



**TOWN OF HARRISBURG, NORTH CAROLINA
HARRISBURG TOWN HALL
TOWN COUNCIL MEETING**

**November 12, 2019
6:00 PM**

AGENDA

1. CALL TO ORDER

- A. AGENDA ADOPTION
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE
- D. SPECIAL PRESENTATIONS
 - 1. Proclamation - Veterans Day.
 - 2. Presentation of Certificates to Fall 2019 Citizens Academy Graduates
- E. PUBLIC COMMENT - Anyone wishing to address the Town Council may do so during the Public Comment section. Please state your name and address for the record, be courteous and do not repeat what has already been said. Please keep your comments about the subject and not personal in nature.

2. CONSENT AGENDA

- A. Consider the minutes of the October 14, 2019 Town Council Meeting.

3. COMMUNICATIONS

- A. TOWN MANAGER/FINANCE MONTHLY REPORT
- B. MAYOR'S COMMENTS
- C. COUNCIL COMMENTS

4. PUBLIC HEARINGS

- A. Public Hearing for consideration of revisions to the previously adopted gross land use density in the Harrisburg Area Land Use Plan (HALUP).

5. OLD BUSINESS

- A. Consideration of Addition of a Solicitation Ordinance to the Town Code of Ordinances (Public Hearing Recessed from September 2019)

6. NEW BUSINESS

- A. Consideration of FY2020 Budget Amendment for Deputy Motorcycle
- B. Consideration of Preliminary Plat for the Terraces at Farmington Preliminary Plat H2019-01-(S).

7. ACTION ITEMS

8. CLOSED SESSION

9. ADJOURNMENT

Town of Harrisburg's Vision Statement

Harrisburg will be the best small town in North Carolina based on low density housing, excellent economic opportunities, a safe living environment, and efficient and effective municipal services. Amenities such as excellent recreational programs, adequate open space, attractive shopping opportunities, a diversity of restaurants, and a connected system of roadways, sidewalks, greenways, and bicycle lanes will continue to enhance the quality of life of the Town. These services and amenities will be provided while retaining reasonable tax rates and debt levels.



Veterans Day Proclamation

Whereas, since the birth of our Nation, American patriots have stepped forward to serve our country and defend our way of life; winning our independence, preserving our Union, and securing our freedom; and

Whereas, by answering the call of duty and risking their lives to protect their fellow countrymen, these patriots have inspired the Nation with their courage and dedication; and

Whereas, this day, and every day, we are reminded to pay tribute to America's sons and daughters who have answered our country's call and recognize the sacrifice of those who have been part of the finest fighting force the world has ever known and the loved ones who stand beside them; and

Whereas, we will never forget the heroes who made the ultimate sacrifice and all those who have not yet returned home; and

Whereas, with respect for and in recognition of the contributions our service members have made to the cause of peace and freedom around the world, Congress has provided that November 11 of each year shall be set aside as a legal public holiday to honor our Nation's veterans;

Now, Therefore I, Steven J. Sciascia, Mayor of the Town of Harrisburg, North Carolina, do hereby proclaim November 11, 2019 as

Veterans Day

and encourage the citizens of the Town of Harrisburg to recognize the valor and sacrifice of our veterans through appropriate public ceremonies and private prayers.

This the 12th day of November, 2019.

Steven J. Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consider the minutes of the October 14, 2019 Town Council Meeting.

Presenting Personnel:

Suggested Motion or Action:

Motion to approve the minutes of the October 14, 2019 Town Council meeting.

Description/Background:

Recommendation:

Fiscal Impact:

Attachments:

1. Minutes October 14, 2019

**TOWN OF HARRISBURG, NORTH CAROLINA
TOWN COUNCIL MEETING
MONDAY, OCTOBER 14, 2019
6:00 PM**

MINUTES

Mayor Steve Sciascia called the meeting to order.

PRESENT: Mayor Steve Sciascia; Councilmembers Troy Selberg, Diamond Staton-Williams, Benita Conrad, Rick Russo, Ron Smith, Christopher Barfield

ABSENT: Mayor Pro-Tem John Booth

**1A.
AGENDA ADOPTION**

MOTION:
Councilmember Russo made a motion to adopt the agenda as proposed. Second was made by Councilmember Conrad. **The motion passed 6-0.**

**1B.
INVOCATION**
Councilmember Conrad conducted the invocation.

**1C.
PLEDGE OF ALLEGIANCE**

**1D.
SPECIAL PRESENTATIONS**

- **Proclamation – Harrisburg Multi-Cultural Festival**
- **Resolution – Gerald Nichols**

MOTION:
Councilmember Conrad made a motion to approve the resolution as presented. Second was made by Councilmember Selberg. **The motion passed 6-0.**

- **Resolution – Penny Vaughn**
- **MOTION:**
Councilmember Selberg made a motion to approve the resolution as presented. Second was made by Councilmember Russo. **The motion passed 6-0.**

**1E.
PUBLIC COMMENT**

- George Brun, 3751 Ayrshire Court, Harrisburg – concerns about Harmony Acres subdivision
- John West, 7188 Ruth Fidler Lane, Harrisburg – concerns about Harmony Acres subdivision, would like to see some sort of natural separation between neighborhoods
- Paula Ferree, 7158 Ruth Fidler Lane, Harrisburg – concerns about Harmony Acres subdivision, would like to see some sort of natural separation between neighborhoods
- Michael Painter, 3630 Charolais Lane, Harrisburg – worried about the safety of the children in Stallings Farm with the new subdivision going in and the amount of traffic that will be added
- Ian Patrick, 5701 Manchester Avenue, Harrisburg – questions about the change order for the park
- Jennifer Teague, 7132 Bovine Lane, Harrisburg - concerns about Harmony Acres subdivision, would like to see some sort of natural separation between neighborhoods

- Chris Wilson, 411 Lakeview Drive, Harrisburg – concerned about hunting going on behind her property on Speedway property. Has talked with the Speedway but would like Harrisburg to do something.
- Bryce Goebel 6434 Pharr Mill Road, Harrisburg – concerned about bullying from Council to residents
- Rodney Dellinger, 3713 Ayrshire Court, Harrisburg – concerns about Harmony Acres subdivision
- Patsy Marsh, 7181 Ruth Fidler Lane, Harrisburg – concerns about Harmony Acres subdivision

2.

CONSENT AGENDA

- Consider the minutes of the September 9, 2019 Town Council meeting.
- Consider the minutes of the September 9, 2019 Closed Session.
- Consider the minutes of the October 2, 2019 Special Town Council meeting.
- Consider the minutes of the October 2, 2019 Closed Session.
- Consider change order for Cabarrus Woods Sewer Rehab Project.
- Consider a change order and Project Ordinance amendment for Candystick Water and Storm Drainage Improvements.

MOTION:

Councilmember Russo made a motion to approve the Consent Agenda. Second was made by Councilmember Staton-Williams. **The motion passed 6-0.**

3A.

COMMUNICATIONS

TOWN MANAGER/FINANCE REPORT

Manager Report:

- Beginning to work on a transportation plan for the Town and have contracted with engineer to work on this. As a part of this project there will be multiple public meetings and we encourage residents to attend. The first one will be held on October 24. We will be advertising the meetings on our website and social media so make sure to look for that.
- Parks and Recreation Department will be hosting a Trick or Treat in Town Center event on October 25 beginning at 5:30 pm.
- A groundbreaking for the Farmington Ridge mixed-use project will also be held on October 25 at 10:00 am.
- The new Veterans Park will hold a grand opening ceremony on Veterans Day at 11:00 am.
- The Town has a Façade Grant program that has funds available for businesses on Highway 49 to apply for to use for beautification purposes. Contact Town staff for more information.

Finance Report:

- Lee Connor, Assistant Town Manager/Finance Director, gave the finance and projects update.

3B.

COMMUNICATIONS

MAYOR'S COMMENTS

- Asked about the progress of the 4-way stop on Caldwell Road. Engineering and Public Works Director, Rob Donham stated that we are just waiting for the completion of the location study by NCDOT. We expect that to be completed very soon.
- Sustainability Committee has been meeting and discussing many ideas. We are looking into green ordinances and potentially adding a program to encourage green initiatives for local restaurants where we might recognize them for those efforts with some sort of sticker or sign they can display. Would like to get copies of the electric bills for Fire Station 3 and the Public Works building because those buildings may be good spots to install solar panels, but it would need investigating first. Also would like to talk more about replacing bulbs on light poles with LED bulbs and placing bottle filling stations in our parks.

3C.

COMMUNICATIONS

COUNCIL'S COMMENTS

Councilmember Smith

- Commended PIO David Bradshaw and Councilmember Barfield for their help with a disturbing incident on social media over the weekend.
- The sign at Stallings Road Park is missing a letter.
- Asked about the “Fact or Fiction” button for our website. Town Manager Haynes Brigman stated that this is in the works and should be added very soon. It will be a place for residents to check the facts about things going on in Town they may have heard rumors about.

Councilmember Selberg

- Thanked staff for great work on the Art Walk and Rockin the Burg concert and thanked the Arts Culture and Heritage Committee for their efforts as well.

Councilmember Staton-Williams

- The next Youth Council meeting will be held October 22 at 6:30 pm here at Town Hall. They will have a guest speaker this month talking about vaping and tobacco treatment. Still looking for additional members for this Council. Students 13-18 years old with a “B” average grade are eligible.

Councilmember Barfield

- Asked Mr. Brigman to address the audience concerning the concrete that was broken up at the new Veterans Park recently. Mr. Brigman stated that the concrete was broken up and replaced by the contractor at his cost because it did not meet the standards of the Town.
- Asked for update on the Law Enforcement Feasibility Study. Mr. Brigman stated that the end date for the study is January 2020.

4A.

PUBLIC HEARING

Consider the addition of a Solicitation Ordinance to the Town Code of Ordinances (recessed from September 9, 2019). Town Council opened this public hearing at the September 2019 Council meeting and subsequently recessed it to the October meeting to make some changes to what was presented to Council.

Harrisburg and neighboring communities continue to have sporadic issues with solicitors in their neighborhoods. Currently, the Town does not have a solicitation ordinance, so there is little that can be done by the Town and law enforcement to address issues when they arise. This ordinance intends to provide law enforcement officers with the authority to address solicitors and ensure they follow proper guidelines and requirements.

Upon the feedback provided by Town Council during the September 2019 Public Hearing, staff made subsequent changes to address those concerns. The two changes made to the proposed ordinance are as follows:

- Added language to allow exempted organizations to conduct activities beyond fund-raising; to include sales, marketing, or other activities representative of their organization.
- Removed the requirement of a bond being submitted to the Town as part of the solicitation permit.

An additional request was made by a Council member to remove businesses from being covered by the ordinance language for fear that it may restrict normal business practices for some businesses. This edit has not been included in the edits to the document for lack of consensus, but it can be discussed for consideration by the Council. To achieve the edit, a simple removal of the phrase "or businesses" from Section 111.01 (A) is required.

The Public Hearing was re-opened.

Speaking:

- Dave Damone, Rocky River Coffee, Harrisburg, HBA – for
- Tim Morris - questions

The Public Hearing was then closed.

After some discussion the following action was taken:

MOTION:

Councilmember Conrad made a motion to defer action on the addition of a solicitation ordinance to the Town Code of Ordinances and addition of the permit fee to the Town Schedule of Fees until the November 12, 2019 Town Council meeting in order to allow the Sheriff's Department and District Attorney to review the proposed ordinance and give their opinion on it. Second was made by Councilmember Barfield. **The motion passed 4-2 (Councilmembers Staton-Williams and Smith voting against).**

4B.

PUBLIC HEARING

Consider an Economic Development Loan for Town Center Project. The Town Council is considering an economic development loan agreement with Capital Nexus, LLC for the purposes of executing the full land acquisition of 15.03 acres of vacant and developed Town Center parcels for the construction of a mixed-use center that would revitalize and fulfill the stagnant Town Center - which is viewed as the downtown for the Town of Harrisburg.

The mixed-use center concept approved by the Town Council in May 2019 consists of 148,000 square feet of office space, 176,300 square feet of retail/commercial space, 19,500 square feet for an arts and cultural center, a 15,000 square foot public green space, and 333 residential units, with a total new tax base of over \$150 million.

The Town has been working for more than a year with Capital Nexus on the site plan to ensure it meets the desired build out of the Town Center area. After the completion of the site plan and rezoning process, the Town conducted a market study of the proposed development to ensure the build out met the market demands.

During this time, Capital Nexus has been under contract to purchase the 15.03 acres from the current property owner at a purchase price of \$8.4 million, with a closing date scheduled for October 15, 2019. Capital Nexus has secured \$5.4 million in funding for the land acquisition, and had an agreement in place with the property owner to finance the remaining \$3 million purchase price.

The agreement between the two parties related to the \$3 million financing was never finalized, and details of the financing arrangement changed in a manner that would prohibit Capital Nexus from beginning any capital improvements to all 15.03 acres before the loan was paid in full.

In mid-September, Capital Nexus reached out to the Town about funding help to secure the remaining \$3 million necessary to close on the property. Since that time, Capital Nexus has sought funding for the remaining funds from US-based lending institutions but will be unable to secure the funds in time for the October 15th closing.

Under State law, the Town is limited in how it can lend money. NCGS 158-7.1 permits a local government to make appropriations for economic development purposes, and NCGS 160A-20.1 permits a local government to lend money to private entities to carry out a public purpose (such as land acquisition and economic development).

Under consideration is a partnership loan between the Town of Harrisburg and Capital Nexus, LLC in the amount of \$3 million to assist in the property acquisition of 15.03 acres in Town Center for purposes of achieving the mixed-use center outlined in the rezoning site plan approved by Town Council.

The Town would charge a 6% annual rate of interest on the loan, and require a \$25,000 down payment on the loan at closing. Repayment of the loan is expected by June 30, 2020, with notice of intent to close received by May 15, 2020, or the Town would seek foreclosure procedures, or seek ownership through deeds held in escrow, on two identified parcels within the Town Center boundaries. Those two parcels have been separately identified in the agreement with Capital Nexus, holding a combined appraised value of \$3,997,000.

The Town proposes to use \$1 million from its Capital Reserve Fund, and \$2 million from its General Fund Balance to fulfill the loan proceeds. A budget amendment to accomplish this loan is necessary, in addition to a Fund Balance replenishment plan adopted by the Town Council, as the proceeds from Fund Balance necessary for the loan would require the Fund Balance to dip below the 40% threshold our Fund Balance Policy requires.

The Town's participation in this project is for economic development purposes only, not to act as a traditional lending institution for purposes of revenue generation; however, if the loan is paid back by May 15, 2020, the Town

will receive financial benefit from the interest gained on the loan (estimated at \$120,000).

If notice to close is not received by May 15, 2020, and the full loan is not paid in full by June 30, 2020, the Town would begin the process of taking ownership of two parcels. These two parcels have an appraised value of \$3,997,000, which provides collateral protection for the Town on the loan. If defaulted, the Town would seek to market and sell these parcels for development as quickly as possible.

An intent to reimburse the Town's Capital Reserve Fund and Fund Balance will also be approved to allow the Town to replenish the funds in the event of a default by seeking private financing opportunities until the parcels are sold.

Capital Nexus has shown the Town their financial ability to close on the \$5.4 million portion of the land acquisition and is currently in the due diligence phase for securing financing to repay the loan with the Town.

The Town has sought advice and guidance for this appropriation process from its Town Attorney, third-party Financial Adviser and Bond Counsel. While this type of arrangement is not overly common in North Carolina, we have received general consensus that it is within the purview of municipal authority for economic development purposes.

The Pros:

- Securing site acquisition of all remaining Town Center parcels to ensure the best, and highest use, is achieved.
- Partnering with a developer that shares the same vision for Town Center development as the Town.
- Allowing the developer to continue on schedule with Town Center improvements proposed in the approved site plan.
- Town Center development would add tremendous tax base revenue to the Town, new jobs and additional service opportunities for residents, public infrastructure improvements in Town Center, and a cultural arts opportunity.
- Short-term loan from the Town will provide some financial benefit related to interest revenue.
- Despite utilizing Capital Reserve Funds and Fund Balance, the Town will still be able to fund all of its approved capital projects in FY2020.

The Cons:

- Risk of default by Capital Nexus on the loan would put the Town in position of owning the land and having to sell the property. While the land holds more market value than the loan amount, the Town prefers to stay out of the real estate business.
- Lowering fund balance levels to fund the loan puts the Town at potential risk of not being able to fund large, unexpected expenses during the period the loan remains unpaid to the Town.

The Public Hearing was opened.

Speaking:

- Bryce Goebel, 6434 Pharr Mill Road, Harrisburg – against
- Rodney Dellinger, 3713 Ayrshire Court, Harrisburg – questions
- Michael Painter, 3630 Charolais Lane, Harrisburg – questions
- John Sanchez, Kee Lane, Harrisburg – questions
- Ian Patrick, 5701 Manchester Lane, Harrisburg – questions, against
- Dave Damone, 4350 Main Street, Rocky River Coffee – for
- Zach Hinschberger, Percent Tap House – for
- Billy Rich, 3618 Charolais Lane, Harrisburg – questions
- Jessica Fava, 4455 Mill Landing Drive, Harrisburg – questions

The Public Hearing was then closed.

