl Parker, on behalf of the owner Alfred Martin McLawhorn and William O. Farkas, Trustee, has submitted a proposal to rezone parcels 39149 and 16203 (11.6153 Acres) from R-8 Residential District to Multifamily Residential District (MR). The MR District is intended to provide a quiet, relatively high-density neighborhood along with limited home occupations and private and public community uses.

Copies of the Zoning Ordinance and Map are on file at the Planning Department Office in the Town Hall and are available for public inspection by contacting bryan.jones@wintervillenc.com or the Winterville Planning Department at (252) 215-2358 or at wintervillenc.com.

The Town of Winterville will be keeping measures in place in an ongoing effort to mitigate the spread of COVID-19. These measures include limiting physical attendance at the meeting, employing social distancing, and implementing remote participation. The meeting is open to the public; however, limited attendance will be allowed to attend in-person due to COVID-19 provisions and the meeting will be available electronically. The public is encouraged to watch the meeting live on YouTube (www.wintervillenc.com/videos). Those that wish to address the Planning and Zoning Board during the meeting should contact the Town Clerk at (252) 215-2344 to register by **one business day before the meeting at 5:00 p.m. The public may submit written comments to the Town Clerk's office, 2571 Railroad Street, Winterville, NC 28590, or via email to don.harvey@wintervillenc.com. Please include your name and address.

ALFRED MARTING MCLAWHORN
WILLIAM FARKAS TRUSTEE
89 OPRY LANE
ARCHER LODGE, NC 27527

WINTERGREEN COMMONS LLC
PO BOX 403
GREENVILLE, NC 27836

SOPHIA YARBOROUGH
3102 ETON ROAD
RALEIGH, NC 27608

ASA WINTERVILLE LLC
2500 NASH ST N, SUITE A
WILSON, NC 27896

LUTHER EDWARD CARRAWAY
TERESA ADAMS BROZOWSKI
2772 MILL STREET
WINTERVILLE, NC 28590

RYAN KENT MCLAWHORN
DAN SCOTT MCLAWHORN
ETAL
5093 REEDY BRANCH ROAD
WINTERVILLE, NC 28590

R E DAVENPORT JR FAMILY LTD
PARTNERSHIP
PO BOX 66
FARMVILLE, NC 27828

WILKERSON ASSOCIATES
PO BOX 2245
GREENVILLE, NC 27836

THOMAS H MCLAWHORN
904 HAVEL CT
CHARLOTTE, NC 28211

REGIONAL ACCEPTANCE CORP
PO BOX 167
WINSTON SALEM, NC 27102



Town of Winterville Planning Department
Zoning Staff Report

GENERAL INFORMATION

APPLICANT	Carl Parker
HEARING TYPE	Rezoning Request
REQUEST	R-8 to MR
CONDITIONS	N/A
LOCATION	2752 Mill Street
PARCEL ID NUMBER(S)	39149 / 16203
PUBLIC NOTIFICATION	Adjacent property owners were mailed notification of the Public Hearing on August 25, 2021. Notification was posted on site on June 29, 2021. 11 properties were mailed notification.
TRACT SIZE	11.6153 acres
TOPOGRAPHY	Flat
VEGETATION	Cleared

SITE DATA

EXISTING USE	Partially Vacant/ Small detached structures on eastern side of property
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ADJACENT PROPERTY	ZONING	ADJACENT LAND USE
N	MR	Farmland
E	R-8	Residential
W	AR	Farmland
S	I	Farmland

ZONING DISTRICT STANDARDS

DISTRICT SUMMARIES	EXISTING	REQUESTED
ZONING DISTRICT DESIGNATION	R-8	MR
MAX DENSITY	n/a	n/a
TYPICAL USES	Medium-density neighborhood with single-family homes	Relatively high-density neighborhood



SPECIAL INFORMATION

OVERLAY DISTRICT	N/A
ENVIRONMENTAL / SOILS	N/A
FLOODPLAIN	N/A
STREAMS	N/A
OTHER	If >1 acre is disturbed, site must meet Phase 2 stormwater requirements and provide Soil Erosion and Sedimentation Control Permit
SITE PLAN REQUIREMENTS	Special Use Permit and Site Plan are required to develop on this parcel.

**These regulations may not reflect all requirements for all situations. See the Town of Winterville Zoning Ordinance for all applicable regulations for site requirements for this zoning district.

LANDSCAPING & BUFFER REQUIREMENTS

Development must meet requirements of the Zoning Ordinance (Article X-A. Vegetation and Buffering Requirements).

TRANSPORTATION

STREET CLASSIFICATION	Mill Street – NCDOT Road
SITE ACCESS	All access must be designed and constructed to meet the Town of Winterville / NCDOT standards.
TRAFFIC COUNTS (per NCDOT Annual Average Daily Traffic Map)	Mill Street – 7,400
TRIP GENERATION	N/A
SIDEWALKS	N/A
TRAFFIC IMPACT STUDY (TIS)	TBD
STREET CONNECTIVITY	N/A
OTHER	N/A



IMPACT ANALYSIS

Land Use Compatibility

The proposed MR (Multi-Family Residential) zoning district would allow land uses that are compatible with the general character of the area.

Town of Winterville Comprehensive Land Use Plan Policies

The Future Land Use Map designates this property as a Urban Neighborhood character area. The requested **MR – Multifamily Residential** zoning district is generally consistent with this character area as defined by the future land use designation (“context-sensitive patio homes and **attached residential** permitted if design criteria are met”).

Comprehensive Land Use Plans - Recommendations & Implementation

Urban Neighborhood - General Character:

- Primarily medium-sized lots with single family detached residential and occasionally smaller-scale, context-sensitive patio homes and attached residential permitted if design criteria are met. Generally 3-8 dwellings per acre. Some small-scale services, restaurants, or offices encouraged at select locations with good access.

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is encouraged to discuss this proposed rezoning with owners of surrounding properties.

Staff Analysis

The 11.6153 acre property is partial vacant with two small structures on the eastern side of property. The property North of the request is zoned MR (vacant farmland). West of the request is zoned AR (vacant farmland). South of the request is zoned Industrial (vacant farmland). East of the request is zoned R-8 and is a single-family dwelling (Luther Carraway).

The MR – Multifamily Residential rezoning request is consistent with the intent and purpose of the Zoning Ordinance, the Future Land Use Plan and is generally compatible with the existing development and trends in the surrounding area.

Staff Recommendation

Staff recommends **approval** of the rezoning request for the 11.6153 acres from R-8 to MR – Multifamily Residential.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: September 13, 2021

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: Pitt County Farms, LLC – Rezoning Request (Parcel 60147).

Action Requested: Hold the Public Hearing.

Attachment: Rezoning Application, Rezoning Map, Legal Description, Notification of Rezoning, Address Labels to Adjacent Property Owners, and Staff Report.

Prepared By: Bryan Jones, Planning Director

Date: 8/26/2021

ABSTRACT ROUTING:

TC: 9/7/2021

TM: 9/7/2021

Final: tlp - 9/7/2021

Supporting Documentation

Applicant: Pitt County Farms, LLC.

Location: Northeast corner of intersection of NC Hwy 11 S and Reedy Branch Road.

Parcel Numbers: 60147.

Site Data: 9.8706 acres.

Current Zoning District: AR.

Proposed Zoning District: I.

- ❖ Proposed Zoning District: Industrial (I).
- ❖ Adjacent property owners were mailed notification of the Public Hearing on August 26, 2021.
- ❖ Notification was posted on the site on June 29, 2021.
- ❖ Planning and Zoning Board unanimously recommended approval on July 19, 2021.

Budgetary Impact: TBD.

Recommendation: Approval of the Rezoning Request.



**REZONING APPLICATION
TOWN OF WINTERVILLE**

2571 Railroad Steet
P O Box 1459
Winterville, NC 28590
Phone: (252) 756-2221

Staff Use Only
Appl. # _____

OWNERSHIP INFORMATION:

Applicant: Pitt County Farms, LLC

Address: 4761 NC Hwy 33 E., Suite A
PO Box 30189, Greenville, NC 27833

Phone #: (252) 757-1627

Owner: Pitt County Farms, LLC

Address: PO Box 30189, Greenville, NC 27833

Phone #: (252) 757-1627

PROPERTY INFORMATION

Parcel #: 60147 Area (square feet or acres): 9.8706

Current Land Use: Farm land

Location of Property: Northeast corner of intersection of NC Hwy. 11 and Reedy Branch Road

ZONING REQUEST

Existing Zoning: AR Requested Zoning: I

Reason for zoning change: Owner has an offer to purchase which is contingent upon obtaining rezoning
which would allow uses allowed within the industrial zoning classification. Anticipated uses would be
ministorage units and/or flex type spaces etc. which are presently constructed to the south of this property.

This application shall be accompanied by the following items:

- A map drawn to a scale of not less than 400 feet to the inch and not more than 20 feet to the inch showing the land covered by the proposed amendment;
- A legal description of the property;
- A list of the names and addresses of all owners of property involved in the map change and all adjoining property owners as shown on County tax records;
- A filing fee according to a regularly adopted Fee Schedule of the Town.

OWNER/AGENT STATEMENT

I, Maxine Speight, being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for 07 / 19 / 21.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance my result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

Maxine A. Speight
Signature

June 23, 2021
Date

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

I, _____, being the Owner of the property described herein, do hereby authorize _____ as agent for the purpose of this application.

Signature

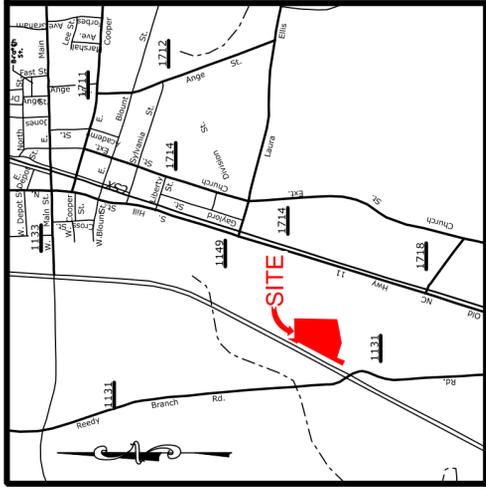
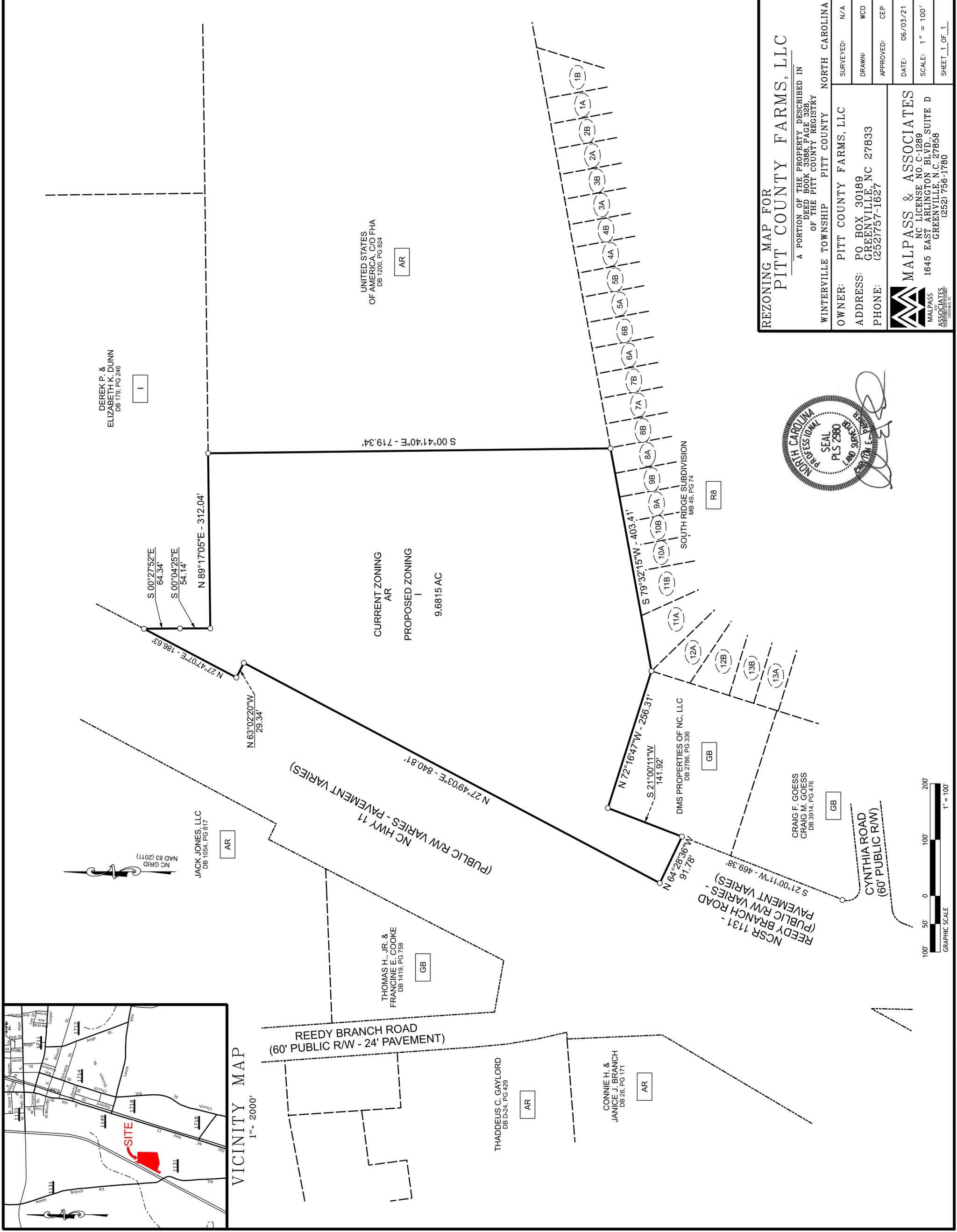
Date

Sworn to and subscribed before me, this 23rd day of June, 2021.

Debbie W. Barber
Notary Public

My Commission Expires:
5-14-2023





DEREK P. &
ELIZABETH K. DUNN
DB 179, PG 246



NC GRID
NAD 83 (2011)

JACK JONES, LLC
DB 1054, PG 817



UNITED STATES
OF AMERICA, C/O FHA
DB 1200, PG 824



CURRENT ZONING
AR

PROPOSED ZONING
R8

9.6815 AC

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(PUBLIC R/W VARIES - PAVEMENT VARIES)

NC HWY 11

THOMAS H., JR. &
FRANCINE E. COOKE
DB 1419, PG 758



THADDEUS C. GAYLORD
DB D-24, PG 429



CONNIE H. &
JANICE J. BRANCH
DB 26, PG 171



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Legal Description For
Pitt County Farms, LLC

Lying and being situate in Winterville Township, Pitt County, North Carolina and being more particularly described as follows:

Beginning at a point in the eastern right of way of NC Hwy 11 said point being located N 21-00-11 E – 469.38’ from the intersection of the eastern right of way of NC Hwy 11 and the northern right of way of Cynthia Road, thence from said point of beginning with the eastern right of way of NC Hwy 11 **N 64-28-36 W – 91.78’**, thence **N 27-49-03 E – 840.81’**, thence **N 63-02-20 W – 29.34’**, thence **N 27-47-07 E – 186.63’** to the southern line of the Derek P. Dunn and Elizabeth K. Dunn property as recorded in deed book 179, page 246 of the Pitt County Registry, thence with the southern line of the Derek P. Dunn and Elizabeth K. Dunn property **S 00-27-52 E – 64.34’**, thence **S 00-04-25 E – 54.14’**, thence **N 89-17-05 E – 312.04’**, thence leaving the southern line of the Derek P. Dunn and Elizabeth K. Dunn property **S 00-41-40 E – 719.34’** to the northern line of South Ridge Subdivision as recorded in map book 49, page 74, thence with the northern line of South Ridge Subdivision **S 79-32-15 W – 403.41’** to the northeast corner of the DMS Properties Of NC, LLC property as recorded in deed book 2786, page 336, thence with the northern line of the DMS Properties Of NC, LLC property **N 72-16-47 W – 256.31’**, thence with the western line of the DMS Properties Of NC, LLC property **S 21-00-11 W – 141.92’** to the point of beginning containing **9.6815 acres**.



