



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

**April 12, 2021
6:00 PM**

AGENDA

1. CALL TO ORDER

- A. The Town Hall Council Chambers will be open to the public on a very limited basis, with a total of 12 members of the public allowed inside due to social distancing requirements. The 12 available seats will be filled on a first come, first served basis. Masks are required to be worn by the public during the meeting, and anyone attending in person will have to successfully complete a COVID-19 screening questionnaire and temperature check before being admitted to the Council Chambers.

The public may also join the meeting via the Zoom platform at the following link:

<https://us02web.zoom.us/j/89510799521?pwd=V3c2TzFzamIzNFlaVS9NZGdKaE54UT09>

Meeting ID#: 895 1079 9521
Passcode: 060052

Or join by phone:

312.626.6799 or
929.205.6099

- B. AGENDA ADOPTION
C. INVOCATION
D. PLEDGE OF ALLEGIANCE
E. SPECIAL PRESENTATIONS

1. Alcohol Awareness Month Proclamation
2. Racial Equity Task Force Update

- F. 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 March 8, 2021 Town Council meeting.
- B. Consideration of filing fees for the upcoming election in November
- C. Consideration of Transportation Bonds Reimbursement Resolution for Harris Depot Rd. Sidewalk Construction

3. COMMUNICATIONS

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

4. PUBLIC HEARINGS

- A. Public Hearing to consider the Conditional Rezoning, Zoning Map Amendment and Annexation for Orchid Ridge Subdivision (H-2020-03 R).

5. OLD BUSINESS

- A. Consideration of revised Sustainability Advisory Board By-Laws.
- B. Consideration of Resolution Requesting the Private Sale of \$1,650,000 General Obligation Transportation Bond, Series 2021
- C. Consideration Initial Resolution Directing an application to the LGC for approval of a Private Placement Revenue Bond with Sterling National Bank
- D. Consideration of Conditional Rezoning, Zoning Map Amendment and Annexation for Kelly Woods Subdivision H-2020-08 (R).
- E. Consideration of Amendment to the rezoning condition #15 for the Harrisburg Town Center project (H 2018-14 (R))
- F. Town Council Code of Conduct Change - Reconsider from March 2021 Council Meeting

6. NEW BUSINESS

- A. Consideration of Approval of the Caldwell Road Sidewalk Construction Contract to Red Clay Industries, Inc. and the related reimbursement resolution
- B. Consideration of Approval of the Bradford Park Sanitary Sewer Rehabilitation Construction Contract
- C. Consideration of Resolution to condemn the Horton Property for the Morehead West Sewer Construction Project
- D. Discussion of dates for Harrisburg July 4th Celebration
- E. Consideration of Variance of Section 97.0e of the Town Code of Ordinances to allow alcohol sales at Rockin' the Burg Concert Series for 2021
- F. Consideration of Harrisburg Arts, Culture & Heritage Committee members

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.



Alcohol Awareness Month Proclamation

Whereas, across our state and nation, alcohol misuse is a major public health problem that affects people of all ages, races, and ethnic backgrounds; and

Whereas, the level of excessive drinking has been trending up in recent years, and excessive drinking is defined by the Centers for Disease Control and Prevention as binge drinking, heavy drinking, and any drinking by pregnant women or people younger than age 21; and

Whereas, excessive alcohol consumption is associated with risky behavior, violence, suicide, homicide, and vehicular accidents and is the third leading cause of preventable death in North Carolina; and

Whereas, excessive alcohol consumption in North Carolina costs over \$7 billion a year in health care costs (including fetal alcohol disorders), criminal justice expense, lost productivity at work and motor vehicle crash costs; and

Whereas, neuroscience tells us that the developing adolescent brain is far more sensitive to alcohol than the mature adult brain and underage alcohol use can negatively impact student success and athletic performance; and

Whereas, robust prevention efforts by collaborating agencies and organizations in North Carolina have helped to raise the average age at which young people begin to use alcohol; yet 27% of high school students still report drinking in the last 30 days, and of that number, 44% report binge drinking in the past 30 days; and

Whereas, it is important to recognize the collective impact of parents, teachers, coaches, medical professionals, faith leaders and public and private organizations and institutions to support early education about alcoholism and addiction, and to provide hope, help and healing for those in our communities who are facing challenges with alcohol use and misuse; and

Therefore I, Steven Sciascia, Mayor of the Town of Harrisburg, North Carolina, do hereby proclaim the month of April, 2021 as

Alcohol Awareness Month

and call upon citizens to support efforts that will provide early education about alcoholism and addiction and increase support for individuals and families coping with alcoholism.

This the 12th day of April, 2021.

Steven J. Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consider the minutes of the March 8, 2021 Town Council meeting.

Presenting Personnel:

Suggested Motion or Action:

Motion to approve the minutes of the March 8, 2021 Town Council meeting.

Description/Background:

N/A

Recommendation:

N/A

Fiscal Impact:

N/A

Attachments:

1. Minutes 3-8-2021

**TOWN OF HARRISBURG, NORTH CAROLINA
TOWN COUNCIL MEETING
MONDAY, MARCH 8, 2021
6:00 PM**

MINUTES

This meeting was held virtually via the Zoom platform due to current COVID-19 restrictions.

Mayor Steve Sciascia called the meeting to order.

PRESENT: Mayor Steve Sciascia; Mayor Pro-Tem Ron Smith, Councilmembers Diamond Staton-Williams, Ian Patrick, Rick Russo, Rodney Dellinger, Troy Selberg, John Booth

1A.

ZOOM NOTIFICATION

The Zoom meeting link and details were published and advertised before the meeting took place and were shown on the agenda.

1B.

AGENDA ADOPTION

Two changes to the agenda were proposed:

- Move Item 2G to Old Business Item 5C
- Move Item 2F to Old Business Item 5D

MOTION:

Mayor Pro-Tem Smith made a motion to adopt the agenda with the changes as proposed. Second was made by Councilmember Booth. **The motion passed 7-0.**

1B.

INVOCATION

Councilmember Russo conducted the invocation.

1C.

PLEDGE OF ALLEGIANCE

1D.

SPECIAL PRESENTATIONS

- Youth Council Update – presentation by Youth Council Chair, Jaleah Taylor and Secretary, Sydney Curtis

1E.

PUBLIC COMMENT

- Christy Burnette, 8226 Anderson Place, Harrisburg – sent a comment via email that was read by Town Manager Brigman – commented concerning the accusation of bullying by a Council member that was read last month. She disagreed with the comments from last month.

2.

CONSENT AGENDA

- A. Consider the minutes of the February 8, 2021 Town Council Meeting.
- B. Consideration of one-year extension of auditing services contract with Elliott Davis.
- C. Consideration of FY2021 Budget Ordinance amendment for deputy insurance proceeds.
- D. Set a public hearing for April 12, 2021 to consider the annexation of parcels associated with Orchid Ridge rezoning (H2020-03 R).
- E. Consideration of FY2021 Budget Ordinance amendment for increased TIA activity.
- F. Set a public hearing for April 12, 2021 to consider updates to the Council Code of Conduct.

G. Consider update to the Sustainability Advisory Board By-Laws.

MOTION:

Councilmember Selberg made a motion to approve the Consent Agenda, minus Items 2F and 2G which were moved to Old Business. Second was made by Mayor Pro-Tem Smith. **The motion passed 7-0.**

3A.

COMMUNICATIONS

TOWN MANAGER/FINANCE REPORT

Manager Report:

- Harrisburg Park project is coming to a close and we hope to have a soft opening of the park at the end of March or beginning of April.
- Stormwater project on Parallel, Autumn and Candystick should be completed in the next 3 to 4 weeks.
- The new water tank on Rocky River Road should be completed in the next 3 to 4 weeks as well.
- We have a budget workshop this Thursday at 6pm. Encourage the public to attend.
- There is a road closure on Stallings Road for a DOT project for the next few weeks.

Finance Report:

- Finance Director Brian Lee presented the Finance report.

Law Enforcement Update:

- Sgt. Chad Sloop presented the Law enforcement report.

3B.

COMMUNICATIONS

MAYOR'S COMMENTS

- Racial Equity Task Force has completed their first survey. About 500 people responded and they are now analyzing the results. The results will be presented to Council next month. Also looking to what other communities are doing.
- The Health survey will be put out in April and the Education one will go out in May.

3C.

COMMUNICATIONS

COUNCIL'S COMMENTS

Councilmember Dellinger

- Concerns were brought to him about information on the Town's website. Not enough information on the Park closing or Stallings Road closure.
- The traffic signal light from Veteran's to Roberta Road only lets about three cars through at night. Can we do something about that?
- Asked about the status of the ADA review for Harrisburg Park. Mr. Donham gave a brief status update.

Councilmember Patrick

- Asked about Microsoft Zero Day threat issues. Information Technology Director James Mahoney responded that he is aware of this and has made sure all updates have been applied so we should be safe. He is monitoring the situation.

Councilmember Selberg

- During the Stallings Road closure, there may need to be an officer posted at Caldwell and Tom Query to help control all of the extra traffic.
- We need to put a contact on our website that residents can call to report trash and debris in the creeks and streams because of all the recent rains we have had.
- HBA met on February 25th and received project updates in the Town. There was great participation and feedback. A lot of people stated they didn't know about the projects. We need to look at how we can better get the information out for the public. The next meeting will be held on March 25th and we hope to meet outdoors behind Town Hall.

Discussion was held about the need for several DOT projects in Town and the potential of getting a meeting with DOT officials to discuss the priorities. More discussion on this will be held during the budget workshops. We will invite DOT to a future Council meeting as well.

Councilmember Staton-Williams

- April is Diversity Month
- Congratulations to our fire fighters who have been recently promoted.

Mayor Pro-Tem Smith

- Welcome to our new Parks and Recreation Director.

Town Manager Haynes Brigman stated that we are happy to announce the hiring of James Spina as our new Parks and Recreation Director. He has over 30 years of experience as a director in New York, and we are excited to have him join us. He will begin work next Monday.

4A.

PUBLIC HEARING

Public Hearing to consider the Conditional Rezoning and Zoning Map Amendment for Kelly Woods

Subdivision H-2020-08 (R). Harrisburg Real Estate Investments, LCC, the property owner for parcel 55061061470000 has submitted a request to rezone approximately 2.46 acres located off Plaza Rd Ext. The applicant proposes to develop 4 single-family detached residential dwellings. To achieve this, the applicant is requesting that the property be rezoned from the current Low Density Residential (LDR) in the County to Conditional Residential Low Density (CZ-RL) in accordance with the site plan submitted with the application.

A staff report has been provided to Council for more information and a site plan is submitted for your consideration. If approved, staff will continue reviewing the site plan in accordance with our Unified Development Ordinance (UDO) during the subsequent Preliminary Plat and Construction Document (CDs) reviews.

After some discussion, the public hearing was opened.

Speaking: none

The public hearing was then closed.

Action will be taken at the April 12th meeting.

4B.

PUBLIC HEARING

Public Hearing to consider the annexation of parcel 55061061470000 off Plaza Rd Ext associated with Kelly

Woods Rezoning (H2020-08-R). This public hearing is to consider the annexation of parcel 55061061470000 off Plaza Rd Ext. The parcel is currently in the County and is associated with Rezoning request H2020-08-R to rezone from Low Density Residential (LDR) to Conditional Residential Low Density (CZ-RL). The purpose of annexation and rezoning is to subdivide the parcel into four lots for single family homes. The parcel is not contiguous to Harrisburg's corporate boundary.

The public hearing was then opened.

Speaking: none

The public hearing was then closed.

Action on the annexation request will be taken at the April 12th meeting.

5A.

OLD BUSINESS

Consideration of Extension of New TIA Process through July 31, 2021. In the December 2020 Council Meeting, Town Council directed staff to provide an update with how the new TIA process is going. This new TIA process expired on February 28, 2021. Staff has gathered the necessary information by analyzing previous TIA's and traffic counts to compare and contrast the current TIA process with our pre-Covid process, as well as reviewed some new TIA's that are preliminary.

The information reviewed shows that the traffic growth extrapolation process we are using is consistent and produces traffic counts that are equal to or higher than actual counts. This determination was made through analyzing our most recent counts prior to Covid.

We did an analysis to see what would have been the outcome if we used this method in February 2020 prior to the Covid restrictions instead of physical counts. We found that our annual growth method produces traffic counts that are consistently equal to or higher than if we did actual counts. In addition to the count analysis, our staff has implemented a factor of safety on improvement triggers by requiring improvements that do not change the Level of Service but are getting close.

Staff has concluded that there is very little risk to the Town by utilizing the new Traffic Analysis method; and staff recommends this process should continue as needed until mid-2021, when Covid impacts are projected to be minimal to traffic counts.

This determination was made analyzing traffic counts only, which are used by our traffic engineer to produce the necessary improvements. Due to the added expense of having Kimley Horne produce a TIA comparison, we are unable to show a side-by-side comparison of a past TIA analysis using the new formula; however, we are confident the improvements would be equal to or greater than the improvements triggered under the old methodology based on the traffic count figures.

Council asked if in the future we could summarize the required improvements are on all conditional rezoning reports. Discussion also included allowing staff to extend the new TIA process until such time as they feel comfortable returning to physical counts.

After some discussion, the following action was taken:

MOTION:

Councilmember Russo made a motion to extend the new TIA process through July 31, 2021. Second was made by Councilmember Selberg. **The motion passed 7-0.**

5B.

OLD BUSINESS

Consider the annexation of six (6) parcels off Rocky River Crossing Road associated with Shelby Woods

Residential Subdivision. A public hearing was held on February 08, 2021 to consider the annexation of six parcels off Rocky River Crossing Rd, parcels 5507396578, 5507397641, 5507398753, 5507399893, 5507492809 and 5508403172. These properties are currently in the Town's Extra-Territorial Jurisdiction (ETJ) and are subdivided by right under the current zoning, no rezoning is required. The annexation request is associated with Shelby Woods Subdivision. The Construction Documents (CDs) for 13 single-family homes on these lots are currently under staff review. The annexation of these parcels is required to be able to connect to town provided utilities (water and sewer). These properties are contiguous to Harrisburg's corporate boundary.

After some discussion, the following action was taken:

MOTION:

Councilmember Selberg made a motion to approve the annexation of six (6) parcels off Rocky River Crossing Road associated with Shelby Woods residential subdivision. Second was made by Councilmember Booth. **The motion passed 7-0.**

5C.

OLD BUSINESS

Consider update to the Sustainability Advisory Board By-Laws. Minor edits and clean-ups to the Purpose and Objectives section, plus further clarity added to the membership section, including capping the number of members to 9 (down from 15).

After some discussion, it was decided that the attorney should review these before Council takes action.

5D.

OLD BUSINESS

Set a public hearing for April 12, 2021 to consider updates to the Council Code of Conduct. In the February 8, 2021 Council meeting, Town Council discussed a potential update to the Council Code of Conduct. Specifically, the section in question is Section F, Item 5 under Unofficial Setting. Currently this item reads:

The community is constantly observing elected officials every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Town. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by elected officials, twenty-four (24) hours a day, seven (7) days a week. It is a serious and continuous responsibility.

The revised language includes those words highlighted below:

*The community is constantly observing elected officials every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Town. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by elected officials, twenty-four (24) hours a day, seven (7) days a week **in-person, virtually, and on social media platforms.** It is a serious and continuous responsibility.*

Some Council members voiced concerns about the proposed language and felt that it posed a 1st Amendment violation.

After much discussion, the following action was taken:

MOTION:

Councilmember Patrick made a motion to strike Section F, Item 5 under Unofficial Setting in its entirety from the Council Code of Conduct. Second was made by Councilmember Dellinger. **The motion passed 4-3 (Councilmembers Booth, Selberg, and Staton-Williams voting against).**

6A.

NEW BUSINESS

Consideration of Parks & Recreation Advisory Board member. The Parks and Recreation Advisory Board has one remaining appointment for the upcoming term. The Town received one application for the vacancy. Per the By-Laws of the board, the vacancies were advertised for 60 days via the Town's website and social media. The board members terms who expired were: Michael Gallagher, Arica Rucker and George Wise. None of the current board members whose terms expired sought re-appointment.

Per the By-Laws, an interview panel consisting of three members was created at the November Advisory Board meeting: Linda Thurman (chair), Brantlee Drake and Carl Westine. The sub-committee created a list of criteria and interviewed the candidate. The candidate attended the February 22, 2021 advisory board meeting to meet the rest of the board for any additional questions.

The Advisory Board made a motion to recommend the following applicant be appointed: Brett Crosby. The motion was made by Tim Morris and seconded by Carl Westine. The motion passed 5-0.

A summary of the applicant is provided below, and his application has been submitted for consideration:

Brett Crosby: Brett Crosby is a resident of Harrisburg. He is active in the community and has children who participate in our youth athletic program. Brett also serves as the Executive Director of the Harrisburg YMCA.

Harrisburg Parks & Recreation and the Harrisburg YMCA partner often for events and programs throughout the year.

MOTION:

Councilmember Dellinger made a motion to approve the appointment of Brett Crosby to the Parks and Recreation Advisory Board for a two-year term ending in February 2023. Second was made by Councilmember Patrick. **The motion passed 7-0.**

7.

ACTION ITEMS

Updates from February meeting:

- Sponsorship guidelines for Parks and Recreation – working on this and will present information during the budget workshops.
- Work on Code of Conduct – taken care of in tonight's meeting.

Tonight:

- Get more information on the Town's website concerning Harrisburg Park.
- Traffic signal timing concerns at Hwy 49 and Roberta Road/Veteran's.
- Will look into adding DEQ contact information on Town website for residents.
- Will ask for a NCDOT representative to attend future meeting of Council for updates to transportation projects.
- Need to discuss transportation priorities during budget workshop.
- Have the proposed Sustainability Advisory Board By-Laws reviewed by Town attorney and placed on April agenda.
- Keep an eye on increased traffic at Tom Query/Caldwell Road intersection during the Stallings Road closure.

8.

CLOSED SESSION

None

9.

ADJOURNMENT:

MOTION:

There being no further business, Mayor Pro-Tem Smith made a motion to adjourn the meeting. Second was made by Councilmember Selberg. **The motion passed 7-0.**

ATTEST:

Steve Sciascia, Mayor

Janet Rackley, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of filing fees for the upcoming election in November

Presenting Personnel:

Suggested Motion or Action:

Motion to set the election filing fees for 2021 at \$30.

Description/Background:

The Town Council is required to set the filing fees for elections within their jurisdiction. In 2017 the Council voted to set the fees at \$30 and it is staff's recommendation that the fees remain the same this year.

Recommendation:

Staff recommends retaining \$30 as the filing fee for the November 2021 election.

Fiscal Impact:

None

Attachments:

None



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of Transportation Bonds Reimbursement Resolution for Harris Depot Rd. Sidewalk Construction

Presenting Personnel:

Brian Lee, Finance Director

Suggested Motion or Action:

Motion to approve the Harris Depot Rd. Sidewalk Project General Obligation Bond reimbursement resolution.

Description/Background:

The Town accepted Harris Depot Road from NCDOT at the December 14, 2020 Town Council meeting.

Town staff worked with NCDOT to make improvements to the road. NCDOT and Town Staff repaired erosion control issues and washed out ditches by piping in sections of open ditch and re-grading areas to have manageable slopes. In August and September of this year, NCDOT milled, patched, and repaved the road. In addition to the repaving, NCDOT removed a left turn lane and light from Harris Depot onto Highway 49 to allow additional right of way width to be used for a sidewalk that will provide a connection from Highway 49 to Harris Depot Park.

The Town informally bid the construction of approximately 700 linear feet of sidewalk along Harris Depot Road in March and received one bid from Protech Mechanical Inc., who recently completed the stairways and other miscellaneous work in Harrisburg Park, under staff supervision. The quote has a total price of \$37,785, including a 10% contingency.

This project is included in the 2021 Series Transportation GO Bonds.

Recommendation:

Staff recommends approval of the attached reimbursement resolution.

Fiscal Impact:

The cost of the construction contract is \$37,785. This will be funded with the Transportation General Obligation Bonds being issued in May 2021, which include this project and other street resurfacing and sidewalk projects that have already been completed or will be in the coming months. This reimbursement resolution allows any funds spent before the issuance of debt related to this project to be reimbursed by the financing.

Attachments:

1. Declaration of Intent to Reimburse - Transportation Bonds - Harris Depot Sidewalks



TOWN OF HARRISBURG, NORTH CAROLINA
DECLARATION OF OFFICIAL INTENT TO REIMBURSE

This declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of the Town of Harrisburg, North Carolina (the "Borrower") with respect to the matters contained herein.

1. **Expenditures to be Incurred.** The Borrower anticipates incurring expenditures (the "Expenditures") for the construction of sidewalks along Harris Depot Road, referred to as the "Project."
2. **Plan of Finance.** The Borrower intends to finance the costs of the Project with the proceeds of General Obligation debt to be financed with a financial institution (the "Borrowing"), the interest on which is to be excluded from gross income for Federal Income tax purposes.
3. **Maximum Principal Amount of Debt to be Borrowed.** The maximum principal amount of the Borrowing to be incurred by the Borrower to finance the Project is not to exceed \$1,650,000.
4. **Declaration of Official Intent to Reimburse.** The Borrower hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

This resolution is effective upon its adoption this 12th day of April, 2021.

The motion to adopt this resolution was made by Councilmember _____, seconded by Councilmember _____ and passed by a vote of _____ to _____.

[Mayor]

ATTEST:

[Clerk]

This is to certify that this is a true and accurate copy of Resolution No. _____ Adopted by the Harrisburg Town Council on the 12th day of April, 2021.

[Clerk]

Date



TOWN OF HARRISBURG

Agenda Item Details

Title:

Public Hearing to consider the Conditional Rezoning, Zoning Map Amendment and Annexation for Orchid Ridge Subdivision (H-2020-03 R).

Presenting Personnel:

Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:

Hold Public Hearing on the Annexation and Conditional Rezoning request from Countryside Residential (CR) in the County to Conditional Residential Low Density (CZ-RL) utilizing Conservation Design guidelines, as requested by the applicant for the related property in application H-2020-08 (R).

Town Council will NOT vote on this rezoning and annexation at this meeting.

Description/Background:

DR Horton, Inc. on behalf of the the property owners of parcels 5515-6839-76; 5515-7755-96; 5515-6789-55; 5515-7825-98; 5515-8952-26; 5515-8850-53 and 5525-0761-70 has submitted a request to rezone approximately 352.11 acres of land located off Hickory Ridge Road and Lower Rocky River Road. The applicant proposes to develop 459 single-family detached residential dwellings, including a combination of 60 feet wide lots (227) and 70 feet wide lots (232). To achieve this, the applicant is requesting that the property be rezoned from County CR (Countryside Residential) to CZ-RL (Conditional Zoning Residential Low Density) utilizing Conservation Design guidelines. The proposed gross density of the site is 1.33 dwelling units per acre.

The property is in the County, and the applicant has also submitted a Petition requesting Annexation for the subject property which is non-contiguous to the current Town of Harrisburg corporate limits. A Town Council public hearing will be held on the rezoning and annexation at the same time.

A staff report is included for more information and a site plan is submitted for your consideration. If approved, staff will continue reviewing the site plan in accordance with our Unified Development Ordinance (UDO) during the subsequent Preliminary Plat and Construction Document (CDs) reviews.

Staff is recommending holding a Public Hearing on the rezoning request and annexation. Final action on the rezoning and annexation will be taken at the May 10th meeting.

Recommendation:

With the conditions proposed, the rezoning request is consistent with the Harrisburg Area Land Use Plan. Planning and Zoning Board recommended approval at their March meeting. Planning and Zoning Department staff recommends holding a Public Hearing on the annexation and rezoning request (H2020-03-R) with conditions.

Fiscal Impact:

The annexation has no direct fiscal impact as a result of the annexation itself, however, the result of the development on

the annexed properties will both generate additional property tax revenue for the Town and add to the costs associated with providing the additional homes with Town services.

Attachments:

1. Rez_Orchid Ridge_Rezoning Completed Application
2. Rez_Site Location Map_Orchid Ridge
3. Rez_Orchid Ridge_Rezoning Package_Reduced
4. Rez_H_2020_03_R Staff Report TC
5. Rez_Elevations Example_DR Horton
6. Rez_Neighborhood Meeting Summary_Orchid Ridge
7. Rez_Orchid Ridge_Final TIA Report
8. Rez_Blackwelder Hill Assessment 12.21.2020
9. Annex_Orchid Ridge Annexation Application
10. Annex_Orchid Ridge Annexation Plat
11. Annex_Certificate of Sufficiency
12. Annex_Resolution Fixing Date of Public Hearing Orchid Ridge



APPLICATION FOR CONDITIONAL REZONING

Applications for a Conditional District must be accompanied by an application for a Zoning Map Amendment.

1. Please submit fifteen (15) copies of a complete development plan in conformance with Appendix B, Section B-4 of the UDO (all conditional rezoning applications shall include a site specific development plan which, if approved, shall be binding on the property in question). If approved, a zoning site plan review and approval will be required to receive a zoning compliance permit. For specific requirements, please see the form entitled "Site Plan Requirements".
2. Please list the specific permitted land use(s) that you are proposing. Land use(s) shall be chosen from Article 4.6 in the Harrisburg UDO titled "Use Regulations" and shall correspond to the Zoning District requested.

single-family detached dwelling units
and allowed accessory uses.

3. Please list any specific conditions that you would be willing to impose as part of this application (example: no outside storage permitted on-site, increased buffer width, etc.).

Maximum number of lots and lot sizes

Minimum amount of green space and improvements

Street network

Thread Trail improvements and connections

Certain roadway improvements



Owner Information

It is understood by all parties hereto that while this application will be carefully considered and reviewed, the burden of providing its need and providing all required evidence rests with the below named petitioner. In addition, it is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound by the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended through the rezoning process. It is further understood and acknowledged that it is the responsibility of the petitioner to file the development plan in the Cabarrus County Register of Deeds Office as a deed restriction upon the subject property.

If, after two years from the date of approval substantial construction has not begun, the property in question may revert to its prior zoning designation after a public hearing is held in compliance with the required procedure for a zoning map amendment.

I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

Property Owner (1)	<u>James Ray Flowers Jr.</u>
	<u>Virginia Kale Flowers</u>
Address	<u>7029 Kitty Hawk Lane</u>
	<u>Fort Mill, SC 29707</u>
Phone	<u>704-574-1008</u>
Fax	
Signature	<u>James Ray Flowers Jr.</u> <u>Virginia Kale Flowers</u> <u>Amalia F. Turner</u>

NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.



Subject Property Information (1)

1. Street Address N/A
2. PIN(s) (10 digit#) 5515 -- 6839 -- 76 ; -- --
3. Deed Reference Book 12868 Page 0113
4. Township # 1

Description of Subject Property

5. Size (square feet or acreage) 72.89 acres
6. Street Frontage (feet) 250
7. Current Land Use vacant
8. Surrounding Land Use and Zoning Classification

North: Zoning CR Land Use Residential

South: Zoning CR Land Use Residential

East: Zoning CR Land Use Residential

West: Zoning CR Land Use Residential

9. Request to Change Zoning From CR to RL-CZ

10. Is this a request for a Conditional Rezoning? YES NO

(If YES, you must also submit an application for a Conditional Rezoning)

11. Purpose for Request: To allow for the development of the site utilizing the conservation district standards.



Harrisburg NC

The right side of opportunity

Owner/Agent/Applicant Information

It is understood by all parties hereto that while this application will be carefully considered and reviewed, the burden of providing its need and providing all required evidence rests with the below named petitioner.

I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

Amelia F. Turner

12. Property Owner (1)

James Ray Flowers Jr. & Virginia Kale Flowers

Address

7029 Kitty Hawk Lane, Fort Mill SC 29707

Phone

704-574-1008

Fax

Email:

jflowers@brbproperties.com

Signature

Virginia Kale Flowers
James Ray Flowers, Jr.

13. Agent (if any)

Moore & Van Allen, Attn: Bridget Grant

Address

100 N Tryon Street, Ste 4700, Charlotte, NC 28202

Phone

704.331.2379

Fax

704.378.1973

Email

bridgetgrant@mvalaw.com

Signature

Bridget Grant

14. Applicant (if any)

D.R. Horton, Attn: *Daniel McCon*

Address

8001 Arrowridge Boulevard, Charlotte, NC 28273

Phone

704.345.1003

Fax

Email

dbmccord@drhorton.com

Signature

Daniel McCon

NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.



HarrisburgNC

The right side of opportunity

Owner Information

It is understood by all parties hereto that while this application will be carefully considered and reviewed, the burden of providing its need and providing all required evidence rests with the below named petitioner. In addition, it is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound by the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended through the rezoning process. It is further understood and acknowledged that it is the responsibility of the petitioner to file the development plan in the Cabarrus County Register of Deeds Office as a deed restriction upon the subject property.

If, after two years from the date of approval substantial construction has not begun, the property in question may revert to its prior zoning designation after a public hearing is held in compliance with the required procedure for a zoning map amendment.

I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

Property Owner (2) Theodore Franklin Suggs
Ann Folsom Suggs
Address 10563 Hickory Ridge Road
Harrisburg, NC 28075
Phone 704-975-9189
Fax _____
Signature Theodore F. Suggs

40 cadillac @
gmail.com

NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.

ONLY:



Owner Information

It is understood by all parties hereto that while this application will be carefully considered and reviewed, the burden of providing its need and providing all required evidence rests with the below named petitioner. In addition, it is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound by the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended through the rezoning process. It is further understood and acknowledged that it is the responsibility of the petitioner to file the development plan in the Cabarrus County Register of Deeds Office as a deed restriction upon the subject property.

If, after two years from the date of approval substantial construction has not begun, the property in question may revert to its prior zoning designation after a public hearing is held in compliance with the required procedure for a zoning map amendment.

I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

Property Owner (2)	<u>Theodore Franklin Suggs</u>
	<u>Ann Folsom Suggs</u>
Address	<u>10563 Hickory Ridge Road</u>
	<u>Harrisburg, NC 28075</u>
Phone	<u>704-576-2455</u>
Fax	<u>N/A</u>
Signature	<u>Ann Suggs 2/9/20</u>

NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.

OFFICIAL USE ONLY:

Petition Number: _____

Date Filed: _____

Received By: _____



Harrisburg NC

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Subject Property Information ⁽²⁾

1. Street Address 2827 Cedar Cove Drive, Harrisburg, NC 28075
2. PIN(s) (10 digit#) 5515 -- 7755 -- 96 ; -- -- --
3. Deed Reference Book 8538 Page 0208
4. Township # 1

Description of Subject Property

5. Size (square feet or acreage) 60.51 acres
6. Street Frontage (feet) 464
7. Current Land Use _____
8. Surrounding Land Use and Zoning Classification
 - North: Zoning CR Land Use _____
 - South: Zoning CR Land Use _____
 - East: Zoning CR Land Use _____
 - West: Zoning CR Land Use _____
9. Request to Change Zoning From CR to RL-C7
10. Is this a request for a Conditional Rezoning? ☒ YES NO

(If YES, you must also submit an application for a Conditional Rezoning)

11. Purpose for Request: _____

To allow development of the site utilizing Conservation District standards



Owner/Agent/Applicant Information

It is understood by all parties hereto that while this application will be carefully considered and reviewed, the burden of providing its need and providing all required evidence rests with the below named petitioner.

I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

12. Property Owner ⁽²⁾ Theodore Franklin Suggs & Ann Folsom Suggs
Address 10563 Hickory Ridge Road, Harrisburg, NC 28075
Phone 704-576-6455
Fax N/A
Email: a.suggs@gmail.com
Signature Ann Suggs 2/9/20
13. Agent (if any) Moore & Van Allen, Attn: Bridget Grant
Address 100 N Tryon Street, Ste 4700, Charlotte, NC 28202
Phone 704.331.2379
Fax 704.378.1973
Email bridgetgrant@mvalaw.com
Signature Bridget Grant
14. Applicant (if any) D.R. Horton, Attn: David McCorso
Address 8001 Arrowridge Boulevard, Charlotte, NC 28273
Phone 704.345.1003
Fax _____
Email d1bmccorso@drhorton.com
Signature David McCorso

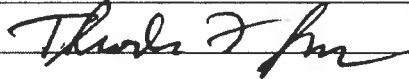
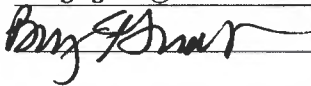
NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.



Owner/Agent/Applicant Information

It is understood by all parties hereto that while this application will be carefully considered and reviewed, the burden of providing its need and providing all required evidence rests with the below named petitioner.

I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

12. Property Owner ⁽²⁾ Theodore Franklin Suggs & Ann Folsom Suggs
- Address 10563 Hickory Ridge Road, Harrisburg, NC 28075
- Phone _____
- Fax _____
- Email: _____
- Signature 
13. Agent (if any) Moore & Van Allen, Attn: Bridget Grant
- Address 100 N Tryon Street, Ste 4700, Charlotte, NC 28202
- Phone 704.331.2379
- Fax 704.378.1973
- Email bridgetgrant@mvalaw.com
- Signature 
14. Applicant (if any) D.R. Horton, Attn: *David McCom*
- Address 8001 Arrowridge Boulevard, Charlotte, NC 28273
- Phone 704.345.1003
- Fax _____
- Email *dbmcard@drhorton.com*
- Signature 

NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.



HarrisburgNC

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Owner Information

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If, after two years from the date of approval substantial construction has not begun, the property in question may revert to its prior zoning designation after a public hearing is held in compliance with the required procedure for a zoning map amendment.

I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

Property Owner (3 & 5) Cedar Cove LLC a NC LLC

Address

2536 Cedar Cove Drive

Harrisburg, NC 28075

Phone

Fax

Signature

Ladie Q. Hefner/owner-manager

NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.

USE
Petition Number: _____



HarrisburgNC

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Subject Property Information ⁽³⁾

1. Street Address 2600 Cedar Cove Drive, Harrisburg, NC 28075
2. PIN(s) (10 digit#) 5515 -- 6789 -- 55 ; -- -- --
3. Deed Reference Book 4815 Page 0116
4. Township # 1

Description of Subject Property

5. Size (square feet or acreage) 1 acre
6. Street Frontage (feet) N/A
7. Current Land Use residential
8. Surrounding Land Use and Zoning Classification

North: Zoning CR Land Use _____

South: Zoning CR Land Use _____

East: Zoning CR Land Use _____

West: Zoning CR Land Use _____

9. Request to Change Zoning From CR to RL-CZ

10. Is this a request for a Conditional Rezoning? ☒ YES ☐ NO

(If YES, you must also submit an application for a Conditional Rezoning)

11. Purpose for Request: _____

To allow development of the site utilizing Conservation District standards



1. Street Address 2558 Cedar Cove Drive, Harrisburg, NC 28075

2. PIN(s) (10 digit#) 5515 -- 8952 -- 26 ; -- --

3. Deed Reference Book 4815 Page 0114

4. Township # 1

5. Size (square feet or acreage) 107.35

6. Street Frontage (feet) _____

7. Current Land Use residential

8. Surrounding Land Use and Zoning Classification _____

West: Zoning CR Land Use

9. Request to Change Zoning From CR to RL-CZ

10. Is this a request for a Conditional Rezoning? YES NO

11. Purpose for Request: _____

To allow development of the site utilizing Conservation District standards



HarrisburgNC

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Owner/Agent/Applicant Information

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I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

12. Property Owner ^(3 & 5) Cedar Cove LLC a NC LLC

Address 2536 Cedar Cove Drive, Harrisburg, NC 28075

Phone _____

Fax _____

Email: _____

Signature *Leslie G. Hefner / owner-manager*

13. Agent (if any) Moore & Van Allen, Attn: Bridget Grant

Address 100 N Tryon Street, Ste 4700, Charlotte, NC 28202

Phone 704.331.2379

Fax 704.378.1973

Email bridgetgrant@mvalaw.com

Signature *Bridget Grant*

14. Applicant (if any) D.R. Horton, Attn: *DAVID M. CORIO*

Address 8001 Arrowridge Boulevard, Charlotte, NC 28273

Phone 704.345.1003

Fax _____

Email *dbmccord@drhorton.com*

Signature *David*

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HarrisburgNC

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I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

Property Owner (4)	<u>John Lentz</u>
	<u>Linda H. Lentz</u>
Address	<u>2530 Cedar Cove Drive</u>
	<u>Harrisburg, NC 28075</u>
Phone	<u>704-455-5229</u>
Fax	
Signature	<u>John V. Lentz</u>
	<u>Linda H. Lentz</u>

NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.



HarrisburgNC

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Subject Property Information⁽⁴⁾

1. Street Address 2530 Cedar Cove Drive, Harrisburg, NC 28075
2. PIN(s) (10 digit#) 5515 -- 7825 -- 98 ; -- -- --
3. Deed Reference Book NULL Page NULL
4. Township # 1

Description of Subject Property

5. Size (square feet or acreage) 7.9 acres
6. Street Frontage (feet) N/A
7. Current Land Use residential
8. Surrounding Land Use and Zoning Classification
 - North: Zoning CR Land Use _____
 - South: Zoning CR Land Use _____
 - East: Zoning CR Land Use _____
 - West: Zoning CR Land Use _____
9. Request to Change Zoning From CR to RL-CZ
10. Is this a request for a Conditional Rezoning? YES NO

(If YES, you must also submit an application for a Conditional Rezoning)

11. Purpose for Request: _____

To allow development of the site utilizing Conservation District standards



Owner/Agent/Applicant Information

It is understood by all parties hereto that while this application will be carefully considered and reviewed, the burden of providing its need and providing all required evidence rests with the below named petitioner.

I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

12. Property Owner ⁽⁴⁾ John Lentz and Linda H. Lentz
- Address 2530 Cedar Cove Drive, Harrisburg, NC
- Phone 704-455-5229
- Fax _____
- Email: jlentz@aol.com
- Signature John J. Lentz
Linda H. Lentz
13. Agent (if any) Moore & Van Allen, Attn: Bridget Grant
- Address 100 N Tryon Street, Ste 4700, Charlotte, NC 28202
- Phone 704.331.2379
- Fax 704.378.1973
- Email bridgetgrant@mvalaw.com
- Signature Bridget Grant
14. Applicant (if any) D.R. Horton, Attn: David McCord
- Address 8001 Arrowridge Boulevard, Charlotte, NC 28273
- Phone 704.345.1003
- Fax _____
- Email dbmccord@drhorton.com
- Signature David McCord

NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.



Owner Information

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I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

Property Owner (6 & 8) Jeffrey T. Fisher

Address 2500 Cedar Cove Drive

Harrisburg, NC 28075

Phone _____

Fax _____

Signature Jeffrey T. Fisher

NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.



Subject Property Information ⁽⁶⁾

1. Street Address 2500 Cedar Cove Drive, Harrisburg, NC 28075
2. PIN(s) (10 digit#) 5515 -- 8850 -- 53 ; -- -- --
3. Deed Reference Book 11096 Page 0294
4. Township # 1

Description of Subject Property

5. Size (square feet or acreage) 6.78 acres
6. Street Frontage (feet) 328.55
7. Current Land Use residential
8. Surrounding Land Use and Zoning Classification

North: Zoning CR Land Use _____

South: Zoning CR Land Use _____

East: Zoning CR Land Use _____

West: Zoning CR Land Use _____

9. Request to Change Zoning From CR to RL-CZ

10. Is this a request for a Conditional Rezoning? ☒ YES ☐ NO

(If YES, you must also submit an application for a Conditional Rezoning)

11. Purpose for Request: _____

To allow development of the site utilizing Conservation District standards



HarrisburgNC

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Subject Property Information⁽⁸⁾

1. Street Address 2512 Cedar Cove Drive, Harrisburg, NC 28075
2. PIN(s) (10 digit#) 5515 -- 8811 -- 99 ; -- -- --
3. Deed Reference Book 11096 Page 0294
4. Township # 1

Description of Subject Property

5. Size (square feet or acreage) .21 acres
6. Street Frontage (feet) 328.55
7. Current Land Use vacant
8. Surrounding Land Use and Zoning Classification
 - North: Zoning CR Land Use _____
 - South: Zoning CR Land Use _____
 - East: Zoning CR Land Use _____
 - West: Zoning CR Land Use _____
9. Request to Change Zoning From CR to RL-CZ
10. Is this a request for a Conditional Rezoning? ☒ YES NO

(If YES, you must also submit an application for a Conditional Rezoning)

11. Purpose for Request: _____
To allow development of the site utilizing Conservation District standards



HarrisburgNC

The right side of opportunity

Owner/Agent/Applicant Information

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I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

12. Property Owner ^(6 & 8) Jeffrey T Fisher
- Address 2500 Cedar Cove Drive, Harrisburg, NC 28075
- Phone 704-455-3502
- Fax _____
- Email: dianne.fisher@gmail.com
- Signature Jeffrey T. Fisher
-
13. Agent (if any) Moore & Van Allen, Attn: Bridget Grant
- Address 100 N Tryon Street, Ste 4700, Charlotte, NC 28202
- Phone 704.331.2379
- Fax 704.378.1973
- Email bridgetgrant@mvalaw.com
- Signature Bridget Grant
-
14. Applicant (if any) D.R. Horton, Attn: David McCorn
- Address 8001 Arrowridge Boulevard, Charlotte, NC 28273
- Phone 704.345.1003
- Fax _____
- Email dbmccord@drhorton.com
- Signature David McCorn

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Harrisburg NC

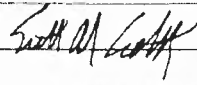
The right side of opportunity

Owner Information

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I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

Property Owner (7)	<u>Lower Rocky River Road LLC</u>
	<u>Inglefield Enterprises LTD</u>
Address	<u>2820 Selwyn Avenue, Ste 500</u>
	<u>Charlotte, NC 28209</u>
Phone	<u>704-334-3212</u>
Fax	
Signature	<u></u>

NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.

Subject Property Information ⁽⁷⁾

1. Street Address 10600 Lower Rocky River Road, Concord, NC 28025
2. PIN(s) (10 digit#) 5525 -- 0761 -- 70 ; -- -- --
3. Deed Reference Book 10583 Page 0019
4. Township # 1

Description of Subject Property

5. Size (square feet or acreage) 98.83 acres
6. Street Frontage (feet) 2300.62
7. Current Land Use vacant
8. Surrounding Land Use and Zoning Classification
- | | | |
|--------|------------------|------------------|
| North: | Zoning <u>CR</u> | Land Use <u></u> |
| South: | Zoning <u>CR</u> | Land Use <u></u> |
| East: | Zoning <u>CR</u> | Land Use <u></u> |
| West: | Zoning <u>CR</u> | Land Use <u></u> |
9. Request to Change Zoning From CR to RL - C2
10. Is this a request for a Conditional Rezoning? (YES) NO

(If YES, you must also submit an application for a Conditional Rezoning)

11. Purpose for Request: _____

To allow development of the site utilizing Conservation District standards



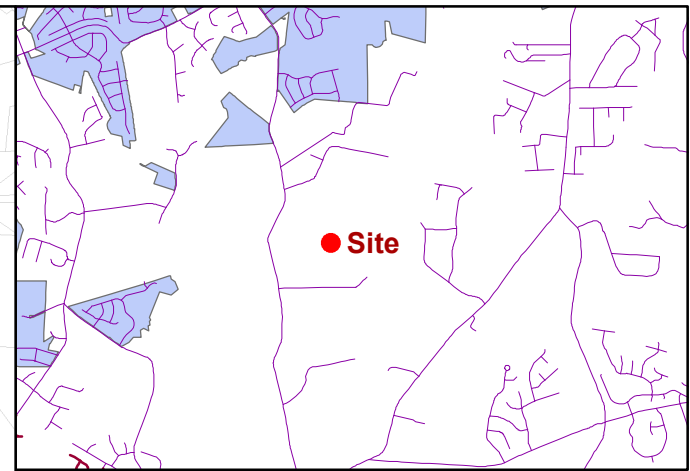
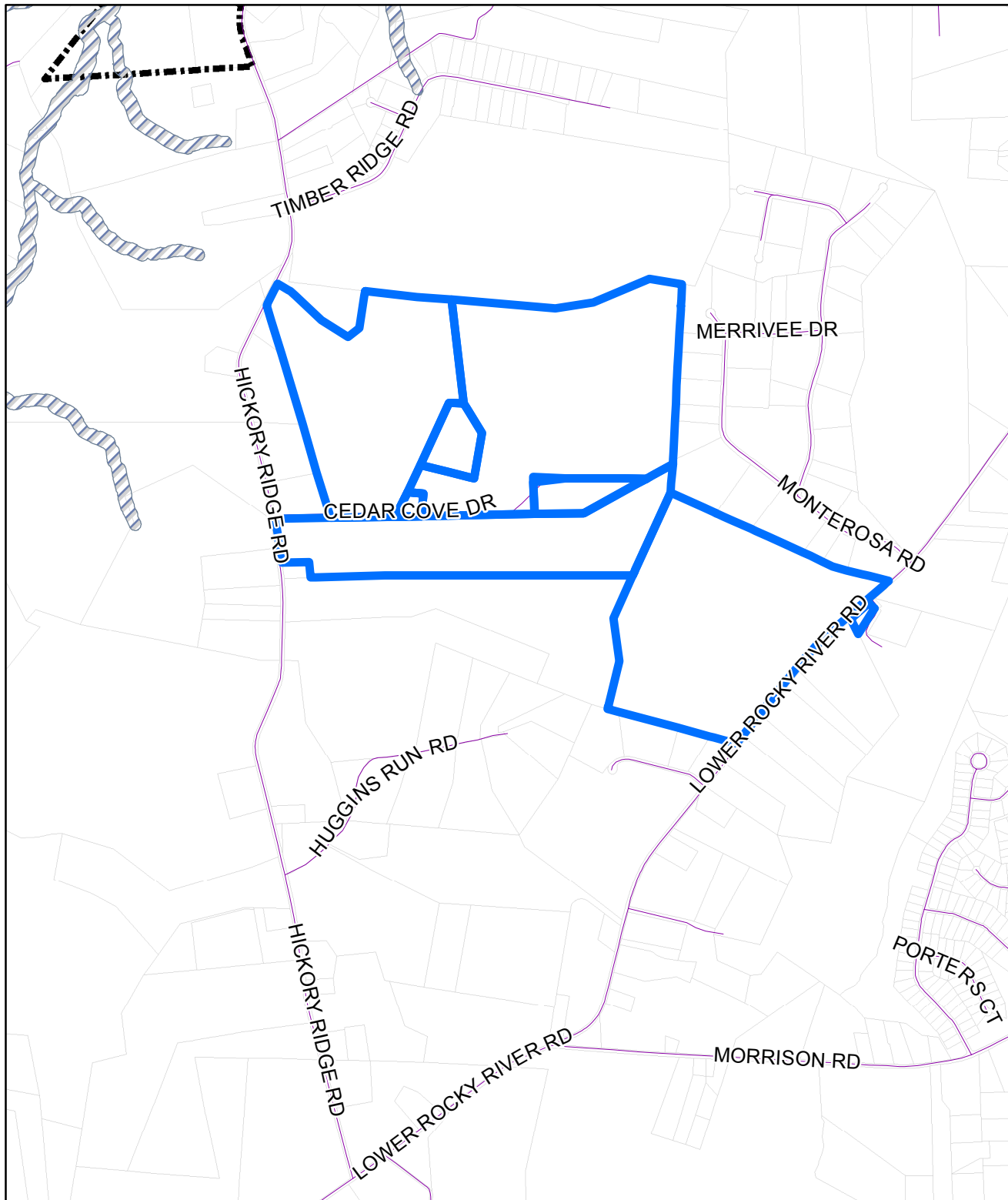
Owner/Agent/Applicant Information

It is understood by all parties hereto that while this application will be carefully considered and reviewed, the burden of providing its need and providing all required evidence rests with the below named petitioner.

I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

12. Property Owner ⁽⁷⁾ Lower Rocky River Road LLC & Inglefield Enterprises LTD
Address 2820 Selwyn Avenue Ste 500, Charlotte, NC 28209
Phone 704-334-3212
Fax _____
Email: scoblentz@southstreetpartners.com
Signature *Scott M. Coblenz*
13. Agent (if any) Moore & Van Allen, Attn: Bridget Grant
Address 100 N Tryon Street, Ste 4700, Charlotte, NC 28202
Phone 704.331.2379
Fax 704.378.1973
Email bridgetgrant@mvalaw.com
Signature *Bridget Grant*
14. Applicant (if any) D.R. Horton, Attn: *David McCoro*
Address 8001 Arrowridge Boulevard, Charlotte, NC 28273
Phone 704.345.1003
Fax _____
Email *dbmccord@drhorton.com*
Signature *David McCoro*

NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.



H 2020-03-(R)

Property Identification Number (7 Parcels):
5515-6839-76; 5515-7755-96; 5515-6789-55
5515-7825-98; 5515-8952-26; 5515-8850-53
5525-0761-70

Located along Hickory Ridge Rd and
Lower Rocky River Rd

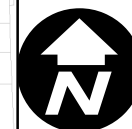
Applicant: DR Horton

Current Zoning: Country Residential (CR / County)

Proposed Zoning:
Conditional Residential Low Density,
Conservation Subdivision (CZ-RL)

Legend

-  Rezoning Site
-  Town Limits
-  Parcels



0 900 1,800 3,600 Feet

Notable Conditions:

1. Applicant agrees to obtain any and all applicable local, state, and federal permits required for development before any development activity can take place (*see Development Standards Section 7*).
2. Applicant agrees to restrict primary cladding materials for all residential buildings to masonry or similar products; vinyl siding will not be used (*see Development Standards Section 4*).
3. Applicant agrees to install all required improvements as required by the final approved Traffic Impact Analysis (*see Development Standards Section 3*).
4. Applicant agrees to provide a minimum 8 foot landscape easement (4 feet on each side of the property line, existing tree save or newly planted) for residential lots sharing a rear property line.
5. Applicant agrees to provide a suitable location for the new Fire Station on Lower Rocky River Road (*see Development Standards Section 7*).
6. Applicant commits to protect the Blackwelder Natural Heritage Site to the greatest extent possible as identified in the Natural Heritage Survey (*see RZ Sheet 7*).
7. Applicant agrees to acquire and dedicate 25 foot public greenway easement along the entirety of the off-site sewer easement connecting the subdivision to Reedy Creek Greenway.
8. Applicant agrees that there will be no exposed concrete foundations and that siding and/or other materials must extend to the ground level on all sides of the homes.
9. Applicant agrees mailbox clusters shall meet minimum ADA standards (*see Development Standards Section 7*).
10. Applicant agrees to provide a tree survey identifying all existing heritage trees on site during the Preliminary Plat review and approval. Applicant agrees to the mitigation/replacement of identified heritage tress (during Preliminary Plat) if damaged during construction in accordance with the Town of Harrisburg Unified Development Ordinance (*see Development Standards Section 6*).
11. Applicant agrees that all ponds shall be wet detention ponds with fountains. Ponds shall be designed such that there is a minimum depth of 10' over at least 25% of the permanent pool area.
12. Applicant agrees Phase 2 shall include the entirety of connection from Hickory Ridge Road to Lower Rocky River Road prior to the 173rd lot plat for Phase 2. No lots in Phase 3 shall be platted prior to the completion of the connection (*see Development Standards Section 3*).
13. Applicant agrees that all streets should be to the Town of Harrisburg Engineering Design standards, alternate pavement schedule is not allowable. Roadways cross sections will be reviewed and approved at the construction document phase (*see Development Standards Section 3*).
14. The Applicant agrees to provide berms along Hickory Ridge Road and Lower Rocky River Road. The berm may be eliminated subject to staff approval where existing vegetation provides sufficient screening.
15. The Applicant agrees to provide enhanced pedestrian crosswalks at multi-use path crossings and leading to the amenity areas subject to staff approval.

SHEET INDEX

Sheet List Table	
Sheet Number	Sheet Title
RZ-1.0	COVER SHEET
RZ-1.1	SURVEY
RZ-2.0	TECHNICAL DATA
RZ-3.0	CONCEPTUAL SITE PLAN RENDERING
RZ-4.0	CONCEPTUAL SITE PLAN
RZ-4.1-4.5	DETAILED CONCEPTUAL SITE PLANS
RZ-4.6	BLOCK LENGTHS PLAN
RZ-5.0	DEVELOPMENT STANDARDS
RZ-6.0	CONCEPTUAL CONNECTIVITY EXHIBIT
RZ-7.0	OPEN SPACE EXHIBIT

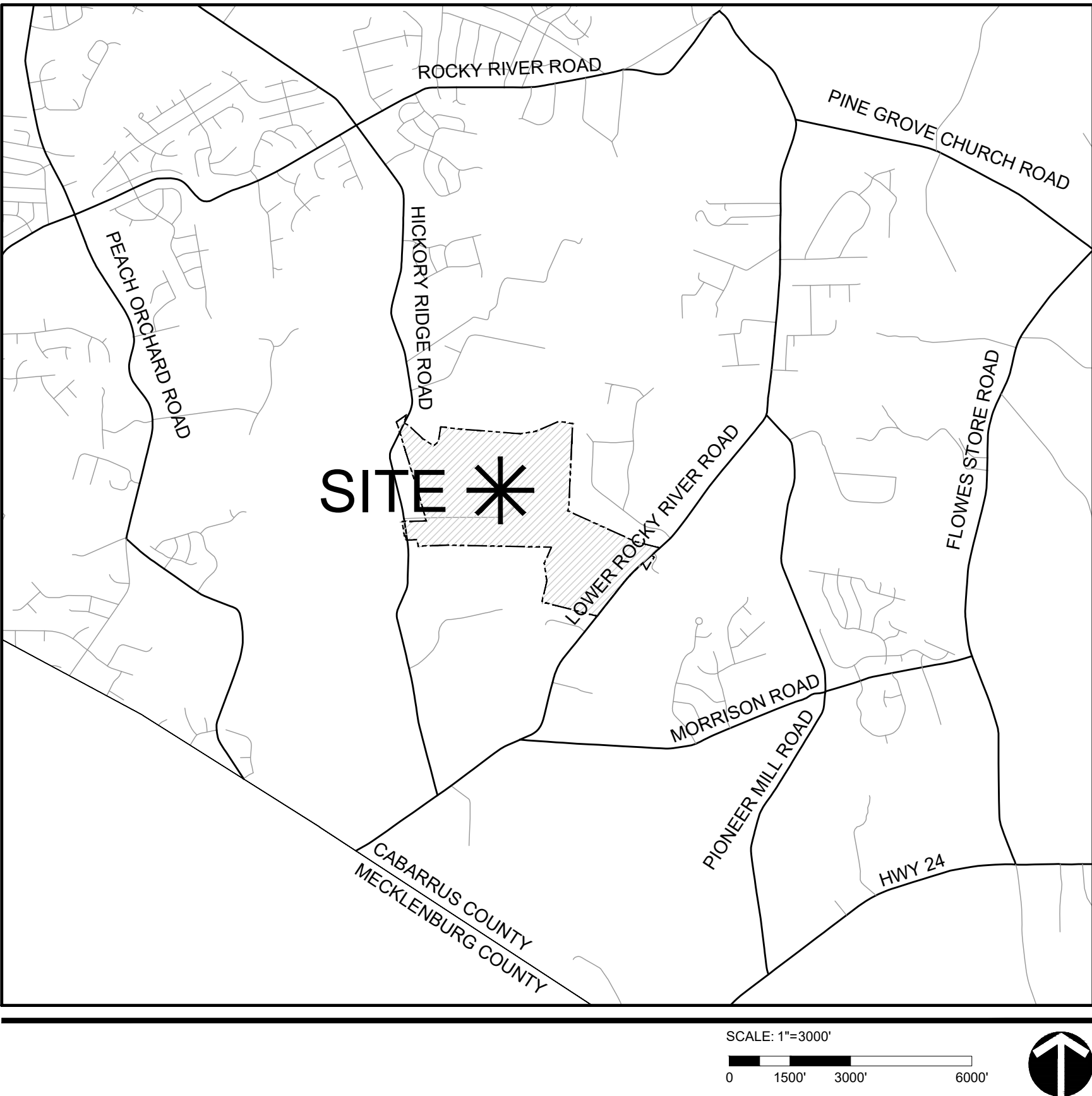
ORCHID RIDGE

REZONING PETITION

CABARRUS COUNTY, NC

DATE: 03/24/2021

VICINITY MAP



PROJECT TEAM

DEVELOPER

DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273
704.377.2006
CONTACT: ROBERT PRICE

OWNERS

JAME RAY FLOWERS JR &
VIRGINIA KALE FLOWERS
CEDAR COVE LLC
JOHN V. LENTZ
JEFFREY T. FISHER
THEODORE F. SUGGS
ANN FOLSON SUGGS
LOWER ROCKY RIVER ROAD LLC
INGLEFIELD ENTERPRISES LTD
C/O PITTINGER LAND INVESTMENTS

LANDSCAPE ARCHITECT

LANDDESIGN
223 NORTH GRAHAM STREET
CHARLOTTE, NC 28202
704.333.0325
CONTACT: MARK KIME

CIVIL ENGINEER

LANDDESIGN
223 NORTH GRAHAM STREET
CHARLOTTE, NC 28202
704.333.0325
CONTACT: MASON GREESON

SURVEYOR

YARBROUGH-WILLIAMS & HOULE INC.
730 WINDSOR OAK COURT
CHARLOTTE, NC 28273
704.556.1990
CONTACT: JOE WHALEY

DEVELOPMENT SUMMARY

PARCEL ID #:	5515-6839-76 5515-6789-55 5515-8952-26 5525-0761-70	5515-7755-96 5515-7825-98 5515-8850-53
TOTAL PROJECT SIZE:	± 352.11 ACRES	
DEVELOPMENT AREA 1: FIRE STATION:	± 3.20 ACRES	
DEVELOPMENT AREA 2: HICKORY RIDGE		
ROAD ROW AND OFF-SITE DEDICATION:	± 1.04 ACRES	
DEVELOPMENT AREA 3: LOWER ROCKY		
RIVER ROAD ROW AND		
OFF-SITE DEDICATION:	± 2.60 ACRES	
DEVELOPMENT AREA 4:		
RESIDENTIAL SUBDIVISION:	± 345.27 ACRES	

FOR THE PURPOSE OF ORDINANCE COMPLIANCE, THE FOLLOWING CALCULATIONS ARE BASED ON AREA 4 ONLY.

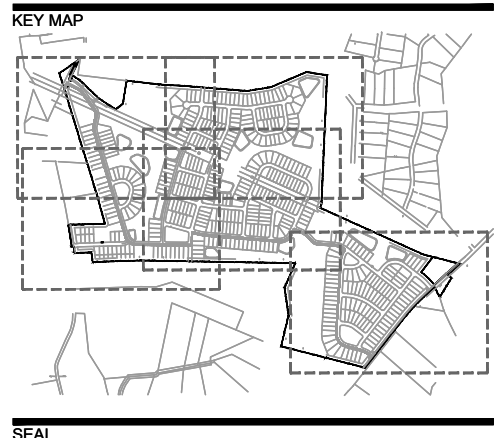
EXISTING ZONING:	CR (CABARRUS COUNTY)
PROPOSED ZONING:	CZ-RL CONSERVATION DISTRICT (TOWN OF HARRISBURG)
EXISTING USE:	VACANT
PROPOSED USE:	SINGLE-FAMILY
PROPOSED LOTS:	227 (60' X 200') MINIMUM 232 (70' X 172') MINIMUM 459 LOTS
TOTAL LOTS:	1,35
DUA:	±138.11 ACRES (40.00%)
OPEN SPACE REQUIRED:	±150.58 ACRES (43.63%)
OPEN SPACE PROVIDED:	±11.50 ACRES (.025 AC/LOT)
ACTIVE OPEN SPACE REQUIRED:	±17.12 ACRES
ACTIVE OPEN SPACE PROVIDED:	±17.12 ACRES
MAX. OPEN SPACE ALLOWED	±37.64 ACRES (25.00%)
IN INACCESSIBLE LAND:	±31.08 ACRES (20.64%)
PROP. OPEN SPACE IN	±13.11 ACRES (3.74%)
INACCESSIBLE LAND:	±17.36 ACRES (4.93%)
PUBLIC OPEN SPACE REQUIRED:	±13.11 ACRES (3.74%)
PUBLIC OPEN SPACE PROVIDED:	±17.36 ACRES (4.93%)

CLUSTER MAIL BOX UNITS
PROVIDED: 28 UNITS

NOTE: LAND DEDICATED FOR FUTURE FIRE STATION NOT INCLUDED IN OPEN SPACE CALCULATIONS.

LOT AND BUILDING REGULATIONS:	12,000 SF
MINIMUM LOT SIZE:	57 FEET (43.6% O.S. REDUCTION)
MINIMUM LOT WIDTH:	20 FEET (43.6% O.S. REDUCTION)
MINIMUM STREET SETBACK:	8.5 FEET (43.6% O.S. REDUCTION)
MINIMUM SIDE SETBACK:	17 FEET (43.6% O.S. REDUCTION)
MINIMUM REAR SETBACK:	35 FEET
MAXIMUM BUILDING HEIGHT:	

NOTE: THE AVERAGE BLOCK LENGTH FOR THE SUBDIVISION SHALL NOT EXCEED 1,800 LINEAR FEET.