After some discussion the following actions were taken:

MOTION #1:

Councilmember Selberg made a motion to approve the proposed economic development agreement, authorizing the Town Manager and Town Attorney to make any necessary modifications to the agreement prior to execution. Second was made by Councilmember Staton-Williams. **The motion passed 4-2 (Councilmembers Russo and Smith voting against).**

MOTION #2:

Councilmember Selberg made a motion to approve the proposed Declaration of Official Intent to Reimburse. Second was made by Councilmember Conrad. **The motion passed 4-2 (Councilmembers Russo and Smith voting against).**

MOTION #3:

Councilmember Selberg made a motion to approve the proposed Resolution to Restore Fund Balance. Second was made by Councilmember Conrad. **The motion passed 6-0.**

MOTION #4:

Councilmember Conrad made a motion to approve the proposed budget amendments for the General Fund and Capital Reserve Fund - General Fund. Second was made by Councilmember Selberg. **The motion passed 4-2 (Councilmembers Russo and Smith voting against).**

The meeting was recessed for 15 minutes at 8:25 pm.

The meeting was then reconvened at 8:40 pm.

5A.

OLD BUSINESS

None

6A.

NEW BUSINESS

Consider Budget Amendments for FY2019 end-of-year Capital Reserve Fund transfers. Town Council implemented a 40% fund balance policy for the General Fund in FY2017. The policy states that 40% of current year operational and debt service expenditures must be maintained in available fund balance and the remainder will be transferred to the Capital Reserve Fund - General Fund. The funds transferred to the Capital Reserve Fund are then legally restricted to be used to fund capital purchases only.

40% of General Fund operational and debt service expenditures totaled \$4,321,739, which allows for a transfer of the excess, or \$2,900,000. The original budget was adopted with an anticipated transfer of \$1,100,000.

Town Council implemented a 40% fund balance policy in FY2018 and adjusted that percentage down to 30% during FY2019 for the Enterprise Fund (Water & Sewer). The calculation methodology and restrictions on the Capital Reserve dollars are the same for the Enterprise Fund as in the General Fund.

30% of Water and Sewer operational and debt service expenditures totaled \$2,363,965, which allows for a transfer of the excess, or \$2,700,000. The original budget was adopted with an anticipated transfer of \$880,000. The 10% reduction in the reserve fund balance in the Water and Sewer Fund contributes approximately \$800,000 towards the increased transfer.

The increased transfer amount will allow us to fund capital projects without putting additional pressure on the water and sewer rates as the sole means of funding capital projects. The reduction in fund balance percentage from 40% to 30% allowed us to limit the water and sewer rate increase implemented in FY2020.

After some discussion the following action was taken:

MOTION:

Councilmember Conrad made a motion to approve the FY2019 end-of-year Capital Reserve Funds' transfer budget amendments, as proposed. Second was made by Councilmember Barfield. **The motion passed 6-0.**

6B.

NEW BUSINESS

Consider contract with Gavel and Dorn Engineering for Construction Administration and Inspection Services for the West Rocky River Elevated Storage Tank. The Town recently approved the construction of the West Rocky River Elevated Storage Tank, a 1 Million Gallon Elevated Storage Tank that will increase capacity and storage of the Harrisburg Water System. This project will provide increased system reliability, water quality, and additional water storage, which will greatly benefit the Town with the anticipated increase of future growth.

Gavel and Dorn Engineers provided a detailed design, construction documents and bidding administration. Gavel and Dorn will continue to assist Town Staff with construction administration and inspection as subject matter experts. The increase in expected construction management and inspection costs are due mainly to the longer construction timeline, which is a large contributing factor towards the decreased construction costs.

After some discussion the following action was taken:

MOTION:

Councilmember Russo made a motion to award the contract to Gavel and Dorn Engineering in the amount of \$430,448 for Construction Administration and Inspection Services for the West Rocky River Elevated Storage Tank. Second was made by Councilmember Smith. **The motion passed 6-0.**

6C.

NEW BUSINESS

Review and approval of Preliminary Plat (H2019-02-(S)) for the Harmony Subdivision (Previously Known as Stallings Road Subdivision). Robert W. Nixon has submitted a Preliminary Plat application for 182 homes, located on the north side of Stallings Road at the intersection of Raging Ridge Road. The site address is 3550 Stallings Road (Pin #5517347132) and consists a total area of 82.05 acres. The subject property was rezoned (Case #H-2018-06-(R)) in August of 2018 to CZ-RM-1 Residential Medium Density Conditional District and CZ-RV, Residential Village Conditional District, in order to develop a single-family residential community consisting of 182 lots. Approximately 87 single family homes will be age restricted and the remaining 95 single family homes will be non-age restricted.

Staff has reviewed the site plan in accordance with the Harrisburg Area Land Use Plan (HALUP) and Unified Development Ordinance (UDO).

Mr. Brigman explained to the Council and audience the process of considering a preliminary plat approval. The only thing Council is considering is whether the plat meets the UDO requirements and whether the rezoning conditions that were approved have been applied. This is not the time Council can impose new restrictions on the project. It is possible that a Councilmember who voted against the project initially could vote in favor of the preliminary plat because of these parameters.

After some discussion, the following action was taken:

MOTION:

Councilmember Staton-Williams made a motion to approve the Preliminary Plat application as requested by the applicant for the related property in application H-2019-02 (S). Second was made by Councilmember Selberg. **The motion passed 6-0.**

6D.

NEW BUSINESS

To set a public hearing for November 12, 2019 to consider revising the previously adopted gross land use density in the Harrisburg Area Land Use Plan (HALUP). Town Council adopted the Harrisburg Area Land Use Plan (HALUP) on June 11, 2018. The HALUP contains future land use maps with various categories of land use and densities for residential land uses, namely Very Low Density Residential, Low Density Residential, Medium Density Residential and High Density Residential. The commercial, industrial and mixed-use land use categories do not have densities associated with them.

The land use densities described in the HALUP are consistent with industry standards for densities within the respective land use classifications; however, after utilizing those standards for several residential development requests, staff has recognized that those standards may not be completely reflective of the desires of Town Council and residents.

Because the land use densities described in the HALUP are used as a tool for guiding staff when discussing development interests with property owners and developers, as well as to guide Town Council in their consideration process, it is important that we refine the HALUP to better reflect the density standards desired.

As a result, staff is recommending making edits to the gross density descriptions for the land use classifications.

Recommended changes being considered are related ONLY to the number of dwelling units per acre (gross density) allowed in each land use classification (no other map or text revisions are being considered). For example, it is being recommended that the number of dwelling units per acre be lowered in the Low-Density land use classification from 1-3 units per acre to 1-2 units per acre. The Medium-Density land use classification will be lowered from 3-4 units per acre to 2-3 units per acre. The High-Density land use classification will be lowered from 4-15 units per acre to 3-10 units per acre.

A Public Hearing is requested to be set for November 12, 2019 to review the existing land use densities and make recommended revisions.

The proposed changes will be presented to the Planning and Zoning Board for their consideration at their October 15 meeting. Any changes approved by the Town Council will be incorporated into the upcoming update of the Unified Ordinance Development (UDO).

MOTION:

Councilmember Smith made a motion to set a public hearing for November 12, 2019 to consider revising the previously adopted gross land use density in the Harrisburg Area Land Use Plan (HALUP). Second was made by Councilmember Russo. **The motion passed 6-0.**

6E.

NEW BUSINESS

Consider a Change Order to the Construction Contract for Harrisburg Park Redevelopment Project – Phase 1 and Project Ordinance Amendment as it relates to PARTF Grant Award. As communicated to Council previously, the Town applied for and was awarded a \$350,000 PARTF grant for the Harrisburg Park Redevelopment Phase 1 project.

Staff is in the process of identifying the specific allocation for the funds across the entire project, intending to use those funds to enhance or expand the project and its amenities. The PARTF funds are not available to the Town to be used until such time that the Town Council approves the change order to the Guaranteed Maximum Price (GMP) and increases the project budget accordingly.

The proposed change order to the contract will provide us the opportunity to apply the PARTF grant funds towards the project in a timely manner.

MOTION:

Councilmember Russo made a motion to approve the proposed change order to the construction contract for Harrisburg Park Redevelopment Phase 1 for a new total contract sum of \$9,642,524 and the proposed project ordinance amendment. Second was made by Councilmember Conrad. **The motion passed 6-0.**

7.

ACTION ITEMS

- Look into program to offer rain barrels to residents
- Communicate with homeowners affected by sidewalks we intend to implement
- Bring back a cost analysis for electric bills for Fire Station #3 and the Public Works Facility
- Look into LED lights for light poles

- Replace the letter missing from the Park sign
- Reach out to the Sheriff and the DA to have them review our proposed Solicitation Ordinance
- Work with the Fire Marshal to create language for an ordinance allowing food truck safety inspections

8.

CLOSED SESSION

None

9.

ADJOURNMENT

MOTION:

There being no further business, Councilmember Russo made a motion to adjourn the meeting with a second from Councilmember Smith. **The motion passed 6-0. (9:25pm)**

ATTEST:

Janet Rackley, Town Clerk

Steve Sciascia, Mayor



TOWN OF HARRISBURG

Agenda Item Details

Title:

Public Hearing for consideration of revisions to the previously adopted gross land use density in the Harrisburg Area Land Use Plan (HALUP).

Presenting Personnel:

Haynes Brigman, Town Manager

Suggested Motion or Action:

If approved, the following motion is suggested:

To approve the changes to previously adopted gross land use density in the Harrisburg Area Land Use Plan (HALUP).

Description/Background:

Town Council adopted the Harrisburg Area Land Use Plan (HALUP) on June 11, 2018. The HALUP contains future land use map with various categories of land use and densities for residential land uses, namely Very Low Density Residential, Low Density residential, Medium Density Residential and High Density Residential. The commercial, industrial and mixed use land use categories do not have densities associated with them.

The land use densities described in the HALUP are consistent with industry standards for densities within the respective land use classifications; however, after implementing these standards for several residential development proposals, staff has recognized that these standards may not be completely reflective of the desires of Town Council and our residents.

Because the land use densities described in the HALUP are used as a tool for guiding staff when discussing development interests with property owners and developers, as well as to guide Town Council in their consideration process, it is important that we refine the HALUP to better reflect the density standards desired.

Town Council scheduled a Public Hearing on this matter on October 14 for a November 12, 2019 Public Hearing. In light of the upcoming Unified Development Ordinance (UDO) update, any changes (or not) will be helpful to reflect in the updated UDO and associated zoning categories.

The changes requested to be considered are related ONLY to the number of dwelling units per acre (gross density) allowed in each land use classification (no other map or text revisions are being considered) at this time. Staff recommends the following changes be considered to the existing gross land use densities in the HALUP:

- Very Low Density: remains unchanged to less than 1 unit per acre.
- Low Density: change from "up to 3 units per acre" to "1-2 units per acre"
- Medium Density: change from "3-4 units per acre" to "2-3 units per acre"
- High Density: change from "4-15 units per acre" to "3-10 units per acre"

The Harrisburg Planning and Zoning Board reviewed the proposed changes at their October meeting and made a recommendation to Town Council to adopt the proposed changes offered by Town Staff.

Recommendation:

Staff recommends Town Council consider revising the previously adopted gross land use density in the Harrisburg Area Land Use Plan (HALUP).

Fiscal Impact:

None.

Attachments:

1. HALUP Land Use Map (Red line edits)

This map displays a conceptual future road network and will serve as input into the future Comprehensive Transportation Plan (CTP), maintained by Cabarrus-Rowan Metropolitan Planning Organization (MPO). The future road alignment will generally follow the concept, exact road alignments and designs are subject to future engineering studies, and final designs. Alternate alignments for Caldwell Road Extension, identified as "Alt. 1" and "Alt. 2" on the Future Transportation Network Concept map (see Appendix H), represents two options and are subject to future engineering studies to determine which option is the most feasible.

Future Land Use

- Park
- Private Recreation
- Very Low Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Mixed Use
- Mixed Use Center
- Office
- Institutional
- Commercial
- Light Industrial

Parks and Recreation

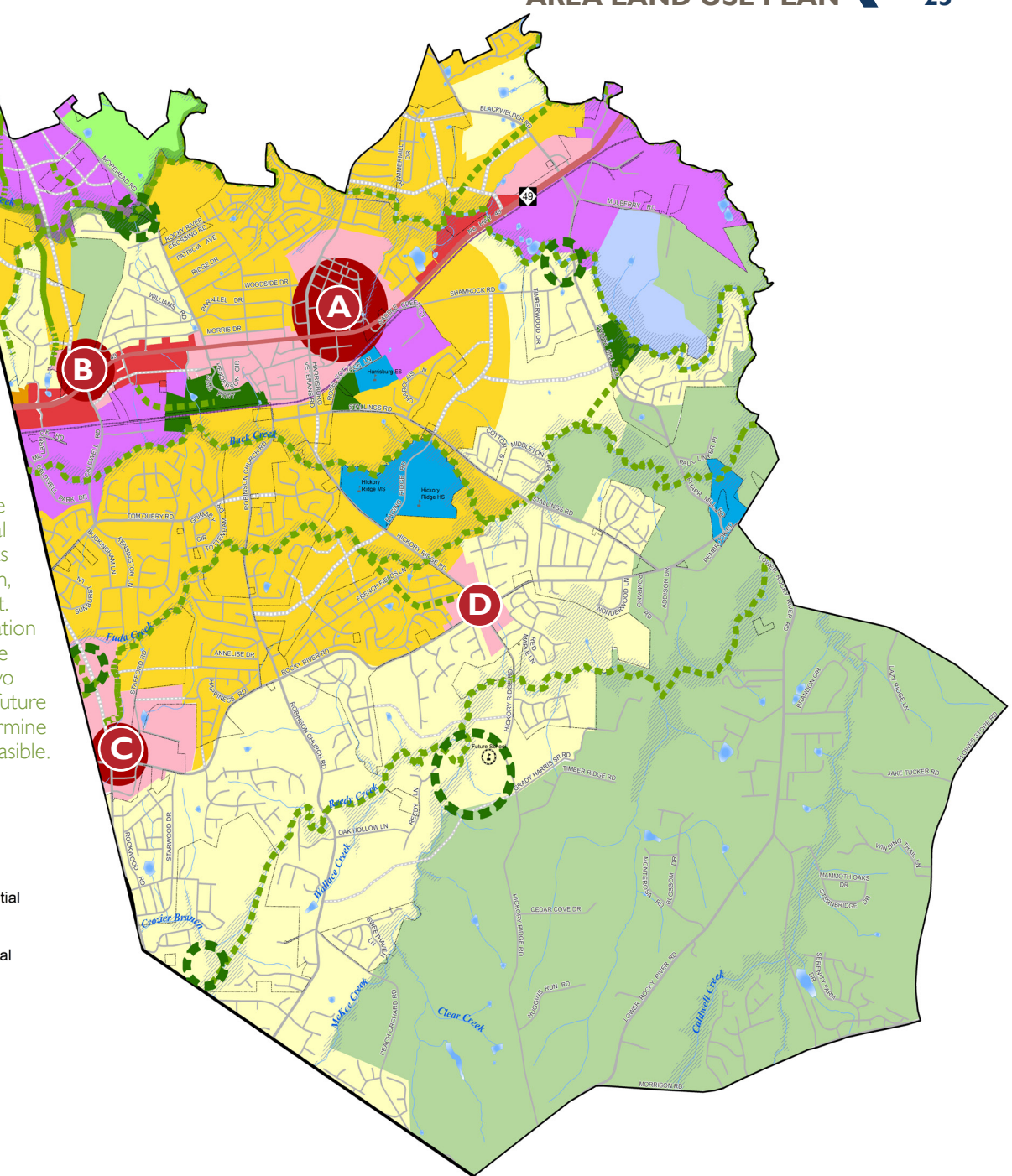
- Planned Greenways
- Potential Thread Trail
- Proposed Parks

Roadways

- Existing Thoroughfare
- Proposed Arterial
- Proposed Collector/Local

Context

- City Limits
- County Boundary
- Existing Schools
- Future School Site
- Floodplain (100yr)



- A** This area will be the center of activity in Harrisburg. The core will have multi-story buildings with a mix of uses and active street fronts. This node will have the largest footprint of commercial and office of all the mixed-use nodes. It will also include a mix of housing including condominiums and townhomes.
- B** As described in the Morehead West Area Plan, this area will include 2-3 story buildings and commercial (local-serving retail and office) center. Land use will transition to mixed residential development away from NC-49 but "within easy walking distance."
- C** This node will include a small neighborhood- and employment-serving commercial center (retail and offices uses) with 2-3 story buildings, complementing a range of institutional uses.
- D** This node will have a smaller non-residential component comprised primarily of neighborhood-serving uses (convenience retail, small restaurants, and service uses). Adjoining townhome and small-lot single family home developments will be designed with pedestrian connections to the center.

Figure 4. Future Land Use Map

FUTURE LAND USE

The following descriptions are descriptive, not prescriptive, and indicate the general types of land uses desired in each category on the future land use map.



PARKS

Various types of passive and active parks and other recreation facilities may be accommodated in all land use categories. Where depicted on the Future Land Use Map, Park areas may be developed as community-serving facilities, such as public greenways, neighborhood or community parks.



PRIVATE RECREATION

This area is intended to include indoor and outdoor recreation facilities that are suited to sites with adequate road infrastructure. Indoor sports arenas, family-oriented entertainment, and special-use outdoor venues are examples of the types of uses that may comprise these areas.



VERY LOW DENSITY RESIDENTIAL

This area is intended to remain predominantly rural while allowing residential uses at very low densities. Conservation design is a common subdivision approach if utilities are available, allowing smaller lots in exchange for more open space. Architecture is sensitively integrated, avoiding valuable natural features. **Gross densities are less than one unit per acre** for conventional subdivisions, and up to two if conservation design standards are met. Some business uses typically located in rural areas, such as small engine repair, may be appropriate provided such uses adhere to performance standards to minimize potential impacts to surrounding uses.



LOW DENSITY RESIDENTIAL

This area is characterized by low- to moderate-density residential development (~~up to 3~~ **1 to 2** dwelling units per acre). Single-family detached homes are complemented by natural areas as well as formal and informal open space amenities. Conservation design, which includes more open space in exchange for smaller minimum lot sizes, may be recommended in locations with sensitive natural resources.