2571 Railroad Street
PO Box 1459
Winterville, NC 28590

Phone (252)215-2358
Fax (252)756-3109
www.wintervillenc.com

**Town Council
Public Hearing
Rezoning Request**

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on Monday, September 13, 2021 at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, in order to consider the following request:

Pitt County Farms, LLC has submitted a rezoning application to rezone Parcel 60147 (9.6815 Acres) from Agricultural-Residential (AR) to Industrial (I). The Industrial District (I) is to provide and protect areas suited for industrial, warehousing, and storage uses which do not create an excessive amount of noise, smoke, dust, odor, or other objectionable characteristics which might be detrimental to the surrounding area.

Copies of the Zoning Ordinance and Map are on file at the Planning Department Office in the Town Hall and are available for public inspection by contacting bryan.jones@wintervillenc.com or the Winterville Planning Department at (252) 215-2358 or at wintervillenc.com.

The Town of Winterville will be keeping measures in place in an ongoing effort to mitigate the spread of COVID-19. These measures include limiting physical attendance at the meeting, employing social distancing, and implementing remote participation. The meeting is open to the public; however, limited attendance will be allowed to attend in-person due to COVID-19 provisions and the meeting will be available electronically. The public is encouraged to watch the meeting live on YouTube (www.wintervillenc.com/videos). Those that wish to address the Planning and Zoning Board during the meeting should contact the Town Clerk at (252) 215-2344 to register by **one business day before the meeting at 5:00 p.m. The public may submit written comments to the Town Clerk's office, 2571 Railroad Street, Winterville, NC 28590, or via email to don.harvey@wintervillenc.com. Please include your name and address.

Pitt County Farms LLC Rezoning

Pitt County Farms, LLC
PO BOX 30189
Greenville, NC 27833

Derek & Elizabeth Dunn
PO BOX 1639
Winterville NC 28590

Pitt County Farms LLC
PO BOX 30189
Greenville NC 27833

DSM Properties of NC LLC
5351 REEDY BRANCH RD
WINTERVILLE NC 28590

Craig F. & Craig M. Goess
3615 S MEMORIAL DR
GREENVILLE, NC 27834

Wendy Gladson
137 A EMILY DR
WINTERVILLE NC 28590

Akeya Andrews
137 EMILY DR UNIT B
WINTERVILLE NC 28590

Milton & Helen Parker
143 A EMILY DR
WINTERVILLE NC 28590

KENNETH HICKS
15 BELLEGROVE ROAD
BLACK MOUNTAIN NC 28711

Justice & Jaquan Lloyd
157 A EMILY DR
WINTERVILLE NC 28590

Milton & Helen Parker
143 B EMILY DR
WINTERVILLE NC 28590

Christopher Carlis
157 EMILY DR UNIT B
WINTERVILLE NC 28590

Herbert & Mildred Carson
167 A EMILY DR
WINTERVILLE NC 28590

RUBEUS PROPERTIES LLC
6059 GUM SWAMP RD
AYDEN NC 28513

Hood Investments LLC
700 RUPERT DRIVE
GREENVILLE NC 27858

Justin Lejeune
173 B EMILY DR
WINTERVILLE NC 28590

Natasha Soddy
2022 JAKE LN
GREENVILLE NC 27858

Wesley & Betty Chamberlain
179 B EMILY DRIVE
WINTERVILLE NC 28590

UNITED STATES OF AMERICA
CO FHA
P. O. BOX 897
GREENVILLE NC 27834

Thomas & Francine Cooke
202 ANDREW LN
WINTERVILLE NC 28590

Jack Jones LLC
128 JERUSALEM RD
SEVEN SPRINGS NC 28578

Thaddeus C Gaylord.
PO BOX 93
WINTERVILLE NC 28590

Thaddeus & Connie Gaylord
6409 Purple Mountain Court
Wilmington, NC 28411

Angeal Henries
133 A Emily Drive
Winterville, NC 28590

Cindy Proctor
133 B Emily Drive
Winterville, NC 28590



Town of Winterville Planning Department
Zoning Staff Report

GENERAL INFORMATION

APPLICANT	Pitt County Farms, LLC
HEARING TYPE	Rezoning Request
REQUEST	AR to I
CONDITIONS	N/A
LOCATION	Northeast corner of intersection of NC Hwy 11 and Reedy Branch
PARCEL ID NUMBER(S)	60147
PUBLIC NOTIFICATION	Adjacent property owners were mailed notification of the Public Hearing on August 26, 2021. Notification was posted on site on June 29, 2021. 25 properties were mailed notification.
TRACT SIZE	9.8706 acres
TOPOGRAPHY	Flat
VEGETATION	Cleared

SITE DATA

EXISTING USE	Farm Land
---------------------	-----------

ADJACENT PROPERTY	ZONING	ADJACENT LAND USE
N	I	Industrial
E	AR	Governmental
W	GB/AR	Commercial/Residential
S	GB/R8	Commercial/Residential

ZONING DISTRICT STANDARDS

DISTRICT SUMMARIES	EXISTING	REQUESTED
ZONING DISTRICT DESIGNATION	AR (Agricultural-Residential)	I (Industrial)
MAX DENSITY	n/a	n/a
TYPICAL USES	Promotes compatible mixture of low-density residential and agricultural uses where urban development is expected to occur.	Suited for industrial, warehousing, and storage uses w/o excessive amounts of noise, smoke, dust, odor, or other objectionable characteristics.



SPECIAL INFORMATION

OVERLAY DISTRICT	N/A
ENVIRONMENTAL / SOILS	N/A
FLOODPLAIN	N/A
STREAMS	N/A
OTHER	If >1 acre is disturbed, site must meet Phase 2 stormwater requirements and provide Soil Erosion and Sedimentation Control Permit
SITE PLAN REQUIREMENTS	Site plan required for developing on this lot.

**These regulations may not reflect all requirements for all situations. See the Town of Winterville Zoning Ordinance for all applicable regulations for site requirements for this zoning district.

LANDSCAPING & BUFFER REQUIREMENTS

Development must meet requirements of the Zoning Ordinance (Article X-A. Vegetation and Buffering Requirements).

TRANSPORTATION

STREET CLASSIFICATION	NC Highway 11 – NCDOT Road
SITE ACCESS	All access must be designed and constructed to meet the Town of Winterville / NCDOT standards.
TRAFFIC COUNTS (per NCDOT Annual Average Daily Traffic Map)	NC Highway 11 – 20,000
TRIP GENERATION	N/A
SIDEWALKS	N/A
TRAFFIC IMPACT STUDY (TIS)	TBD
STREET CONNECTIVITY	N/A
OTHER	N/A



IMPACT ANALYSIS

Land Use Compatibility

The proposed I (Industrial) zoning district would allow land uses that are compatible with the general character of the area.

Town of Winterville Comprehensive Land Use Plan Policies

The Future Land Use Map designates this property as an Office and Employment character area. The requested I (**Industrial**) zoning district is generally consistent with this character area as defined by the future land use designation.

Comprehensive Land Use Plans - Recommendations & Implementation

Office and Employment - General Character:

- Large office buildings, manufacturing, distributions, and light-to-medium industrial uses, storage and flex uses, along with associated offices and supporting commercial uses.

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is encouraged to discuss this proposed rezoning with owners of surrounding properties.

Staff Analysis

The 9.8706 acre property is currently being used for farm land. The property North of the request is zoned I (Industrial) with a concrete manufacturing plant. West of the request is zoned GB and AR with vacant farmland, storage shed sales, and a residential house. South of the request is zoned GB/R8 with a fabric store (Prints and Plaids) and a duplex subdivision (South Ridge). East of the request is zoned AR and holds a US Governmental building.

The I (Industrial) rezoning request is consistent with the intent and purpose of the Zoning Ordinance, the Future Land Use Plan and is generally compatible with the existing development and trends in the surrounding area.

Staff Recommendation

Staff recommends **approval** of the rezoning request for the 9.6815 acres from AR to I (Industrial).



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 13, 2021

Presenter: Donald Harvey, Town Clerk

Item to be Considered

Subject: Council Meeting Minutes.

Action Requested: Approval of Minutes.

Attachment: Draft Minutes of the Council meetings listed below.

Prepared By: Donald Harvey, Town Clerk

Date: 9/1/2021

ABSTRACT ROUTING:

TC: 9/7/2021

TM: 9/7/2021

Final: tlp - 9/7/2021

Supporting Documentation

Approval of the following set of Council Meeting Minutes:

- August 9, 2021 Regular Meeting Minutes.

Budgetary Impact: NA.

Recommendation: Approval of Minutes.



**WINTERVILLE TOWN COUNCIL
MONDAY, AUGUST 9, 2021 - 7:00 PM
REGULAR MEETING MINUTES
(LIMITED IN-PERSON ATTENDANCE)**

The Winterville Town Council met in a Regular Meeting on the above date at 7:00 PM in the Town Hall Assembly Room, with Mayor Douglas A. Jackson presiding. The following were present:

Douglas A. Jackson, Mayor
Richard (Ricky) E. Hines, Mayor Pro Tem
Tony P. Moore, Councilman
Johnny Moye, Councilman
Veronica W. Roberson, Councilwoman
Mark C. Smith, Councilman
Keen Lassiter, Town Attorney
Terri L. Parker, Town Manager
Ben Williams, Assistant Town Manager
Ryan Willhite, Police Chief
David Moore, Fire Chief
Robert Sutton, Electric Director
Anthony Bowers, Finance Director
Evan Johnston, Parks and Recreation Director
Bryan Jones, Planning Director
Donald Harvey, Town Clerk

CALL TO ORDER: Mayor Jackson called the meeting to order.

INVOCATION: Councilman Smith gave the Invocation.

PLEDGE OF ALLEGIANCE: Mayor Jackson led everyone in the Pledge of Allegiance.

WELCOME: Mayor Jackson welcomed the public.

APPROVAL OF AGENDA: Manager Parker noted the addition under Old Business of an update on Municipal Election Procedures and One-Stop Site and Councilman Moore requested the addition under New Business of a letter to the Legislative Delegation requesting keeping the Town combined when redistricting.

Motion made by Councilman Moore and seconded by Councilwoman Roberson to approve the amended agenda with the noted items. Motion carried unanimously, 5-0.

PUBLIC HEARINGS:

1. Carroll Crossing, Section 3 – Rezoning Request (Ordinance 21-O-081). Planning Director Jones gave the following presentation:

- Applicant: Le & Lam Properties, Inc
- Location: Church Street Ext south of its intersection with Laurie Ellis Road
- Parcel Number: 04819
- Site Data: 5.295 acres
- Current Zoning District: Neighborhood Commercial (CN)
- Proposed Zoning District: R-8 CD (Proposed Conditions: All duplexes shall have brick facades)



- Notification was posted on the site on April 29, 2021.
- Adjacent property owners were mailed notification of the Public Hearing on July 20, 2021.
- Notification of the Public Hearing was published in the Daily Reflector on July 28, 2021 and August 4, 2021.





FUTURE LAND USE CHARACTER AREAS

- Conservation**
The 100-year floodplain is regulated in order to prevent loss during floods. These areas are appropriate for outdoor recreation, agriculture / silviculture, and are otherwise predominantly unsuitable for development. This area also includes cemeteries.
- Rural Residential**
Very low density, single family detached residential on very large lots in a rural setting. Generally less than 1 dwelling per acre, and almost always without sewer service. Industrial agricultural operations are still active in these locations.
- Suburban Residential**
Primarily the large lot, single family detached residential that many people love about the town's housing stock. Generally 2-3 dwelling units per acre, larger lots, with front and side-loaded garages. Smaller lot sizes occasionally if minimum standards for open space and amenities are exceeded.
- Urban Neighborhood**
Primarily medium-sized lots with single family detached residential and occasionally small-scale, cost-effective patio homes and attached residential permitted if design criteria are met. Generally 3-6 dwellings per acre. Some small-scale services, restaurants, or offices encouraged at select locations with good access.
- Commercial Overlay**
Potential for small-scale commercial that is sensitive to existing residential development if good transportation access is possible.
- Neighborhood Center**
Concentrated appropriate commercial, retail, services, professional offices, and occasionally residential located at key locations and crossroads that serve the general neighborhood around them. Small lot residential or patio homes and/or attached residential could be part of land use mix.
- Mixed Use Center**
Mix of commercial, retail, restaurants, and service-oriented businesses, with a variety of residential options, including multi-family townhomes, and upper story residential. Offices also potentially on upper floors. Walkable places with a pedestrian-focused "downtown" feel.
- Regional Center**
High- to medium-intensity commercial, retail and lodging uses that act as regional activity centers, with offices and residential potentially mixed in. Primarily auto-oriented destinations with national or regional businesses.
- Employment / Residential**
These areas should include office buildings, storage and flex uses, supporting commercial uses and/or medium to high-intensity residential uses.
- Office & Employment**
Large office buildings, manufacturing, distribution, and light to medium industrial uses, storage and flex uses, along with associated offices and supporting commercial uses.
- Institution or Park**
Community schools, the Pitt Community College campus, town parks, and open space areas form a fabric that binds the community together. New institutional, civic, and open space uses are potentially allowed in any future land use category.

FUTURE LAND USE CHARACTER AREA

Urban Neighborhood

General Character
Somewhat higher density, predominantly single family detached residential housing. Some attached housing and/or small-scale commercial, retail, or restaurants allowed at select locations.

Typical Components	
Density	3-8 per acre
Lot coverage	Medium
Building height	1.5-3 stories
Parking	On- and off-street (front, side, rear, or alley-loaded)
Street pattern	Suburban to urban grid
Right-of-way width	50'-60', less for alleys
Block length	600'-800'
Drainage	Curb-and-gutter
Bicycle/Pedestrian	Sidewalk (both sides)
Open Space	5-10%, more formal including plazas, greens and other common areas
Potential zoning	R-12.5, R-10, R-8, possibly also RB*, R-6, or M-1R

Uses
Small lot single family detached residential dom-

*A Neighborhood Business zoning detail is recommended on page 90.

inates (with lots of approx. 6,000 to 10,000 sq ft), but duplexes or townhomes may be appropriate if design criteria are met to protect neighborhood character. Some small-scale service or office uses may be appropriate at select locations.

Buildings & Parking
Buildings are closer to the street, some side- and alley-loaded developments may be close to the sidewalk. Parking at nonresidential uses should be in the rear, to preserve walkability. On-street parking should be provided if densities exceed 4 dwelling units per acre or lot footage of less than 50 feet per home.

Streets & Connections
Low to medium-volume streets prioritize pedestrians. Street trees soften the streetscape. Connections to adjacent properties and neighborhoods are frequent.

Examples of Urban Neighborhood



Staff Recommendation:

- Planning Staff finds the request is reasonable and in the public interest because the proposed zoning district is compatible with surrounding land uses and the future land use plan.
- Staff recommends approval of the request to rezone 5.295 acres from CN to R-8 CD with the following conditions:
 - All duplexes shall have brick facades



REZONING PROCESS:

- Planning and Zoning Board unanimously recommended approval on May 17, 2021.
- The Public Hearing was scheduled at the June 14, 2021 Town Council Meeting.
- Town Council will hold a public hearing regarding this request on August 9, 2021 @ 7 pm.



Planning Director Jones noted that no written comments were received. Mayor Jackson declared the public hearing open and asked if anyone would like to speak in favor of the rezoning request. Dawn Poaletti, Baldwin Design Consultants, representing the applicant Le & Lam Properties, LLC and spoke in favor of the rezoning.