SEAL

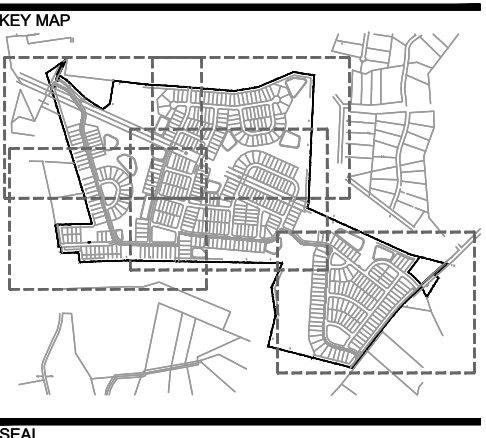
NOT FOR
CONSTRUCTION

ORCHID RIDGE

DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

SYMBOL LEGEND

- DEVELOPMENT AREA 1, 2, AND 3
- 50' VEGETATIVE BUFFER
- 150' DUKE POWER ROW
- PROPOSED STREET NETWORK
- SITE INGRESS/EGRESS



NOT FOR
CONSTRUCTION

ORCHID RIDGE

DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

LANDDESIGN PROJ.# 1018319

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	REZONING SUBMITTAL	01/07/20
2	REZONING SUBMITTAL	02/10/20
3	REZONING SUBMITTAL	08/06/20
4	REZONING SUBMITTAL	12/10/20
5	REZONING SUBMITTAL	02/19/21
6	REZONING SUBMITTAL	03/05/21
7	REZONING SUBMITTAL	03/24/21

DESIGNED BY: MEK
DRAWN BY: JAL
CHECKED BY: LDI

SCALE
VERT: N/A
HORZ: 1"=200'

SHEET TITLE
CONCEPTUAL SITE PLAN
RENDERING

SHEET NUMBER

RZ-3.0



DEVELOPMENT SUMMARY

PARCEL ID #:	5515-6839-76	5515-7755-06
	5515-6789-55	5515-7825-98
	5515-8952-26	5515-8850-53
	5525-0761-70	

TOTAL PROJECT SIZE:	± 352.11 ACRES
DEVELOPMENT AREA 1: FIRE STATION:	± 3.20 ACRES
DEVELOPMENT AREA 2: HICKORY RIDGE	
ROAD ROW AND OFF-SITE DEDICATION:	± 1.04 ACRES
DEVELOPMENT AREA 3: LOWER ROCKY	
RIVER ROAD ROW AND	
OFF-SITE DEDICATION:	± 2.60 ACRES
DEVELOPMENT AREA 4:	
RESIDENTIAL SUBDIVISION:	± 345.27 ACRES

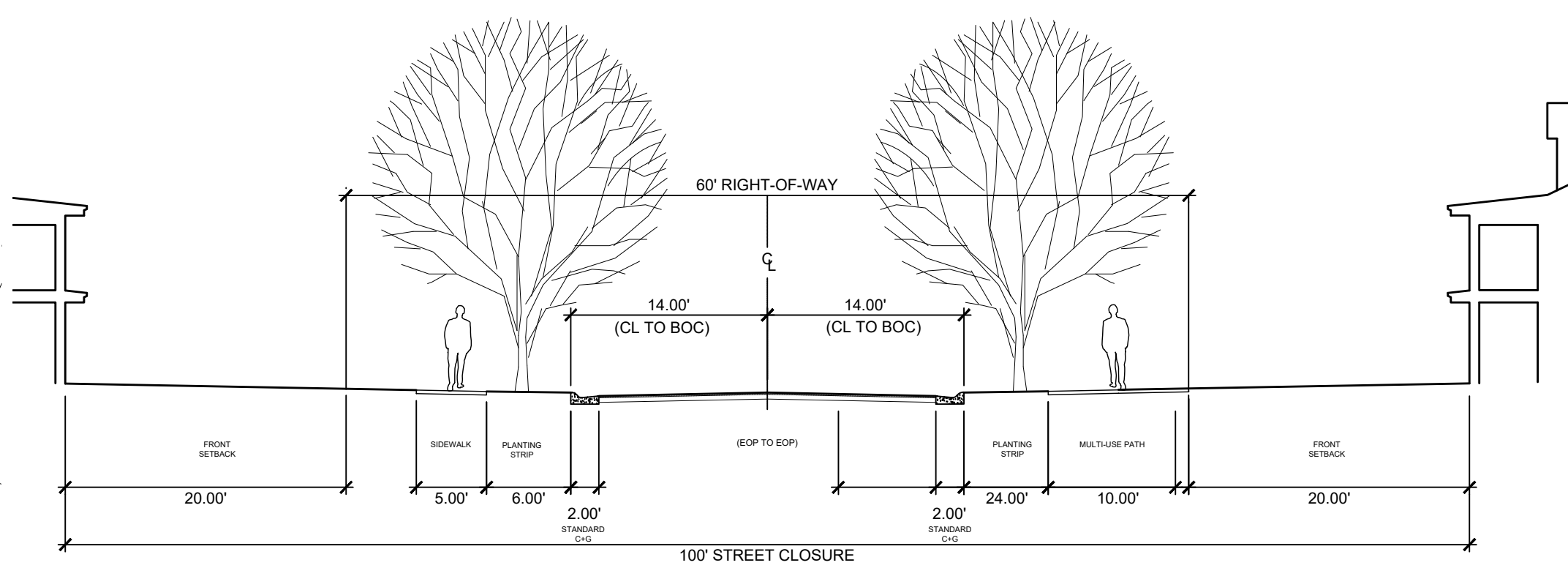
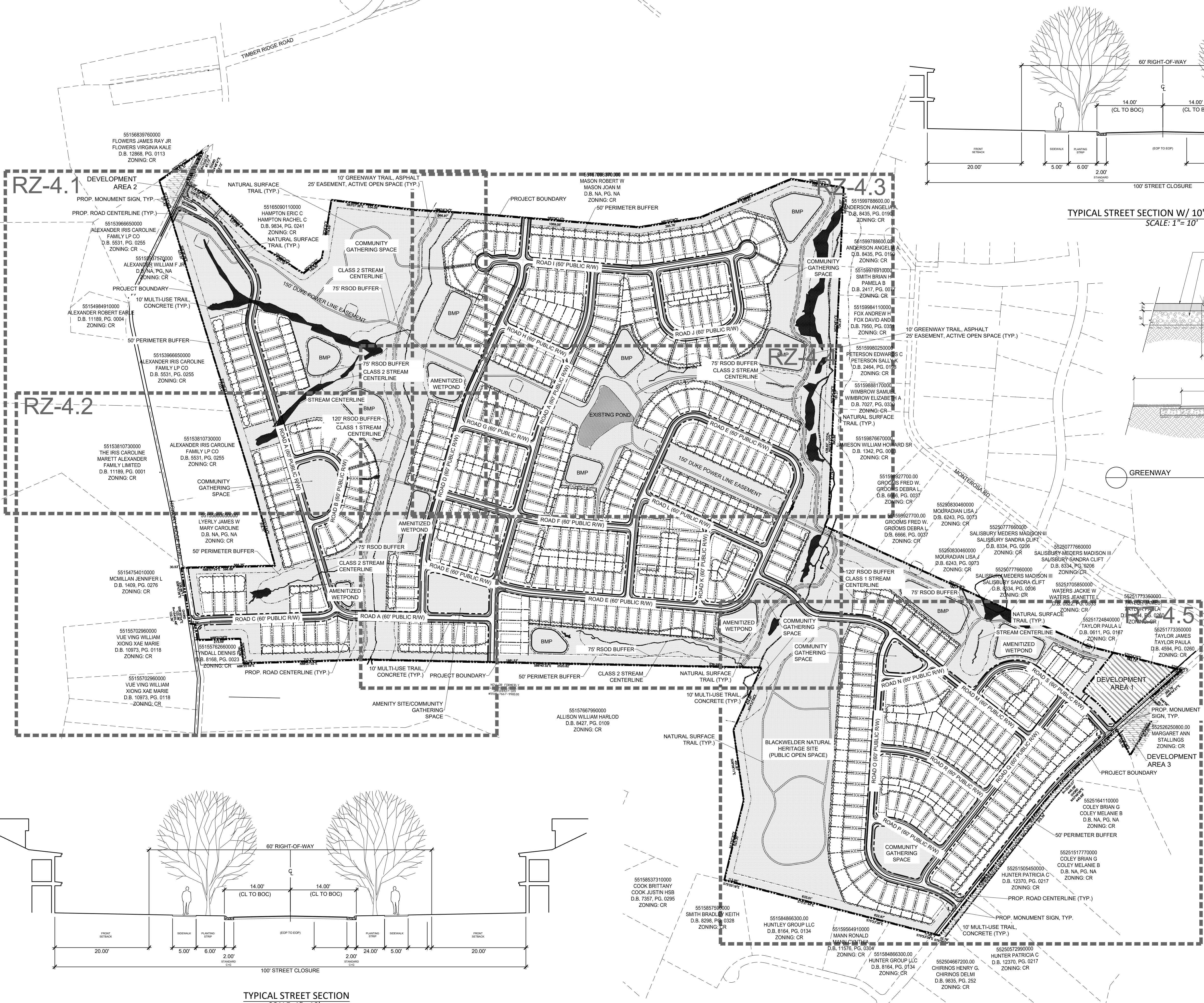
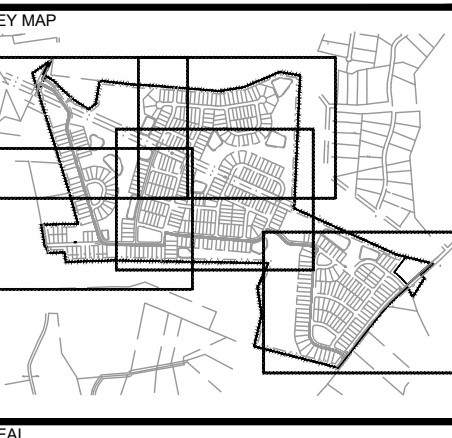
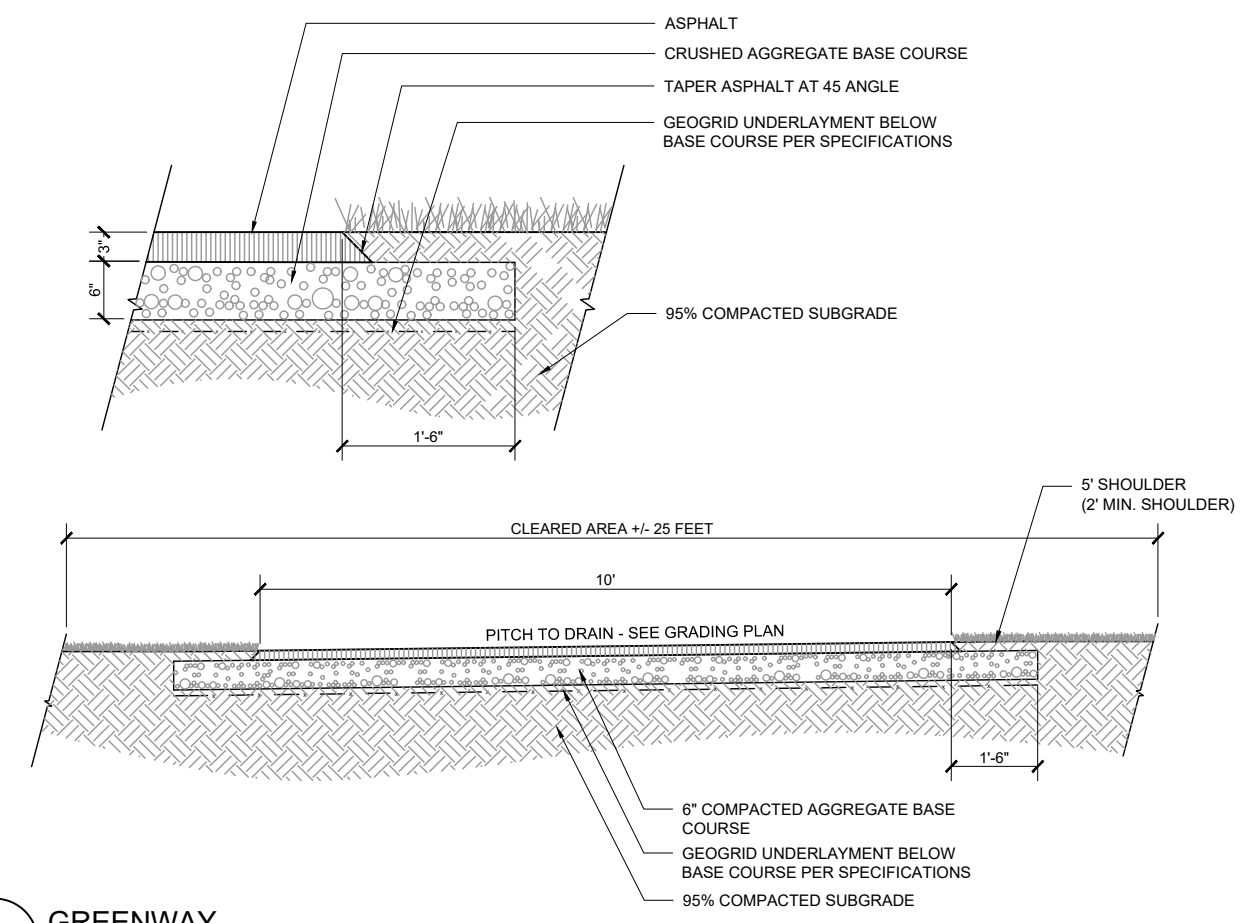
FOR THE PURPOSE OF ORDINANCE COMPLIANCE, THE FOLLOWING
CALCULATIONS ARE BASED ON AREA 4 ONLY.

EXISTING ZONING:	CR (CABARRUS COUNTY)
PROPOSED ZONING:	CZ-RL CONSERVATION DISTRICT (TOWN OF HARRISBURG)
EXISTING USE:	VACANT
PROPOSED USE:	SINGLE-FAMILY
PROPOSED LOTS:	227 (60' X 200') MINIMUM 232 (70' X 172') MINIMUM 459 LOTS
TOTAL LOTS:	1.33
DUA:	±138.11 ACRES (40.00%)
OPEN SPACE REQUIRED:	±150.59 ACRES (43.63%)
ACTIVE OPEN SPACE PROVIDED:	±11.50 ACRES (.025 AC/LOT)
MAX. OPEN SPACE ALLOWED	±19.10 ACRES
IN INACCESSIBLE LAND:	±37.64 ACRES (25.00%)
PROP. OPEN SPACE IN	
INACCESSIBLE LAND:	±29.10 ACRES (19.32%)
PUBLIC OPEN SPACE REQUIRED:	±13.11 ACRES (1/3 AC/LOT)
PUBLIC OPEN SPACE PROVIDED:	±28.02 ACRES

NOTE: LAND DEDICATED FOR FUTURE FIRE STATION NOT INCLUDED
IN OPEN SPACE CALCULATIONS.

LOT AND BUILDING REGULATIONS:	12,000 SF
MINIMUM LOT SIZE:	57 FEET (43.6% O.S. REDUCTION)
MINIMUM LOT WIDTH:	20 FEET (43.6% O.S. REDUCTION)
MINIMUM STREET SETBACK:	8.5 FEET (43.6% O.S. REDUCTION)
MINIMUM SIDE SETBACK:	17 FEET (43.6% O.S. REDUCTION)
MINIMUM REAR SETBACK:	35 FEET
MAXIMUM BUILDING HEIGHT:	

NOTE: THE AVERAGE BLOCK LENGTH FOR THE SUBDIVISION SHALL
NOT EXCEED 1,800 LINEAR FEET.

TYPICAL STREET SECTION W/ 10' MULTI-USE TRAIL
SCALE: 1"= 10'NOT FOR
CONSTRUCTION

ORCHID RIDGE

DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273NOTE: SITE PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO
CHANGE DURING THE PRELIMINARY PLAT AND LAND
DEVELOPMENT DESIGN DEVELOPMENT PROCESS SO LONG AS
FINAL DESIGN ADHERES TO THE PROVISIONS SET FORTH IN THE
REZONING PLAN AND THE UNIFIED DEVELOPMENT ORDINANCE.

HATCH LEGEND

- DEVELOPMENT AREA 1
- DEVELOPMENT AREA 2 & 3
- OPEN SPACE
- APPROXIMATE DEED RESTRICTED TREE SAVE AREA

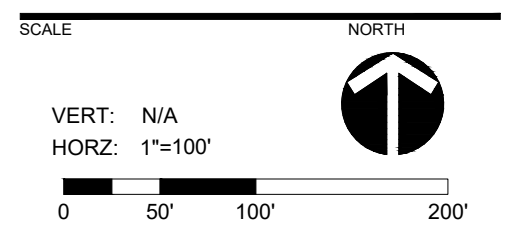
LINETYPE LEGEND

- PROJECT BOUNDARY LINE
- PROP. RW
- EXIST. PROPERTY LINE
- EXIST. EOP
- FEMA FLOODZONE
- STREAM BUFFER



DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

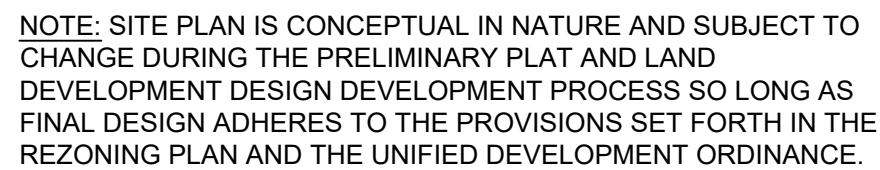
DESIGNED BY: MEK
DRAWN BY: JAL
CHECKED BY: LDI



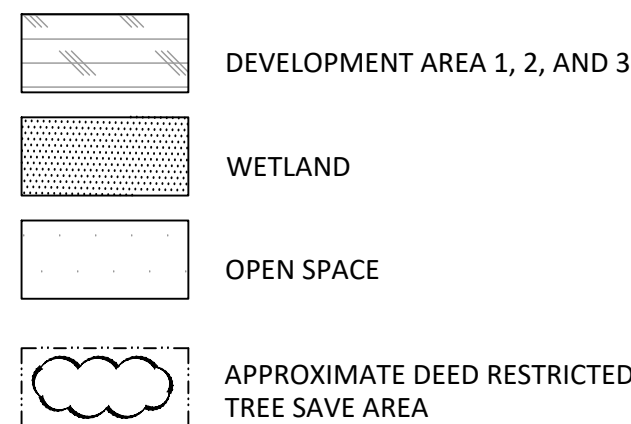
CONCEPTUAL DETAILED SITE PLAN

SHEET NUMBER

RZ-4.1

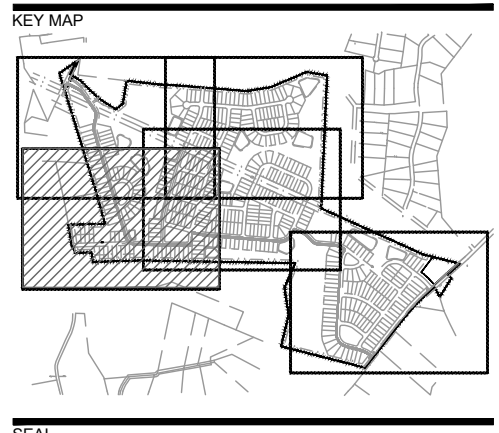


HATCH LEGEND



LINETYPE LEGEND

PROJECT BOUNDARY LINE
PROP. R/W
EXIST. PROPERTY LINE
EXIST. EOP
FEMA FLOODZONE
STREAM BUFFER



SEAL

NOT FOR
CONSTRUCTION

ORCHID RIDGE

DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

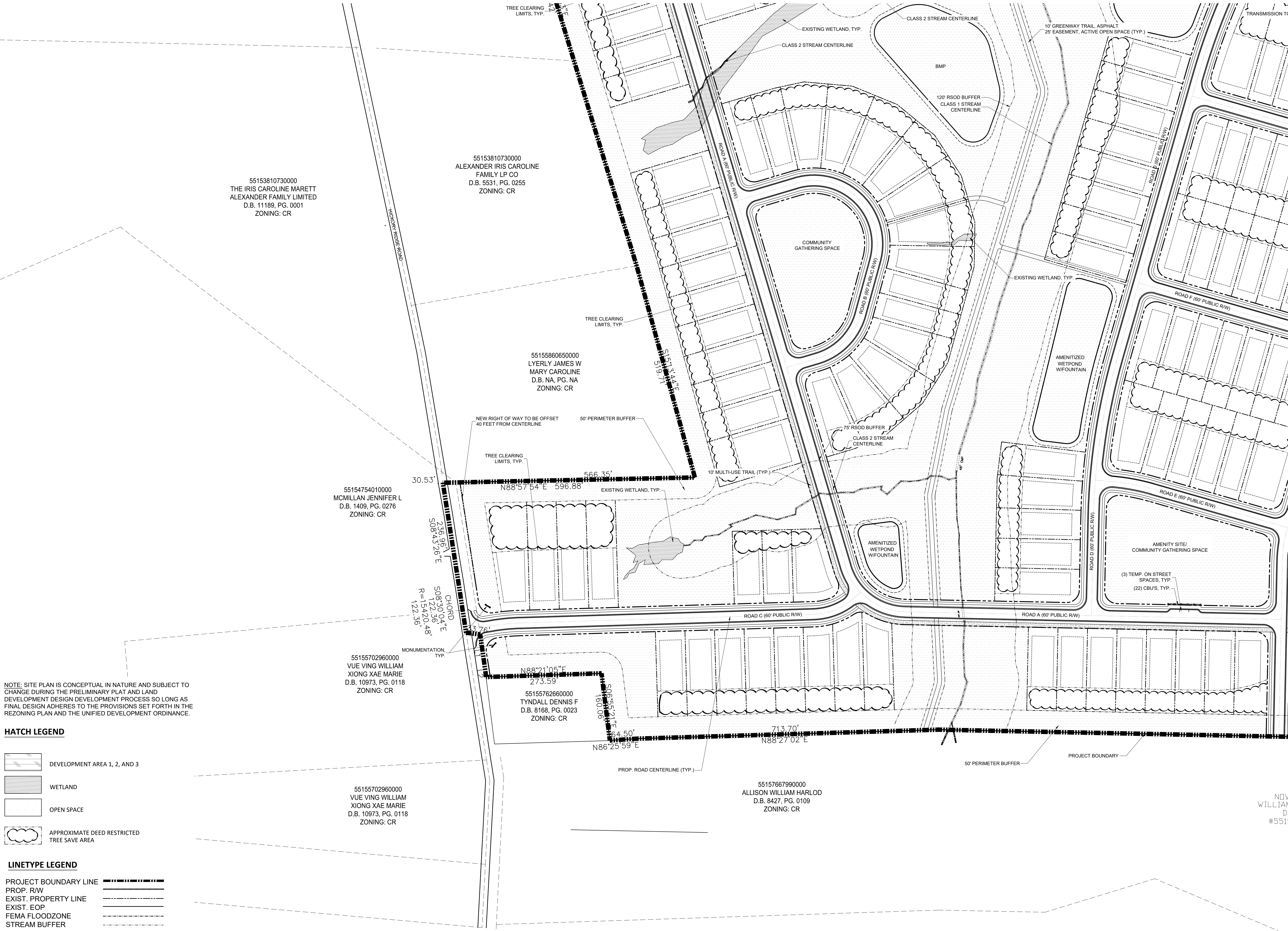
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NO.	DESCRIPTION	DATE
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2	REZONING SUBMITTAL	02/10/20
3	REZONING SUBMITTAL	08/06/20
4	REZONING SUBMITTAL	12/10/20
5	REZONING SUBMITTAL	02/19/21
6	REZONING SUBMITTAL	03/05/21
7	REZONING SUBMITTAL	03/24/21

DESIGNED BY: MEK
DRAWN BY: JAL
CHECKED BY: LDI

SCALE: NORTH
VERT: N/A
HORZ: 1"=100'
0 50' 100' 200'

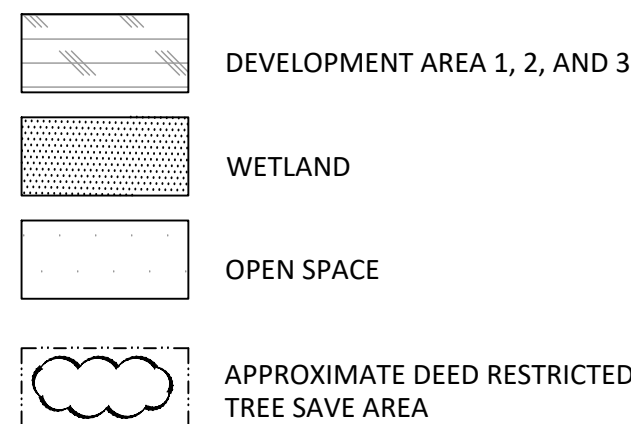
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CONCEPTUAL DETAILED
SITE PLAN

SHEET NUMBER
RZ-4.2

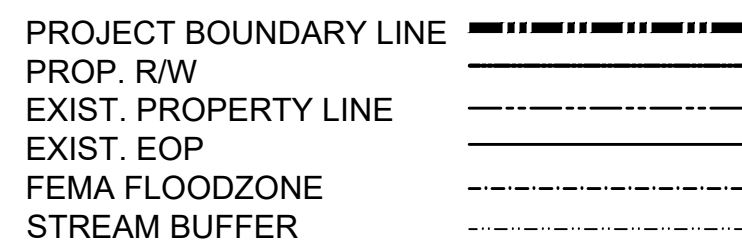


NOTE: SITE PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE DURING THE PRELIMINARY PLAT AND LAND DEVELOPMENT DESIGN DEVELOPMENT PROCESS SO LONG AS FINAL DESIGN ADHERES TO THE PROVISIONS SET FORTH IN THE REZONING PLAN AND THE UNIFIED DEVELOPMENT ORDINANCE.

HATCH LEGEND



LINETYPE LEGEND



55167098370000
MASON ROBERT W
MASON JOAN M
D.B. NA, PG. NA
ZONING: CR



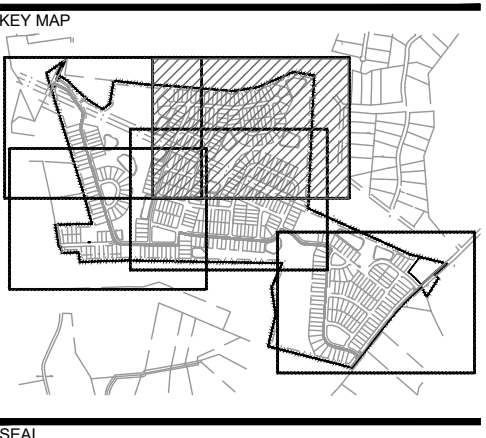
NOTE: SITE PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE DURING THE PRELIMINARY PLAT AND LAND DEVELOPMENT DESIGN DEVELOPMENT PROCESS SO LONG AS FINAL DESIGN ADHERES TO THE PROVISIONS SET FORTH IN THE REZONING PLAN AND THE UNIFIED DEVELOPMENT ORDINANCE.

HATCH LEGEND

- WETLAND
- OPEN SPACE
- APPROXIMATE DEED RESTRICTED TREE SAVE AREA

LINETYPE LEGEND

- PROJECT BOUNDARY LINE
- PROP. R/W
- EXIST. PROPERTY LINE
- EXIST. EOP
- FEMA FLOODZONE
- STREAM BUFFER



NOT FOR
CONSTRUCTION

ORCHID RIDGE

DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

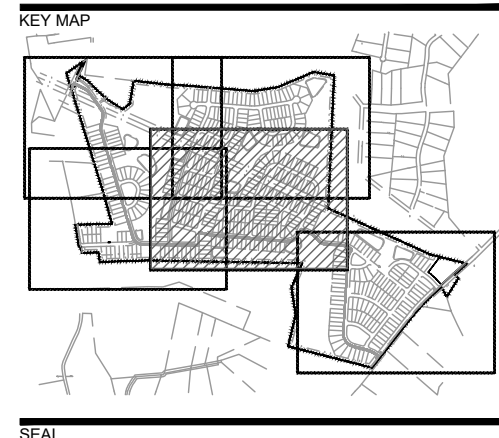
REVISION / ISSUANCE		
NO.	DESCRIPTION	DATE
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2	REZONING SUBMITTAL	02/10/20
3	REZONING SUBMITTAL	08/06/20
4	REZONING SUBMITTAL	12/10/20
5	REZONING SUBMITTAL	02/19/21
6	REZONING SUBMITTAL	03/05/21
7	REZONING SUBMITTAL	03/24/21

DESIGNED BY: MEK
DRAWN BY: JAL
CHECKED BY: LDI

SCALE: 1"=100'
VERT: N/A
HORZ: 1"=100'

CONCEPTUAL DETAILED
SITE PLAN

SHEET NUMBER
RZ-4.3



DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

DESIGNED BY: MEK
DRAWN BY: JAL
CHECKED BY: LDI

SCALE

NORTH

VERT: N/A
HORZ: 1"=100'

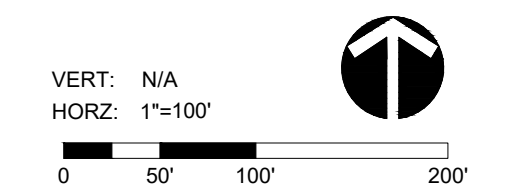


RZ-4.4

PROJECT _____

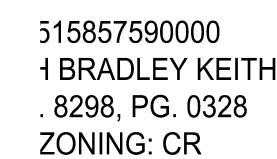
DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

DESIGNED BY: MEK
DRAWN BY: JAL
CHECKED BY: LDI



SHEET NUMBER _____

ORIGINAL SHEET SIZE: 24" X 36"



551584866300.00
HUNTLEY GROUP LLC
D.B. 8164, PG. 0134
ZONING: CR

55159564910000
MANN RONALD
MANN CYNTHIA
D.B. 11576, PG. 0304
ZONING: CR

55250572990000
HUNTER PATRICIA C
D.B. 12370, PG. 0217
ZONING: CR

D.B. 0522, PG. 0533
ZONING: CR

55251724840000
TAYLOR PAULA L
D.B. 0611, PG. 0167
ZONING: CR

55251773350000
TAYLOR JAMES
TAYLOR PAULA
D.B. 4594, PG. 0260
ZONING: CR

55251773350000
TAYLOR JAMES
TAYLOR PAULA
D.B. 4594, PG. 0260
ZONING: CR

552526250800.00
MARGARET ANN STALLINGS
ZONING: CR

DEVELOPMENT
AREA 3

5525164110000
COLEY BRIAN G
COLEY MELANIE B
D.B. NA, PG. NA
ZONING: CR

55251517770000
COLEY BRIAN G
COLEY MELANIE B
D.B. NA, PG. NA
ZONING: CR

DEVELOPMENT
AREA 3

55251505450000
HUNTER PATRICIA C
D.B. 12370, PG. 0217
ZONING: CR

NOTE: SITE PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE DURING THE PRELIMINARY PLAT AND LAND DEVELOPMENT DESIGN DEVELOPMENT PROCESS SO LONG AS FINAL DESIGN ADHERES TO THE PROVISIONS SET FORTH IN THE REZONING PLAN AND THE UNIFIED DEVELOPMENT ORDINANCE.

HATCH LEGEND

DEVELOPMENT AREA 1, 2, AND 3

WETLAND

OPEN SPACE

APPROXIMATE DEED RESTRICTED TREE SAVE AREA

LINETYPE LEGEND

PROJECT BOUNDARY LINE
PROP. R/W
EXIST. PROPERTY LINE
EXIST. EOP
FEMA FLOODZONE
STREAM BUFFER



PROJECT

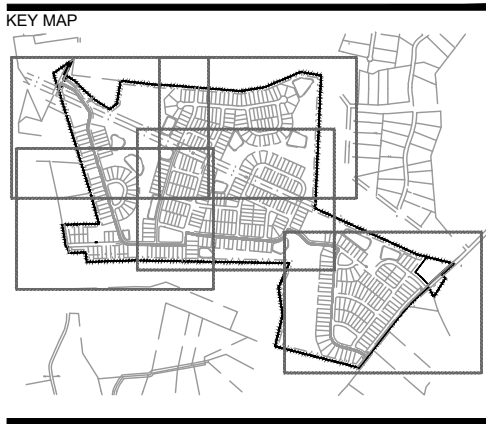
CHARLOTTE, NC 28273

DESIGNED BY: MEK
DRAWN BY: JAL
CHECKED BY: LDI

BLOCK LENGTHS PLAN

SHEET NUMBER

RZ-4.6



SEAL

NOT FOR
CONSTRUCTION

PROJECT

ORCHID RIDGE

DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

LANDDESIGN PROJ.# 1018319		
REVISION / ISSUANCE		
NO.	DESCRIPTION	DATE
1	REZONING SUBMITTAL	01/07/20
2	REZONING SUBMITTAL	02/10/20
3	REZONING SUBMITTAL	08/06/20
4	REZONING SUBMITTAL	12/10/20
5	REZONING SUBMITTAL	02/19/21
6	REZONING SUBMITTAL	03/05/21
7	REZONING SUBMITTAL	03/24/21
DESIGNED BY: MEK DRAWN BY: JAL CHECKED BY: LDI		
SCALE NORTH VERT: N/A HORZ: 1"=300' 0 150' 300' 600'		
SHEET TITLE		

DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-5.0

DR Horton
Development Standards
3/8/2021
Rezoning Petition

Site Development Data:

--**Acreage:** ± 352.11 acres
--**Tax Parcel #:** 5515-6839-67, 5515-6789-55, 5515-8952-23, 5515-8850-53, 5515-7755-96, and 5515-7825-98
--**Existing Zoning:** CR (Cabarrus County)
--**Proposed Zoning:** RL-CZ
--**Existing Uses:** Vacant
--**Proposed Uses:** Up to 459 single-family detached dwelling units and government buildings as allowed by right and under prescribed conditions in the RL-CZ zoning district as further described in Section 2 below.

1. General Provisions:

a. Site Location. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by D.R. Horton ("Petitioner") to accommodate the development of up to four hundred fifty-nine (459) single-family detached dwelling units as generally depicted on the Rezoning Plan. The proposed development will be on an approximately 352 acre site located on Hickory Ridge Road (the "Site").

b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the Harrisburg Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the RL-CZ zoning classification shall govern.

c. Graphics and Alterations. The schematic depictions lots, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Ordinance.

Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per the Ordinance. These instances would include changes to graphics if they are minor and don't materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

d. Number of Buildings Principal and Accessory. The total number of principal buildings to be developed on the Site shall not exceed four hundred and sixty-one (461). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site.

2. Permitted Uses & Development Areas:

For ease of reference, the Rezoning Plan sets forth various development areas as generally depicted on Sheet RZ-2 as Development Area 1, Development Area 2, Development Area 3, and Development Area 4 (each a "Development Area" and collectively the "Development Areas").

a. Development Area 1. The principal buildings constructed within Development Area 1 on the Site may be developed with up to one building for municipal and/or government uses.

b. Development Areas 2 and 3. Areas 2 and 3 shall be reserved as open space and/or uses permitted in the RL zoning district.

c. Development Area 4. The principal buildings constructed within Development Area 4 on the Site may be developed with up to four hundred and sixty-one (461) single-family detached dwelling units.

i. The minimum lot size shall be 12,000 square feet with a minimum lot width of fifty (50) feet.

3. Access and Transportation:

1. Proposed Access.

a. Access to the Site will be from Hickory Ridge Road and Lower Rocky River Road as generally depicted on the Rezoning Plan.

b. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the Town of Harrisburg and/or NCDOT in accordance with applicable published standards.

c. The Petitioner shall install phased transportation improvements per the approved traffic impact analysis.

d. The overall street network is conceptual in nature and may be adjusted during the permitting process so long as the provisions of the Ordinance related to connectivity, block lengths and links are adhered to.

e. The Site shall meet the provisions of the Ordinance related to connectivity.

II. Proposed Improvements.

a. The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth in the approved Transportation Impact Study subject to the provisions set forth in Section III.

III. Standards, Phasing and Other Provisions.

a. Town of Harrisburg and NCDOT Standards. All of the foregoing public roadway improvements will be subject to the standards and criteria of the Town of Harrisburg and/or NCDOT (as it relates to the roadway improvements within their respective road system authority). It is understood that an alternate pavement schedule is not permitted and roadway cross sections will be reviewed and approved at the construction document phase. It is also understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the area, by way of a private/public partnership effort or other public sector project support.

b. Phasing.

Notwithstanding the commitments of the Petitioner to provide for the roadway improvements described in the approved Traffic Impact Study, the following provisions shall permit development to take place prior to completion of all of the above-referenced improvements:

(i) The Petitioner has the right to construct up to the maximum amount of land use densities shown below by constructing the appropriate roadway improvements listed, or by submitting construction plans for the appropriate roadway improvements as indicated in a particular phase, for each level of development without being required to construct the remainder of the required transportation improvements listed in the approved Traffic Impact Study until the development density levels shown below are exceeded:

Phase 1: 142 single family units

Phase 2: 227 single family units

Phase 3: 90 single family units

(ii) It is understood Phase 2 shall include the entirety of connection from Hickory Ridge Road to Lower Rocky River Road prior to the 173rd lot plat for Phase 2. No lots in Phase 3 shall be platted prior to the completion of the connection.

c. Substantial Completion. Reference to "substantial completion" for certain improvements as set forth in the provisions of the approved TIS shall mean completion of the roadway improvements in accordance with the standards set forth in the approved TIS provided, however, in the event certain non-essential roadway improvements (as reasonably determined by the Town of Harrisburg) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Town of Harrisburg may instruct applicable authorities and/or departments to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

d. Right-of-way Conveyance. The Petitioner will dedicate via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way where ROW dedication is not provided.

e. Alternative Improvements. Changes to the above referenced roadway improvements can be approved through Council action upon the determination and mutual agreement of Petitioner, and the Town of Harrisburg; provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition in the overall area of the rezoning. It is understood that changes to the TIA shall not require a rezoning.

For example, transportation improvements may be substituted and/or payment in lieu for other improvements in the overall area of the rezoning may be implemented as described in subsection (d) above.

4. Architectural Standards:

a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, cementitious fiber shake, EIFS, stucco, decorative block and/or wood. Vinyl or Aluminum shall not be used as a primary siding material however it may be used on windows, soffits, fascia and/or similar roof overhang elements, handrails/railings, and/or other miscellaneous trim elements. The proposed roofing materials will be architectural shingles, slate, tile and/or metal.

b. The minimum single-family residential unit size shall be 1,600 square feet for a single-story unit and 2,000 square feet for a 2-story unit.

c. The Petitioner agrees to restrict cladding materials for all buildings to cladding products other than vinyl siding.

d. In respect to a principal structure, architectural features such as cornices, eaves, steps, gutters, and fire escapes may project up to three feet into any required yard, unless they would obstruct driveways, which might be used for service and emergency vehicles. This does not apply to accessory structures.

e. There shall be no exposed concrete foundations; siding and/or other materials must extend to the ground level on all sides of the homes.

5. Buffers, Yards, and Open Space:

a. A fifty (50) foot perimeter landscape buffer shall be provided as generally depicted on the Rezoning Plan.

b. Petitioner will delineate a deed restricted tree preservation area at the rear of lots as generally depicted on the Rezoning Plan. Petitioner commits to the preservation of all existing trees 30" caliper or greater within the deed restricted portion of the lot. Petitioner reserves the right to provide hand clearing within the deed restricted portion of each lot. Clear cutting will not be allowed. *Where deed restricted tree save areas are provided, the area shall be a minimum depth of thirty feet. Deed restrictions are not provided on all lots.*

c. Petitioner shall provide a minimum eight (8) foot landscape easement (4 feet on each side of the property line, existing tree save or newly planted) for residential lots sharing a rear property line.

d. Community gathering space shall be provided as generally depicted on the Rezoning Plan and is intended to provide pockets of open space throughout the development. Community gathering spaces may include benches, play structures, trails, signature landscaping, courtyards, lawns and/or other features that provide opportunities to recreate or foster community engagement.

e. An amenity area shall be provided in one of the community gathering spaces generally depicted on the Rezoning Plan and may include one or more of the following: pool, cabana, clubhouse, play areas, and/or picnic seating.

f. A system of trails shall be provided throughout the Site as generally depicted on the rezoning plan and will include the following types of trails:

i. 10' concrete multi-use path

ii. 10' asphalt greenway trail

iii. 5'-8' natural surface trail

6. Environmental Features:

a. Stormwater and water quality features and details shall comply with the Ordinance and engineering standards.

b. All stormwater BMPs will be screened by landscaping on any side facing lots and when visible from public streets. BMP(s) fronting public streets shall include amenities and serve as a feature for the community. All wet ponds shall be constructed with a fountain.

c. The Petitioner shall mitigate or replace heritage trees if damaged during construction in accordance with the Ordinance.

d. Wet ponds will have a ten (10) foot depth over minimum 25% of the permanent pool area.

e. The applicant agrees to not utilize sand filters as a stormwater control measure.

f. Applicant understands that lots may be lost due to the RSOD/no build buffer and SCM Sizing during the construction document phase.

7. Miscellaneous Provisions:

a. Petitioner agrees to obtain all applicable local, state, and federal permits required for development before any development activity occurs on the Site.

b. Petitioner shall dedicate and convey ±3.2 acres of land (the "Dedicated Parcel") to the Town of Harrisburg for a future fire station and/or other municipal services as generally depicted on the Rezoning Plan.

c. Mailbox clusters shall meet ADA standards.

8. Amendments to the Rezoning Plan:

a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable portion of the Site affected by such amendment in accordance with the provisions of the Ordinance.

9. Binding Effect of the Rezoning Application:

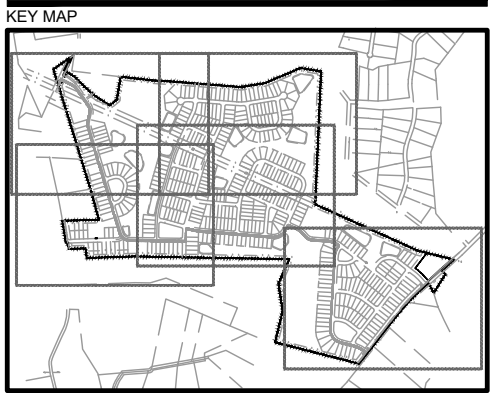
a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and insure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

AVERAGE BLOCK LENGTH

TOTAL BLOCK LENGTH = 44,481 LF
NUMBER OF BLOCKS = 83

AVERAGE BLOCK LENGTH = 44,481 LF / 83 BLOCKS = 535 LF

NOTE: THE PERIMETER BLOCK LENGTHS DEPICTED AND SUMMARIZED IN THE TABLE ARE CONCEPTUAL IN NATURE ONLY. THE ACTUAL PERIMETER BLOCK LENGTHS CONSTRUCTED MAY VARY SO LONG AS THE AVERAGE PERIMETER BLOCK LENGTH DOES NOT EXCEED 1800 LINEAR FEET AS SET FORTH IN THE ORDINANCE.



SEAL

NOT FOR
CONSTRUCTION

PROJECT

ORCHID RIDGE

DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

LANDDESIGN PROJ.# 1018319

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	REZONING SUBMITTAL	01/07/20
2	REZONING SUBMITTAL	02/10/20
3	REZONING SUBMITTAL	08/06/20
4	REZONING SUBMITTAL	12/10/20
5	REZONING SUBMITTAL	02/19/21
6	REZONING SUBMITTAL	03/05/21
7	REZONING SUBMITTAL	03/24/21

DESIGNED BY: MEK
DRAWN BY: JAL
CHECKED BY: LDI

SCALE NORTH
VERT: N/A
HORZ: 1"=300'
0 150' 300' 600'

SHEET TITLE
CONCEPTUAL
CONNECTIVITY PLAN

SHEET NUMBER

RZ-6.0

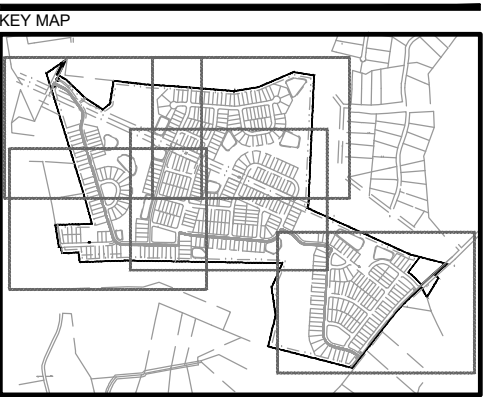


● = NODES (37)

●# = LINKS (57)

CONNECTIVITY RATIO REQUIRED: 1.40

CONNECTIVITY RATIO PROVIDED: 1.54



SEAL

NOT FOR
CONSTRUCTION

ORCHID RIDGE

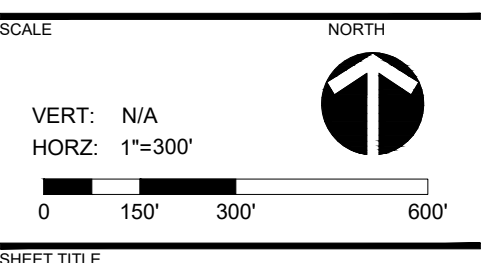
DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

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6	REZONING SUBMITTAL	03/05/21
7	REZONING SUBMITTAL	03/24/21

DESIGNED BY: MEK
DRAWN BY: JAL
CHECKED BY: LDI



OPEN SPACE

SHEET NUMBER

RZ-7.0





Town of Harrisburg
Planning and Economic Development Department
Rezoning Staff Report

DATE: April 1, 2021

SUBJECT:

Request H-2020-03-(R): To rezone approximately 352.11 acres from County CR (Country Residential) to CZ-RL (Conservation Conditional Zoning Residential Low Density)

Location: The subject property is located off Hickory Ridge Road and Lower Rocky River Road (PIN 5515-6839-76; 5515-7755-96; 5515-6789-55; 5515-7825-98; 5515-8952-26; 5515-8850-53 and 5525-0761-70)

Applicant: DR Horton

Staff Report Prepared by: Craig Thomas, Senior Planner

Neighborhood Meeting: March 5, 2020 (originally scheduled for February 20, 2020 but was rescheduled due to inclement weather)

BACKGROUND:

Area: ±352.11 acres Total

Existing Land Use: Vacant/Single-Family Residential

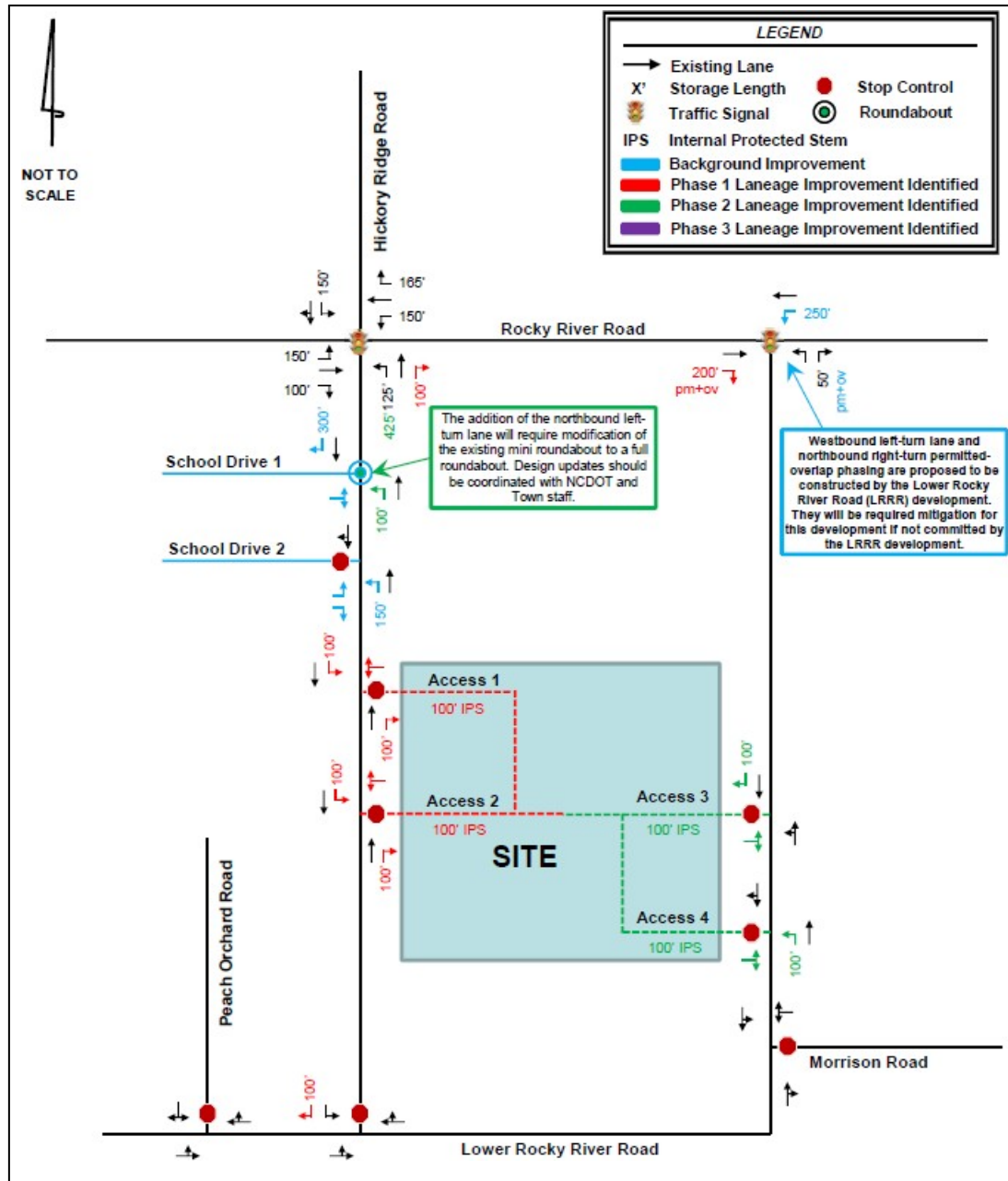
Zoning within 500 feet: North - Countryside Residential (CR), County
South - Countryside Residential (CR), County
East - Countryside Residential (CR), County
West - Countryside Residential (CR), County

Land Uses within 500 feet: North - Single-family Residential, County
South - Single-family Residential, County
East - Single-family Residential, County

APPLICATION SUMMARY:

- The applicant proposes to develop a total of 459 single-family subdivision, includes a combination of 60 feet wide lots (227) and 70 feet wide lots (232). To achieve this, the applicant is requesting that the property be rezoned from County CR (Countryside Residential) to CZ-RL (Conditional Zoning Residential Low Density) utilizing Conservation Design guidelines.
- The proposed gross density of the site is 1.33 dwelling units per acre. The RL district has a maximum allowable density of 2 dwelling units per acre, but upon approval of this rezoning, the density will be capped at 1.33 units/acre and the site plan will be attached with the land.
- Per the Town subdivision regulations, the applicant is providing dedicated public open space. The applicant is protecting a total of 150.58 acres of open space as part of the development.
- The applicant agrees to provide a suitable location for the new future Fire Station along the Lower Rocky River Road frontage.
- The applicant agrees to obtain a twenty-five (25) foot easement for the future installation of a greenway trail beyond the northern boundary of the site along the required sewer easement to Reedy Creek. The greenway easement will offer future opportunity to build nearly a mile long segment connecting this future development to points north of this area.
- The applicant agrees to install the following road improvements per the Traffic Impact Analysis (TIA) completed for the project (see map on the following page):
 - **Hickory Ridge Road and Rocky River Road:**
 - Construction of northbound right-turn lane along Hickory Ridge Road with minimum of 100 feet storage and
 - Extension of northbound left-turn lane to provide 425 feet of storage.
 - **Rocky River Road and Lower Rocky River Road:**
 - Construction of eastbound right-turn lane along Rocky River Road with minimum of 200 feet storage and permitting overlap phasing.
 - **Hickory Ridge Road and Lower Rocky River Road:**
 - Construction of southbound right-turn lane along Hickory Ridge Road with minimum of 100 feet storage.
 - **Hickory Ridge Road and School Drive 1:**
 - Construction of northbound left-turn lane along Hickory Ridge Road with minimum of 100 feet storage. This will require modification of the

existing mini roundabout to a full roundabout. Design of these roundabout upgrades should be coordinated with NCDOT and Town staff.



○ **Hickory Ridge Road and Access 1:**

- Construction of westbound approach with one ingress and one egress lane and an internal protected stem of 100 feet.
- Construction of northbound right-turn lane along Hickory Ridge Road with minimum of 100 feet storage.
- Construction of southbound left-turn lane along Hickory Ridge Road with minimum of 100 feet storage.

- **Hickory Ridge Road and Access 2:**
 - Construction of westbound approach with one ingress and one egress lane and an internal protected stem of 100 feet.
 - Construction of southbound left-turn lane along Hickory Ridge Road with minimum of 100 feet storage.
 - Construction of northbound right-turn lane along Hickory Ridge Road with minimum of 100 feet storage.
- **Lower Rocky River Road and Access 3:**
 - Construction of eastbound approach with one ingress and one egress lane and an internal protected stem of 100 feet.
 - Construction of southbound right-turn lane along Lower Rocky River Road with minimum of 100 feet storage.
- **Lower Rocky River Road and Access 4:**
 - Construction of eastbound approach with one ingress and one egress lane and an internal protected stem of 100 feet.
 - Construction of northbound left-turn lane along Lower Rocky River Road with minimum of 100 feet storage.
- As a conditional zoning request, the applicant has submitted a site plan along with the request for rezoning, which is attached for your consideration.
- The property is in the County, applicant has also submitted a Petition requesting Annexation for the subject property which is non-contiguous to the current Town of Harrisburg corporate limits. A public hearing will be held to take action on the rezoning and annexation at the same time.

APPROVAL CRITERIA:

1. The size of the tract in question;

The subject property is approximately 352.11 acres in size.

2. Whether the proposal conforms with and is in furtherance of the implementation of the goals and policies of the Comprehensive Plan, other adopted plans, and the goals, objectives and policies of the Ordinance;

Per the Unified Development Ordinance, the intent of the proposed district depicted on the submitted site plan is as follows:

***RL:** The RL district is established to provide areas for low density single family uses, with a maximum of two (2) dwelling units per acre, which may provide buffers between the agricultural and RE classifications and the higher density areas of the Town. It includes flexible density and minimum lot size requirements to allow for market and design flexibility while preserving the neighborhood character and permitting applicants*

to cluster development in order to preserve environmentally sensitive and agricultural land areas.

Per the Harrisburg Area Land Use Plan, the subject property is located in an area designated on the future land use map as **Very Low Density Residential**. The description of Very Low Density Residential is as follows:

“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 small 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.”

Based on the description of the Very Low Density Residential land use classification, the proposed conservation development, at 1.33 dwelling units per acre would fall within the conservation threshold of 2 dwelling units per acre that has been set for this area in the Land Use Plan.

With regard to the overall goals of the Land Use Plan, **recommendation LU-5** states that the Town should “Expand Housing Options” to appeal to a broad range of audience, and create value for property owners with smaller lots in exchange for preservation of open space.

Recommendation LU-7 of the Plan recommends consistency between the Town’s zoning regulations and the adopted Future Land Use Map. A table included as part of this goal establishes the “appropriate” zoning districts to use when making zoning decisions based on the Future Land Use Map. The map, as previously stated, designates this area as Very Low Density Residential. The table indicates that the RL district is appropriate for this land use classification.

3. The benefits or detriments for the owner, neighbors and surrounding community;

The benefits to the owner of the property would be that single-family residential development at the proposed density of 1.33 dwelling units per acre could be achieved under the proposed zoning and annexation allows connection to town offered services.

Detriments to the neighbors and surrounding community are consistent with those expected with additional residential development, such as generation of additional traffic and potential traffic congestion during peak times. Certain traffic improvements and road widening has been required as part of the Traffic Impact Analysis (see Application Summary above) performed for the proposed subdivision as a means to mitigate and minimize the additional trip generations in the area associated with this development.

Benefits to the neighbors and the surrounding community include the preservation of open space areas, securing greenway easements to connect development to the Reedy Creek Greenway, and the traffic improvements in the immediate area required by the TIA.

4. Whether the proposed request is in compliance with the adequate public facilities criteria;

a. Utilities:

Utilities are available in this area, and are sufficient to meet the needs of the property. Sewer access is located along Reedy Creek to the north of the properties, and will be available to the development upon annexation. Water access is available to the northwest along Hickory Ridge Road. Any utility line extensions or upgrades necessary to serve this development will be the sole responsibility of the developer.

b. Transportation:

A TIA was completed based on the size of the development and the anticipated amount of traffic generated by the subdivision. All traffic improvements are detailed and depicted on a map in the Application Summary (above) and will be completed and delivered by the proposed project, as per that TIA.

c. Safety and Sanitation Services:

Adequate police, fire, and sanitation services are available for the proposed use, and will be provided upon annexation.

d. Schools:

Per Cabarrus County, the APF Ordinance for schools is currently not being enforced after a ruling by the NC Supreme Court. However, Cabarrus County Schools does still review the capacity of the K-12 schools that this development will feed into and provides future capacity numbers based on the units proposed. For this site, Cabarrus County has provided the following information:

Current Capacity:

Elementary (Hickory Ridge ES) -	<u>88%</u>
Middle (Hickory Ridge MS) -	<u>93%</u>
High (Hickory Ridge HS) -	<u>110%</u>

Future Capacity Based on Unbuilt Lots and Including this Request:

Elementary (Hickory Ridge ES) -	<u>107%</u>
Middle (Hickory Ridge HS) -	<u>101%</u>
High (Hickory Ridge HS) -	<u>117%</u>

As per Cabarrus County School, the Single-family homes in this development will generate upon full buildout an additional 177 elementary students, 89 middle school students, and 118 high school students.

5. The relationship of the uses envisioned under the new zoning and the uses currently present in adjacent tracts. The Commission shall consider the following:

- a. Whether the proposed zoning is compatible with the surrounding area or whether there will be adverse impacts on the capacity or safety of the portion of street network influenced by the rezoning, parking problems, or environmental impacts that the new use will generate such as excessive storm water runoff, water, air or noise pollution, excessive nighttime lighting or other nuisances;**

The proposed single-family development and density of the proposed development (1.33 dwelling units per acre) is compatible with surrounding land uses. The Conservation style subdivision is aimed to preserve 40% open space, most of which is existing tree save areas and will offer environmental benefits. The stormwater generated will be managed internal to the site using stormwater control measures throughout the development and several traffic improvements to the adjacent streets and intersection will ne made as prescribed by the TIA (included in Application Summary of this report) .

- b. Any change of character in the area due to installation of public facilities, other zoning changes, new growth changes, deterioration, and development;**

Like all other development activity in this area, the development of this land would convert former vacant land into a residential neighborhood, while preserving appropriate areas for open space.

- c. The zoning districts and existing land uses of the surrounding properties;**

The areas around this property are generally zoned for low density residential use. Existing land use patterns in the area typically consist of low density residential neighborhoods and vacant forested land and land previously used for agricultural purposes.

- d. Whether the subject property is suitable for the uses to which it has been restricted under the existing zoning classification;**

The property is suitable for the uses which it has been restricted to under the existing zoning classification.

- e. Whether the rezoning is compatible with the adjacent neighborhood, especially concerning neighborhood stability and character;**

As previously mentioned, the specific use of the property, single family residential, is consistent with surrounding neighborhoods and aligns with Harrisburg Area Land Use Plan (HALUP).

- f. The length of time the subject property has remained vacant as zoned (if applicable);**

This property has been vacant.

- g. Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs;**

Land supply is not a direct issue in this area.

- 6. Whether the existing zoning was in error at the time of adoption.**

The existing zoning was not in error at the time of adoption.

Furthermore, as a Conditional Zoning request, the Board must consider the following criteria:

- 7. The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the current Land Use Plan.**

The rezoning application to CZ-RL district to the property, with the proposed density limitation, is consistent with the density and lot size standards established for the base RL Zoning District in the Unified Development Ordinance and Very Low Density Residential land use classification in the Land Use Plan.

The development proposal accompanying the rezoning request would restrict permitted uses to single family residences, which are appropriate in this area.

- 8. The use(s) requested are among those listed as an eligible permitted or conditional use in the general use district as included in the rezoning request.**

The applicant is seeking for the following uses to be allowed in this Conditional Zoning District:

- Single-Family Detached Residential; this use is allowed in the RL District.

- 9. The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare and vibration and not create a nuisance.**

The applicant intends to work collaboratively with both Harrisburg town staff and the NC Department of Transportation in identifying and implementing roadway improvement

measures on perimeter roadways intended to mitigate adverse transportation impacts associated with the proposed development. There are four vehicular site access points planned to the neighborhood, two on Hickory Ridge Road and two on Lower Rocky River Road. Traffic improvements to intersections in the immediate area are part of this project, as well as a roadway connection through the neighborhood between Hickory Ridge Road and Lower Rocky River Road. The neighborhood roadway connection also includes multi-use paths to facilitate the use of other modes of transportation. Additionally, walking trails throughout the neighborhood and the easement for future greenway extension to the Reedy Creek Greenway will provide residents in the area greater bicycle and pedestrian mobility alternatives.

Landscaping buffers shown are adequate to meet the needs of the adjacent properties, and open space is designated as part of the subdivision, planting details will be reviewed at a later stage of plan approval.

10. The use limitations and conditions as proposed and/or imposed for the requested district can reasonably be implemented and enforced for the subject property.

The conditions proposed and imposed for this district can be reasonably implemented on this site.

11. When implemented the proposed and/or imposed use limitations and conditions will mitigate specific land development issues that would likely result if the subject property were zoned to accommodate all the uses and the minimum standards of the corresponding general zoning district. If any standards are proposed that are different from the underlying zoning district, the applicant must clearly demonstrate that the overall resultant project is greater than that which is typically allowed by the general district.

All proposed conditions recommended by staff are to bring the site into conformance with applicable local and state regulations.

12. The applicant has agreed to accept the use limitations and conditions as proposed and/or imposed for the requested district.

The applicant will need to agree to all conditions listed in this staff report. Any additional conditions placed on this property will need the acceptance of the applicant before a decision can be made on this application.

13. For an approval, the Board must adopt a consistency statement that the amendment being considered is either consistent or inconsistent with the adopted land use plan and that the Board considers the action to be reasonable and in the public interest.

The Town Council will need to adopt a consistency statement when a recommendation or decision is made on this item.

APPROVAL WITH CONDITIONS:

The proposal is a conditional re-zoning request. Conditions may be imposed on the zoning action; staff recommends that the following conditions be placed on this project. Applicant agrees to the following:

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 restrict primary cladding materials for all residential buildings to masonry or similar products; vinyl siding will not be used.
3. Applicant agrees to install all required improvements as required by the final approved Traffic Impact Analysis (TIA).
4. Applicant agrees to provide a minimum 8 foot landscape easement (4 feet on each side of the property line, existing tree save or newly planted) for residential lots sharing a rear property line.
5. Applicant agrees to provide a suitable location for the new Fire Station on Lower Rocky River Road.
6. Applicant agrees to protect the Blackwelder Natural Heritage Site to the greatest extent possible as identified in the Natural Heritage Survey.
7. Applicant agrees to acquire and dedicate 25 foot public greenway easement along the entirety of the off-site sewer easement connecting the subdivision to Reedy Creek Greenway.
8. Applicant agrees that there will be no exposed concrete foundations and that siding and/or other material must extend to the ground level on all sides of the homes.
9. Applicant agrees mailbox clusters shall meet ADA Standards at a minimum.
10. Applicant agrees to provide a tree survey identifying all existing heritage trees on site during the Preliminary Plat review and approval. Applicant agrees to the mitigation/replacement of identified heritage trees (during Preliminary Plat) if damaged during construction, in accordance with the Town of Harrisburg Unified Development Ordinance.
11. Applicant agrees that all ponds shall be wet detention ponds with fountains. Ponds shall be designed such that there is a minimum depth of 10' over at least 25% of the permanent pool area.
12. Applicant agrees Phase 2 shall include the entirety of connection from Hickory Ridge Road to Lower Rocky River Road prior to the 173rd lot platted for Phase 2. No lots in Phase 3 shall be platted prior to the completion of the connection.
13. Applicant agrees that all streets should be to the Town of Harrisburg Engineering Design standards, alternate pavement schedule is not allowable. Roadways cross sections will be reviewed and approved at the construction document phase.
14. The Applicant agrees to provide berms along Hickory Ridge Road and Lower Rocky River Road. The berm may be eliminated subject to staff approval where existing vegetation provides sufficient screening.
15. The Applicant agrees to provide enhanced pedestrian crosswalks at multi-use path crossings and leading to the amenity areas subject to staff approval.

RECOMMENDATION:

With the proposed site plan and conditions proposed, the rezoning request is consistent with the

Harrisburg Area Land Use Plan. Planning and Zoning Department staff supports approval of the rezoning request with conditions.

D.R.HORTON | Portfolio



COMMUNITY MEETING REPORT FOR REZONING PETITION
D.R. Horton – Hickory Ridge Road

Subject: Rezoning Petition | Hickory Ridge Road
Owner/Developer: D.R. Horton
Property: ± 352 acres located at Hickory Ridge Road (the "Site").

This Community Meeting Report is being filed prior to the Public Hearing.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATES AND EXPLANATIONS OF HOW CONTACTED:

The required Community Meeting was held on Thursday, March 5, 2020. A representative of the Town mailed a written notice of the date, time and location of the Community Meeting to the individuals and organizations by depositing the Community Meeting Notice in the U.S. mail. Notice was also provided on the Town of Harrisburg website.

TIME AND LOCATION OF MEETING:

The Community Meeting was held on Thursday, March 5, 2020 at 6:00 PM, at the Town of Harrisburg Town Hall, 4100 Main Street, Harrisburg, North Carolina 28075.

PERSONS IN ATTENDANCE AT MEETING:

The sign-in sheet from the required Community Meeting is attached as **Exhibit A**. The Petitioner's representatives at the required Community Meeting were Kristin Bickman, Robert Price, Marty Davis and David McCord with D.R. Horton, LLC. Also in attendance was Mark Kime with LandDesign and Bridget Grant, land use consultant with Moore & Van Allen, PLLC.

SUMMARY OF ISSUES DISCUSSED AT MEETING:

I. Overview of Petitioner's Presentation.

Introduction and Overview of Development Plan.

Kristin Bickman provided a brief overview of D.R. Horton and shared precedent imagery depicting the quality of the proposed development. Bridget Grant described the overall rezoning timeline and the benefits of conditional zoning and the conservation district. Ms. Grant then described the site location, existing zoning, proposed land use, development approach and the proposed rezoning plan. Ms. Grant opened the meeting to the audience for questions.

II. Summary of Questions/Comments and Responses:

Residents inquired what the density for the proposed development is less the required open space. The team explained that density, a national practice, is determined on the total land area and the proposed density is 1.3 dwelling units per acre.

Attendees inquired about lot sizes, density in the surrounding area and whether or not the proposed plan is consistent with the adopted land use policy. Ms. Grant confirmed that the

smallest lot size permitted is 10,000 sq ft and the average lot size is just above 12,000 sq ft. The existing density for surrounding properties is unknown, however the proposed plan and the use of the conservation district is consistent with the adopted land use policy. In response to a resident's question, it was noted that other municipalities and counties have a typical residential density between 2-3 dwelling units per acre. Charlotte is 4 DUA and higher.

Attendees inquired how sewer and water will be provided. Mark Kime stated that the site will gravity sewer into the Reedy Creek drainage basin and will require off-site easements to make the connection. It was noted that the potential granite shelf will be taken into consideration during design and assurances for sewer capacity are not granted until the development is ready to begin construction. A water line extension will be required from the school site under construction north of the site on Hickory Ridge Road.

Attendees inquired about access points, bike lanes and sidewalks. The development team confirmed that sidewalks would be provided throughout the development. There are access points on Lower Rocky River Road and Hickory Ridge Road. There is interest from the community in providing bike lanes along Lower Rocky River Road, however, they are not anticipated at this time

One attendee inquired about the proposed dedication of land for a Fire Station. The development team confirmed that the site was being dedicated at the request of staff and that the development team would not be constructing the proposed station.

Attendees inquired about the status of the traffic impact study and proposed improvements. The development team confirmed that the traffic study is not yet complete and that improvements will likely be provided prior to the issuance of certificates of occupancy. The scoping meeting to set the limits of the study has not occurred yet.