MEDIUM DENSITY RESIDENTIAL

This area is comprised of predominantly single-family detached homes but may include attached single family units, such as townhomes and duplexes. The mix of housing types are intended to create neighborhoods with a density range of ~~3 to 4~~ **2 to 3** dwelling units per acre. Improved open spaces are interspersed and the streetscape is more formal.



HIGH DENSITY RESIDENTIAL

This area is intended to accommodate a variety of age groups and lifestyle preferences. Attached single family and multi-family units are intended for areas where access to the transportation network is high. Density ranges from ~~4 to 15~~ **3 to 10** dwelling units per acre.



MIXED USE

This area encourages the blending of complementary commercial, office and a mix of residential housing types. These areas typically offer a horizontal mix of uses where changes in use occur between adjacent buildings. Buildings are typically one and two stories. Designed to facilitate access via walking and biking, mixed-use areas should be located near potential commercial and mixed use nodes where access via the road network, sidewalks, greenways, and/or future transit is feasible.



MIXED USE NODE

These areas are intended to be centers of activity that include a mix of retail, restaurant, service, and office uses in addition to a variety of residential housing types. The mix of uses can be horizontal as well as vertical where a change in use can occur between floors of the same building. Buildings of two stories and above are common, and connected streets include short block lengths and pedestrian facilities. Open space is integrated in the form of plazas and greens.



OFFICE

These areas include a mix of professional offices, flex space and supporting commercial uses.



INSTITUTIONAL

These areas include schools, churches, hospitals, campus style development and government uses.



COMMERCIAL

These areas are comprised of local-serving retailers, restaurants, professional offices, and service uses. Such uses may be vertically mixed in multi-story buildings. All such uses should be located along major corridors and concentrated at key intersections.



LIGHT INDUSTRIAL

These areas are intended to be light industrial, office, and multi-tenant flex space. This area promotes the concentration of employment-generating uses in an area with desirable access to highways (I-485 via NC-49). Limitations on use should serve to mitigate negative impacts on residential development, such as traffic congestion, noise, and light pollution.



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of Addition of a Solicitation Ordinance to the Town Code of Ordinances (Public Hearing Recessed from September 2019)

Presenting Personnel:

Haynes Brigman, Town Manager

Suggested Motion or Action:

If approved:

Motion to approve the addition of a solicitation ordinance to the Town Code of Ordinances and addition of the permit fee to the Town Schedule of Fees, as presented.

Description/Background:

Town Council opened this public hearing at the September 2019 Council meeting and subsequently recessed it to the October meeting to make some changes to what was presented to Council. Council closed the public hearing in October 2019 and deferred decision until the November meeting, asking staff to get information from the Cabarrus County Sheriff and District Attorney related to the criminal enforcement of the ordinance.

Ordinance Review:

Harrisburg and neighboring communities continue to have sporadic issues with solicitors in their neighborhoods. Currently, the Town does not have a solicitation ordinance, so there is little that can be done by the Town and law enforcement to address issues when they arise. This ordinance intends to provide law enforcement officers with the authority to address solicitors and ensure they follow proper guidelines and requirements.

Upon the feedback provided by Town Council during the September 2019 Public Hearing, staff made subsequent changes to address those concerns. The two changes made to the proposed ordinance are as follows:

- Added language to allow exempted organizations to conduct activities beyond fund-raising; to include sales, marketing, or other activities representative of their organization.
- Removed the requirement of a bond being submitted to the Town as part of the solicitation permit.

An additional request was made by a Council member to remove businesses from being covered by the ordinance language for fear that it may restrict normal business practices for some businesses. This edit has not been included in the edits to the document for lack of consensus, but it can be discussed for consideration by the Council. To achieve the edit, a simple removal of the phrase "or businesses" from Section 111.01 (A) is required.

Staff met with the Cabarrus County Sheriff regarding the proposed ordinance and he supports it as written. He has authorized his staff, the Harrisburg Division, to enforce the ordinance on behalf of the Town.

The Town did not receive confirmation from the District Attorney regarding the criminal enforcement of the ordinance; however, we learned that the decision to prosecute the charge criminally would be case dependent, meaning that each

case would be viewed individually to determine prosecution. It is unlikely that the Town would pursue this criminal charge as a sole charge, and in unison with the views of the Sheriff's Department, a person being charged criminally with this ordinance violation will also likely be charged with other crimes.

Town staff recommends including the criminal language in the ordinance just as a safe guard if necessary. The NC General Assembly has recently implemented changes to the criminal prosecution of municipal ordinances, and due to the delays associated with the deferral of this ordinance, it may not be enforceable in a criminal way, but staff would still like to pursue that option if it remains available.

Recommendation:

Staff recommends approval of the attached solicitation ordinance and the related update to the Town's Schedule of Fees for the permit cost of \$25 per application.

Fiscal Impact:

Based on the number of solicitation permits applied for, a cost of \$25 per permit application is being recommended by staff.

Attachments:

1. Solicitation Ordinance Draft (2)
2. Solicitation Ordinance PowerPoint Presentation
3. 2020 Schedule of Fees - Solicitation

CHAPTER 111 - SOLICITATION

Sec. 111.01 - Prohibited acts.

- (A) It shall be unlawful for any person to enter upon any privately-owned premises or business without permission or invitation of the owner or occupant of such premises or business for the purpose of soliciting orders for immediate or future delivery of goods, wares, merchandise, or services, including the taking of subscriptions for magazines and the procuring of applications and contracts, without first receiving a permit issued by the Town of Harrisburg.
- (B) It shall be unlawful for any person holding a permit to fail to display the permit and identification upon demand of a law enforcement officer while engaged in soliciting in the Town.
- (C) It is unlawful for persons authorized to work for a permit-holder to fail to display a copy of the permit and recognized state identification upon demand of a law enforcement officer while engaged in soliciting in the Town. A person working for a permit-holder shall be listed as an authorized person on the face of the permit.
- (D) It shall be unlawful to conduct any business as listed in (A) during the hours between 7:00 p.m. and 8:00 a.m.

Sec. 111.02 - Exceptions.

Recognized charitable organizations, churches, schools, civic organizations and similar neighborhood associations performing fund-raising, sales, marketing, or other activities for their organization are exempt from the requirements of this chapter.

Sec. 111.03 - Application for permit; fees.

- (A) Each person requesting a permit under this section shall file a written application with the Town of Harrisburg which shall contain the following information:
 - (1) The name and address of the individual filing the application;
 - (2) The name and address of the principal or employer if the applicant is an agent or employee;
 - (3) A description of the goods or services to be sold or offered;
 - (4) A statement as to whether the applicant intends to receive payment or deposit for goods or services to be delivered or rendered in the future;
 - (5) The inclusive dates which the applicant will carry on business within the Town;
 - (6) A statement as to which days of the week the applicant intends to conduct business;
 - (7) A complete description of the vehicle or method of transportation the applicant intends to use for business purposes while in the Town;
 - (8) A statement as to whether the applicant, his principal or employer or other person having management or supervisory function in the applicant's business, has been convicted of a criminal offense and, if so, the name of the person convicted, the nature of the offense, the punishment assessed and when and where the offense occurred;
 - (9) A statement as to which areas of the Town the applicant intends to conduct his or her business; and
 - (10) A list of all persons other than the applicant that will be authorized by the applicant to engage in soliciting in the applicant's behalf.

- (B) Each person filing application for issuance of a permit to solicit in the Town shall present a driver's license or an approved state-issued identification card with a photograph at the time of filing the application.
- (C) Fees for this permit will be updated annually in the Schedule of Fees adopted by Town Council.

~~Sec. 111.04 - Bond required.~~

- ~~(A) Before any permit shall be issued under the provisions of this chapter, the applicant shall furnish a bond in the penal amount of \$5,000 to the Town signed by the applicant and as surety by some surety company authorized to do business in this state, conditioned upon the final delivery of goods, wares, merchandise, services, photographs, magazines and newspapers in accordance with the terms of any and all purchasers or customers for any and all defects in material and workmanship that may exist in the article sold by the principal on such bond at the time of delivery and that may be discovered by such purchaser or customer within 30 days after delivery. Such bond shall be for the use and benefit of all persons that may make any purchase or give any order to the principal on such bond or to any agent or employee of the principal. The principal shall be in effect for 180 days from expiration of this permit.~~
- ~~(B) Only one bond shall be required of each applicant, even though such applicant shall have one or more agents or employees; provided such bond shall be made to cover the activities of all such agents or employees.~~
- ~~(C) Applicants soliciting for recognized charitable organizations, churches, schools, civic organizations and similar neighborhood associations performing fund-raising activities for their organization are exempt from such bond.~~

Sec. 111.05 - Issuance of permit.

- (A) The Town of Harrisburg shall issue a permit to the applicant within five (5) working days of filing the application if it is determined that the applicant has complied with the provisions of this chapter and proposes to engage in a lawful commercial or professional enterprise.
- (B) The approved permit will be a letter on Town of Harrisburg letterhead signed by Town staff. The applicant, agent or employee must carry a copy of this letter along with an approved state identification card with a photograph at all times while engaged in business. The employee or agent's name must appear on the initial application and will be included on the letter.
- (C) The permit and identification must be displayed upon demand of any law enforcement officer.

Sec. 111.06 - Denial or revocation of permit.

- (A) Any applicant denied a permit will be mailed a letter within five working days after making application, stating the reason for denial. Denial will be made if it is determined that provisions of this chapter have not been met or the applicant does not propose to engage in a lawful commercial or professional enterprise. Conviction of criminal offenses by the applicant or principals in the business which indicate a propensity for violence, theft, fraud or similar offenses may be cause for denial of a permit.
- (B) The Town of Harrisburg may revoke a permit issued under this chapter when there is a reasonable factual basis that doing so would be in the best interest of the health, safety, welfare or morals of the public. The Town shall mail a letter to the address listed for the applicant on the application notifying them of the reason for revocation.

Sec. 111.07 - Term of permit; renewal.

A permit shall be issued for the period requested in the application, provided however no permit shall be issued for a period exceeding 12 calendar months. Upon expiration of the permit, the applicant may apply for a renewal of the permit which shall indicate what changes, if any, have occurred since the

date the original application was completed. The Town of Harrisburg may renew and extend the permit for an additional term not to exceed 12 calendar months.

Sec. 111.08 - Transfer of permit.

A permit issued under this chapter is not transferable.

- (A) **Definitions.** The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Accosting means approaching or speaking to someone in such a manner as would cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon his or her person, or upon property in his or her immediate possession.

After dark means from one-half-hour after sunset until one-half-hour before sunrise. The times of sunset and sunrise will be established by the times listed in The Charlotte Observer or another publication of similar distribution.

Beg, solicit or panhandle includes, without limitation, use of the spoken, written, or printed word, or other acts as are conducted in the furtherance of the purpose of immediately collecting contributions for the use of oneself or others. As used in this ordinance, the word "solicit," and its forms, includes begging and panhandling.

Financial institution means a bank, trust company, savings and loan association, credit union, check-cashing business or other entity principally engaged in the business of lending money or receiving or soliciting money on deposit.

Forcing oneself upon the company of another means:

- (1) Continuing to solicit in close proximity to the person addressed after the person to whom the solicitation is directed has made a negative response, either verbally, by physical sign, by attempting to leave the presence of the person soliciting, or by other negative indication;
- (2) Blocking the passage of the person solicited; or
- (3) Otherwise engaging in conduct that could reasonably be construed as intending to compel or force a person to accede to a solicitation.

- (B) **Prohibited acts.** It shall be unlawful for any person to beg, solicit or panhandle on a public sidewalk, public right-of-way or within a public park owned by the Town:

- (1) By accosting another, or by forcing oneself upon the company of another;
- (2) Within 50 feet of the entrance to any financial institution or any automated teller machine, regardless of whether or not such automated teller machine is located at or near a financial institution;
- (3) Within 50 feet of any outdoor dining area or outdoor merchandise area, provided such areas are in active use at the time;
- (4) Within 50 feet of any transit stop or taxi stand;
- (5) While the person being solicited is standing in line waiting to be admitted to a commercial establishment;
- (6) While under the influence of alcohol, illegal drug or prescription medication unless prescribed by a licensed physician.
- (7) By touching the person being solicited without that person's consent; or
- (8) After dark by means of verbal communication.

- (C) **Public transportation vehicle.** It shall be unlawful for any person to beg, solicit or panhandle on a public transportation vehicle.

Sec. 111.09 - Penalty.

This chapter may be enforced by any or both of the following ways as provided by law:

- (A) Anyone violating this chapter shall be guilty of a Class 3 misdemeanor and shall be fined not more than \$150 or imprisoned for not more than 10 days.
- (B) A violation of this chapter shall subject the violator to issuance of a citation in the amount of \$150 dollars for each such citation. A citation remaining unpaid to the town after 15 days shall subject the violator to a civil penalty which may be recovered by the town in a civil action. A violation which is a continuing violation shall subject the violator to a separate citation for each day the violation continues.

(Ord. XXXXX, passed XXXX)



HarrisburgNC
The right side of opportunity

Solicitation Ordinance

September 9, 2019

Solicitation Ordinance Overview

- During the summer the Town received several calls from residents related to solicitors in their neighborhoods conducting rude and aggressive sales tactics
- The Town, and law enforcement officials, had no authority to regulate the solicitors due to a lack of ordinance governing such acts
 - Cabarrus County also has no such ordinance
- The Town previously considered a Solicitation Ordinance in 2010, but the ordinance was never voted on
 - Concern at the time was related to how the ordinance would impact non-profit organizations
- Town staff reviewed other ordinances and discussed ordinance implementation with other community leaders before drafting its proposed ordinance
 - Priority centered around creating an ordinance that gave law enforcement the tools they needed to protect citizens and businesses from nuisance solicitors

Solicitation Ordinance Intent

- Protect property owners and businesses from unwanted solicitation
- Provide law enforcement with ordinance authority to address unwanted solicitors
- Ordinance will be driven by complaints
 - Meaning no proactive enforcement of the ordinance will take place
 - The Town will not interfere with current business solicitation practices that are approved by the business
 - Town/Law Enforcement will respond when engaged by the public or business
- Cabarrus County Sheriff's Department will be the enforcement agency for the Town

Solicitation Ordinance Language

- Makes it unlawful for any person to enter upon any privately-owned premises or business without permission or invitation of the owner/occupant for the purposes of soliciting sales, orders, goods, wares, merchandise, or services (both immediate or future delivery) without first receiving a permit from the Town
- Recognized charitable organizations, churches, schools, civic organizations and similar neighborhood associations performing fund-raising, sales, marketing, or other activities are **EXEMPT**
- Outlines expectations of applicants and fees associated with the permit
- The Town will issue permits for a period of 12 months; permits will be \$25
- Violators may be charged with a Class 3 misdemeanor and fined \$150

Solicitation Ordinance Language (additional)

- Requires identification of applicant, or anyone acting on behalf of the applicant, to identify if they have been convicted of a criminal offense
- The Town may choose to deny an applicant, or revoke a permit, under the following conditions:
 - the ordinance is violated
 - the best interest of the health and safety of the community is in jeopardy
 - the applicant or its associates have been convicted of criminal offenses
- Protects citizens from being accosted by a solicitor
- Prohibits solicitation within 50 feet of a financial institution or ATM/teller machine
- Prohibits solicitation within 50 feet of any outdoor dining area or outdoor merchandise area
- Prohibits solicitation within 50 feet of a public transit stop
- Prohibits solicitation while a person is standing in line waiting to be admitted to a commercial establishment

Questions?

Town of Harrisburg, North Carolina
Schedule of Fees
Fiscal Year 2020

GENERAL FEES	
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Copy Machine Fee	\$0.25 per copy
Passport Acceptance Fee	\$35 per Application
Electric Vehicle Charging Station	\$0.50 per hour
Solicitation Permit Application Fee	\$25 per Application
Credit Card Fees	Convenience Fee - \$2.50 per transaction Surcharge - 2.50% of amount of charge
Copy of Town Council or Planning and Zoning Board Meeting (DVD)	\$5

Miscellaneous Zoning Fees

Copy of UDO	\$35
Map Fees	
17" x 22" Maps (ANSI C)	\$10
22" x 34" Maps (ANSI D)	\$15
34" x 44" Maps (ANSI E)	\$20

Double Fees: Where construction begins without the appropriate permits in place, costs shall be doubled.



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of FY2020 Budget Amendment for Deputy Motorcycle

Presenting Personnel:

Brian Lee, Deputy Finance Director

Suggested Motion or Action:

If Council desires to continue the motorcycle fleet with the Cabarrus County Sheriff's Department a motion to approve the FY2020 budget amendments for the purchase of a motorcycle for the Sheriff's Deputies, as attached.

Description/Background:

The Sheriff's Department - Harrisburg Division is asking for funds to purchase a used motorcycle from the Mooresville Police Department for traffic enforcement.

During the budget process, this piece of equipment was requested for replacement, at an estimated cost of \$40,000. Council advised staff to find a cheaper alternative to a brand new replacement and bring back for consideration.

The Sheriff's Department was able to identify a used motorcycle with the Mooresville Police Department that will fill the needs of the Harrisburg Division.

The motorcycle is a 2011 BMW with 5,108 miles on it. The purchase price of the motorcycle is \$15,000, and we will have to put an additional \$5,000 towards adding a computer, Cabarrus County specific striping, and a new rear tire.

The current motorcycle has reached the end of its useful life and can no longer be used for regular patrol.

Recommendation:

Staff recommends approval of the budget amendments, as attached.

Fiscal Impact:

The motorcycle and all associated accessories and striping has a cost of \$20,000. If approved, the funds will be transferred from the Capital Reserve Fund - General Fund.