Discussion and questions with Council and Staff related to items like HOA, berms, sidewalks, curb and gutters, and additional street cuts.

Mayor Jackson asked if anyone would like to speak in opposition of the rezoning request. No one spoke in opposition of the rezoning. Mayor Jackson declared the public hearing closed.

Hearing none what is the Board's pleasure.

Motion made by Mayor Pro Tem Hines and seconded by Councilman Moyer to approve the Carroll Crossing, Section 3 Rezoning Request (Ordinance 21-O-081).

Additional discussion continued relating to requirement of a mowing condition and responsibilities, duties, and enforcement of HOA maintenance issues and responsibilities.

Motion carried, 3-2. Councilman Moore and Councilman Smith opposed.

DRAFT

**AN ORDINANCE TO AMEND CHAPTER 155
ZONING ORDINANCE OF THE
CODE OF ORDINANCES OF THE
TOWN OF WINTERVILLE, NORTH CAROLINA
OFFICIAL ZONING MAP**

WHEREAS, Le & Lam Properties, LLC, has requested amendment of the Zoning Ordinance of the Town of Winterville by rezoning of the property described herein of Neighborhood Commercial (CN) to R-8 CD; and

WHEREAS, a public hearing on the question of this zoning amendment was held, at the Winterville Town Hall at 7:00 p.m. on August 9, 2021, after due notice publication on July 28, 2021 and August 4, 2021; and

WHEREAS, due notice of said public hearing was also given by first class mail to the owners of all parcels, as shown on the County Tax Records, adjoining the parcel under consideration, certification of which has been to the Winterville Town Council; and

WHEREAS, due notice of said public hearing was also given by posting a rezoning request notice on the subject property;

WHEREAS, the Winterville Town Council finds that the proposed rezoning is in compliance with the Town of Winterville's Comprehensive Land Use Plan;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Winterville, North Carolina that:

Section 1. The Town of Winterville Zoning Ordinance, Official Zoning Map, is hereby amended by rezoning the following described track from CN to R-8 CD, with the following condition: All duplexes shall have brick facades.

Le & Lam Properties, LLC (Carroll Crossing, Section 3), a 5.295-acre tract land located on Church Street Ext., Tax Parcel 04819, and being more particularly described on the attached legal description provided below.

**LEGAL DESCRIPTION OF PROPERTY
REZONED FROM CN to R-8 CD
LE & LAM PROPERTIES, LLC
WINTERVILLE TOWNSHIP, PITT, NC**

Tract 1: Beginning at a point on the eastern right-of-way of NCSR 1714 (Church Street) said point being the southwestern corner of the William David Harrell and wife Carolyn Harrell Property as described in Deed Book 3264, Page 157 of the Pitt County Register of Deeds. From the above described beginning, so located, running thence as follows:

Leaving the eastern right-of-way of NCSR 1714 (Church Street) and with the southern line of above referenced William David Harrell and wife Carolyn Harrell Property, S 63°04'56" E 156.11', thence S 63°03'57" E 106.62', thence S 09°00'47" W 729.38' to a point on the northern right-of-way of Jeremy Lane, thence with the northern right-of-way of Jeremy Lane, N 61°21'44" W 109.66' to the point of curvature, thence with a curve to the left an arc

distance of 119.69', said curve having a radius of 375.00' and a chord bearing N 70°31'15" W 119.38' to the point of reverse curvature, thence with a curve to the right an arc distance of 46.44', said curve having a radius of 30.00' and a chord bearing N 35°20'00" W 41.94' to a point on the eastern right-of-way of NCSR 1714 (Church Street), thence with the eastern right-of-way of NCSR 1714 (Church Street), N 09°00'47" E 721.67' to the point of beginning containing 4.193 acres and being a portion of the property described in Deed Book 4079, Page 773 of the Pitt County Register of Deeds.

Tract 2: Beginning at a point on the eastern right-of-way of NCSR 1714 (Church Street) said point being the northwestern corner of the Franklin R. Fields and wife, Andrea O. Fields Property as described in Deed Book 3884, Page 270 of the Pitt County Register of Deeds. From the above described beginning, so located, running thence as follows:

With the eastern right-of-way of NCSR 1714 (Church Street), N 09°00'47" E 142.33' to the point of curvature where the eastern right-of-way of NCSR 1714 (Church Street) intersects the curved southern right-of-way of Jeremy Lane, thence with the curved southern right-of-way of Jeremy Lane an arc distance of 48.10', said curve to the right having a radius of 30.00' and a chord bearing N 54°56'32" E 43.11' to the point of compound curvature, thence with a curve to the right an arc distance of 97.68', said curve having a radius of 315.00' and a chord bearing S 70°14'44" E 97.29' to the point of tangency, thence S 61°21'44" E 131.06', thence leaving the southern right-of-way of Jeremy Lane, S 09°00'47" W 195.72', thence N 62°05'36" W 264.24' to the point of beginning containing 1.102 acres and being a portion of the property described in Deed Book 4079, Page 773 of the Pitt County Register of Deeds.

End of Legal Description

Section 2. This action shall be shown on the Official Zoning Map.

Section 3. This ordinance shall become effective upon adoption.

Adopted this 9th day of August 2021.

Douglas A. Jackson, Mayor

ATTEST:

Donald Harvey, Town Clerk

Page 2 of 2

PUBLIC COMMENT: Mayor Jackson read the Public Comment Policy.

- 1. Ursula Turnage of 2498 Railroad Street spoke in favor of Martin Luther King Street renaming and speed bumps on Railroad Street.

CONSENT AGENDA:

Items included in the Consent Agenda:

1. Approval of the following sets of Council Meeting Minutes:
 - May 25, 2021 Budget Workshop #1; and
 - May 27, 2021 Budget Workshop #2.; and
 - June 7 Budget Public Hearing Minutes; and
 - June 14, 2021 Regular Meeting Minutes.
2. Set Public Hearing for September 13, 2021: Sutton Capital Group – Rezoning Request.
3. Set Public Hearing for September 13, 2021: Aquatic Holdings – Rezoning Request.
4. Set Public Hearing for September 13, 2021: Alfred Martin McLawhorn – Rezoning Request.
5. Set Public Hearing for September 13, 2021: Pitt County Farms, LLC – Rezoning Request.
6. Direct Clerk to Certify Sufficiency Worthington Road Interconnect Site Annexation (Resolution 21-R-081).
7. Direct Clerk to Certify Sufficiency Old Tar Road Pump Station Annexation, (Resolution 21-R-082).
8. Fire Department Sprinkler System.
9. Budget Amendment 2021-2022-1.
10. Tax Settlement FY 2020-2021.
11. Charge the Tax Collector with collection of the 2021-2022 tax levy.
12. Winterville Watermelon Festival Committee Items:
 - Parade Permit Application and Fee Exemption;
 - Recreation Park Parking Lot Use and Traffic Pattern Changes;
 - Suspend Winterville Recreation Park Hours Limitation;
 - Placement of Signs and Banners; and
 - Usage of the Parks and Recreation Bathroom Facilities.

Motion made by Councilwoman Roberson and seconded by Councilman Smith to approve the consent agenda. Motion carried unanimously, 5-0.

**RESOLUTION DIRECTING THE TOWN CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER NCGS 160A-31**

**WINTERVILLE INTERCONNECT SITE
PARCEL 82612**

WHEREAS, a petition requesting annexation of an area described in said petition were received July 28, 2021 by the Town Council; and

WHEREAS, NCGS 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Winterville seems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Winterville that:

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of the investigation.

Adopted this the 9th day of August 2021.

Douglas A. Jackson, Mayor

ATTEST:

Donald Harvey, Town Clerk

**RESOLUTION DIRECTING THE TOWN CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER NCGS 160A-31**

**OLD TAR ROAD PUMP STATION
PARCEL 83155**

WHEREAS, a petition requesting annexation of an area described in said petition were received July 28, 2021 by the Town Council; and

WHEREAS, NCGS 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Winterville seems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Winterville that:

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of the investigation.

Adopted this the 9th day of August 2021.

Douglas A. Jackson, Mayor

ATTEST:

Donald Harvey, Town Clerk

BUDGET ORDINANCE AMENDMENT 2021-2022-1

BE IT ORDAINED by the Governing Board of the Town of Winterville, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2021:

SECTION 1. Revenues are to be changed as follows:

LINE ITEM DESCRIPTION		Fund	Increase	Decrease
Fund Balance Contribution	10	3831 General Fund	865,500	
Fund Balance Contribution	15	3831 Recreation Fund	814	
Fund Balance Contribution	60	3831 Electric Fund	338,408	
Fund Balance Contribution	61	3831 Water Fund	1,527	
Fund Balance Contribution	63	3831 Storm Water Fund	16,534	
Total			\$ 1,242,873	\$ -

SECTION 2. Appropriations are to be changed as follows:

LINE ITEM DESCRIPTION	Department	Fund	Increase	Decrease
Contract Service	Finance	General Fund	4,500	
Capital Outlay	Finance	General Fund	368,700	
Supplies and Materials	Inspections/Gis	General Fund	1,016	
Contract Service	Inspections/Gis	General Fund	8,450	
Capital Outlay	Information Tech	General Fund	70,823	
Contract Service	Planning	General Fund	5,921	
Contract Service	Public Buildings	General Fund	3,000	
Maint & Repair - Facility	Public Buildings	General Fund	16,878	
Capital Outlay	Public Buildings	General Fund	4,700	
Capital Outlay	Public Buildings	General Fund	310,600	
Chemicals	Mosquito Control	General Fund	5,245	
Capital Outlay	Public Works	General Fund	404,538	
Call Ripken All-Star	Recreation	Recreation	814	
OSHA	Recreation	Electric Fund	5,930	
Supplies and Materials	Recreation	Electric Fund	70,808	
Engineering	Recreation	Electric Fund	50,590	
Departmental Improvements	Recreation	Electric Fund	5,100	
New Equipment	Recreation	Electric Fund	18,600	
Water Meter Replacements	Recreation	Electric Fund	54,333	
Capital Outlay	Recreation	Electric Fund	155,887	
Supplies and Materials	Recreation	Water Fund	1,527	
Engineering	Recreation	Storm Water Fund	16,534	
Total			\$ 1,242,873	\$ -

Adopted the 9th day of August 2021.

Miyor

Town Clerk

OLD BUSINESS:

1. Recreation Advisory Board Composition (Ordinance 21-O-082). Town Clerk Harvey noted the following ordinance reflects the changes approved at the June 14, 2021 Regular Council Meeting.

ORDINANCE NO. 21-O-082

ORDINANCE AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES
OF THE TOWN OF WINTERVILLE, NORTH CAROLINA

BE IT ORDAINED by the Town Council of the Town of Winterville, North Carolina that Title III Chapter 32 of the Code of Ordinances of the Town of Winterville is hereby amended as follows:

CHAPTER 32: TOWN ORGANIZATIONS – PARKS AND RECREATION DEPARTMENT.

§ 32.045 CREATION.

Under the direct control of the Town Manager, there is hereby established a Parks and Recreation Department and the position of Director. Further, a Town Parks and Recreation Advisory Board is hereby created by the town, which shall be designated as The Parks and Recreation Advisory Board of the Town of Winterville.

§ 32.046 COMPOSITION.

The Parks and Recreation Department is comprised of a Director and a Parks and Recreation Advisory Board. The Director shall be hired and appointed by the Town Manager. The Parks and Recreation Advisory Board of the town shall be comprised of nine members and one alternate member, of which seven shall reside within the town limits at the time of their appointment, and two shall reside outside of the corporate limits of the town, but within the limits of the extraterritorial jurisdiction at the time of their appointment, and one alternate member who may reside either within the town limits or outside of the corporate limits of the town, but within the limits of the extraterritorial jurisdiction at the time of his or her appointment.

§ 32.047 APPOINTMENT.

The Parks and Recreation Advisory Board members shall serve two-year staggered terms and shall be appointed by the Council. Members may be reappointed, with no limit on the numbers of terms served. No member shall receive compensation for his or her services as a member of the Parks and Recreation Advisory Board.

§ 32.048 VACANCIES AND REMOVAL OF MEMBERS.

- (A) Movement from within the town limits or extraterritorial jurisdiction will result in immediate removal from the Parks and Recreation Advisory Board. The Council will subsequently appoint a replacement to serve the remainder of the unexpired term.
- (B) Meeting attendance.
 - (1) Absences caused by illness, injury, death, bereavement, personal emergency, or other similar situations shall be recognized as an excused absence. Excused absences are generally defined as medical or family emergencies or unavoidable business/personal conflicts.
 - (2) Any member who is absent from more than 25% of regular meetings or accumulates two consecutive unexcused absences within a fiscal year (beginning July 1) shall be replaced.
 - (3) In the event of long-term absence due to illness, medical procedure, injury, or other extenuating significant personal circumstance, the Board may deem it necessary and appropriate to grant a leave of absence until the affected Board Member is able to return. Absences accrued during an approved leave of absence period shall not be subject to the provisions stated above.
- (C) The Town Council may remove a member as deemed necessary. All vacancies occurring on the Parks and Recreation Advisory Board will be filled by the Council for the remainder of the unexpired term.

The remainder of Chapter 32 is not amended pursuant to this Ordinance.
This Ordinance shall be effective upon adoption.

Adopted this the 9th day of August 2021.

ATTEST:

Douglas A. Jackson, Mayor

Donald Harvey, Town Clerk

Mayor Jackson asked for any further discussion or any more questions. Hearing none what is the Board's pleasure.

Motion made by Councilman Smith and seconded by Mayor Pro Tem Hines to approve the Recreation Advisory Board Composition, Ordinance 21-O-082. Motion carried unanimously, 5-0.

2. Acceptance of State Loan; Sanitary Sewer Rehabilitation, Project No: CS370879-03 for \$1,974,200 from NCDEQ (Resolution 21-R-083). Assistant Town Manager Williams noted that the Town had applied for funding assistance for sewer pump station rehabilitation. The NC Department of Environmental Quality (NCDEQ) Division of Water Infrastructure (DWI) reviewed the funding application and approved the Town of Winterville for loan assistance from the Clean Water State Revolving Fund (CWSRF) in the amount of \$1,974,200 with \$500,000 in principal forgiveness. The estimated loan amount for the project is \$1,474,200, for a term of twenty (20) years with an interest rate of 0%.

Motion made by Mayor Pro Tem Hines and seconded by Councilman Smith to approve the Acceptance of State Sanitary Sewer Rehabilitation Loan, Project No: CS370879-03 for \$1,974,200 from the NCDEQ, Resolution 21-R-083. Motion carried unanimously, 5-0.

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects, and

WHEREAS, the North Carolina Department of Environment and Natural Resources has offered a State Revolving Loan in the amount of \$1,974,200 for the construction of sanitary sewer collection system rehabilitation, and

WHEREAS, the Town of Winterville (Applicant) intends to construct said project in accordance with the approved plans and specifications,

NOW THEREFORE BE IT RESOLVED, BY THE COUNCIL OF THE TOWN OF WINTERVILLE:

That the Town of Winterville does hereby accept the State Revolving Loan offer of \$1,974,200.

That the Town of Winterville does hereby give assurance to the North Carolina Department of Environment and Natural Resources that all items specified in the loan offer; Section II Assurances will be adhered to.

That Terri L. Parker, Town Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Town of Winterville has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 9th day of August 2021 at Winterville, North Carolina.

(Signature of Chief Executive Officer)

Town Manager
(Title)

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified Town Clerk of the Town of Winterville does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the acceptance of the loan offer with the State of North Carolina, as regularly adopted at a legally convened meeting of the Town Council duly held on the 9th day of August 2021; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF,

I have hereunto set my hand this 9th day of August 2021.

Donald Harvey, Town Clerk

2. Update on 2021 Municipal Election Procedures and One-Stop Site. Town Clerk Harvey gave a summary of the following memorandum. Town Manager Parker noted the results and consequences of the census situation on the procedures.