Residents requested information about the character of the development and how it will fit into the surrounding context. The development team described maintaining a buffer along the periphery of the site consistent with surrounding area. The development standards included with the rezoning plan include architectural standards, minimum home sizes and other details to provide certainty on the overall quality of the development. The development team confirmed it is very unlikely the D.R. Horton would bring in another builder.

It was noted that specific details would be addressed further into the rezoning and land development process.

Bridget Grant thanked everyone for their attendance and Town Staff closed the meeting.

III. Changes Made in Response to Feedback:

The Petitioner made the following changes in response to community and general feedback:

- The minimum lot size was increased from 10,000 sq ft to 12,000 sq ft. The average lot size is anticipated to be 1/3 acre.

- The minimum common open space requirement was decreased to 40% to increase lot sizes.
- The number of lots was reduced to 460 lots.
- Tree save areas will be provided throughout the proposed community with limitations on clear-cutting to preserve the existing large mature tree canopy.
- Pocket open spaces will be provided throughout the proposed development to create opportunities for community engagement.
- A larger 50' perimeter buffer will be provided. Clear-cutting in the buffer shall not be permitted and will assist in maintaining the character along Hickory Ridge Road and Lower Rocky River Road
- In response to density questions, the Development Team has confirmed that the proposed density of the development, *less the land dedicated to the Town for a future fire station or other municipal uses, the DUKE easement, and the undevelopable portions of the Blackwelder Natural Area*, is 1.54 DUA.

We believe the proposed density as calculated by Ordinance, or otherwise, is consistent with the Harrisburg Area Land Use Plan.

cc: Mayor and Members of the Town of Harrisburg Council
 Members of the Harrisburg Planning and Zoning Committee
 Kristin Bickman, D.R. Horton, LLC
 Marty Davis, D.R. Horton, LLC
 David McCord, D.R. Horton, LLC
 Mark Kime, LandDesign,
 Jeff Brown, Moore & Van Allen, PLLC
 Bridget Grant, Moore & Van Allen, PLLC

Hickory Ridge Rd Parcels

Sign in Sheet

Neighborhood Meeting

03/05/2020

6:00 pm

Name

Address

Frank & Elizabeth Dentism 10117 Blossom Dr. Concord, NC

Sharon Hutz 416 Mammoth Oaks Dr Concord

Archie Erien 8259 Anderson Pl.

CHARLIE MOON 1825 GALLOWAYER RD, CHAR

Jane Ordix 2003 Monterosa Rd.

PETE STEPHAN & DEAN 3950 STALLINGS RD

Colin Meath 2064 Norum Dr.

Joe & Sue Ordasz 6011 ROBERTA Rd.

Gail & Bob Alexander Hickory Ridge Rd

Laura & Joe Milliken 5899 Crimson Oak Ct Hburg

Venu Koleti 8608 Lavender Pl, Harrisburg NC

Lisa Wallace 11274 Hickory Ridge Rd Harrisburg NC

Christy Carpenter 9524 Millen Dr. Harrisburg NC

MIKE THEVENIN 8467 MIDDLETON CIRCLE HARRISBURG NC

Sandy Morgan 7173 Ruth Fidler Ln, Harrisburg, NC 28075

Hickory Ridge Rd Parcels

Sign in Sheet

Neighborhood Meeting

03/05/2020

6:00 pm

Name

Address

Linda Lentz

2530 Cedar Cove Dr. Harrisburg NC

Dianne Fisher

2500 Cedar Cove Dr Harrisburg NC

~~Jim Flowers~~ ~~Hickory Ridge Harrisburg~~

Barbara Whaley

9811 Blossom Dr Concord NC 28025

BRIAN COLEY

10215 BLOSSOM DR NE, CONCORD NC 28025

CHRIS G

HARRISBURG

Pat Hunt

10901 Lower Rocky River Rd, Concord, NC 28025

Joni & Carol Longley

2772 Cedar Cove Dr. Harrisburg

William & Alexander

10075 HICKORY RIDGE RD

ERIC HANSEN

10051 HICKORY RIDGE RD

Jennifer McMillan

10490 Hickory Ridge Rd.

JESSICA FARR

4455 Mill Landing Dr.

Bill & Laura Carriker

9058 Hickory Ridge Rd., Harrisburg

Melanie Freeman

8776 L. Rocky Rd Rd Concord

Beverly Heltzer

8429 WOODMOUNT LN.

Stacy Greene

8736 Lower Rocky River Concord

JOHN MEYER

10501 Lower Rocky River Rd 9461 Hester Ct.

**Traffic Impact Analysis for
Hickory Ridge Road Development
Harrisburg, North Carolina**

Prepared for:

**Town of Harrisburg
Harrisburg, North Carolina**

Prepared by:

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**February 2021
018536041**



Laura N Reid
2/8/21

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1.0 Executive Summary

The purpose of this Traffic Impact Analysis (TIA) is to evaluate the vehicular traffic impacts on the surrounding transportation infrastructure as a result of the proposed Hickory Ridge Road development. The primary objectives of the study are:

- To estimate trip generation and distribution for the proposed development.
- To perform intersection capacity analyses for the identified study area.
- To determine the potential traffic impacts of the proposed development.
- To identify improvements to mitigate the proposed development's traffic impacts.

The proposed Hickory Ridge Road development is located between Hickory Ridge Road and Lower Rocky River Road in Harrisburg, North Carolina. Based on the site plan provided by the applicant, the proposed development is currently envisioned to consist of the following land uses and phases:

- Phase 1: 143 single-family homes
- Phase 2: 227 single-family homes
- Phase 3: 90 single-family homes

For the purposes of this TIA, a Phase 1 build-out year of 2023, Phase 2 build-out year of 2025, and Phase 3 build-out year of 2026 were considered. Based on the provided site plan and information provided by the applicant, the proposed development will be accessed via four external access points:

- Access 1 – an unsignalized, full-movement connection to Hickory Ridge Road approximately 850 feet south of Timber Ridge Road
- Access 2 – an unsignalized, full-movement connection to Hickory Ridge Road approximately 2,700 feet south of Access 1
- Access 3 – an unsignalized, full-movement connection to Lower Rocky River Road approximately 900 feet south of Monterosa Road (Phase 2 & Phase 3 only)
- Access 4 – an unsignalized, full-movement connection to Lower Rocky River Road approximately 1,400 feet south of Access 3 (Phase 2 & Phase 3 only)

A TIA scoping meeting was held with the Town of Harrisburg and representatives of the applicant virtually on September 2, 2020, to obtain background information and to ascertain the scope and parameters to be included in this TIA. A Memorandum of Understanding (MOU) was developed based on discussions from this meeting, and subsequent phasing discussions, that documented all scoping parameters to be used for the TIA and was reviewed and agreed upon by the Town of Harrisburg and the applicant. Additionally, North Carolina Department of Transportation (NCDOT) reviewed and approved the MOU, which is included in the **Appendix**.

The following AM and PM peak-hour scenarios were analyzed to determine the proposed development's transportation impacts on the surrounding network:

- 2020 Existing Conditions
- 2023 Phase 1 Background Conditions
- 2023 Phase 1 Build-Out Conditions
- 2025 Phase 2 Background Conditions
- 2025 Phase 2 Build-Out Conditions
- 2026 Phase 3 Background Conditions
- 2026 Phase 3 Build-Out Conditions

Based on coordination with the Town, NCDOT, and the Applicant, this TIA evaluated operations under each of the AM and PM peak-hour scenarios above for the following study area intersections:

1. Rocky River Road and Hickory Ridge Road
2. Rocky River Road and Lower Rocky River Road
3. Peach Orchard Road and Lower Rocky River Road
4. Hickory Ridge Road and Lower Rocky River Road
5. Morrison Road and Lower Rocky River Road
6. Hickory Ridge Road and School Drive 1 (background and build only)
7. Hickory Ridge Road and School Drive 2 (background and build only)
8. Hickory Ridge Road and Access 1 (all build scenarios)
9. Hickory Ridge Road and Access 2 (all build scenarios)
10. Lower Rocky River Road and Access 3 (Phase 2 & Phase 3 only)
11. Lower Rocky River Road and Access 4 (Phase 2 & Phase 3 only)

Kimley-Horn was retained to determine the potential traffic impacts of this development (in accordance with the traffic study guidelines in the *NCDOT Policy on Street and Driveway Access to North Carolina Highways* and set forth by the *Town of Harrisburg Unified Development Ordinance – Appendix F*), and to identify transportation improvements that may be required to mitigate these impacts. This report presents trip generation, distribution, capacity analyses, and identified transportation improvements required to mitigate anticipated traffic demands produced by the subject development.

Based on the capacity analyses performed at each of the identified study intersections, along with review of the auxiliary turn-lane warrants contained herein, the following improvements have been identified to mitigate the impact of the proposed development on the adjacent street network:

Hickory Ridge Road and Rocky River Road

Phase 1

- Construction of a northbound right-turn lane along Hickory Ridge Road with a minimum of 100 feet of storage.

Phase 2

- Extension of the northbound left-turn lane to provide 425 feet of storage.

Rocky River Road and Lower Rocky River Road

Phase 1

- Construction of an eastbound right-turn lane along Rocky River Road with a minimum of 200 feet of storage and permitted overlap phasing.

Westbound left-turn lane and northbound right-turn permitted-overlap phasing are proposed to be constructed by the Lower Rocky River Road (LRRR) development. They will be required mitigation for this development if not committed by the LRRR development.

Hickory Ridge Road and Lower Rocky River Road

Phase 1

- Construction of a southbound right-turn lane along Hickory Ridge Road with a minimum of 100 feet of storage.

Hickory Ridge Road and School Drive 1

Phase 2

- Construction of a northbound left-turn lane along Hickory Ridge Road with a minimum of 100 feet of storage.

The addition of the northbound left-turn lane will require modification of the existing mini roundabout to a full roundabout. Design of these roundabout upgrades should be coordinated with NCDOT and Town staff.

Hickory Ridge Road and Access 1

Phase 1

- Construction of the westbound approach with one ingress & one egress lane and an internal protected stem of 100 feet.
- Construction of a northbound right-turn lane along Hickory Ridge Road with a minimum storage length of 100 feet.
- Construction of a southbound left-turn lane along Hickory Ridge Road with a minimum storage length of 100 feet.

Hickory Ridge Road and Access 2

Phase 1

- Construction of the westbound approach with one ingress & one egress lane and an internal protected stem of 100 feet.
- Construction of a southbound left-turn lane along Hickory Ridge Road with a minimum storage length of 100 feet.
- Construction of a northbound right-turn lane along Hickory Ridge Road with a minimum storage length of 100 feet.

Lower Rocky River Road and Access 3

Phase 2

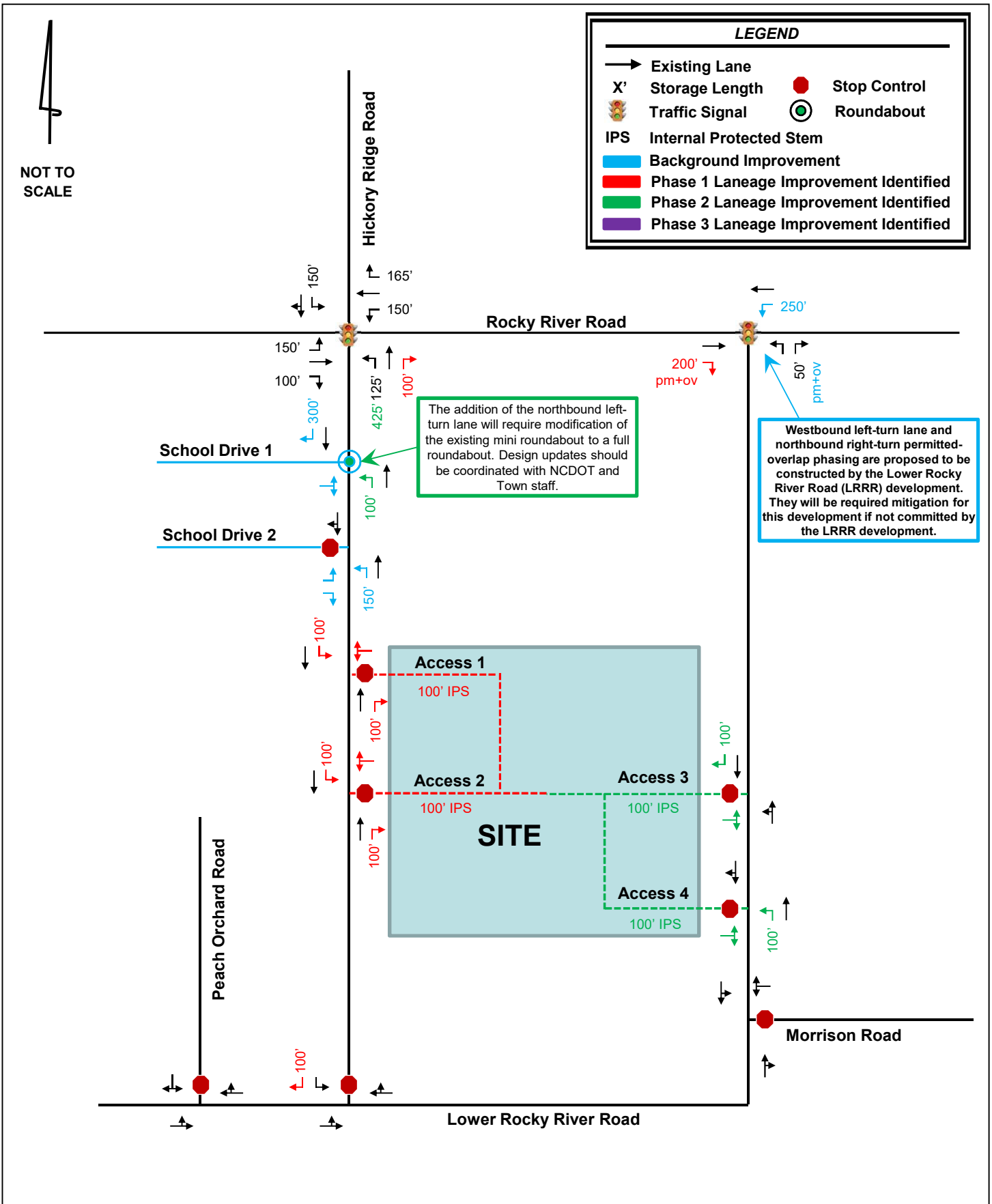
- Construction of the eastbound approach with one ingress & one egress lane and an internal protected stem of 100 feet.
- Construction of a southbound right-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet.

Lower Rocky River Road and Access 4

Phase 2

- Construction of the eastbound approach with one ingress & one egress lane and an internal protected stem of 100 feet.
- Construction of a northbound left-turn lane along Lower Rocky Road with a minimum storage length of 100 feet.

The mitigation improvement identified within the study area are shown in **Figure 1.1**. The improvements shown on this figure are subject to approval by NCDOT and the Town of Harrisburg. All additions and attachments to the State and Town roadway system shall be properly permitted, designed and constructed in conformance to standards maintained by the agencies.



2.0 Introduction

The proposed Hickory Ridge Road development is located between Hickory Ridge Road and Lower Rocky River Road in Harrisburg, North Carolina. Based on the site plan provided by the applicant, the proposed development is currently envisioned to consist of the following land uses and phases:

- Phase 1: 143 single-family homes
- Phase 2: 227 single-family homes
- Phase 3: 90 single-family homes

For the purposes of this TIA, a Phase 1 build-out year of 2023, Phase 2 build-out year of 2025, and Phase 3 build-out year of 2026 were considered. Based on the provided site plan and information provided by the applicant, the proposed development will be accessed via four external access points:

- Access 1 – an unsignalized, full-movement connection to Hickory Ridge Road approximately 850 feet south of Timber Ridge Road
- Access 2 – an unsignalized, full-movement connection to Hickory Ridge Road approximately 2,700 feet south of Access 1
- Access 3 – an unsignalized, full-movement connection to Lower Rocky River Road approximately 900 feet south of Monterosa Road (Phase 2 & Phase 3 only)
- Access 4 – an unsignalized, full-movement connection to Lower Rocky River Road approximately 1,400 feet south of Access 3 (Phase 2 & Phase 3 only)

A TIA scoping meeting was held with the Town of Harrisburg and representatives of the applicant virtually on September 2, 2020, to obtain background information and to ascertain the scope and parameters to be included in this TIA. A Memorandum of Understanding (MOU) was developed based on discussions from this meeting, and subsequent phasing discussions, that documented all scoping parameters to be used for the TIA and was reviewed and agreed upon by the Town of Harrisburg and the applicant. Additionally, North Carolina Department of Transportation (NCDOT) reviewed and approved the MOU, which is included in the **Appendix**.

Kimley-Horn was retained to determine the potential traffic impacts of this development (in accordance with the traffic study guidelines in the *NCDOT Policy on Street and Driveway Access to North Carolina Highways* and set forth by *Town of Harrisburg Unified Development Ordinance – Appendix F*), and to identify transportation improvements that may be required to mitigate these impacts. This report presents trip generation, distribution, capacity analyses, crash analyses and identified transportation improvements required to mitigate anticipated traffic demands produced by the subject development.

3.0 Existing Traffic Conditions

Existing traffic conditions were coordinated with Town of Harrisburg and NCDOT staff and collected through field observations and previously collected turning-movement counts to establish the existing conditions baseline analysis.

3.1 STUDY AREA

Based on coordination with the Town, NCDOT and the applicant, the study area for this TIA includes the following existing intersections:

1. Rocky River Road and Hickory Ridge Road
2. Rocky River Road and Lower Rocky River Road
3. Peach Orchard Road and Lower Rocky River Road
4. Hickory Ridge Road and Lower Rocky River Road
5. Morrison Road and Lower Rocky River Road

Figure 3.1 shows the study area intersections and the site location, **Figure 3.2** shows the proposed site plan for the development as provided by the applicant and **Figure 3.3** shows the existing roadway geometry at the study intersections.

The primary roadways in the vicinity of the site are Hickory Ridge Road, Lower Rocky River Road, Rocky River Road, Morrison Road, and Peach Orchard Road.

Hickory Ridge Road is currently a two-lane, undivided local road with a posted speed limit of 45 miles per hour (mph) in the vicinity of the proposed development. Hickory Ridge Road carries an annual average daily traffic (AADT) volume of 1,400 vehicles per day (vpd) north of Lower Rocky River Road based on 2019 NCDOT AADT data.

Lower Rocky River Road is currently a two-lane, undivided minor collector with a posted speed limit of 45 mph in the vicinity of the proposed development. Lower Rocky River Road carries an AADT volume of 4,800 vpd south of Pine Grove Church Road and 2,700 vpd south of Pioneer Mill Road based on 2019 AADT data.

Rocky River Road is currently a two-lane, undivided major collector west of the Lower Rocky River Road intersection with a posted speed limit of 45 mph in the vicinity of the proposed development. Rocky River Road carries an AADT volume of 11,000 vpd based on 2019 NCDOT AADT data. To the east of the Lower Rocky River intersection, it is a two-lane, undivided minor arterial and carries a volume of 8,000 vpd based on 2019 NCDOT AADT data.

Morrison Road is currently a two-lane, undivided local road with a posted speed limit of 45 mph in the vicinity of the proposed development. Morrison Road carries an AADT volume of 1,100 vpd based on 2019 NCDOT AADT data.

Peach Orchard Road is currently a two-lane, undivided local road with a posted speed limit of 45 mph in the vicinity of the proposed development. Peach Orchard Road carries an AADT volume of 750 vpd based on 2019 NCDOT AADT data.

3.2 EXISTING TRAFFIC VOLUME DEVELOPMENT

Due to COVID-19 and associated impacts to work and school schedules at the time of this TIA, it was determined that new peak-hour turning movement counts may not be indicative of “typical” traffic operations. Existing traffic volumes were determined based on the alternative methodology outlined below and as documented in the approved MOU (included in the **Appendix**).

AM (7:00-9:00 AM) and PM (4:00-6:00 PM) intersection turning-movement, heavy-vehicle, pedestrian and bicycle counts were collected by National Data and Surveying (NDS) on Thursday, May 18, 2017, at the intersection of Rocky River Road and Hickory Ridge Road.

AM (7:00-9:00 AM) and PM (4:00-6:00 PM) intersection turning-movement, heavy-vehicle, pedestrian and bicycle counts were collected by NDS on Tuesday, April 24, 2018, at the following intersections:

- Rocky River Road and Lower Rocky River Road
- Hickory Ridge Road and Lower Rocky River Road

AM (7:00-9:00 AM) and PM (4:00-6:00 PM) intersection turning-movement, heavy-vehicle, pedestrian and bicycle counts were collected by NDS on Wednesday, November 18, 2020, at the following intersections:

- Peach Orchard Road and Lower Rocky River Road
- Morrison Road and Lower Rocky River Road

Existing traffic counts were grown based on historic AADTs in the study area. Growth rates for each roadway can be seen in **Table 3.1** below.

Table 3.1 - Count Growth Methodology			
Study Area Intersection	Count Date	Source	Methodology to determine 2020 traffic volumes
Rocky River Road and Hickory Ridge Road	5/18/17	NDS	• Grow Rocky River Road by 4% per year • Grow Hickory Ridge Road by 2% per year
Rocky River Road and Lower Rocky River Road	4/24/18	NDS	• Grow Rocky River Road by 4% per year • Grow Lower Rocky River Road by 5% per year
Peach Orchard Road and Lower Rocky River Road	11/18/20	NDS	• Grow by 20% (see methodology below)
Hickory Ridge Road and Lower Rocky River Road	4/24/18	NDS	• Grow Hickory Ridge Road by 2% per year • Grow Lower Rocky River Road by 5% per year
Morrison Road and Lower Rocky River Road	11/18/20	NDS	• Grow by 20% (see methodology below)

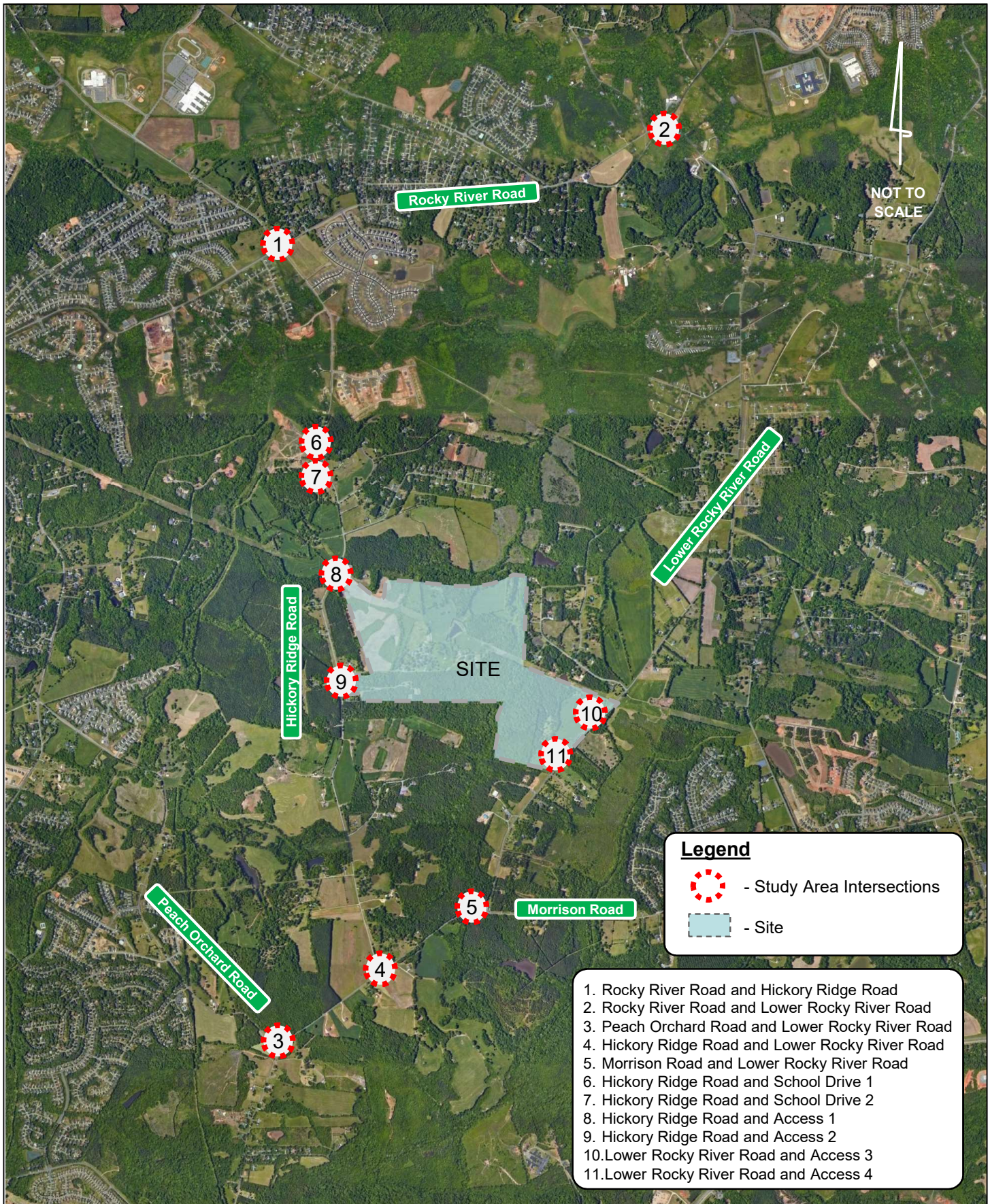
NDS – National Data & Surveying Services (traffic count subconsultant)

Through volumes along Lower Rocky River Road at Peach Orchard Road and Morrison Road were compared to the grown 2020 volumes at the intersection of Hickory Ridge Road and Lower Rocky River Road to determine an appropriate COVID-19 factor. Based on this comparison, the turning-

movement counts at these intersections were grown by 20% to determine the 2020 existing traffic volumes. Hand calculations of this factor can be found in the **Appendix**.

Volume balancing was performed along Lower Rocky River Road between Peach Orchard Road and Morrison Road. Volume balancing was not performed between the remaining study area intersections due to the presence of driveways and spacing between the intersections. Peak-hour intersection turning-movement count data is provided in the **Appendix**. A summary of the count data and methodology can be seen in **Figure 3.1**.

Figure 3.4 illustrates the 2020 existing AM and PM peak-hour traffic volumes.





HICKORY RIDGE ROAD ASSEMBLAGE • HARRISBURG, NC • CONCEPT PLAN
 DN1018319 | 10.12.2020 | DR HORTON

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LEGEND

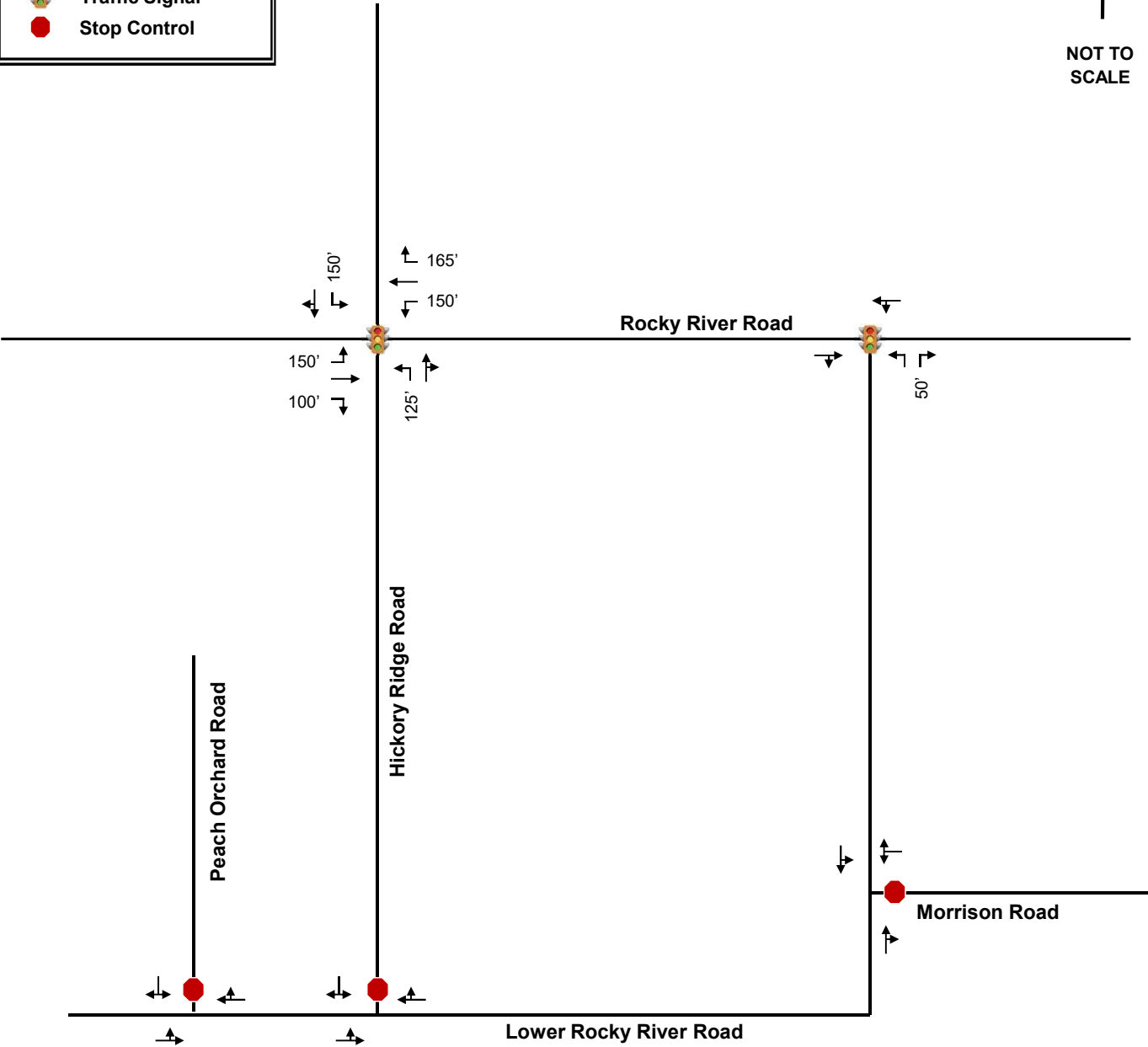
Existing Lane

X' Storage Length

Traffic Signal

Stop Control

NOT TO SCALE



LEGEND

XX AM Peak-Hour Traffic Volumes

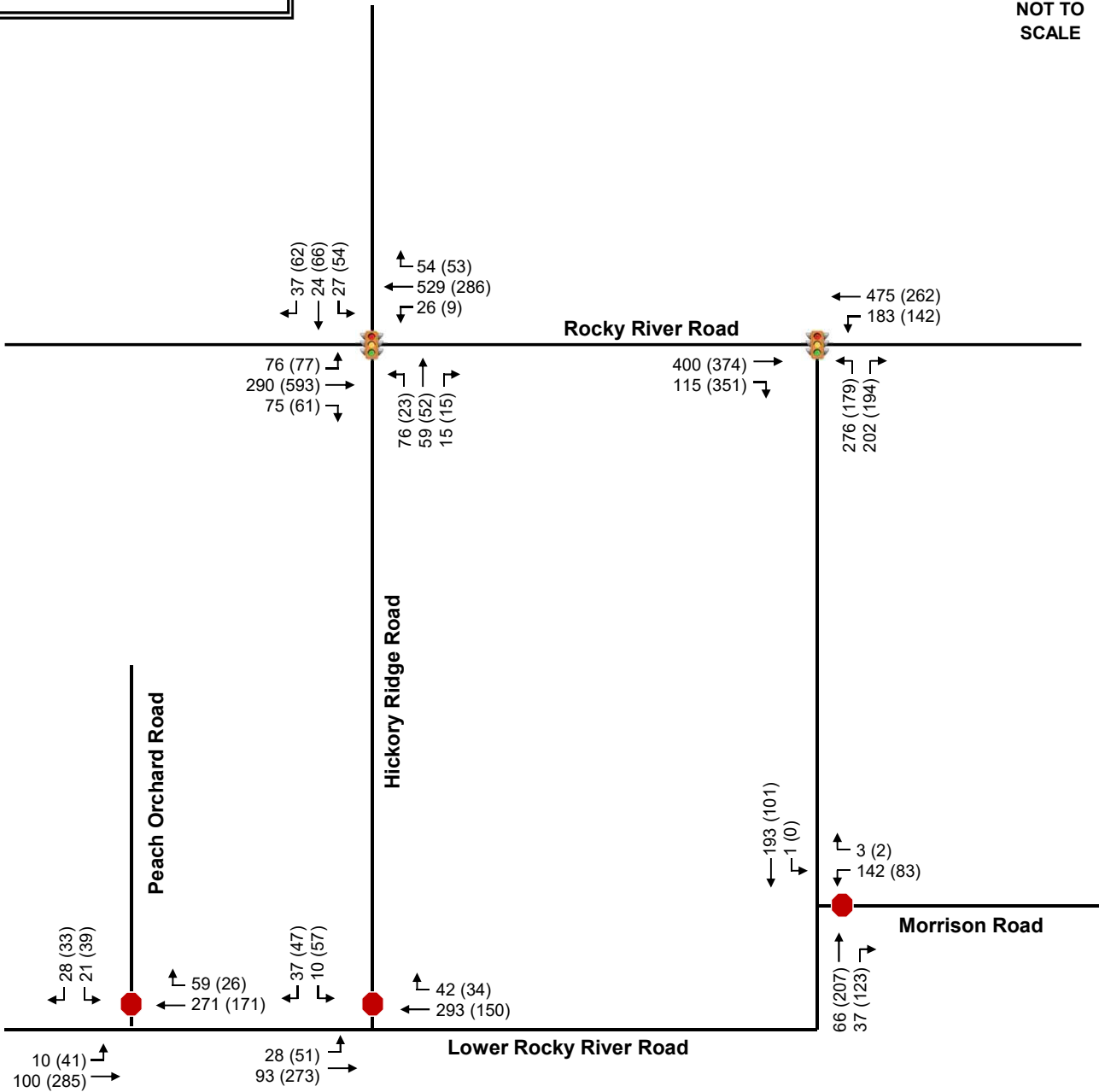
(XX) PM Peak-Hour Traffic Volumes

● Stop Control

🚦 Traffic Signal



NOT TO SCALE



4.0 Background Traffic Volume Development

Projected background (non-project) traffic is defined as the expected growth or change in traffic volumes on the surrounding roadway network between the year the existing counts were collected and the expected build-out year absent the construction and opening of the proposed project. This includes both non-specific general growth based on historical increase in local traffic volumes (historical background growth), along with specific growth and/or change in traffic volumes caused by either approved, but not yet fully-constructed, off-site developments and/or planned transportation projects specifically identified within the vicinity of the proposed development.

4.1 HISTORICAL BACKGROUND GROWTH TRAFFIC

Historical background growth is the increase in existing traffic volumes due to usage increases and non-specific growth throughout the area, and accounts for growth that is independent of specific off-site developments or planned transportation projects. Historical background growth traffic is calculated using an annual growth rate, which is applied to the existing traffic volumes up to the future horizon years. For this analysis, an annual growth rate of 2% was applied to the 2020 existing peak-hour traffic volumes to calculate base 2023, 2025, and 2026 background traffic volumes. This methodology was determined based on coordination with Town of Harrisburg and NCDOT staff.

4.2 APPROVED DEVELOPMENTS

At the direction of the Town of Harrisburg and NCDOT staff, eight approved developments that are expected to impact traffic volumes within the study area were included in the background traffic volumes for this TIA, including:

- Farmington Mixed Use
- Holcombe Woods
- Grantham
- Essex Homes
- Camellia Gardens
- Stallings Road Subdivision
- Addison Park
- SW Cabarrus Elementary School

Per coordination with the Town, all developments were assumed to be 0% built-out at the time of the turning-movement counts.

Volumes for the approved developments were obtained from the following sources:

- Farmington TIA (Davenport, May 2018)
- Holcombe Property TIA (SEPI Engineering and Construction, November 2014)
- Avanti – Robinson Church Road Subdivision TIA [Grantham] (STV Incorporated, November 2014)
- Camellia Gardens TIA (Kimley-Horn, June 2019)
- Stallings Road Subdivision TIA (Kimley-Horn, October 2018)
- New Southwest Elementary School TIA (Kimley-Horn, March 2018)

Site trips for the SW Cabarrus Elementary School were calculated for the school peak hours (7-9 AM and 2-4 PM) in the *New Southwest Elementary School TIA*. To determine PM peak hour site

trips for this TIA, the hourly breakdowns for Elementary School in *Trip Generation* (Institute of Transportation Engineers, Tenth Edition, 2017) were utilized to determine a PM peak hour factor.

A TIA was not performed for Essex Homes or Addison Park. Therefore, trip generation was performed for these sites and project trips associated with these developments were distributed throughout the study area based on the existing turning movement counts.

All approved development calculations are provided in the **Appendix**.

The following laneage improvements were identified at the intersection of Rocky River Road and Hickory Ridge Road in the *New Southwest Elementary School TIA*:

- Extension of the northbound left-turn lane to provide 150 feet of storage
- Construction of a northbound right-turn lane with 275 feet of storage
- Construction of a southbound right-turn lane with 100 feet of storage
- Extension of the eastbound right-turn lane to provide 250 feet of storage
- Extension of the westbound left-turn lane to provide 175 feet of storage
- Extension of the westbound right-turn lane to provide 465 feet of storage

The following laneage improvements were identified at the intersection of Hickory Ridge Road and Lower Rocky River Road in the *New Southwest Elementary School TIA*:

- Construction of a southbound right-turn lane with 100 feet of storage
- Construction of an eastbound left-turn lane with 150 feet of storage
- Construction of the westbound right-turn lane with 50 feet of storage

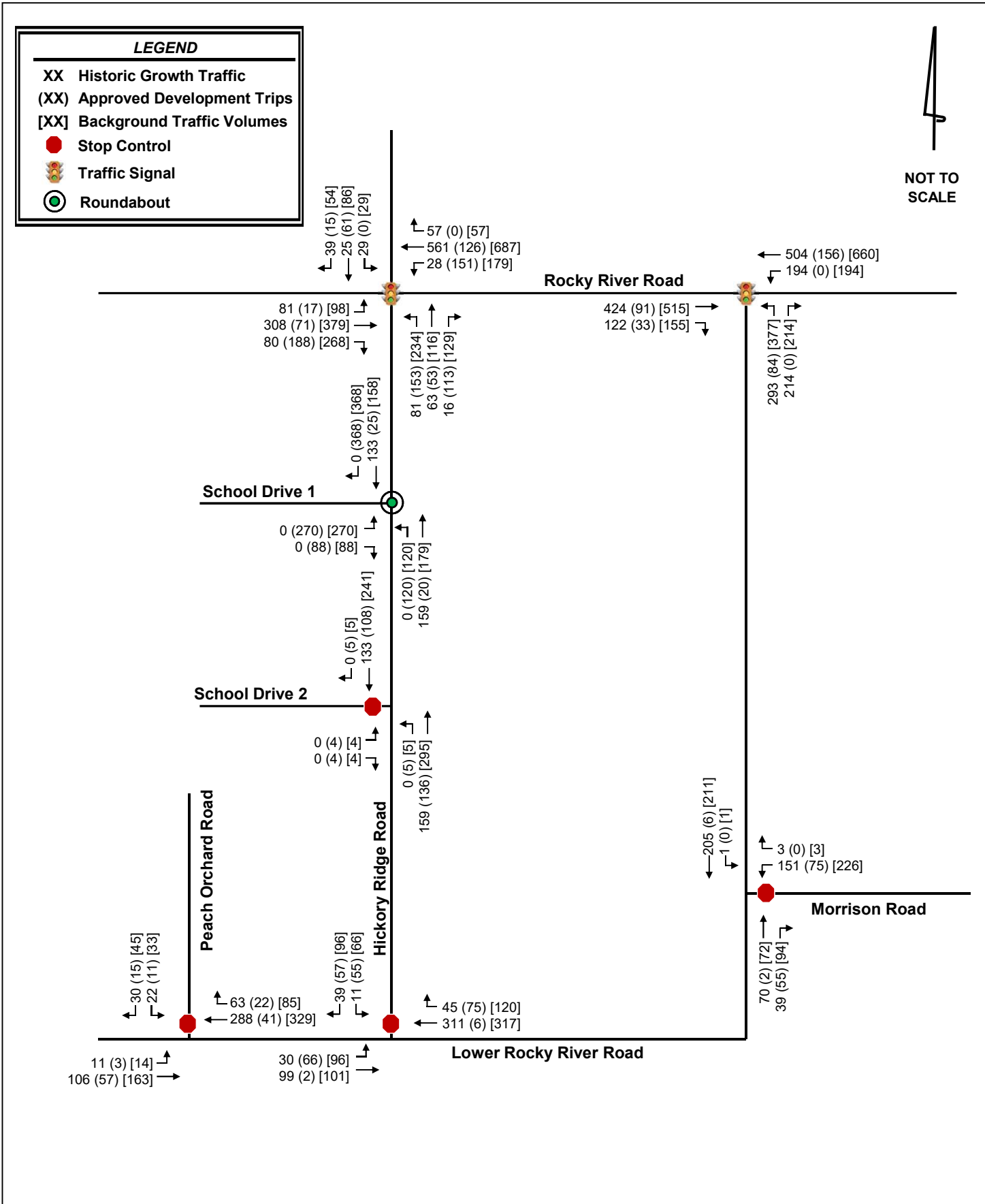
Per a letter from the NCDOT Municipal and School Transportation Assistance (MSTA) group and Congestion Management section dated October 11, 2019, construction of improvements at these two intersections are not committed to be done by the school. Therefore, these improvements associated with the school were not included in the future year conditions.

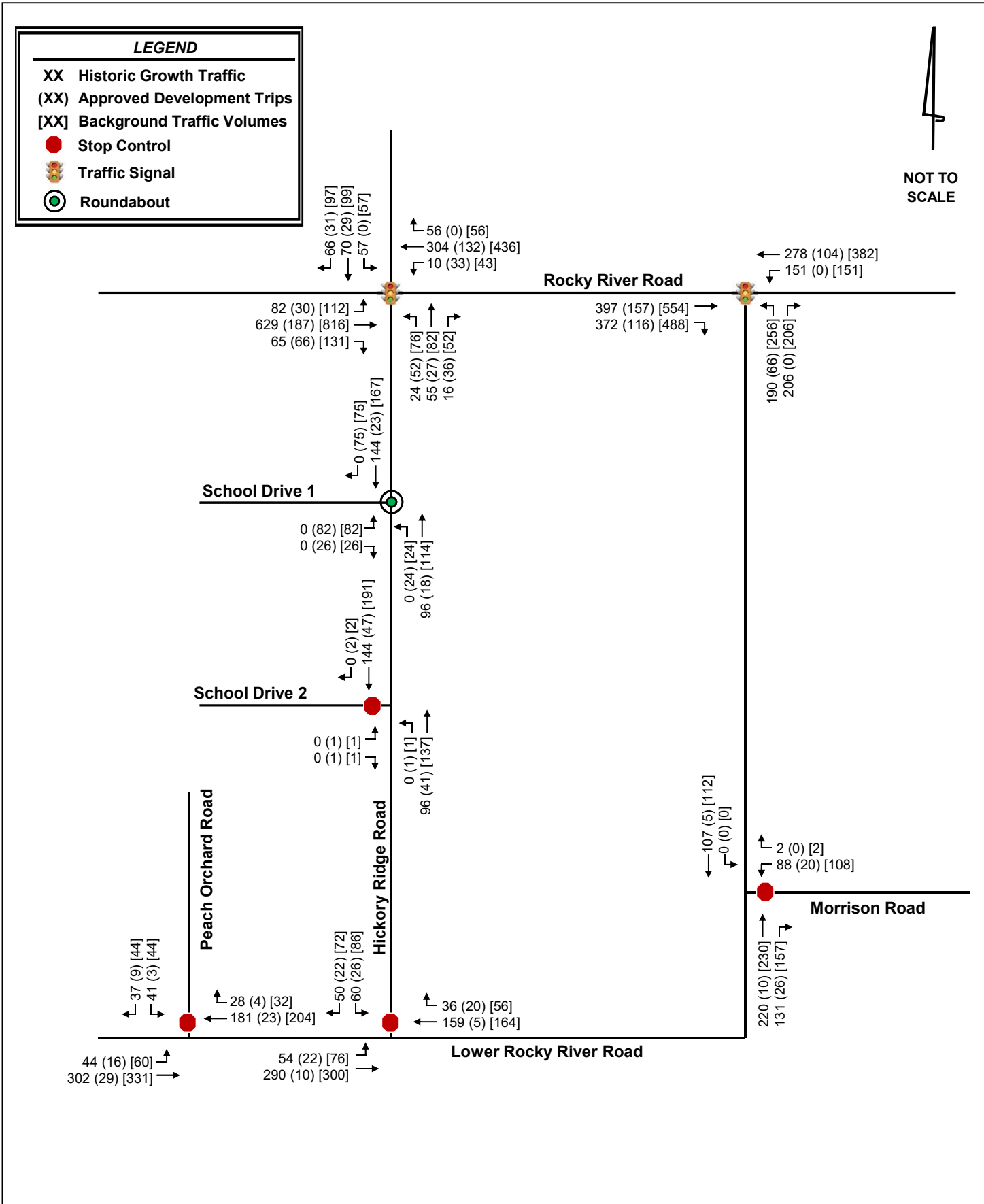
In the TIA scoping meeting, impacts of the proposed development to the SW Cabarrus Elementary School Driveways were discussed. Based on these discussions, the following intersections are included in all future year conditions:

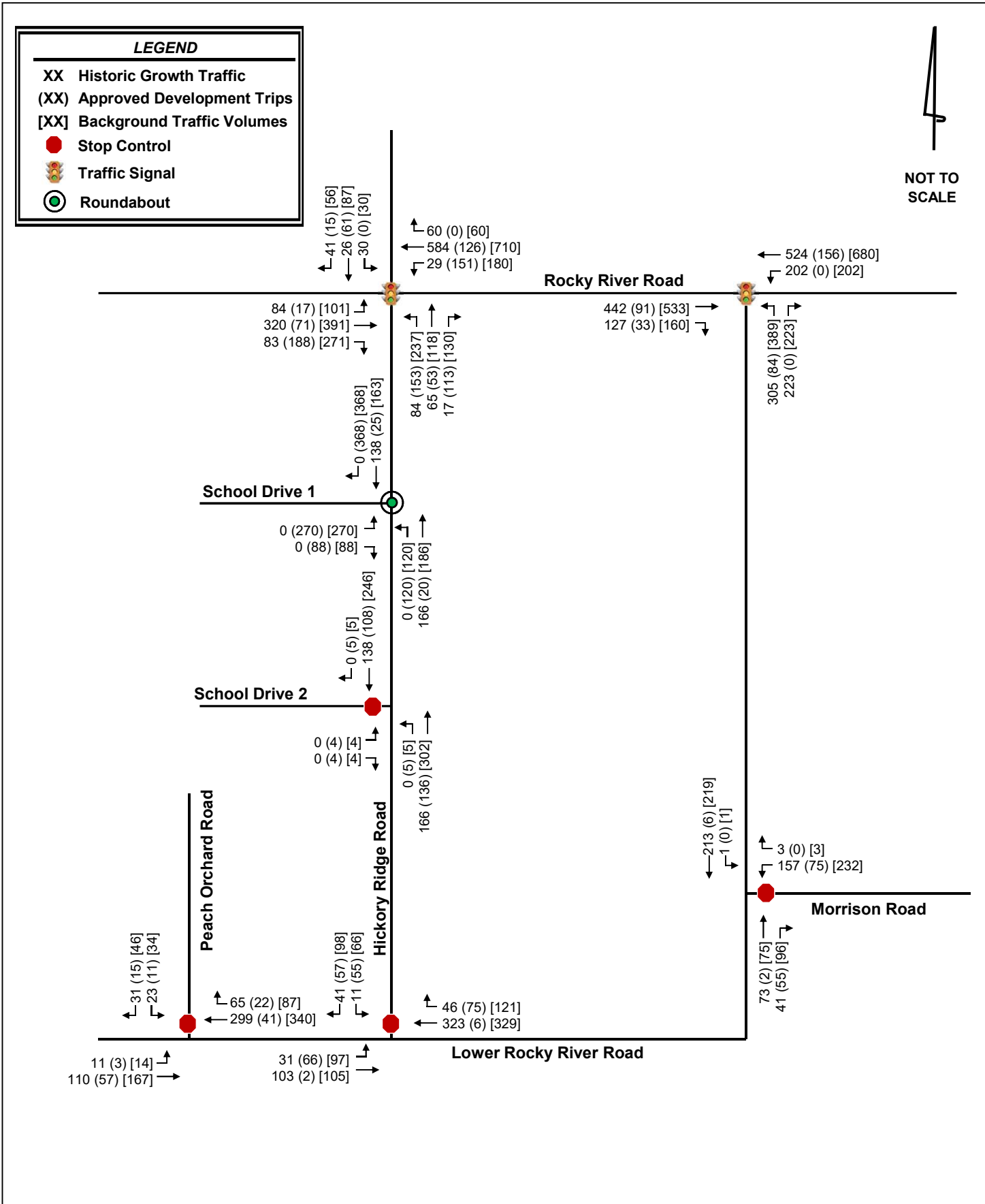
- Hickory Ridge Road and School Drive 1 – mini single-lane roundabout with a southbound right-turn lane
- Hickory Ridge Road and School Drive 2 – stop-controlled t-intersection with a northbound left-turn lane and two school egress lanes

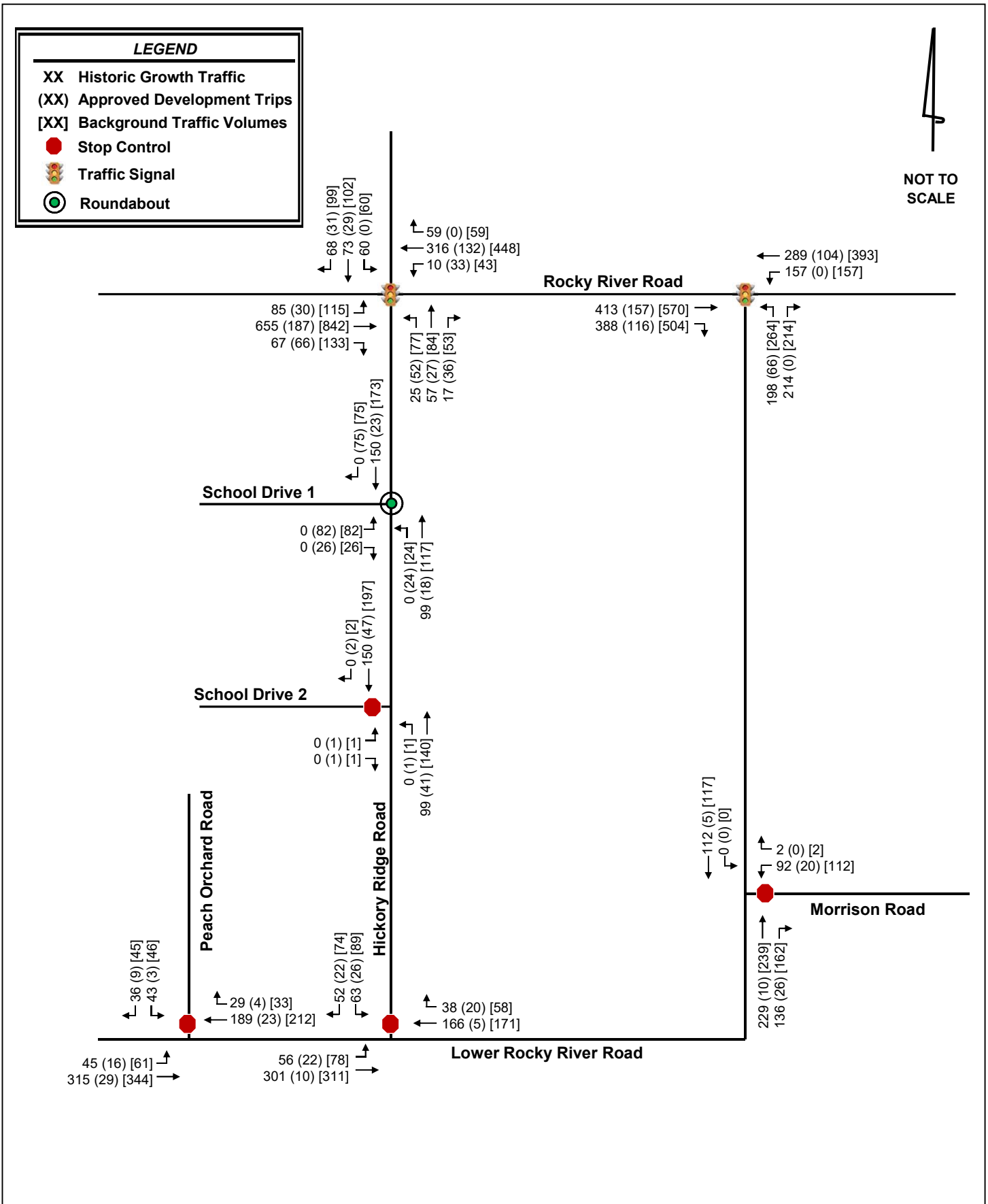
Background traffic volumes, that include the historical growth traffic and approved development trips, are shown in the following figures:

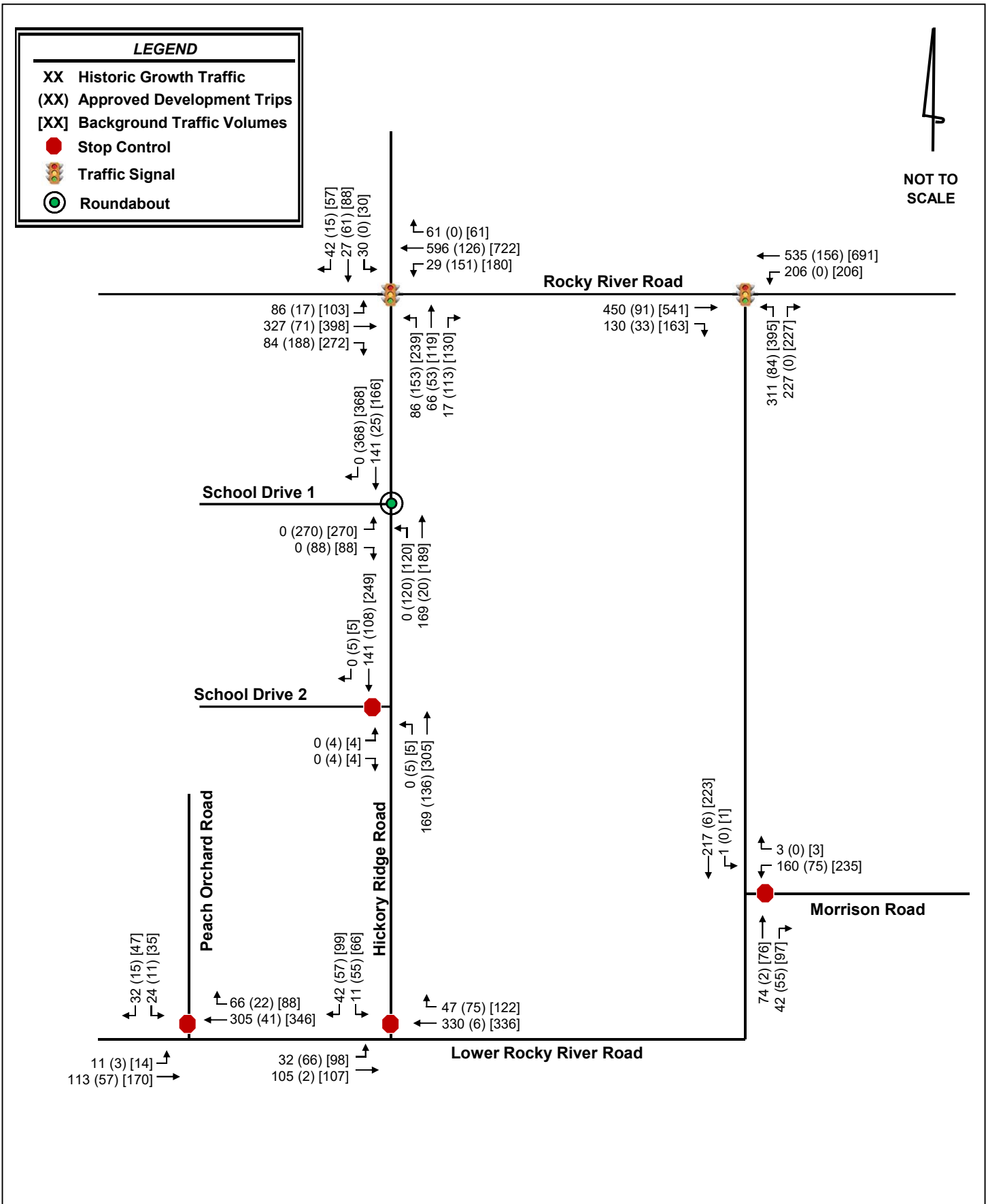
- Figure 4.1 - 2023 Phase 1 Background AM Peak-Hour Traffic Volumes
- Figure 4.2 - 2023 Phase 1 Background PM Peak-Hour Traffic Volumes
- Figure 4.3 - 2025 Phase 2 Background AM Peak-Hour Traffic Volumes
- Figure 4.4 - 2025 Phase 2 Background PM Peak-Hour Traffic Volumes
- Figure 4.5 - 2026 Phase 3 Background AM Peak-Hour Traffic Volumes
- Figure 4.6 - 2026 Phase 3 Background PM Peak-Hour Traffic Volumes

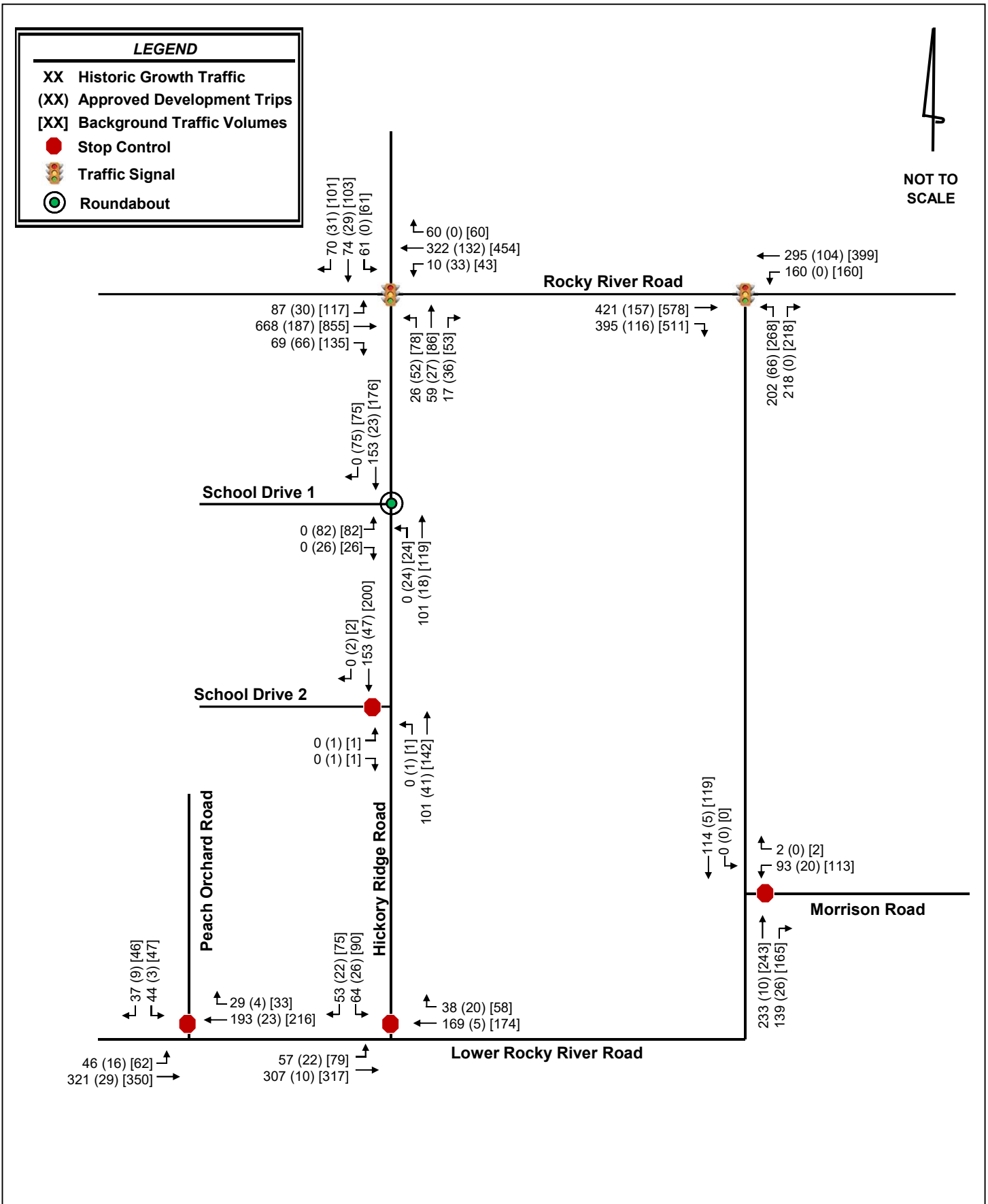












5.0 Site Traffic Volume Development

Site traffic developed for this TIA is defined as the vehicle trips expected to be generated and added to the study area by construction of the proposed development, and the distribution and assignment of that traffic throughout the surrounding network.

5.1 SITE ACCESS

For the purposes of this TIA, a Phase 1 build-out year of 2023, Phase 2 build-out year of 2025, and Phase 3 build-out year of 2026 were considered. Based on the provided site plan and information provided by the applicant, the proposed development will be accessed via four external access points:

- Access 1 – an unsignalized, full-movement connection to Hickory Ridge Road approximately 850 feet south of Timber Ridge Road
- Access 2 – an unsignalized, full-movement connection to Hickory Ridge Road approximately 2,700 feet south of Access 1
- Access 3 – an unsignalized, full-movement connection to Lower Rocky River Road approximately 900 feet south of Monterosa Road (Phase 2 & Phase 3 only)
- Access 4 – an unsignalized, full-movement connection to Lower Rocky River Road approximately 1,400 feet south of Access 3 (Phase 2 & Phase 3 only)

5.2 TRAFFIC GENERATION

The traffic generation potential of the proposed development was determined using the trip generation rates published in *Trip Generation* (Institute of Transportation Engineers, Tenth Edition, 2017). Based on the site plan provided by the applicant, the proposed development is currently envisioned to consist of the following land uses and phases:

- Phase 1: 143 single-family homes
- Phase 2: 227 single-family homes
- Phase 3: 90 single-family homes

Table 5.1, Table 5.2, and Table 5.3 summarize the projected trip generation for the cumulative build conditions of each phase of the proposed development. During a typical weekday, upon full build-out of the proposed development, it has the potential to generate 331 and 440 net new external trips during the AM and PM peak hours, respectively.