The current balance of the Capital Reserve Fund, after funding all planned FY2020 capital purchases and end-of-year transfers, is \$64,116. This amendment would reduce that available balance to \$44,116.

Attachments:

1. Amendment -CRF-GF Deputy Motorcycle 11122019
2. Amendment -GF Deputy Motorcycle 11122019



AN ORDINANCE AMENDING THE 2019-2020 BUDGET ORDINANCE OF THE TOWN OF HARRISBURG, NORTH CAROLINA

Be it ordained by the Town Council of the Town of Harrisburg, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2020:

Section 1. Amend Capital Reserve Fund – General Fund line items to account for the purchase of Deputy motorcycle.

Section 2. To amend the Capital Reserve Fund – General Fund, the appropriations are to be changed as follows:

Increase line item 200-8500-59100	\$ 20,000
Transfers Out – General Fund	

Section 3. To amend the Capital Reserve Fund – General Fund, the revenues are to be changed as follows:

Increase line item 200-48599	\$ 20,000
Appropriated Fund Balance	

Section 4. Copies of this budget amendment shall be furnished to the Clerk of the Town Council, and to the Budget Officer and the Finance Officer for their direction.

Section 5. That this ordinance shall be effective upon its passage. Adopted this 12th day of November, 2019.

Steve Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk



**AN ORDINANCE AMENDING THE 2019-2020 BUDGET ORDINANCE
OF THE TOWN OF HARRISBURG, NORTH CAROLINA**

Be it ordained by the Town Council of the Town of Harrisburg, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2020:

Section 1. Amend General Fund line items to account for the purchase of Deputy motorcycle.

Section 2. To amend the General Fund, the appropriations are to be changed as follows:

Increase line item 100-2000-57103	\$ 20,000
Capital Outlay	

Section 3. To amend the General Fund, the revenues are to be changed as follows:

Increase line item 100-49905	\$ 20,000
Transfers In – Capital Reserve Fund – General Fund	

Section 4. Copies of this budget amendment shall be furnished to the Clerk of the Town Council, and to the Budget Officer and the Finance Officer for their direction.

Section 5. That this ordinance shall be effective upon its passage. Adopted this 12th day of November, 2019.

Steve Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of Preliminary Plat for the Terraces at Farmington Preliminary Plat H2019-01-(S).

Presenting Personnel:

Haynes Brigman, Town Manager

Suggested Motion or Action:

If approved, the following motion is suggested:

To approve the Preliminary Plat application as requested by the applicant for the related property in application H-2019-01 (S).

Description/Background:

Eddie Moore with McAdams, on behalf of Farmington Owner and Developer, has submitted a Preliminary Plat application for 144 town homes, located on the north side of Rocky River Road adjacent to the Mecklenburg County line and west of Stafford Road approximately 900' north of Rocky River Road.

The site Address is 9880 Rocky River Road and the Town Home POD consists a total area of 22.40 acres. The subject property is part of the Farmington PUD and that the site plan was recently updated (Case #H-2019-02-(R)) in September 2019 to allow for removal of condition to build YMCA and add additional residential units. A staff report is attached for more information and a site plan along with development notes is submitted for your consideration.

Staff has reviewed the site plan in accordance with the Harrisburg Area Land Use Plan (HALUP), Unified Development Ordinance (UDO) and previously approved Farmington PUD.

Recommendation:

Planning and Zoning Board reviewed the Preliminary Plat at their October 15 meeting and recommended this be approved by the Town Council.

Staff has reviewed the submitted preliminary plat, and has found it to be consistent with the approved conditional zoning site plan (H-2019-02-R), the Harrisburg Area Land Use Plan (HALUP) and the standards of the Farmington PUD.

Fiscal Impact:

None.

Attachments:

1. H2019-01-(S) Staff Report_Terraces at Farmington
2. Terraces at Farmington_Site Location Map
3. Terraces at Farmington_Preliminary Plat Application
4. Terraces at Farmington - Preliminary Plat.
5. TerracesAtFarmington_Street Names Approval



Town of Harrisburg
Planning and Economic Development Department

DATE: October 07, 2019

SUBJECT: H2019-01-(S) **Terraces at Farmington, POD 1** Preliminary Plat

Owner/ Developer: Jim Merrifield with MPV Properties

Location: The subject property is located on the north side of Rocky River Road adjacent to the Mecklenburg County line and west of Stafford Road approximately 900' north of Rocky River Road. Site Address is 9880 Rocky River Road.

BACKGROUND:

Area: Approximately 22.40 acres

Zoning: PUD-SPA: Planned Unit Development-Site Plan Amendment

Staff Report prepared by: Matt Ward, Senior Planner

GENERAL DISCUSSION:

- The entire 109.05 acres was recently rezoned in 2019 to PUD-SPA, Planned Unit Development – Site Plan Amendment, in order to remove the condition to build a YMCA and replace with residential development.
- The applicant is seeking preliminary plat approval of Terraces at Farmington a townhouse community of 144 units which is consistent with the underlying PUD-SPA zoning, including the approved conditional rezoning site plan.
- Staff has reviewed the plan and has recommended approval with overall conditions for the Farmington PUD, outlined in this staff report.

APPROVAL CRITERIA:

1. **The proposed land uses are in accord with the adopted *Comprehensive Plan* and the Official Zoning Map, or that the means for reconciling any differences have been addressed. A Preliminary Plat may be processed concurrently with a rezoning request.**

Per the Harrisburg Area Plan, the subject property is in an area designated as Mixed Use. This area is intended to accommodate development that combines commercial and civic/institutional land uses with a mixture of housing types. The predominant uses include retail, office, multi-tenant flex space, single-family detached and attached residential, multi-family residential at a medium density and civic and institutional uses. This area consists of a village center connected with multi-use paths, tree save and unique farmhouse style residential architecture. The rezoning which was approved to accommodate this development and was found to be consistent with the Harrisburg Area Plan and the Unified Development

Ordinance. Therefore, the request conforms to the goals and policies of the Harrisburg Area Plan and the Unified Development Ordinance.

- 2. The proposed subdivision conforms to all relevant requirements of this ordinance and to any variances that have been granted to permit any nonconformance. The plat shall meet all requirements of this Ordinance with respect to lot size and area, and in no way create a violation of any applicable current ordinances, statutes or regulations.**

At the present time, no variances have been approved for the subject property.

- 3. The proposed development, including its lot sizes, density, access and circulation, are compatible with the existing and/or permissible future use of adjacent property.**

The zoning districts of the surrounding properties to the north, east, and west, are residential in nature, while the properties to the south are commercial. The Rocky River Road separates the subject property and the commercial properties to the south. The lot sizes are significantly smaller than the lots in the surrounding community due to the area being largely undeveloped farm land. Regardless of the area being largely undeveloped, the nature of the subdivision is compatible with the surrounding properties.

- 4. That the proposed subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties.**

The proposed project is a mixed use as well as attached and detached residential subdivision. No uses or designs proposed in this development would detrimentally impact the ability of the surrounding property to be used in a safe or viable manner.

- 5. That the soils and topography have been adequately studied to ensure that all lots are developable for their designated purposes.**

The subject property will be served by public utilities (water and sewer) therefore; soil suitability is not a primary concern. Regarding the topography, the applicant will be required to submit a Soil and Erosion Control Plan to NCDEQ for review and approval. In addition, the applicant will also be required to submit construction drawings to the Town of Harrisburg for review and approval regarding utility placement and lot design standards.

- 6. That any land located within Zone A as shown on the currently adopted Flood Boundary and Floodway Maps of the Flood Insurance Study, is determined to be suitable for its intended use and that the proposed subdivision adequately mitigates the risks of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, or any other floodplain-related risks to the health, safety or welfare of the future residents of the proposed subdivision in a manner consistent with this ordinance, as described in § 4.14 of this Ordinance.**

The proposed development will be subject to the regulations set forth in the Unified Development Ordinance as well as any State or Federal regulations related to floodplain development and/or wetlands regulations. In addition, the development will be subject to NCDEQ sedimentation and erosion control standards. As it stands, the current layout has been designed so that the floodplain is largely untouched with the exception of a constructed greenway. The applicant will have to apply for the applicable permits through the NCDEQ in order to ensure the construction of the greenway will not affect the floodplain.

- 7. The proposed name of a subdivision shall be approved by the Cabarrus County E-911 Coordinator(s) and shall not use a word, or phrase, which is the same as, similar to, or pronounced the same as a word or phrase in the name of any other subdivision in Cabarrus County or any municipality or jurisdiction in the County. Proposed subdivisions**

may only use a duplicate subdivision name in the event that the Administrator requires the use of the same name for purposes of clear identification.

The proposed name of the subdivision is Terraces at Farmington. This name has been approved for use by the Cabarrus County E-911 Coordinator. All street names have been reviewed and approved by Cabarrus County E-911 Coordinator.

APFO REVIEW:

SCHOOLS

This part of the Unified Development Ordinance is no longer enforceable as determined by the NC Supreme Court. However, the schools have provided the following data on school capacity:

The numbers provided are for the overall Farmington project to include all residential on the Cabarrus County side and is not for individual phased developments.

Current Capacity	
Elementary (Harrisburg Elementary) -	<u>132.84%</u>
Middle (Hickory Ridge) -	<u>121.70%</u>
High (Hickory Ridge) -	<u>97.88%</u>
Future Capacity Based on Unbuilt Lots and Including this Request	
Elementary (Harrisburg Elementary) -	<u>150.25%</u>
Middle (Hickory Ridge) -	<u>145.75%</u>
High (Hickory Ridge) -	<u>117.86%</u>

As per Cabarrus County School, Single-family attached homes in this development will generate upon buildout an additional 57 elementary students, 20 middle school students, and 27 high school students. Single-family detached homes would generate an additional 15 elementary students, 7 middle school students, and 10 high school students.

TRANSPORTATION

A Traffic Impact Assessment (TIA) was completed as part of rezoning process and that the traffic mitigation measures proposed will be completed as part of the overall Farmington PUD.

FIRE, POLICE SANITATION

Adequate fire, police and sanitation services are available through the Town of Harrisburg.

PARKS AND RECREATION

A condition of approval of the rezoning for this project is to build greenway and multi-use path as outlined in Condition #2 and 9.

UTILITIES

Utilities are available through the Town of Harrisburg. Applicant will be required to extend the water line and sewer line to their site.

CONDITIONS OF APPROVAL:

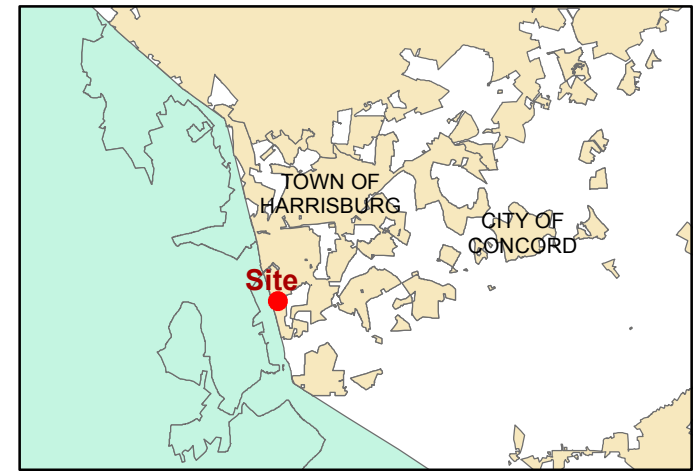
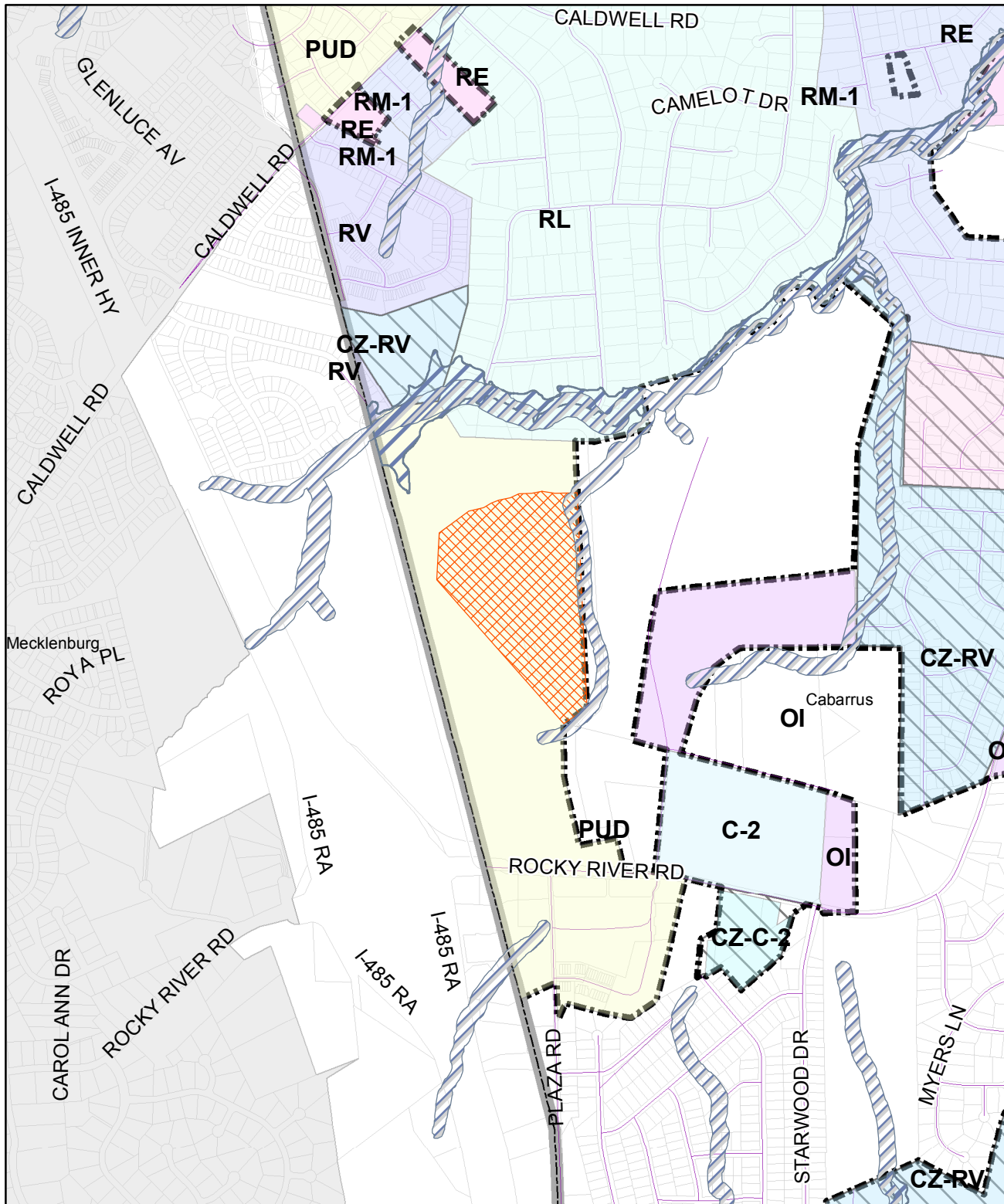
In considering an application for a subdivision plat, the decision-making agency shall consider and may impose modifications or conditions to the extent that such modifications or conditions are necessary to ensure compliance with the criteria of Section 6.2 of the UDO.

Should the Board consider recommending approval of the preliminary plat for the Terraces at Farmington subdivision, staff requests that the following conditions become part of the approval:

1. Applicant agrees to obtain any and all applicable local, state, and federal permits required for development before any development activity can take place.
2. Applicant agrees to dedicate a 25ft greenway easement (except for portions of greenway along streets), and construct a 10ft asphalt greenway as shown on plan, to meet the requirements of Article 6.5.5 of the UDO. The greenway shall be constructed prior to the 50 % completion of each residential POD (Areas 2 and 3)
3. Applicant agrees to restrict cladding materials for all residential buildings to masonry products; vinyl siding will not be used.
4. Applicant agrees to install all required improvements as required by the final approved Traffic Impact Analysis and at the direction of NCDOT.
5. Applicant agrees to the final design of Farmington Ridge Parkway and other streets within the development as depicted in sheets RZ-3 and RZ-4 of the Site Plan.
6. Applicant agrees to assess the pavement structure for the existing portions of Farmington Ridge Parkway, and bring this portion of street up to current Town standards as needed to accommodate the increased traffic this proposed development will place on this structure.
7. Applicant agrees to construct Farmington Ridge Parkway in its entirety throughout the site as part of Phase I of the development.
8. Applicant agrees that there will be no more than 20% of the residential units as rentals at any given time, and will be restricted as such by the deed restrictions.
9. Applicant agrees to install greenway and amenities such as trash receptacles and benches along the greenway during greenway construction.
10. Applicant agrees to remove animal shelters as an allowed use in this PUD district.

RECOMMENDATIONS:

The preliminary plat is consistent with the Harrisburg Area Land Use Plan and the existing PUD-SPA zoning designation including the multi-family residential design guidelines. Therefore, the Planning and Economic Development Department recommends approval of this preliminary plat request.