Motion made by Mayor Pro Tem Hines and seconded by Councilwoman Roberson to accept the one-stop plan presented. Motion carried unanimously, 5-0.

DRY

Memorandum
Update on 2021 Municipal Election Procedures

The information and estimates below are based on the maximum utilization of all possible resources and provided by David P. Davis, Director of Elections, Pitt County Board of Elections.

History:

The Board of Elections (BOE) calculated the Town of Winterville's estimated costs for the 2021 Municipal Election. The original estimates (outlined below) were used for budgeting purposes and include Greenville participating in the election cycle.

March 4, 2021 estimates:

Cost including BOE approved shared one-stop site:.....	\$9,723.95
Hosted one-stop site:.....	\$6,588.24
Total:.....	\$16,312.19

FY 2021-2022 Approved Budget:

Municipal Election Site:.....	\$9,200
One-Stop Site:.....	\$14,200
Total:.....	\$23,400

Once the completion of the most recent Census data became an issue for those municipalities who have voting districts, it looked as if Greenville would not be holding their municipal election on November 2, 2021 like all other Pitt County municipalities. This caused the BOE to have to rethink the municipal election process, including the BOE one-stop sites.

The Town pursued the idea of hosting the BOE approved shared one-stop site, however State regulations prevented the use of the Winterville Community Room. According to State law, the BOE approved sites have to be in close proximity to BOE offices and the shared one-stop site is anticipated to be the PATS Conference Room at the County Complex.

Current Procedure:

August 3, 2021 estimates reflect Council's previous desire and vote to have a one-stop site in Winterville:

Cost including BOE approved shared one-stop site without Greenville:....	\$15,901.29
Hosted one-stop site the week of October 25 th - 30 th :.....	\$5,764.71
Total:.....	\$21,666.00

NEW BUSINESS:

1. Stormwater MS4 Permit – Notice of Violation (Resolution 21-R-084). Assistant Town Manager Williams noted that on May 26, 2021, staff from the NCDEQ conducted a compliance audit of the Town's storm sewer system. The audit identified major deficiencies with specific components of the MS4 permit. These deficiencies constitute a violation of the Clean Water Act and have associated enforcement actions. To address the deficiencies outlined in the Notice of Violation (NOV), the Town is required to complete actions also outlined in the NOV. The first item is the adoption of a resolution by the Council declaring support for a compliant stormwater management program. Total budgetary impact is not fully known at this time. It is estimated the development of a Stormwater Management Plan and responding to the NOV will cost approximately \$30,000 in consulting fees. Non-compliance could result in a fine of up to \$25,000 per violation.

Mayor Pro Tem Hines questioned why we received the violation. Assistant Town Manager Williams noted the reasoning.

Motion made by Councilman Smith and seconded by Mayor Pro Tem Hines to approve the Stormwater MS4 Permit, Notice of Violation, Resolution 21-R-084. Motion carried unanimously, 5-0.

Resolution No.: 21-R-084

Date Adopted: August 9, 2021

RESOLUTION AFFIRMING THE TOWN OF WINTERVILLE COUNCIL'S SUPPORT REGARDING IMPLEMENTATION OF A COMPLIANT NPDES MS4 STORMWATER PROGRAM

A RESOLUTION to develop and implement a compliant stormwater management program that meets the requirements of the Town of Winterville National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit number NCS000507 to discharge stormwater, inclusive of the required Stormwater Management Plan to be prepared by the Town of Winterville and approved by the North Carolina Department of Environmental Quality.

WHEREAS, Section 402(p) of the federal Clean Water Act requires NPDES permits for stormwater discharges from municipal separate storm sewer systems; and

WHEREAS, in North Carolina, NPDES Permits are issued by the North Carolina Department of Environmental Quality; and

WHEREAS, the North Carolina Department of Environmental Quality issued the Town of Winterville its NPDES MS4 Permit for discharge of stormwater; and

WHEREAS, the Town of Winterville was issued Notice of Violation number NOV-2021-PC-0307 on June 4, 2021 for noncompliance with the issued NPDES MS4 Permit; and

WHEREAS, the Town of Winterville acknowledges the specific Notice of Violation requirement to obtain a new individual NPDES MS4 Permit; and

WHEREAS, the Town of Winterville acknowledges the specific Notice of Violation requirement to conduct a self-audit of permit compliance for the balance of permit requirements not specifically audited by the North Carolina Department of Environmental Quality, and to develop a draft Stormwater Management Plan to comply with Section 402(p)(3)(B)(iii) of the Clean Water Act, 40 CFR 122.34(b) and NPDES MS4 Permit requirements, and to submit its draft Stormwater Management Plan to the North Carolina Department of Environmental Quality no later than October 14, 2021 for review and approval; and

WHEREAS, the Town of Winterville acknowledges the specific Notice of Violation requirement to adopt a Council Resolution to implement a compliant and enforceable stormwater management program as defined by both the NPDES MS4 Permit number NCS000507 and the required new Stormwater Management Plan, and said resolution is to be submitted to the North Carolina Department of Environmental Quality no later than August 16, 2021; and

WHEREAS, the Town of Winterville acknowledges the requirement to provide adequate funding and staffing to implement a Stormwater Management Program that complies with its NPDES MS4 Permit and approved Stormwater Management Plan; and

WHEREAS, the Town of Winterville acknowledges that North Carolina Department of Environmental Quality enforcement action and penalties could result from non-compliance with the specific requirements in Notice of Violation number NOV-2021-PC-0307; and

WHEREAS, the Town of Winterville acknowledges that any North Carolina Department of Environmental Quality enforcement action and penalties may not prohibit the U.S. Environmental Protection Agency from taking its own enforcement action for non-compliance with the issued NPDES MS4 Permit.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Winterville hereby affirms its support for development and implementation of a compliant NPDES MS4 Stormwater Program.

Douglas A. Jackson, Mayor

Terri L. Parker, Town Manager

Ben E. Williams, Stormwater Program
Administrator (Interim)

Donald Harvey, Town Clerk

SEAL

ADOPTED BY the Town Council of the Town of Winterville, North Carolina the 9th day of August 2021 and signed in authentication thereof the 9th day of August 2021.

2. Wooten Company – Task Order No. 32 – Stormwater Management Plan. Assistant Town Manager Williams noted that the subject Task Order No. 32 is for creating the Town’s Stormwater Management Plan for compliance with the MS4 Audit/Notice of Violation received June 4, 2021. The Engineer will provide services to assist the Town with responding to the NOV and development of written guidance for the required plan. Tasks will include the following:
- Develop Illicit Discharge Detection and Elimination Program Plan.
 - MS4 Operation and Maintenance Program Plan.
 - Municipal Stormwater Control Measures Operation and Maintenance Program Plan.
 - Municipal Self-Audit.
 - Stormwater Management Plan Development.
 - Assist with submission of NPDES MS4 permit application

This work will be done on an hourly basis with a not to exceed cost of \$28,500. Funds for this effort were included in the approved budget for this fiscal year

Motion made by Councilman Smith and seconded by Mayor Pro Tem Hines to approve the Wooten Company, Task Order No. 32, Stormwater Management Plan Contract at a cost of \$28,500. Motion carried unanimously, 5-0.

This is Task Order No. 32
consisting of 4 pages.

Task Order No. 32 – Town of Winterville – MS4 Audit Response & SWMP

In accordance with Paragraph 1.01 of the Agreement between Owner and Engineer for Professional Services – Task Order Edition, dated **September 10, 2015** ("Agreement"), Owner and Engineer agree as follows:

1. Specific Project Data

A. Title: **MS4 Audit Response and Stormwater Management Plan (SWMP)**

B. Description: **Engineer will provide services (as noted in Section 2) to assist Town staff with the official responses to a Notice of Violation letter (Dated June 4, 2021) and development written guidance of required plans. Tasks included:**

- Development of Illicit Discharge Detection and Elimination Program Plan
- MS4 Operation and Maintenance Program Plan
- Municipal SCM Operation and Maintenance Program Plan
- Assist Town in Conducting Self Audit
- Develop a Draft Stormwater Management Plan (SWMP)
- Assist Town in submitting NPDES MS4 permit application.
- Assist Town in responding to public comments on the Draft SWMP and submittal of Final SWMP for DEQ approval

This project is funded with local funds.

C. Number of Construction Contracts

The Specific Project is anticipated to be constructed under **1** Construction Contracts.

2. Services of Engineer

- Design Services;
- Bidding or Negotiating Services
- Part-time Construction Admin. And Resident Project Representative Services

3. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 and in Exhibit B, subject to the following: **No modifications.**

4. Times for Rendering Services

Engineer will present the Engineering report within three (3) months from the execution of this agreement.

5. Payments to Engineer

A. Owner shall pay Engineer for services rendered as follows:

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Estimate of Compensation for Services</i>
MS4 Response & SWMP	<i>Hourly Rate</i>	\$ 28,500.00
TOTAL ESTIMATE (Ceiling Fee)		\$ 28,500.00

B. The terms of payment are set forth in Article 4 of the Agreement and in Exhibit C.

6. Consultants: **None.**

7. Other Modifications to Agreement: **None.**

8. Attachments: **Hourly Rate Schedule**

9. Documents Incorporated By Reference: **None.**

10. Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is July 15, 2021.

OWNER:

Town of Winterville, NC

By (Signature): _____

Typed Name: Terri L. Parker

Title: Town Manager

ENGINEER:

**L.E. Wooten & Company dba
The Wooten Company**

By (Signature): 

Typed Name: W. Brian Johnson, PE

Title: Vice-President

Engineer License or Firm's
Certificate No. F-0115
State of: North Carolina

**DESIGNATED REPRESENTATIVE FOR
TASK ORDER:**

Typed Name: Terri L. Parker

Title: Town Manager

Address: P. O. Box 1459
Winterville, NC 28590

E-Mail Address: Terri.Parker@wintervillenc.com

Phone: (252) 756-2221

Fax: (252) 321-8455

**DESIGNATED REPRESENTATIVE FOR
TASK ORDER:**

Typed Name: Derrick C. Smith, PE

Title: Greenville Regional Manager

Address: 310 W. 14th Street
Greenville, NC 27834

E-Mail Address: dsmith@thewootencompany.com

Phone: (252) 757-1096

Fax: (252) 757-3221

Wage Category	Hourly Billing Rate
Engineer I	\$ 108
Engineer II	\$ 137
Engineer III	\$ 163
Engineer IV	\$ 194
Engineer V	\$ 235
Architect II	\$ 141
Designer I	\$ 75
Designer II	\$ 95
Designer III	\$ 117
Designer IV	\$ 142
Construction Admin I	\$ 112
Construction Admin II	\$ 170
Construction Admin III	\$ 210
Construction Observer / Resident Project Representative	\$ 102
Utility Coordinator II	\$ 125
Utility Coordinator III	\$ 160
Survey Technician I	\$ 50
Survey Technician II	\$ 65
Survey Technician III	\$ 85
Survey Technician IV	\$ 120
Surveyor II	\$ 110
Surveyor III	\$ 129
Surveyor IV	\$ 174
GIS Analyst II	\$ 83
GIS Analyst III	\$ 117
GIS Analyst IV	\$ 122
Funding Coordinator I	\$ 116
Funding Coordinator II	\$ 131
Funding Coordinator III	\$ 141
Community Development Coordinator	\$ 133
Project Assistant	\$ 79

Reimbursables: Mileage will be billed at the current IRS Standard Mileage Rate, Subcontracted Services and other expenses at cost plus 10%.

Annual adjustments are made on July 1st of each year. The above hourly rates reflect current rates for the period through June 30, 2022. Hourly billing rates will change next on July 1, 2022 to reflect Direct Payroll Costs (salaries) being paid at that time.

Effective Rates July 1, 2021 through June 30, 2022

- School Resource Officer contract with Pitt County Schools. Police Chief Willhite noted that Pitt County Schools has requested that the Town of Winterville enter into a contract to supply a School Resource Officer (SRO) in the County schools within our jurisdiction. The County has proposed a one (1) year contract which will pay the officers salary and benefits (\$70,541.95) and the Town of Winterville is responsible for the equipment, uniforms, vehicle and training. This officer will primarily be assigned to A.G. Cox Middle School but will frequent W.H. Robinson Elementary as well as Creekside Elementary as needed or prudent. The County will make 12 monthly installments to the Town to reimburse the salary and benefits cost. As with other SRO's throughout the County, this Contract is renewed annually to address changes in salary or details.

Motion made by Mayor Pro Tem Hines and seconded by Councilwoman Roberson to approve the School Resource Officer contract with Pitt County Schools. Motion carried unanimously, 5-0.

4. Eleven at Main – Preliminary Plat. Planning Director Jones gave the following presentation:

Town of **WINTERVILLE**
A slice of the good life!

Eleven at Main – Preliminary Plat

- Site Data:
 - Location: Intersection of Hwy 11 S and Main Street
 - Parcel Number: 05589
 - Acreage/Density: 20.43 Acres, 154 Lots/Units
 - Zoning: Multi-Family Residential (MR)



Town of **WINTERVILLE**
A slice of the good life!

Eleven at Main – Preliminary Plat

- Site History:

TABLE OF PERMITTED & SPECIAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-4	MR	O-I	C-B	G-B	I-C	C-N	I	SR
Residential Uses																	
bed and breakfast inn	2	0000	S	S	S	S	S	S			X	X	X				1
dwelling, conventional or modular; multi-family (including single family attached of more than 2 attached units)	2	0000	S							X	S	S					2-4
single family detached	1	0000	X	X	X	X	X	X	X	X	X	S					42
two-family (including single family attached of no more than 2 attached units)	1	0000	S					S	X	X	S						2
dwelling, mobile home on individual lot: class A single-family	1	0000	S						X								3
class B single-family		0000															4
family care home (8 or less)	2	8361	X	X	X	X	X	X	X	X	X	X	X			X	5
family day-care home (3-5)	*	8122	S	S	S	S	S	S	S	S	S						6
home occupation, customary	*	0000	S	S	S	S	S	S	S	S	S						6
mobile home park	2	0000	S							S							7
planned unit development	2	0000															8

*SEE SR NOTE

- Site History:
 - Special Use Permit required for Multi-Family Residential Developments per Special Requirement 2 (Section 6.5 Special Requirements to the Table of Permitted and Special Uses)
 - SR 2 Requirements specify density, dimensional requirements, setbacks, access, etc.
 - Based on Total Land Square Footage (642,510 sq ft), the maximum allowable units is 255 (proposed is 154).
- SUP was approved by the Board of Adjustment on May 18, 2021.



- Site History:
 - SR 2. Two Family, Single-Family Attached and Multifamily Dwellings
 - d. In any case where more than one multi-family building, more than one two-family dwelling or more than one series of attached dwelling units are proposed to be constructed on one lot, such development shall be in conformance with the following residential group development standards:
 1. Site Plan. No zoning permit or building permit shall be issued for construction in a group residential development except in accordance with a site plan approved by the Planning Board, in accordance with the standards herein. In any case where land is to be dedicated in a group residential development, a Subdivision Plan may be required by the Subdivision Ordinance. Developments that are proposed to be developed under the North Carolina Unit Ownership Act shall meet the requirements of that Act by recording the declaration and plan with the Register of Deeds. Where land is to be conveyed in accordance with such declaration and plan, the developer shall first comply with the Subdivision Ordinance.



- Approval Process:
 - SUP was approved by the Board of Adjustment on May 18, 2021.
 - TRC approved Site Plan/Preliminary Plat on July 6, 2021.
 - Planning and Zoning Board approve Site Plan and recommend approval to Town Council regarding Preliminary Plat on July 19, 2021.
 - Town Council agenda on August 9, 2021.





SMALL AREA STUDY

West Main

West Main St can serve as the primary entrance to downtown and as a walkable neighborhood with smaller-scale businesses.