Table 5.1 - Phase 1 Trip Generation										
Land Use		Intensity		Daily	AM Peak Hour			PM Peak Hour		
					Total	In	Out	Total	In	Out
	Single-Family Homes [ITE 210]	143	DU	1,445	106	27	79	143	90	53
Net New External Trips				1,445	106	27	79	143	90	53

Table 5.2 - Phase 2 Trip Generation										
Land Use		Intensity		Daily	AM Peak Hour			PM Peak Hour		
					Total	In	Out	Total	In	Out
	Single-Family Homes [ITE 210]	370	DU	3,465	268	67	201	357	225	132
Net New External Trips				3,465	268	67	201	357	225	132

Table 5.3 - Phase 3 Trip Generation										
Land Use		Intensity		Daily	AM Peak Hour			PM Peak Hour		
					Total	In	Out	Total	In	Out
	Single-Family Homes [ITE 210]	460	DU	4,233	331	83	248	440	277	163
Net New External Trips				4,233	331	83	248	440	277	163

5.3 SITE TRAFFIC DISTRIBUTION AND ASSIGNMENT

The proposed development's trips were assigned to the surrounding network based on existing peak-hour turning movements, surrounding land uses, locations of similar land use and population densities in the area. The following site traffic distribution was reviewed and approved as part of the MOU by the Town of Harrisburg, NCDOT and the applicant:

- 20% to/from the west along Rocky River Road
- 20% to/from the north along Hickory Ridge Road
- 20% to/from the east along Rocky River Road
- 5% to/from the east along Morrison Road
- 10% to/from the north along Peach Orchard Road
- 25% to/from the west along Lower Rocky River Road

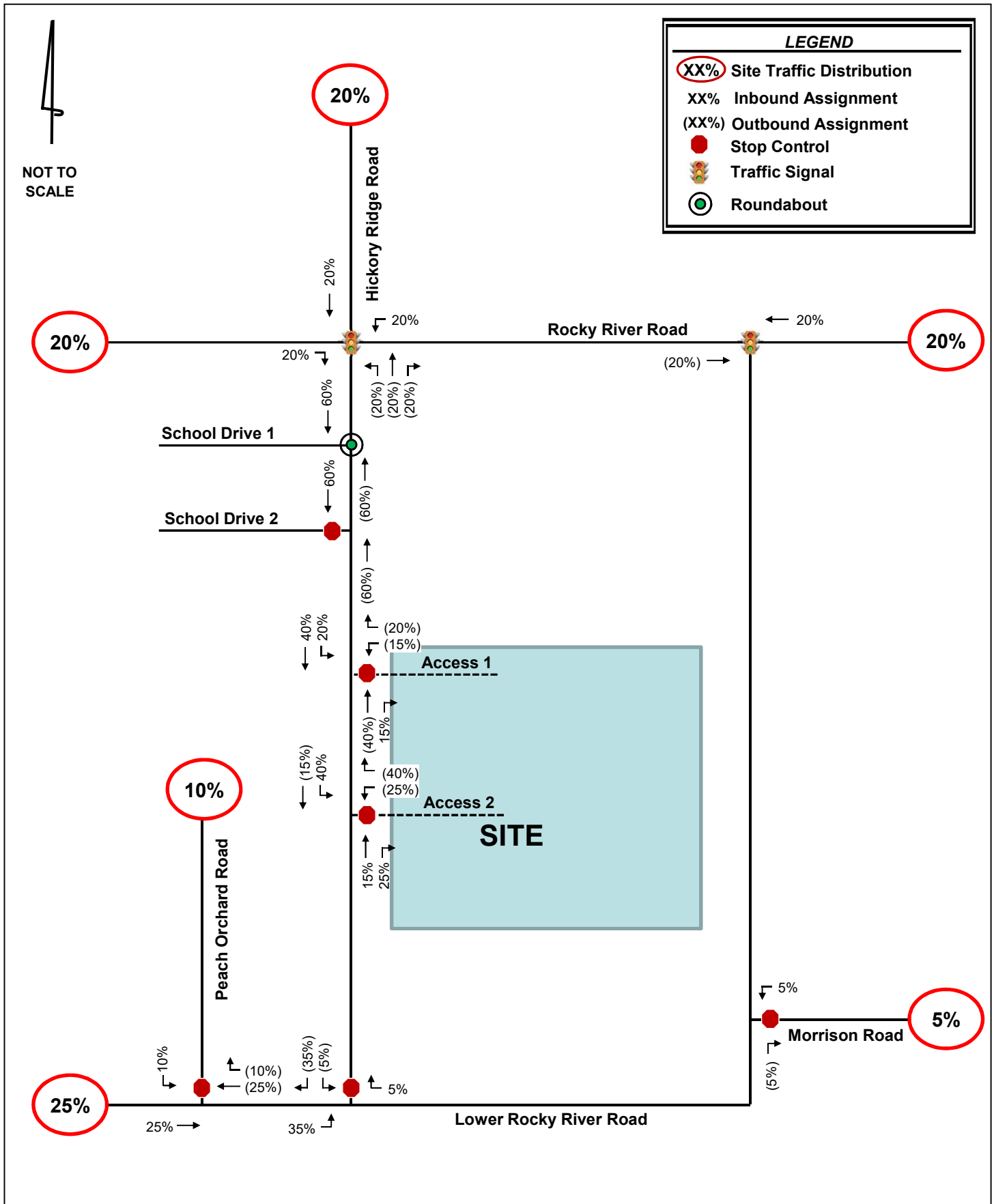
The overall site traffic distribution and assignment for Phase 1 is shown in **Figure 5.1**. The overall site traffic distribution and assignment for Phase 2 and Phase 3 is shown in **Figure 5.2**.

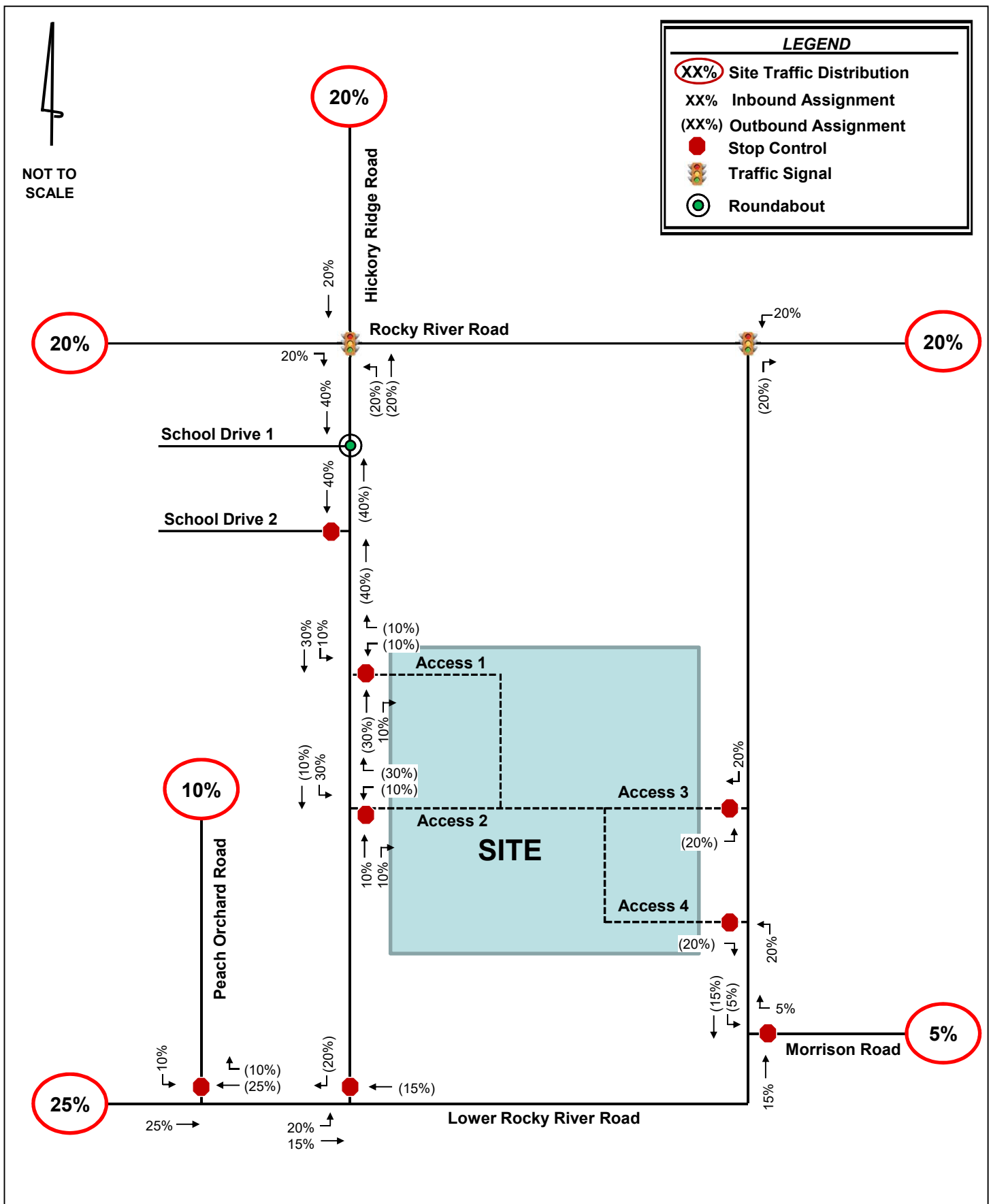
5.4 BUILD-OUT TRAFFIC VOLUMES

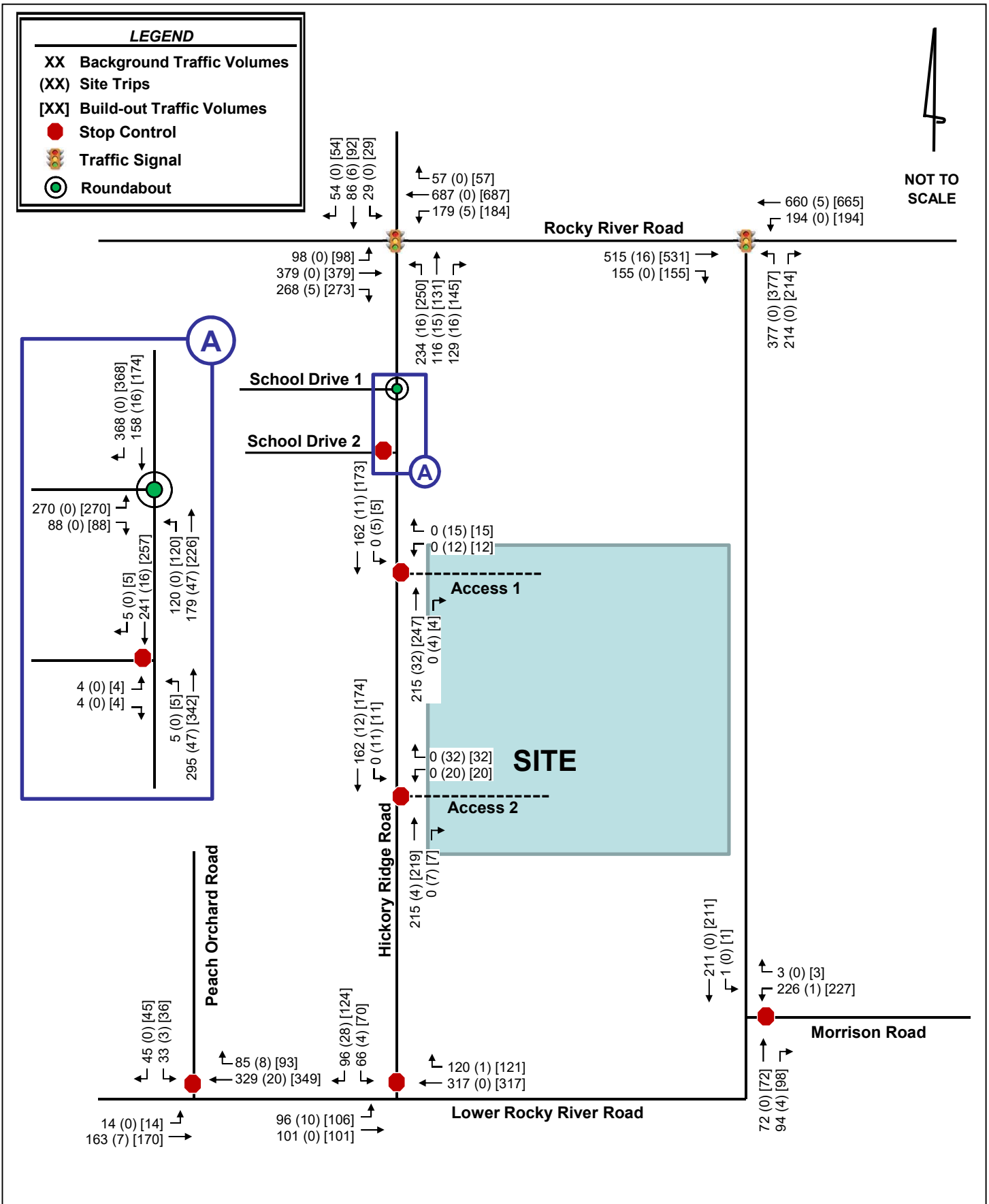
The build-out traffic volumes include the assignment of the projected site traffic generation added to the appropriate background traffic volumes. Build-out traffic volumes are shown in the following figures:

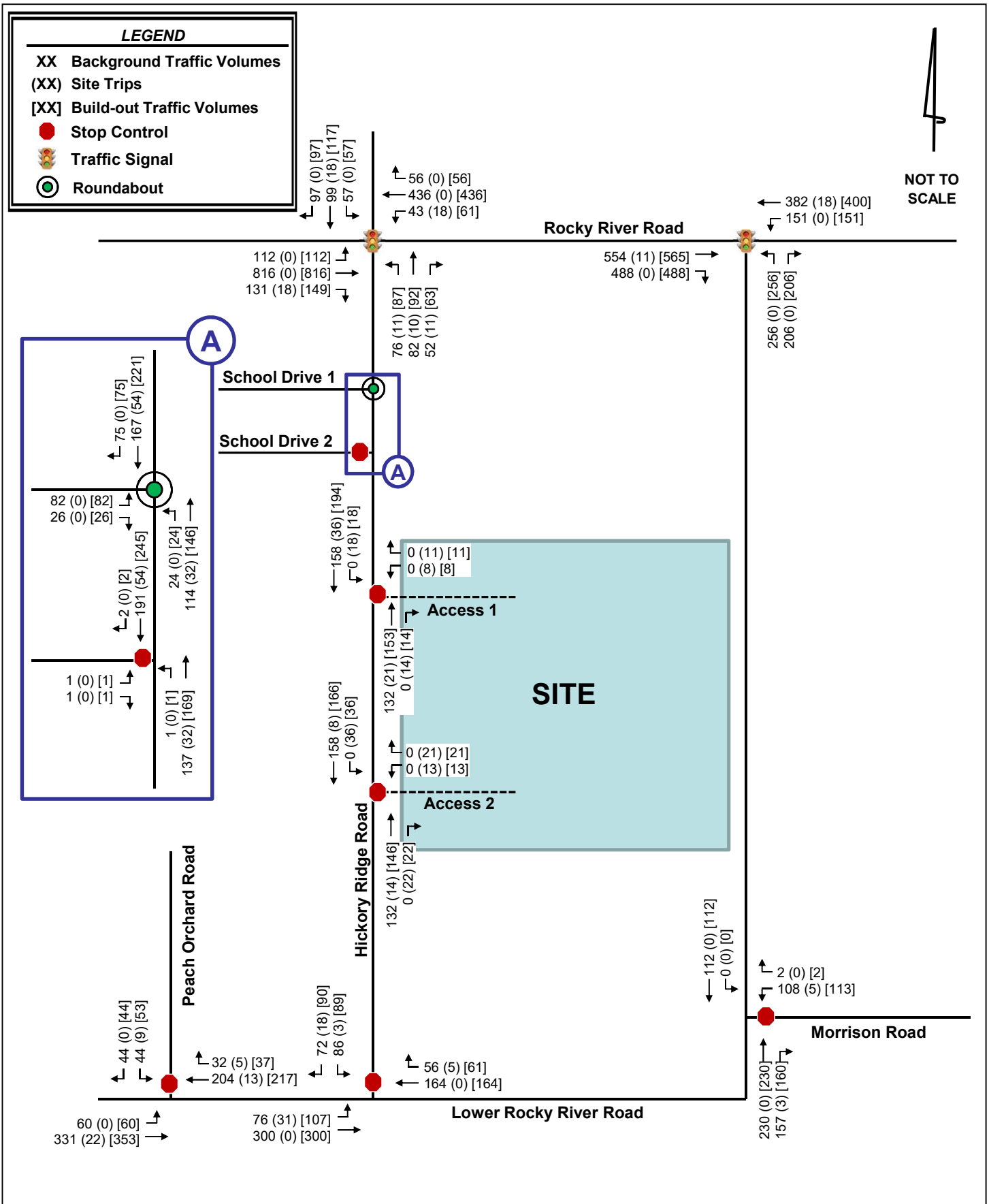
- Figure 5.3 - 2023 Phase 1 Build-out AM Peak-Hour Traffic Volumes
- Figure 5.4 - 2023 Phase 1 Build-out PM Peak-Hour Traffic Volumes
- Figure 5.5 - 2025 Phase 2 Build-out AM Peak-Hour Traffic Volumes
- Figure 5.6 - 2025 Phase 2 Build-out PM Peak-Hour Traffic Volumes
- Figure 5.7 - 2026 Phase 3 Build-out AM Peak-Hour Traffic Volumes
- Figure 5.8 - 2026 Phase 3 Build-out PM Peak-Hour Traffic Volumes

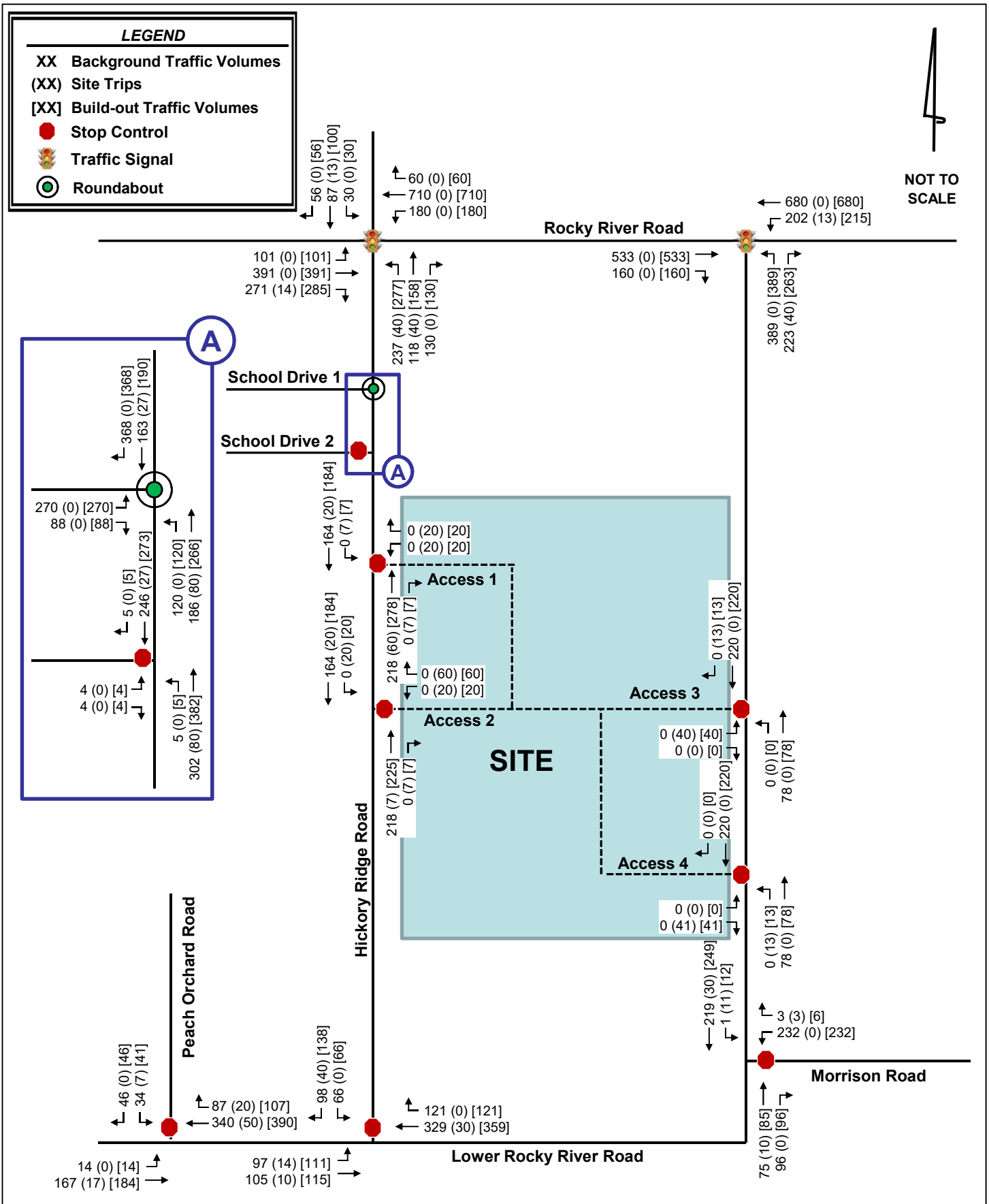
Intersection volume development worksheets for all intersections within the study network are provided in the **Appendix**.

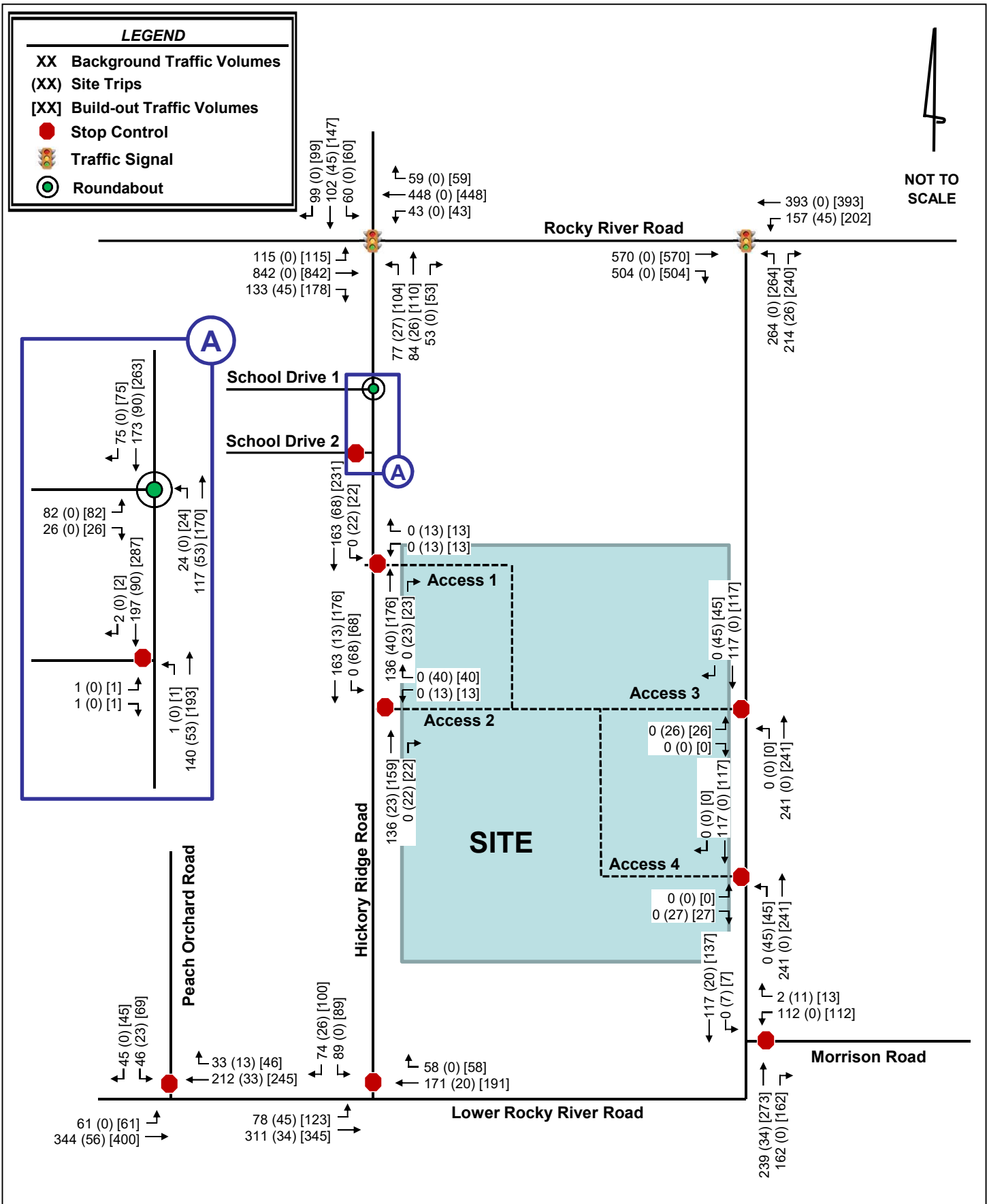


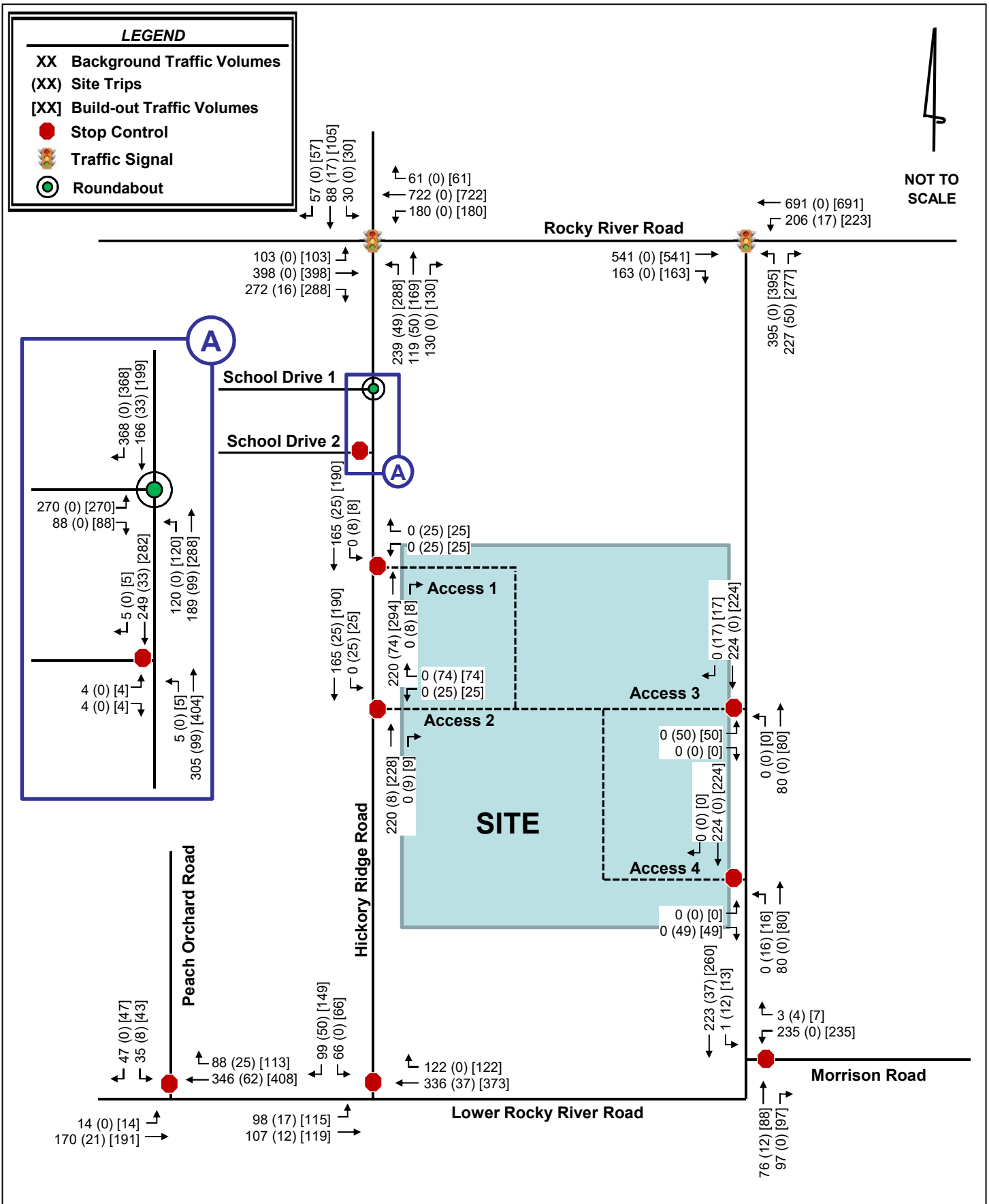


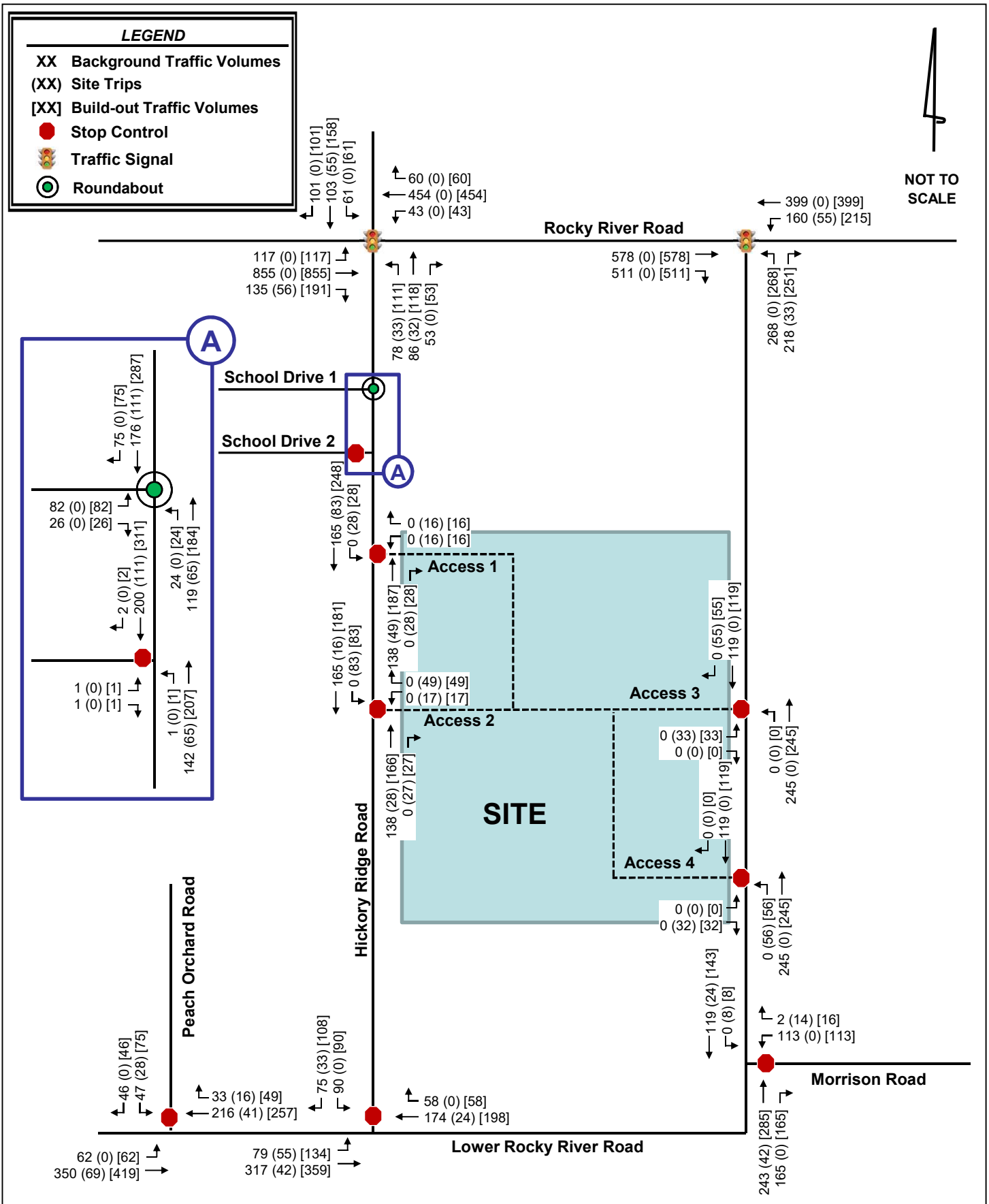












	Hickory Ridge Road Development Traffic Impact Analysis	2026 Phase 3 Build-Out PM Peak- Hour Traffic Volumes	Figure 5.8
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6.0 Capacity Analysis

Based on the requirements set forth by the *Town of Harrisburg Unified Development Ordinance – Appendix F* and in accordance with the traffic study guidelines in the *NCDOT Policy on Street and Driveway Access to North Carolina Highways*, capacity analyses were performed at the study area intersections for each of the following AM and PM peak-hour scenarios:

- 2020 Existing Conditions
- 2023 Phase 1 Background Conditions
- 2023 Phase 1 Build-Out Conditions
- 2025 Phase 2 Background Conditions
- 2025 Phase 2 Build-Out Conditions
- 2026 Phase 3 Background Conditions
- 2026 Phase 3 Build-Out Conditions

Capacity analyses were performed for the AM and PM peak hours using Synchro Version 10 and SIDRA 9 software to determine the operating characteristics at the study area intersections of the adjacent street network and to evaluate the impacts of the proposed development. Capacity is defined as the maximum number of vehicles that can pass over a particular road segment, or through a particular intersection, within a specified period of time under prevailing operational, geometric and controlling conditions within a set time duration. SIDRA is typically used to analyze roundabout operations using a macroscopic model that uses gap acceptance and lane utilization to determine capacity, where capacity is based on the size of time gaps between vehicles that motorists choose when entering a roundabout. These software programs use methodologies contained in the *Highway Capacity Manual* (HCM) to determine the operating characteristics of an intersection.

The *Highway Capacity Manual* (HCM) defines LOS as a “quantitative stratification of a performance measure or measures representing quality of service” and is used to “translate complex numerical performance results into a simple A-F system representative of travelers’ perceptions of the quality of service provided by a facility or service”. The HCM defines six levels of service, LOS A through LOS F, with A having the best operating conditions from the traveler’s perspective and F having the worst. However, it must be understood that “the LOS letter result hides much of the complexity of facility performance”, and that “the appropriate LOS for a given system element in the community is a decision for local policy makers”. According to the HCM, “for cost, environmental impact, and other reasons, roadways are typically designed not to provide LOS A conditions during peak periods but instead to provide some lower LOS that balances individual travelers’ desires against society’s desires and financial resources. Nevertheless, during low-volume periods of the day, a system element may operate at LOS A.”

LOS for a two-way stop-controlled (TWSC) intersection is determined by the control delay at the side-street approaches, typically during the highest volume periods of the day, the AM and PM peak periods. Control delay includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. With respect to field measurements, control delay is defined as the total elapsed time from the time a vehicle stops at the end of the queue to the time the vehicle departs from the stop line. It is typical for stop sign-controlled side streets and driveways intersecting major streets to experience long delays during peak hours, particularly for left-turn movements. The majority of the traffic moving through the intersection on the major street experiences little or no delay.

LOS for signalized intersections is reported for the intersection as a whole, and typically during the highest volume periods of the day, the AM and PM peak periods. One or more movements at an intersection may experience a low level-of-service, while the intersection as a whole may operate acceptably.

LOS for roundabout intersections is also reported for the overall intersection and its approaches but uses the same control delay thresholds as the unsignalized intersections. However, if the volume-to-capacity ratio on an approach of the intersection is greater than 1.0, that approach or intersection is reported as LOS F regardless of the reported control delay.

Table 6.0-A and **6.0-B** list the LOS control delay thresholds published in the HCM for unsignalized and signalized intersections, respectively, as well as the unsignalized operational descriptions assumed herein.

Table 6.0-A Vehicular LOS Control Delay Thresholds for Unsignalized Intersections		
Level-of-Service	Average Control Delay per Vehicle [sec/veh]	
A	≤ 10	Short Delays
B	> 10 – 15	
C	> 15 – 25	
D	> 25 – 35	Moderate Delays
E	> 35 – 50	
F	> 50	Long Delays

Table 6.0-B Vehicular LOS Control Delay Thresholds for Signalized Intersections	
Level-of-Service	Average Control Delay per Vehicle [sec/veh]
A	≤ 10
B	> 10 – 20
C	> 20 – 35
D	> 35 – 55
E	> 55 – 80
F	> 80

Using the signal timing plans provided by NCDOT, cycle lengths and splits were optimized for the existing conditions analysis. A Congestion Management minimum cycle length of 120 seconds based on the phasing of the signalized intersections was also utilized. Intersection cycle lengths and splits were optimized in background conditions and utilized in build-out conditions.

The following modifications from the background data collected were applied to the capacity analyses to meet NCDOT *Congestion Management Capacity Analysis Guidelines*:

- Right-turn-on-red (RTOR) operations were not allowed.
- Protected-only left-turn phasing was used for analysis of future operations where protected/permitted left-turn phasing and a dedicated left-turn lane exists.

- Lost time adjust was added to the yellow and all-red times provided in the existing signal plans to maintain at total lost time of 5 seconds for each movement.
- A minimum of 4 vehicles per hour were used for permissible movements, excluding movements into and out of the proposed site.

In the existing condition, the observed peak hour factor (PHF) was used in the analysis. A weighted PHF was used for all future year conditions in the AM peak hour to account for the impacts of school traffic. A 0.9 PHF was used for all future conditions in the PM peak hour.

Capacity analysis reports generated by Synchro Version 10 software are included in the **Appendix**.

6.1 ROCKY RIVER ROAD AND HICKORY RIDGE ROAD

Table 6.1 summarizes the LOS, control delay and 95th percentile queue lengths at the signalized intersection of Rocky River Road and Hickory Ridge Road.

Table 6.1 - Rocky River Road and Hickory Ridge Road													
Condition	Measure	EB			WB			NB			SB		Intersection
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBTR	NBR	SBL	SBTR	LOS (Delay)
AM Peak Hour													
2020 Existing	LOS (Delay)	B (12.5)			C (24.5)			D (35.8)			D (37.8)		C (22.6)
	Synchro 95th Q	36'	189'	32'	17'	417'	31'	76'	86'	-	33'	82'	
2023 Background Phase 1	LOS (Delay)	D (48.5)			E (75.5)			F (82.6)			F (108.4)		E (70.8)
	Synchro 95th Q	147'	457'	176'	228'	#946'	52'	291'	303'	-	59'	182'	
2023 Build-out Phase 1	LOS (Delay)	D (48.5)			E (76.4)			F (89.7)			F (113.2)		E (73.5)
	Synchro 95th Q	147'	457'	181'	235'	#946'	52'	314'	344'	-	59'	192'	
2023 Build-out IMP Phase 1	LOS (Delay)	D (50.9)			E (71.6)			E (71.5)			F (96.6)		E (66.8)
	Synchro 95th Q	#132'	415'	169'	204'	#844'	43'	279'	138'	98'	51'	168'	
2025 Background Phase 2	LOS (Delay)	D (52.2)			E (72.5)			F (87.1)			F (120.0)		E (72.9)
	Synchro 95th Q	#144'	449'	171'	212'	#923'	49'	280'	295'	-	56'	175'	
2025 Build-out Phase 2	LOS (Delay)	D (52.1)			E (72.5)			F (109.0)			F (130.7)		E (79.8)
	Synchro 95th Q	#144'	449'	183'	212'	#923'	49'	#349'	373'	-	56'	#219'	
2025 Build-out IMP Phase 2	LOS (Delay)	D (54.6)			E (77.1)			F (82.5)			F (120.9)		E (74.6)
	Synchro 95th Q	#166'	458'	184'	233'	#958'	50'	#372'	186'	104'	59'	#220'	
2026 Background Phase 3	LOS (Delay)	D (50.2)			E (75.0)			F (97.2)			F (123.1)		E (75.8)
	Synchro 95th Q	144'	454'	172'	212'	#946'	49'	285'	299'	-	56'	#181'	
2026 Build-out Phase 3	LOS (Delay)	D (50.1)			E (75.0)			F (127.6)			F (139.2)		F (85.5)
	Synchro 95th Q	144'	454'	184'	212'	#946'	49'	#385'	#423'	-	56'	#234'	
2026 Build-out IMP Phase 3	LOS (Delay)	D (54.1)			E (76.7)			F (99.1)			F (94.1)		E (76.5)
	Synchro 95th Q	154'	490'	116'	227'	#1020'	52'	#422'	201'	75'	58'	213'	
PM Peak Hour													
2020 Existing	LOS (Delay)	B (18.2)			B (17.9)			C (33.2)			D (35.1)		C (21.8)
	Synchro 95th Q	40'	453'	37'	8'	203'	33'	32'	89'	-	62'	166'	
2023 Background Phase 1	LOS (Delay)	D (37.0)			C (26.8)			E (56.7)			E (66.4)		D (40.0)
	Synchro 95th Q	155'	#896'	67'	77'	370'	41'	#136'	176'	-	#98'	#285'	
2023 Build-out Phase 1	LOS (Delay)	D (37.1)			C (28.9)			E (60.0)			E (69.7)		D (41.7)
	Synchro 95th Q	155'	#896'	75'	#112'	370'	41'	#164'	201'	-	#98'	#320'	
2023 Build-out IMP Phase 1	LOS (Delay)	D (36.1)			C (28.6)			E (55.9)			E (69.5)		D (40.7)
	Synchro 95th Q	155'	#896'	75'	#112'	370'	39'	#164'	128'	82'	95'	#320'	
2025 Background Phase 2	LOS (Delay)	D (36.8)			C (25.8)			E (61.2)			E (70.5)		D (40.6)
	Synchro 95th Q	159'	#920'	66'	77'	371'	41'	#153'	183'	-	#108'	#306'	
2025 Build-out Phase 2	LOS (Delay)	D (36.9)			C (26.2)			E (76.2)			F (82.4)		D (45.1)
	Synchro 95th Q	159'	#920'	87'	77'	371'	41'	#216'	#228'	-	#108'	#397'	
2025 Build-out IMP Phase 2	LOS (Delay)	D (40.6)			C (27.8)			E (63.4)			E (74.6)		D (44.8)
	Synchro 95th Q	159'	#958'	92'	77'	391'	42'	#204'	148'	71'	99'	#373'	
2026 Background Phase 3	LOS (Delay)	D (37.6)			C (25.9)			E (62.0)			E (72.2)		D (41.3)
	Synchro 95th Q	162'	#943'	67'	77'	376'	41'	#155'	186'	-	#109'	#311'	
2026 Build-out Phase 3	LOS (Delay)	D (37.4)			C (26.2)			F (83.0)			F (93.2)		D (47.9)
	Synchro 95th Q	162'	#943'	93'	77'	376'	41'	#230'	#245'	-	#109'	#424'	
2026 Build-out IMP Phase 3	LOS (Delay)	D (44.0)			C (28.8)			E (61.1)			E (79.7)		D (47.4)
	Synchro 95th Q	162'	#994'	98'	77'	403'	43'	#207'	156'	70'	100'	#400'	
Existing/Background Storage		150'		100'	150'		165'	125'			150'		

Exceeds storage

95th percentile volume exceeds capacity, queue may be longer

As shown in **Table 6.1**, under 2020 existing conditions, the overall intersection is expected to operate at LOS C in both peak hours.

Phase 1

Under 2023 background conditions, the overall intersection is expected to operate at LOS E and LOS D in the AM and PM peak hours, respectively. It should be noted that the significant increase in LOS and delay from existing to background conditions is due to the addition of approved development traffic. With the addition of site traffic, the intersection is expected to continue to operate at the same LOS with an increase in delay. In the AM peak hour, the northbound and

southbound approaches are expected to operate at LOS F with increases in delay caused by the addition of site traffic.

To mitigate site impacts, a northbound right-turn lane with 100 feet of storage and permitted overlap phasing is recommended. With this improvement in place, the AM peak hour is expected to continue operating at LOS E, but the northbound and southbound approaches and overall intersection delays are expected to improve and operate with less delay than the background condition.

Phase 2

Under 2025 background conditions, the AM and PM peak hours are expected to operate at LOS E and LOS D, respectively. With the addition of site traffic, the intersection is expected to continue to operate at the same LOS with an increase in delay. In the AM peak hour, the northbound and southbound approaches are expected to operate at LOS F with increases in delay caused by the addition of site traffic.

With the implementation of the northbound right-turn improvement identified in Phase 1, site impacts are expected to be mitigated. No additional improvements are recommended for capacity reasons due to Phase 2 site traffic.

With the addition of site traffic and the recommended improvements, the northbound left-turn queue is expected to exceed the available storage in both peak hours. In the AM peak hour, the queue is expected to increase to 372'. Due to Phase 3 anticipated queues outlined below, it is recommended that the site extend this turn lane to provide 425 feet of storage.

Phase 3

Under 2026 background conditions, the AM and PM peak hours are expected to operate at LOS E and LOS D, respectively. With the addition of site traffic, the PM peak hour is expected to remain at LOS D while the AM peak hour is expected to drop to LOS F.

With the implementation of the northbound right-turn improvement identified in Phase 1, site impacts are expected to be mitigated. No additional improvements are recommended for capacity reasons due to Phase 3 site traffic.

With the addition of site traffic and the recommended improvements, the northbound left-turn queue is expected to exceed the available storage in both peak hours. In the AM peak hour, the queue is expected to increase to 422'. The recommended Phase 2 turn-lane extension is anticipated to accommodate this queue.

It should be noted that in all future year scenarios in the AM peak hour, the eastbound right-turn, and westbound left-turn lane queuing is expected to exceed the existing storage. In all future year scenarios in the PM peak hour, the northbound left-turn and eastbound left-turn lane queuing is expected to exceed the existing storage. Since the storage of the remaining lanes are exceeded in all future year scenarios and site traffic is not expected to significantly increase queues, extension of these turn lanes by the proposed development is not recommended.

6.2 ROCKY RIVER ROAD AND LOWER ROCKY RIVER ROAD

Table 6.2 summarizes the LOS, control delay and 95th percentile queue lengths at the signalized intersection of Rocky River Road and Lower Rocky River Road.

Table 6.2 - Rocky River Road and Lower Rocky River Road								
Condition	Measure	EB		WB		NB		Intersection
		EBT	EBR	WBL	WBT	NBL	NBR	LOS (Delay)
AM Peak Hour								
2020 Existing	LOS (Delay)	F (100.7)		F (126.3)		F (134.4)		F (120.5)
	Synchro 95th Q	#678'	-	-	#1017'	#521'	#357'	
2023 Background Phase 1	LOS (Delay)	F (230.1)		F (289.8)		F (215.3)		F (251.3)
	Synchro 95th Q	#1053'	-	-	#1458'	#739'	#366'	
2023 Build-out Phase 1	LOS (Delay)	F (237.2)		F (293.9)		F (215.3)		F (255.2)
	Synchro 95th Q	#1095'	-	-	#1470'	#739'	#366'	
2023 Build-out IMP Phase 1	LOS (Delay)	D (46.1)		C (31.7)		D (47.8)		D (40.5)
	Synchro 95th Q	#455'	49'	176'	347'	#385'	118'	
2025 Background Phase 2	LOS (Delay)	F (249.0)		F (312.4)		F (229.8)		F (270.5)
	Synchro 95th Q	#1102'	-	-	#1525'	#765'	#386'	
2025 Build-out Phase 2	LOS (Delay)	F (249.0)		F (324.0)		F (244.4)		F (279.0)
	Synchro 95th Q	#1102'	-	-	#1562'	#765'	#488'	
2025 Build-out IMP Phase 2	LOS (Delay)	D (46.6)		D (38.9)		D (50.1)		D (44.4)
	Synchro 95th Q	454'	54'	#216'	388'	#432'	162'	
2026 Background Phase 3	LOS (Delay)	F (257.8)		F (324.0)		F (237.9)		F (280.3)
	Synchro 95th Q	#1124'	-	-	#1562'	#781'	#398'	
2026 Build-out Phase 3	LOS (Delay)	F (257.8)		F (340.2)		F (259.1)		F (292.4)
	Synchro 95th Q	#1124'	-	-	#1608'	#781'	#524'	
2026 Build-out IMP Phase 3	LOS (Delay)	D (50.0)		D (39.6)		D (53.1)		D (46.6)
	Synchro 95th Q	503'	60'	237'	427'	#473'	184'	
PM Peak Hour								
2020 Existing	LOS (Delay)	D (52.9)		E (73.4)		F (81.1)		E (65.4)
	Synchro 95th Q	#901'	-	-	#446'	223'	#274'	
2023 Background Phase 1	LOS (Delay)	F (154.9)		F (169.4)		F (159.8)		F (159.8)
	Synchro 95th Q	#1676'	-	-	#929'	#525'	#425'	
2023 Build-out Phase 1	LOS (Delay)	F (160.3)		F (185.7)		F (159.8)		F (166.9)
	Synchro 95th Q	#1700'	-	-	#973'	#525'	#425'	
2023 Build-out IMP Phase 1	LOS (Delay)	B (18.4)		B (18.0)		C (29.4)		C (20.7)
	Synchro 95th Q	422'	147'	#171'	154'	235'	135'	
2025 Background Phase 2	LOS (Delay)	F (170.6)		F (184.9)		F (171.9)		F (174.6)
	Synchro 95th Q	#1747'	-	-	#971'	#545'	#445'	
2025 Build-out Phase 2	LOS (Delay)	F (170.6)		F (226.8)		F (191.7)		F (190.9)
	Synchro 95th Q	#1747'	-	-	#1076'	#545'	#512'	
2025 Build-out IMP Phase 2	LOS (Delay)	C (20.3)		C (20.9)		C (31.2)		C (23.0)
	Synchro 95th Q	437'	183'	#225'	145'	#269'	156'	
2026 Background Phase 3	LOS (Delay)	F (178.3)		F (193.2)		F (178.3)		F (182.2)
	Synchro 95th Q	#1781'	-	-	#993'	#556'	#453'	
2026 Build-out Phase 3	LOS (Delay)	F (178.3)		F (244.9)		F (205.3)		F (203.0)
	Synchro 95th Q	#1781'	-	-	#1121'	#556'	#540'	
2026 Build-out IMP Phase 3	LOS (Delay)	C (21.8)		C (21.5)		C (31.5)		C (24.0)
	Synchro 95th Q	#469'	197'	#235'	148'	#277'	160'	
Existing/Background Storage							50'	
Exceeds storage								
# 95th percentile volume exceeds capacity, queue may be longer								

As shown in **Table 6.2**, under 2020 existing conditions, the overall intersection is expected to operate at LOS F and LOS E in the AM and PM peak hours, respectively.

Phase 1

Under 2023 background conditions, the overall intersection is expected to operate at LOS F in both peak hours. It should be noted that the significant increase in LOS and delay from existing to background conditions is due to the addition of approved development traffic. With the addition of site traffic, the intersection is expected to continue to operate at LOS F with increases in delay. Due to these increases in delay, mitigation was considered at this intersection.

To mitigate the impact of site traffic, the following improvements are recommended at this intersection:

- Eastbound right-turn lane along Rocky River Road with a minimum of 200 feet of storage and permitted-overlap phasing.
- Westbound left-turn lane along Rocky River Road with a minimum of 250 feet of storage.
- Implementation of permitted-overlap phasing on the northbound right-turn lane.

With these recommendation in place, the overall intersection is expected to operate at LOS D and LOS C in the AM and PM peak hours, respectively.

Implementation of the eastbound right-turn lane could be limited by several existing conditions at this intersection, including utilities in the southwest quadrant of the intersection, distance between the intersection and Pembroke Road, and graves/headstones on the southside of Rocky River Road. In addition, implementation of the westbound left-turn lane would require widening along Rocky River Road, both east and west of Lower Rocky River Road. If all widening is done to the north side of Rocky River Road, the total linear impact could be 1,000-1,500 feet and could impact driveways to Rocky River Presbyterian Church and the intersection of Rocky River Road and Pharr Mill Road.

The westbound left-turn lane and northbound right-turn permitted-overlap phasing are proposed to be constructed by the Lower Rocky River Road (LRRR) development. They will be required mitigation for this development if not committed by the LRRR development. .

Phase 2

Under 2025 background conditions, both peak hours are expected to operate at LOS F. With the addition of site traffic, the intersection is expected to continue to operate at LOS F with increases in delay.

With the implementation of the Phase 1 improvements, site impacts are expected to be mitigated. No additional improvements are recommended for capacity reasons due to Phase 2 site traffic.

Phase 3

Under 2026 background conditions, both peak hours are expected to operate at LOS F. With the addition of site traffic, the intersection is expected to continue to operate at LOS F with increases in delay.

With the implementation of the Phase 1 improvements, site impacts are expected to be mitigated. No additional improvements are recommended for capacity reasons due to Phase 3 site traffic.

6.3 PEACH ORCHARD ROAD AND LOWER ROCKY RIVER ROAD

Table 6.3 summarizes the LOS, control delay and 95th percentile queue lengths at the unsignalized, stop-controlled intersection of Peach Orchard Road and Lower Rocky River Road.

Table 6.3 - Peach Orchard Road and Lower Rocky River Road				
Condition	Measure	EB	WB	SB
		EBLT	WBTR	SBLR
AM Peak Hour				
2020 Existing	LOS (Delay)	A (1.3)	A (0.0)	B (12.0)
	Synchro 95th Q	1'	0'	9'
2023 Background Phase 1	LOS (Delay)	A (1.0)	A (0.0)	C (15.3)
	Synchro 95th Q	2'	0'	22'
2023 Build-out Phase 1	LOS (Delay)	A (1.0)	A (0.0)	C (16.0)
	Synchro 95th Q	2'	0'	24'
2025 Background Phase 2	LOS (Delay)	A (1.0)	A (0.0)	C (15.7)
	Synchro 95th Q	2'	0'	23'
2025 Build-out Phase 2	LOS (Delay)	A (1.0)	A (0.0)	C (17.7)
	Synchro 95th Q	2'	0'	29'
2026 Background Phase 3	LOS (Delay)	A (1.0)	A (0.0)	C (15.9)
	Synchro 95th Q	2'	0'	24'
2026 Build-out Phase 3	LOS (Delay)	A (1.0)	A (0.0)	C (18.7)
	Synchro 95th Q	2'	0'	32'
PM Peak Hour				
2020 Existing	LOS (Delay)	A (1.5)	A (0.0)	B (13.6)
	Synchro 95th Q	3'	0'	19'
2023 Background Phase 1	LOS (Delay)	A (1.7)	A (0.0)	B (14.1)
	Synchro 95th Q	4'	0'	18'
2023 Build-out Phase 1	LOS (Delay)	A (1.6)	A (0.0)	C (15.3)
	Synchro 95th Q	4'	0'	23'
2025 Background Phase 2	LOS (Delay)	A (1.7)	A (0.0)	B (14.5)
	Synchro 95th Q	4'	0'	20'
2025 Build-out Phase 2	LOS (Delay)	A (1.6)	A (0.0)	C (18.5)
	Synchro 95th Q	4'	0'	35'
2026 Background Phase 3	LOS (Delay)	A (1.7)	A (0.0)	B (14.7)
	Synchro 95th Q	4'	0'	21'
2026 Build-out Phase 3	LOS (Delay)	A (1.6)	A (0.0)	C (20.2)
	Synchro 95th Q	4'	0'	40'

As shown in **Table 6.3**, in both peak hours, with and without site traffic, the stop-controlled southbound approach is expected to operate with short delays. Therefore, no improvements are recommended for capacity purposes in any of the build-out phases.

6.4 HICKORY RIDGE ROAD AND LOWER ROCKY RIVER ROAD

Table 6.4 summarizes the LOS, control delay and 95th percentile queue lengths at the unsignalized, stop-controlled intersection of Hickory Ridge Road and Lower Rocky River Road.

Table 6.4 - Hickory Ridge Road and Lower Rocky River Road					
Condition	Measure	EB	WB	SB	
		EBLT	WBTR	SBLR	SBR
AM Peak Hour					
2020 Existing	LOS (Delay)	A (2.6)	A (0.0)	B (11.3)	
	Synchro 95th Q	3'	0'	7'	-
2023 Background Phase 1	LOS (Delay)	A (6.2)	A (0.0)	D (30.7)	
	Synchro 95th Q	14'	0'	112'	-
2023 Build-out Phase 1	LOS (Delay)	A (6.3)	A (0.0)	E (36.5)	
	Synchro 95th Q	15'	0'	144'	-
2023 Build-out IMP Phase 1	LOS (Delay)	A (6.3)	A (0.0)	C (20.4)	
	Synchro 95th Q	15'	0'	60'	60'
2025 Background Phase 2	LOS (Delay)	A (6.1)	A (0.0)	D (32.1)	
	Synchro 95th Q	15'	0'	117'	-
2025 Build-out Phase 2	LOS (Delay)	A (6.3)	A (0.0)	E (46.2)	
	Synchro 95th Q	16'	0'	177'	-
2025 Build-out IMP Phase 2	LOS (Delay)	A (6.3)	A (0.0)	C (22.2)	
	Synchro 95th Q	16'	0'	67'	67'
2026 Background Phase 3	LOS (Delay)	A (6.1)	A (0.0)	D (33.7)	
	Synchro 95th Q	15'	0'	122'	-
2026 Build-out Phase 3	LOS (Delay)	A (6.4)	A (0.0)	F (56.1)	
	Synchro 95th Q	17'	0'	207'	-
2026 Build-out IMP Phase 3	LOS (Delay)	A (6.4)	A (0.0)	C (23.6)	
	Synchro 95th Q	17'	0'	74'	74'
PM Peak Hour					
2020 Existing	LOS (Delay)	A (2.3)	A (0.0)	C (17.1)	
	Synchro 95th Q	6'	0'	40'	-
2023 Background Phase 1	LOS (Delay)	A (2.1)	A (0.0)	C (16.2)	
	Synchro 95th Q	5'	0'	40'	-
2023 Build-out Phase 1	LOS (Delay)	A (2.8)	A (0.0)	C (18.2)	
	Synchro 95th Q	7'	0'	52'	-
2023 Build-out IMP Phase 1	LOS (Delay)	A (2.8)	A (0.0)	C (15.3)	
	Synchro 95th Q	7'	0'	32'	32'
2025 Background Phase 2	LOS (Delay)	A (2.1)	A (0.0)	C (17.0)	
	Synchro 95th Q	5'	0'	43'	-
2025 Build-out Phase 2	LOS (Delay)	A (3.0)	A (0.0)	C (21.8)	
	Synchro 95th Q	9'	0'	68'	-
2025 Build-out IMP Phase 2	LOS (Delay)	A (3.0)	A (0.0)	C (17.3)	
	Synchro 95th Q	9'	0'	41'	41'
2026 Background Phase 3	LOS (Delay)	A (2.1)	A (0.0)	C (17.3)	
	Synchro 95th Q	5'	0'	45'	-
2026 Build-out Phase 3	LOS (Delay)	A (3.1)	A (0.0)	C (24.0)	
	Synchro 95th Q	10'	0'	79'	-
2026 Build-out IMP Phase 3	LOS (Delay)	A (3.1)	A (0.0)	C (18.4)	
	Synchro 95th Q	10'	0'	46'	46'

As shown in **Table 6.4**, under 2020 existing conditions, the stop-controlled southbound approach of Hickory Ridge Road is expected to operate with short delays in both peak hours.

Phase 1

Under 2023 background conditions, the stop-controlled, southbound approach is expected to operate at LOS D and LOS C in the AM and PM peak hours, respectively. With the addition of site traffic, the stop-controlled southbound approach is expected to drop to LOS E in the AM peak hour.

Due to this drop in LOS, a southbound right-turn lane with 100 feet of storage is recommended. With the implementation of this turn-lane, the stop-controlled, southbound approach is expected to operate at LOS C with short delays in both peak hours.

Phase 2

Under 2025 background conditions, the AM and PM peak hours are expected to operate at LOS D and LOS C, respectively. With the addition of site traffic, the stop-controlled southbound approach is expected to drop to LOS E in the AM peak hour.

With the implementation of the Phase 1 improvements, site impacts are expected to be mitigated. No additional improvements are recommended for capacity reasons due to Phase 2 site traffic.

Phase 3

Under 2026 background conditions, the AM and PM peak hours are expected to operate at LOS D and LOS C, respectively. With the addition of site traffic, the stop-controlled southbound approach is expected to drop to LOS F in the AM peak hour.

With the implementation of the Phase 1 improvements, site impacts are expected to be mitigated. No additional improvements are recommended for capacity reasons due to Phase 3 site traffic.

6.5 MORRISON ROAD AND LOWER ROCKY RIVER ROAD

Table 6.5 summarizes the LOS, control delay and 95th percentile queue lengths at the unsignalized, stop-controlled intersection of Morrison Road and Lower Rocky River Road.

Table 6.5 - Morrison Road and Lower Rocky River Road					
Condition	Measure	WB	NB		SB
		WBLR	NBTR	NBR	SBLT
AM Peak Hour					
2020 Existing	LOS (Delay)	B (12.9)	A (0.0)		A (0.6)
	Synchro 95th Q	29'	0'	-	1'
2023 Background Phase 1	LOS (Delay)	C (19.0)	A (0.0)		A (0.6)
	Synchro 95th Q	85'	0'	-	1'
2023 Build-out Phase 1	LOS (Delay)	C (18.9)	A (0.0)		A (0.6)
	Synchro 95th Q	84'	0'	-	1'
2025 Background Phase 2	LOS (Delay)	C (18.5)	A (0.0)		A (0.1)
	Synchro 95th Q	82'	0'	-	0'
2025 Build-out Phase 2	LOS (Delay)	D (27.3)	A (0.0)		A (1.4)
	Synchro 95th Q	127'	0'	-	3'
2025 Build-out IMP Phase 2	LOS (Delay)	C (22.3)	A (0.0)		A (1.4)
	Synchro 95th Q	104'	0'	0'	3'
2026 Background Phase 3	LOS (Delay)	C (20.3)	A (0.0)		A (0.6)
	Synchro 95th Q	94'	0'	-	1'
2026 Build-out Phase 3	LOS (Delay)	D (30.4)	A (0.0)		A (1.5)
	Synchro 95th Q	142'	0'	-	3'
2026 Build-out IMP Phase 3	LOS (Delay)	C (24.2)	A (0.0)		A (1.5)
	Synchro 95th Q	115'	0'	0'	3'
PM Peak Hour					
2020 Existing	LOS (Delay)	B (13.2)	A (0.0)		A (0.3)
	Synchro 95th Q	18'	0'	-	0'
2023 Background Phase 1	LOS (Delay)	B (13.4)	A (0.0)		A (0.3)
	Synchro 95th Q	21'	0'	-	0'
2023 Build-out Phase 1	LOS (Delay)	B (13.6)	A (0.0)		A (0.3)
	Synchro 95th Q	23'	0'	-	0'
2025 Background Phase 2	LOS (Delay)	B (13.8)	A (0.0)		A (0.3)
	Synchro 95th Q	23'	0'	-	0'
2025 Build-out Phase 2	LOS (Delay)	B (15.0)	A (0.0)		A (0.5)
	Synchro 95th Q	28'	0'	-	1'
2025 Build-out IMP Phase 2	LOS (Delay)	B (13.5)	A (0.0)		A (0.5)
	Synchro 95th Q	24'	0'	0'	1'
2026 Background Phase 3	LOS (Delay)	B (14.0)	A (0.0)		A (0.3)
	Synchro 95th Q	24'	0'	-	0'
2026 Build-out Phase 3	LOS (Delay)	C (15.5)	A (0.0)		A (0.5)
	Synchro 95th Q	31'	0'	-	1'
2026 Build-out IMP Phase 3	LOS (Delay)	B (13.9)	A (0.0)		A (0.5)
	Synchro 95th Q	26'	0'	0'	1'

As shown in **Table 6.5**, in both peak hours, the stop-controlled westbound approach is expected to operate with short delays.

Phase 1

Under 2023 background conditions, the overall intersection is anticipated to operate at LOS C and B in the AM and PM peak hours, respectively. With the addition of the site traffic, both peak hours are expected to continue to operate at the same LOS as the background conditions. Therefore, no improvements are recommended at this intersection for capacity reasons due to Phase 1 site traffic.

Phase 2

Under 2025 background conditions, the overall intersection is anticipated to operate at LOS C and B in the AM and PM peak hours, respectively. With the addition of the site traffic, the stop-controlled, westbound approach is expected to drop to LOS D in the AM peak hour.

Due to this drop in LOS, a northbound right-turn lane with 100 feet of storage was considered. With this improvement in place, the westbound approach is expected to return to LOS C with short delays in the AM peak hour. However, based on coordination with the agencies and the projected operations without the turn lane, this lane will not be a responsibility of Phase 2 of the proposed development.

Phase 3

Under 2026 background conditions, the overall intersection is expected to operate at LOS C and LOS B in the AM and PM peak hours, respectively. With the addition of the site traffic, the AM peak hour is expected to drop to LOS D and the PM peak hour is expected to drop to LOS C.

Due to the drops in LOS, a northbound right-turn lane with 100 feet of storage was also considered for this Phase. With the implementation this improvement, the westbound approach is expected to return to LOS C and LOS B with short delays in the AM and PM peak hours, respectively. However, based on coordination with the agencies and the projected operations without the turn lane, this lane will not be a responsibility of Phase 3 of the proposed development.

6.6 HICKORY RIDGE ROAD AND SCHOOL DRIVE 1

Table 6.6 summarizes the LOS, control delay and 95th percentile queue lengths at the future roundabout intersection of Hickory Ridge Road and School Drive 1.