H 2019-01-(S) Terraces at Farmington, POD 1 Rocky River Road Assoc., LLC

Applicant: Jim Merrifield

Zoning: Planned Unit Development (PUD)
Site Plan Amendment (PUD-SPA)

Terraces at Farmington Preliminary Plat Request
Subject Site (Terraces at Farmington)
POD 1



Farmington

Town Limits

Floodplain Overlay

Parcels



0 12,500 25,000 50,000 Feet



Application for Preliminary Plat Review and Approval

For an application to be considered complete, you must submit the following information to the Town of Harrisburg Planning Department:

1. One (1) copy of the signed Pre-submittal Meeting Checklist completed at the required pre-submittal meeting. Two (2) pre-submittal meetings were held with former staff and a signed Pre-submittal Meeting Checklist was not provided to owner and/or developer as part of each meeting.
2. One (1) complete Town of Harrisburg Preliminary Plat Application
3. Fifteen (15) FOLDED copies of the final plat (blue/black lines), and One (1) digital version (PDF)
4. Plat review fee (\$1000.00 + \$5 per lot)
5. One (1) completed Street Name Review and Confirmation Form
6. Required number of copies of the Transportation Impact Analysis (Number of copies to be submitted to be determined at pre-submittal meeting)

NOTE: Incomplete Applications will not be processed by the Planning and Zoning Department, and will be returned to the Applicant.

Project Information	
1. Name of Subdivision:	
2. Location of Subdivision: Farmington, Pod 1 - North of Rocky River Rd and west of Stafford Rd	
3. Cabarrus County PIN Numbers: Part of 5506140729	
4. Current Zoning: PUD	
5. Project Classification (Residential, Commercial, etc.): Townhomes	
6. Is this a CU or CZ Project? ☒ YES: Case Number: H2017-04-(R) ☐ NO	
7. Date of Preliminary Plat Approval: Subdivision Case #:	
Owner/Developer Information	
1. Property Owner Name: Jim Merrifield - MPV Properties Property Owner Phone: 704-561-5241	
Property Owner Email: JMerrifield@mpvre.com	
2. Developer Name: Alan Kerley - Taylor Morrison Developer Phone: 704-400-5308	
Developer Email: AKerley@taylormorrison.com	
3. Contact for Comments Name: Eddie Moore - McAdams Contact for Comments Phone: 704-527-0800	
Contact for Comments Email: emoore@mcadamsco.com	
Utilities	
Water 1, Who will provide water and sewer services for this site? ☐ Private ☒ Public Provider: Harrisburg Sewer ☐ Private ☒ Public Provider: Harrisburg	
Overlay District (Article 4)	
Is the subject property located in an Overlay Zone? ☐ YES: ☒ NO	
If YES, which one(s): _____	

Flood Panel and RSOD Information (Article 4)

Is the subject property located in an area regulated by the Floodplain Overlay District? ☐ YES: ☒ NO

Flood Panel Number(s) _____ Map Date _____

Is the subject property in the RSOD? ☒ YES: ☐ NO

If YES, has the RSOD been shown on the plan and have the calculations been submitted with the plan?

☒ YES: RSOD illustrated on plan and calculations part of overall PUD development ☐ NO

Verification of Process

I, Eddie Moore, submit that all of the information contained in this application is true and correct and also understand that incomplete applications will not be processed by the Town of Harrisburg Planning Department.

Date: March 13, 2019

Signed:



Title: Agent for Developer

(Owner, Agent, Developer, LLC Member, etc.)

Do not write below this point

For Staff Use Only:

Subdivision application fee paid: _____ Check Number: _____

**TOWN OF HARRISBURG
PRELIMINARY SUBDIVISION
APPROVAL APPLICATION**

STREET NAME REVIEW AND CONFIRMATION

Cabarrus County Code

Section 66-69. Name of subdivision and its roads.

The name of a subdivision or its roads shall not duplicate nor closely approximate, either phonetically or by spelling, the name of an existing subdivision or roads within the County, within any municipality within the County, or in an adjacent county or municipality (if the development is in close proximity to another jurisdiction). All names must be approved by the County planning division.

(Ord. Of 7-22-91, 4.4)

Cross reference – Road names and address display, 62-36 et seq.

RESPONSE WILL BE BY FAX Please respond by email at emoore@mcadamsco.com or call 704-527-0800 x324.
PLEASE FAX TO: 704-455-1206 We do not have a fax machine. Thank you.

AREA:

Date:	Parcel Identification Number (PIN): Part of 5506140729			
Existing Road Providing Access to Area:	Rocky River Rd			
Zoning District*:	☒ Residential	☐ Commercial	☐ Industrial	☐ Manufactured

Home (*Circle One)

Contact for County comments - Eddie Moore - McAdams, 704-527-0800, emoore@mcadamsco.com

APPLICANT:

Developer/Owner:	Taylor Morrison Homes
Contact Name:	Alan Kerley
Telephone Number:	704-400-5308 AKerley@taylormorrison.com
Fax Number:	

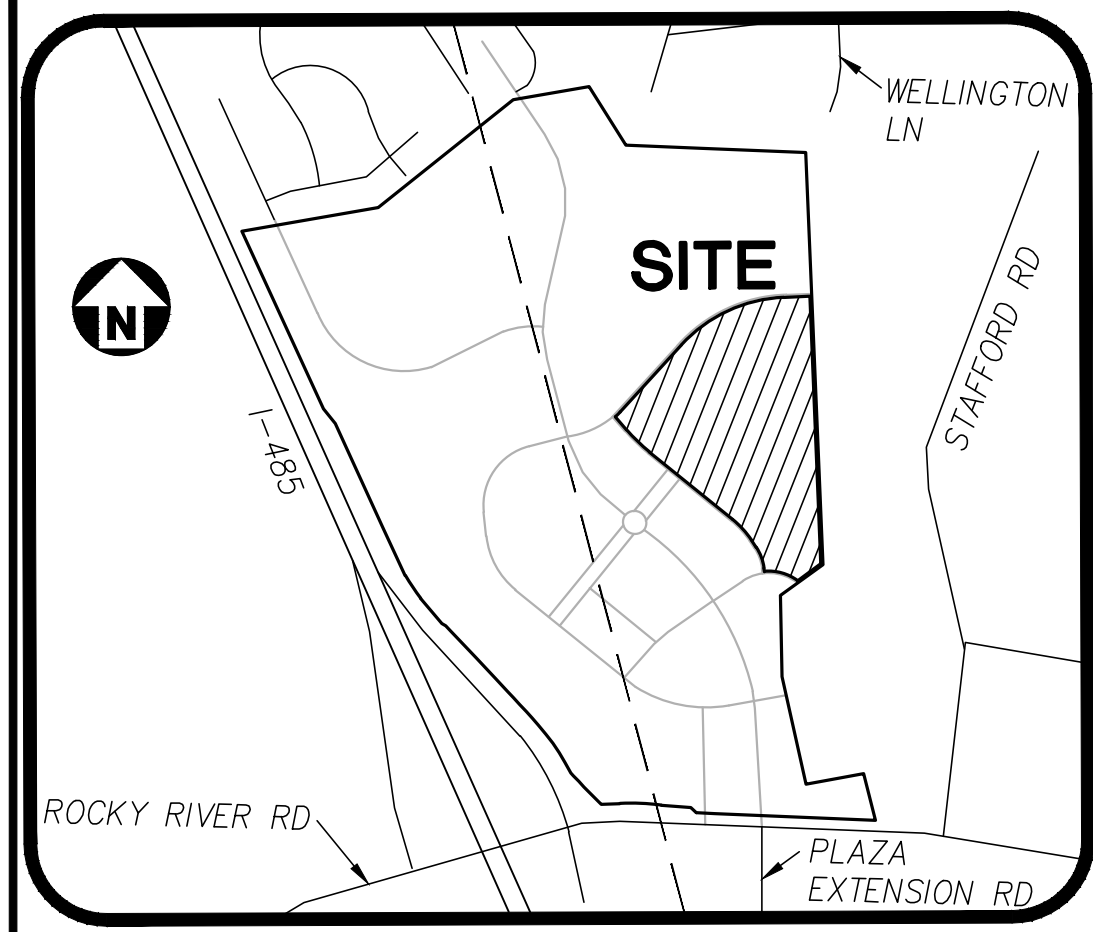
PROPOSED PROJECT:

Project Name:	Farmington Terraces	Approved / Denied
Alternate Project Name:	Terraces at Farmington	Approved / Denied

PROPOSED STREET(S): Only need 3 street names

Street Name:	Cochrane Bend	Approved / Denied
Street Name:	Fuda Creek	Approved / Denied
Street Name:	Embayment	Approved / Denied
Street Name:	Runnel	Approved / Denied
Street Name:	Harrow	Approved / Denied
Street Name:	Harwen	Approved / Denied
Street Name:	Coulee	Approved / Denied
Street Name:		Approved / Denied

EMS 911 COUNTY CORRINATOR: _____ **DATE:** _____



VICINITY MAP

N.T.S.

SITE DATA

CURRENT OWNER: ROCKY RIVER ROAD ASSOCIATES LLC.				
PARCEL:	PID:	DB:	PG:	ACREAGE:
A	5506141031	08789	0255	22.40
ZONING:	PUD (SPA)			
CURRENT USE:	VACANT LAND			
PROPOSED USE:	TOWNHOMES			
TREE SAVE REQUIREMENT:	PER PETITION #: H2019-02 (R)			
MINIMUM REQUIRED PARKING RATIO:	PER PETITION #: H2019-02 (R)			
MINIMUM REQUIRED PARKING SPACES:	PER PETITION #: H2019-02 (R)			
REQUIRED PARKING SPACES:	216			
PROPOSED PARKING SPACES:	333 (45 ON-STREET SPACES)			
EXISTING LOTS	1			
PROPOSED LOTS	144			
NET ACREAGE OF PROPOSED LOTS	8.14 AC			
NUMBER OF LOTS PER PHASE	PH1:76	PH2:48	PH3:20	
OPEN SPACE	5.80 AC (EXCLUDING SW FACILITIES)			
TOTAL ACREAGE IN PROPOSED STREET R/W	3.00 AC			
TOTAL LINEAR FOOTAGE PROPOSED STREETS	HARWEN LANE: 1,281.3 LF COULEE LANE: 782.6 LF RUNNEL WAY: 332.2 LF			
EXISTING PERVIOUS AREA	22.40 AC (100%)			
PROPOSED PERVIOUS AREA	13.70 AC (61.1%)			
EXISTING IMPERVIOUS AREA	0 AC (0%)			
PROPOSED IMPERVIOUS AREA	8.70 AC (38.9%)			
FLOOD ZONE	ZONE "X", MINIMAL FLOOD HAZARD			
BASE FLOOD ELEVATION	NA			
WATERSHED PROTECTION OVERALL DISTRICT	NA			
FLOODPLAIN PROTECTION OVERALL DISTRICT	NA			
ANTICIPATED DATE OF FINAL PLATTING	FALL 2020			
FIRE PROTECTION GENERAL INFORMATION:				
TYPE OF CONSTRUCTION	TOWNHOMES			
FIRE ALARM PROVIDED	NO			
SPRINKLER SYSTEM PROVIDED	NO			
NUMBER OF FLOORS OF LARGEST BLDG	3-STORIES			

SETBACK DATA

SUBLOT FRONT SETBACK	0'
SUBLOT INTERIOR SIDE SETBACK	0'
SUBLOT INTERIOR REAR SETBACK	0'
MINIMUM BUILDING SEPARATION	10' (PER PUD)
MAXIMUM BUILDING HEIGHT	45' (PER PUD)
MAXIMUM BUILDING LENGTH	150'

NOTE: RC (RESIDENTIAL COMPACT) DIMENSIONAL AND DENSITY INFORMATION/STANDARDS LISTED DIRECTLY ABOVE DO NOT APPLY TO ATTACHED TOWNHOMES.

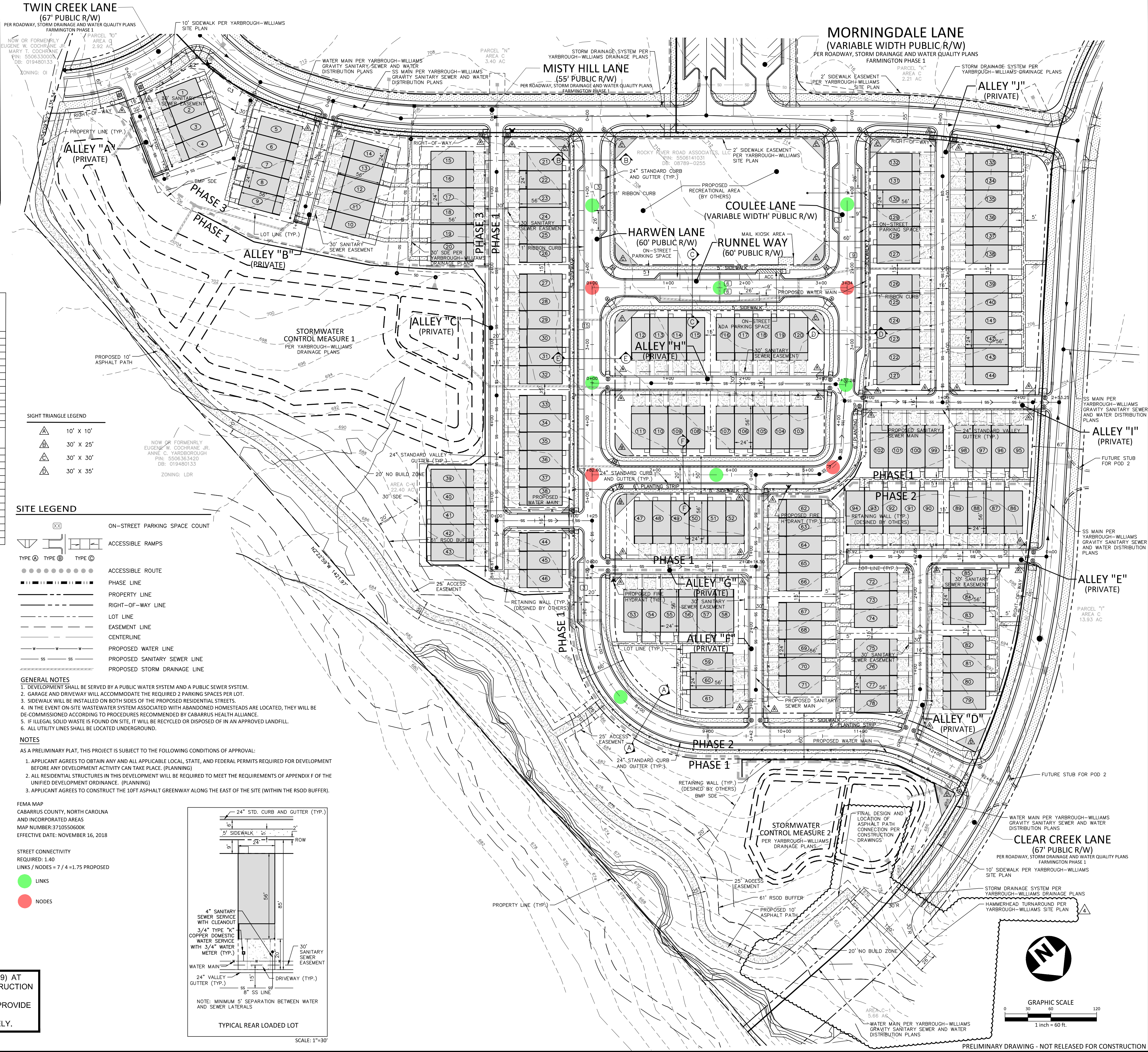
LINE TABLE		
LINE	LENGTH (FT)	BEARING
L1	46.36	S33° 53' 29"E
L2	42.77	S41° 00' 41"E

CURVE TABLE				
CURVE	LENGTH (FT)	RADIUS (FT)	BEARING	CHORD
C1	183.26	283.50	S68° 25' 16"E	180.08
C2	38.86	30.00	S49° 50' 01"E	36.20
C3	102.50	277.50	S23° 18' 35"E	101.92
C4	156.63	527.50	S42° 23' 52"E	156.05
C5	167.91	972.50	S45° 57' 28"E	167.70
C6	43.68	30.00	N00° 42' 11"E	39.93
C7	604.67	766.50	N65° 01' 02"E	589.11



Know what's below.
Call before you dig.

CONTRACTOR SHALL NOTIFY "NC811" (811) OR (1-800-632-4949) AT LEAST 3 FULL BUSINESS DAYS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR SHALL CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES INDEPENDENT OF "NC811". REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.