- D. Commercial infill and reuse of existing buildings** along Main St.
- E. Updates to Main St** to include sidewalks on north side and on-street parking (long term).
- F. Mix of residential** within walking distance to downtown.
- G. Expansion of office/employment uses.**

WALKABLE INFILL RESIDENTIAL SUPPORTS DOWNTOWN

Infill development can bring new residents and reinforce a vibrant streetscape.



COMMERCIAL REUSE ALONG WEST MAIN ST

Older homes could be renovated and reused as offices, shops or restaurants to expand the downtown district.

Staff Recommendation:

- Based on the applicant meeting the requirements of the Special Use Permit approved by the BOA, TRC, and Planning Board approval, Planning staff recommends approval.



Mayor Jackson asked for questions and discussion. Council and Staff held discussions and questions related to items like berms, sidewalks, flooding, stormwater systems, stormwater ponds housing types, and Section 8 assistance limits.

Motion made by Mayor Pro Tem Hines and seconded by Councilman Moye to approve the Eleven at Main Preliminary Plat. Motion carried, 4-1. Councilman Moore opposed.

5. Letter to Legislative Delegation.

Councilman Moore requested the Town send a letter to the Legislative Delegation members requesting the Town of Winterville be combined into one district. The Town is one of a few that is divided into different districts.

Motion made by Councilman Moore and seconded by Councilwoman Roberson to send a letter to the Legislative Delegation members requesting the Town of Winterville be combined into one district. Motion carried unanimously, 5-0.

OTHER AGENDA ITEMS:

1. Curb Project at A.G. Cox. Councilman Moore presented the following information from Tom Manning, Physical Education Teacher, A.G. Cox. "As you know the Watermelon festival is a big fundraiser for the AG Cox athletic department. We have 2 gates to access the field for parking cars. The gate at the baseball field has a curb and we usually build a ramp for cars to access the parking area. We would like the town to knock out the curb to give cars easier access to the field." Council and Staff discussed the situation and agreed to coordinate with A.G. Cox staff to resolve issue using a short-term ramp this year and a driveway cut in the future.
2. Designation of Railroad Street as Martin Luther King Street and speed bumps for the same area. Councilwoman Roberson presented comments information in favor of these items. The area under consideration would be from Tyson Street to Worthington Street, primarily on the side across the tracks from W.H. Robinson. Certain addressing policies may require both sides of the street may be renamed. Council and Staff discussed other general items relating to the topic.

Town Staff to study the feasibility and options of speed bumps on Railroad Street.

Motion made by Councilwoman Roberson and seconded by Councilman Moore for Staff to study the feasibility of speed bumps on Railroad Street, west of the tracks from Tyson Street to Worthington Street. Motion carried unanimously, 5-0.

Town Staff to study the feasibility and particulars of renaming Railroad Street from Tyson Street to Worthington Street.

Motion made by Councilwoman Roberson and seconded by Councilman Moyer for Staff to investigate renaming Railroad Street to Martin Luther King Street from Tyson Street to Worthington Street. Motion carried unanimously, 5-0.

ITEMS FOR FUTURE AGENDA/FUTURE WORK SESSIONS:

Councilman Moore requested Town Staff to study the parking traffic flow behind Town Hall. Town Staff study parking and traffic flow behind Town Hall and present results to Council.

Mayor Pro Tem Hines requested Town Staff investigate noise permits. Town Staff to investigate noise permits and present results to Council.

Councilwoman Roberson requested Town Staff to look at the safety and possible precautions at the intersection of Mill Street and Boyd Avenue. Town Staff study to look into safety concerns and precautions at Mill Street and Boyd Avenue intersection and present results to Council.

Mayor Jackson requested Town Staff look into the Junk Car Ordinance. Town Staff to enforce Junk Car Ordinance and study any needed changes and present results to Council.

ANNOUNCEMENTS: Town Clerk Harvey gave the following announcements.

1. Thursday, August 12, 2021 from 4:00 pm – 8:00 pm Rescheduled Back to School Splash and National Night Out; Winterville Square.
2. Monday, August 16, 2021 at 7:00 pm Planning & Zoning Board Meeting; Town Hall Assembly Room.
3. Tuesday, August 17, 2021 at 7:00 pm Board of Adjustment Meeting; Town Hall Assembly Room.
4. Thursday, August 26th – Saturday, August 28th Watermelon Festival.
5. Monday, September 6, 2021 Labor Day; Town Offices Closed.

REPORTS FROM THE TOWN ATTORNEY, MAYOR, AND TOWN COUNCIL, AND TOWN MANAGER:

Attorney Lassiter: No report, encourages all to attend the Watermelon Festival. Councilman Smith asked about status of condemnations? Electric Director Sutton reported on progress getting electric in the ground at new developments.

Councilman Moore: Thanks to Staff during repairs .

Mayor Pro Tem Roberson: Spoke about WAGES/BCBS for housing repairs. Enjoyed ALC workshop. Asked about SRO involvement and traffic flow when school starts? Police Chief Willhite noted he will be working with A.G. Cox folks for traffic flow during construction with start of school.

Councilman Smith: Noted problem with retention pond near his home. Code Enforcement and Public Works staff to look into the area.

Councilman Moyer: What is status on Wintergreen Development? Planning Director Jones to report to Council on status of Evergreen Senior Development next month. Pandemic still critical, everyone be careful.

Councilman Hines: Pandemic is real, today it took a friend of many of us here at the Town. A lonely feeling.

Manager Parker: None

Mayor Jackson: Be careful with pandemic. Still impacting many people.

Assistant Town Manager Williams: Reported on sewer rehab progress, street closings, and delays.

Several Council Members and Mayor noted need to be careful with Delta variant of coronavirus spreading.

ADJOURN:

Motion made by Mayor Pro Tem Hines and seconded by Councilman Smith to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 8:54 pm.

Adopted this the 13th day of September 2021.

Douglas A. Jackson, Mayor

ATTEST:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 13, 2021

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: Winterville Interconnect Site - Annexation (Parcel 82612).

Action Requested: Set Public Hearing for October 11, 2021.

Attachment: Annexation Petition, Annexation Map, Legal Description, Resolution to Certify Sufficiency, and Certificate of Sufficiency.

Prepared By: Bryan Jones, Planning Director

Date: 8/26/2021

ABSTRACT ROUTING:

TC: 9/7/2021

TM: 9/7/2021

Final: tlp - 9/7/2021

Supporting Documentation

The Town of Winterville (property owner of Parcel 82612 – Interconnect Site) is applying for annexation into the Town limits.

Winterville Interconnect Site:

Location: Worthington Road east of its intersection with Old Tar Road.

Size: 0.8 Acres

Annexation Process:

- ❖ 1st Council Meeting: Direct Town Clerk to Investigate the Sufficiency of the Annexation (8/9/2021).
- ❖ 2nd Council Meeting: Schedule a Public Hearing for the Annexation (9/13/2021).
- ❖ 3rd Council Meeting: Hold Public Hearing on the Annexation (10/11/2021).

Budgetary Impact: TBD.

Recommendation: Schedule the Public Hearing for October 11, 2021.

PETITION REQUESTING ANNEXATION
(WORTHINGTON ROAD INTERCONNECT SITE)

Date: 7/28/2021

To the Mayor and Town Council of the Town of Winterville:

1. We the undersigned owners of real property respectfully requested that the area described in Paragraph 2 below be annexed to the Town of Winterville.

2. The area to be annexed is contiguous to the Town of Winterville and the boundaries of such territory are as follows:

Description

Lying and being in Winterville Township, Pitt County, North Carolina and more particularly described as follows:

Being all of that 0.802 acre tract as shown on map entitled "Final Plat of Minor Subdivision Prepared For: The Town of Winterville on the Lands of Fenner Leslie Allen III et als", made by The Wooten Company, recorded July 2, 2015 in Map Book 79, Page 29, Pitt County Registry, said map being incorporated herein by reference for a more detailed description.

Name Town of Winterville do Address 2571 Railroad Street
Terri L. Parker Winterville, NC 28540

Signature Terri L. Parker

Name _____ Address _____

Signature _____

Name _____ Address _____

Signature _____



MAG NAIL SET AT INTERSECTION OF WORTHINGTON & COREY ROADS
 N: 651,442.99
 E: 2,487,524.90

N 70°44'01" E 2,087.08' (GRID)
 COMBINED SCALE FACTOR: 1,000/8896
 LINE NOT TO SCALE

CONTROL CORNER
 5/8" REBAR
 N: 650,754.34
 E: 2,485,554.70

NOW OR FORMERLY
 JULIA WORTHINGTON KEVILLE AND
 HUSBAND GEORGE W. KEVILLE
 AS TENANTS BY THE ENTIRETY
 DEED BOOK 8 PAGE 352-117
 MAP BOOK & PAGE 79-29
 GIS/DEEDED ACREAGE: 2.65
 1030 WORTHINGTON RD.

N 57°43'47" W 38.76'
 TIE LINE TO MAG NAIL SET
 CENTERLINE INTERSECTION
 OF ROAD AND CANAL

N 57°46'30" W 180.71'

N 171°30'14" E 33.17'

N 18°22'04" E 125.00'

N 70°44'01" E 2,087.08' (GRID)
 COMBINED SCALE FACTOR: 1,000/8896
 LINE NOT TO SCALE

N 171°30'14" E 33.17'

N 18°22'04" E 125.00'

N 70°44'01" E 2,087.08' (GRID)
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 COMBINED SCALE FACTOR: 1,000/8896
 LINE NOT TO SCALE

N 171°30'14" E 33.17'

N 18°22'04" E 125.00'

ACCESS EASEMENT
 RETAINED BY OWNER

NOW OR FORMERLY
 TOWN OF WINTERVILLE
 DEED BOOK & PAGE 3343-79
 MAP BOOK & PAGE 79-29
 PARCEL ID# 82612
 GIS/DEEDED ACREAGE: 0.802
 978 WORTHINGTON RD.

NOW OR FORMERLY
 FENNER L. ALLEN III ETALS
 DEED BOOK & PAGE H41-665
 PARCEL ID# 00261
 GIS/DEEDED ACREAGE: 109.26
 1124 WORTHINGTON RD.

NOW OR FORMERLY
 BILL CLARK HOMES OF GREENVILLE, LLC
 DEED BOOK & PAGE 3778-845
 MAP BOOK & PAGE 86-155
 PARCEL ID# 25777
 GIS/DEEDED ACREAGE: 7.47
 0 WORTHINGTON RD.

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 0 WORTHINGTON RD.

60' PUBLIC RIGHT-OF-WAY
 WORTHINGTON ROAD (SR 1711)
 ELECTRIC EASEMENT TO N 30'
 GREENVILLE UTILITIES COMMISSION
 PER M.B. 79 PG. 29

NON-BUILDABLE FOR SEPTIC USE

75' SOUTHWEST DRAINAGE
 CONTROL EASEMENT
 PER M.B. 79 PG. 29

EXISTING CITY LIMIT LINE
 PER M.B. 86 PG. 161
 ORDINANCE NO. 21-0-031

EXISTING CITY LIMIT LINE
 PER M.B. 86 PG. 161
 ORDINANCE NO. 21-0-031

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 PER M.B. 86 PG. 161
 ORDINANCE NO. 21-0-031

EXISTING CITY LIMIT LINE
 PER M.B. 86 PG. 161
 ORDINANCE NO. 21-0-031

NEW CITY
 LIMIT LINE

FEMA AE ZONE

ACCESS EASEMENT
 RETAINED BY OWNER

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 PER M.B. 79 PG. 29

NON-BUILDABLE FOR SEPTIC USE

75' SOUTHWEST DRAINAGE
 CONTROL EASEMENT
 PER M.B. 79 PG. 29

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 PER M.B. 86 PG. 161
 ORDINANCE NO. 21-0-031

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 PER M.B. 86 PG. 161
 ORDINANCE NO. 21-0-031

EXISTING CITY LIMIT LINE
 PER M.B. 86 PG. 161
 ORDINANCE NO. 21-0-031

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 PER M.B. 86 PG. 161
 ORDINANCE NO. 21-0-031

EXISTING CITY LIMIT LINE
 PER M.B. 86 PG. 161
 ORDINANCE NO. 21-0-031

NEW CITY
 LIMIT LINE

FEMA AE ZONE

ACCESS EASEMENT
 RETAINED BY OWNER

NOW OR FORMERLY
 TOWN OF WINTERVILLE
 DEED BOOK & PAGE 3343-79
 MAP BOOK & PAGE 79-29
 PARCEL ID# 82612
 GIS/DEEDED ACREAGE: 0.802
 978 WORTHINGTON RD.

NOW OR FORMERLY
 FENNER L. ALLEN III ETALS
 DEED BOOK & PAGE H41-665
 PARCEL ID# 00261
 GIS/DEEDED ACREAGE: 109.26
 1124 WORTHINGTON RD.

NOW OR FORMERLY
 BILL CLARK HOMES OF GREENVILLE, LLC
 DEED BOOK & PAGE 3778-845
 MAP BOOK & PAGE 86-155
 PARCEL ID# 25777
 GIS/DEEDED ACREAGE: 7.47
 0 WORTHINGTON RD.

NOW OR FORMERLY
 TOWN OF WINTERVILLE
 DEED BOOK & PAGE 3343-79
 MAP BOOK & PAGE 79-29
 PARCEL ID# 82612
 GIS/DEEDED ACREAGE: 0.802
 978 WORTHINGTON RD.

NOW OR FORMERLY
 JULIA WORTHINGTON KEVILLE AND
 HUSBAND GEORGE W. KEVILLE
 AS TENANTS BY THE ENTIRETY
 DEED BOOK 8 PAGE 352-117
 MAP BOOK & PAGE 79-29
 GIS/DEEDED ACREAGE: 2.65
 1030 WORTHINGTON RD.

NOW OR FORMERLY
 FENNER L. ALLEN III ETALS
 DEED BOOK & PAGE H41-665
 PARCEL ID# 00261
 GIS/DEEDED ACREAGE: 109.26
 1124 WORTHINGTON RD.

NOW OR FORMERLY
 BILL CLARK HOMES OF GREENVILLE, LLC
 DEED BOOK & PAGE 3778-845
 MAP BOOK & PAGE 86-155
 PARCEL ID# 25777
 GIS/DEEDED ACREAGE: 7.47
 0 WORTHINGTON RD.

60' PUBLIC RIGHT-OF-WAY
 WORTHINGTON ROAD (SR 1711)
 ELECTRIC EASEMENT TO N 30'
 GREENVILLE UTILITIES COMMISSION
 PER M.B. 79 PG. 29

NON-BUILDABLE FOR SEPTIC USE

75' SOUTHWEST DRAINAGE
 CONTROL EASEMENT
 PER M.B. 79 PG. 29

EXISTING CITY LIMIT LINE
 PER M.B. 86 PG. 161
 ORDINANCE NO. 21-0-031

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 LIMIT LINE

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 GREENVILLE UTILITIES COMMISSION
 PER M.B. 79 PG. 29

NON-BUILDABLE FOR SEPTIC USE

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 CONTROL EASEMENT
 PER M.B. 79 PG. 29

EXISTING CITY LIMIT LINE
 PER M.B. 86 PG. 161
 ORDINANCE NO. 21-0-031

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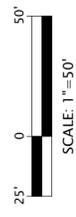
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EXISTING CITY LIMIT LINE
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 ORDINANCE NO. 21-0-031

THIS MAP WAS PREPARED FROM RECORDED INFORMATION AND NOT FROM AN ACTUAL SURVEY.