Table 6.6 - Hickory Ridge and School Drive 1								
Condition	Measure	EB		NB		SB		Intersection
		EBL	EBR	NBL	NBT	SBT	SBR	LOS (Delay)
AM Peak Hour								
2023 Background Phase 1	LOS (Delay)	B (13.6)		C (16.9)		B (10.8)		B (13.1)
	Synchro 95th Q	245'	245'	-	175'	24'	215'	
2023 Build-out Phase 1	LOS (Delay)	B (14.2)		C (19.8)		B (10.7)		B (14.1)
	Synchro 95th Q	263'	263'	-	225'	26'	215'	
2025 Background Phase 2	LOS (Delay)	B (13.8)		C (17.5)		B (10.8)		B (13.3)
	Synchro 95th Q	253'	253'	-	185'	25'	215'	
2025 Build-out Phase 2	LOS (Delay)	B (14.9)		C (23.7)		B (10.7)		C (15.4)
	Synchro 95th Q	282'	282'	-	292'	29'	215'	
2025 Build-out IMP Phase 2	LOS (Delay)	B (14.9)		A (8.8)		B (10.7)		B (11.5)
	Synchro 95th Q	282'	282'	31'	64'	29'	215'	
2026 Background Phase 3	LOS (Delay)	B (14.0)		C (17.7)		B (10.7)		B (13.4)
	Synchro 95th Q	258'	258'	-	190'	26'	215'	
2026 Build-out Phase 3	LOS (Delay)	C (15.3)		D (26.4)		B (10.6)		C (16.2)
	Synchro 95th Q	290'	290'	-	338'	30'	215'	
2026 Build-out IMP Phase 3	LOS (Delay)	C (15.3)		A (9.2)		B (10.6)		B (11.7)
	Synchro 95th Q	290'	290'	31'	74'	30'	215'	
PM Peak Hour								
2023 Background Phase 1	LOS (Delay)	A (4.2)		A (4.0)		A (3.6)		A (3.8)
	Synchro 95th Q	12'	12'	-	15'	15'	7'	
2023 Build-out Phase 1	LOS (Delay)	A (4.5)		A (4.2)		A (3.9)		A (4.1)
	Synchro 95th Q	13'	13'	-	19'	21'	7'	
2025 Background Phase 2	LOS (Delay)	A (4.2)		A (4.0)		A (3.6)		A (3.8)
	Synchro 95th Q	12'	12'	-	15'	15'	7'	
2025 Build-out Phase 2	LOS (Delay)	A (4.7)		A (4.4)		A (4.2)		A (4.3)
	Synchro 95th Q	14'	14'	-	22'	26'	7'	
2025 Build-out IMP Phase 2	LOS (Delay)	A (4.7)		A (3.9)		A (4.2)		A (4.2)
	Synchro 95th Q	14'	14'	2'	17'	26'	7'	
2026 Background Phase 3	LOS (Delay)	A (4.2)		A (4.0)		A (3.6)		A (3.9)
	Synchro 95th Q	13'	13'	-	15'	16'	7'	
2026 Build-out Phase 3	LOS (Delay)	A (4.8)		A (4.5)		A (4.3)		A (4.5)
	Synchro 95th Q	14'	14'	-	24'	29'	7'	
2026 Build-out IMP Phase 3	LOS (Delay)	A (4.8)		A (4.0)		A (4.3)		A (4.3)
	Synchro 95th Q	14'	14'	2'	18'	29'	7'	
Existing/Background Storage							300'	

Phase 1

As shown in **Table 6.6**, under 2023 background conditions, the overall intersection is anticipated to operate at LOS B and LOS A in the AM and PM peak hours, respectively. With the addition of site traffic, both peak hours are anticipated to continue to operate at their respective LOS from the background conditions. Therefore, no improvements are recommended at this intersection for capacity purposes due to Phase 1 site traffic.

Phase 2

Under 2025 background conditions, the overall intersection is expected to operate at LOS B and LOS A in the AM and PM peak hours, respectively. With the addition of site traffic, the PM peak hour is anticipated to continue to operate at LOS A while the AM peak hour is expected to drop to LOS C.

To mitigate site impacts, a northbound left-turn lane with 100 feet of storage is recommended. With this improvement in place, the overall intersection is expected to return to LOS B.

The addition of the northbound left-turn lane will require modification of the existing mini roundabout to a full roundabout. Design of these roundabout upgrades should be coordinated with NCDOT and Town staff.

Phase 3

Under 2026 background conditions, the overall intersection is expected to operate at LOS B and LOS A in the AM and PM peak hours, respectively. With the addition of site traffic, the PM peak hour is anticipated to continue to operate at LOS A while the AM peak hour is expected to drop to LOS C. Further, the northbound approach is expected to drop to LOS D in the AM peak hour.

With the implementation of the northbound left-turn lane improvement identified in Phase 2, site impacts are expected to be mitigated. No additional improvements are recommended for capacity reasons due to Phase 3 site traffic.

6.7 HICKORY RIDGE ROAD AND SCHOOL DRIVE 2

Table 6.7 summarizes the LOS, control delay and 95th percentile queue lengths at the future unsignalized, stop-controlled intersection of Hickory Ridge Road and School Drive 2.

Table 6.7 - Hickory Ridge Road and School Drive 2						
Condition	Measure	EB		NB		SB
		EBL	EBR	NBL	NBT	SBTR
AM Peak Hour						
2023 Background Phase 1	LOS (Delay)	B (13.9)		A (0.2)		A (0.0)
	Synchro 95th Q	2'	1'	1'	0'	0'
2023 Build-out Phase 1	LOS (Delay)	B (14.5)		A (0.2)		A (0.0)
	Synchro 95th Q	2'	1'	1'	0'	0'
2025 Background Phase 2	LOS (Delay)	B (14.1)		A (0.2)		A (0.0)
	Synchro 95th Q	2'	1'	1'	0'	0'
2025 Build-out Phase 2	LOS (Delay)	C (15.2)		A (0.1)		A (0.0)
	Synchro 95th Q	2'	1'	1'	0'	0'
2026 Background Phase 3	LOS (Delay)	B (14.2)		A (0.2)		A (0.0)
	Synchro 95th Q	2'	1'	1'	0'	0'
2026 Build-out Phase 3	LOS (Delay)	C (15.5)		A (0.1)		A (0.0)
	Synchro 95th Q	3'	1'	1'	0'	0'
PM Peak Hour						
2023 Background Phase 1	LOS (Delay)	B (10.1)		A (0.2)		A (0.0)
	Synchro 95th Q	0'	0'	0'	0'	0'
2023 Build-out Phase 1	LOS (Delay)	B (10.7)		A (0.2)		A (0.0)
	Synchro 95th Q	1'	0'	0'	0'	0'
2025 Background Phase 2	LOS (Delay)	B (10.2)		A (0.2)		A (0.0)
	Synchro 95th Q	0'	0'	0'	0'	0'
2025 Build-out Phase 2	LOS (Delay)	B (11.2)		A (0.1)		A (0.0)
	Synchro 95th Q	1'	0'	0'	0'	0'
2026 Background Phase 3	LOS (Delay)	B (10.2)		A (0.2)		A (0.0)
	Synchro 95th Q	0'	0'	0'	0'	0'
2026 Build-out Phase 3	LOS (Delay)	B (11.5)		A (0.1)		A (0.0)
	Synchro 95th Q	1'	0'	0'	0'	0'
Existing/Background Storage		150'		150'		

Phase 1

As shown in **Table 6.7**, under 2023 background conditions, the stop-controlled, eastbound approach is anticipated to operate at LOS B in both peak hours with short delays. With the addition of site traffic, both peak hours are anticipated to continue to operate at LOS B with short delays. Therefore, no improvements are recommended at this intersection for capacity purposes due to Phase 1 site traffic.

Phase 2

Under 2025 background conditions, the stop-controlled, eastbound approach is expected to operate at LOS B with short delays in both peak hours. With the addition of site traffic, the AM peak

hour is expected to drop to LOS C. However, this drop in LOS is due to an increase of 1.1 seconds of delay. Therefore, no improvements are recommended at this intersection for capacity purposes due to Phase 2 site traffic.

Phase 3

Under 2026 background conditions, the stop-controlled, eastbound approach is expected to operate at LOS B with short delays in both peak hours. With the addition of site traffic, the AM peak hour is expected to drop to LOS C. However, this drop in LOS is due to an increase of 1.3 seconds of delay. Therefore, no improvements are recommended at this intersection for capacity purposes due to Phase 3 site traffic.

6.8 HICKORY RIDGE ROAD AND ACCESS 1

Table 6.8 summarizes the LOS, control delay and 95th percentile queue lengths at the proposed unsignalized, stop-controlled intersection of Hickory Ridge Road and Access 1.

Table 6.8 - Hickory Ridge Road and Access 1				
Condition	Measure	WB	NB	SB
		WBLR	NBT	SBT
AM Peak Hour				
2023 Build-out Phase 1	LOS (Delay)	B (12.0)	A (0.0)	A (0.2)
	Synchro 95th Q	4'	0'	0'
2025 Build-out Phase 2	LOS (Delay)	B (13.0)	A (0.0)	A (0.3)
	Synchro 95th Q	7'	0'	1'
2026 Build-out Phase 3	LOS (Delay)	B (13.5)	A (0.0)	A (0.3)
	Synchro 95th Q	10'	0'	1'
PM Peak Hour				
2023 Build-out Phase 1	LOS (Delay)	B (10.2)	A (0.0)	A (0.8)
	Synchro 95th Q	2'	0'	1'
2025 Build-out Phase 2	LOS (Delay)	B (10.9)	A (0.0)	A (0.8)
	Synchro 95th Q	3'	0'	1'
2026 Build-out Phase 3	LOS (Delay)	B (11.4)	A (0.0)	A (1.0)
	Synchro 95th Q	5'	0'	2'

As shown in **Table 6.8**, the stop-controlled site access is expected to operate with short delays in both peak hours in all build-out phases. Therefore, no improvements are recommended for capacity purposes in any build-out phase.

Based on the anticipated queues on the westbound approach, an internal protected stem of 100 feet is recommended.

6.9 HICKORY RIDGE ROAD AND ACCESS 2

Table 6.9 summarizes the LOS, control delay and 95th percentile queue lengths at the proposed unsignalized, stop-controlled intersection of Hickory Ridge Road and Access 2.

Table 6.9 - Hickory Ridge Road and Access 2				
Condition	Measure	WB	NB	SB
		WBLR	NBTR	SBLT
AM Peak Hour				
2023 Build-out Phase 1	LOS (Delay)	B (12.1)	A (0.0)	A (0.4)
	Synchro 95th Q	9'	0'	1'
2025 Build-out Phase 2	LOS (Delay)	B (12.2)	A (0.0)	A (0.8)
	Synchro 95th Q	13'	0'	1'
2026 Build-out Phase 3	LOS (Delay)	B (12.7)	A (0.0)	A (1.0)
	Synchro 95th Q	18'	0'	2'
PM Peak Hour				
2023 Build-out Phase 1	LOS (Delay)	B (10.3)	A (0.0)	A (1.6)
	Synchro 95th Q	4'	0'	2'
2025 Build-out Phase 2	LOS (Delay)	B (10.5)	A (0.0)	A (2.5)
	Synchro 95th Q	7'	0'	4'
2026 Build-out Phase 3	LOS (Delay)	B (10.9)	A (0.0)	A (2.9)
	Synchro 95th Q	9'	0'	5'

As shown in **Table 6.9**, the stop-controlled site access is expected to operate with short delays in both peak hours in all build-out phases. Therefore, no improvements are recommended for capacity purposes in any build-out phase.

Based on the anticipated queues on the westbound approach, an internal protected stem of 100 feet is recommended.

6.10 LOWER ROCKY RIVER ROAD AND ACCESS 3

Table 6.10 summarizes the LOS, control delay and 95th percentile queue lengths at the proposed unsignalized, stop-controlled intersection of Lower Rocky River Road and Access 3. This access point is proposed to be operational in Phase 2 and Phase 3 of the development

Table 6.10 - Lower Rocky River Road and Access 3				
Condition	Measure	EB	NB	SB
		EBLR	NBLT	SBTR
AM Peak Hour				
2025 Build-out Phase 2	LOS (Delay)	B (11.1)	A (0.0)	A (0.0)
	Synchro 95th Q	6'	0'	0'
2026 Build-out Phase 3	LOS (Delay)	B (11.3)	A (0.0)	A (0.0)
	Synchro 95th Q	7'	0'	0'
PM Peak Hour				
2025 Build-out Phase 2	LOS (Delay)	B (11.4)	A (0.0)	A (0.0)
	Synchro 95th Q	4'	0'	0'
2026 Build-out Phase 3	LOS (Delay)	B (11.6)	A (0.0)	A (0.0)
	Synchro 95th Q	5'	0'	0'

As shown in **Table 6.10**, the stop-controlled site access is expected to operate with short delays upon build-out in both peak hours. Therefore, no improvements are recommended for capacity purposes in any build-out phase.

Based on the anticipated queues on the eastbound approach, an internal protected stem of 100 feet is recommended.

6.11 LOWER ROCKY RIVER ROAD AND ACCESS 4

Table 6.11 summarizes the LOS, control delay and 95th percentile queue lengths at the proposed unsignalized, stop-controlled intersection of Lower Rocky River Road and Access 4. This access point is proposed to be operational in Phase 2 and Phase 3 of the development.

Table 6.11 - Lower Rocky River Road and Access 4				
Condition	Measure	EB	NB	SB
		EBLR	NBLT	SBTR
AM Peak Hour				
2025 Build-out Phase 2	LOS (Delay)	A (9.8)	A (1.0)	A (0.0)
	Synchro 95th Q	5'	1'	0'
2026 Build-out Phase 3	LOS (Delay)	A (9.9)	A (1.2)	A (0.0)
	Synchro 95th Q	6'	1'	0'
PM Peak Hour				
2025 Build-out Phase 2	LOS (Delay)	A (9.0)	A (1.4)	A (0.0)
	Synchro 95th Q	3'	3'	0'
2026 Build-out Phase 3	LOS (Delay)	A (9.1)	A (1.7)	A (0.0)
	Synchro 95th Q	3'	3'	0'

As shown in **Table 6.11**, the stop-controlled site access is expected to operate with short delays upon build-out in both peak hours. Therefore, no improvements are recommended for capacity purposes in any build-out phase.

Based on the anticipated queues on the eastbound approach, an internal protected stem of 100 feet is recommended.

7.0 Auxiliary Turn Lane Warrants

Warrants for additional turn-lane improvements for unsignalized intersection beyond those necessary for capacity were determined based on a review of the figure titled 'Warrant for Left and Right-Turn Lanes' found on page 80 in the *NCDOT Policy On Street And Driveway Access to North Carolina Highways*. The results of the warrants for left and right-turn lanes under background and build-out conditions are summarized by intersection below and included in the **Appendix**.

Lower Rocky River Road and Peach Orchard Road

2023 Background Conditions

- Westbound right-turn lane along Lower Rocky River Road with a minimum storage length of 75 feet
- Eastbound left-turn lane along Lower Rocky River Road with a minimum storage length of 75 feet

2023 Build Conditions

- Westbound right-turn lane along Lower Rocky River Road with a minimum storage length of 75 feet
- Eastbound left-turn lane along Lower Rocky River Road with a minimum storage length of 75 feet

2025 Background Conditions

- Westbound right-turn lane along Lower Rocky River Road with a minimum storage length of 75 feet
- Eastbound left-turn lane along Lower Rocky River Road with a minimum storage length of 75 feet

2025 Build Conditions

- Westbound right-turn lane along Lower Rocky River Road with a minimum storage length of 75 feet
- Eastbound left-turn lane along Lower Rocky River Road with a minimum storage length of 75 feet

2026 Background Conditions

- Westbound right-turn lane along Lower Rocky River Road with a minimum storage length of 75 feet
- Eastbound left-turn lane along Lower Rocky River Road with a minimum storage length of 75 feet

2026 Build Conditions

- Westbound right-turn lane along Lower Rocky River Road with a minimum storage length of 75 feet
- Eastbound left-turn lane along Lower Rocky River Road with a minimum storage length of 75 feet

Since both turn lanes are warranted in both background and build-out conditions, no auxiliary turn lanes are recommended to be constructed by the proposed development.

Lower Rocky River Road and Hickory Ridge Road

2023 Background Conditions

- Westbound right-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet

- Eastbound left-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet

2023 Build Conditions

- Westbound right-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet
- Eastbound left-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet

2025 Background Conditions

- Westbound right-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet
- Eastbound left-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet

2025 Build Conditions

- Westbound right-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet
- Eastbound left-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet

2026 Background Conditions

- Westbound right-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet
- Eastbound left-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet

2026 Build Conditions

- Westbound right-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet
- Eastbound left-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet

Since both turn lanes are warranted in both background and build-out conditions, no auxiliary turn lanes are recommended to be constructed by the proposed development.

Lower Rocky River Road and Morrison Road

2023 Background Conditions

- Northbound right-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet

2023 Build Conditions

- Northbound right-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet

2025 Background Conditions

- Northbound right-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet

2025 Build Conditions

- Northbound right-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet

2026 Background Conditions

- Northbound right-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet

2026 Build Conditions

- Northbound right-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet

As outlined in **Section 6.5**, a northbound right-turn lane with 100 feet of storage is recommended at this intersection for capacity purposes. Based on the auxiliary turn-lane warrants, this storage length is anticipated to accommodate future queues.

Hickory Ridge Road and Access 1**2026 Build Conditions**

- Northbound right-turn lane along Hickory Ridge Road with a minimum storage length of 50 feet
- Southbound left-turn lane along Hickory Ridge Road with a minimum storage length of 50 feet

A minimum storage length of 100 feet is typically required for auxiliary turn lanes by NCDOT. Therefore, a southbound left-turn lane and a northbound right-turn lane each with a minimum of 100 feet of storage are recommended.

Based on coordination with the Town and NCDOT staff, these turn lanes should be constructed in Phase 1 of the development.

Hickory Ridge Road and Access 2**2023 Build Conditions**

- Southbound left-turn lane along Hickory Ridge Road with a minimum storage length of 50 feet

2025 Build Conditions

- Southbound left-turn lane along Hickory Ridge Road with a minimum storage length of 75 feet

2026 Build Conditions

- Northbound right-turn lane along Hickory Ridge Road with a minimum storage length of 50 feet
- Southbound left-turn lane along Hickory Ridge Road with a minimum storage length of 75 feet

A minimum storage length of 100 feet is typically required for auxiliary turn lanes by NCDOT. Therefore, a southbound left-turn lane with a minimum of 100 feet of storage is recommended for Phase 1 of the development.

A northbound right-turn lane with a minimum of 100 feet of storage is recommended for Phase 3 of the development. Based on coordination with the Town and NCDOT staff, this turn lanes should be constructed in Phase 1 of the development.

Lower Rocky River Road and Access 3**2025 Build Conditions**

- Southbound right-turn lane along Lower Rocky River Road with a minimum storage length of 50 feet

2026 Build Conditions

- Southbound right-turn lane along Lower Rocky River Road with a minimum storage length of 50 feet

A minimum storage length of 100 feet is typically required for auxiliary turn lanes by NCDOT. Therefore, a southbound right-turn lane with a minimum of 100 feet of storage is recommended for Phase 2 site traffic.

Lower Rocky River Road and Access 4**2025 Build Conditions**

- Northbound left-turn lane along Lower Rocky River Road with a minimum storage length of 50 feet

2026 Build Conditions

- Northbound left-turn lane along Lower Rocky River Road with a minimum storage length of 50 feet

A minimum storage length of 100 feet is typically required for auxiliary turn lanes by NCDOT. Therefore, a northbound left-turn lane with a minimum of 100 feet of storage is recommended for Phase 2 site traffic.

8.0 Crash Data Analysis

Crash data was obtained at study intersections for crashes that occurred between November 1, 2017 and October 31, 2020. Over this three-year period, 19 total crashes were reported at the five study intersections. The breakdown of crashes at these five study intersections by severity, frequency, and accident type can be seen the tables below.

Table 8.1 – Crash Severity Summary

Crash Type	Number of Crashes
Fatal Crashes	0
Class A	1
Class B	0
Class C	6
Property Damage Only	12
Total	19

Table 8.1 above displays the total number of crashes by severity type from most to least severe. As shown, there were no fatal crashes reported in the study area intersections over the past three years. There was one Class A crash reported. ‘Class A’ incidents are crashes in which serious injury is suspected, which can include significant loss of blood or broken bones. ‘Class B’ incidents are crashes in which minor injury is suspected, such as bruises or minor cuts. There were no Class B crash types within the study area reported over the three years. There were 6 ‘Class C’ crashes reported, which are defined as crashes wherein possible injuries occur. Possible injuries are injuries reported by the person or indicated by his/her behavior, but no wounds or injuries are physically present, such as limping or complaint of neck pain. There were 12 crashes in which only property damage occurred, meaning no injury was reported in 63% of the recorded crashes at the study intersections.

Table 8.2 – Accident Frequency Summary

Location	Crashes/100 MEV
Rocky River Road and Hickory Ridge Road	21.34
Rocky River Road and Lower Rocky River Road	76.69
Peach Orchard Road and Lower Rocky River Road	50.68
Hickory Ridge Road and Lower Rocky River Road	19.84
Morrison Road and Lower Rocky River Road	20.75
Average	39.95

Shown in **Table 8.2** are the accident frequency rates for each study intersection, reported in crashes per 100 million entering vehicles (MEV). Their rates resulted in a weighted average crash rate of 39.95 crashes per 100 MEV, with the highest rate occurring at the intersection of Rocky River Road and Lower Rocky River Road.

Table 8.3 – Accident Type Summary

Crash Type	Rocky River Road and Hickory Ridge Road	Rocky River Road and Lower Rocky River Road	Peach Orchard Road and Lower Rocky River Road	Hickory Ridge Road and Lower Rocky River Road	Morrison Road and Lower Rocky River Road
Angle	2		2		
Animal	1	1			
Fixed Object		1			
Left-Turn, Different Roadways					1
Left-Turn, Same Roadway		2			
Other Non-Collision				1	
Ran off Road - Straight		1			
Ran off Road - Right		1			
Rear End, Slow or Stop	1	4			
Sideswipe, Opposite Direction			1		
Total	4	10	3	1	1

As seen in **Table 8.3**, at the five study intersections, the most common crash type was a rear end caused by slowing or stopping, with 26% of crashes. This crash type is often associated with mainline traffic along a corridor with unsignalized turning movements with the lack of turn lanes onto side-streets. The second most common crash type was an angle collision.

9.0 Mitigation Improvements

Based on the capacity analyses performed at each of the identified study intersections, the following improvements have been identified to mitigate the impact of the proposed development on the adjacent street network:

Hickory Ridge Road and Rocky River Road

Phase 1

- Construction of a northbound right-turn lane along Hickory Ridge Road with a minimum of 100 feet of storage.

Phase 2

- Extension of the northbound left-turn lane to provide 425 feet of storage.

Rocky River Road and Lower Rocky River Road

Phase 1

- Construction of an eastbound right-turn lane along Rocky River Road with a minimum of 200 feet of storage and permitted overlap phasing.

Westbound left-turn lane and northbound right-turn permitted-overlap phasing are proposed to be constructed by the Lower Rocky River Road (LRRR) development. They will be required mitigation for this development if not committed by the LRRR development.

Hickory Ridge Road and Lower Rocky River Road

Phase 1

- Construction of a southbound right-turn lane along Hickory Ridge Road with a minimum of 100 feet of storage.

Hickory Ridge Road and School Drive 1

Phase 2

- Construction of a northbound left-turn lane along Hickory Ridge Road with a minimum of 100 feet of storage.

The addition of the northbound left-turn lane will require modification of the existing mini roundabout to a full roundabout. Design of these roundabout upgrades should be coordinated with NCDOT and Town staff.

Hickory Ridge Road and Access 1

Phase 1

- Construction of the westbound approach with one ingress & one egress lane and an internal protected stem of 100 feet.
- Construction of a northbound right-turn lane along Hickory Ridge Road with a minimum storage length of 100 feet.
- Construction of a southbound left-turn lane along Hickory Ridge Road with a minimum storage length of 100 feet.

Hickory Ridge Road and Access 2**Phase 1**

- Construction of the westbound approach with one ingress & one egress lane and an internal protected stem of 100 feet.
- Construction of a southbound left-turn lane along Hickory Ridge Road with a minimum storage length of 100 feet.
- Construction of a northbound right-turn lane along Hickory Ridge Road with a minimum storage length of 100 feet.

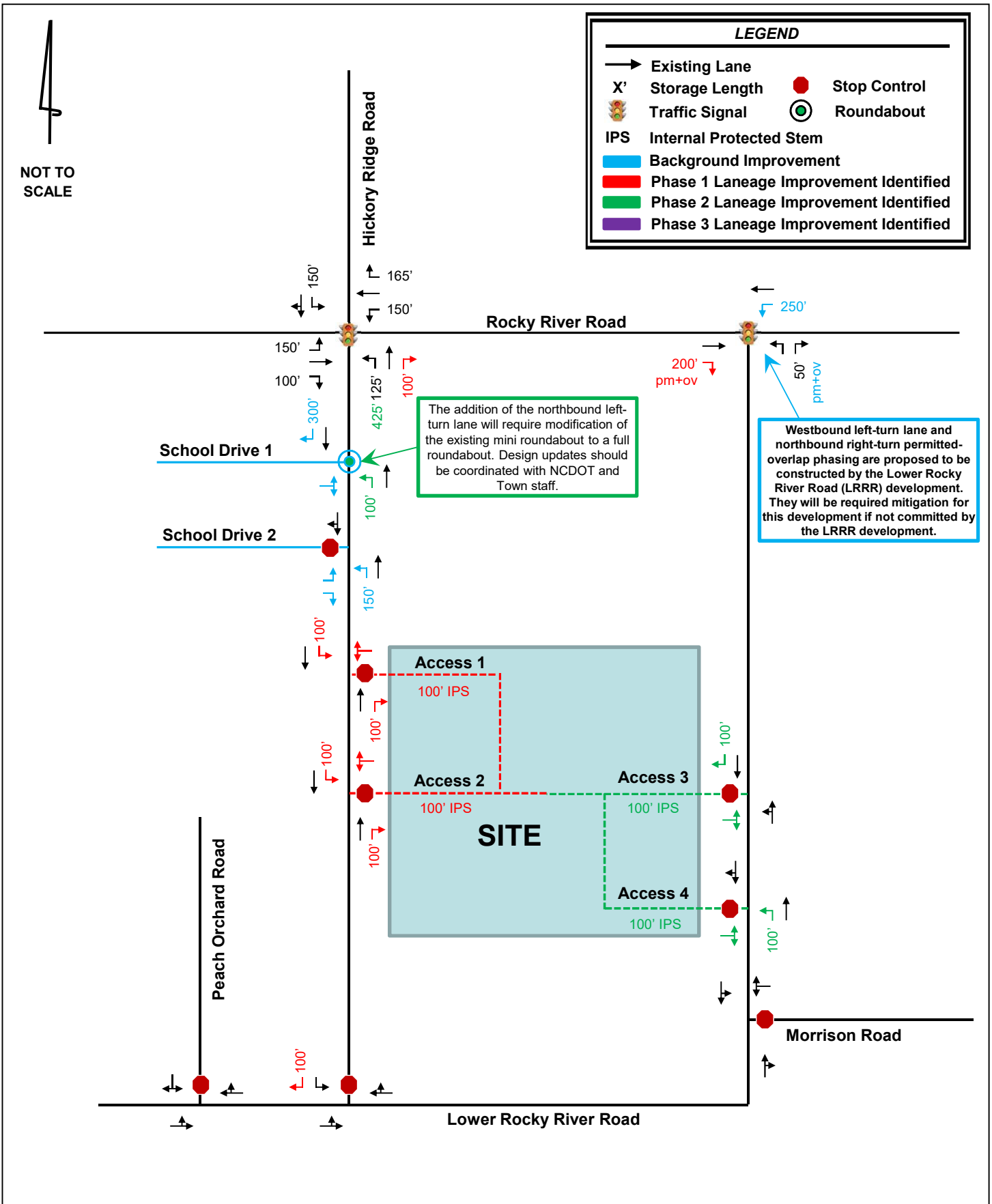
Lower Rocky River Road and Access 3**Phase 2**

- Construction of the eastbound approach with one ingress & one egress lane and an internal protected stem of 100 feet.
- Construction of a southbound right-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet.

Lower Rocky River Road and Access 4**Phase 2**

- Construction of the eastbound approach with one ingress & one egress lane and an internal protected stem of 100 feet.
- Construction of a northbound left-turn lane along Lower Rocky Road with a minimum storage length of 100 feet.

The mitigation improvement identified within the study area are shown in **Figure 9.1**. The improvements shown on this figure are subject to approval by NCDOT and the Town of Harrisburg. All additions and attachments to the State and Town roadway system shall be properly permitted, designed and constructed in conformance to standards maintained by the agencies.



APPENDIX

December 21, 2020

Bridget Grant

Land Use and Development Consultant

Moore&VanAllen

100 North Tryon Street

Suite 4700

Charlotte, NC 28202

Blackwelder Hill Site – Hickory Ridge

Dear Bridget,

As a follow up to our discussion regarding habitat assessment for the rare Crested Coral-root Orchid, I investigated the Hickory Ridge site on November 2 to observe current site conditions.

My recent assessment, along with information from my original site survey in 1998, confirms that the area on the Blackwelder Hill portion of the Hickory Ridge Site that may have potential habitat for Crested Coral-root is the least disturbed portion of a steep, western facing slope above a stream as indicated in Figure 1 (attached). The site has historically been impacted by past land use, primarily timber harvesting and cattle farming, leaving only portions of the steepest slopes relatively undisturbed. Cattle are very destructive to the natural flora of the forest floor. Primary impacts include eating the tops of plants, damaging roots and important sub-soil biota by trampling, soil compaction, and erosion. Impacts to natural habitats from cattle are virtually irreversible.

Hexalectris spicata / Crested Coral-root - A brief life history of the species and its habitat requirements:

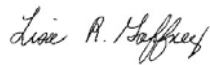
This unusual native orchid is an inhabitant of semi-dry pine/oak communities throughout the southern and central US, most often where there is a layer of limestone just beneath the surface. It requires circumneutral or calcareous soils. It is only seen occasionally within its range, and the flowering stems are the only portion of the plant seen above ground; detectable only in July-August in the NC Piedmont. The plant bears no leaves and exists as an annulated rhizome under the soil surface for most of its life. Having no chlorophyll, this species is entirely dependent on obtaining nutrients gathered from specific mycorrhizae in the soil. The plants are seen sporadically within their habitat, probably resting for a year (or several) to regain strength from their associated fungi before making the effort again to flower.

Summary of Findings:

The entire Hickory Ridge site, including Blackwelder Hill has historically been impacted by extensive farming and timbering. The western slope of Blackwelder Hill is the least impacted because of the steeper incline which inhibited disturbances, including routine access by the cattle.

The very specific habitat requirements for Crested Coral-root limit its range of occurrence. It is particularly sensitive to soil disturbance because of its dependence on sub-surface fungi. These fungi infect the roots of other plants, forming a network of nutrients funneled from one plant to another in a complex "nutrient highway" beneath the forest floor. Because of this delicate relationship, Crested Coral-root cannot exist if the habitat is disturbed. For this reason, potential habitat for the orchid is limited to the steep, least disturbed areas on the slope as indicated.

Respectfully submitted,



Lisa R. Gaffney
Biologist/Botanist

Cc: Marty Davis
Mark Kime
Len Rindner



PETITION REQUESTING ANNEXATION

DATE: February 7, 2020

TO THE TOWN COUNCIL OF THE TOWN OF HARRISBURG

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the Town of Harrisburg.

2. The area to be annexed is:

☐ CONTIGUOUS

☒ NON-CONTIGUOUS

to the Town of Harrisburg and the boundaries of such territory are:

☒ ATTACHED

☐ DESCRIBED AS FOLLOWS:

3. A sealed survey is attached showing the area proposed for annexation in relation to the primary corporate limits of the Town of Harrisburg.

4. SIGNATURE OF OWNERS

NAME	ADDRESS	SIGNATURE
James Ray Flowers Jr.	7029 Kitty Hawk Lane, Fort Mill, SC 29707	
Virginia Kale Flowers	7029 Kitty Hawk Lane, Fort Mill, SC 29707	
Theodore Franklin Suggs	10563 Hickory Ridge Road, Harrisburg, NC 28075	
Ann Folsom Suggs	10563 Hickory Ridge Road, Harrisburg, NC 28075	
Cedar Cove LLC a NC LLC	2536 Cedar Cove Drive, Harrisburg, NC 28075	
John Lentz	2530 Cedar Cove Drive, Harrisburg, NC 28075	
Jeffrey T. Fisher	2500 Cedar Cove Drive, Harrisburg, NC 28075	
Lower Rocky River Road LLC	2820 Selwyn Avenue, Ste 500, Charlotte, NC 28209	
Inglefield Enterprises LTD	2820 Selwyn Avenue, Ste 500, Charlotte, NC 28209	
AMELIA F. TURNER	2900 STRONG RD, HARRISBURG N.C.	



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Theodore Franklin Suggs	10563 Hickory Ridge Road, Harrisburg, NC 28075	
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Ann Folsom Suggs	10563 Hickory Ridge Road, Harrisburg, NC 28075	Ann Folsom Suggs 2/9/20
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Cedar Cove LLC a NC LLC	2536 Cedar Cove Drive, Harrisburg, NC 28075	
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John Lentz	2530 Cedar Cove Drive, Harrisburg, NC 28075	
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David B. Blufner / owner manager



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Linda H. Lentz	2530 Cedar Cove Drive Harrisburg NC 28075	Linda H. Lentz
John Lentz	2530 Cedar Cove Drive, Harrisburg, NC 28075	John Lentz
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Ann Folsom Suggs	10563 Hickory Ridge Road, Harrisburg, NC 28075	
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Harrisburg NC

The right side of opportunity

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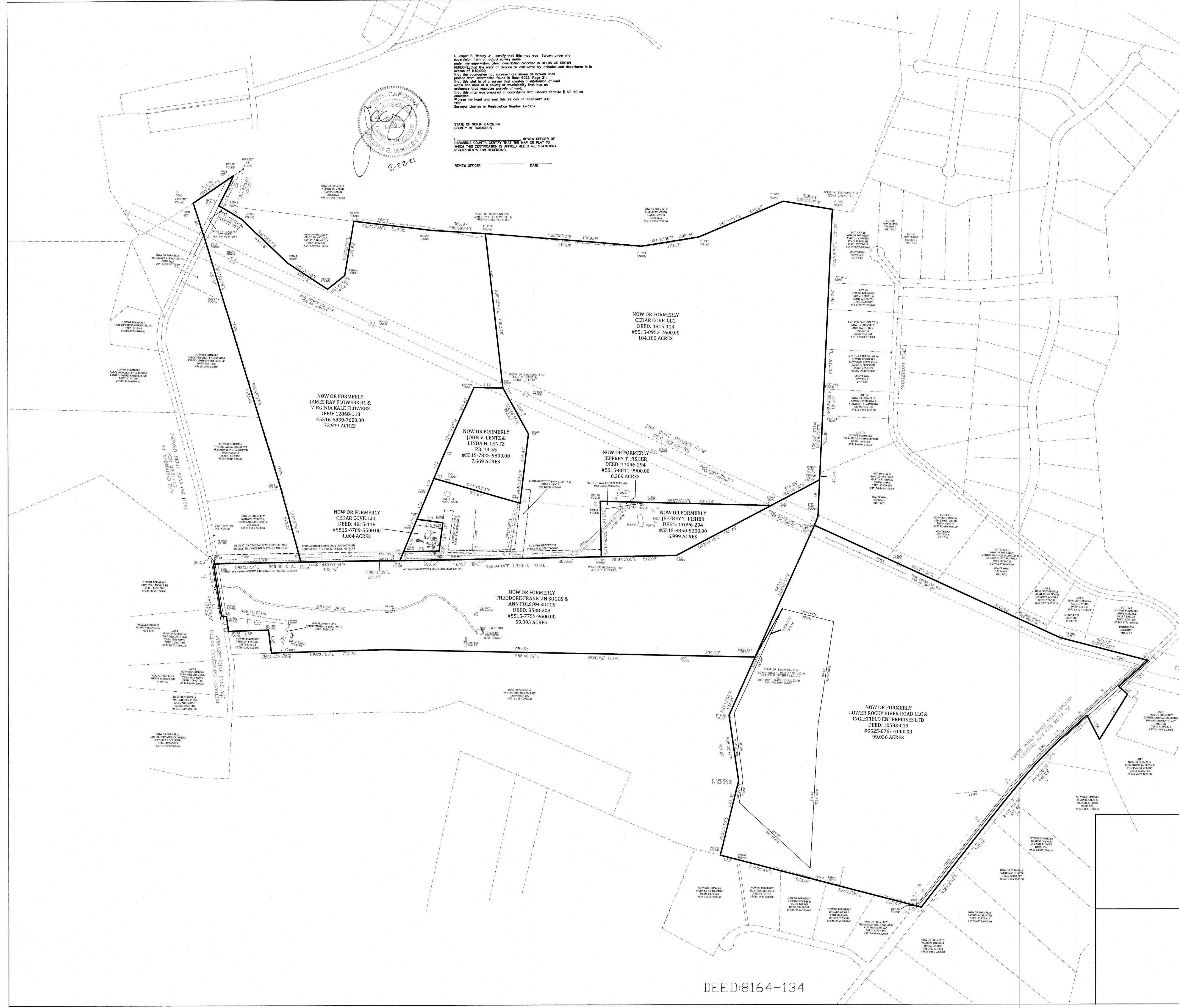
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Lower Rocky River Road LLC	2820 Selwyn Avenue, Ste 500, Charlotte, NC 28209	
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Inglefield Enterprises LTD	2820 Selwyn Avenue, Ste 500, Charlotte, NC 28209	
----------------------------	--	--

[Handwritten signatures]



I, Joseph E. Whaley Jr., certify that this map was (drawn under my supervision from an actual survey made under my supervision. (Each description recorded in DEEDS AS SHOWN HEREON) that the error of closure as calculated by latitude and departure is in accordance with the requirements of the Surveying Act of 1907.

that the boundaries and survey are drawn as shown that the plat is a true and correct representation of the land within the area of a county or municipality that has an ordinance that requires platting of land.

that this map was prepared in accordance with General Statute § 47-30 as amended.

Surveyed by hand and set the 22 day of FEBRUARY A.D. 2021

Surveyor License or Registration Number L-3807

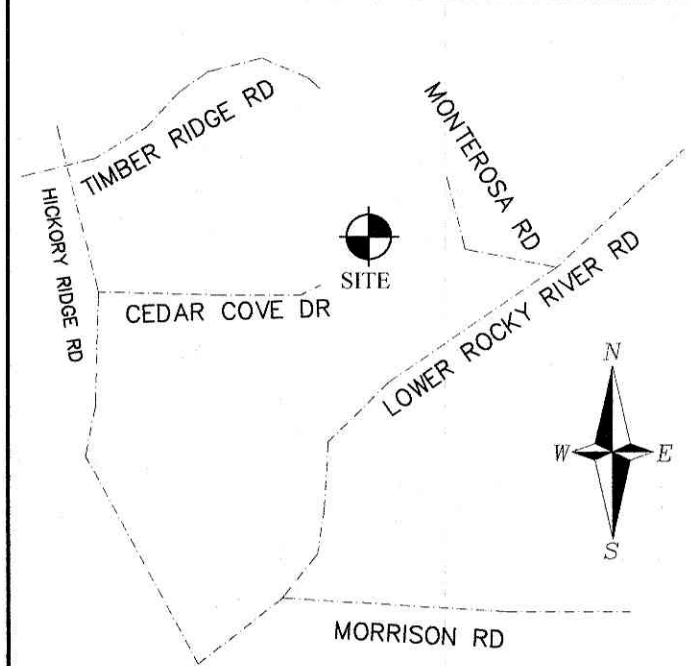
STATE OF NORTH CAROLINA
COUNTY OF CABARRUS

REVIEW OFFICER OF
CABARRUS COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER: _____ DATE: _____

LINE	LENGTH	BEARING
L1	91.33	S02°49'16"E
L2	10.27	S05°50'02"E
L3	133.10	N26°3'18"E
L4	30.09	S88°59'10"E
L5	147.19	S88°52'10"E
L6	252.11	N02°30'19"E
L7	83.63	N22°40'40"E
L8	328.15	S88°25'17"E
L9	55.99	S00°54'46"E
L10	328.52	N01°45'09"E
L11	65.18	S28°46'09"E
L12	167.78	S88°59'38"E
L13	182.52	N22°38'00"E
L14	98.47	N22°38'05"E
L15	204.44	N22°39'39"E
L16	41.14	N22°38'13"E
L17	178.24	S82°06'54"E
L18	188.81	S01°45'04"E
L19	197.51	N22°38'13"E
L20	86.38	N22°38'13"E
L21	40.76	N07°44'47"E
L22	152.71	N07°44'05"E
L23	242.58	N08°01'53"E
L24	36.02	S75°24'35"E
L25	268.78	N48°44'27"E
L26	80.83	S46°36'05"E
L27	363.09	N31°48'55"E
L28	185.46	S27°06'48"E
L29	203.85	N48°02'09"E
L30	32.78	S75°39'04"E
L31	11.85	S75°52'09"E
L32	13.85	S72°29'18"E
L33	64.50	N86°20'50"E
L34	202.48	N17°21'07"E
L35	160.06	S08°33'21"E
L36	273.02	N88°21'05"E
L37	434.39	S82°47'48"E
L38	33.76	S82°47'48"E
L39	236.98	S08°43'26"E
L40	271.42	S17°43'43"E

CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C1	445.08	3030.77	445.68	S43°49'56"W	87°06'04"
C2	315.49	15383.96	315.39	S38°00'33"W	1°08'00"
C3	125.26	15449.88	125.36	N89°29'54"E	0°07'37"
C4	93.73	15395.04	93.72	N64°48'41"E	3°29'35"

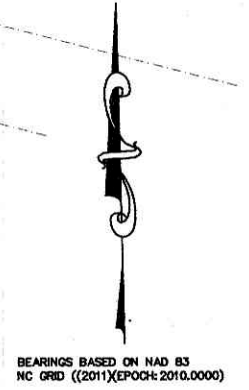
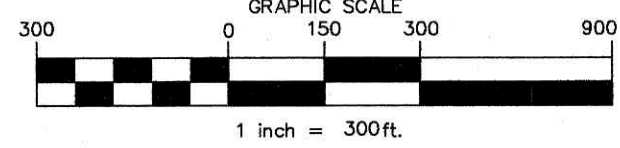


VICINITY MAP
NO SCALE

NOTES: NO NOIS TRANSVERSE STATION WAS FOUND TO BE WITHIN 2000' ERROR OF CLOSURE 1:10,000+ AREA CALCULATED BY COORDINATE METHOD IRON PINS ON ALL CORNERS UNLESS OTHERWISE NOTED THIS PROPERTY SUBJECT TO ALL OTHER RIGHTS-OF-WAY AND EASEMENTS WETLAND AREAS SHOWN HAVE BEEN DELINEATED BY OTHERS ON THIS SITE NO OBSERVABLE EVIDENCE OF THIS AREA BEING USED AS A SOLID WASTE DUMP SUMP OR SANITARY LANDFILL. THIS PROPERTY DOES NOT LIE WITHIN A FEMA FLOODPLAIN PER FEMA FIRM PANEL 370250C140D & 370250C145D PROPERTY ZONED OR TITLE COMMITMENT INFORMATION: SEE PAGE II

- LEGEND
- AC - ACRE
 - CCM - CONCRETE CONTROL MONUMENT
 - COS - COMMON OPEN SPACE
 - CM - CONTROL MONUMENT
 - FH - FIRE HYDRANT
 - PLAT CAB. - PLAT CABINET
 - PP W/GUY - POWER POLE WITH GUY WIRE
 - R/W - RIGHT-OF-WAY
 - SAN, SEW, R/W - SANITARY SEWER RIGHT-OF-WAY
 - SDE - STORM DRAINAGE EASEMENT
 - SF - SQUARE FEET
 - ST - 10'X70' SIGHT TRIANGLE
 - TYP - TYPICAL
 - YW&H - YARBROUGH-WILLIAMS AND HOULE
 - BOC - BACK OF CURB
 - CO - CLEAN OUT
 - CP - CABLE PEDESTAL
 - CONC. - CONCRETE
 - ELEV - ELEVATION
 - EOP - EDGE OF PAVEMENT
 - EX - EXISTING
 - LP - LIGHT POLE
 - LSE - LANDSCAPE EASEMENT
 - MB - MAP BOOK
 - PSE - PUBLIC STORM DRAINAGE EASEMENT
 - PUE - PUBLIC UTILITIES EASEMENT
 - OPUS - ONLINE POSITIONING USER SERVICE
 - R/W - RIGHT OF WAY
 - SF - SQUARE FEET
 - TP - TELEPHONE PEDESTAL
 - WM - WATER METER
 - TRANS. - TRANSMISSION TOWER

- Fire Hydrant
 - Light Pole
 - Power Pole
- PROJECT INFORMATION
- PARCEL ID#
- 5515-8850-5300.00
 - 5515-7755-9600.00
 - 5515-6788-5200.00
 - 5515-7825-9800.00
 - 5515-8811-9900.00
 - 5525-0781-7000.00
 - 5515-8952-2800.00
 - 5515-6839-7600.00



DEED:8164-134

NO.		DATE		REVISION		BY	
SHEET TITLE				PROJECT NO.			
ANNEXATION PLAT				SCALE			
PROJECT				DATE			
ORCHID RIDGE PROJECT				DRAWN BY			
CABARRUS COUNTY, N.C.				CHECKED BY			
FOR: DR HORTON INC.				JEW			
DRAWING NO.				SHT 1 OF 2 SHTS			
YARBROUGH-WILLIAMS & HOULE, INC.				P.O. Box 1198			
Planning • Surveying • Engineering				Pineville, North Carolina, 28134			
730 Hickory Oak Court				704.556.1990			
Charlotte, North Carolina, 28273				704.556.0505(fax)			
NC Corporate Registration #C-0475							



Harrisburgnc

The right side of opportunity

To the Town Council of the Town of Harrisburg of Harrisburg North Carolina:

I, Janet Rackley, Clerk, do hereby certify that I have investigated the petitions attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Harrisburg of Harrisburg, North Carolina, this 22nd day of February, 2021.




Janet Rackley, Clerk



**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-58.1**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Town Council has by resolution directed the Town of Harrisburg Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Harrisburg, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held (virtually) at Harrisburg Town Hall at 4100 Main Street, Harrisburg, North Carolina at 6:00 p.m. on April 12, 2021.

Section 2. The area proposed for annexation is described as follows:

All that certain parcel of land, situated, lying and being in Township #1, Cabarrus County, State of North Carolina, and more particularly described as follows:

Beginning at a found steel pipe (POINT OF BEGINNING), being further located as the South-Eastern corner of land owned Now or Formerly by Theodore Franklin Suggs & Ann Folsom Suggs as recorded in Deed Book 8538, page 208 of the Cabarrus County Register of Deeds, also being the North-Eastern Corner of land owned Now or Formerly by William Harold Allison as recorded in Deed Book 8427, page 109 of the Cabarrus County Register of Deeds, thence with the dividing line of the Suggs land and Allison land N88-40-32W 2,520.82' (passing through a found axle at 5+39.29 of this line) to a point, thence S88-27-02W 713.70' to a found rebar, thence S86-25-59W 64.50' to a found rebar being the South-Eastern corner of land owned Now or Formerly by Dennis F. Tyndall as recorded in Deed Book 8168, page 23 of the Cabarrus County Register of Deeds, thence with the Tyndall line N06-55-21W 160.06' to a found rebar, thence S88-21-05W 273.59' to a found rebar, thence leaving the Tyndall property N05-39-02W 10.27' to a point, thence N07-49-16W 91.33' to a found rebar, thence N82-47-48W 33.76' to a point in Hickory Ridge Road (Existing 60' Public Right-of-Way per Map Book 54, page 50 of the Cabarrus County Register of Deeds), thence within Hickory Ridge Road with the arc of a curve to the left having a radius of 15,420.48' an arc length of 122.36' (subtended by chord N08-30-04W 122.36') to a point, thence N08-43-26W 236.96' to a point, thence leaving Hickory Ridge Road N88-57-54E 596.88' (passing through a found pipe at 0+30.53 of this line) to a found pipe being the South-Western corner of land owned Now or Formerly by James Ray Flowers Jr. & Virginia Kale Flowers as recorded in Deed Book 12868, page 113 of the Cabarrus County Register of Deeds, thence leaving the Suggs line and with the Eastern line of land owned Now or Formerly by James W. & Mary Caroline Lyerly as recorded in Deed Book (Not Found) N15-13-44W 519.71' to a found axle, thence with the Eastern line of land owned Now or Formerly by The Iris Caroline Marett Alexander Family Limited Partnership as recorded in Deed Book 11189, page 1 of the Cabarrus County Register of Deeds N16-49-33W 1,333.42' to a found bolt, thence with the Eastern line of land owned Now or Formerly William F. Alexander as recorded in Deed Book (Not Found) N16-38-38W 437.01' to a found bolt, thence crossing Hickory Ridge Road N17-43-40W 271.42' to a set iron, thence N55-47-27E 331.31' to a set iron, thence with Hickory Ridge Road in a Southerly Direction with the arc of

curve to the right having a radius of 1,535.04' an arc length of 93.73' (subtended by chord S24-48-41W 93.72') to a point, thence S26-37-18W 133.10' to a point, thence leaving Rocky River Road and with the Southerly line of land owned Now or Formerly Eric C. Hampton & Rachel C. Hampton as recorded in Deed Book 9834, page 241 of the Cabarrus County Register of Deeds S58-52-10E 30.09' to a found rebar, thence S58-52-10E 147.19' to a found rebar, thence S46-05-07E 437.76' to a found rebar, thence S56-37-10E 327.19' to a found rebar, thence N51-41-59E 149.80' to a found rebar, N09-29-31E 378.69' to a found rebar, thence S83-07-38E 534.05' to a found rebar, thence S86-19-34E 366.97' to a found 1" pipe on the Southern Line of land owned Now or Formerly Robert W. Mason & Joan M. Mason as recorded in Deed Book (Not Found), thence with the Mason line S85-06-13E 1,069.05' to a found 1" pipe, thence N81-00-06E 395.76' to a found 1" pipe, thence N67-11-07E 625.61' to a found 1" pipe, thence S80-29-07E 338.44' to a found 1" pipe, being further described as the North-Eastern corner of land owned by Cedar Cove, LLC. as recorded in Deed Book 4815, page 114 of the Cabarrus County Register of Deeds & a North-Western corner of land owned Now or Formerly by Jenel I. Lawson & Colin M. Meath as recorded in Deed Book 13074, page 132 of the Cabarrus County Register of Deeds, thence with the line of Lawson/Meath S02-48-39W 501.07' to a found 1 / 2" rebar being the North-Western corner of lot 18 of Monterosa Section 1 as recorded in Map Book 17, page 72 of the Cabarrus County Register of Deeds, thence with the line of lots 18 through a portion of 12 of Monterosa Section 1 for 3 calls and distances to points, 1) S02-48-11W 726.24' to a found 1 / 2" pipe, 2) S02-54-26W 181.27' to a found 1 / 2" pipe, thence S02-47-27W 438.62' (passing through a found pinched 1" pipe at 3+90.88 of this line) to a found 1" pinched pipe, thence S02-39-19W 252.11' to a found half inch pipe, thence S22-40-40W 63.63' to a found 1" pinched top pipe lying in a 150' Duke Power Right-of-Way as shown in Map Book 42, page 90 & Deed Book 336, page 75 & Deed Book 336, page 168 & Map Book 17, page 72 all of the Cabarrus County Register of Deeds, thence S65-20-38E 1,842.93' to a point on the rear line of Lot 3 of Section 1 of Monterosa as recoded in Map Book 17, page 72 of the Cabarrus County Register of Deeds, thence with the rear line of Lots 3 through 1 of Section 1 of Monterosa S75-24-35E 583.13' to a point on the Right-of-Way of Lower Rocky River Road (Existing Right-of-Way per Map Book 72, page 72) thence S75-24-35E 36.02' to a point inside of Lower Rocky River Road, thence with Lower Rocky River Road S48-44-27W 266.78' to a point, thence leaving Lower Rocky River Road S46-56-05E 80.83' to a point on the property line of land owned Now or Formerly by John Thomas Melton & Jami Dusina Melton as recorded in Deed Book 12806, page 175 of the Cabarrus County Register of Deeds, thence with the Melton line S31-48-55W 363.00' to a point, thence N27-06-48W 185.46' to a point inside of Lower Rocky River Road, thence with Lower Rocky River Road S48-02-09W 203.85' to a point, thence with the arc of a curve to the left having a radius of 3,030.07' an arc length of 446.08' (subtended by chord S43-49-06W 445.68') to a point, thence with the arc of curve to the left having a radius of 12,321.96' an arc length of 315.40' (subtended by chord S38-52-03W 315.39') to a point, thence S38-08-03W 770.12' to a point, thence leaving Lower Rocky River Road N75-39-04W 32.78' to a found pipe, thence N75-53-09W 11.95' to a found rebar being the North-Eastern corner of land owned Now or Formerly by Michael Enrique Jordan & Lisa Maria Jordan as recorded in Deed Book 12947, page 191 of the Cabarrus County Register of Deeds, thence with the rear line of the Jordan property and land owned Now or Formerly by Ronald & Cynthia Mann as recorded in Deed Book 11576, page 304 of the Cabarrus County Register of Deeds N75-23-26W 622.97' to a found rebar, thence with the rear lines of land owned Now or Formerly by Ricardo & Juana Torres as recorded in Deed Book 13239, page 8 & Huntley Group LLC as recorded in Deed Book 8164, page 134 all of the Cabarrus County Register of Deeds N75-21-44W 633.01' to a found rebar, thence with the line of Bradley Keith Smith as recorded in Deed Book 8298, page 328 of the Cabarrus County Register of Deeds N75-25-18W 113.95' to a found rebar, on the Eastern Line of William Harold Allison as recorded in Deed Book 8427, page 109 of the Cabarrus County Register of Deeds, thence with the William Harold Allison line N13-50-30E 523.35' to a found 1" pipe in a stone, thence N08-08-11W 451.87' to a found 1" pipe, thence N24-12-59E 434.91' to the POINT AND PLACE OF BEGINNING.

Containing 352.111 acres +-.

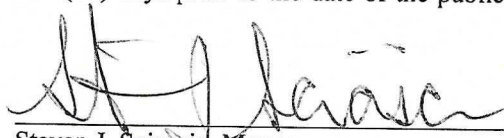
Heritage Tract

All that certain parcel of land, situated, lying and being in Township #1, Cabarrus County, State of North Carolina, and more particularly described as follows:

Being a portion of the Orchid Ridge Tract:

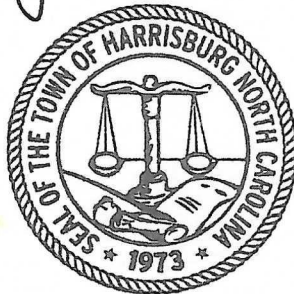
Beginning at a point, (POINT OF BEGINNING), being further located N29-32-21E 379.48' distant of a found steel pipe being the South-Eastern corner of land owned Now or Formerly by Theodore Franklin Suggs & Ann Folsom Suggs as recorded in Deed Book 8538, page 208 of the Cabarrus County Register of Deeds, also being the North -Eastern Corner of land owned Now or Formerly by William Harold Allison as recorded in Deed Book 8427, page 109 of the Cabarrus County Register of Deeds, thence S-75-47-02E 360.43' to a point, thence S08-41-30W 714.62' to a point, thence S03-14-33W 979.83' to a point, thence N47-03-19W 659.68' to a point, thence N09-27-11E 155.84' to a point, thence N07-20-34W 458.55' to a point, thence N24-45-15E 787.85' to the POINT AND PLACE OF BEGINNING.
Containing 17.367 acres +-.

Section 3. Notice of the public hearing shall be published in the Independent Tribune, a newspaper having general circulation in the Town of Harrisburg, at least ten (10) days prior to the date of the public hearing.


Steven J. Sciascia, Mayor

ATTEST:


Janet Rackley, Clerk





TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of revised Sustainability Advisory Board By-Laws.

Presenting Personnel:

Suggested Motion or Action:

If approved:

Motion to approve the revised Sustainability Advisory Board By-Laws as presented.

Description/Background:

The proposed Sustainability Advisory Board By-Laws presented to Council last month were sent to the Town Attorney, Rich Koch, for review. Mr. Koch sent back several comments and suggestions for the revision, and the By-Laws were revised again to incorporate those suggestions. Following his review of this latest revision, he sent back the following comments:

I have read through the changes to the bylaws. All of the matters that needed to be fixed to make them consistent and logical have been taken care of. I understand that the Council may have other changes they want, but as they stand now the bylaws will provide a good guide for the governance of the SAB.

This latest revision of the Sustainability Advisory Board By-Laws, as reviewed and approved by Mr. Koch, are now presented for Council consideration.

Recommendation:

Fiscal Impact:

Attachments:

1. SAB By-laws

Town of Harrisburg, NC Sustainability Advisory Board Bylaws

PROPOSED REVISIONS: January 13, 2021

Article I. Name

The name of this organization shall be the Town of Harrisburg Sustainability Advisory Board

Article II. Creation

The Town of Harrisburg Sustainability Advisory Board (hereinafter referred to as "Board" or "the Board") is created by the action of the Town of Harrisburg Council.

Article III. Purpose and Objectives

The mission of the Board is to coordinate, to initiate, and to promote sustainability within the Town of Harrisburg and its surrounding areas. The Board's purpose is to:

- Advance and encourage environmentally sustainable practices and ideas within the Town, including but not limited to town operations and facilities, new development, town ordinances governing construction and development, local businesses, local homeowner's associations and neighborhoods, and individual citizens.
- Collaborate with town planners to create a long-term sustainability plan for the Town.
- Work cooperatively with the Town of Harrisburg and all Harrisburg advisory boards and committees to promote sustainability practices.
- Provide information suggestions and recommendations to Town Council, other Town Boards, and Town staff regarding laws, ordinances and rules which promote sustainability – including ones related to new and existing developments, for example, water treatment and green building design.
- Assist to identify and reduce issues of air, land, and water pollution, as well as waste management and recycling issues.
- Explore Looking at technologies and innovations regarding energy and fuel savings and efficiency in order to reduce the Town's operating costs and carbon footprint.
- Improve the natural environment through the incorporation of sustainable best practices for the Town's land use and management, storm water infrastructure, and tree canopy.
- Strengthen the Town's economy through initiatives that foster sustainable business practices, reinvestment in vacant storefronts, and green purchasing policies.
- Encourage healthy living through the expansion of parks, walking trails, bicycle lanes, and wellness programs and preservation and development of open space.
- ~~Reduce the Town's carbon footprint through energy-saving practices~~
- ~~Ordinances for development that would promote water conservation, green building design.~~
- Provide ~~C~~ommunity education and engagement.
- The Sustainability Advisory Board, in development of its recommendations, shall consider all best practices and lessons learned from all other sources including cities, towns and villages, in addition to financial sustainability and cost effectiveness.

Article IV. Board Membership, Appointment and Terms

Section 1. The Board shall be composed of a maximum of ~~159~~ members.

Section 2. Any resident of the Town or its surrounding area, who is 18 years or older, is eligible for appointment to the Board.

Section 3. Assuming there are less than ~~159~~ members on the Board, any person wishing to join the Board shall submit an application to the current Board for review and consideration. The Board will invite Candidate(s) to a short interview with the members of the Board – outside of the monthly Board meetings. The Board members who interviewed the Candidate(s) will provide their consolidated recommendation to the full Board at the next monthly meeting for discussion and for the The Board to will vote on approving or denying the applicant for appointment during that same meeting and will approve or deny the appointment. If approved, the Candidate(s)' recommendation for appointment will then be sent to the Town Council to be reviewed and voted on during their next monthly meeting.

Section 4. Board members shall have two- (2) year staggered terms ending on December 31. If a member is appointed to fill a vacant seat, the newly appointed member will serve out the balance of the term of the vacant seat filled and then must reapply to be reappointed to a new two- (2) year term. Terms will begin when members are appointed to the Board.

Section 5. Board members may serve four (4) consecutive two (2) year terms (eight (8) years total), and then may be reappointed after an absence of one (1) year. For current members to be reappointed, they must follow the same application process stated in Article IV – Section 3. Two Four (4) members serving the initial one (1) year terms may serve three (3) consecutive terms, (seven (7) years total), and then may be reappointed after an absence of one (1) year.

Section 6. Members will not receive a stipend from the Town for attending monthly Board meetings. Members shall be reimbursed for pre-approved travel and subsistence to professional environmental sustainability meetings, conferences and workshops, with such reimbursement being made in compliance with the general policies of the Board.

Section 7. Any member may resign from the Board by submitting a written resignation to the Chair of the Board.

Article V. Meetings

Section 1. Special meetings of the Board as needed shall be determined by the Chair, ~~Mayor or Town Council~~. Regular meetings of the Board will be held monthly on the 2nd Wednesday of the month at 6:00 PM at Town Hall, unless otherwise stated. Such meetings shall be advertised and conducted in accordance with the State of North Carolina's Open Meetings Law.

Section 2. The Chair of the Board will create the suggested agenda with input from the Board members. The agenda shall include the time, date and location of the meeting and shall include a time for public comments, if there are any.

Section 3. An organizational meeting shall be held during the month of January for the purpose of organizing the Board for the coming year and the purpose of electing officers.

Section 4. A quorum of the Board, which is 35% of voting members, must be in attendance before any official action can take place. If there is no quorum at the opening of the meeting, the meeting may still take place, but official action cannot take place.

Section 5. All meetings of the Board shall be open to the public, and notices to the media and the public shall be given in accordance with the Open Meetings Law of the State of North Carolina.

Section 6. It is the duty of each member to vote, unless excused by a majority vote of the Board as in the instance of conflict of interest or other legitimate reason. A member wishing to be excused from voting shall so inform the Chair who shall take a vote of the remaining members. A member who fails to vote, not having been excused, shall be recorded as having voted in the affirmative. This section in no way mitigates the quorum requirement for any official action.

Section 7. Attendance is mandatory and each member should make every effort to attend all meetings. In the event a member is unable to attend, prior notice should be provided to the Board Chair. Unexcused absences will be counted as part of the three (3) allotted absences per year. Members should attend meetings and be active and engaged. ~~In addition to attending regularly scheduled meetings.~~

Article VI. Officers

Section 1. Officers of the Board shall consist of a Chair, Vice-Chair and a Secretary.

Section 2. The officers shall be elected at the ~~February-January~~ meeting. At that time, the Board shall elect a candidate for each of the three positions. For each position, the person receiving the highest number of votes shall be declared elected. In the event of a tie, for whatever reason, the tying candidates shall flip a coin (in the event of a two-way tie) or draw straws (in the event of a tie with more than two persons) to determine the particular position.

Section 3. Officers shall serve for a term of one (1) year beginning at the close of the meeting at which they were elected.

Section 4. The Chair shall fill an officer vacancy, or, if the Chair is vacant, the Vice-Chair will fill the vacancy for a time period not to exceed the original term of office.

Section 5. The Chair shall preside over all meetings of the Board and shall sign all official papers or documents relative to action taken by the Board as well as oversee the officer selection process and any other functional internal activities of the Board.

Section 6. The Vice-Chair shall assume all duties of the Chair in the absence of the Chair.

Section 7. The Secretary of the Board shall keep the official records of all meetings and shall notify members of their appointments and conduct such correspondence as the Board designates.

Article VII. Vacancy and Removal

Section 1. In the event a vacancy occurs in the membership of the Board, refer to Article IV, Section 3 above. ~~the remaining Board members shall review, consider and appoint a new candidate to fill the vacant position.~~

Section 2. The Board may formally recommend that a Board member be removed for either of the reasons that follow. The Board member may request to be heard in a session at which a quorum is present concerning the reasons.

- a. Upon the third absence from regular meetings, within one calendar year, that occurs without prior notification to the Chair.

b. Acts which are, in the opinion of the Board, detrimental or a disservice to the best interests of the Board, the Community or Town facilities.

Article VIII. Ethics and Behavior

Section 1a. All members are duty bound to:

- i. Uphold the by-laws of the Board, Ordinances and Policies of the Town of Harrisburg
- ii. Fully comply with all applicable local, state, federal statutes regarding disclosure of assets, open meeting practices, and other ethics-based requirements.
- iii. Act in good faith and conscience using professional expertise, personal experience and common sense based upon the best available information, observation, and testimony and within established legal limits and authority.

Section 2b. Member behavior during monthly meetings:

- ~~a.~~ Ex-parte communications are discouraged and if such communications occur, the communication must be disclosed by the Board member(s).
- a.
- ~~b. c.~~ Sidebar, banter, and other relative types of conversations between individuals are deemed disruptive and should be avoided. All communication should include all members and be consistent with these bylaws and meeting agendas.

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Section 3d. All members shall act respectful of and be courteous to all other members and guests, following the Golden Rule; treat others the same as you would like to be treated.

Section 4e. All members shall refrain from using any personal electronic devices during any public meeting of the Board, except those devices utilized for the express purpose of being used during such public meetings.

Article IX. Miscellaneous

All versions of and amendments to these Bylaws must be kept and dated with signatures of the Chair and Secretary as part of the official Board record. These Bylaws may be amended or repealed by an act of the Board providing that: a. A majority vote of four (45) Board members at the duly constituted meeting approves the amendment. b. All versions of and amendments to the Bylaws must be kept and dated with signatures as part of the official Board record.