McADAMS
The John R. McAdams Company, Inc.
3430 Toringdon Way
Suite 110
Charlotte, NC 28277
phone 704.527.0800
fax 919.361.2269
license number: C-0293
www.mcadamsco.com

CLIENT
ALAN KERLEY
TAYLOR MORRISON
1410 WEST MOOREHEAD STREET, SUITE 100
CHARLOTTE, NORTH CAROLINA 28208
PHONE: 704.357.6632

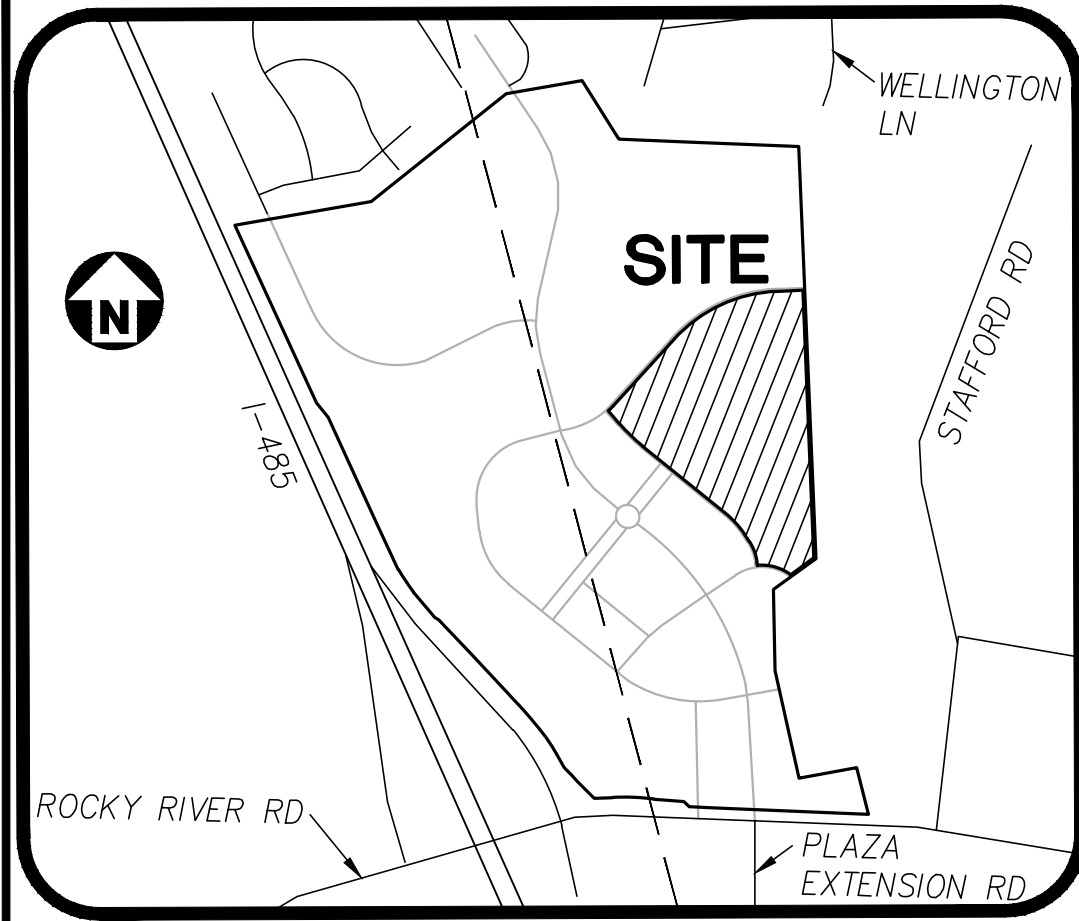
taylor morrison
Homes Inspired by You

TERRACES AT FARMINGTON PRELIMINARY PLAT NORTHEAST INTERSECTION OF I-485 OUTER AND ROCKY RIVER ROAD HARRISBURG, NORTH CAROLINA

REVISIONS			
NO.	DATE		
1	06.27.2019	CITY COMMENTS	
2	07.19.2019	CITY COMMENTS	
3	09.05.2019	CITY COMMENTS	
4	10.02.2019	CITY COMMENTS	

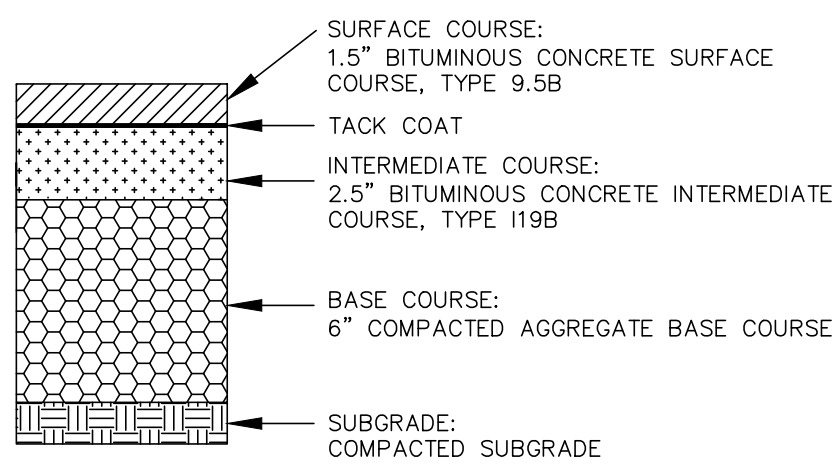
PLAN INFORMATION	
PROJECT NO.	TMH17030
FILENAME	TMH17030-F1
CHECKED BY	RMR
DRAWN BY	CEG
SCALE	1"=60'
DATE	03.12.2019
SHEET	
PRELIMINARY PLAT	

PL-1



VICINITY MAP

N.T.S.

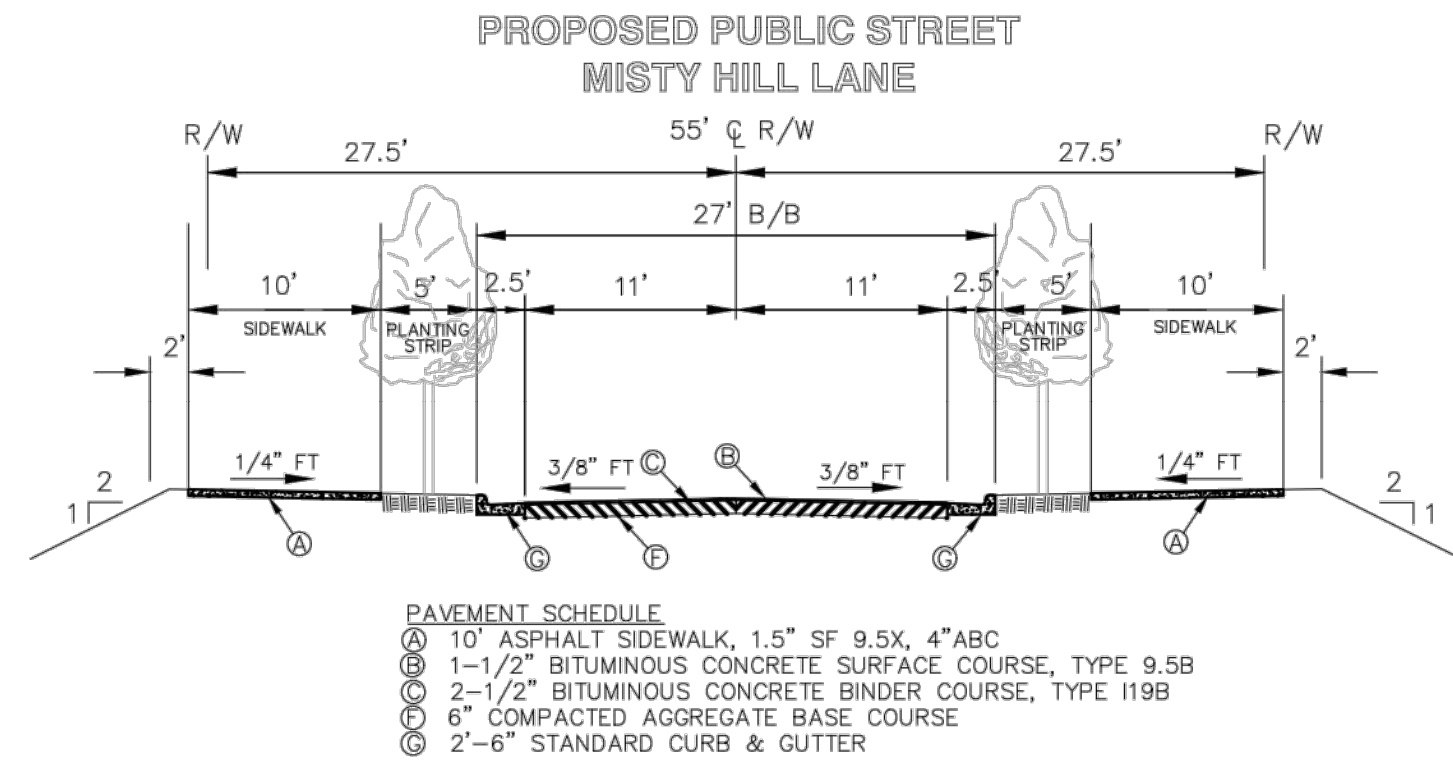
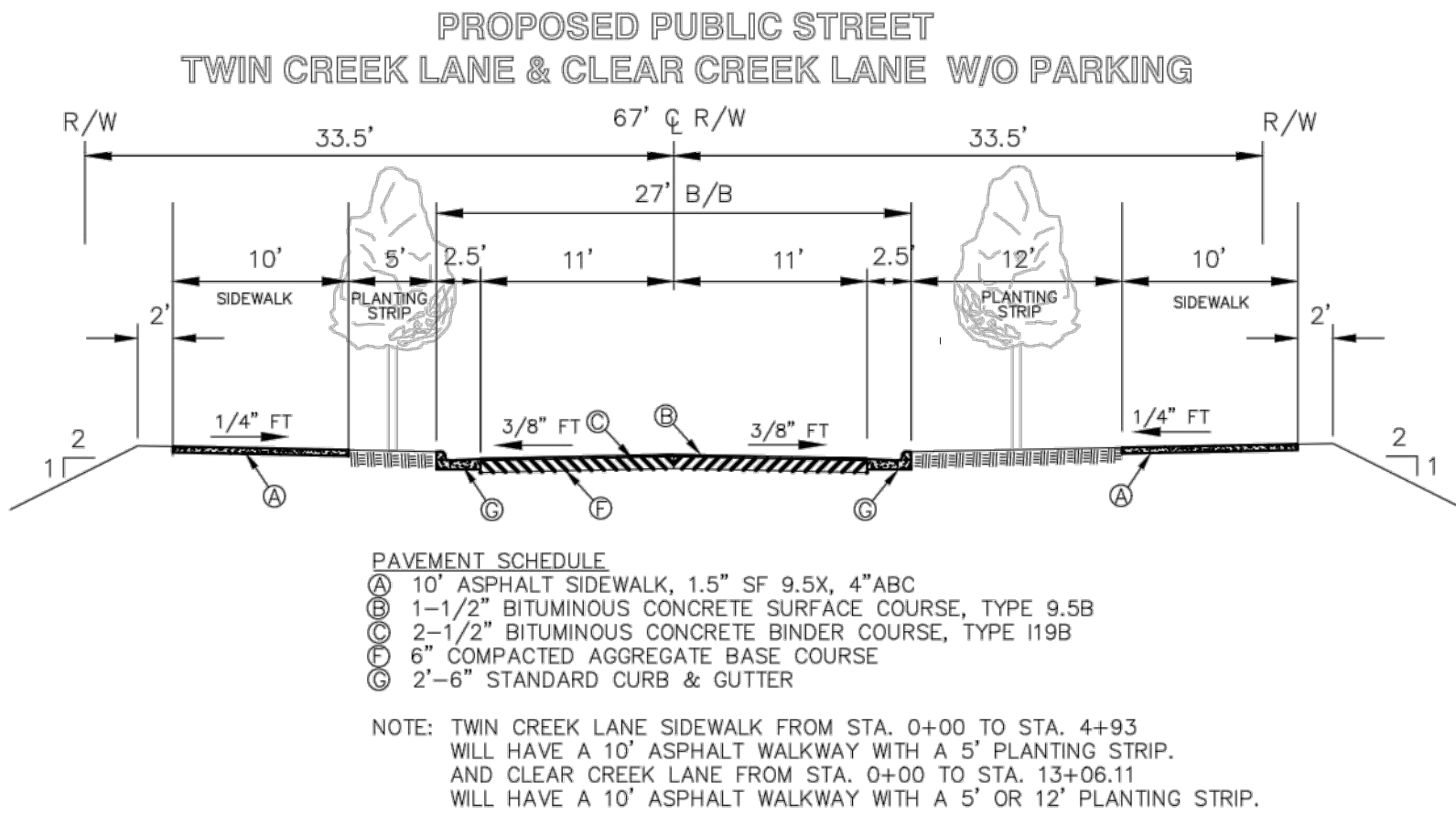
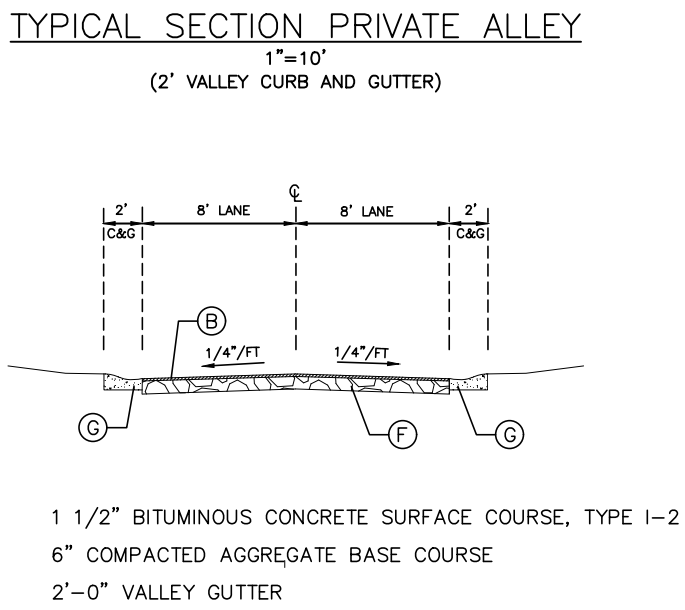
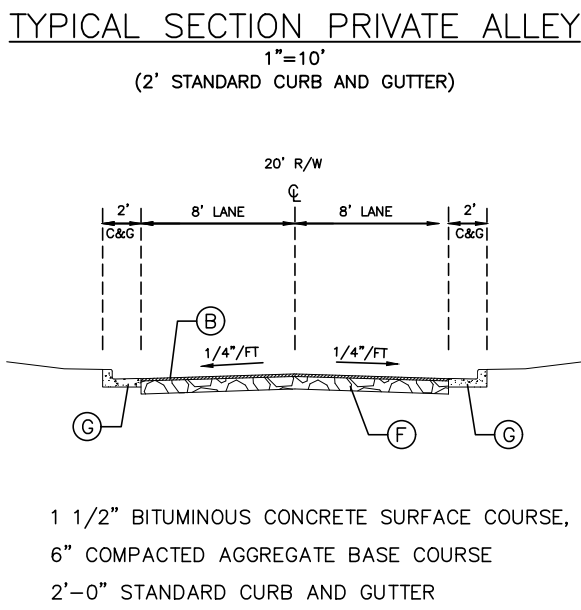
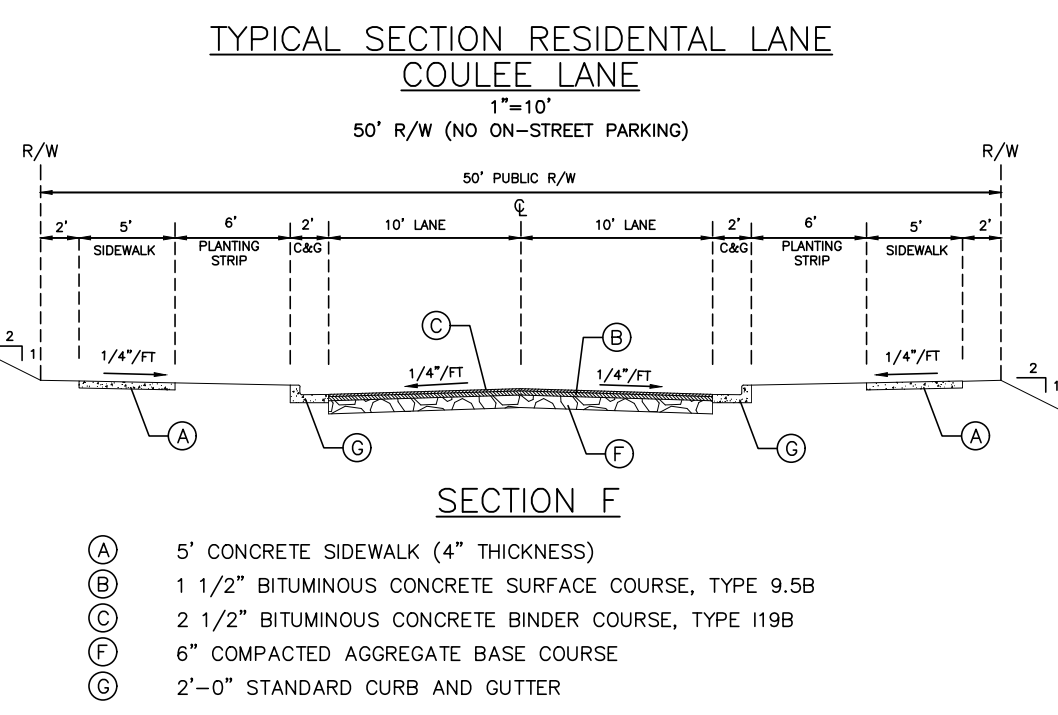
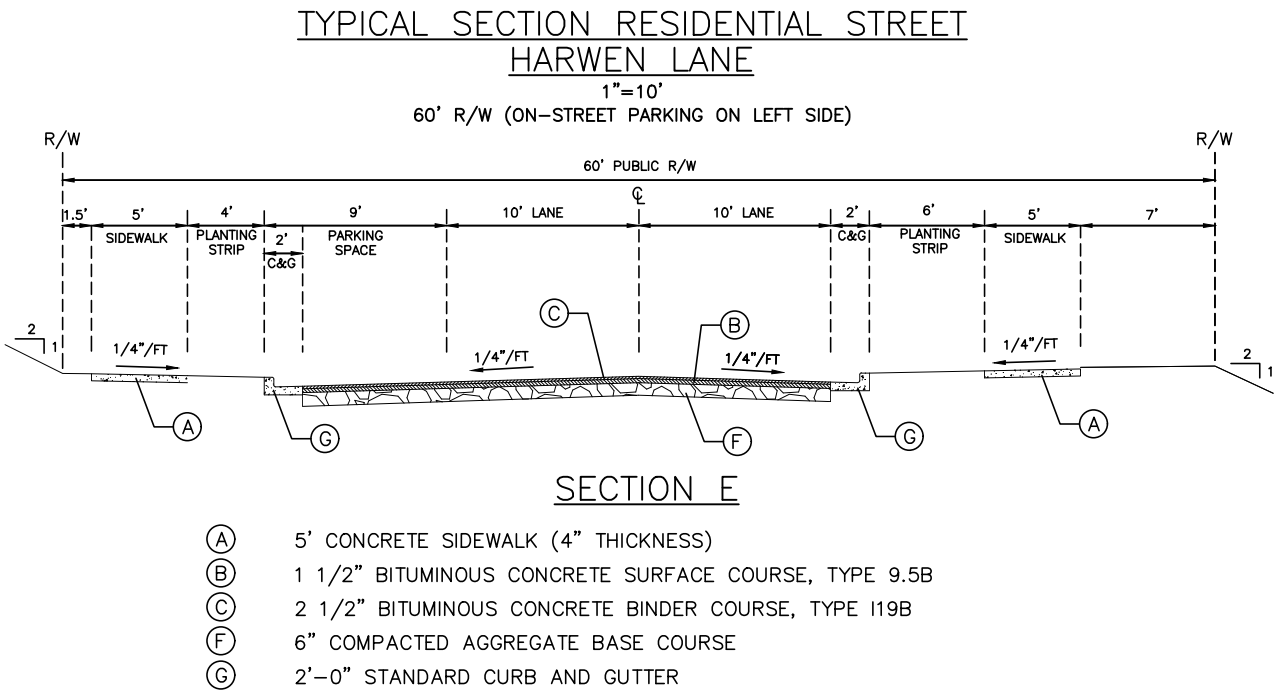
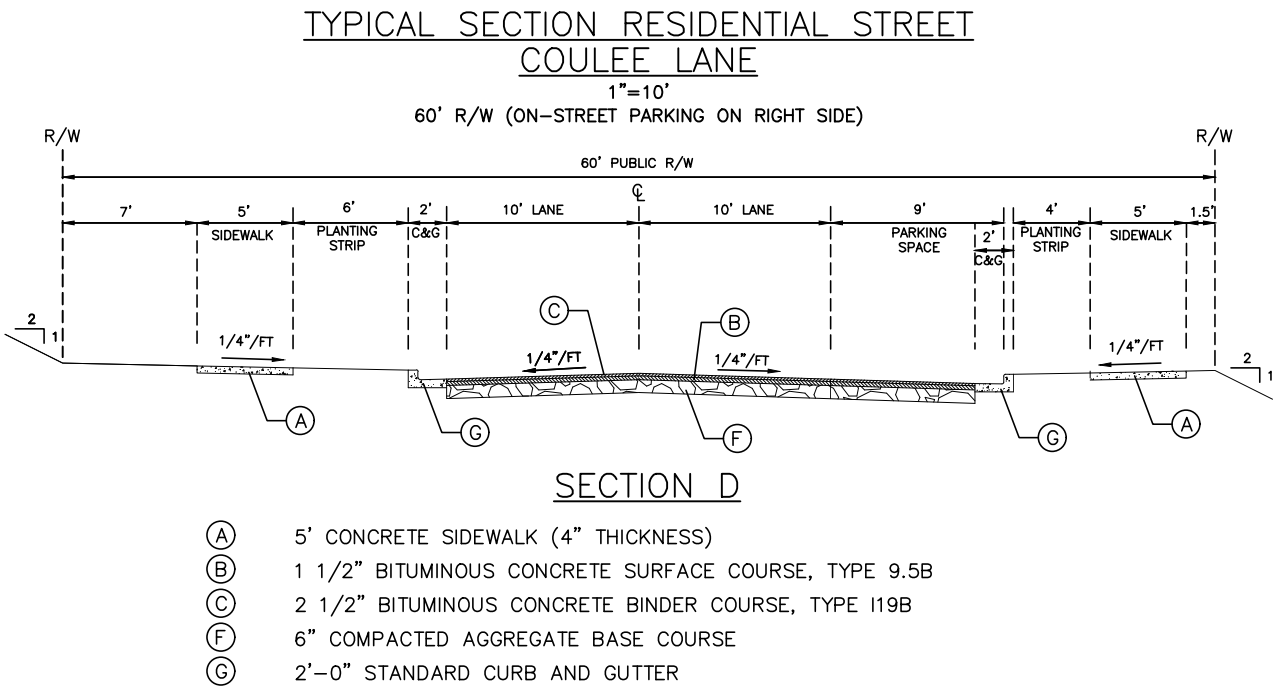
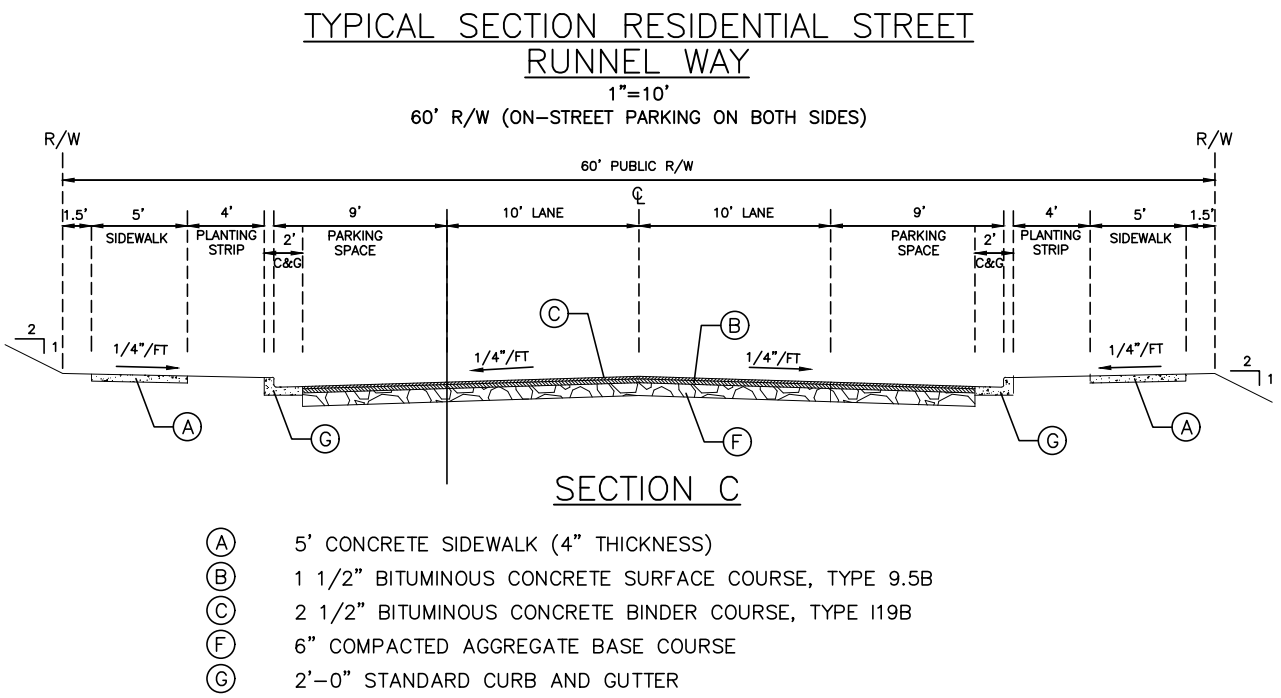
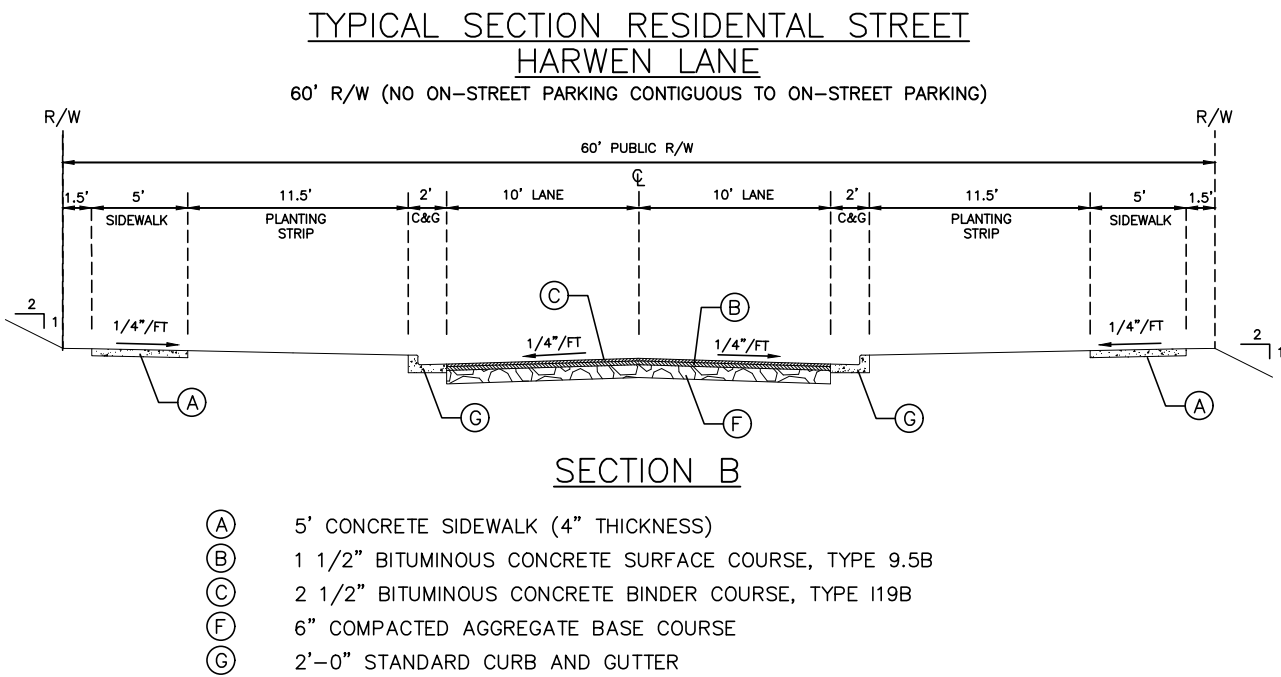
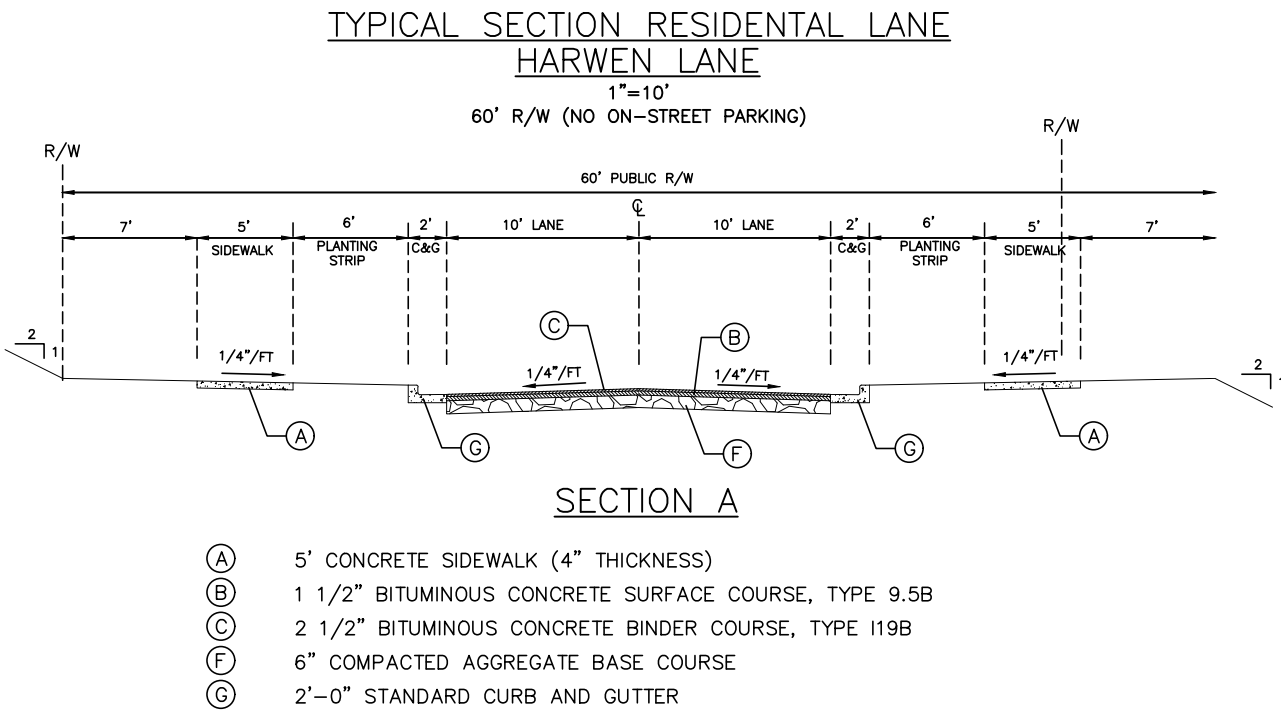