PRELIMINARY
 NOT FOR RECORDATION,
 CONVEYANCE, OR SALES

LEGEND	
●	COMPUTED POINT UNLESS OTHERWISE NOTED
D.B.	DEED BOOK
B.M.	BOOK OF MAPS
PG.	PAGE
SF	SQUARE FEET
R/W	RIGHT-OF-WAY
---	EASEMENT LINE (TYPE AS NOTED)
---	R/W LINE



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 License Number: F-0115

FIELD SURVEY BY:	TWC	ANNEXATION MAP FOR "NEW LOT" - M.B. 79 PG.29	DATE:	07/23/2021
FIELD SURVEY DATE:	N/A	0.802 ACRES	PROJECT No.:	2853-AP
DRAWN BY:	SEH	ACROSS THE PROPERTY OF: TOWN OF WINTERVILLE	DOCUMENT No.:	2853AP-C002
CHECKED BY:	SEH	Deed Book: 3343 Page: 79 Map Book: 79 Page: 29	SHEET No.:	1 OF 1
		WINTERVILLE TOWNSHIP	PITT COUNTY	NORTH CAROLINA

LEGAL DESCRIPTION FOR ANNEXATION

WINTERVILLE INTERCONNECT SITE

Lying and being in Winterville Township, Pitt County, North Carolina and more particularly described as follows:

Being all of that 0.802 acre tract as shown on map entitled "Final Plat of Minor Subdivision Prepared For: The Town of Winterville on the Lands of Fenner Leslie Allen III et als", made by The Wooten Company, recorded July 2, 2015 in Map Book 79, Page 29, Pitt County Registry, said map being incorporated herein by reference for a more detailed description.

**RESOLUTION DIRECTING THE TOWN CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER NCGS 160A-31**

**OLD TAR ROAD PUMP STATION
PARCEL 83155**

WHEREAS, a petition requesting annexation of an area described in said petition were received July 28, 2021 by the Town Council; and

WHEREAS, NCGS 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Winterville seems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Winterville that:

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of the investigation.

Adopted this the 9th day of August 2021.



Douglas A. Jackson

Douglas A. Jackson, Mayor

ATTEST:

Donald Harvey

Donald Harvey, Town Clerk

CERTIFICATE OF SUFFICIENCY

**WINTERVILLE INTERCONNECT SITE
PARCEL 82612**

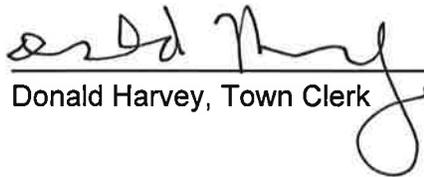
To the Town Council of the Town of Winterville, North Carolina:

I, Donald Harvey, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described herein, in accordance with NCGS 160A-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Winterville this the 10th day of August 2021.

ATTEST:





Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 13, 2021

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: Old Tar Road Pump Station – Annexation (Parcel 83155).

Action Requested: Set the Public Hearing for October 11, 2021.

Attachment: Annexation Petition, Annexation Map, Legal Description, Resolution to Certify Sufficiency, and Certificate of Sufficiency.

Prepared By: Bryan Jones, Planning Director

Date: 8/26/2021

ABSTRACT ROUTING:

TC: 9/7/2021

TM: 9/7/2021

Final: tlp - 9/7/2021

Supporting Documentation

The Town of Winterville (property owner of Parcel 83155) is applying for annexation into the Town limits.

Old Tar Road Pump Station:

Location: Old Tar Road south of its intersection with Worthington Road.

Size: 0.15 Acres

Annexation Process:

- ❖ 1st Council Meeting: Direct Town Clerk to Investigate the Sufficiency of the Annexation (8/9/2021).
- ❖ 2nd Council Meeting: Schedule a Public Hearing for the Annexation (9/13/2021).
- ❖ 3rd Council Meeting: Hold Public Hearing on the Annexation (10/11/2021).

Budgetary Impact: TBD.

Recommendation: Schedule the Public Hearing for October 11, 2021.

PETITION REQUESTING ANNEXATION
(OLD TAR ROAD PUMP STATION)

Date: 7/28/2021

To the Mayor and Town Council of the Town of Winterville:

1. We the undersigned owners of real property respectfully requested that the area described in Paragraph 2 below be annexed to the Town of Winterville.

2. The area to be annexed is contiguous to the Town of Winterville and the boundaries of such territory are as follows:

Description

Lying and being in Winterville Township, Pitt County, North Carolina and more particularly described as follows:

Being all of that 0.147 acre (6,400 square feet) tract as shown on map entitled "Final Plat of Minor Subdivision Prepared For: The Town of Winterville on the Lands of Karl W. McLawhorn Jr and Karla M. Allen", made by The Wooten Company, said map being recorded in Book 80, Page 47 of the Pitt County Registry, and incorporated herein by reference for a more detailed description.

Name Town of Winterville do Address 2571 Railroad Street
Terni L. Parker Winterville, NC 28590

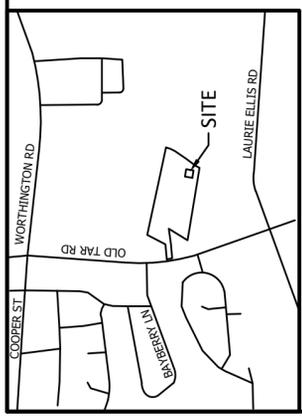
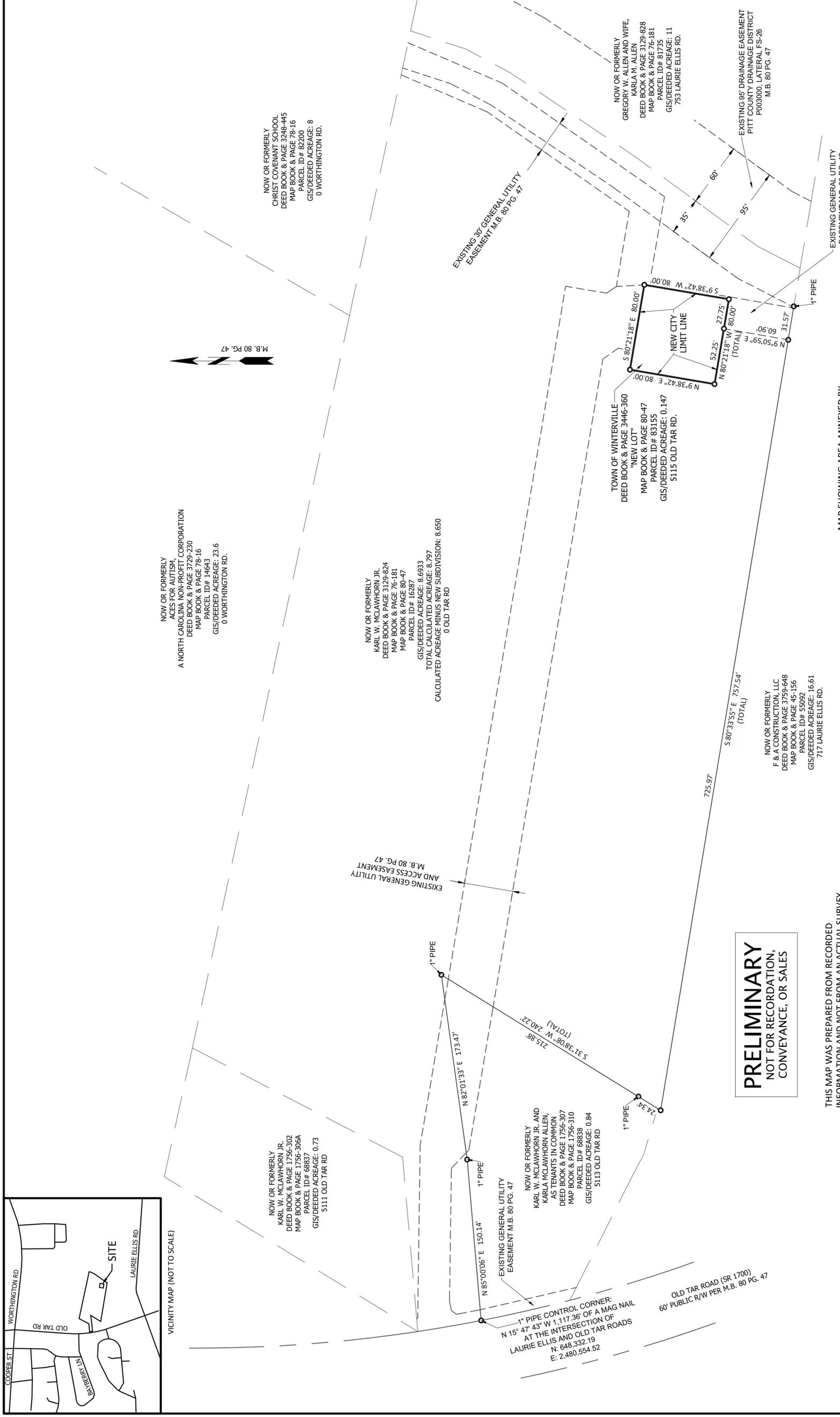
Signature Terni L Parker

Name _____ Address _____

Signature _____

Name _____ Address _____

Signature _____



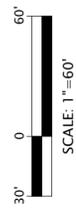
VICINITY MAP (NOT TO SCALE)

PRELIMINARY
NOT FOR RECORDATION,
CONVEYANCE, OR SALES

THIS MAP WAS PREPARED FROM RECORDED
INFORMATION AND NOT FROM AN ACTUAL SURVEY.

LEGEND

- COMPUTED POINT UNLESS OTHERWISE NOTED
- D.B. DEED BOOK
- B.M. BOOK OF MAPS
- PG. PAGE
- SF. SQUARE FEET
- R/W. RIGHT OF WAY
- EASEMENT LINE (TYPE AS NOTED)
- R/W LINE



MAP SHOWING AREA ANNEXED BY
TOWN OF WINTERVILLE, N.C.
ORDINANCE NO. _____ AREA: 0.147 ACRES
ACCEPTED FOR THE TOWN OF WINTERVILLE

MAYOR DATE

FIELD SURVEY BY:	TWC	ANNEXATION MAP FOR "NEW LOT" - M.B. 80 PG. 47	DATE:	07/23/2021
FIELD SURVEY DATE:	N/A	0.147 ACRES	PROJECT No.:	2853-AP
DRAWN BY:	SEH	ACROSS THE PROPERTY OF: TOWN OF WINTERVILLE Deed Book: 3446 Page: 360 Map Book: 80 Page: 47	DOCUMENT No.:	2853AP-C001
CHECKED BY:	SEH	WINTERVILLE TOWNSHIP	SHEET No.:	1 OF 1
		PITT COUNTY		
		NORTH CAROLINA		

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License Number: F-0115

LEGAL DESCRIPTION FOR ANNEXATION

OLD TAR ROAD PUMP STATION

Lying and being in Winterville Township, Pitt County, North Carolina and more particularly described as follows;

Being all of that 0.147 acre (6,400 square feet) tract as shown on map entitled "Final Plat of Minor Subdivision Prepared for: The Town of Winterville on the Lands of Karl W. McLawhorn Jr and Karla M. Allen", made by the Wooten Company, said map being recorded in Book 80, Page 47 of the Pitt County Registry, and incorporated herein by reference for a more detailed description.

**RESOLUTION DIRECTING THE TOWN CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER NCGS 160A-31**

**WINTERVILLE INTERCONNECT SITE
PARCEL 82612**

WHEREAS, a petition requesting annexation of an area described in said petition were received July 28, 2021 by the Town Council; and

WHEREAS, NCGS 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Winterville seems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Winterville that:

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of the investigation.

Adopted this the 9th day of August 2021.



Douglas A. Jackson

Douglas A. Jackson, Mayor

ATTEST:

Donald Harvey

Donald Harvey, Town Clerk

CERTIFICATE OF SUFFICIENCY

**WINTERVILLE OLD TAR ROAD PUMP STATION
PARCEL 83155**

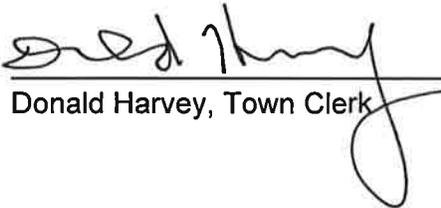
To the Town Council of the Town of Winterville, North Carolina:

I, Donald Harvey, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described herein, in accordance with NCGS 160A-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Winterville this the 10th day of August 2021.

ATTEST:





Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 13, 2021

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: Holly Grove, Section 2 – Annexation. (Parcels 07841 and 85535).

Action Requested: Direct Town Clerk to Investigate the Sufficiency of Annexation.

Attachment: Annexation Petition, Annexation Map, Legal Description, and Resolution 21-R-091.

Prepared By: Bryan Jones, Planning Director

Date: 8/26/2021

ABSTRACT ROUTING:

TC: 9/7/2021

TM: 9/7/2021

Final: tlp - 9/7/2021

Supporting Documentation

The property owner (Carolina Eastern Homes, LLC) of Parcels 07841 and 85535 (Holly Grove, Section 2) is applying for annexation into the Town limits.

Holly Grove, Section 2:

Location: Church Street Ext. south of its intersection with Laurie Ellis Road

Size: 33 Lots, 13.61 Acres

Zoned: 12.5 CD

Annexation Process:

- ❖ 1st Council Meeting: Direct Town Clerk to Investigate the Sufficiency of the Annexation (9/13/2021).
- ❖ 2nd Council Meeting: Schedule a Public Hearing for the Annexation (10/11/2021).
- ❖ 3rd Council Meeting: Hold Public Hearing on the Annexation (11/8/2021).

Budgetary Impact: TBD

Recommendation: Direct Town Clerk to Investigate Sufficiency.

PETITION REQUESTING ANNEXATION

Date: 26 AUGUST 2021

To the Mayor and Town Council of the Town of Winterville:

1. We the undersigned owners of real property respectfully requested that the area described in Paragraph 2 below be annexed to the Town of Winterville.