Chair: E. Scott Noel Date: 12/9/20

Secretary: Virginia Halter Date: 12/9/20



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of Resolution Requesting the Private Sale of \$1,650,000 General Obligation Transportation Bond, Series 2021

Presenting Personnel:

Brian Lee, Finance Director

Suggested Motion or Action:

Motion to adopt a resolution requesting the private sale of \$1,650,000 General Obligation Transportation Bond, Series 2021 to Sterling National Bank, which includes a \$1,650,000 not to exceed value, an interest rate of 2.63% and a payment term not to extend beyond May 1, 2041.

Description/Background:

With a public voter referendum in November 2017, the Town was authorized to issue \$4M of General Obligation Bonds for various transportation improvements.

The first issue under this bond authorization is for \$1,650,000, which will cover the cost of issuance plus \$1,550,000 in construction costs, consisting of the following projects:

1. FY2020 and FY2021 Street Resurfacing - \$1,000,000
2. Caldwell Road Sidewalk addition - \$250,000
3. Harris Depot Sidewalk addition - \$45,000
4. Various Sidewalk spot additions - \$255,000

An RFP was distributed to over 60 national, regional, and local lending institutions. As part of the RFP process, responding institutions were asked to provide rates for 15-year and 20-year terms. Five responses were received with one providing only a 15-year option and the other four providing both 15 and 20-year options. Some of the key factors evaluated by Finance and Town Administration in consultation with financial advisors, bond counsel, and the Town Attorney include the rate, cost of issuance, and call and early payoff provisions.

While the 15-year proposal was the lowest rate of those received, the accelerated payment schedule in comparison to the planning amounts used in the Town's 10-year Financial Model, among additional factors, made it most advantageous to use the 20-year options that were provided. Of those, Sterling National Bank was selected with the following terms:

- \$1,650,000 not to exceed total loan value
- 20-year repayment schedule with semi-annual principal plus interest payments
- Interest rate of 2.63%
- Non-Bank Qualified
- Sterling National Bank as the lender
- The final installment payment will be made on May 1, 2041.
- Annual debt service payments of approximately \$123,000, decreasing steadily each year after FY2023 to approximately

\$85,000 in FY2041.

Remaining Steps in the Revenue Bond Process:

- May 4th - LGC considers approving the financing.
- May 10th - Town Council meeting - Council considers adopting a Final Resolution
- May 28th - Deadline to close on the 2021 Bonds.

The remaining \$2,350,000 in authorized General Obligation bonds must be issued before November 2024.

Recommendation:

Staff recommends approval of the resolution requesting the private sale of \$1,650,000 General Obligation Transportation Bond, Series 2021, with an interest rate of 2.63%, Sterling National Bank as the lender and a term not to extend beyond May 1, 2041.

All information has been prepared by or reviewed by the Town's Attorney, Bond Counsel and Financial Advisor.

Fiscal Impact:

The Town will receive financing proceeds of \$1,650,000 to pay the cost of issuance, to reimburse itself for expenditures already incurred on completed projects, and to fund the remaining uncompleted projects.

The Town will have principal plus interest payments of approximately \$123,000 in FY2022, which declines steadily after FY2023 to an annual debt service of approximately \$85,000 in the final payment year. This annual debt service in FY2022 is approximately \$15,000 less than the financial model was anticipating, leading to approximately \$120,000 more in operating funds over the 10-year life of the financial model.

Attachments:

1. Resolution - Harrisburg GO Bonds 2021 - Private Sale
2. Town of Harrisburg, NC 2021 GO Bonds - Summary Memo



**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HARRISBURG, NORTH
CAROLINA REQUESTING PRIVATE SALE OF \$1,650,000 GENERAL OBLIGATION
TRANSPORTATION BOND, SERIES 2021**

WHEREAS, the Bond Order relating to transportation projects has been adopted by the Town Council on August 14, 2017 and approved by the vote of a majority of the voters who voted thereon at a referendum duly called and held on November 7, 2017, and the Town Council has determined to make provision for the issuance of bonds authorized by said Bond Order;

WHEREAS, the Town of Harrisburg, North Carolina (the “Town”) desires to issue its General Obligation Transportation Bond, Series 2021 in an aggregate principal amount not to exceed \$1,650,000 (the “2021 Bond”) and to request the North Carolina Local Government Commission sell such bond to Sterling National Bank (the “Purchaser”);

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HARRISBURG, NORTH CAROLINA (THE “TOWN COUNCIL”) AS FOLLOWS:

Section 1. The Town has received a proposal from the Purchaser to purchase the 2021 Bond. The North Carolina Local Government Commission is hereby requested to sell the 2021 Bond at private sale without advertisement to the Purchaser, at such prices as the Local Government Commission determines to be in the best interest of the Town and in accordance with the terms submitted by the Purchaser, as permitted by Sections 159-123(b)(8) and 159-123(c) of the General Statutes of North Carolina, as amended. The Town Council will approve the final terms of the 2021 Bond in a subsequent resolution.

Section 2. The Mayor, the Town Manager, the Finance Officer, the Town Attorney and the Town Clerk, or their respective designees, individually and collectively, are authorized and directed to take all actions as may be required or provide any information to the North Carolina Local Government Commission necessary to proceed with the private sale of the 2021 Bond and as may be deemed necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 3. All resolutions or parts thereof of the Town Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 4. This Resolution is effective on its adoption.

Steven J. Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk

STATE OF NORTH CAROLINA)
)
TOWN OF HARRISBURG) SS:

I, Janet Rackley, Town Clerk of the Town of Harrisburg, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled “**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HARRISBURG, NORTH CAROLINA REQUESTING PRIVATE SALE OF \$1,650,000 GENERAL OBLIGATION TRANSPORTATION BOND, SERIES 2021**” adopted by the Town Council of the Town of Harrisburg, North Carolina, at a meeting held on the 12th day of April, 2021.

WITNESS my hand and the corporate seal of the Town of Harrisburg, North Carolina, this the _____ day of _____, 2021.

[Seal]

Town Clerk
Town of Harrisburg, North Carolina

To Town of Harrisburg, North Carolina
From Davenport & Company LLC
Date April 12, 2021
Subject General Obligation Bond, Series 2021

Background

Davenport & Company LLC (“Davenport”), on behalf of the Town of Harrisburg, NC (the “Town”), distributed a Request for Proposals (“RFP”) to secure a commitment for a direct bank loan evidenced by a General Obligation Bond, Series 2021 to finance Streets and Sidewalk Projects and pay related costs of issuance.

The RFP was distributed to over 60 National, Regional, and Local lending institutions. After the initial distribution, Davenport reached out to the potential bidders to assess their interest in the financing and address any questions they had.

As part of the RFP process, responding institutions were asked to provide both Bank Qualified and Non-Bank Qualified interest rates for both 15-year and 20-year terms.

RFP Responses

Through this process, the Town was able to secure five responses to the RFP, including:

1. Capital One Public Funding, LLC (“Capital One”)
2. Key Government Finance, Inc. (“Key”)
3. Pinnacle Public Finance, Inc. (“Pinnacle”)
4. Sterling National Bank (“Sterling”)
5. Truist Bank (“Truist”)

The following pages contain a summary of the key terms and conditions for the responses received.

April 12, 2021

Discussion Points

1. Interest Rate

A summary of the interest rates proposed by the five bidders is outlined in Table 1 below. Once locked-in with the lenders, all interest rates are fixed through final maturity.

Table 1: Summary of Interest Rates

A	B	C
Lender	Option 1 (15 Years)	Option 2 (20 Years)
1 Capital One Public Funding, LLC	2.350%	2.550%
2 Key Government Finance, Inc.	2.253%	-
3 Pinnacle Public Finance	3.120%	3.600%
4 Sterling National Bank	2.280%	2.630%
5 Truist Bank	BQ: 2.260% NBQ: 2.360%	BQ: 2.800% NBQ: 2.900%

The remainder of this memo will focus on the Capital One, Key and Sterling Proposals, which provide the lowest interest rate options for the 2021 GO Bond.

April 12, 2021

2. Prepayment Provisions

Prepayment provisions offered by the select lending institutions are shown in Table 2 below.

Table 2: Summary of Prepayment Provisions

Lender	Prepayment Provisions
Capital One	Option 1 (15-Year): Noncallable until May 1, 2029, then in whole at par on any date. Option 2 (20-Year): Noncallable until May 1, 2031, then in whole at par on any date.
Key	Prepayable in whole or in part at any time with a 1% prepayment penalty in the first year and at par thereafter.
Sterling	Prepayable in whole or in part on any payment date at 101% of par in years 6-9 and at par thereafter.

3. Lender Closing Fees

Lender closing fees required by the select lending institutions are shown in Table 3 below.

Table 3: Summary of Lender Closing Fees

Lender	Lender Closing Fees
Capital One	\$0
Key	\$0
Sterling	\$0

April 12, 2021

4. Estimated Debt Service

A summary comparison of the estimated debt service for the Capital One, Key and Sterling proposals is shown below in Table 4. The preliminary estimated debt service shown anticipates funding the related cost of issuance.

Table 4: Summary of Estimated Debt Service (\$)

	A	B	C	D
	Lender	Key Government Finance	Capital One	Sterling National Bank
Term	15 Years	20 Years	20 Years	
Sources				
Par Amount*	\$ 1,650,000	\$ 1,650,000	\$ 1,650,000	\$ 1,650,000
Total	\$ 1,650,000	\$ 1,650,000	\$ 1,650,000	\$ 1,650,000
Uses				
Project Fund Deposits*	\$ 1,550,000	\$ 1,550,000	\$ 1,550,000	\$ 1,550,000
Cost of Issuance*	100,000	100,000	100,000	100,000
Total	\$ 1,650,000	\$ 1,650,000	\$ 1,650,000	\$ 1,650,000
Interest Rate	2.2530%	2.5500%	2.6300%	
All-In TIC*	3.1527%	3.2726%	3.3564%	
Closing Date*	5/28/2021	5/28/2021	5/28/2021	
First Interest Payment	11/1/2021	11/1/2021	11/1/2021	
First Principal Payment	5/1/2022	5/1/2022	5/1/2022	
Final Maturity	5/1/2036	5/1/2041	5/1/2041	
Debt Service*				
Fiscal Year	Debt Service	Debt Service	Debt Service	Debt Service
2022	\$ 144,386	\$ 121,419	\$ 122,640	
2023	144,696	122,471	123,725	
2024	142,218	120,368	121,556	
2025	139,740	118,264	119,386	
2026	137,261	116,160	117,216	
2027	134,783	114,056	115,046	
2028	132,305	111,953	112,877	
2029	129,826	109,849	110,707	
2030	127,348	107,745	108,537	
2031	124,870	105,641	106,367	
2032	122,392	103,538	104,198	
2033	119,913	101,434	102,028	
2034	117,435	99,330	99,858	
2035	114,957	97,226	97,688	
2036	112,478	95,123	95,519	
2037	-	93,019	93,349	
2038	-	90,915	91,179	
2039	-	88,811	89,009	
2040	-	86,708	86,840	
2041	-	84,604	84,670	
Total	\$ 1,944,608	\$ 2,088,632	\$ 2,102,393	
Difference to Key 15 Year Proposal	\$ -	\$ 144,024	\$ 157,785	

* Preliminary and subject to change.

April 12, 2021

Recommendation

Based upon our review of the proposals, related analyses, and discussions with Town Staff, Davenport recommends that the Town select the 20-year Sterling proposal. The 20-year term provided for lower annual debt service than the 15-year term and is consistent with the Town's financial planning forecasts. While the Sterling proposal results in approximately \$13,000 of additional interest expense than the Capital One proposal, the Sterling proposal provides greater flexibility to prepay/refinance the GO Bond.

Next Steps

April 12 th	Town Council Meeting – Council considers selecting winning bidder and adopting and Initial Resolution.
May 4 th	LGC considers approving the financing.
May 10 th	Town Council Meeting – Council considers adopting a Final Resolution.
By May 28 th	Deadline to Close on the 2021 Bonds.

April 12, 2021

The U.S. Securities and Exchange Commission (the “SEC”) has clarified that a broker, dealer or municipal securities dealer engaging in municipal advisory activities outside the scope of underwriting a particular issuance of municipal securities should be subject to municipal advisor registration. Davenport & Company LLC (“Davenport”) has registered as a municipal advisor with the SEC. As a registered municipal advisor Davenport may provide advice to a municipal entity or obligated person. An obligated person is an entity other than a municipal entity, such as a not for profit corporation, that has commenced an application or negotiation with an entity to issue municipal securities on its behalf and for which it will provide support. If and when an issuer engages Davenport to provide financial advisory or consultant services with respect to the issuance of municipal securities, Davenport is obligated to evidence such a financial advisory relationship with a written agreement.

When acting as a registered municipal advisor Davenport is a fiduciary required by federal law to act in the best interest of a municipal entity without regard to its own financial or other interests. Davenport is not a fiduciary when it acts as a registered investment advisor, when advising an obligated person, or when acting as an underwriter, though it is required to deal fairly with such persons.

This material was prepared by public finance, or other non-research personnel of Davenport. This material was not produced by a research analyst, although it may refer to a Davenport research analyst or research report. Unless otherwise indicated, these views (if any) are the author's and may differ from those of the Davenport fixed income or research department or others in the firm. Davenport may perform or seek to perform financial advisory services for the issuers of the securities and instruments mentioned herein.

This material has been prepared for information purposes only and is not a solicitation of any offer to buy or sell any security/instrument or to participate in any trading strategy. Any such offer would be made only after a prospective participant had completed its own independent investigation of the securities, instruments or transactions and received all information it required to make its own investment decision, including, where applicable, a review of any offering circular or memorandum describing such security or instrument. That information would contain material information not contained herein and to which prospective participants are referred. This material is based on public information as of the specified date, and may be stale thereafter. We have no obligation to tell you when information herein may change. We make no representation or warranty with respect to the completeness of this material. Davenport has no obligation to continue to publish information on the securities/instruments mentioned herein. Recipients are required to comply with any legal or contractual restrictions on their purchase, holding, sale, exercise of rights or performance of obligations under any securities/instruments transaction.

The securities/instruments discussed in this material may not be suitable for all investors or issuers. Recipients should seek independent financial advice prior to making any investment decision based on this material. This material does not provide individually tailored investment advice or offer tax, regulatory, accounting or legal advice. Prior to entering into any proposed transaction, recipients should determine, in consultation with their own investment, legal, tax, regulatory and accounting advisors, the economic risks and merits, as well as the legal, tax, regulatory and accounting characteristics and consequences, of the transaction. You should consider this material as only a single factor in making an investment decision.

The value of and income from investments and the cost of borrowing may vary because of changes in interest rates, foreign exchange rates, default rates, prepayment rates, securities/instruments prices, market indexes, operational or financial conditions or companies or other factors. There may be time limitations on the exercise of options or other rights in securities/instruments transactions. Past performance is not necessarily a guide to future performance and estimates of future performance are based on assumptions that may not be realized. Actual events may differ from those assumed and changes to any assumptions may have a material impact on any projections or estimates. Other events not taken into account may occur and may significantly affect the projections or estimates. Certain assumptions may have been made for modeling purposes or to simplify the presentation and/or calculation of any projections or estimates, and Davenport does not represent that any such assumptions will reflect actual future events. Accordingly, there can be no assurance that estimated returns or projections will be realized or that actual returns or performance results will not materially differ from those estimated herein. This material may not be sold or redistributed without the prior written consent of Davenport. Version 01.13.14 | CC MB TC



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration Initial Resolution Directing an application to the LGC for approval of a Private Placement Revenue Bond with Sterling National Bank

Presenting Personnel:

Brian Lee, Finance Director

Suggested Motion or Action:

Motion to adopt a resolution directing an application to the LGC for approval of a private placement revenue bond with Sterling National Bank.

Description/Background:

With approval at the October 2020 Town Council meeting, Town staff was authorized to use Revenue Bonds as an available financing methodology for Water and Sewer projects. During the past few months, many of the Water and Sewer assets that were previously pledged under installment financing contracts were deleveraged as a result of more than an \$8M debt refunding that was closed in January 2021.

The first Revenue bond issue is projected to be for approximately \$3,835,000, which will cover the costs of issuance plus \$3,715,000 in construction costs, consisting of the following projects:

1. FY2020/2021 Waterline Upgrades - \$1,000,000
2. Morehead West Sewer Phase I - \$2,115,000
3. Britley #2 Pump Station Decommission - \$250,000
4. Frances Haven and Farmington Pump Station Decommission - \$350,000

An RFP was distributed to over 60 national, regional, and local lending institutions. As part of the RFP process, responding institutions were asked to provide rates for 15-year and 20-year terms. Four responses were received with one providing only a 15-year option and the other three providing both 15 and 20-year options. Some of the key factors evaluated by Finance and Town Administration in consultation with financial advisors, bond counsel, and the Town Attorney include the rate, cost of issuance, and call and early payoff provisions.

While the 15-year proposal was the lowest rate of those received, the accelerated payment schedule in comparison to the planning amounts used in the Town's 10-year Financial Model, among additional factors, made it most advantageous to use the 20-year options that were provided. Of those, Sterling National Bank was selected with the following terms:

- \$4,000,000 not to exceed total loan value
- 20-year repayment schedule with semi-annual principal plus interest payments
- Interest rate of 2.72%
- Non-Bank Qualified
- Sterling National Bank as the lender
- The final installment payment will be made on May 1, 2041.

- Annual debt service payments of approximately \$250,000 for 20 years.

Remaining Steps in the Revenue Bond Process:

- May 4th or June 1st - LGC considers approving the financing.
- Date is dependent on Morehead West Sewer Phase 1 permits being issued.
- May 10th - Town Council meeting - Council considers adopting a Bond Order and a Bond Issuance and Sale Resolution
- June 10th - Deadline to close on the 2021 Bonds.

Recommendation:

Staff recommends approval of the resolution directing an application to the LGC for approval of a Private Placement Revenue Bond with Sterling National Bank, with financing terms to include a maximum value of \$3,835,000 with an interest rate of 2.72%, Sterling National Bank as the lender and a term not to extend beyond May 1, 2041.

All information has been prepared by or reviewed by the Town's Attorney, Bond Counsel and Financial Advisor.

Fiscal Impact:

The Town will receive financing proceeds of approximately \$3,850,000 to pay the cost of issuance, to reimburse itself for expenditures already incurred on completed projects, and to fund the remaining uncompleted projects.

The Town will have one interest-only payment in November 2021 and one principal payment in FY2022 and in each subsequent year.

Annual debt service through May 1, 2041 consists of annual principal payments plus interest of approximately \$250,000 per year.

Attachments:

1. Town of Harrisburg, NC 2021 Revenue Bonds - Summary Memo
2. Initial Resolution - Harrisburg Revenue Bonds - 2021 Private Placement

To Town of Harrisburg, North Carolina
From Davenport & Company LLC
Date April 12, 2021
Subject Enterprise Systems Revenue Bond, Series 2021

Background

Davenport & Company LLC (“Davenport”), on behalf of the Town of Harrisburg, NC (the “Town”), distributed a Request for Proposals (“RFP”) to secure a commitment for a direct bank loan evidenced by an Enterprise Systems Revenue Bond, Series 2021 to finance Water and Sewer lines and decommissioning / conversion of existing pump stations to gravity sewer lines.

The RFP was distributed to over 60 National, Regional, and Local lending institutions. After the initial distribution, Davenport reached out to the potential bidders to assess their interest in the financing and address any questions they had.

As part of the RFP process, responding institutions were asked to provide both Bank Qualified and Non-Bank Qualified interest rates for both 15-year and 20-year terms.

RFP Responses

Through this process, the Town was able to secure four responses to the RFP, including:

1. Key Government Finance, Inc. (“Key”)
2. Pinnacle Public Finance, Inc. (“Pinnacle”)
3. Sterling National Bank (“Sterling”)
4. Truist Bank (“Truist”)

The following pages contain a summary of the key terms and conditions for the responses received.

April 12, 2021

Discussion Points

1. Interest Rate

A summary of the interest rates proposed for a closing by May 20th by the four bidders is outlined in Table 1 below. After submitting their proposals, Sterling and Truist indicated that they would be willing to hold their interest rates through June 10th. Once locked-in with the lenders, all interest rates are fixed through final maturity.

Table 1: Summary of Interest Rates

A Lender	B Option 1 (15 Years)	C Option 2 (20 Years)
1 Key Government Finance, Inc.	2.259%	-
2 Pinnacle Public Finance	3.180%	3.650%
3 Sterling National Bank	2.290%	2.720%
4 Truist Bank	NBQ: 2.360%	NBQ: 2.890%

The remainder of this memo will focus on the Key, Sterling and Truist Proposals, which provide the lowest interest rate options for the 2021 Revenue Bond.

April 12, 2021

2. Prepayment Provisions

Prepayment provisions offered by the select lending institutions are shown in Table 2 below.

Table 2: Summary of Prepayment Provisions

Lender	Prepayment Provisions
Key	Prepayable in whole or in part at any time with a 1% prepayment penalty in the first year and at par thereafter.
Sterling	Prepayable in whole or in part on any payment date after 5 years at 101% of par in years 6-9 and at par thereafter.
Truist	Either (i) prepayable in whole at any time at 101% of par or (ii) noncallable for the first half of the term callable at par thereafter.

3. Lender Closing Fees

Lender closing fees required by the select lending institutions are shown in Table 3 below.

Table 3: Summary of Lender Closing Fees

Lender	Lender Closing Fees
Key	\$0
Sterling	\$0
Truist	\$5,900

April 12, 2021

4. Estimated Debt Service

A summary comparison of the estimated debt service for the Key, Sterling and Truist proposals is shown below in Table 4. The preliminary estimated debt service shown includes funding the related cost of issuance.

Table 4: Summary of Estimated Debt Service (\$)

	A	B	C	D
	Lender	Key Government Finance	Sterling National Bank	Truist (NBQ)
Term	15 Years	20 Years	20 Years	20 Years
Sources				
Par Amount*	\$ 3,835,000	\$ 3,835,000	\$ 3,841,000	
Total	\$ 3,835,000	\$ 3,835,000	\$ 3,841,000	
Uses				
Project Fund Deposits*	\$ 3,715,000	\$ 3,715,000	\$ 3,715,000	
Cost of Issuance*	120,000	120,000	120,000	
Bank Fees	-	-	5,900	
Additional Proceeds*	-	-	100	
Total	\$ 3,835,000	\$ 3,835,000	\$ 3,841,000	
Interest Rate	2.2590%	2.7200%	2.8900%	
All-In TIC*	2.6913%	3.0620%	3.2514%	
Closing Date*	5/20/2021	5/20/2021	5/20/2021	
First Interest Payment	11/1/2021	11/1/2021	11/1/2021	
First Principal Payment	5/1/2022	5/1/2022	5/1/2022	
Final Maturity	5/1/2036	5/1/2041	5/1/2041	
Debt Service*				
Fiscal Year	Debt Service	Debt Service	Debt Service	
2022	\$ 302,060	\$ 248,807	\$ 255,146	
2023	301,663	250,232	255,670	
2024	301,693	251,152	255,364	
2025	306,610	251,936	254,942	
2026	306,302	252,584	255,405	
2027	305,880	253,096	254,723	
2028	305,346	253,472	254,926	
2029	304,698	248,712	254,984	
2030	303,938	248,952	254,897	
2031	303,064	249,056	255,666	
2032	302,078	249,024	255,262	
2033	305,979	248,856	255,713	
2034	304,653	248,552	254,991	
2035	303,215	253,112	255,124	
2036	301,664	252,400	255,084	
2037	-	251,552	254,871	
2038	-	250,568	255,484	
2039	-	249,448	254,895	
2040	-	253,192	255,132	
2041	-	251,664	255,167	
Total	\$ 4,558,842	\$ 5,016,367	\$ 5,103,447	
Difference to Key 15 Year Proposal	\$ -	\$ 457,524	\$ 544,604	

* Preliminary and subject to change.

April 12, 2021

Recommendation

Based upon our review of the proposals, related analyses, and discussions with Town Staff, Davenport recommends that the Town select the 20-year Sterling proposal. Sterling provided the lowest interest rate of any of the 20-year options, while also providing for the flexibility to close in June if necessary. The 20-year financing term provides lower annual payments and is consistent with the Town's financial planning projections.

Next Steps

April 12 th	Town Council Meeting – Council considers selecting winning bidder and adopting a Preliminary Findings Resolution.
May 4 th or June 1 st	LGC considers approving the financing.
May 10 th	Town Council Meeting – Council considers adopting a Bond Order and a Bond Issuance and Sale Resolution.
By June 10 th	Deadline to Close on the 2021 Bonds.

April 12, 2021

The U.S. Securities and Exchange Commission (the “SEC”) has clarified that a broker, dealer or municipal securities dealer engaging in municipal advisory activities outside the scope of underwriting a particular issuance of municipal securities should be subject to municipal advisor registration. Davenport & Company LLC (“Davenport”) has registered as a municipal advisor with the SEC. As a registered municipal advisor Davenport may provide advice to a municipal entity or obligated person. An obligated person is an entity other than a municipal entity, such as a not for profit corporation, that has commenced an application or negotiation with an entity to issue municipal securities on its behalf and for which it will provide support. If and when an issuer engages Davenport to provide financial advisory or consultant services with respect to the issuance of municipal securities, Davenport is obligated to evidence such a financial advisory relationship with a written agreement.

When acting as a registered municipal advisor Davenport is a fiduciary required by federal law to act in the best interest of a municipal entity without regard to its own financial or other interests. Davenport is not a fiduciary when it acts as a registered investment advisor, when advising an obligated person, or when acting as an underwriter, though it is required to deal fairly with such persons.

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RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HARRISBURG, NORTH CAROLINA DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF A REVENUE BOND AND CERTAIN RELATED MATTERS

WHEREAS, the Town Council (the “*Town Council*”) of the Town of Harrisburg, North Carolina (the “*Town*”) hereby determines that it is desirable to finance certain improvements to its water and sewer system (the “*Water and Sewer System*”);

WHEREAS, the Town Council is considering the issuance of a not to exceed \$4,000,000 Enterprise Systems Revenue Bond, Series 2021 (the “*2021 Bond*”) to (1) finance water and sewer lines and decommissioning/conversion of existing pump stations to gravity sewer lines (the “*Projects*”) and (2) pay the costs of issuing the 2021 Bond; and

WHEREAS, the Town has retained (A) Parker Poe Adams & Bernstein LLP, as bond counsel for the 2021 Bond, (B) Davenport & Company LLC, as financial advisor for the 2021 Bond, (C) U.S. Bank National Association, as trustee for the 2021 Bond and (D) Willdan Financial Services, as feasibility consultant (collectively, the “*Financing Team*”); and

WHEREAS, on approval by the Local Government Commission of North Carolina (the “*Commission*”) of the Town’s application for the 2021 Bond, the Commission will sell the 2021 Bond on behalf of the Town to Sterling National Bank, selected by the Town through a request for proposal process (the “*Lender*”);

WHEREAS, the Town Council wants the Finance Director of the Town to file with the Commission an application for its approval of the 2021 Bond, on a form prescribed by the Commission, and (1) request in such application that the Commission approve (A) the negotiation of the sale of the 2021 Bond to the Lender, (B) the Town’s use of the Financing Team in connection with the issuance of the 2021 Bond; and (2) state in such application such facts and to attach thereto such exhibits in regard to the 2021 Bond and to the Town and its financial condition, as may be required by the Commission, and to take all other action necessary to the issuance of the 2021 Bond.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF HARRISBURG, NORTH CAROLINA, AS FOLLOWS:

Section 1. That the 2021 Bond is to be issued by the Town in an aggregate principal amount not to exceed \$4,000,000 for the purpose of providing funds to (1) finance the Projects and (2) pay the costs of issuing the 2021 Bond, all as will be set out fully in the documents attached to the Town’s application to the Commission. The Projects are necessary to meet the needs of the users of the Town’s water and sewer system.

Section 2. That the Financing Team is hereby approved in connection with the issuance by the Town of the 2021 Bond, and the Mayor, the Town Manager, the Assistant Town Manager and the Finance Director, in consultation with the Commission, are each hereby authorized to retain other persons or organizations as may be necessary and appropriate to carry out the intention of this Resolution.

Section 2. That the Finance Director of the Town with advice from the Town Manager, the Assistant Town Manager, the Town Attorney, bond counsel and financial advisor, is hereby authorized, directed and designated to file an application with the Local Government Commission of North Carolina for its approval of the issuance of the 2021 Bond.

Section 3. That the Town Council finds and determines and asks the Commission to find and determine from the Town's application and supporting documentation:

- (a) that the issuance of the 2021 Bond is necessary or expedient;
- (b) that the not to exceed stated principal amount of the 2021 Bond will be sufficient but is not excessive, when added to other money available to the Town's water and sewer system, to finance the Projects;
- (c) that the Town's water and sewer system as now constituted, and as it will be constituted after the completion of the Projects, is feasible;
- (d) that the Town's debt management procedure and policies are good; and
- (e) that the 2021 Bond can be marketed at a reasonable interest cost to the Town.

Section 4. That the Town Council requests that the Commission sell the 2021 Bond through negotiation to the Lender on such terms as may be agreed on but at an interest rate not exceeding 2.90%.

Section 5. That the Mayor, the Town Manager, the Assistant Town Manager, the Finance Director and the Town Clerk, as their respective designees, individually or collectively, are each hereby authorized to do any and all other things necessary to complete the steps necessary for the authorization and sale of the 2021 Bond.

Section 6. That this Resolution is effective on the date of its adoption.

Steven J. Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk

STATE OF NORTH CAROLINA)
) SS:
TOWN OF HARRISBURG)

I, Janet Rackley, Town Clerk of the Town of Harrisburg, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled “**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HARRISBURG, NORTH CAROLINA DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF A REVENUE BOND AND CERTAIN RELATED MATTERS**” adopted by the Town Council of the Town of Harrisburg, North Carolina, at a meeting held on the 12th day of April, 2021.

WITNESS my hand and the corporate seal of the Town of Harrisburg, North Carolina, this the ____ day of _____, 2021.

[Seal]

Town Clerk
Town of Harrisburg, North Carolina



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of Conditional Rezoning, Zoning Map Amendment and Annexation for Kelly Woods Subdivision H-2020-08 (R).

Presenting Personnel:

Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:

If approved, the following motion is suggested:

To approve the Conditional Rezoning, Zoning Map Amendment and Annexation for Kelly Woods Subdivision H-2020-08 (R).

If denied, the following motion is suggested:

To deny the a Conditional Rezoning, Zoning Map Amendment and Annexation for Kelly Woods Subdivision H-2020-08 (R).

Description/Background:

Harrisburg Real Estate Investments, LCC, the property owner for parcel 55061061470000 has submitted a request to rezone and annex approximately 2.46 acres located off of Plaza Rd Ext. The applicant proposes to develop 4 single-family detached residential dwellings. To achieve this, the applicant is requesting that the property be rezoned from the current Low Density Residential (LDR) in the County to Conditional Residential Low Density (CZ-RL) in accordance with the site plan submitted with the application.

A staff report is included for more information and a site plan is submitted for your consideration. If approved, staff will continue reviewing the site plan in accordance with our Unified Development Ordinance (UDO) during the subsequent Preliminary Plat and Construction Document (CDs) reviews.

A Public Hearing on the rezoning request and annexation was held and closed on March 08, 2021, Final action will be taken at the April 12th meeting.

Recommendation:

With the conditions proposed, the rezoning request is consistent with the Harrisburg Area Plan and the UDO. Planning and Zoning Advisory Board recommended approval of the Rezoning request at their February 16, 2021 meeting.

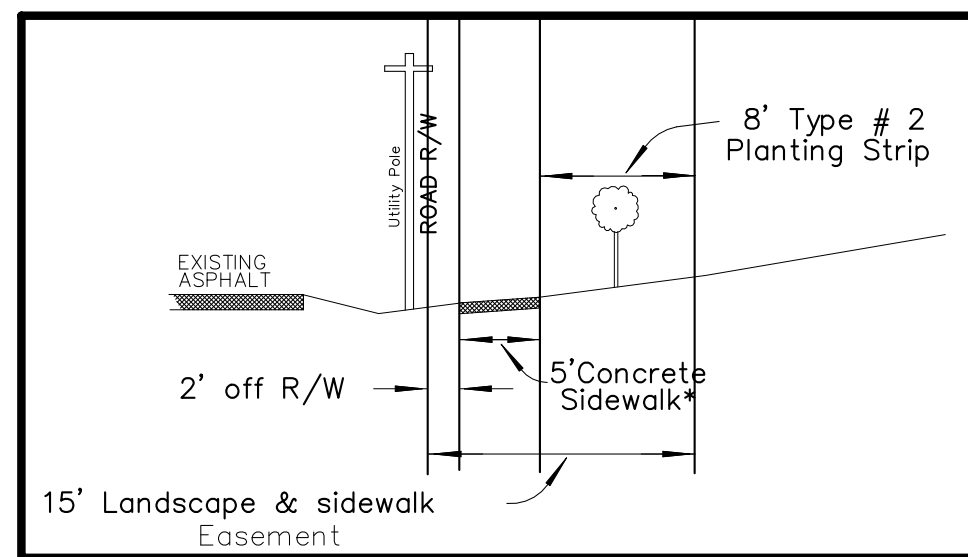
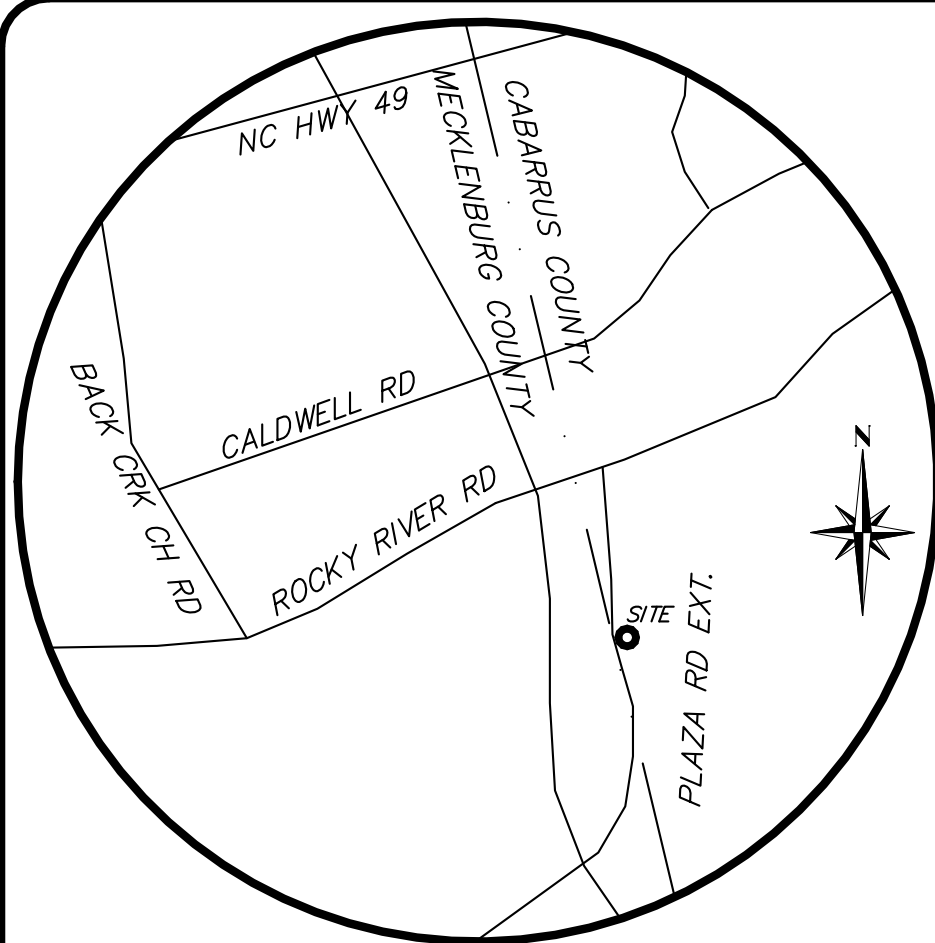
Planning and Zoning Department staff recommends approval of annexation and rezoning request H2020-08-R.

Fiscal Impact:

The annexation has no direct fiscal impact as a result of the annexation itself, however, the result of the development on the annexed properties will both generate additional property tax revenue for the Town and add to the costs associated with providing the additional homes with Town services.

Attachments:

1. Rez_KellyWoods_Rezoning and Utility Plan
2. Rez_Site Location Map_KellyWoods
3. Rez_Conditional Zoning Application_Kelly Woods
4. Rez_H_2020_08_R Staff Report
5. Rez_Kelly Woods_Home Elevations Example
6. Rez_Neighborhood Meeting Notes 12-17-20
7. Annex_Kelly Woods Annexation Application
8. Annex_Kelly Woods Survey
9. Annex_Resolution Fixing Date of Public Hearing Kelly Woods
10. Annex_KellyWoods Certificate of Sufficiency
11. Annex_KellyWoods Annexation Ordinance 7016



CROSS SECTION OF 15' LANDSCAPE & SIDEWALK TYPE 2 STREET YARD
Not to Scale

* SEE NCDOT CONCRETE SIDEWALK DRAWING #848.01 FOR TYPICAL CROSS SECTION OF NEW SIDEWALK

TYPE 2 STREET LEVEL PLANTING SCHEME:
HARRISBURG UDO: SEE SECTION 7.7-1
SECTION 7.7.3.1: OVERHEAD UTILITY LINES
ORNAMENTAL TREES: MINIMUM 50' SPACING
MINIMUM OF EIGHT TREES NEEDED
VARIETY: MAPLE, HOLLY, DOGWOOD, CHERRY



SITE STATISTICS

PIN# 5506 10 6147

CURRENT CABARRUS COUNTY ZONING

LOW DENSITY RESIDENTIAL "LDR"

EXISTING SETBACKS ARE:

FRONT: 75' / SIDE: 20' / REAR: 30'

PROPOSED TOWN OF HARRISBURG ZONING

RESIDENTIAL LOW DENSITY "RL"

PROPOSED SETBACKS ARE:

FRONT: 35' / SIDE: 15' / REAR: 30'

TOTAL AREA: 2.46AC

Proposed use: Single Family

Total number of lots: 4

Smallest lot area: 20,180 sqft

Minimum lot size: 100' wide x 125' deep

NCDOT R/W Dedication: 0.45AC

Net site area (Less R/W): 2.01AC

Area to be cleared: 35,000 sqft+-

This subdivision will be served by public water and gravity sewer service from the Town of Harrisburg. All water & sewer extensions and requirements for this project are the responsibility of the developer.

Applicant obtain any and all applicable local, state and federal permits required for development before any construction activity begins.

Applicant agrees to restrict cladding material for all residential buildings to masonry products; vinyl siding will not be used.

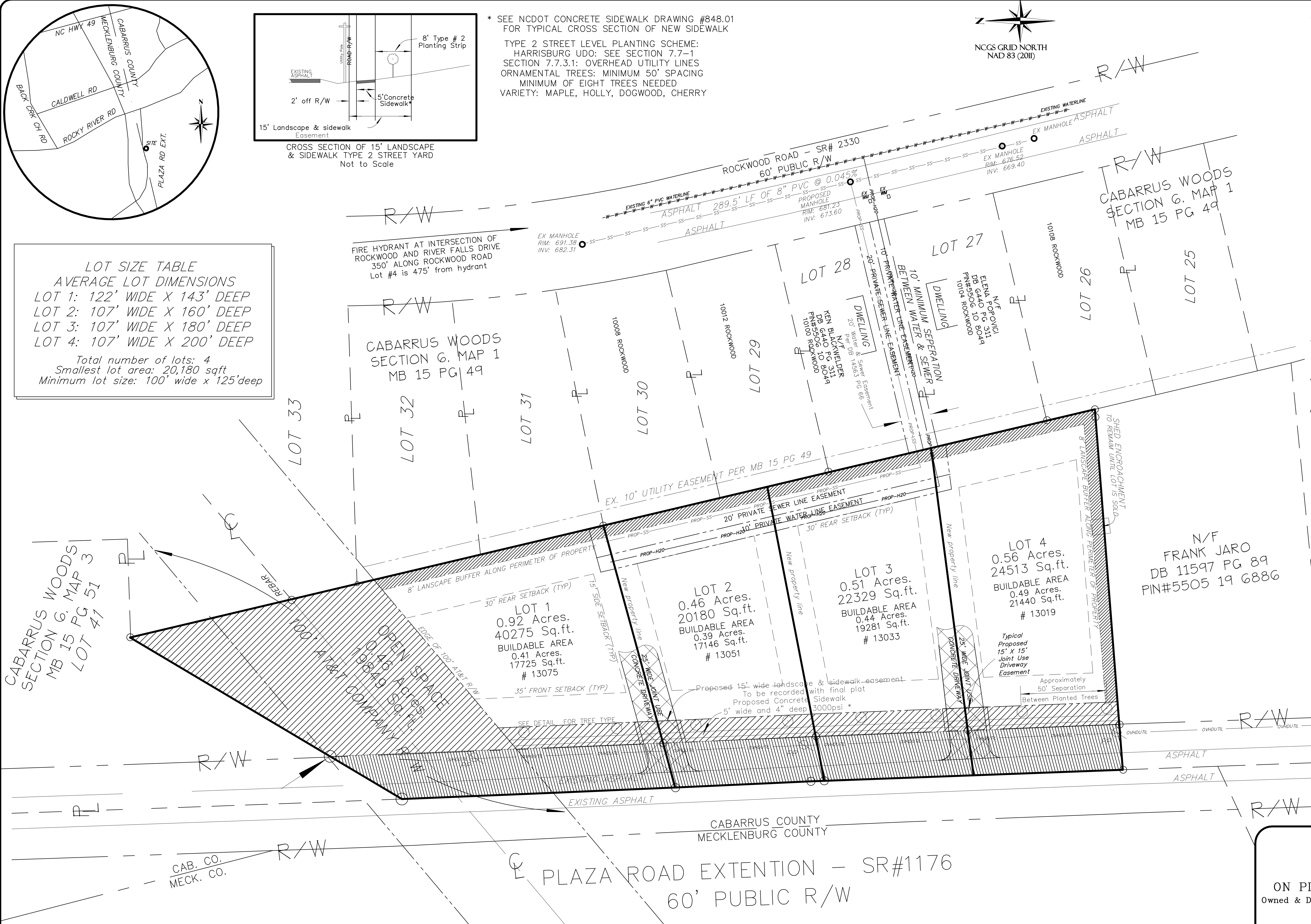
Applicant agrees that there will be no exposed concrete foundations and that the cladding must extend to the ground level on all sides of the homes.

- AREA DEDICATED TO N.C.D.O.T.
- LANDSCAPE BUFFER & OPEN SPACE

LEGEND

- EXISTING SIGN
- EXISTING IRON PIN
- EXISTING LIGHT POLE
- RIGHT-OF-WAY
- EXISTING TREE
- EXISTING TREE TO BE REMOVED
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING WATER METER
- EXISTING GAS VALVE
- EXISTING GAS METER
- EXISTING SEWER MANHOLE
- EXISTING STORM MANHOLE
- EXISTING UTILITY POLE
- EXISTING RIP RAP
- SAW CUT LINE
- EXISTING CURB AND GUTTER
- EXISTING FENCE
- EXISTING UNDERGROUND CABLE TV
- EXISTING OVERHEAD POWER LINE
- EXISTING UNDERGROUND TELEPHONE LINE
- EXISTING SANITARY SEWER FORCE MAIN
- EXISTING WATER LINE
- EXISTING GAS LINE
- EXISTING CONTOUR LINE
- EXISTING SPOT ELEVATION
- EXISTING DRAINAGE STRUCTURE
- EXISTING DOWNSPOUT
- EXISTING CLEANOUT
- EXISTING TELEPHONE PED.

LOT SIZE TABLE	
AVERAGE LOT DIMENSIONS	
LOT 1:	122' WIDE X 143' DEEP
LOT 2:	107' WIDE X 160' DEEP
LOT 3:	107' WIDE X 180' DEEP
LOT 4:	107' WIDE X 200' DEEP
Total number of lots: 4	
Smallest lot area: 20,180 sqft	
Minimum lot size: 100' wide x 125' deep	



REZONING PLAN FOR "KELLY WOODS"

4 LOTS OUT OF 2.46AC

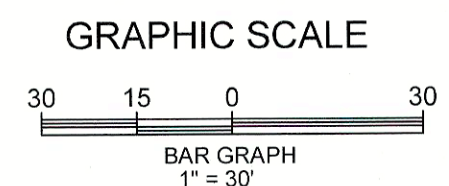
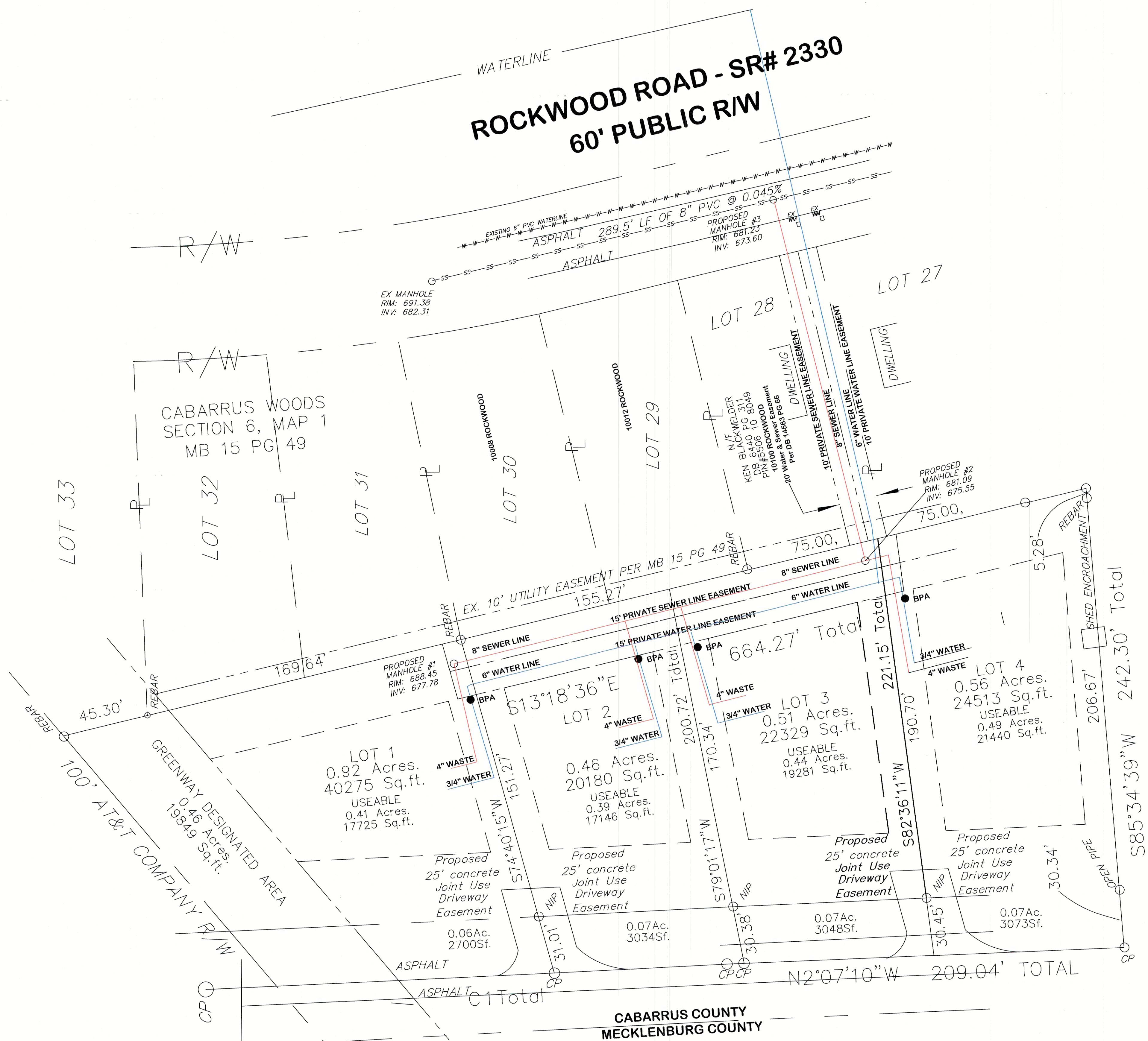
ON PLAZA ROAD EXTENSION - SR# 1176

Owned & Developed by: Harrisburg Real estate Investments, LLC
5640 Rocky River Rd, Chit NC 28215

DATE: FEBRUARY 2021
SCALE: 1" = 30'
TOWNSHIP: NC 1
Prop: Town of Harrisburg
COUNTY: CABARRUS
STATE: NORTH CAROLINA

SURVEY PERFORMED BY
HARRISBURG SURVEYING
DEUT. V: 27-17/PROV. V: 22-28
115 Plaza Dr Harrisburg, N.C.
(704) 455-9553 PHONE
<http://www.harrisburgsurveying.com>

DRAWN BY: SDG
COMP BY: JTW
REVISION:
MSCAD3.1
190216-REZONE PLAN



PLAZA ROAD EXTENTION - SR#1176
60' PUBLIC R/W

UTILITY PLAN
SCALE: 1" = 30'

LEGEND:			
ESP - Existing Iron Pipe / Pipe	B/C - Back of Curb	R/W - Right of Way	ESP - Existing Iron Pipe / Pipe
NIP - New Iron Pipe (12" Iron Rod/Rebar)	Tele - Telephone	ESMT - Easement	ESMT - Easement
CP - Computed Point	ELC - Power	PROPERTY LINE	PROPERTY LINE
PP - Power Pole	HVAC - Heating Ventilation and Cooling	FENCE	FENCE
R/W Mark - Right-of-Way Monument	UL - Utilities	FILE LINE (PWR TELE, ETC.)	FILE LINE (PWR TELE, ETC.)
R/W - Right of Way	UL - Utilities	APRX LOCATION OF SANITARY SEWER	APRX LOCATION OF SANITARY SEWER
Asph - Asphalt	ESMT - Easement	APRX LOCATION OF WATERLINE	APRX LOCATION OF WATERLINE
Conc - Concrete	CL - Center Line		
CB - Catch Basin			

ALL MATERIALS, EQUIPMENT, LABOR, AND WORKMANSHIP IS TO BE IN ACCORDANCE WITH AND SUBJECT TO THE TOWN OF HARRISBURG STANDARD SPECIFICATIONS, ORDINANCES, POLICIES, AND STANDARD SPECIFICATIONS, AND THE NORTH CAROLINA ADMINISTRATIVE CODE FOR WASTEWATER COLLECTION AND WATER DISTRIBUTION SYSTEMS. IN THE EVENT OF CONFLICT BETWEEN THE TOWN OF HARRISBURG'S STANDARD SPECIFICATIONS, POLICIES, AND STANDARD SPECIFICATIONS, OR THE NORTH CAROLINA ADMINISTRATIVE CODE, THE MORE RESTRICTIVE REQUIREMENTS SHALL APPLY.

A FULL STORMWATER AND UTILITY REVIEW WILL BE CONDUCTED FURING CONSTRUCTION DOCUMENT PHASE.

OWNER
HARRISBURG REAL ESTATE INVESTMENTS, LLC
5640 ROCKY RIVER RD
CHARLOTTE, NC 28215
704-651-2002

DESIGNER:
RAYMOND H. CATHEY, PE
P.O. BOX 23569
CHARLOTTE, N.C. 28227
704-201-8873

RAYMOND H. CATHEY, PE
PROFESSIONAL ENGINEER

13121 GRAYMIST DR.
CHARLOTTE, N.C. 28215
raycatheyeng@aol.com

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LICENSED CONTRACTORS, IN THEIR RESPECTIVE TRADES, SHALL FOLLOW ALL OSHA SAFETY GUIDELINES.

SEAL
RAYMOND H. CATHEY
2/9/21

2/9/21

HARRISBURG REAL ESTATE INVESTMENTS, LLC
5640 ROCKY RIVER RD - CHARLOTTE, NC 28215

UTILITY PLAN
LOTS 1,2,3&4

AUGUST 2020

DRAWN BY: RHC
DATE:

CHECKED BY: RHC

REVISIONS:

SHEET

LD-2

1. SURFACE WATER CONTROL FEATURES SHALL BE INSTALLED PER APPROVED PLAN.
2. AREAS TO BE SEED SHALL BE RIPPED AND SPREAD WITH AVAILABLE TOPSOIL 3" DEEP. TOTAL SEEDING PREPARED BATH SHALL BE 4" TO 6" DEEP.
3. LOOSE ROCKS, ROOTS AND OTHER OBSTRUCTIONS SHALL BE REMOVED FROM THE SURFACE SO THAT THEY WILL NOT INTERFERE WITH ESTABLISHMENT AND/OR MAINTENANCE OF VEGETATION. SURFACES FOR FINAL SEED BED PREPARATION, AT FINISH GRADES SHOWN, SHALL BE REASONABLY SMOOTH AND UNIFORM.
4. IF NO SOIL TEST IS TAKEN, FERTILIZER AND LIME SHALL BE APPLIED ACCORDING TO SEEDING SPECIFICATIONS.
5. IF SOIL TEST IS TAKEN, PROVIDE FERTILIZER AND LIME ACCORDING TO SOIL TEST REPORT.
6. FERTILIZER AND LIME SHALL BE APPLIED UNIFORMLY AND MIXED WITH THE SOIL DURING SEEDING PREPARATION.
7. GRADED SLOPES AND FILLS: THE ANGLES FOR GRADED SLOPES SHALL BE NO GREATER THAN THE ANGLE WHICH CAN BE RETAINED BY VEGETATIVE COVER OR OTHER ADEQUATE EROSION CONTROL MEASURES. IN ANY EVENT, SLOPES LEFT EXPOSED SHALL WITHIN 15 WORKING/ 90 CALENDAR DAYS OF COMPLETION OF GRADING BE SEED AND MULCHED. ALL REMAINING AREAS ARE TO BE SEED AND MULCHED WITHIN 120 DAYS. THE MAXIMUM ALLOWED SLOPE IS 2:1.
8. GROUND COVER: WHENEVER LAND DISTURBING ACTIVITY IS UNDERTAKEN ON A TRACT COMPRISING MORE THAN ONE (1) ACRE, IF MORE THAN ONE (1) CONTIGUOUS ACRE IS UNCOVERED, A GROUND COVER SUFFICIENT TO RESTRAIN EROSION MUST BE PLANTED OR OTHERWISE PROVIDED WITHIN 15 WORKING/ 90 CALENDAR DAYS

(FOR SEEDING JAN 1 - MAY 1)

1. ALL OPEN AREAS SHALL BE SEED WITH RYE (GRASS).
2. LIME SHALL BE APPLIED AT 200/LB PER ACRE.
3. FERTILIZER SHALL BE APPLIED AS FOLLOWS: 10-10-10 AT 750 LB. PER ACRE.
4. SEED SHALL BE APPLIED AT 125 LB. PER ACRE (420 00 LB. PER ACRE ANNUAL FERTILIZER WITH MAXIMUM OF 1000 LBS PER ACRE TO EXCEED REVIEW AREA).
5. STEAM SHALL BE APPLIED AT 4000 LB. PER ACRE AND ASPHALT TACKED AT 225 GAL. PER ACRE.
6. STEAM SHALL BE APPLIED AT 4000 LB. PER ACRE AND ASPHALT TACKED AT 225 GAL. PER ACRE.

(FOR SEEDING MAY 1 - AUG. 15)

1. ALL OPEN AREAS SHALL BE SEED WITH GERMAN BUELT.
2. LIME SHALL BE APPLIED AT 200/LB PER ACRE.
3. FERTILIZER SHALL BE APPLIED AS FOLLOWS: 10-10-10 AT 750 LB. PER ACRE.
4. SEED SHALL BE APPLIED AT 125 LB. PER ACRE.
5. STEAM SHALL BE APPLIED AT 4000 LB. PER ACRE AND ASPHALT TACKED AT 225 GAL. PER ACRE.
6. STEAM SHALL BE APPLIED AT 4000 LB. PER ACRE AND ASPHALT TACKED AT 225 GAL. PER ACRE.

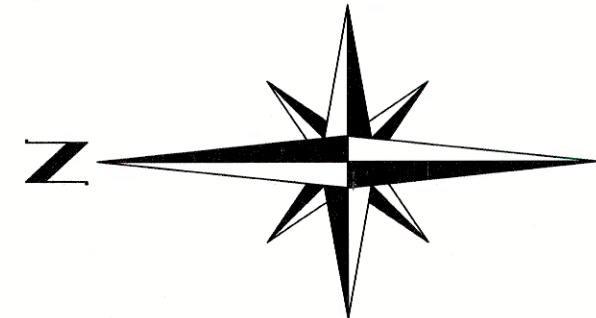
(FOR SEEDING AUG. 15 - DEC. 30)

1. ALL OPEN AREAS SHALL BE SEED WITH RYE (GRASS).
2. LIME SHALL BE APPLIED AT 200/LB PER ACRE.
3. FERTILIZER SHALL BE APPLIED AS FOLLOWS: 10-10-10 AT 750 LB. PER ACRE.
4. SEED SHALL BE APPLIED AT 125 LB. PER ACRE.
5. STEAM SHALL BE APPLIED AT 4000 LB. PER ACRE AND ASPHALT TACKED AT 225 GAL. PER ACRE.
6. STEAM SHALL BE APPLIED AT 4000 LB. PER ACRE AND ASPHALT TACKED AT 225 GAL. PER ACRE.

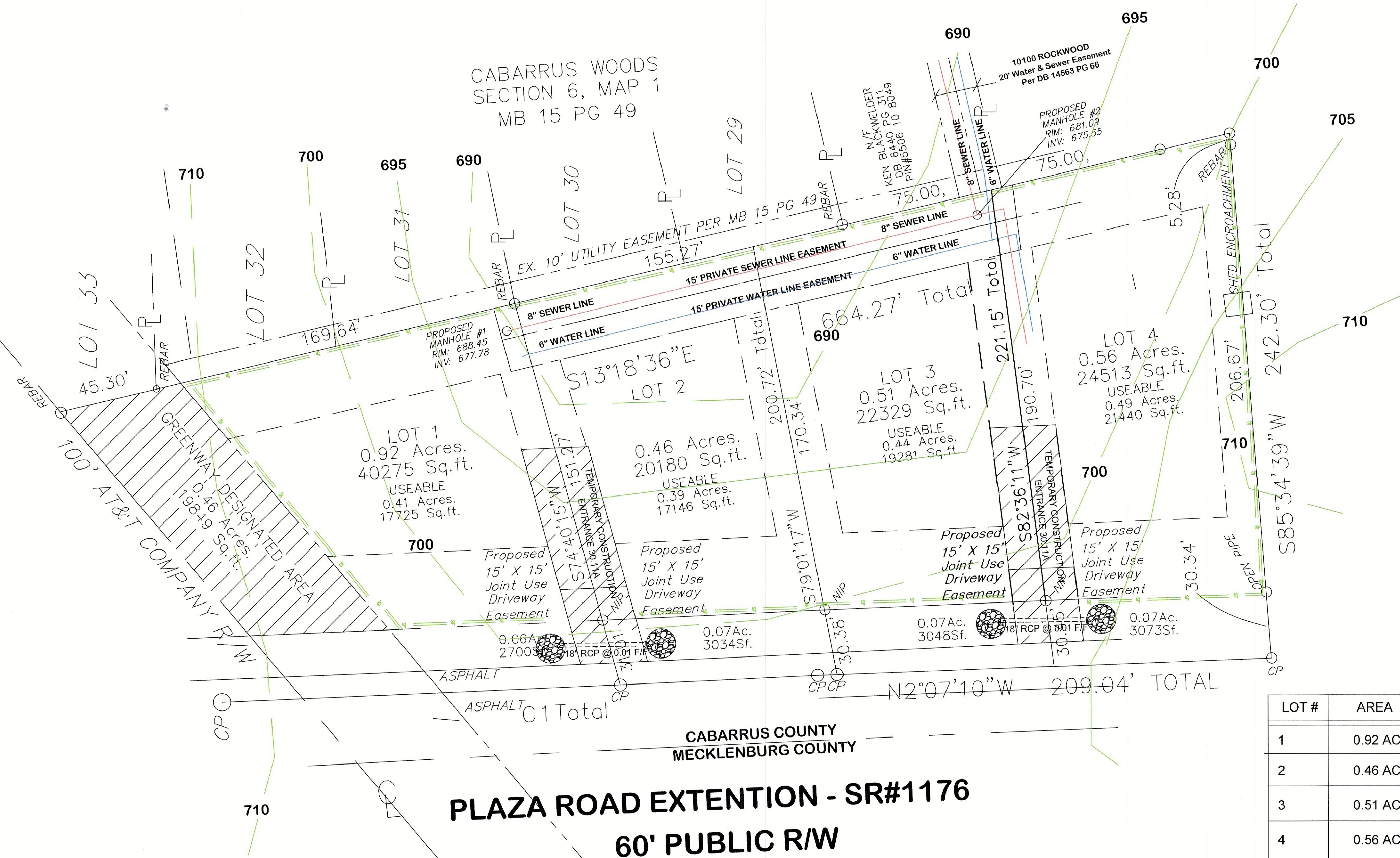
BOUNDARY SURVEY INFORMATION GENERATED FROM SURVEY
PREPARED BY HARRISBURG SURVEYING DATED NOVEMBER 2020. SEE SITE
PLAN SHEET LD-1.