STANDARD-DUTY ASPHALT PAVEMENT SECTION
(TO BE USED ON ALL PROPOSED PUBLIC AND PRIVATE STREETS)



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CLIENT

ALAN KERLEY
TAYLOR MORRISON
1410 WEST MOOREHEAD STREET, SUITE 100
CHARLOTTE, NORTH CAROLINA 28208
PHONE: 704.357.6632



TERRACES AT FARMINGTON
PRELIMINARY PLAT
NORTHEAST INTERSECTION OF I-485 OUTER AND ROCKY RIVER ROAD
HARRISBURG, NORTH CAROLINA

REVISIONS

NO.	DATE	
1	06.27.2019	CITY COMMENTS
2	07.19.2019	CITY COMMENTS
3	09.05.2019	CITY COMMENTS
4	10.02.2019	CITY COMMENTS

PLAN INFORMATION

PROJECT NO.	TMH-17030
FILENAME	TMH17030-F1
CHECKED BY	RMR
DRAWN BY	CEG
SCALE	NTS
DATE	03.12.2019

SHEET

PRELIMINARY PLAT

PL-2

Y:\Projects\TMH\TMH-17030\Land\Construction Drawings\TMH17030-F1.dwg, 10/2/2019 12:53:37 PM, Guerrero Duran, Carlos

SITE DEVELOPMENT NOTES:

- ACREAGE: +/- 109.05 ACRES
- PIN #: 55061407290000
- EXISTING ZONING: PUD
- PROPOSED ZONING: PUD - SPA (PLANNED UNIT DEVELOPMENT - SITE PLAN AMENDMENT)
- EXISTING USES: VACANT
- PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE PUD ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN SECTION 2 ON SHEET RZ-2).
- MAXIMUM GROSS SQUARE FT OF DEVELOPMENT: UP TO 350,000 SQUARE FEET OF GROSS FLOOR AREA OF NON-RESIDENTIAL (COMMERCIAL) USES WITH UP TO 250,000 SQUARE FEET OF THE 350,000 SQUARE FEET AS RETAIL, AND UP TO 296 RESIDENTIAL UNITS - 38 SINGLE FAMILY DETACHED HOUSING UNITS AND 258 ATTACHED HOUSING UNITS, AS ALLOWED BY THE PUD ZONING DISTRICT.
- MAXIMUM BUILDING HEIGHT:
 - COMMERCIAL/NON-RESIDENTIAL - 50 FEET
 - RESIDENTIAL (SINGLE FAMILY DETACHED - 35 FEET, AND TOWNHOMES ATTACHED 45 FEET)
- MINIMUM BUILDING SEPARATION: 10 FEET
- PARKING: TO BE PROVIDED AS REQUIRED BY THE TOWN OF HARRISBURG ORDINANCE. PARKING FOR THE USES LOCATED WITHIN CABARRUS COUNTY MAY BE LOCATED ON THE PORTION OF THE SITE LOCATED WITHIN MECKLENBURG COUNTY AND VICE A VERSA.

GENERAL PROVISIONS

THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET (TDS) ASSOCIATED WITH THE APPLICATION FOR AN AMENDMENT FOR CONDITIONAL PUD REZONING. THIS APPLICATION FILED BY ROCKY RIVER ROAD ASSOCIATES, LLC (DEVELOPER), IS TO ACCOMMODATE DEVELOPMENT OF THE +/- 109.05 ACRE SITE (PART OF A +/- 186 ACRE OVERALL SITE) LOCATED AT THE NORTHEAST CORNER OF ROCKY RIVER ROAD AND I-485. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE TDS, THESE DEVELOPMENT STANDARDS, AND THE APPLICABLE PROVISIONS OF THE HARRISBURG UNIFIED DEVELOPMENT ORDINANCE (UDO). UNLESS THE TDS OR THESE DEVELOPMENT STANDARDS SPECIFY DIFFERENTLY, THE PROJECT WILL, AT A MINIMUM, MEET THE REQUIREMENTS OF THE ORDINANCE AS THEY EXISTED ON THE DATE THE APPLICATION WAS FIRST SUBMITTED. THE TECHNICAL DATA SHEET AND DEVELOPMENT STANDARDS SUPERCEDE ANY ADDITIONAL GRAPHICS WITHIN THIS SUBMITTAL, (INCLUDING THE SCHEMATIC SITE PLAN FOUND ON RZ-5).

THE DEVELOPMENT DEPICTED WITHIN THE SCHEMATIC SITE PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE FINAL CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE AND THE STANDARDS ESTABLISHED BY THE SITE PLAN AND THESE DEVELOPMENT STANDARDS DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES. STREET LAYOUTS MAY BE MODIFIED TO ACCOMMODATE FINAL BUILDING AND LOT LOCATIONS.

PRIOR TO BUILDING CONSTRUCTION, BUILDING ELEVATIONS AND SITE-SPECIFIC DEVELOPMENT PLANS WILL BE SUBMITTED FOR STAFF APPROVAL PRIOR TO ISSUANCE OF SITE AND BUILDING PERMITS.