2. The area to be annexed is contiguous to the Town of Winterville and the boundaries of such territory are as follows:

Description

Carolina Eastern Homes LLC
Name RIDALE BRIM - Member MANAGER Address 710 ARENDELL ST, SUITE 201
Signature [Signature] MOREHEAD CITY NC 28557

Name _____ Address _____

Signature _____

Name _____ Address _____

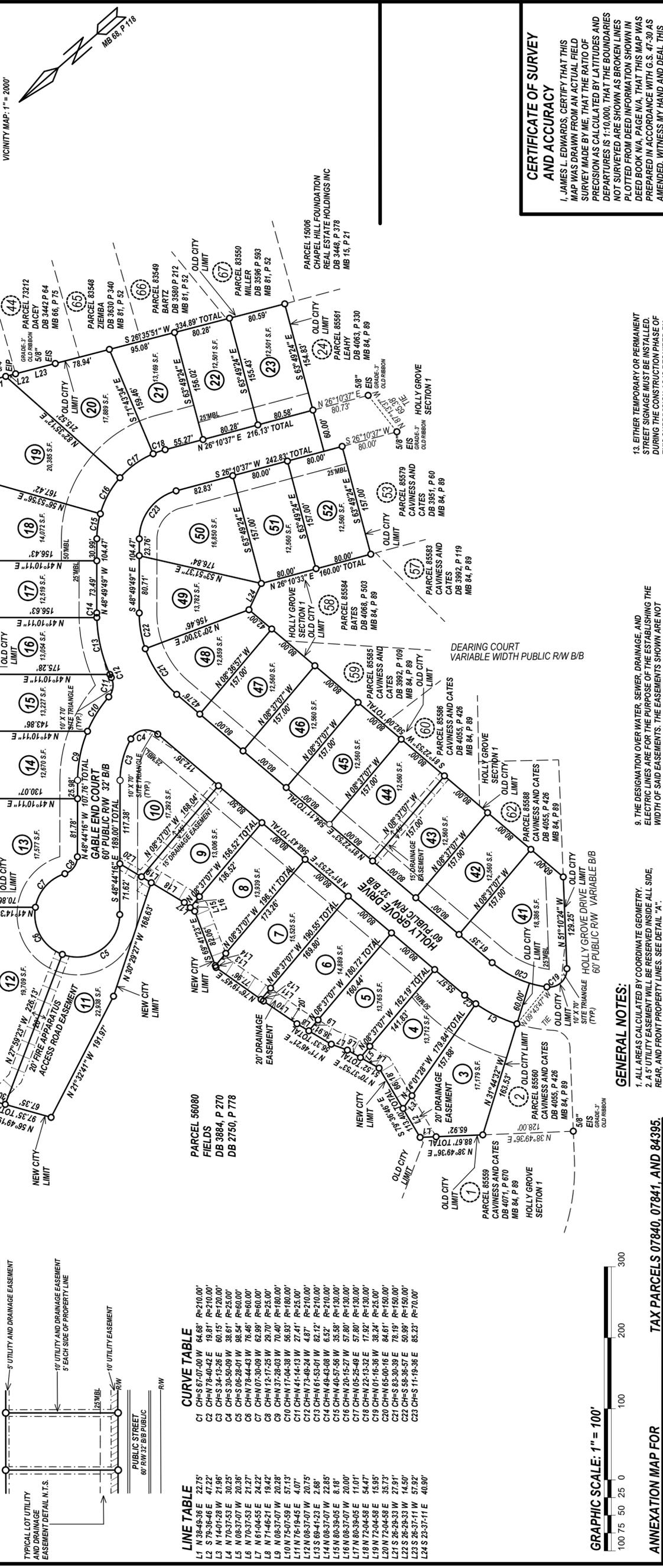
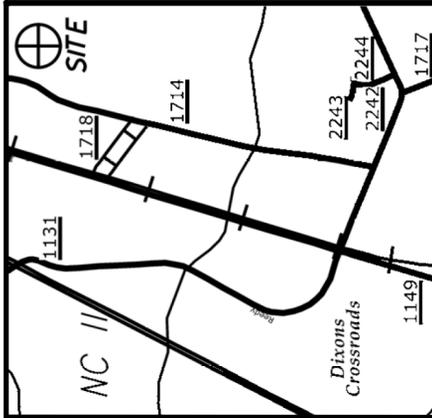
Signature _____

LEGEND:
 NIS = NEW #5 REBAR
 NPS = NO POINT SET
 EIP = EXISTING IRON PIPE
 PP = POWER POLE
 EIS = EXISTING IRON STAKE
 B/B = BACK OF CURB TO BACK OF CURB
 R/W = RIGHT OF WAY
 NPK = NEW PK NAIL
 CLR INT = CENTERLINE ROAD INTERSECTION
 MBL = MINIMUM BUILDING LINE
 ERRS = EXISTING RAILROAD SPIKE
 ---X--- = FENCE
 ---E--- = OVERHEAD ELECTRIC
 --- = NOT TO SCALE

SITE DATA:
 TOTAL AREA IN TRACT = 13.61 ACRES
 TOTAL AREA EXCLUDING R/W = 11.21 ACRES
 (R/W = 2.40 ACRES)
 NUMBER OF LOTS CREATED = 33
 AREA IN COMMON = 0
 AREA IN PARKS, RECREATION AREAS, AND THE LIKE = 0
 LINEAR FEET IN STREETS = 2,290 L.F.
 ZONING CLASSIFICATION = R-12.5
 AVERAGE LOT SIZE = 14,547 S.F. (R-12.5)

EASEMENT NOTES:
 1. WATER MAINS AND SERVICES HAVE 10' UTILITY EASEMENTS CENTERED ON LINES AS INSTALLED INCLUDING THOSE EXTENDING INTO SECTION 2.
 2. SANITARY SEWER MAINS AND SERVICES HAVE 20' UTILITY EASEMENTS CENTERED ON LINES AS INSTALLED INCLUDING THOSE EXTENDING INTO SECTION 2.
 3. SANITARY SEWER MAINS LESS THAN 6' DEEP HAVE A 20' UTILITY EASEMENT CENTERED ON SEWER LINES AS INSTALLED.
 4. SANITARY SEWER MAINS 6'-15' HAVE A 30' UTILITY EASEMENT CENTERED ON SEWER LINES AS INSTALLED.
 5. SANITARY SEWER MAINS GREATER THAN 15' DEEP HAVE A 40' EASEMENT CENTERED ON SEWER LINE AS INSTALLED.

STORM DRAINAGE WIDTHS:
 15" RCP = 10' EASEMENT
 18" RCP = 15' EASEMENT
 24" RCP = 20' EASEMENT
 30" RCP = 25' EASEMENT
 36" RCP = 30' EASEMENT
 42" RCP = 35' EASEMENT
 48" RCP = 40' EASEMENT
 ALL OTHERS ARE 10' WIDE
 DITCHES = AS NOTED.



ANNEXATION MAP FOR TAX PARCELS 07840, 07841, AND 84395
HOLLY GROVE SUBDIVISION
 SECTION 2
 REFERENCE: DEED BOOK 3636, PAGES 631-636 OF THE PITT COUNTY REGISTER OF DEEDS.
 WINTERVILLE TOWNSHIP, PITT COUNTY, NC
 OWNER: CAROLINA EASTERN HOMES, LLC
 ADDRESS: P.O. BOX 235
 MOREHEAD CITY, NC, 28557
 PHONE: (252) 725-5375

GENERAL NOTES:
 1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
 2. A 5' UTILITY EASEMENT WILL BE RESERVED INSIDE ALL SIDE, REAR, AND FRONT PROPERTY LINES. SEE DETAIL "A".
 3. NEW 3/8" IRON STAKES TO BE SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
 4. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. REFERENCE: FIRM 3720467400J, DATED JAN. 2, 2004.
 5. MAINTENANCE OF COMMON AREA AND STORMWATER POND.
 6. NO IRON STAKES ARE SET IN CENTERLINE OF DITCHES UNLESS OTHERWISE NOTED.
 7. MAXIMUM BUILT UPON AREA ON EACH LOT IS NOT EXCEED 4.84 S.F.
 8. NO COMBUSTIBLES SHALL BE BROUGHT ON SITE OF THE HOMES BEING CONSTRUCTED UNTIL THE WATERHYDRANTS ARE AVAILABLE FOR FIRE PROTECTION IN THE EVENT OF AN EMERGENCY, AS DRAWN IN THE PRELIMINARY PLAT.

GENERAL NOTES:
 9. THE DESIGNATION OVER WATER, SEWER, DRAINAGE, AND ELECTRIC LINES ARE FOR THE PURPOSE OF THE ESTABLISHING THE WIDTH OF SAID EASEMENTS. THE EASEMENTS SHOWN ARE NOT EXCLUSIVE AND WILL PERMIT THE FUTURE INSTALLATION OF WATER, SANITARY SEWER, DRAINAGE, AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
 10. NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS, AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONAL OR APPURTENANCES THERETO, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE CONTAINERS, MAIL RECEPTACLES AND IMPERVIOUS SURFACES, SHALL ENCRUSH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL FROM THE TOWN OF WINTERVILLE.
 11. ALL UTILITY AND DRAINAGE EASEMENTS ARE CENTERED ON LINES AS INSTALLED UNLESS OTHERWISE NOTED.
 12. BMP MAINTENANCE AGREEMENT MUST BE RECORDED BEFORE APPROVAL OF FINAL PLAT.

GENERAL NOTES:
 13. EITHER TEMPORARY OR PERMANENT STREET SIGNAGE MUST BE INSTALLED DURING THE CONSTRUCTION PHASE OF THIS SUBDIVISION AS IS REQUIRED BY THE 2012 NC FIRE CODE.
 14. DRAINAGE SWALES TO BE MAINTAINED BY HOMEOWNER'S ASSOCIATION.
 15. LOTS 22 AND 23 ARE THE SMALLEST LOTS (12,301 S.F.)

CERTIFICATE OF SURVEY AND ACCURACY
 I, JAMES L. EDWARDS, CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL FIELD SURVEY MADE BY ME, THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000, THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM DEED INFORMATION SHOWN IN DEED BOOK NO. PAGE N/A, THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY HAND AND SEAL THIS 24th DAY OF AUGUST, 2021. I CERTIFY THAT THIS SURVEY IS AN EXCEPTION TO THE DEFINITION OF SUBDIVISION.

JAMES L. EDWARDS, P.L.S. L-4867

MAP SHOWING AREA ANNEXED BY TOWN OF WINTERVILLE, NC
 ORDINANCE NO. _____ AREA: 13.61 ACRES
 ACCEPTED FOR THE TOWN OF WINTERVILLE

 MAYOR DATE

(252) 714-7374
 362 SECOND STREET,
 AYDEN, NC, 28513

Legal Description

Holly Grove, Section 2

Lying and being situated in Winterville Township, Pitt County, North Carolina and being more particularly described as follows:

Beginning at an existing iron stake, being the Northwestern Property Corner for Lot 2, and being located in the Eastern Property Line of Lot 1, said point being located N 38-49-36 E 128.00 feet from the Property Corner of Lots 1 and 2 in the Northern Right of Way of Holly Grove Drive, thence N 38-49-36 E 88.67 feet to a No Point Set in the centerline of a ditch, thence with the centerline of said ditch S 79-36-46 E 113.40 feet to another No Point Set in the centerline bend of a ditch, thence N 70-37-53 E 51.52 feet with the centerline of a ditch to another No Point Set in the centerline bend of a ditch, thence N 61-04-55 E 24.22 feet with the centerline of said ditch to a No Point Set in the bend of the ditch, thence N 71-46-21 E 56.33 feet with the centerline of said ditch to a bend in the ditch, thence N 75-07-59 E 57.13 feet with the centerline of said ditch to a No Point Set in the bend of the ditch, thence N 76-19-45 E 4.07 feet with the centerline of said ditch to a No Point Set in the bend of the ditch thence N 76-19-45 E 77.96 feet with the centerline of said ditch to a No Point Set in the bend of a ditch, thence S 69-41-23 E 2.68 feet with the centerline of said ditch to a No Point Set in the bend of the ditch, thence S 69-41-23 E 82.06 feet with the centerline of said ditch to a No Point Set in a bend in the ditch, thence N 80-39-05 E 8.18 feet with the centerline of said ditch to a No Point Set in a bend in the ditch, thence N 80-39-05 E 11.01 feet with the centerline of said ditch to a No Point Set in a bend in the ditch, thence N 72-04-58 E 54.47 feet with the centerline of said ditch to a No Point Set in a bend in the ditch, thence N 30-29-27 W 168.63 feet to a New Iron Set, thence N 21-32-41 W 191.97 feet to a New Iron Set, thence N 56-49-19 E 97.35 feet to a New Iron Set, thence S 48-45-24 E 1009.94 feet to an Existing Iron Pipe, thence S 26-29-33 W 27.91 feet to an Existing Iron Pipe, thence S 26-29-33 W 14.50 feet to a New Iron Stake, thence S 26-37-11 W 57.92 feet to an Existing Iron Stake, thence S 26-35-51 W 334.89 feet to a New Iron Set, thence N 63-49-24 W 214.83 feet to a No Point Set, thence S 26-10-37 W 26.70 feet to a New Iron Set, thence N 63-49-24 W 157.00 to a New Iron Stake, thence N 26-10-33 E 160.00 feet to a New Iron Set, thence N 23-37-11 W 40.90 to a New Iron Set, thence S 81-22-53 W 582.00 feet to a New Iron Set, thence N 51-10-24 W 129.25 to a New Iron Set, thence clockwise around a Curve with a 25.00 foot Radius with a Chord of N 01-16-36 W 38.24 feet, thence clockwise around a curve with a 150.00 foot Radius with a Chord of N 53-26-21 E 25.20 feet to a No Point Set, thence N 31-44-32 W 60.00 to the Point of Beginning.

**RESOLUTION DIRECTING THE TOWN CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER NCGS 160A-31**

**HOLLY GROVE, SECTION 2
PARCELS 07841 AND 85535**

WHEREAS, a petition requesting annexation of an area described in said petition was received August 26, 2021 by the Town Council; and

WHEREAS, NCGS 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Winterville seems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Winterville that:

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of the investigation.

Adopted this the 13th day of September 2021.

Douglas A. Jackson, Mayor

ATTEST:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 13, 2021

Presenter: Anthony Bowers, Finance Director

Item to be Considered

Subject: Budget Amendment 2021-2022-2.

Action Requested: Approve the Budget Amendment.

Attachment: Budget Amendment 2021-2022-2.

Prepared By: Anthony Bowers, Finance Director

Date: 8/31/2021

ABSTRACT ROUTING:

TC: 9/7/2021

TM: 9/7/2021

Final: tlp - 9/7/2021

Supporting Documentation

This is the second budget amendment for the 2021-2022 Fiscal Year.

This amendment addresses the use of Asset Forfeiture Funds. These funds are restricted by general statute and can only be used for law enforcement purposes.

Police Chief Willhite would like to use \$30,000 to cover the cost of purchasing 12 new MTD Computer systems for the patrol cars.

Budgetary Impact: The total budget amendment is \$30,000.00.

Recommendation: Approve the Budget Amendment.

BUDGET ORDINANCE AMENDMENT 20-21-2

BE IT ORDAINED by the Governing Board of the Town of Winterville, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2022:

SECTION 1. Revenues are to be changed as follows:

LINE ITEM DESCRIPTION			Fund	Increase	Decrease
Fund Balance Contribution		10	3831 General Fund	\$ 30,000	
Total				\$ 30,000	\$ -

SECTION 2. Appropriations are to be changed as follows:

LINE ITEM DESCRIPTION			Department	Fund	Increase	Decrease
Contract Service	10-4310-00-4263		Police	General Fund	\$ 30,000	
Total					\$ 30,000	\$ -

Adopted the 13th day of August 2021.

Mayor

Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: September 13, 2021

Presenter: Anthony Bowers, Finance Director

Item to be Considered

Subject: Adoption of the American Recovery Plan Grant Fund.

Action Requested: Approve ARP Grant Budget Ordinance.

Attachment: ARP Grant Budget Ordinance.

Prepared By: Anthony Bowers, Finance Director

Date: 8/31/2021

ABSTRACT ROUTING:

TC: 9/7/2021

TM: 9/7/2021

Final: tlp - 9/7/2021

Supporting Documentation

As a result of the recent federal stimulus package, the Town of Winterville will receive \$3,164,984 in funding for projects that are defined in the scope of the ARP Funding guidelines. One of the items that is allowed in the Interim Final Rule is the construction of stormwater infrastructure. The council previously discussed the various options allowed by the grant, and the Council gave staff the indication that the funds should be spent on stormwater projects.

The good part of establishing the grant fund is that we have the flexibility to modify the allocations into different categories if so, determined by the Council.

Like all other funds, we can amend the grant fund to account for changes that may occur throughout the life of the grant. We are anticipating additional funding opportunities to partner with the State of North Carolina. They are currently working to determine how they will allocate the funds they received.

Budgetary Impact: The total ARP Grant Budget Ordinance is \$3,164,984.

Recommendation: Approve the Grant Budget Ordinance.

**TOWN OF WINTERVILLE
BUDGET ORDINANCE
AMERICAN RECOVERY PLAN GRANT FUND**

BE IT ORDAINED by the Town Council of the Town of Winterville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: The grant authorization is for the design and construction of Storm Water infrastructure in the Town of Winterville. Funding for this project is provided by grant proceeds from the Federal Government in the form of ARP (American Recovery Plan) funds.

Section 2: The following amounts are appropriated for the project:

<u>Storm Water – Infrastructure</u>	\$3,164,984
	\$3,164,984

Section 3: The following revenue is anticipated to be available for this project:

<u>Grant Funding – ARP Proceeds</u>	\$3,164,984
	\$3,164,984

Section 4: The Finance Officer is hereby directed to maintain within the Grant Fund sufficient detailed accounting records to satisfy the requirements of the grant guidelines.

Section 5: Funds may be provided from the Storm Water Fund or from the General Fund for the purpose of supplementing the funds provided from the Federal and State Governments.

Section 6: Funds may be combined with additional funds considered to be eligible from the State of North Carolina. The combined funds can be used to leverage the two sources of funding to increase the scope of the project.