NOTE: THIS SITE IS NOT IN
A 100 YEAR FLOOD ZONE AS SHOWN.
FEMA PANEL #3710550600K
NOVEMBER 16, 2018

DRIVEWAY PERMIT
NCDOT DRIVEWAY PERMIT
REQUIRED DURING CONSTRUCTION
DOCUMENT PHASE



NCGS GRID NORTH
NAD 83 (2011)

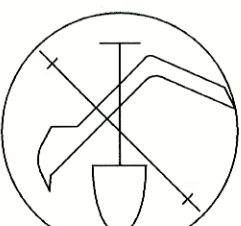
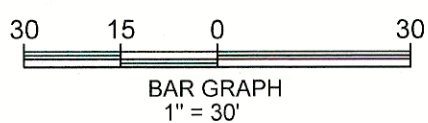


PLAZA ROAD EXTENTION - SR#1176
60' PUBLIC R/W

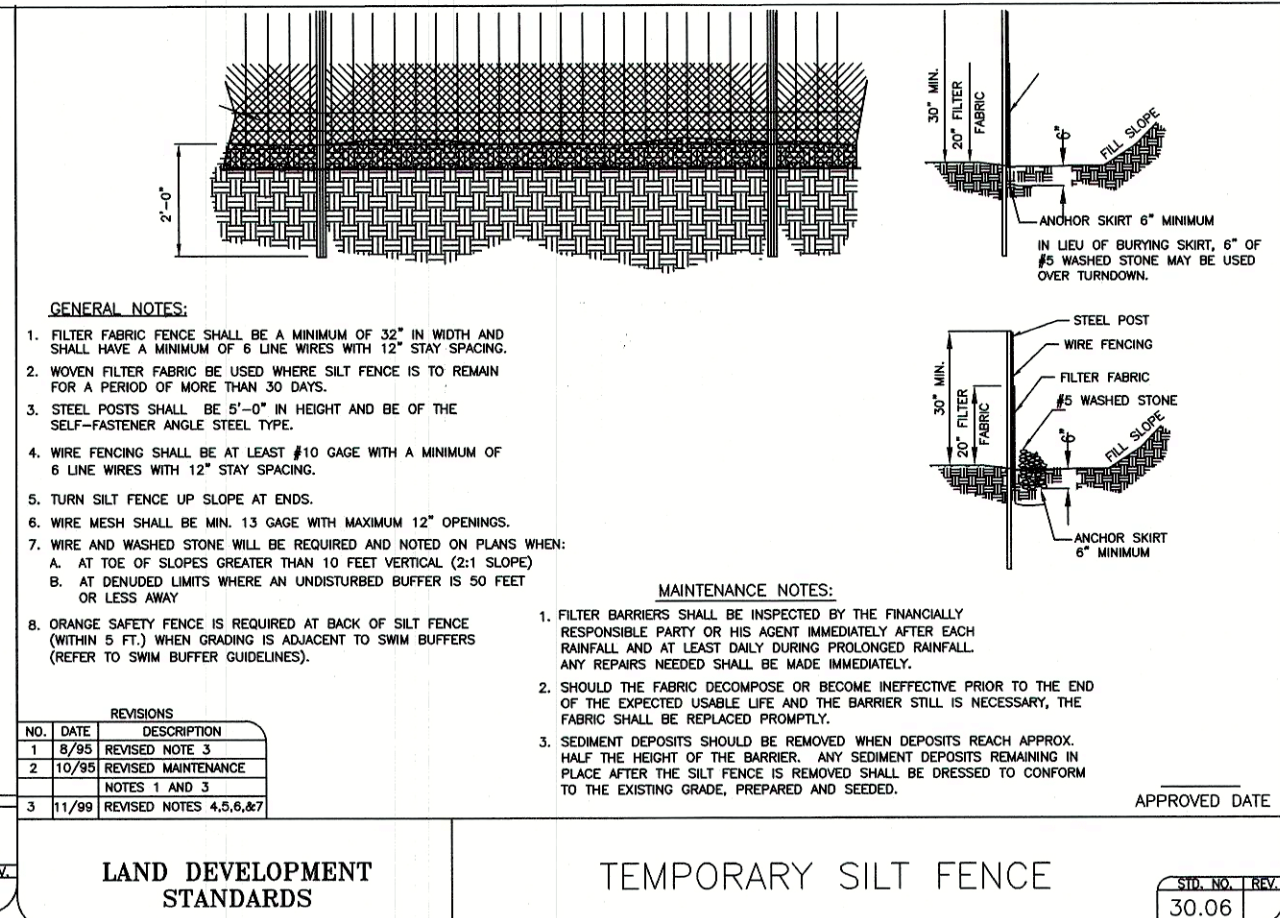
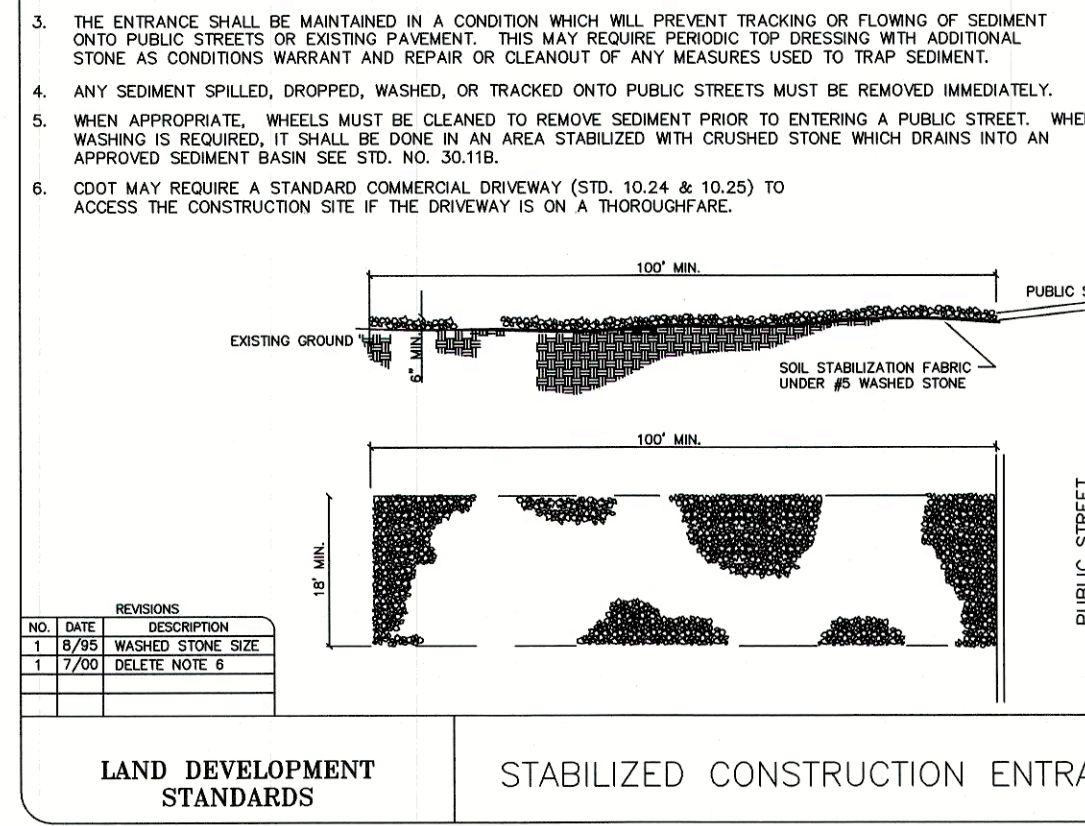
GRADING & STORMWATER PLANS

SCALE: 1" = 30'

GRAPHIC SCALE



BEFORE YOU DIG!
CALL 1-800-832-4948
NC ONE-CALL CENTER
IT'S THE LAW!



GENERAL GRADING & SITE NOTES

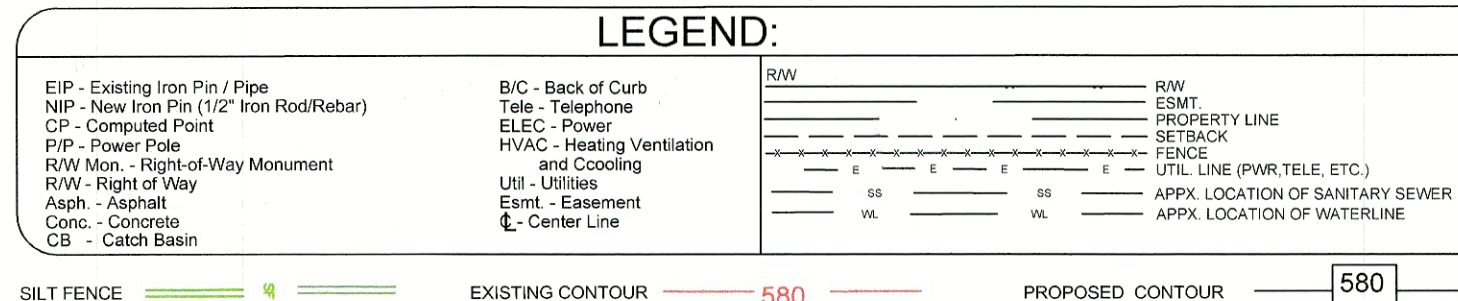
- (1) THE UTILITIES AND THE LOCATIONS THEREOF, SHOWN ON THE PLANS, REPRESENT THE DESIGNER'S UNDERSTANDING OF EXISTING UTILITIES IN THE CONSTRUCTION AREA. THE CONTRACTOR SHALL VERIFY THE LOCATION, DEPTH, AND EXISTENCE OF ALL UTILITIES (ELECTRICAL, MECHANICAL, GAS, WATER, TELEPHONE, ETC.) WITHIN THE CONSTRUCTION AREA WITH THE OWNER AND/OR THE APPROPRIATE UTILITY COMPANY PRIOR TO BEGINNING ANY EXCAVATION. THE OMISSION OR OR THE INCLUSION OF UTILITY LOCATIONS ON THE PLANS IS NOT TO BE CONSIDERED AS THE NONEXISTENCE OF, OR A DEFINITE LOCATION OF EXISTING UNDERGROUND UTILITIES. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE. CONTACT (704) 201-8873 (800-652-4948).
- (2) EXISTING UTILITY LOCATIONS, EXISTING TREE LOCATIONS, EXISTING BOUNDARY, SITE DESIGN AND PROPOSED GRADING ARE BASED UPON INFORMATION OBTAINED FROM SURVEY PERFORMED BY HARRISBURG SURVEYING DATED MAY 2, 2002 AND WHICH ARE A PART OF THESE PLANS AND SPECIFICATIONS.
- (3) ALL LANDSCAPE AREAS DISTURBED DURING CONSTRUCTION SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AT THE CONTRACTOR'S EXPENSE.
- (4) APPROVAL OF THIS PLAN IS NOT AUTHORIZED TO GRADE ADJACENT PROPERTIES WHEN FIELD CONDITIONS WARRANT OFF-SITE GRADING CONTRACTOR MUST HAVE WRITTEN PERMISSION FROM THE OWNER(S) BEFORE PROCEEDING.
- (5) ALL CONSTRUCTION AND CONSTRUCTION MATERIALS WITHIN GASTON COUNTY RIGHT-OF-WAY AND NCDOT RIGHT-OF-WAY SHALL CONFORM TO THEIR STANDARD SPECIFICATIONS.
- (6) CONTRACTOR TO PROVIDE ALL EROSION CONTROL MEASURES AS REQUIRED BY LOCAL AND STATE REGULATIONS.
- (7) ALL HANDICAPPED RAMPS, PARKING SPACES, ETC. TO MEET ALL APPLICABLE ACCESSIBILITY CODES.
- (8) THE CONTRACTOR SHALL REFER TO ARCHITECTURAL / CIVIL DRAWINGS FOR THE LOCATION AND DIMENSIONS OF BUILDING AND SURROUNDING AREA.
- (9) USE YES, BENDS, TEES, ETC. AS NECESSARY FOR ALL DRAINING PIPES, ROOF LEADERS, DOWNSPOUTS, ETC..
- (10) CONTRACTOR TO SUBMIT ALL SITE CONSTRUCTION SHOP DRAWINGS TO ENGINEER FOR APPROVAL. ANY SUBSTITUTIONS OR REVISIONS TO MATERIALS OR CONSTRUCTION SHALL BE APPROVED BY ENGINEER PRIOR TO THE INITIATION OF CONSTRUCTION ACTIVITIES.
- (11) ALL CONSTRUCTION AND CONSTRUCTION MATERIALS SHALL CONFORM TO GASTON COUNTY LAND DEVELOPMENT STANDARDS.
- (12) TOPSOIL TO BE STRIPPED AND STOCKPILED IN AREA DESIGNATED BY ENGINEER.
- (13) ANY UNSUITABLE MATERIALS ARE TO BE QUALIFIED BY A GEOTECHNICAL ENGINEER PRIOR TO REMOVAL. CONTRACTOR MUST NOTIFY OWNER OR OWNER'S REPRESENTATIVE IF UNSUITABLE MATERIAL IS UNCOVERED.
- (14) ANY EXCESS SOIL SHALL BE WASTED ON-SITE IN AREA DESIGNATED BY ENGINEER. WASTE AREAS SHALL BE STABILIZED TO ENSURE EROSION CONTROL OF SLOPED AREAS.
- (15) CONTRACTOR TO COORDINATE WITH GEOTECHNICAL ENGINEER IF SUBSURFACE DRAINAGE SYSTEMS ARE INSTALLED. IF INITIAL SOILS REPORT RECOMMENDS THE INSTALLATION OF SUBSURFACE DRAINAGE SYSTEMS BENEATH FOOTING AND BUILDING AREAS, CONNECTIONS ARE TO BE FIELD COORDINATED.
- (16) ANY GRADING BEYOND THE SPECIFIED DEDUDED LIMITS IS A VIOLATION OF THE EROSION CONTROL ORDINANCE AND SUBJECT TO A FINE.
- (17) GRADING MORE THAN ONE ACRE WITHOUT AN APPROVED EROSION CONTROL PLAN IS A VIOLATION OF THE EROSION CONTROL ORDINANCE AND SUBJECT TO A FINE.
- (18) STABILIZATION IS THE BEST FORM OF EROSION CONTROL. TEMPORARY SEEDING IS NECESSARY TO ACHIEVE EROSION CONTROL ON LARGE DEDUDED AREAS AND ESPECIALLY WHEN SPECIFICALLY REQUIRED AS PART OF THE CONSTRUCTION SEQUENCE SHOWN ON THIS PLAN. ALL GRADED SLOPES MUST BE SEED AND MULCHED WITHIN 30 DAYS OF COMPLETION OF GRADING ACTIVITIES. ALL REMAINING AREAS ARE TO BE SEED AND MULCHED WITHIN 120 DAYS.

GRADING AND EROSION CONTROL SHALL MEET THE REQUIREMENTS OF
THE TOWN OF HARRISBURG UNIFIED DEVELOPMENT ORDINANCE.

THE STORMWATER PLAN SHALL MEET THE REQUIREMENTS OF
THE TOWN OF HARRISBURG UNIFIED DEVELOPMENT ORDINANCE

LOT #	AREA	USABLE	IMPERVIOUS	COMMENTS
1	0.92 AC	0.41 AC	3250 SF	LESS THAN ONE(1) ACRE - ECP DESIGNED FOR 1 ACRE LOT Full stormwater review will be conducted during construction document phase.
2	0.46 AC	0.39 AC	3250 SF	LESS THAN ONE(1) ACRE - ECP DESIGNED FOR 1 ACRE LOT Full stormwater review will be conducted during construction document phase.
3	0.51 AC	0.44 AC	3250 SF	LESS THAN ONE(1) ACRE - ECP DESIGNED FOR 1 ACRE LOT Full stormwater review will be conducted during construction document phase.
4	0.56 AC	0.49 AC	3250 SF	LESS THAN ONE(1) ACRE - ECP DESIGNED FOR 1 ACRE LOT Full stormwater review will be conducted during construction document phase.

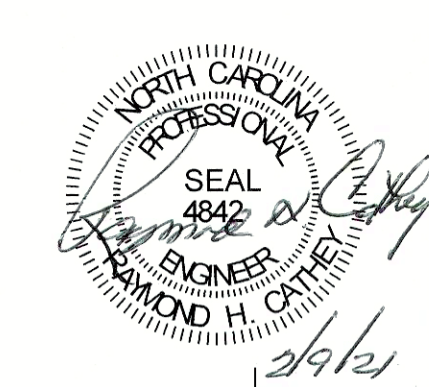
A FULL STORM WATER AND UTILITY REVIEW WILL BE
CONDUCTED DURING THE CONSTRUCTION DOCUMENTS
PHASE.



OWNER
HARRISBURG REAL ESTATE INVESTMENTS, LLC
5640 ROCKY RIVER RD
CHARLOTTE, NC 28215
704-651-2002

DESIGNER
RAYMOND H. CATHEY, PE
P.O. BOX 23569
CHARLOTTE, N.C. 28227
704-201-8873

THIS DRAWING AND THE DESIGN SHOWN ARE THE
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REPRODUCTION, COPYING OR USE OF THIS
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LICENSED CONTRACTORS, IN THEIR RESPECTIVE
TRADES, SHALL FOLLOW ALL OSHA SAFETY
GUIDELINES.



HARRISBURG REAL ESTATE
INVESTMENTS, LLC
5640 ROCKY RIVER RD
CHARLOTTE, NC 28215
SHEET TITLE: GRADING PLAN
SHEET TITLE: STORMWATER PLAN

DECEMBER 2020

DRAWN BY: RHC

CHECKED BY: RHC

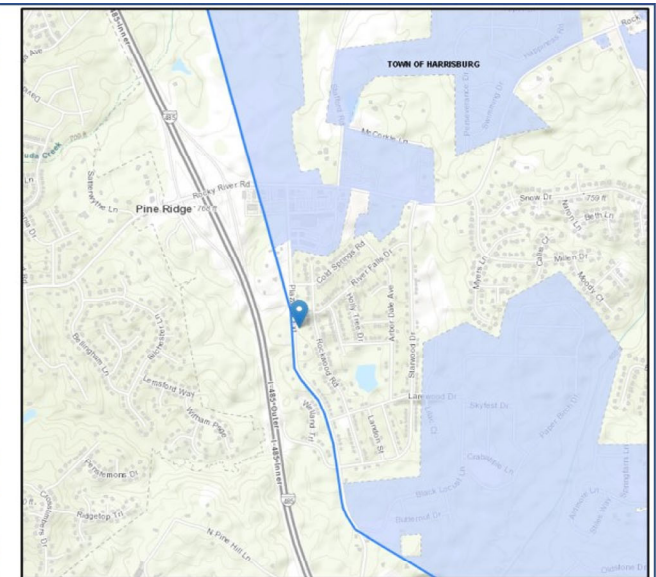
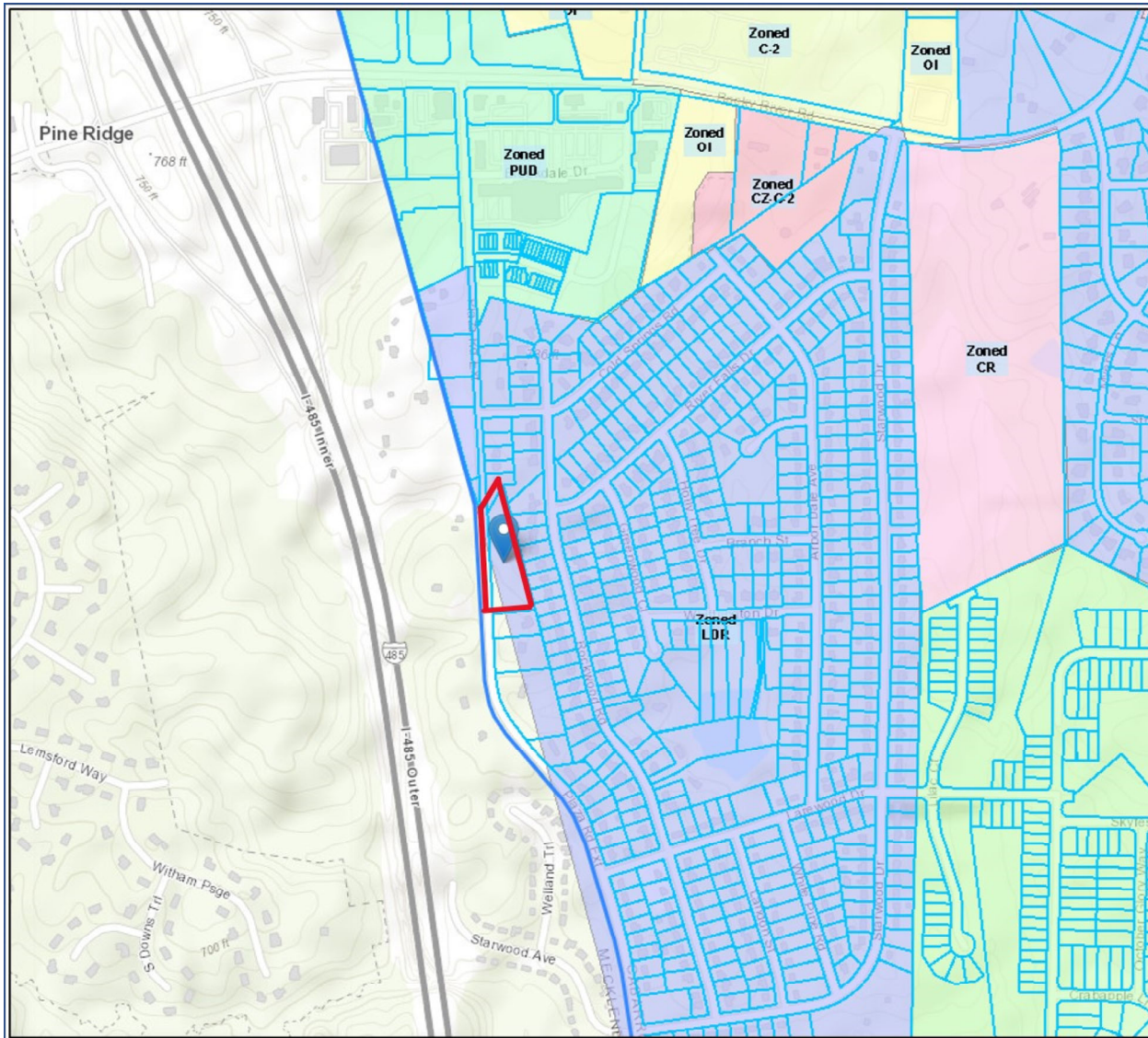
REVISIONS:

SHEET

LD-3

RAYMOND H. CATHEY, PE
PROFESSIONAL ENGINEER
13121 GRAYMIST DR.
CHARLOTTE, N.C. 28215
raycatheyeng@aol.com

P.O. BOX 23569
CHARLOTTE, N.C. 28227
(704) 201-8873



H2020-08(R) Rezoning and Annexation Request

Parcel Identification Number:
55061061470000

Applicant: Harrisburg Real Estate Investments, LLC
Current Zoning: Low Density Residential (LDR), County
Requested Rezoning: Conditional Residential Low Density (CR-ZL)

Map Created: February 2021





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APPLICATION FOR CONDITIONAL REZONING

Applications for a Conditional District must be accompanied by an application for a Zoning Map Amendment.

1. Please submit fifteen (15) copies of a complete development plan in conformance with Appendix B, Section B-4 of the UDO (all conditional rezoning applications shall include a site specific development plan which, if approved, shall be binding on the property in question). If approved, a zoning site plan review and approval will be required to receive a zoning compliance permit. For specific requirements, please see the form entitled "Site Plan Requirements".
2. Please list the specific permitted land use(s) that you are proposing. Land use(s) shall be chosen from Article 4.6 in the Harrisburg UDO titled "Use Regulations" and shall correspond to the Zoning District requested.

Current: LDR

—————→ To: RL (Harrisburg Zoning)

3. Please list any specific conditions that you would be willing to impose as part of this application (example: no outside storage permitted on-site, increased buffer width, etc.).

** We are willing to impose any specific
conditions needed or recommended by
Harrisburg. Thank You **



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Owner Information

It is understood by all parties hereto that while this application will be carefully considered and reviewed, the burden of providing its need and providing all required evidence rests with the below named petitioner. In addition, it is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound by the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended through the rezoning process. It is further understood and acknowledged that it is the responsibility of the petitioner to file the development plan in the Cabarrus County Register of Deeds Office as a deed restriction upon the subject property.

If, after two years from the date of approval substantial construction has not begun, the property in question may revert to its prior zoning designation after a public hearing is held in compliance with the required procedure for a zoning map amendment.

I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

Property Owner

Harrisburg Real Estate Investments, LLC

Address

5640 Rocky River Rd.
Charlotte, NC 28215

Phone

704-651-2002

Fax

Signature

[Signature]

NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.

OFFICIAL USE ONLY:

Petition Number: _____

Date Filed: _____

Received By: _____



APPLICATION FOR ZONING MAP AMENDMENT

The following steps are required in order for your application to be considered complete.

Incomplete applications will be returned to the applicant and will not be processed.

1. Schedule a pre-application meeting with staff.
2. Submit a completed application for an amendment to the official zoning map. All applications must include:
 - a. A list of all adjacent property owners (include owner name, address, and Parcel Identification Number)
 - b. A recent survey or legal description of the property or area to be rezoned
 - c. A copy of the letter, minutes, and the sign-up sheet from the Neighborhood Meeting
 - d. Copies of the Traffic Impact Analysis (TIA), proposed site plan, landscape plan, and proposed building elevations (applicability determined at pre-application meeting with staff)
3. Submit cash, checks, or money orders made payable to the Town of Harrisburg for all fees listed in the pre-application checklist.

Overview of the Rezoning Process:

1. Hold a pre-application meeting with staff to discuss your rezoning request and the map amendment process.
2. Hold a **neighborhood meeting** with the adjacent property owners. All adjacent property owners must be contacted and given an opportunity to meet with the applicant at a meeting established at a reasonable time. No member of the Town decision-making entity may participate in this meeting.
3. Submit a Zoning Map Amendment application to the Town of Harrisburg Planning Department. All applications must be submitted by the third Tuesday of the Month to go before the Planning and Zoning Board on the following month. NOTE: If the request is a Conditional Zoning request, complete and submit, with this application, a Conditional Rezoning Application.
4. Planning staff will review your application and subsequent information, prepare a staff report for the Board and take your request to the Planning and Zoning Board for a recommendation to the Town Council. Planning Board meetings are held on the third Tuesday of every month at 7:00 PM.
5. Once the Planning and Zoning Board has made a recommendation, staff will notify the adjacent property owners of the public hearing, post a sign on the property, and place announcements of the hearing in the local newspaper.
6. Town Council meetings are held on the second Monday of every month at 7:00 PM. At this meeting the Council will hold a public hearing and may vote on your request. Meetings are held at the Harrisburg Town Hall located at 4100 Main Street, Suite 101.

Questions: Contact the Town of Harrisburg Planning Department with any questions regarding rezonings in the Town of Harrisburg. Staff can be reached at 704-455-0709.



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Subject Property Information

1. Street Address 13075 PLAZA RD. EXT.
2. PIN(s) (10 digit#) 5506-- 10 -- 6147. 0000-- --
3. Deed Reference Book 14447 Page 0321
4. Township # 1 HARRISBURG

Description of Subject Property

5. Size (square feet or acreage) 2.46 Acres
6. Street Frontage (feet) 483.39
7. Current Land Use LDR Residential Vacant Land (Cabarrus County)
8. Surrounding Land Use and Zoning Classification

North: Zoning <u>LDR</u>	Land Use <u>Residential</u>	} <u>CABARRUS County</u> <u>Cabarrus Woods</u> <u>(3 houses per acre)</u>
South: Zoning <u>LDR</u>	Land Use <u>Residential</u>	
East: Zoning <u>LDR</u>	Land Use <u>Residential</u>	
West: Zoning <u>R-8</u>	Land Use <u>Residential</u>	→ <u>Mecklenburg County</u> <u>(Up to 8 houses acre)</u>
9. Request to Change Zoning From LDR to RL
(Cabarrus County) (Harrisburg Zoning)
10. Is this a request for a Conditional Rezoning? YES (NO)

(If YES, you must also submit an application for a Conditional Rezoning)

11. Purpose for Request: * 2.46 Acres of Vacant Land to be Re-Zoned to RL.
This property is designated for low-density residential growth in
Harrisburg Land Use Plan, which allows 1-2 units/acre Residential
homes (single family only). We want to improve this parcel
to allow 4 buildable Residential lots for 4 new homes.
We are requesting the 2.46 acre parcel to be rezoned to Harrisburg
zoning classification RL and Annexed when Rezoning Approved.*



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Owner/Agent/Applicant Information

It is understood by all parties hereto that while this application will be carefully considered and reviewed, the burden of providing its need and providing all required evidence rests with the below named petitioner.

I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

12. Property Owner

Address

Phone

Fax

Email:

Signature

Harrisburg Real Estate Investments, LLC
5640 Rocky River Rd. - Charlotte, NC 28215
(704) 651-2002
N/A
Harrisburg RE Investments@gmail.com
CEO: KR Chalman

13. Agent (if any)

Address

Phone

Fax

Email

Signature

SAME AS ABOVE

14. Applicant (if any)

Address

Phone

Fax

Email

Signature

SAME AS ABOVE

NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.



Town of Harrisburg
Planning and Economic Development Department
Rezoning Staff Report

DATE: February 9, 2021

SUBJECT:

Request H-2020-08-(R): To rezone approximately 2.46 acres from County LDR (Low Density Residential) to CZ-RL (Conditional Zoning Residential Low Density)

Location: The subject property is located at the southeast corner of Plaza Road Ext near Vandora Drive (PIN 5506106147)

Applicant: Harrisburg Real Estate Investments (Kelli Chapman)

Staff Report Prepared by: Craig Thomas, Senior Planner

Neighborhood Meeting: Held December 17, 2020

BACKGROUND:

Area: ±2.46 acres Total

Existing Land Use: Vacant/Single-Family Residential

Zoning within 500 feet: North - Low Density Residential (LDR), County
South - Low Density Residential (LDR), County
East - Low Density Residential (LDR), County
West - Low Density Residential (LDR), County

Land Uses within 500 feet: North - Single-family Residential, County
South - Single-family Residential, County
East - Single-family Residential, County
West - Single-family Residential, County

APPLICATION SUMMARY:

- The applicant proposes to develop a four lot single-family subdivision. To achieve this, the applicant is requesting that the property be rezoned from County LDR (Low Density Residential) to CZ-RL (Conditional Zoning Residential Low Density).
- The proposed density of the site is 1.62 dwelling units per acre. The RL district has a maximum density of 2 dwelling units per acre but upon approval of this rezoning, the density will be capped at 1.62 units/acre and the site plan will be attached with the land.
- Per the Town subdivision regulations, the applicant is providing dedicated public open space. The applicant proposes the development of 0.46 acres of open space as part of the development.
- As a conditional zoning request, the applicant has submitted a site plan along with the request for rezoning, which is attached for your consideration.
- The property is in the County, applicant has also submitted a Petition requesting Annexation for the subject property which is non-contiguous to the current Town of Harrisburg corporate limits.

APPROVAL CRITERIA:

1. The size of the tract in question;

The subject property is approximately 2.46 acres in size.

2. Whether the proposal conforms with and is in furtherance of the implementation of the goals and policies of the Comprehensive Plan, other adopted plans, and the goals, objectives and policies of the Ordinance;

Per the Unified Development Ordinance, the intent of the proposed district depicted on the submitted site plan is as follows:

***RL:** The RL district is established to provide areas for low density single family uses, with a maximum of two (2) dwelling units per acre, which may provide buffers between the agricultural and RE classifications and the higher density areas of the Town. It includes flexible density and minimum lot size requirements to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.*

Per the Harrisburg Area Land Use Plan, the subject property is located in an area designated on the future land use map as **Low Density Residential**. The description of Low Density Residential is as follows:

“This area is characterized by low- to moderate-density residential development (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.”

Based on the description of the Low Density Residential land use classification, the proposed development, at 1.62 dwelling units per acre would fall within the threshold of 1 to 2 dwelling units per acre that has been set for this area in the Land Use Plan.

With regard to the overall goals of the Land Use Plan, **recommendation LU-5** states that the Town should “Expand Housing Options” to appeal to a broad range of audience, additional of these lots offer that options to future residents.

Recommendation LU-7 of the Plan recommends consistency between the Town’s zoning regulations and the adopted Future Land Use Map. A table included as part of this goal establishes the “appropriate” zoning districts to use when making zoning decisions based on the Future Land Use Map. The map, as previously stated, designates this area as Low Density Residential. The table indicates that the RL district is appropriate for this land use classification.

3. The benefits or detriments for the owner, neighbors and surrounding community;

The benefits to the owner of the property would be that single-family residential development at the proposed density of 1.62 dwelling units per acre could be achieved under the proposed zoning and annexation allows to tap into town offered services.

The addition of 4 homes has no detrimental impact to the surrounding community. The 4 homes will be served with 2 shared driveways from Plaza Rd extension, which will reduce the traffic conflicts on to the Road.

4. Whether the proposed request is in compliance with the adequate public facilities criteria;

a. Utilities:

Utilities are available in this area, and are sufficient to meet the needs of this property. Water and sewer access are located along Rockwood Road in Cabarrus Woods Subdivision, and will be available to the development upon annexation. Any utility line extensions or upgrades necessary to serve this development will be the responsibility of the developer.

b. Transportation:

A TIA was not required based on the lower amount of traffic generated by this minor subdivision with only four (4) homes. Driveway access will be reviewed and permitted by NCDOT during the Construction Documents (CDs) review.

c. Safety and Sanitation Services:

Adequate police, fire, and sanitation services are available for the proposed use, and will be provided upon annexation.

d. Schools:

The proposed development would generate less than 4 students across all levels. Cabarrus County School did not offer an impact statement for this rezoning and single family development as the impact is so minimal.

5. The relationship of the uses envisioned under the new zoning and the uses currently present in adjacent tracts. The Commission shall consider the following:

- a. Whether the proposed zoning is compatible with the surrounding area or whether there will be adverse impacts on the capacity or safety of the portion of street network influenced by the rezoning, parking problems, or environmental impacts that the new use will generate such as excessive storm water runoff, water, air or noise pollution, excessive nighttime lighting or other nuisances;**

The proposed single-family development and density of the proposed development (1.62 dwelling units per acre) is compatible with surrounding land uses.

- b. Any change of character in the area due to installation of public facilities, other zoning changes, new growth changes, deterioration, and development;**

Like all other development activity in this area, the development of this land would convert former vacant land into residential neighborhoods, while preserving appropriate area for open space.

- c. The zoning districts and existing land uses of the surrounding properties;**

The areas around this property are generally zoned for low density residential use. Existing land use patterns in the area typically consist of low density residential neighborhoods and vacant forested land and land previously used for agricultural purposes.

- d. Whether the subject property is suitable for the uses to which it has been restricted under the existing zoning classification;**

The property is suitable for the uses which it has been restricted to under the existing zoning classification.

- e. Whether the rezoning is compatible with the adjacent neighborhood, especially concerning neighborhood stability and character;**

As previously mentioned, the specific use of the property, single family residential, is consistent with surrounding neighborhoods and aligns with Harrisburg Area Land Use Plan (HALUP).

- f. The length of time the subject property has remained vacant as zoned (if applicable);**

This property has been vacant.

- g. Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs;**

Land supply is not a direct issue in this area.

- 6. Whether the existing zoning was in error at the time of adoption.**

The existing zoning was not in error at the time of adoption.

Furthermore, as a Conditional Zoning request, the Board must consider the following criteria:

- 7. The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the current Land Use Plan.**

The rezoning application to RL district to the property, with the proposed density limitation, is consistent with the density and lot size standards established for the base RL Zoning District in the Unified Development Ordinance and Low Density Residential land use classification in the Land Use Plan.

The development proposal accompanying the rezoning request would restrict permitted uses to single family residences, which are appropriate in this area.

- 8. The use(s) requested are among those listed as an eligible permitted or conditional use in the general use district as included in the rezoning request.**

The applicant is seeking for the following uses to be allowed in this Conditional Zoning District:

- Single-Family Detached Residential; this use is allowed in the RL District.

- 9. The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare and vibration and not create a nuisance.**

The applicant intends to work collaboratively with both Harrisburg town staff and the NC Department of Transportation in establishing appropriate shared driveways for these homes, the proposed homes will be served with 2 shared driveways.

Landscaping buffers shown are adequate to meet the needs of the adjacent properties, and open space is designated as part of the subdivision, details will be reviewed at a later stage of approval.

10. The use limitations and conditions as proposed and/or imposed for the requested district can reasonably be implemented and enforced for the subject property.

The conditions proposed and imposed for this district can be reasonably implemented on this site.

11. When implemented the proposed and/or imposed use limitations and conditions will mitigate specific land development issues that would likely result if the subject property were zoned to accommodate all the uses and the minimum standards of the corresponding general zoning district. If any standards are proposed that are different from the underlying zoning district, the applicant must clearly demonstrate that the overall resultant project is greater than that which is typically allowed by the general district.

All proposed conditions recommended by staff are to bring the site into conformance with applicable local and state regulations.

12. The applicant has agreed to accept the use limitations and conditions as proposed and/or imposed for the requested district.

The applicant will need to agree to all conditions listed in this staff report. Any additional conditions placed on this property will need the acceptance of the applicant before a decision can be made on this application.

13. For an approval, the Board must adopt a consistency statement that the amendment being considered is either consistent or inconsistent with the adopted land use plan and that the Board considers the action to be reasonable and in the public interest.

The Planning and Zoning Board will need to adopt a consistency statement when a recommendation or decision is made on this item.

APPROVAL WITH CONDITIONS:

The proposal is a conditional re-zoning request. Conditions may be imposed on the zoning action; staff recommends that the following conditions be placed on this project. Applicant agrees to the following:

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 restrict cladding materials for all residential buildings to masonry products; vinyl siding will not be used.
3. Applicant agrees that there will be no exposed concrete foundations and that siding must extend to the ground level on all sides of the homes.

RECOMMENDATION:

With the proposed site plan and conditions proposed, the rezoning request is consistent with the Harrisburg Area Land Use Plan. Planning and Zoning Department staff supports approval of the rezoning request with conditions.







December 7, 2020

Neighborhood Meeting Notice

To Whom It May Concern;

Our records indicate that you own property in close proximity to the property located at parcel PIN 5506106147, located near the southeast corner of Plaza Road Ext and Vandora Drive. The property owner is requesting a rezoning and annexation of the parcel, currently located in the County, from LDR (Low Density Residential) to CZ-RL, Conditional Zoning Residential Low Density. The purpose of the rezoning is to enable the property owner to develop and subdivide the property for four (4) single family homes.

The Town of Harrisburg will facilitate a Neighborhood Meeting to allow the applicant to present their proposal to neighboring property owners, and to receive feedback from the neighbors at the date and time below.

Virtual Meeting Information:

Please click this URL to join.

<https://us02web.zoom.us/j/84209211711?pwd=SFQeE43MHJtQkhVNkRiMzBtcURUQT09>

Passcode: 772157

Or join by phone: (929) 205 6099

Dial: (929) 205 6099

Webinar ID: 842 0921 1711

Send comments or sign up to speak by emailing at planning@harrisburgnc.org

The number at Town Hall is 704-455-5614 if you have any questions prior to the meeting.

Kelly Woods Rezoning

Date: Thursday, December 17, 2020

Time: 6:30 PM

Location: Virtual Meeting (see meeting information above)

Sincerely,

Sushil Nepal

Sushil Nepal, AICP

Planning and Economic Development Director

Town of Harrisburg

Site Location Map (Properties highlighted below)



MEETING MINUTES

Date: 17 December 2020

Project: **Kelly Woods H2020-08-(R)**

Re: (Virtual) Neighborhood Meeting on 13075 Plaza Rd Ext

PRESENTATION:

Power Point Presentation (with Plans & Photos)

Request rezoning and annexation of parcel 5506106147, currently located in the County, from LDR (Low Density Residential) to CZ-RL, Conditional Zoning Residential Low Density. The purpose of the rezoning is to enable the property owner to develop and subdivide the property for four (4) single family homes. Facilitated by Town of Harrisburg with property owner presenting.

QUESTION & ANSWERS:

Q: The owner of the property is rezoning/annexing and developing the property to allow a builder to build 4 residential homes. Do you have a builder you can share at this point or is that still undecided?

A: The builder has not been decided at this time.

Q: What is the plan for the private sewer line easement along the back of the property?

A: The private water & sewer line easement will be developed to run along the back of the property and between lots 27 & 28 to Rockwood Rd to connect to the City of Harrisburg

Q: Property owners along the back have struggled with water drainage over the years. What is the plan for water run off & buffer between properties along the back?

A: When Cabarrus Woods was originally built, they installed a 10' drainage easement along the back on the neighboring properties as shown on the old Cabarrus Woods surveys. This drainage ditch was never maintained by the Cabarrus Woods property owners over the years causing water drainage to build up in those areas. Even though this area is not our responsibility, we plan to clean out the underbrush and debris along this area that has piled up over the years to significantly improve it for the adjoining homeowners. This will allow the current 10' Cabarrus Woods drainage easement to work effectively as designed. We also plan to landscape the area along the back when the water & sewer lines are installed to resolve any additional storm water drainage issues to the benefit of the adjoining property owners.

ADJOURNMENT:

This is a straight forward project in subdividing lots for 4 homes. We made the decision early on to cut the number of driveways and requested the plans to show shared driveways access that has already been previewed by NCDOT. We will be taking this through the review process at the staff level, planning board, and to the Town Council for rezoning and annexation approval.

IN ATTENDANCE:

Sushil Nepal

Harrisburg Real Estate Investments (KC)

Duane Scaggs

Joey Crocker

704-910-9769

Thelma Chapman

Diamond Staton-Williams

Rodney Dillinger

Stephanie Luther

Laurie Piurkowsky



Harrisburg NC

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PETITION REQUESTING ANNEXATION

DATE: 9-12-2020

TO THE TOWN COUNCIL OF THE TOWN OF HARRISBURG

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the Town of Harrisburg.
2. The area to be annexed is:

☐ CONTIGUOUS

☒ NON-CONTIGUOUS

to the Town of Harrisburg and the boundaries of such territory are:

☒ ATTACHED

AND

☒ DESCRIBED AS FOLLOWS:

13075 PLAZA RD EXTENTION (CABARRUS COUNTY)

* THIS 2.46 ACRE parcel is within walking distance of Brookdale Harris Teeter Shopping Center, NOVANT Health, and the New 2020 Farmington master-planned development off Exit 36 on I-485 and Rocky River Rd, Harrisburg, NC *

* This 2.46 Acre parcel is also in the Harrisburg Area Land Use Plan to be Low Density Residential (p. 25) UDO defines future RL district. *

3. A sealed survey is attached showing the area proposed for annexation in relation to the primary corporate limits of the Town of Harrisburg.

4. SIGNATURE OF OWNERS

NAME

ADDRESS

HARRISBURG Real Estate Investments, LLC

5640 Rocky River Rd.

CHARLOTTE, NC 28215

(704) 651-2002

401 CEO KR CHATMAN

[Signature]

9-12-2020

NOTE:
THIS PROPERTY MAY BE SUBJECT TO MAXIMUM IMPERVIOUS AREA REQUIREMENTS. BEFORE MAKING ANY RENOVATIONS OR REPAIRS TO THIS PROPERTY CHECK WITH THE LOCAL PLANNING OR ZONING DEPARTMENT FOR ANY RESTRICTIONS OR REGULATIONS IN PLACE.

NCGS "SHINN"
N: 562,625.58 FT
E: 1,500,112.67 FT
NAD 83 (2011)
CSF: 0.99984136

NCGS GRID NORTH
NAD 83 (2011)



The state of North Carolina
I, James T. West, certify that this map was drawn by me or under my supervision from an actual survey made by me or under my supervision; deed description recorded in book 12710 page 34, that the error of closure as calculated by Latitudes and departures is 1:23,000+/-; That boundaries not surveyed shown as broken lines drawn from information found as noted.
Witness my hand and seal this 30th day of APRIL 2019

James T. West

L-3392
REG. NO.



DEUT. V: 27-17/PROV. V: 22-28
115 Plaza Dr Harrisburg, N.C.
(704)-455-9553 PHONE
(704)-455-9008 FAX
<http://www.harrisburgsurveying.com>

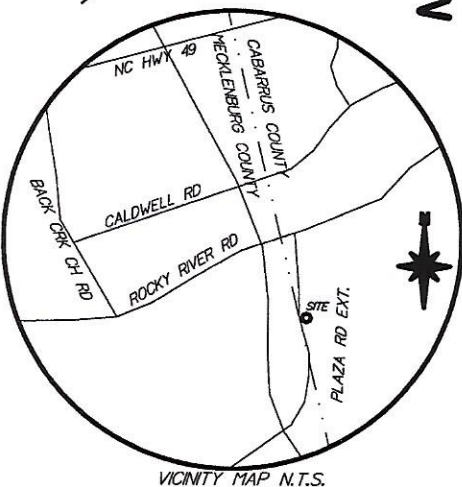
This property is subject to any and all R/W's or easements of record not uncovered by this survey

This survey was performed without the benefit of a Title Report.

Zoned: LDR
Setbacks:
Front: 75'
Side: 20'
Rear: 30'

NOTES:

1. PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED R/W OR EASEMENTS NOT OBSERVED.
2. PROPERTY ZONED: "LDR" SETBACKS ARE AS FOLLOWS: FRONT: 75' / SIDE: 20' / REAR: 30'
3. IRON PINS ARE AT ALL CORNERS UNLESS OTHERWISE NOTED
4. BOUNDARY PREDICATED BY MONUMENTS FOUND AND RECORD INFORMATION AS SHOWN.
5. AREAS DETERMINED BY THE COGO CALCULATION METHOD.
6. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT THEREFORE OTHER EASEMENTS OR ENCUMBRANCES MAY EXIST THAT WERE NOT OBSERVED BY THIS SURVEYOR.
7. THE BEARING AND DISTANCES SHOWN HEREON ARE GROUND, NAD 83 (2011 ADJUSTMENT) BASED UPON THE NORTH CAROLINA GEODETIC STATE PLANE COORDINATE SYSTEM. THIS INFORMATION WAS TAKEN FROM A GPS OBSERVATION ON APRIL 25, 2019 USING A SP 90 IN CONJUNCTION WITH THE N.C.G.S., V.R.S. AND BASED ON THE C.O.R.S.



PLAZA ROAD EXTENSION
60' PUBLIC R/W
CABARRUS COUNTY
MECKLENBURG COUNTY

2.46 Acres.
107297 Sq.ft.
PIN# 5506 10 6147
VACANT

SHED ENCROACHMENT

OPEN PIPE

OPEN PIPE

OPEN PIPE

OPEN PIPE

OPEN PIPE

OPEN PIPE

OPEN PIPE

OPEN PIPE

OPEN PIPE

OPEN PIPE

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OPEN PIPE

OPEN PIPE

OPEN PIPE

OPEN PIPE

N/F
FRANK JARO
DB 11597 PG 89
PIN#5505 19 6886

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	0°23'47"	274.35'	39654.35'	S2°28'43"E	274.35'

EIP - Existing Iron Pin / Pipe
NIP - New Iron Pin (1/2" Iron Rod/Rebar)
CP - Computed Point
P/P - Power Pole
R/W Mon. - Right-of-Way Monument
R/W - Right of Way
Asph. - Asphalt
Conc. - Concrete
B/C - Back of Curb
Tele - Telephone
PWR - Power
H/VAC - Heating Vent & Cooling
O/VHD - Overhead Utility
Util - Utilities
Esmt. - Easement
C - Center Line

R/W
ESMT.
PROPERTY LINE
SETBACK
FENCE
UTIL LINE (PWR, TELE, ETC.)
APPX. LOCATION OF PROP. LINE

This property is not in a 100 & 500 year flood hazard area. Reference FIRM map #3710550600K Effective date NOV. 16, 2018

Survey of 2.46 Ac. Remaining land of DB 12710 PG 34 Tract 1, PIN# 5506 10 6147

Owned by: Larry W. Pigg et. al.

Survey for: Meant2B, LLC

NO. 1 TOWNSHIP

CABARRUS COUNTY

North Carolina

Scale: 1" = 100'

Date: APRIL 26, 2019



Revision

References: DB 12710 PG 34, ALL DEEDS AS SHOWN

Drawn By: SDG

Checked By: JTW

MSCAD- 190216 Cab



**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-58.1**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Town Council has by resolution directed the Town of Harrisburg Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Harrisburg, North Carolina that:

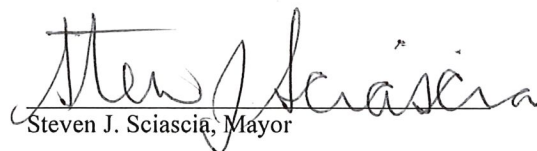
Section 1. A public hearing on the question of annexation of the area described herein will be held (virtually) at Harrisburg Town Hall at 4100 Main Street, Harrisburg, North Carolina at 6:00 p.m. on March 8, 2021.

Section 2. The area proposed for annexation is described as follows:

Lying and being in Number One (1) Township, Cabarrus County, North Carolina on the Eastern side of Plaza Road Extension and being more particularly described as follows:

BEGINNING at rebar on the Eastern edge of the right of way of Plaza Road Extension, said rebar being a corner of Lot 41 of Cabarrus Woods Subdivision (Map Book 1 5 Page 5 1) and having NC Grid Coordinates N: 560.447.19 E: 1.501.552.08 (NAD 83 (201 1)) and running thence from the point of Beginning with the line of Lot 4 1 Cabarrus Woods Subdivision North 30-43-32 East 155.94 feet to an open pipe, corner of Lot 34 Cabarrus Woods: thence with the lot lines of Lots 34, 33, 32, 3 1, 30, 29, 28, 27 and 26 of Cabarrus Woods Subdivision South 13-28-36 East 664.27 feet to a rebar, corner of Frank Jaro (now or formerly, Book 1 1597 Page 89): thence with the line of Jaro South 85-34-39 West (passing a rebar at 5.28 feet and an open pipe at 21 1 .95 feet) for a total distance of 242.30 feet to a computed point in Plaza Road Extension, thence with Plaza Road Extension North 02-07-10 West 209.04 feet to a computed point, thence continuing with Plaza Road Extension a curve to the northwest having a radius of 39654.35 and chord bearing and distance of North 02-28-43 West 274.35 feet and an arc length of 274.35 feet to a computed point, thence North 30-43-32 East 55.91 feet to the point and place of BEGINNING, containing 2.46 acres, more or less: as surveyed by James T. West, P.L.S., dated April 30, 2019

Section 3. Notice of the public hearing shall be published in the Independent Tribune, a newspaper having general circulation in the Town of Harrisburg, at least ten (10) days prior to the date of the public hearing.


Steven J. Sciascia, Mayor

ATTEST:


Janet Rackley, Clerk

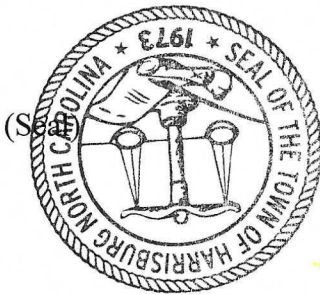




To the Town Council of the Town of Harrisburg of Harrisburg North Carolina:

I, Janet Rackley, Clerk, do hereby certify that I have investigated the petitions attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Harrisburg of Harrisburg, North Carolina, this 1st day of February, 2021.



Janet Rackley
Janet Rackley, Clerk

ORDINANCE #7016

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
TOWN OF HARRISBURG, NORTH CAROLINA**

WHEREAS, the Town of Harrisburg has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Town of Harrisburg has by resolution directed the Town of Harrisburg Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town of Harrisburg Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Harrisburg Town Hall, 4100 Main Street, Suite 101, Harrisburg, N.C. on March 8, 2021, after due notice by Independent Tribune; and

WHEREAS, the Town of Harrisburg finds that the area described therein meets the standards of G.S. 160A-58,1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town of Harrisburg;
- b. No point of the proposed satellite corporate limits is closer to another municipality than to the Town of Harrisburg;
- c. The area described is so situated that the Town of Harrisburg will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;
- e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the Town of Harrisburg; and

WHEREAS, the Town Council further finds that the petition has been signed by all owners of the real property in the area who are required by law to sign; and

WHEREAS, the Town Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town of Harrisburg and of the area proposed for annexation will best served by annexing the area described;

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

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the Town of Harrisburg:

Lying and being in Number One (1) Township, Cabarrus County, North Carolina on the Eastern side of Plaza Road Extension and being more particularly described as follows:

BEGINNING at rebar on the Eastern edge of the right of way of Plaza Road Extension, said rebar being a corner of Lot 41 of Cabarrus Woods Subdivision (Map Book 1 5 Page 5 1) and having NC Grid Coordinates N: 560.447.19 E: 1.501.552.08 (NAD 83 (201 1)) and running thence from the point of Beginning with the line of Lot 4 1 Cabarrus Woods Subdivision North 30-43-32 East 155.94 feet to an open pipe, corner of Lot 34 Cabarrus Woods: thence with the lot lines of Lots 34, 33, 32, 3 1, 30, 29, 28, 27 and 26 of Cabarrus Woods Subdivision South 13-28-36 East 664.27 feet to a rebar, corner of Frank Jaro (now or formerly, Book 1 1597 Page 89): thence with the line of Jaro South 85-34-39 West (passing a rebar at 5.28 feet and an open pipe at 21 1 .95 feet) for a total distance of 242.30 feet to a computed point in Plaza Road Extension, thence with Plaza Road Extension North 02-07-10 West 209.04 feet to a computed point, thence continuing with Plaza Road Extension a curve to the northwest having a radius of 39654.35 and chord bearing and distance of North 02-28-43 West 274.35 feet and an arc length of 274.35 feet to a computed point, thence North 30-43-32 East 55.91 feet to the point and place of BEGINNING, containing 2.46 acres, more or less: as surveyed by James T. West, P.L.S., dated April 30, 2019.

Map recorded at Cabarrus County Register of Deeds, Book _____ Page _____

Section 2. Upon and after April 12, 2021, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Harrisburg and shall be entitled to the same privileges and benefits as other parts of the Town of Harrisburg. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Harrisburg shall cause to be recorded in the office of the Register of Deeds of Cabarrus County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of the ordinance. Such a map shall also be delivered to the Cabarrus County Board of Election, as required by G.S. 163-288.1.

Adopted this 12th day of April, 2021

Steven J. Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of Amendment to the rezoning condition #15 for the Harrisburg Town Center project (H 2018-14 (R))

Presenting Personnel:

Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:

If approved, the following motion is suggested:

Motion to approve extending the timeline for the Rezoning Condition #15 through December 31, 2021, for the Harrisburg Town Center project (H 2018-14-R).

If denied, the following motion is suggested:

Motion to deny extending the timeline for the Rezoning Condition #15 through December 31, 2021, for the Harrisburg Town Center project (H 2018-14-R).

Description/Background:

Town Council approved the rezoning request H2018-14-(R) at the May 13, 2019 meeting and amended condition #15 at December 9, 2019, October 12, 2020 and December 14, 2020 meeting . The original approval was to rezone 15.03 acres property in Harrisburg Town Center (PIN #55079703680000 & 55078785890000) from Planned Unit Development (PUD) to Conditional City Center (CZ-CC). The rezoning was approved with following conditions:

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 not to use vinyl siding and utilize high quality building materials for all buildings. All architectural design and building elevations shall be submitted to the town for review and approval.
3. Applicant agrees to restrict outside storage.
4. Applicant agrees to continued maintenance of buildings and grounds in the form of deed restrictions, establishment of HOA or restrictive covenants recorded and will run with the land.
5. Applicant agrees to contribute proportionate funds to the Towns' regional storm water management system servicing the proposed Town Center Development.
6. Applicant agrees to contribute funds for onsite and off-site roadway improvements documented in the Traffic Impact Analysis (TIA) directly related to proposed development.
7. Applicant reserves the right to combine Buildings 10 and 11 contingent on future market demand. Additionally, the Applicant reserves the right to renovate or demolish and rebuild in place Building 13 dependent upon future structural investigations of the existing structure. Any changes will need to be reviewed and approved by the Town.
8. Applicant agrees to build a maximum of 333 residential units and 829,600 square feet of mixed use. Applicant reserves the right to trade up to 10% of the gross floor area of proposed office use to retail use and/or trade up to 20% of the gross floor area of proposed retail use to office use. Any changes will need to be reviewed and approved by the Town.
9. Applicant agrees to build approximately 15,000 square feet Public Green Space and 9,000 square feet Central Plaza at no cost to the Town. Applicant will provide approximately 19,500 square feet for the Art Center. The Applicant reserves the right to arrange the program, operate and control the use of these spaces within the limits of Federal, State and Local laws and shall not conflict with Town's Park and Recreation Programs.
10. Applicant agrees that parking for each phase will be reviewed and approved as part of site plan and appropriate temporary surface parking lots in lieu of parking garages to support early phases of development.
11. Applicant agrees that loading/unloading spaces on the street will be serviced at night time off-hours.

12. Applicant shall be permitted to convert Professional Blvd and Physicians Blvd as a pedestrian friendly and a living streets and may be temporarily closed for special events in accordance with Town's Street Closure Guidelines.
13. Applicant shall be permitted to allow retail spaces for Pharmacies, Health and Personal Care Stores to the extent that such uses are not stand-alone buildings but are integrated within the mixed-use buildings.
14. Applicant shall be permitted for ground floor residential on Building 17 on Parcel 4, where the building is designed to setback from the street and have a central courtyard and the ground floor of building 16 and 18 on Parcel 4 shall be restricted to retail, office and other commercial uses.
15. Applicant agrees that the zoning shall revert to its original PUD if the Applicant fails to submit and secure Council approval on revised Site Plan by April 30, 2021.

The original applicant is no longer pursuing the Town Center project, the current property owner has submitted a revision of previously approved rezoning site plan for staff review. In discussion with Town Council and staff regarding the revised site plan, there are several pending questions that need to be addressed, and that the extension of Condition #15 will allow the applicant to do so before it is brought forward for council consideration.

The property owner reached out to the Town requesting an extension of Condition #15 through December 31, 2021, currently set to expire on April 30, 2021. If Condition #15 is not extended, the approved Center City rezoning on the property will expire and will revert back to the original Planned Unit Development (PUD).

If the zoning is reverted back to the PUD, any new development of the site outside of the PUD allowances would be required to begin the rezoning process over from the beginning. With the current property owner and Town interested in moving the Town Center project forward, reverting back to the PUD would not be beneficial to either party.

Staff consulted legal counsel to discuss the appropriate process to bring forward the applicant's request to Town Council and, as advised, this item is put under "old business" for Town Council's consideration.

Recommendation:

The requested extension for Condition #15 has no impact to the intent of the approved rezoning and the previously approved site plan remains unchanged.

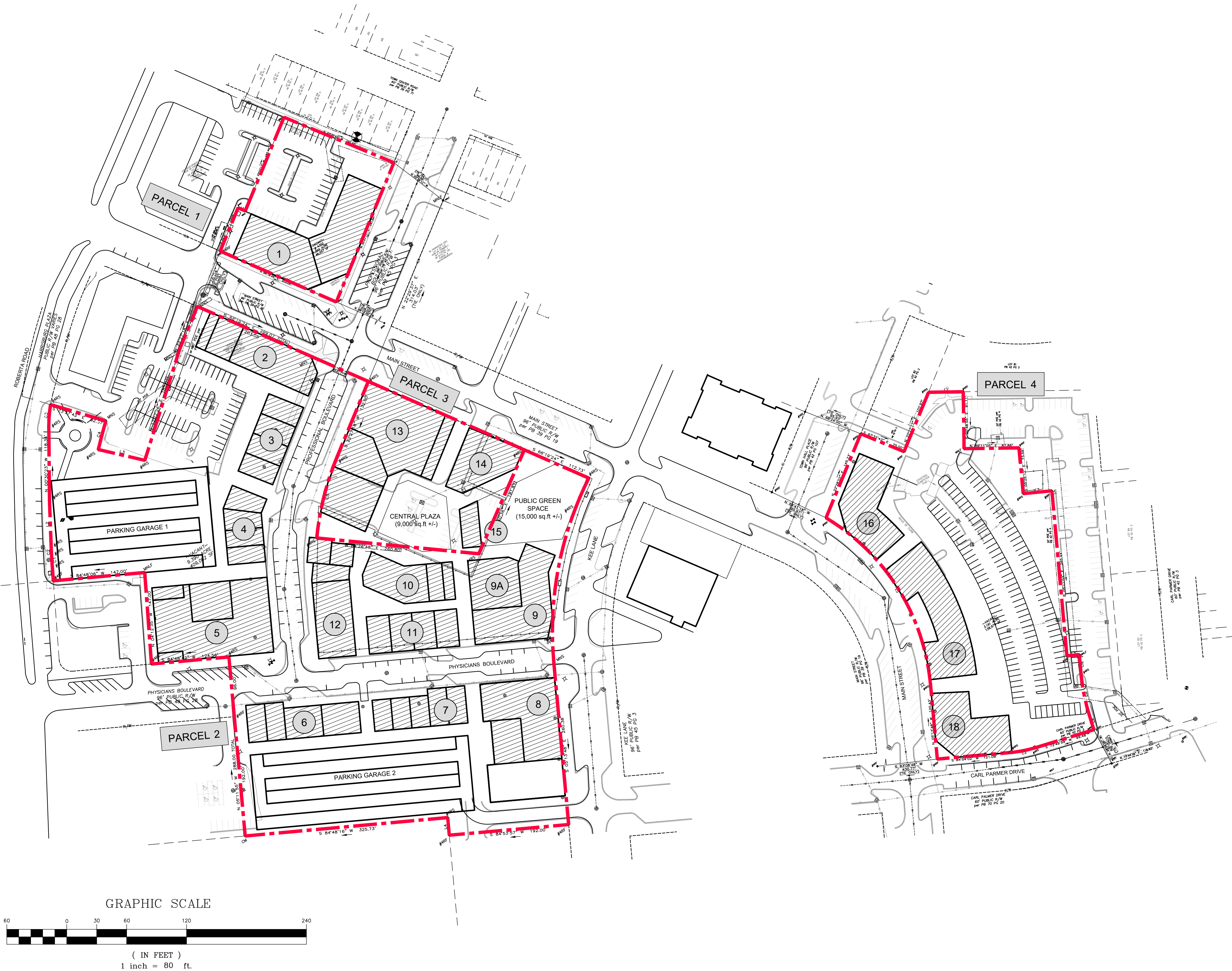
Planning and Zoning Department staff recommend approval of the extension of Condition #15 through December 31, 2021 for the Harrisburg Town Center project (H 2018-14-R).

Fiscal Impact:

The timeline extension to Condition #15 has no financial impact to the Town. It will, however, allow more time for the applicant to revise the site plan and redevelop Town Center to align with approved Rezoning, increasing the Town's tax base and contributing to establishing a vibrant downtown with office, retail and residential uses.

Attachments:

1. Town Center Site Plan_AllCombined
2. Rezoning Approval Letter- TownCenter Rezoning 12.14.20 Rev



PROGRAM:

Land Information			
Parcel Number	Acreage	Sq.F	Building Area(sf)
1	1.069	46,557	76,000
2	9.390	409,062	514,100
3	1.380	60,113	88,200
4	3.191	138,979	151,300
Total	15.03	654,711	829,600

Land Use Information	
Site area	15.03 Acres
Gross Building Area	829,600 Sq Feet
Total dwelling units	333 Units
Total Parking Spaces:	1,155 Spaces

Overall (Parcel 1-4)						
Uses	Building Areas(sf)	Percentage (%)	Housing Units	Parcel Area (acres)	FAR	Residential Density (Units/Acre)
Retail/Commercial	176,300	21%	333	15.03	1.27	22.2
Office	148,000	18%				
Art Center	19,500	2%				
Residential	485,800	59%				
Total Mixed-use Areas	829,600	100%				
Open Space	196,200					
Percentage of Open Space	30.0%					
Parking Space	1,155 Spaces, including 635 off-street Parking and 520 On-street Parking					
Loading Space	24					

SURVEY:

LEGEND

- PARCEL BOUNDARY
- RF REBAR FOUND
- RS REBAR SET
- R/W RIGHT-OF-WAY
- SF SQUARE FEET
- MB MAP BOOK
- DB DEED BOOK
- PG PAGE
- FS FRONT SETBACK
- RY REAR YARD
- SY SIDE YARD
- PDE PUBLIC DRAINAGE EASEMENT
- SDE STORM DRAIN EASEMENT
- MNLF MAG NAIL FOUND
- CM CONCRETE MONUMENT
- CP COMPUTED POINT
- MNS MAG NAIL SET
- X- CHAINLINK FENCE
- ⊕ FIRE HYDRANT
- ⊕ WATER VALVE
- ⊕ LIGHT POLE
- ⊕ SS SANITARY SEWER MANHOLE
- ⊕ CATCH BASIN
- ⊕ CLEAN OUT
- ⊕ HANDICAPPED PARKING
- ⊕ DROP INLET
- ⊕ STORM DRAIN MANHOLE

NOTES

1. AREA CALCULATED BY COORDINATE COMPUTATION.
2. ADJOINING PROPERTY OWNERS NAMES WERE TAKEN FROM CABARRUS COUNTY TAX OFFICE RECORDS, AND ARE CONSIDERED AS NOW OF FORMERLY.
3. IRON RODS AT ALL CORNERS UNLESS NOTED.
4. THIS MAP IS SUBJECT TO ANY AND ALL APPLICABLE DEED RESTRICTIONS, EASEMENTS, RIGHT-OF-WAY, UTILITIES AN RESTRICTIVE COVENANTS AND PRELIMINARY PLAN WHICH MAY BE OF RECORD.
5. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, MEASURED WITH ELECTRONIC MEASURING DEVICES.
6. LOT SUBJECT TO ALL ZONING ORDINANCES OF THE TOWN OF HARRISBURG. BUILDER/OWNER MUST VERIFY THAT LOT IS IN COMPLIANCE WITH ALL COUNTY AND HOMEOWNERS ASSOCIATION ZONING ORDINANCES PRIOR TO ANY LAND DISTURBANCE OR CONSTRUCTION.
7. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH.
8. NO NCGS MONUMENT FOUND WITHIN 2000 FEET.
9. SETBACKS SHOWN ARE per CURRENT ZONING ORDINANCES UNLESS OTHERWISE NOTED.
10. SUBJECT PROPERTY ZONED PUD.

SITE NOTES:

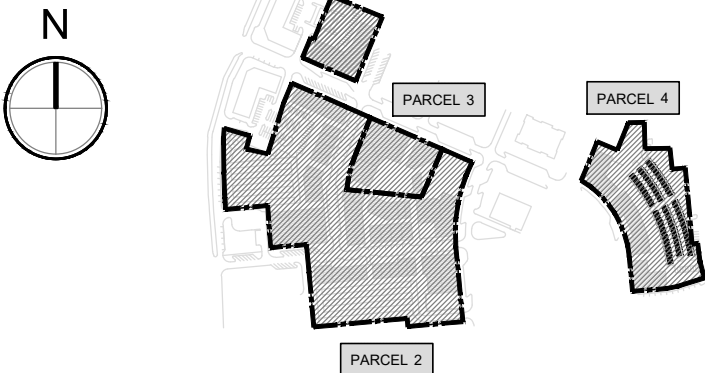
BUILDING SETBACK REQUIREMENTS (MINIMUM) ZONED PUD
FRONT: 0 FEET
SIDE YARD: 10 FEET
REAR YARD: 0 FEET

FLOOD NOTE:
NO PORTION OF THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN A SPECIAL FLOOD HAZARD AREA PER F.E.M.A. FLOOD INSURANCE RATE MAP: COMMUNITY PANEL 3710550700, DATED: NOVEMBER 5, 2008.