SITE PLANS SHALL BE SUBMITTED FOR APPROVAL PRIOR TO DEVELOPMENT. ALL SINGLE FAMILY DETACHED PORTIONS OF THIS DEVELOPMENT SHALL BE DEVELOPED ACCORDING TO THE STANDARDS OF THE RC, RESIDENTIAL COMPACT DISTRICT. PROVISIONS FOR ATTACHED TOWNHOMES AS STATED WITHIN PUD REZONING AMENDMENT, (AS RC (RESIDENTIAL COMPACT) DIMENSIONAL AND DENSITY STANDARDS DO NOT APPLY TO ATTACHED TOWNHOMES).

A CLASS 1 BUFFER SHALL BE MAINTAINED ALONG FUDA CREEK PER ARTICLE 4 OF THE UNIFIED DEVELOPMENT ORDINANCE.

THE FINAL DESIGN FOR FARMINGTON RIDGE PARKWAY PER INCLUDED CROSS-SECTIONS. REFER TO SHEETS RZ-3 AND RZ-4.

FOR EACH RESIDENTIAL NEIGHBORHOOD, NO MORE THAN 20% OF THE UNITS MAY BE RENTED AT ANY TIME. THIS PROVISION WILL BE INCLUDED IN EACH NEIGHBORHOOD ASSOCIATION COVENANTS AND CONDITIONS AS A DEED RESTRICTION.

PERMITTED USES

THE PROJECT MAY BE DEVOTED TO ANY USE ALLOWED BY RIGHT OR ANY USE ALLOWED BY RIGHT WITH SUPPLEMENTAL REGULATIONS IN THE PUD ZONING DISTRICT, AND TO ANY CONDITIONAL USE OR CONDITIONAL USE WITH SUPPLEMENTAL REGULATIONS ALLOWED IN THE PUD ZONING DISTRICT, EXCEPT FOR THOSE ELIMINATED IN THE TABLE ATTACHED TO THE APPLICATION.

DIMENSIONAL AND DENSITY STANDARDS

ALL BUILDINGS CONSTRUCTED WITHIN THE PROJECT SHALL, AT A MINIMUM, SATISFY THE FOLLOWING REQUIREMENTS AT THE TIME OF DEVELOPMENT:

C-2 (GENERAL COMMERCIAL DISTRICT): IMPERVIOUS SURFACE RATIO - 0.8, MIN. PUBLIC STREET FRONTAGE - 30 FT., MIN. LOT WIDTH - 50 FT., MIN. LOT DEPTH - 100 FT., MAX. BUILDING HEIGHT 50 FT., {PRINCIPAL STRUCTURES} MIN. FRONT SETBACK - 10 FT.

B-1 (NEIGHBORHOOD COMMERCIAL DISTRICT): IMPERVIOUS SURFACE RATIO - 0.65, MIN. PUBLIC STREET FRONTAGE - 30 FT., MIN. LOT WIDTH - 50 FT., MIN. LOT DEPTH - 100 FT., MAX. BUILDING HEIGHT 50 FT., {PRINCIPAL STRUCTURES} MIN. FRONT SETBACK - 10 FT., MIN. INTERIOR SIDEYARD SETBACK - 10 FT., MIN. REAR SETBACK - 20 FT., {ACCESSORY STRUCTURES} MIN. INTERIOR SIDEYARD SETBACK - 10 FT., MIN. REAR SETBACK - 10 FT.

O-1 (OFFICE / INSTITUTIONAL): IMPERVIOUS SURFACE RATIO - 0.70, MAX. BUILDING HEIGHT 50 FT., MIN. FRONT SETBACK 10 FT.

RC (RESIDENTIAL COMPACT) (APPLIES TO SINGLE FAMILY DETACHED): MIN. LOT SIZE - 5,000 SQ. FT., MAX. DENSITY (PER ACRE) - 15, IMPERVIOUS SURFACE RATIO - 0.5, MIN. PUBLIC STREET FRONTAGE - 15 FT., MIN. LOT WIDTH - 50 FT., MIN. LOT DEPTH - 100 FT., MAX. BUILDING HEIGHT - 35 FT., {PRINCIPAL STRUCTURES} MIN. FRONT SETBACK - 20 FT., MAX. FRONT SETBACK - 30 FT., MIN. INTERIOR SIDEYARD SETBACK - 7 FT., MIN. REAR SETBACK - 5 FT., {ACCESSORY STRUCTURES} MIN. INTERIOR SIDEYARD SETBACK - 5 FT., MIN. REAR SETBACK - 5 FT.

*NOTE: RC (RESIDENTIAL COMPACT) DIMENSIONAL AND DENSITY INFORMATION / STANDARDS LISTED DIRECTLY ABOVE DO NOT APPLY TO ATTACHED TOWNHOMES.

ATTACHED TOWNHOMES: MAXIMUM BUILDING HEIGHT - 45 FT., ALL TOWNHOMES TO BE REAR LOADED, DRIVEWAYS FOR ALLEY LOADED TOWNHOMES WILL BE MINIMUM OF 5 FT. DEEP.

AREAS

AREA 1 : COMMERCIAL - TO INCLUDE ZONING DISTRICTS: C-2 (GENERAL COMMERCIAL DISTRICT, B-1 (NEIGHBORHOOD COMMERCIAL DISTRICT), AND O-1 (OFFICE / INSTITUTIONAL)

AREA 2 : RESIDENTIAL (TOWNHOMES ATTACHED) - TO INCLUDE ZONING DISTRICT: RC (RESIDENTIAL COMPACT)

AREA 3 : RESIDENTIAL (3A) SINGLE FAMILY DETACHED, (3B) TOWNHOMES ATTACHED - TO INCLUDE ZONING DISTRICT: RC (RESIDENTIAL COMPACT) (TOWNHOMES MINIMUM OF 400 FEET TO NORTHERN PROPERTY LINE, AS SHOWN ON SHEET RZ-1)

ARCHITECTURAL STANDARDS

ARCHITECTURAL REQUIREMENTS WILL BE MET ACCORDING TO APPENDIX E OF THE UNIFIED DEVELOPMENT ORDINANCE FOR COMMERCIAL DEVELOPMENT.

LANDSCAPING, BUFFERING, AND SCREENING

LANDSCAPING, BUFFERING, AND SCREENING REQUIREMENTS WILL BE MET ACCORDING TO ARTICLE 7 OF THE UNIFIED DEVELOPMENT ORDINANCE WITH THE FOLLOWING EXCEPTIONS:

1. BUILDING YARDS SHALL BE PROVIDED TO THE EXTENT FEASIBLE WHILE STILL ALLOWING FOR UNRESTRICTED PEDESTRIAN MOVEMENT AND FLEXIBILITY TO MODIFY STOREFRONT ACCESS.
2. BUILDING YARDS MAY BE SEPARATED FROM THE BUILDING BY THE WIDTH OF THE SIDEWALK.
3. MINIMUM 100' UNDISTURBED BUFFER ALONG NORTHERN PROPERTY LINE ABUTTING HUNTWICK NEIGHBORHOOD AS SHOWN ON TECHNICAL DATA SHEET.

LIGHTING

ALL OUTDOOR LIGHTING STANDARDS WILL BE MET ACCORDING TO ARTICLE 7 OF THE UNIFIED DEVELOPMENT ORDINANCE. LIGHTING PLANS SHALL BE PREPARED BY A QUALIFIED LIGHTING DESIGNER. LIGHTING PLANS SHALL BE SUBMITTED TO THE TOWN STAFF FOR APPROVAL ALONG WITH DEVELOPMENT UTILITY PLANS AND BE IN ACCORDANCE WITH ACCEPTED TOWN ORDINANCES, POLICY AND REGULATIONS.

SIGNAGE

SIGNAGE STANDARDS WILL BE MET ACCORDING TO ARTICLE 12 OF THE UNIFIED DEVELOPMENT ORDINANCE.

PARKING AND PRIVATE DRIVES

OFF STREET PARKING WILL SATISFY THE MINIMUM STANDARDS ESTABLISHED IN ARTICLE 7 OF THE UNIFIED DEVELOPMENT ORDINANCE.

PEDESTRIAN AND VEHICULAR ACCESS

1. DEVELOPER WILL CONSTRUCT SIDEWALKS IN ACCORDANCE WITH ARTICLE 11 AND APPENDIX C OF THE UNIFIED DEVELOPMENT ORDINANCE, UNLESS OTHERWISE SPECIFIED ON CROSS SECTIONS, IN WHICH CASE TEN (10) FOOT WIDE ASPHALT MULTI-USE PATHS WITH A MINIMUM FIVE (5) FOOT PLANTING STRIP WILL BE INSTALLED.
2. VEHICULAR ACCESS AS SHOWN ON THE TECHNICAL DATA SHEET IS ILLUSTRATIVE, SUBJECT TO MINOR MODIFICATIONS OR REMOVAL REQUIRED TO ACCOMMODATE THE FINAL SITE PLAN AND TO MEET REGULATIONS AND REQUIREMENTS OF NCDOT AND THE TOWN OF HARRISBURG.
3. OWNER SHALL DEDICATE AND CONSTRUCT FARMINGTON RIDGE PARKWAY (FORMERLY PLAZA ROAD EXTENSION) NORTH OF ROCKY RIVER ROAD TO THE SPECIFICATIONS AND ROADWAY IMPROVEMENT PLANS BY YARBROUGH-WILLIAMS & HOULE, INC., OR AS AMENDED AND APPROVED BY THE TOWN OF HARRISBURG ENGINEER.
4. ALL PROPOSED PRIVATE STREETS ARE INTERNAL WITH NO CONNECTION TO ADJACENT PROPERTIES AS ALLOWED IN PUD ZONING.
5. ALL ROADS WILL MEET HARRISBURG COMMERCIAL ROAD STANDARDS FOR PAVEMENT THICKNESS.
6. INTERSECTION ALIGNMENT WITH FARMINGTON RIDGE PARKWAY (FORMERLY PLAZA ROAD EXTENSION) AT ROCKY RIVER ROAD MUST BE VERIFIED BEFORE PLAT RECORDATION.
7. 10' X 70' SIGHT DISTANCE TRIANGLES MUST BE SHOWN AT BOTH STREET INTERSECTIONS WITH ROCKY RIVER ROAD.
8. NO FULL MOVEMENT OR DIRECTIONAL ACCESS WILL BE ALLOWED FROM FARMINGTON RIDGE PARKWAY TO PARCELS "R" & "S".
9. NO DRIVEWAY ACCESS WILL BE GRANTED FROM ROCKY RIVER ROAD TO PARCELS "Q", "R", AND "S".
10. POD 1 TOWNHOMES - 291' AVERAGE BLOCK LENGTH, 1.75 LINKS AND NODES RATIO - 9 BLOCK FACES THAT FRONT A PUBLIC STREET: 200', 200', 330', 240', 240', 330', 460', 280', AND 340'
- POD 2 SINGLE-FAMILY AND TOWNHOMES - 311' AVERAGE BLOCK LENGTH, 1.4 LINKS AND NODES RATIO - 12 BLOCK FACES THAT FRONT A PUBLIC STREET: 180', 180', 490', 340', 450', 215', 215', 538', 160', 300', 532', AND 130'

PARKS AND OPEN SPACE

1. DESIGNATED OPEN SPACE IS PROVIDED PER THE UNIFIED DEVELOPMENT ORDINANCE. THESE AREAS SHALL BE GENERALLY AS SHOWN ON THE TECHNICAL DATA SHEET, BUT ARE SUBJECT TO MODIFICATIONS REQUIRED TO ACCOMMODATE THE FINAL SITE AND ARCHITECTURAL CONSTRUCTION PLANS AND DESIGNS, AS LONG AS THE MINIMUM ACREAGE REQUIRED IS SATISFIED.
2. GREENWAY ALIGNMENT AS ILLUSTRATED ON SHEET RZ-1 IS APPROXIMATE. FINAL ALIGNMENT IS SUBJECT TO CHANGE BASED ON SITE DESIGN AND ROAD NETWORK. GREENWAY MAY BE CONSTRUCTED ALONG WITH ANY ASSOCIATED GRADING WITHIN ANY DESIGNATED STREAM "NO BUILD ZONE" AND "RSOD BUFFER".
3. PUBLIC OPEN SPACE DEDICATION REQUIREMENT WILL BE MET IN PART VIA GREENWAY EASEMENT DEDICATION AND CONSTRUCTION OF A TEN (10) FOOT WIDE ASPHALT TRAIL.

STORMWATER MANAGEMENT

1. STORMWATER RUNOFF FROM THE PROJECT WILL BE MANAGED THROUGH PROVEN TECHNIQUES WHICH SATISFY THE STANDARDS IMPOSED BY THE TOWN OF HARRISBURG AND OUTLINED IN THE STORMWATER QUALITY ORDINANCE.
2. POTENTIAL BMP'S SHOWN ON SHEET RZ-1 MAY BE SUBJECT TO MODIFICATIONS AND RELOCATION REQUIRED TO ACCOMMODATE THE FINAL SITE PLAN. PROPOSED BMP'S WILL BE IN COMPLIANCE WITH STORMWATER STANDARDS SET FORTH BY THE TOWN OF HARRISBURG.

STREAM NO BUILD ZONE AND RSOD BUFFER

1. NO (BUILDING) STRUCTURES WILL BE PLACED WITHIN THE "NO BUILD ZONE" NOR THE "RSOD BUFFER", HOWEVER, SITE GRADING, (INCLUDING GRADING FOR STORMWATER CONTROL MEASURES), AS WELL AS PUBLIC AND PRIVATE STREETS, ALLEYS, PARKING AREAS, AND SIDEWALKS MAY ENCROACH INTO ANY DESIGNATED "NO BUILD ZONE" AS REVIEWED AND APPROVED BY THE TOWN OF HARRISBURG.

UTILITIES

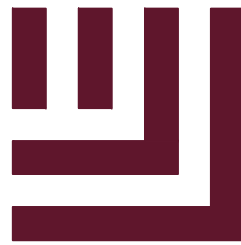
1. SEWER WILL BE SERVED FROM FUDA CREEK TRUNKLINE.
2. WATER WILL BE EXTENDED OFF OF ROCKY RIVER ROAD CONNECTION.
3. WATER AND SEWER UTILITY SERVICE WILL BE PROVIDED TO THE FARMINGTON DEVELOPMENT BY APPROPRIATE CONNECTION TO AND EXTENSION OF THE HARRISBURG UTILITY SYSTEM IN ACCORDANCE WITH THE HARRISBURG UTILITY EXTENSION POLICY.

AMENDMENTS TO REZONING PLANS

FUTURE AMENDMENTS TO THIS SITE PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE AS REVIEWED AND APPROVED BY THE TOWN OF HARRISBURG.

PETITION #: H2019-02-(R)
TOWN OF HARRISBURG
PETITIONER: ROCKY RIVER ROAD ASSOCIATES, LLC

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



McAdams

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CLIENT

ALAN KERLEY
TAYLOR MORRISON
1410 WEST MOOREHEAD STREET, SUITE 100
CHARLOTTE, NORTH CAROLINA 28208
PHONE: 704.357.6632



TERRACES AT FARMINGTON

PRELIMINARY PLAT

NORTHEAST INTERSECTION OF I-485 OUTER AND ROCKY RIVER ROAD
HARRISBURG, NORTH CAROLINA

REVISIONS

NO.	DATE	
1	06.27.2019	CITY COMMENTS
2	07.19.2019	CITY COMMENTS
3	09.05.2019	CITY COMMENTS
4	10.02.2019	CITY COMMENTS

PLAN INFORMATION

PROJECT NO.	TMH-17030
FILENAME	TMH17030-F1
CHECKED BY	RMR
DRAWN BY	CEG
SCALE	NTS
DATE	03.12.2019

SHEET

SITE REZONING
AMENDMENT

PL-3

**TOWN OF HARRISBURG
PRELIMINARY SUBDIVISION
APPROVAL APPLICATION**

STREET NAME REVIEW AND CONFIRMATION

Cabarrus County Code

Section 66-69. Name of subdivision and its roads.

The name of a subdivision or its roads shall not duplicate nor closely approximate, either phonetically or by spelling, the name of an existing subdivision or roads within the County, within any municipality within the County, or in an adjacent county or municipality (if the development is in close proximity to another jurisdiction). All names must be approved by the County planning division.

(Ord. Of 7-22-91, 4.4)

Cross reference – Road names and address display, 62-36 et seq.

RESPONSE WILL BE BY FAX Please respond by email at emoore@mcadamsco.com or call 704-527-0800 x324.
PLEASE FAX TO: 704-455-1206 We do not have a fax machine. Thank you.

AREA:

Date:	Parcel Identification Number (PIN): Part of 5506140729			
Existing Road Providing Access to Area:	Rocky River Rd			
Zoning District*:	X Residential	Commercial	Industrial	Manufactured

Home (*Circle One)

Contact for County comments - Eddie Moore - McAdams, 704-527-0800, emoore@mcadamsco.com

APPLICANT:

Developer/Owner:	Taylor Morrison Homes
Contact Name:	Alan Kerley
Telephone Number:	704-400-5308 AKerley@taylormorrison.com
Fax Number:	

PROPOSED PROJECT:

Project Name:	Farmington Terraces	Approved / <u>Denied</u>
Alternate Project Name:	Terraces at Farmington	<u>Approved</u> / Denied

PROPOSED STREET(S): Only need 3 street names

Street Name:	Cochrane Bend	<u>Approved</u> / Denied
Street Name:	Fuda Creek	Approved / <u>Denied</u>
Street Name:	Embayment	<u>Approved</u> / Denied
Street Name:	Runnel LN, WAY, CT	<u>Approved</u> / Denied
Street Name:	Harrow	Approved / <u>Denied</u>
Street Name:	Harwen	<u>Approved</u> / Denied
Street Name:	Coulee	<u>Approved</u> / Denied
Street Name:		Approved / Denied

EMS 911 COUNTY CORRINATOR:

[Signature]

DATE:

3-21-19