Section 7: The Finance Director is directed to report, on a monthly basis, the financial status of each project element in Section 2 and on the total revenues received or claimed.

Section 8: The Town management has the ability to amend the budget at the line item level as long as the amendments do not increase or decrease the overall budget total for the fund. Any changes to the fund total will require Town Council approval.

Section 9: Copies of this grant ordinance shall be furnished to the Town Clerk, Governing Board, Finance Director, and Town Manager (Budget Officer) to be kept on file by them for their direction in the disbursement of funds.

Adopted this 13th day of September 13th, 2021

Douglas A. Jackson, Mayor

Attest:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: September 13, 2021

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: Holly Grove, Section 2 – Final Plat.

Action Requested: Approval of Final Plat.

Attachment: Final Plat.

Prepared By: Bryan Jones, Planning Director

Date: 8/26/2021

ABSTRACT ROUTING:

TC: 9/7/2021

TM: 9/7/2021

Final: tlp - 9/7/2021

Supporting Documentation

Holly Grove, Section 2 – Final Plat:

Location: Church Street Ext south of its intersection with Laurie Ellis Road.

Parcel Numbers: 85535 and 07841.

Site Data: 33 Lots, 13.61 Acres

Zoning District: R – 12.5 CD

- ❖ The Technical Review Committee approved the Final Plat on August 3, 2021.
- ❖ The Planning and Zoning Board unanimously recommended approval on August 16, 2021.

Budgetary Impact: TBD.

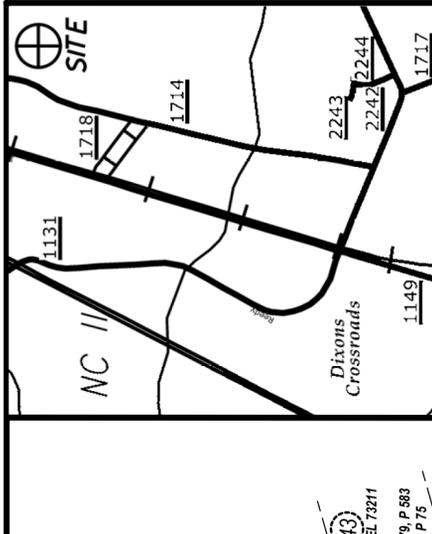
Recommendation: Approve the Final Plat.

LEGEND:
 NIS = NEW #5 REBAR
 NPS = NO POINT SET
 EIP = EXISTING IRON PIPE
 PP = POWER POLE
 EIS = EXISTING IRON STAKE
 B/B = BACK OF CURB TO BACK OF CURB
 R/W = RIGHT OF WAY
 NPK = NEW PK NAIL
 CLR INT = CENTERLINE ROAD INTERSECTION
 MBL = MINIMUM BUILDING LINE
 ERRS = EXISTING RAILROAD SPIKE
 ---X--- = FENCE
 ---E--- = OVERHEAD ELECTRIC
 --- = NOT TO SCALE

SITE DATA:
 TOTAL AREA IN TRACT = 13.61 ACRES
 TOTAL AREA EXCLUDING R/W = 11.21 ACRES
 (R/W = 2.40 ACRES)
 NUMBER OF LOTS CREATED = 33
 AREA IN COMMON = 0
 AREA IN PARKS, RECREATION AREAS, AND THE LIKE = 0
 LINEAR FEET IN STREETS = 2,290 L.F.
 ZONING CLASSIFICATION = R-12.5
 AVERAGE LOT SIZE = 14,547 S.F. (R-12.5)

EASEMENT NOTES:
 1. WATER MAINS AND SERVICES HAVE 10' UTILITY EASEMENTS CENTERED ON LINES AS INSTALLED INCLUDING THOSE EXTENDING INTO SECTIONS.
 2. SANITARY SEWER MAINS AND SERVICES HAVE 20' UTILITY EASEMENTS CENTERED ON LINES AS INSTALLED INCLUDING THOSE EXTENDING INTO SECTION 2.
 3. SANITARY SEWER MAINS LESS THAN 6' DEEP HAVE A 20' UTILITY EASEMENT CENTERED ON SEWER LINES AS INSTALLED.
 4. SANITARY SEWER MAINS 6'-15' HAVE A 30' UTILITY EASEMENT CENTERED ON SEWER LINES AS INSTALLED.
 5. SANITARY SEWER MAINS GREATER THAN 15' DEEP HAVE A 40' EASEMENT CENTERED ON SEWER LINE AS INSTALLED.

STORM DRAINAGE WIDTHS:
 15" RCP = 10' EASEMENT
 18" RCP = 15' EASEMENT
 24" RCP = 20' EASEMENT
 30" RCP = 25' EASEMENT
 36" RCP = 30' EASEMENT
 42" RCP = 35' EASEMENT
 48" RCP = 40' EASEMENT
 ALL OTHERS ARE 10' WIDE
 DITCHES = AS NOTED.

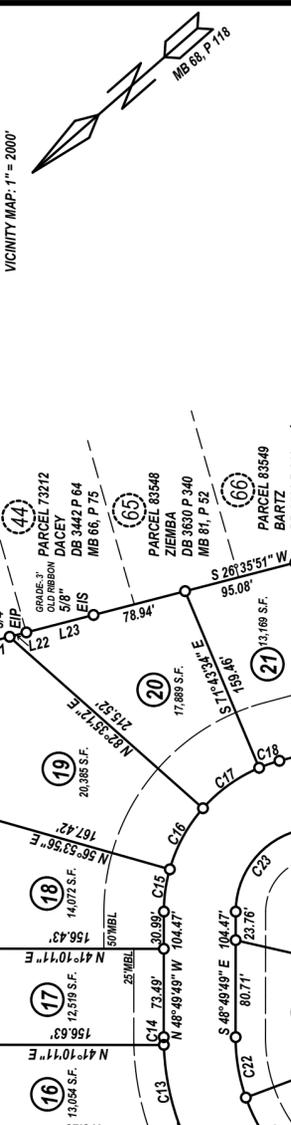


LINE TABLE

L1	N 38°49'36"E	22.75'	
L2	S 79°36'46"E	47.22'	
L3	N 14°01'28"W	21.96'	
L4	N 70°37'53"E	30.25'	
L5	N 08°37'07"W	20.36'	
L6	N 70°37'53"E	21.27'	
L7	N 61°04'55"E	24.22'	
L8	N 71°46'21"E	19.42'	
L9	N 08°37'07"W	20.38'	
L10	N 70°37'53"E	21.27'	
L11	N 76°10'45"E	4.07'	
L12	N 08°37'07"W	20.75'	
L13	S 69°47'23"E	2.86'	
L14	N 08°37'07"W	22.85'	
L15	N 08°37'07"W	20.00'	
L16	N 08°37'07"W	20.00'	
L17	N 08°37'07"W	20.00'	
L18	N 72°04'58"E	54.47'	
L19	N 72°04'58"E	15.95'	
L20	N 72°04'58"E	35.73'	
L21	S 26°29'33"W	14.91'	
L22	S 26°29'33"W	27.91'	
L23	S 26°37'41"W	57.92'	
L24	S 23°37'41"E	40.90'	

CURVE TABLE

C1	CH-S	67°07'00"W	64.68'	R=270.00'
C2	CH-N	78°40'42"E	19.81'	R=270.00'
C3	CH-S	34°13'26"E	60.15'	R=270.00'
C4	CH-S	30°50'09"W	38.61'	R=25.00'
C5	CH-S	06°28'01"W	98.54'	R=60.00'
C6	CH-N	78°44'43"W	76.46'	R=60.00'
C7	CH-N	07°30'09"W	62.99'	R=60.00'
C8	CH-N	12°17'25"W	29.70'	R=25.00'
C9	CH-N	37°28'03"W	70.00'	R=180.00'
C10	CH-N	17°04'38"W	56.93'	R=180.00'
C11	CH-N	41°14'13"W	27.94'	R=25.00'
C12	CH-N	73°49'24"W	62.12'	R=270.00'
C13	CH-N	61°53'01"W	63.32'	R=270.00'
C14	CH-N	49°43'08"W	63.32'	R=270.00'
C15	CH-N	40°57'56"W	35.38'	R=130.00'
C16	CH-N	20°15'27"W	57.80'	R=130.00'
C17	CH-N	05°25'49"E	17.92'	R=130.00'
C18	CH-N	22°13'32"E	57.92'	R=130.00'
C19	CH-N	01°16'36"W	38.24'	R=25.00'
C20	CH-N	65°00'16"E	84.61'	R=150.00'
C21	CH-S	83°30'39"E	78.19'	R=150.00'
C22	CH-S	58°36'57"E	50.99'	R=150.00'
C23	CH-S	11°19'36"E	85.23'	R=70.00'



GENERAL NOTES:
 1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
 2. A 5' UTILITY EASEMENT WILL BE RESERVED INSIDE ALL SIDE, REAR, AND FRONT PROPERTY LINES. SEE DETAIL 11.1.
 3. NEW 8" IRON STAKES TO BE SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
 4. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, REFERENCE: FIRW 3720467400, DATED JAN. 2, 2004.
 5. MAINTENANCE OF COMMON AREA AND STORMWATER POIND.
 6. NO IRON STAKES ARE SET IN CENTERLINE OF DITCHES UNLESS OTHERWISE NOTED.
 7. MAXIMUM BUILT UPON AREA ON EACH LOT IS NOT TO EXCEED 4.84 S.F. NO COMBUSTIBLES SHALL BE BROUGHT ON SITE OF THE HOMES BEING CONSTRUCTED UNTIL THE WATERHYDRANTS ARE AVAILABLE FOR FIRE PROTECTION IN THE EVENT OF AN EMERGENCY, AS DRAWN IN THE PRELIMINARY PLAT.

EASEMENT NOTES:
 1. WATER MAINS AND SERVICES HAVE 10' UTILITY EASEMENTS CENTERED ON LINES AS INSTALLED INCLUDING THOSE EXTENDING INTO SECTION 2.
 2. SANITARY SEWER MAINS AND SERVICES HAVE 20' UTILITY EASEMENTS CENTERED ON LINES AS INSTALLED INCLUDING THOSE EXTENDING INTO SECTION 2.
 3. SANITARY SEWER MAINS LESS THAN 6' DEEP HAVE A 20' UTILITY EASEMENT CENTERED ON SEWER LINES AS INSTALLED.
 4. SANITARY SEWER MAINS 6'-15' HAVE A 30' UTILITY EASEMENT CENTERED ON SEWER LINES AS INSTALLED.
 5. SANITARY SEWER MAINS GREATER THAN 15' DEEP HAVE A 40' EASEMENT CENTERED ON SEWER LINE AS INSTALLED.

STORM DRAINAGE WIDTHS:
 15" RCP = 10' EASEMENT
 18" RCP = 15' EASEMENT
 24" RCP = 20' EASEMENT
 30" RCP = 25' EASEMENT
 36" RCP = 30' EASEMENT
 42" RCP = 35' EASEMENT
 48" RCP = 40' EASEMENT
 ALL OTHERS ARE 10' WIDE
 DITCHES = AS NOTED.

CERTIFICATE OF SURVEY AND ACCURACY
 I, JAMES L. EDWARDS, P.L.S. CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL FIELD SURVEY MADE BY ME, THAT THE RATIOS OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:70,000, THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM DEED INFORMATION SHOWN IN DEED BOOK N/A, PAGE N/A, THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS DAY OF JULY, 2021. I CERTIFY THAT THIS MAP CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

GENERAL NOTES:
 9. THE DESIGNATION OVER WATER, SEWER, DRAINAGE, AND ELECTRIC LINES ARE FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF SAID EASEMENTS. THE EASEMENTS SHOWN ARE NOT EXCLUSIVE AND WILL PERMIT THE FUTURE INSTALLATION OF WATER, SANITARY SEWER, DRAINAGE, AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
 10. NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS, AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONAL EQUIPMENT, CANOPIES, ANTENNAS, SIGNS, FENCES, WALLS, MECHANICAL EQUIPMENT, PLANTINGS, FILL MATERIALS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, PILL MATERIALS, DEBRIS, SOLID WASTE CONTAINERS, MAIL RECEPTACLES AND IMPERVIOUS SURFACES, SHALL ENROACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL FROM THE TOWN OF WINTERVILLE.
 11. ALL UTILITY AND DRAINAGE EASEMENTS ARE CENTERED ON LINES AS INSTALLED UNLESS OTHERWISE NOTED.
 12. BMP MAINTENANCE AGREEMENT MUST BE RECORDED BEFORE APPROVAL OF FINAL PLAT.

CERTIFICATE OF SURVEY AND ACCURACY
 I, JAMES L. EDWARDS, P.L.S. CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL FIELD SURVEY MADE BY ME, THAT THE RATIOS OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:70,000, THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM DEED INFORMATION SHOWN IN DEED BOOK N/A, PAGE N/A, THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS DAY OF JULY, 2021. I CERTIFY THAT THIS MAP CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

FINAL PLAT
HOLLY GROVE SUBDIVISION
 SECTION 2
 REFERENCE: DEED BOOK 3636, PAGES 631-636 OF THE PITT COUNTY REGISTER OF DEEDS.
 WINTERVILLE TOWNSHIP, PITT COUNTY, NC
 OWNER: CAROLINA EASTERN HOMES, LLC
 ADDRESS: P.O. BOX 235
 MOREHEAD CITY, NC, 28557
 PHONE: (252) 725-5375
 DATE: 7/06/21
 SCALE: 1 INCH EQUALS 100 FEET.
 (252) 714-7374
 362 SECOND STREET,
 AYDEN, NC, 28513
 JAMES L. EDWARDS LAND SURVEYING

OWNERS STATEMENT
 THIS IS EVIDENCE THAT THIS SUBDIVISION WAS MADE AT THE REQUEST OF _____ SWORN AND SUBSCRIBED TO BEFORE ME THIS _____ DAY OF _____, 2021.
 NOTARY PUBLIC
 MY COMMISSION EXPIRES: _____

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

PLANNING BOARD
 I HEREBY CERTIFY THAT THIS PLAT WAS RECOMMENDED FOR APPROVAL BY THE PLANNING BOARD OF THE TOWN OF WINTERVILLE ON THE _____ DAY OF _____, 2021.
 TOWN PLANNER
 CHAIRMAN, PLANNING BOARD

CERTIFICATE OF FINAL APPROVAL
 APPROVED FOR RECORDING BY THE TOWN COUNCIL OF THE TOWN OF WINTERVILLE, N.C. ON THIS _____ DAY OF _____, 2021 PURSUANT TO THE AUTHORITY OF SECTION 154.13 ON THE SUBDIVISION REGULATIONS. MUST BE RECORDED WITHIN THIRTY(30) DAYS OF THIS DATE.
 MAYOR

REVIEW OFFICER
 STATE OF NORTH CAROLINA
 COUNTY OF PITT
 REVIEW OFFICER OF PITT COUNTY. CERTIFY THAT THIS MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 DATE: _____
 REVIEW OFFICER



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: September 13, 2021

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: Ange Plaza Lots 14 & 15 – Final Plat.

Action Requested: Approval of Final Plat.

Attachment: Final Plat.

Prepared By: Bryan Jones, Planning Director

Date: 8/26/2021

ABSTRACT ROUTING:

TC: 9/7/2021

TM: 9/7/2021

Final: tlp - 9/7/2021

Supporting Documentation

Ange Plaza Lots 14 & 15 – Final Plat:

Location: Beacon Drive east of its intersection with Winterville Parkway.

Parcel Number: 82774.

Site Data: 2 Lots, 6.9345 Acres.

Zoning District: General Business

- ❖ The Technical Review Committee approved the Final Plat on June 1, 2021.
- ❖ The Planning and Zoning Board unanimously recommended approval on June 21, 2021.

Budgetary Impact: TBD.

Recommendation: Approve the Final Plat.