PHYSICAL SURVEY
AT PROPERTY KNOWN AS
4350 MAIN STREET
PARCEL # 55079703680000
BEING THE REMAINING PORTION OF DB 9479 PG 195
TOWN OF HARRISBURG, CABARRUS COUNTY, NC
DATE: OCTOBER 9, 2018

PHOENIX LAND SURVEYING, INC
3318 OLD MONROE ROAD
STALLINGS, NORTH CAROLINA 28104
PH: (704)-335-1655
EMAIL: INFO@PHOENIX-SURVEYING.COM
FIRM # C-3912
Land Surveying FIELD WORK: JLR-M-W-MPHS-JC
Land Planning PROJ # 688-3701 1.06 ACRE HARRISBURG TOWN CENTER

KEY PLAN



SITE PLANNER :

International Place Design, LLC
Land Planning and Landscape Architecture
50 Beharrell Street, Concord, MA 01742, USA
Tel: 1-978-287-0900
Cell: 1-617-281-9445
Fax: 1-978-369-2731

CLIENT :

CapitalNexus LLC, Redtown Investment LLC

PROJECT :

HARRISBURG TOWN CENTER
Harrisburg, North Carolina

REZONING

ARCHITECTS :

CIVIL ENGINEERS :

TRAFFIC ENGINEERS :

REVISION

No.	DATE	DESCRIPTION
1		
2		
3		
4		

NOTE :

DRAWING TITLE :

REZONING
OVERALL SITE PLAN

SCALE : 1" = 80'

DATE : March 12, 2019

DESIGN BY

DRAWN BY

CHECKED BY

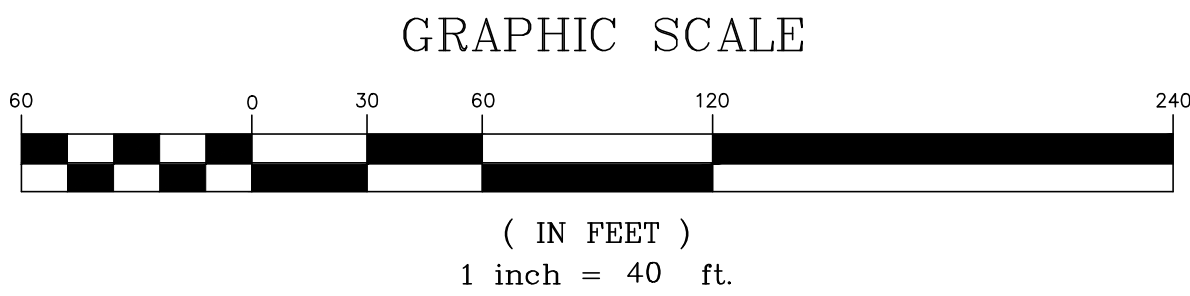
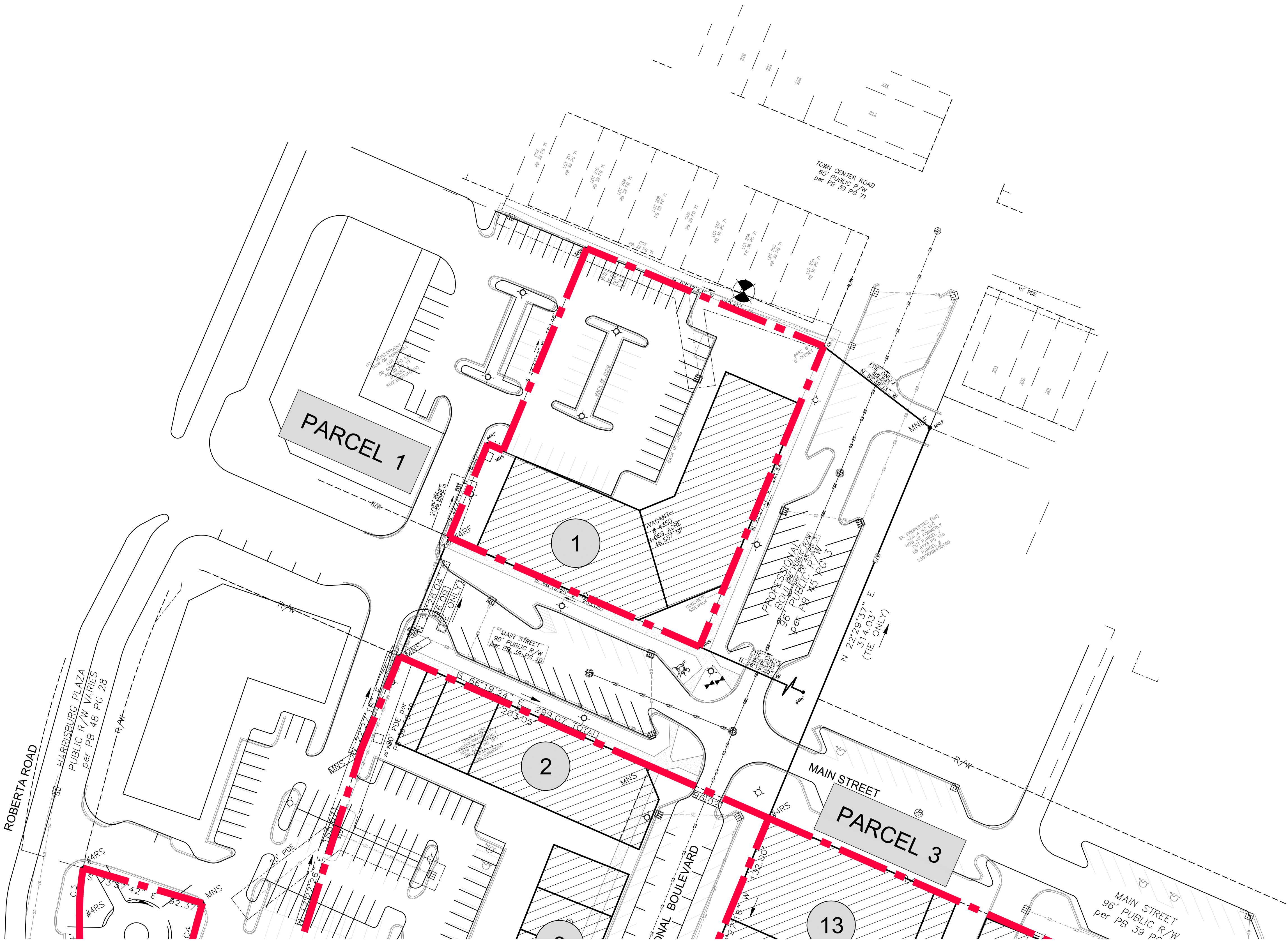
APPROVED BY

NOTE:

DRAWING No.

FIG.1

TOTAL :



PROGRAM:

PARCEL 1 PROGRAM:

Parcel 1					
Uses	Building Areas(sf)	Housing Units	Parcel Area (acres)	FAR	Residential Density (Units/Acre)
Retail/Commercial	19,000	39	1.069	1.63	36.5
Residential	57,000				
Total Mixed-use Areas	76,000				
Open Space	8,700				
Percentage of Open Space	18.7%				
Parking Space (Off-street)	44				
Loading Space	2				

SURVEY:

LEGEND

---	PARCEL BOUNDARY
RF	REBAR FOUND
RS	REBAR SET
R/W	RIGHT-OF-WAY
SF	SQUARE FEET
MB	MAP BOOK
DB	DEED BOOK
PG	PAGE
FS	FRONT SETBACK
RY	REAR YARD
SY	SIDE YARD
PDE	PUBLIC DRAINAGE EASEMENT
SDE	STORM DRAIN EASEMENT
MNLF	MAG NAIL FOUND
CM	CONCRETE MONUMENT
CP	COMPUTED POINT
MNS	MAG NAIL SET
-X-	CHAINLINK FENCE
	FIRE HYDRANT
	WATER VALVE
	LIGHT POLE
	SANITARY SEWER MANHOLE
	CATCH BASIN
	CLEAN OUT
	HANDICAPPED PARKING
	DROP INLET
	STORM DRAIN MANHOLE

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8. NO NCGS MONUMENT FOUND WITHIN 2000 FEET.
9. SETBACKS SHOWN ARE PER CURRENT ZONING ORDINANCES UNLESS OTHERWISE NOTED.
10. SUBJECT PROPERTY ZONED PUD.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 66°19'25" W	12.55'

SITE NOTES:

BUILDING SETBACK REQUIREMENTS (MINIMUM) ZONED PUD
FRONT: 0 FEET
SIDE YARD: 10 FEET
REAR YARD: 0 FEET

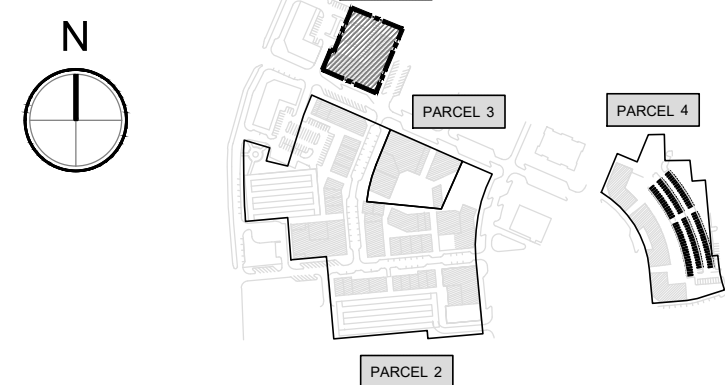
FLOOD NOTE:

NO PORTION OF THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN A SPECIAL FLOOD HAZARD AREA PER F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 3710550700J, DATED: NOVEMBER 5, 2008.

PHYSICAL SURVEY
AT PROPERTY KNOWN AS
1.069 ACRES
4350 MAIN STREET
PARCEL # 55079703680000
BEING THE REMAINING PORTION OF DB 9479 PG 195
TOWN OF HARRISBURG, CABARRUS COUNTY, NC
DATE: OCTOBER 9, 2018

PHOENIX LAND SURVEYING, INC.
3316 OLD MONROE ROAD
STALLINGS, NORTH CAROLINA 28104
PH: (704)-335-1655
EMAIL: INFO@PHOENIX-SURVEYING.COM
FIRM # C-3912
FIELD WORK: SURVEYING, MAPPING, E.T. DZ
PROJ. # 628-3701 1.06 ACRE HARRISBURG TOWN CENTER

KEY PLAN



SITE PLANNER :

International Place Design, LLC
Land Planning and Landscape Architecture
50 Beharrell Street, Concord, MA 01742, USA
Tel: 1-978-287-0900
Cell: 1-617-281-9445
Fax: 1-978-369-2731

CLIENT :

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PROJECT :

HARRISBURG TOWN CENTER
Harrisburg, North Carolina

REZONING

ARCHITECTS :

CIVIL ENGINEERS :

TRAFFIC ENGINEERS :

REVISION

No.	DATE	DESCRIPTION
1		
2		
3		
4		

NOTE :

DRAWING TITLE :

REZONING
PARCEL 1 SITE PLAN

SCALE : **1" = 40'**

DATE : **March 12, 2019**

DESIGN BY

DRAWN BY

CHECKED BY

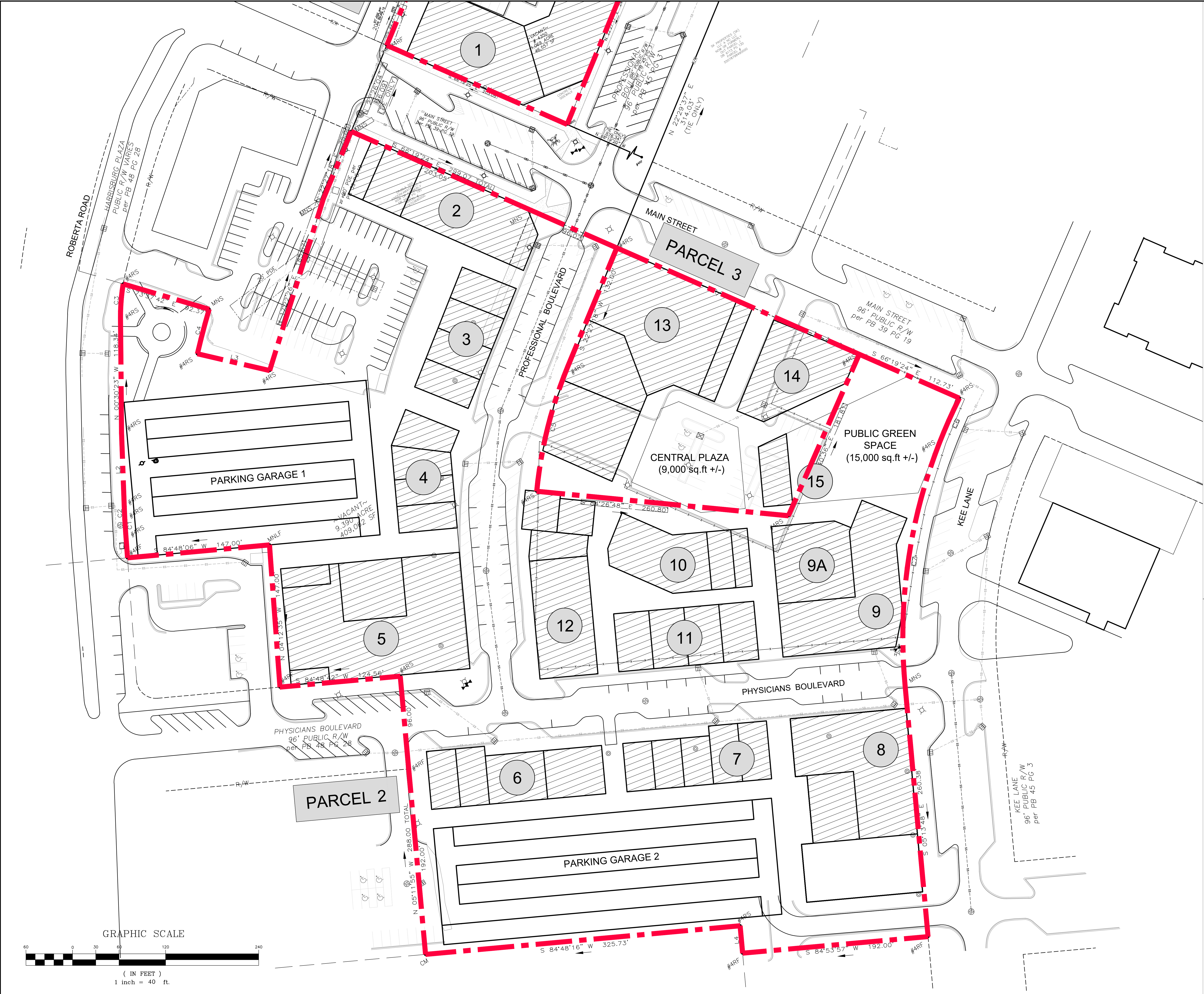
APPROVED BY

NOTE:

DRAWING No.

FIG.2

TOTAL :



PROGRAM:

PARCEL 2 PROGRAM:

Parcel 2	Uses	Building Area(sqf)	Housing Units	Parcel Area (acres)	FAR	Residential Density (Units/Acre)
	Retail/Commercial	116,300	199	9.390	1.26	21.2
	Office	91,800				
	Art Center	19,500				
	Residential	286,500				
	Total Mixed-use Areas	514,100				
	Open Space	117,000				
	Percentage of Open Space	28.6%				
	Parking Space (Off-street)	446				
	Loading Space	15				

PARCEL 3 PROGRAM:

Parcel 3	Uses	Building Area(sqf)	Housing Units	Parcel Area (acres)	FAR	Residential Density (Units/Acre)
	Retail/Commercial	32,000	0	1.380	1.47	0.0
	Office	56,200				
	Total Mixed-use Areas	88,200				
	Open Space	22,000				
	Percentage of Open Space	36.6%				
	Parking Space (Off-street)	0				
	Loading Space	3				

SURVEY:

LEGEND

- RF REBAR FOUND
- RS REBAR SET
- R/W RIGHT-OF-WAY
- SF SQUARE FEET
- MB MAP BOOK
- DB DEED BOOK
- PG PAGE
- FC FRONT SETBACK
- RY REAR YARD
- SY SIDE YARD
- PDE PUBLIC DRAINAGE EASEMENT
- SDE STORM DRAIN EASEMENT
- MNLF MAG NAIL FOUND
- CM CONCRETE MONUMENT
- CP COMPUTED POINT
- MNS MAG NAIL SET
- X CHAINLINK FENCE
- FIRE HYDRANT
- WATER VALVE
- LIGHT POLE
- SANITARY SEWER MANHOLE
- CATCH BASIN
- CLEAN OUT
- HANDICAPPED PARKING
- DROP INLET
- STORM DRAIN MANHOLE

- NOTES
1. AREA CALCULATED BY COORDINATE COMPUTATION.
 2. ADJOINING PROPERTY OWNERS NAMES WERE TAKEN FROM CABARRUS COUNTY TAX OFFICE RECORDS, AND ARE CONSIDERED AS NOW OF FORMERLY.
 3. IRON RODS AT ALL CORNERS UNLESS NOTED.
 4. THIS MAP IS SUBJECT TO ANY AND ALL APPLICABLE DEED RESTRICTIONS, EASEMENTS, RIGHT-OF-WAY, UTILITIES AN RESTRICTIVE COVENANTS AND PRELIMINARY PLAN WHICH MAY BE OF RECORD.
 5. ALL DISTANCES ARE HORIZONTAL. GROUND DISTANCES, MEASURED WITH ELECTRONIC MEASURING DEVICES.
 6. LOT SUBJECT TO ALL ZONING ORDINANCES OF THE TOWN OF HARRISBURG. BUILDER/OWNER MUST VERIFY THAT LOT IS IN COMPLIANCE WITH ALL COUNTY AND HOMEOWNERS ASSOCIATION ZONING ORDINANCES PRIOR TO ANY LAND DISTURBANCE OR CONSTRUCTION.
 7. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH.
 8. NO NCCS MONUMENT FOUND WITHIN 2000 FEET.
 9. SETBACKS SHOWN ARE PER CURRENT ZONING ORDINANCES UNLESS OTHERWISE NOTED.
 10. SUBJECT PROPERTY ZONED PUD.

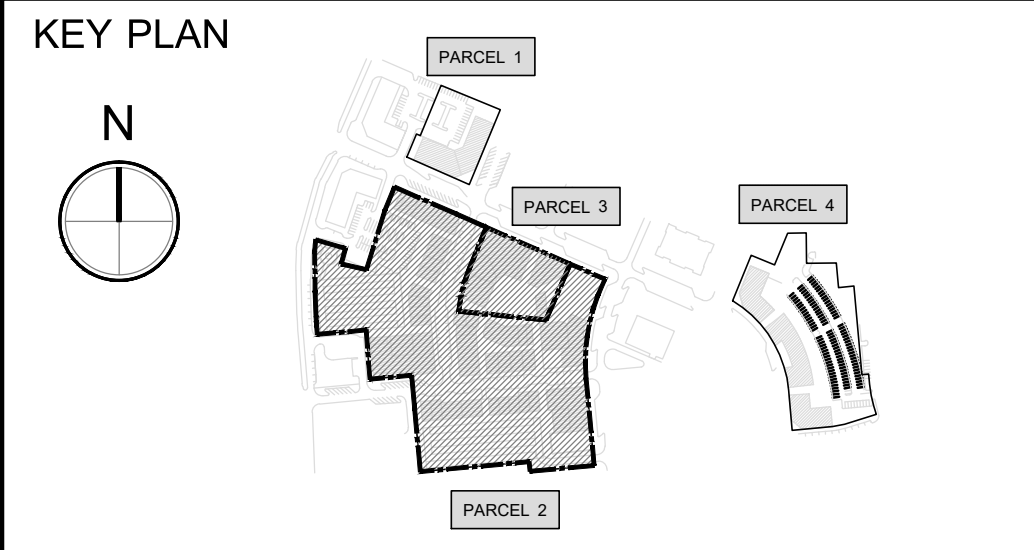
SITE NOTES:

BUILDING SETBACK REQUIREMENTS (MINIMUM) ZONED PUD
FRONT: 0 FEET
SIDE YARD: 10 FEET
REAR YARD: 0 FEET

FLOOD NOTE:
NO PORTION OF THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN A SPECIAL FLOOD HAZARD AREA PER F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 3710550700J, DATED: NOVEMBER 5, 2008.

PHYSICAL SURVEY
AT PROPERTY KNOWN AS
9.391 ACRES
6447 KEE LANE
PARCEL # 5507970369000
BEING A REMAINING PORTION OF DB 9479 PG 195
TOWN OF HARRISBURG, CABARRUS COUNTY, NC
DATE: OCTOBER 9, 2016

PHOENIX LAND SURVEYING, INC.
1316 OLD MONROE ROAD
STALLINGS, NORTH CAROLINA 28104
PH: (704) 335-1655
EMAIL: INFO@PHOENIX-SURVEYING.COM
FIRM # C-3512



SITE PLANNER :

International Place Design, LLC
Land Planning and Landscape Architecture
50 Beharrell Street, Concord, MA 01742, USA
Tel: 1-978-287-0900
Cell: 1-617-281-9445
Fax: 1-978-369-2731

CLIENT :

CapitalNexus LLC, Redtown Investment LLC

PROJECT :

HARRISBURG TOWN CENTER
Harrisburg, North Carolina

REZONING

ARCHITECTS :

CIVIL ENGINEERS :

TRAFFIC ENGINEERS :

REVISION		
No.	DATE	DESCRIPTION
1		
2		
3		
4		

NOTE :

DRAWING TITLE :
REZONING PARCEL 2 & 3 SITE PLAN

SCALE : 1" = 40'

DATE : March 12, 2019

DESIGN BY

DRAWN BY

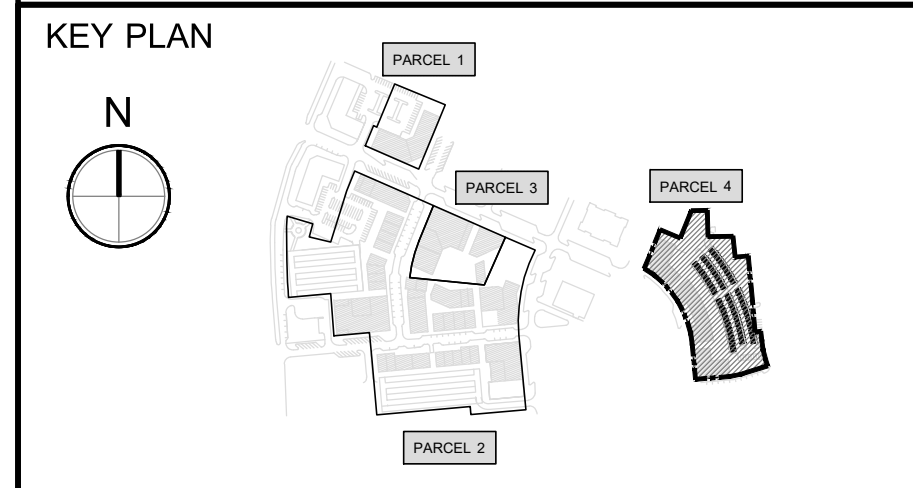
CHECKED BY

APPROVED BY

NOTE:

DRAWING No.
FIG.3

TOTAL :



SITE PLANNER :

— International Place Design, LLC
Land Planning and Landscape Architecture
50 Beharrell Street, Concord, MA 01742, USA
Tel: 1-978-287-0900
Cell: 1-617-281-9445
Fax: 1-978-369-2731

CLIENT :	CapitalNexus LLC, Redtown Investment LLC
PROJECT :	HARRISBURG TOWN CENTER Harrisburg, North Carolina
	REZONING

ARCHITECTS :
CIVIL ENGINEERS :
TRAFFIC ENGINEERS :

REVISION		
No.	DATE	DESCRIPTION
1		
2		
3		
4		

NOTE :	
DRAWING TITLE :	
	REZONING PARCEL 4 SITE PLAN
SCALE :	1" = 40'

DATE : March 12, 2019	DRAWING No. FIG.4
DESIGN BY	
DRAWN BY	
CHECKED BY	
APPROVED BY	TOTAL :
NOTE:	

PROGRAM:
PARCEL 4 PROGRAM:

Parcel 4					
Uses	Building Areas(sq	Housing Units	Parcel Area (acres)	FAR	Residential Density (Units/Acre)
Retail/Commercial	9,000	95	3.191	1.09	29.8
Residential	142,300				
Total Mixed-use Areas	151,300				
Open Space	48,500				
Percentage of Open Space	34.9%				
Parking Space (Off-street)	145				
Loading Space	4				

SURVEY:

LEGEND

- | | |
|---|--------------------------|
| RF | PARCEL BOUNDARY |
| RS | REBAR FOUND |
| R/W | REBAR SET |
| SF | RIGHT-OF-WAY |
| MB | SQUARE FEET |
| DB | MAP BOOK |
| PG | DEED BOOK |
| FS | PAGE |
| RY | FRONT SETBACK |
| SY | REAR YARD |
| PDE | SIDE YARD |
| SDE | PUBLIC DRAINAGE EASEMENT |
| MNLF | STORM DRAIN EASEMENT |
| CM | MAG NAIL FOUND |
| CP | CONCRETE MONUMENT |
| MNS | COMPUTED POINT |
| | MAG NAIL SET |
| X | CHAINLINK FENCE |
|  | FIRE HYDRANT |
|  | WATER VALVE |
|  | LIGHT POLE |
|  | SANITARY SEWER MANHOLE |
|  | CATCH BASIN |
|  | CLEAN OUT |
|  | HANDICAPPED PARKING |
|  | DROP INLET |
|  | STORM DRAIN MANHOLE |

NOTES

1. AREA CALCULATED BY COORDINATE COMPUTATION.
2. ADJOINING PROPERTY OWNERS NAMES WERE TAKEN FROM CABARRUS COUNTY TAX OFFICE RECORDS, AND ARE CONSIDERED AS NOW OF FORMERLY.
3. IRON RODS AT ALL CORNERS UNLESS NOTED.
4. THIS MAP IS SUBJECT TO ANY AND ALL APPLICABLE EASEMENTS, RESTRICTIONS, EASEMENTS, RIGHT-OF-WAY, UTILITIES AN RESTRICTIVE COVENANTS AND PRELIMINARY PLAN WHICH MAY BE OF RECORD.
5. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, MEASURED WITH ELECTRONIC MEASURING DEVICES.
6. LOT IN RESPECT TO ALL ZONING ORDINANCES OF THE TOWN OF HARRISBURG, BUILDER/OWNER MUST VERIFY THAT LOT IS IN COMPLIANCE WITH ALL COUNTY AND HOMEOWNERS ASSOCIATION ZONING ORDINANCES PRIOR TO ANY LAND DISTURBANCE OR CONSTRUCTION.
7. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH.
8. TID NOT CONSUMED OR FURNISHED WITHIN 2000 FEET.
9. SETBACKS SHOWN ARE PER CURRENT ZONING ORDINANCES UNLESS OTHERWISE NOTED.
10. SUBJECT PROPERTY ZONED PUD.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89°11'05" E	55.53'
L2	N 84°34'48" E	46.12'
L3	N 84°48'57" E	20.00'
L4	S 17°10'25" E	25.95'
L5	S 05°11'03" E	30.47'

SITE NOTES:

BUILDING SETBACK REQUIREMENTS (MINIMUM) ZONED PUD

FRONT:	0 FEET
SIDE YARD:	10 FEET
REAR YARD:	0 FEET

FLOOD NOTE:
NO PORTION OF THE SUBJECT PROPERTY SHOWN HEREON LIES
WITHIN A SPECIAL FLOOD HAZARD AREA PER F.E.M.A. FLOOD
INSURANCE RATE MAP, COMMUNITY PANEL 3710550700J, DATED:
NOVEMBER 5, 2008.

PHYSICAL SURVEY
AT PROPERTY KNOWN AS
3.191 ACRES
MAIN STREET
PARCEL # 55079703680000 DB 9479 PG 195
TOWN OF HARRISBURG, CABARRUS COUNTY, NC
FOR: HARRISBURG TOWN CENTER
DATE: OCTOBER 9, 2018



PHOENIX LAND SURVEYING, INC
3316 OLD MONROE ROAD
STALLINGS, NORTH CAROLINA 28104
PH: (704)-335-1655
EMAIL: INFO@PHOENIX-SURVEYING.COM
FIRM # C-3912

FIELD WORK: JHR, RM - MAPPING: JF, DZ
PROJ # 698-03-01 HARRISBURG TOWN CENTER

General Description:

Given its decade-long stagnation in development, the Harrisburg Town Center will be filed by CapitalNexus LLC and Redtown Investment LLC for rezoning from Planned Unit Development (PUD) to a City Center (CC) to complete the town center capability.

The goal of this rezoning plan is to complete the vision of the Harrisburg Town Center, by introducing 829,600 square feet of new mixed-use program, including retail/commercial, residential and offices, along with art center and educational uses. The new program is arranged to create a core attraction of exciting architecture, pedestrian-friendly streets and green spaces that can draw residents and visitors alike. The ultimate goal is to make Harrisburg a regional attraction and a great place to live, work and play in this area of metropolitan Charlotte.

Land Uses:

The development shall follow the uses permitted in the City Center Zoning, as well as comply with the supplemental design regulations in Article 4, Article 5 and /or Article 11 of UDO. The principle uses in the rezoning districts are retail/commercial, residential, office and an art center for exhibitions, events and activities.

Urban Design and Open Space:

1. Urban Design:
--Establish a mixed-use project core with an attractive pedestrian network of plazas, greens, arcades, colonnades and pedestrian-scaled streets;
--Establish a variety of small spaces between buildings to provide settings for outdoor dining and social gatherings; utilize changing geometries in the layout of walks, plazas and buildings to create variety;
--Where highly-visible building corners and façade elements exist in the building fabric, use these to create iconic, attractive architectural features.

2. Public Open Space:
--Create an overall network of pedestrian-friendly streets, passages, a central plaza, and green spaces to establish connectivity throughout the plan and easy pedestrian links to all attractions;
--Create a layout of major open space elements - a central plaza and a green space - that link the core of the new project to the existing Town Center Building and to new residences on the east side of the plan;
--Create a public green space in the core of the project for town events like performances, exhibitions, markets, and other social gatherings;
--Create a central plaza with an interactive children's playground to bring animation and family fun into the core; buildings surrounding the entire plaza shall add vibrant retail, art and entertainment, in attractive store-fronts and colonnaded edges;

3. Public Open Space include a Public Green Space (15,000 SF +/-), a Central Plaza (9,000 SF +/-) and Continuous Landscape.

Dimensional and Density Standards:

Buildings constructed within the development shall satisfy the City Center requirements of UDO.

1. Building Setback requirements:

Front: 0 Feet, Side Yard: 10 Feet, Rear Yard: 0 Feet

2. Maximum Building Height: 72 Feet

3. Overall Program Summary

	Footprint (Sq. feet)	Floors	Units	Total (Sq. feet)	Percentage (%)
Retail/Commercial 1 in Parcel 1	19,000	1.0		19,000	
Retail /Commercial 2 in Parcel 2	116,300	1.0		116,300	
Retail /Commercial 3 in Parcel 3	32,000	1.0		32,000	
Retail /Commercial 4 in Parcel 4	9,000	1.0		9,000	
Retail /Commercial Total				176,300	21%
Residential in Parcel 1	19,000	3.0	39	57,000	
Residential in Parcel 2	80,900	3.0 / 4.0	199	286,500	
Residential in Parcel 3	0	0	0	0	
Residential in Parcel 4	34,150	4.0/5.0	95	142,300	
Residential Total			333	485,800	59%
Office in Parcel 2	45,900	2.0		91,800	
Office in Parcel 3	28,100	2.0		56 ,200	
Office				148,000	18%
Art Center in Parcel 2	6,500	3.0		19,500	
Core Space Total				19,500	2%
Total Development Areas (Square feet)				829,600	100.0%
Total Site (Acres)	15.03				
FAR	1.27				
Total Parking Numbers on Site	1,155				
Total Loading Spaces on Site	24				
Open Space	Central Plaza	Green Space	Others	Total (Acres)	
Open Space Area (Acres)	0.207	0.528	3.770	4.505	30.0%

4. Development Phases:

Development Phase 1	Retail	Residential	Office	Art Center
Parcel 3: Building 13,14,15	32,000 SF		56,200 SF	
Green Space	15,000 SF +/-			
Central Plaza	9,000 SF +/-			
Parcel 4: Building 16,17,18	9,000 SF	142,300 SF		
Total Areas	299,500 SF			

Development Phase 2	Retail	Residential	Office	Art Center
Parcel 2: Building 9, 10, 11, 12			91,800 SF	19,500 SF
Garage 3, 100 Parking Spaces	28,400 SF			
Total Areas	139,700 SF			

Development Phase 3	Retail	Residential	Office	Art Center
Parcel 1: Building 1	19,000 SF	57,000 SF		
Parcel 2: Building 2,3,4,5,6,7,8	87,900 SF	286,500 SF		
Garage 1,2,340 Parking Spaces				
Total Areas	450,400 SF			

Parking Space:

1. The Parking Space is suggested and calculated as follows:

--Existing on-street parking spaces are 462, which could be shared by new development in the plan;

--Existing surface parking spaces in parcel 1 (44 spaces) and Parcel 2 (46 spaces) will be utilized or redesigned in the plan;

--Existing parking spaces along Professional Blvd and Physician Blvd (110 total) will be redesigned in the plan;

--Parking Structures will be developed in the plan to meet with the Parking Space requirements of the plan.

Land Use	Vehicle Spaces
Parking Space	
Residential	1.5/Unit
Retail	1 per 300 sf GFA
Office	1 per 200-1000 sf GFA
Dine-in restaurants	1 per 50-150 sf GFA
Health Club and Arts Space	1 per 500-650 sf GFA
Loading/unloading Space	
Retail and service establishments	1 loading space (12feet * 25 feet) per 20,000 GFA
Office buildings and lodging establishments	1 loading space (12feet * 25 feet) per 50,000 GFA

2. Parking Space and Loading/unloading Space Calculation:

Land Use	Total Area (Sq. feet)	Parking Spaces Required	Loading Spaces Required
Retail/Commercial	176,300	588	9
Residential	485,800 (333 Units)	500	
Office	148,000	148	3
Art Center	19,500	30	
Total	829,600	1,265	

3. Table 8.1.-5 Shared Parking Allowance by Land Use is used to calculate the amount of required parking in the mixed-use plan. The result of this calculation is that 1,074 parking spaces are required for a mixed-use development plan.

Type	Weekday			Weekend			Nighttime	
	Daytime	Evening		Daytime	Evening			
Retails	60%	353	90%	529	100%	588	70%	412
Residential	75%	375	100%	500	75%	375	100%	500
Office	100%	148	10%	15	10%	15	5%	7
Art Center	40%	12	100%	30	80%	24	100%	30
	888	1,074		1,002	949		415	

4. Parking Spaces Plan and Breakdown:

--Utilize garages along with off-street surface parking lots and on-street parking, at locations around the core to support program growth and enable easy pedestrian movement between parking and central activities;
--Provide a total of 1,155 parking spaces, including 635 off-street and 520 on-street parking spaces;
--Provide 24 loading/servicing spaces, sited to minimize negative visual impacts and interruptions to building functions.

Garage Parking 1 (Label F)	140
Garage Parking 2 (Label G)	160
Garage Parking 3 (Proposed to be integrated with Art Center/Mixed Use Building)	100
Surface Parking in Parcel 1 (Existing Off-Street Parking)	44
Surface Parking in Parcel 2 (Modified Parking)	46
Surface Parking in Parcel 4 (Modified Parking)	145
On-Street Parking (Existing Diagonal Parking)	462
On-Street Parking (Modified Parallel Parking on Professional and Physician's Blvd)	58
Total Parking Numbers on Site	1,155
Loading Spaces (including 14 on-street loading and 9 back-street loading)	24

Pedestrian and Vehicular Access:

1. Vehicular Circulation:

--Utilize and reinforce the established Regional, Primary and Secondary road network in the layout of the new development;
--Make modifications and extensions to certain Tertiary Roads (such as the new connection between professional Boulevard and Harrisburg Plaza) to enhance access to surface parking lots and to provide new parking garages with two routes of access;
--To improve pedestrian streetscape quality, modify portions of Professional Boulevard and Physicians Boulevard by changing parking to parallel, and by narrowing the rights-of-way.

2. Pedestrian Circulation:

--Create a comprehensive pedestrian circulation network that effectively links site attractions and gathering places, to where users live, work and park;
--Make the pedestrian ways to main attractions as convenient and direct as possible;
--Make the pedestrian circulation experience the primary mode of movement within Harrisburg Town Center.

Architectural Standards:

The architectural design shall meet with the expectation and regulations of UDO. Illustrations of the architecture attached to this plan provide a preliminary design concept which will be developed in the next steps.

Lighting:

All the lighting of the development shall meet with the regulations of UDO. Lighting located on the side of Main Street, Kee Ln and Carl Parmer Dr. will be preserved. Lighting located on the side of Professional Blvd and Physician's Blvd shall be proposed in the next steps.

Signage:

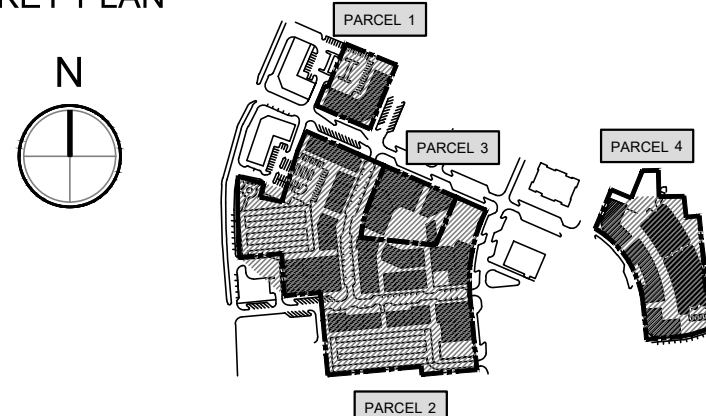
All the signage of the development shall be proposed in the next steps and meet with the regulations of UDO.

Public Infrastructure Improvements:

In the next steps the Developer will work with the administrator to carry-out Traffic Impact Analysis and Adequate Public Facilities (APF) review to satisfy needed public infrastructure improvements.

Storm Water Management :

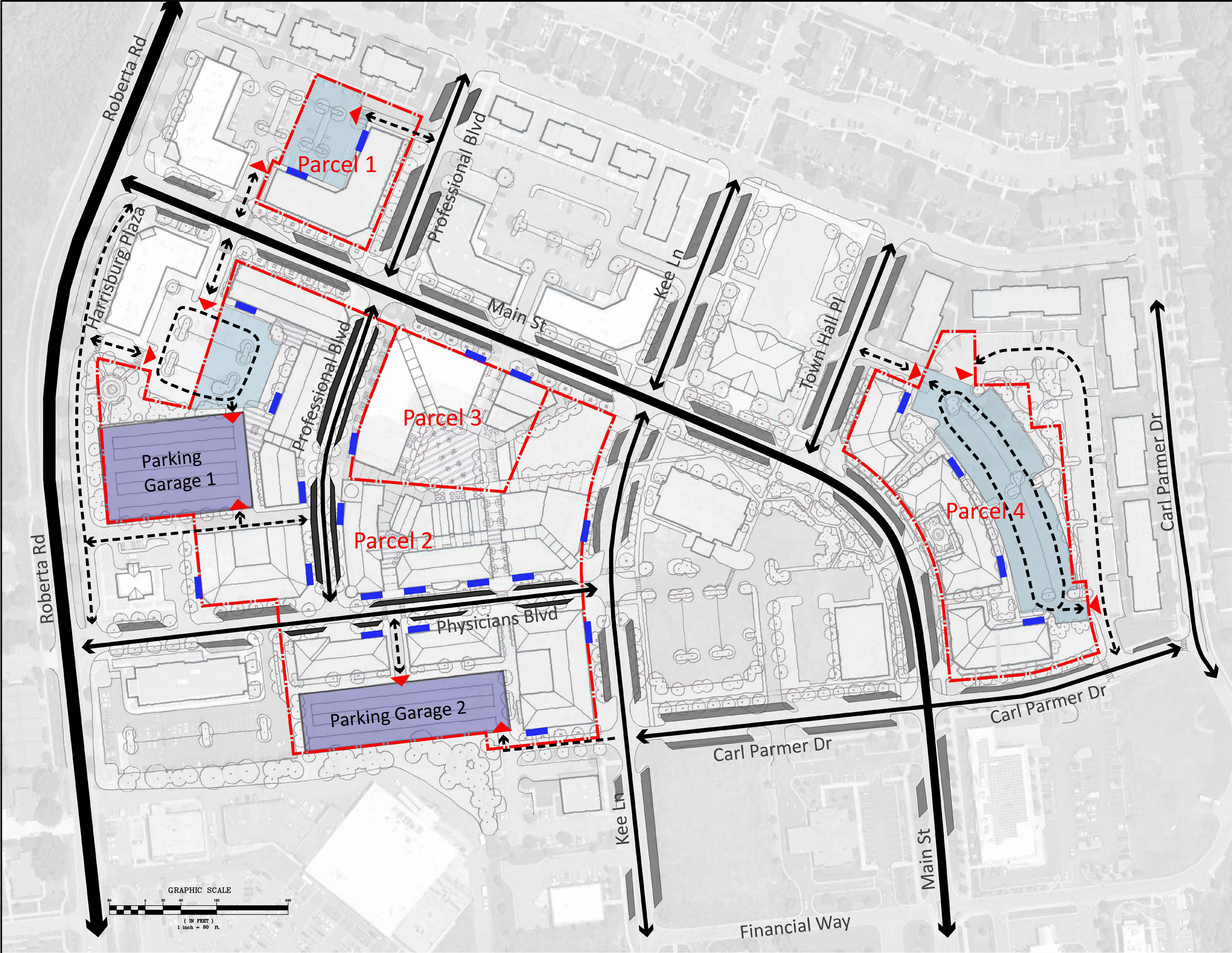
No portion of the rezoning districts shown in the plan lies within a special flood hazard area per F.E.M.A Flood insurance rate mapping.

KEY PLAN 	SITE PLANNER :  International Place Design, LLC Land Planning and Landscape Architecture 50 Beharrell Street, Concord, MA 01742, USA Tel: 1-978-287-0900 Cell: 1-617-281-9445 Fax: 1-978-369-2731	CLIENT :	ARCHITECTS :		REVISION		NOTE :	DATE : March 12, 2019	DRAWING No.	
		CapitalNexus LLC, Redtown Investment LLC			No.	DATE	DESCRIPTION	DRAWING TITLE : DESCRIPTION		DESIGN BY
		PROJECT : HARRISBURG TOWN CENTER Harrisburg, North Carolina	CIVIL ENGINEERS :	1			DRAWN BY			
				2			CHECKED BY			
				3			APPROVED BY		TOTAL :	
		REZONING	TRAFFIC ENGINEERS :		4			SCALE :	NOTE:	



- LABELS:**
- 1. Mixed Use Building
 - 2. Mixed Use Building
 - 3. Mixed Use Building
 - 4. Mixed Use Building
 - 5. Mixed Use Building
 - 6. Mixed Use Building
 - 7. Mixed Use Building
 - 8. Mixed Use Building
 - 9. Mixed Use Building
 - 9A. Art Center
 - 10. Mixed Use Building
 - 11. Mixed Use Building
 - 12. Mixed Use Building
 - 13. Mixed Use Building
 - 14. Mixed Use Building
 - 15. Retail/Commercial
 - 16. Mixed Use Building
 - 17. Residential Building
 - 18. Mixed Use Building
-
- A. Main Street Entry
 - B. Public Green Space (15,000 sq.ft +/-)
 - C. Central Plaza (9,000 sq.ft +/-)
 - D. Pedestrian Street
 - E. Pedestrian Friendly Street
 - F. Off-street Parking 1
 - G. Off-street Parking 2

KEY PLAN	SITE PLANNER : International Place Design, LLC Land Planning and Landscape Architecture 50 Beharrell Street, Concord, MA 01742, USA Tel: 1-978-287-0900 Cell: 1-617-281-9445 Fax: 1-978-369-2731	CLIENT : CapitalNexus LLC, Redtown Investment LLC PROJECT : HARRISBURG TOWN CENTER Harrisburg, North Carolina REZONING	ARCHITECTS :		REVISION		NOTE : DRAWING TITLE : OVERALL LANDSCAPE PLAN SCALE : 1" = 80'	DATE : March 12, 2019 DESIGN BY DRAWN BY CHECKED BY APPROVED BY NOTE:	DRAWING No. FIG.6 TOTAL :	
					No.	DATE				DESCRIPTION
			CIVIL ENGINEERS :		1					
					2					
					3					
			TRAFFIC ENGINEERS :		4					



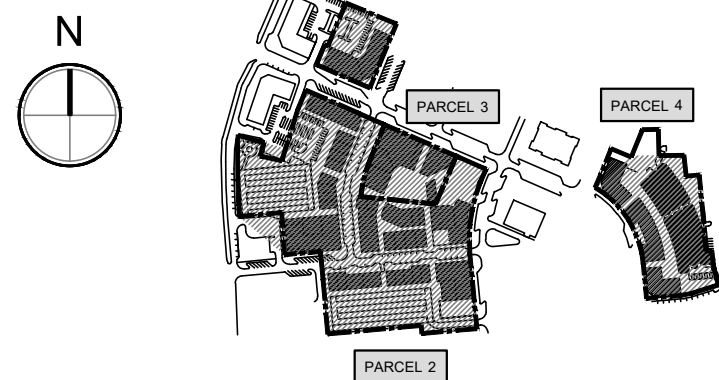
PARKING PROGRAM:

Garage Parking 1 (Label F)	140
Garage Parking 2 (Label G)	160
Garage Parking 3 (Proposed to be integrated with Art Center/Mixed Use Building)	100
Surface Parking in Parcel 1 (Existing Off-Street Parking)	44
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On-Street Parking (Existing Diagonal Parking)	462
On-Street Parking (Modified Parallel Parking on Professional and Physican's Blvd)	58
Total Parking Numbers on Site	1,155
Loading Spaces	24

LEGEND

- Parcel Property Line
- Regional Road
- Primary Road
- Secondary Road
- Tertiary Road
- Parking Access
- Garage Parking
- Surface Parking
- On-Street Existing Diagonal Parking
- Modified Parallel Parking on Professional and Physican's Blvd
- Loading Spaces
(Loading Spaces on the main streets should be serviced at night time off-hours.)

KEY PLAN



SITE PLANNER :

International Place Design, LLC
Land Planning and Landscape Architecture
50 Beharrell Street, Concord, MA 01742, USA
Tel: 1-978-287-0900
Cell: 1-617-281-9445
Fax: 1-978-369-2731

CLIENT :

CapitalNexus LLC, Redtown Investment LLC

PROJECT :

HARRISBURG TOWN CENTER
Harrisburg, North Carolina

REZONING

ARCHITECTS :

CIVIL ENGINEERS :

TRAFFIC ENGINEERS :

REVISION

No.	DATE	DESCRIPTION
1		
2		
3		
4		

NOTE :

DRAWING TITLE :
**VEHICULAR
CIRCULATION &
PARKING PLAN**

SCALE : 1" = 80'

DATE : March 12, 2019

DESIGN BY
DRAWN BY
CHECKED BY
APPROVED BY

NOTE:

DRAWING No.

FIG.7

TOTAL :



Woonerf Street Plan

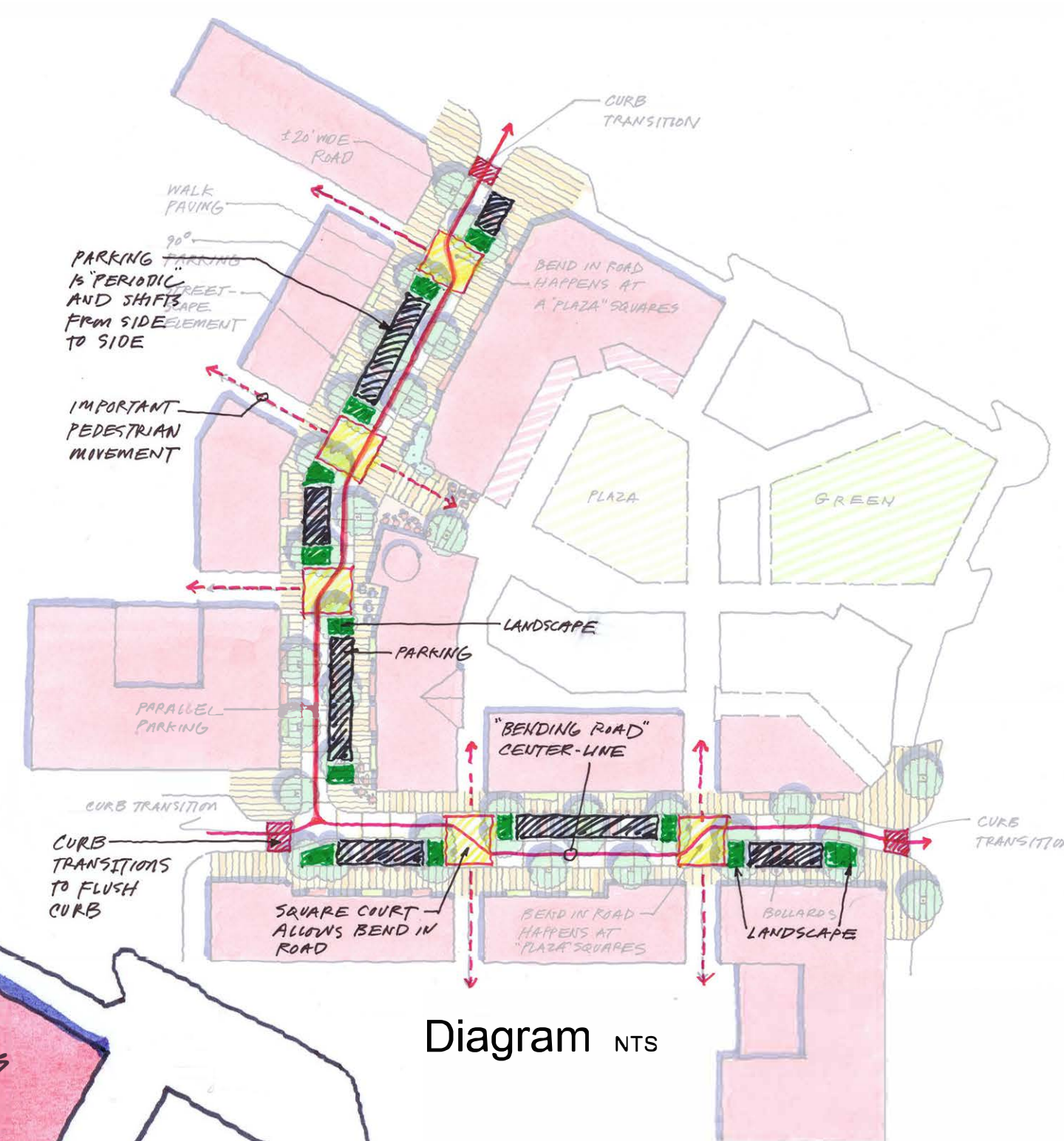
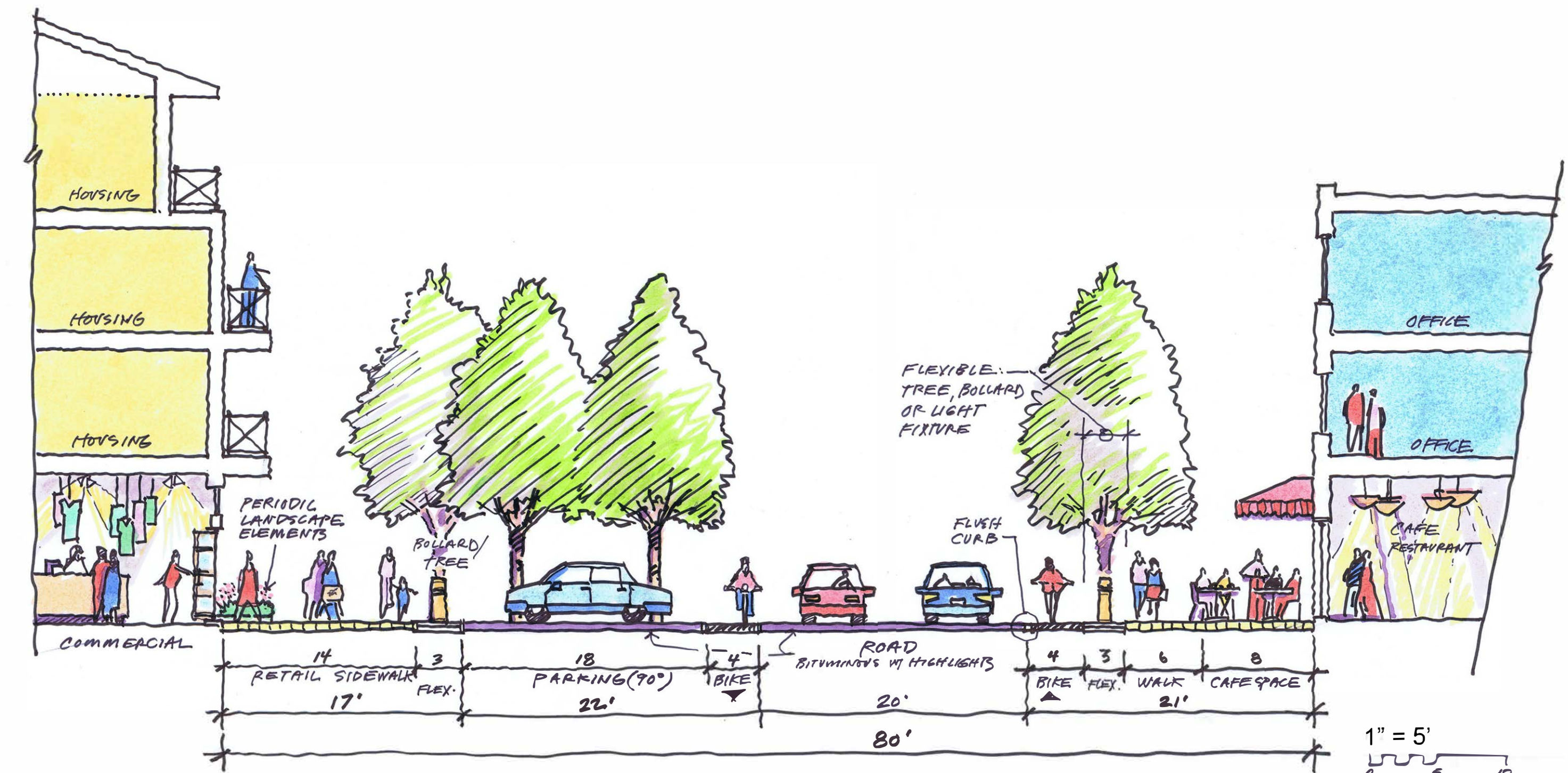


Diagram NTS

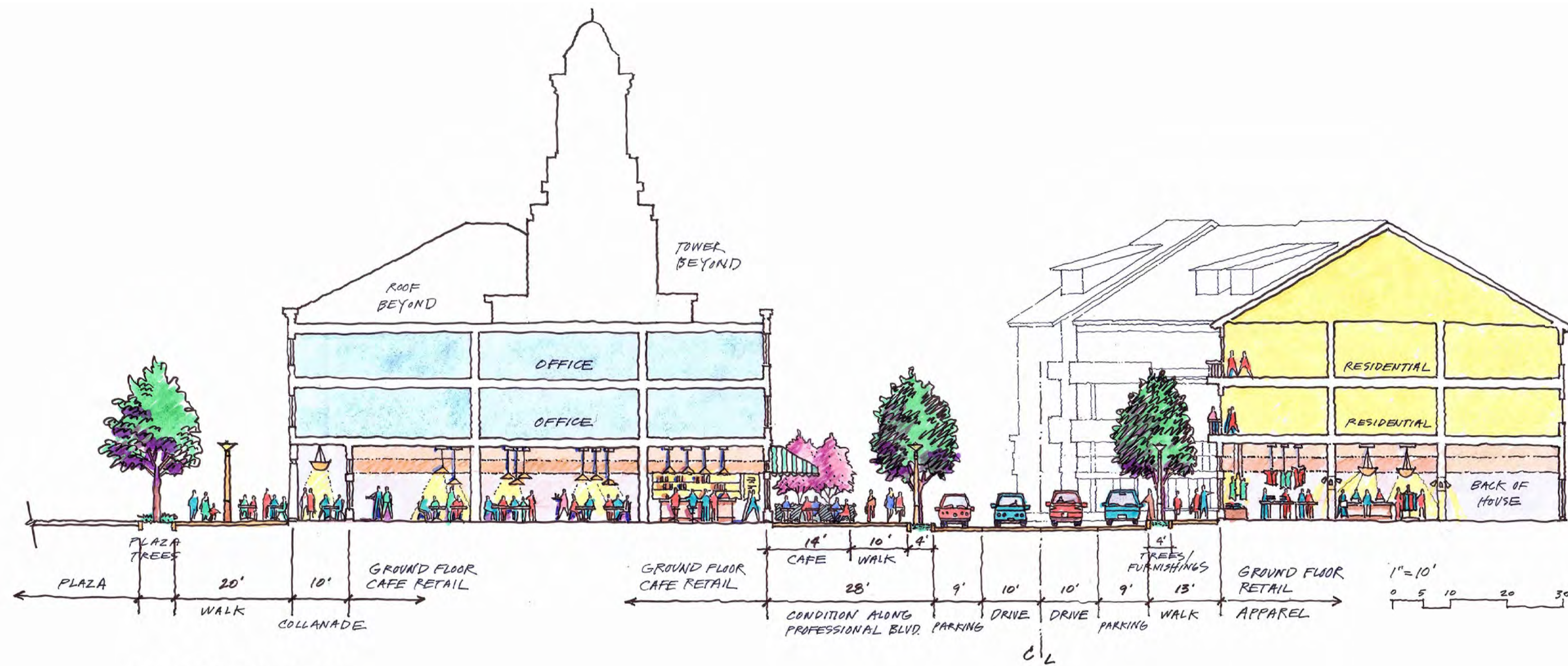


Woonerf Street Typical Section

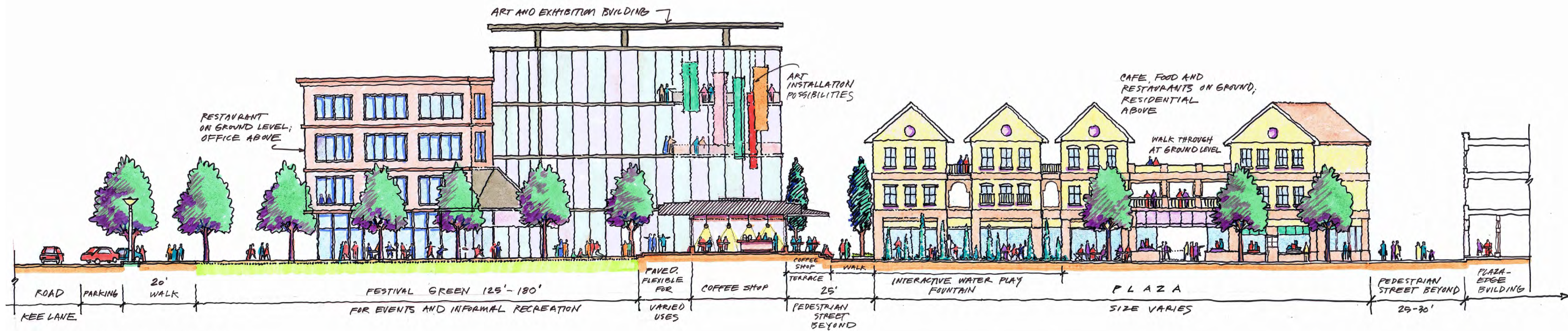
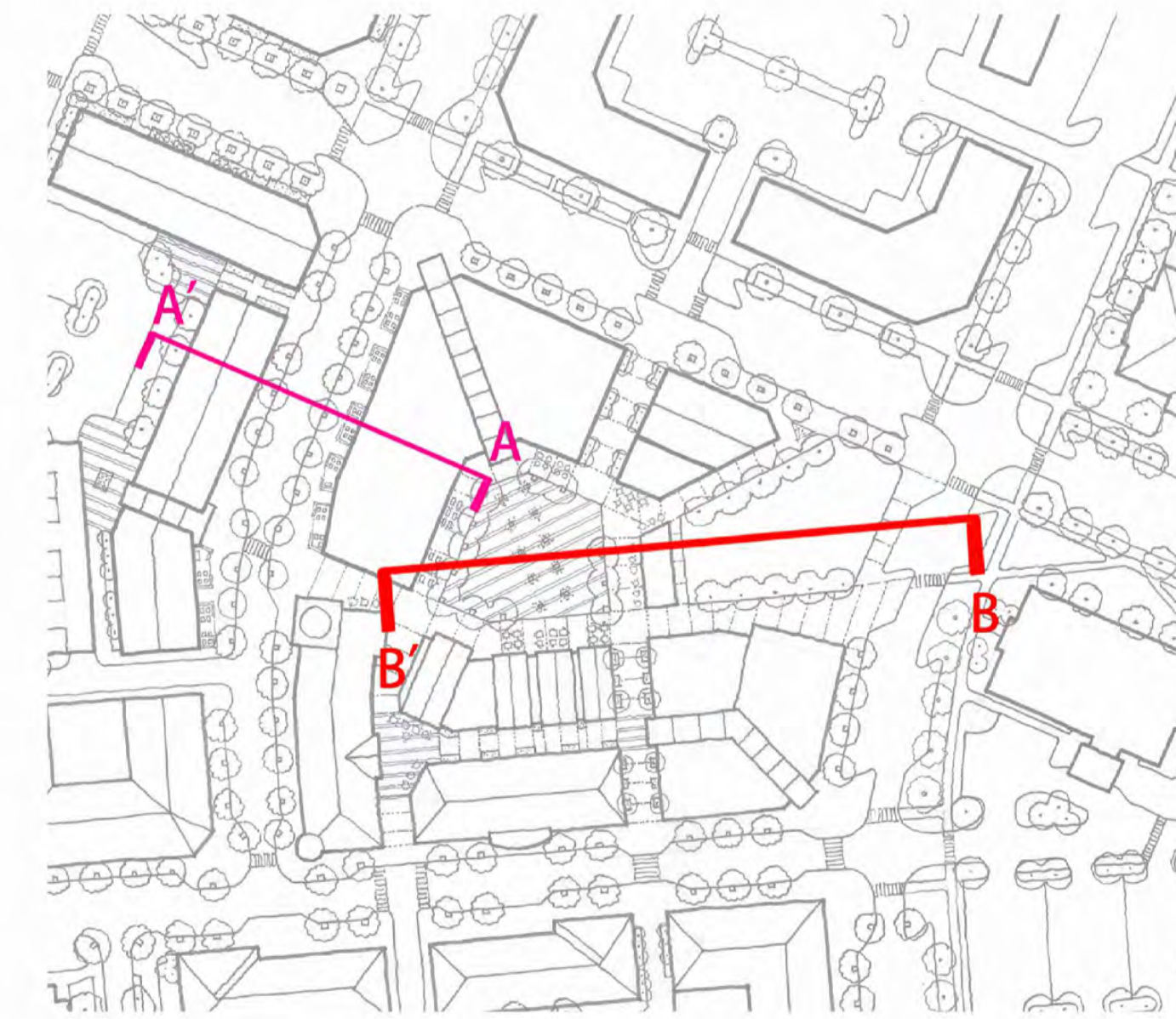


Woonerf Street Image

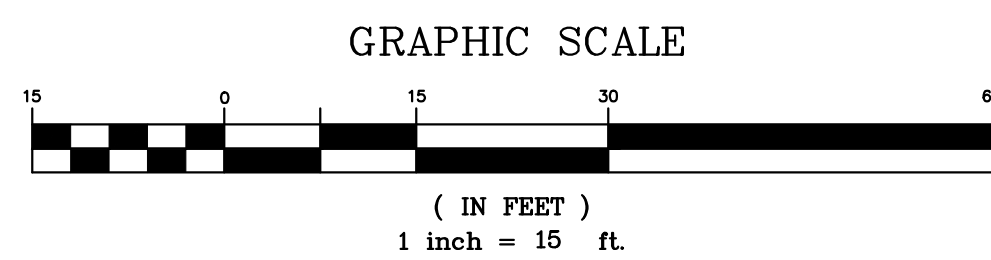
KEY PLAN 	SITE PLANNER : International Place Design, LLC Land Planning and Landscape Architecture 50 Beharrell Street, Concord, MA 01742, USA Tel: 1-978-287-0900 Cell: 1-617-281-9445 Fax: 1-978-369-2731	CLIENT : CapitalNexus LLC, Redtown Investment LLC PROJECT : HARRISBURG TOWN CENTER Harrisburg, North Carolina REZONING	ARCHITECTS : CIVIL ENGINEERS : TRAFFIC ENGINEERS :	REVISION		NOTE : DRAWING TITLE : Conceptual Woonerf Street SCALE : 1" = 50'	DATE : March 12, 2019 DESIGN BY DRAWN BY CHECKED BY APPROVED BY NOTE:	DRAWING No. FIG.9 TOTAL :
				No.	DATE			
				1				
				2				
				3				
				4				



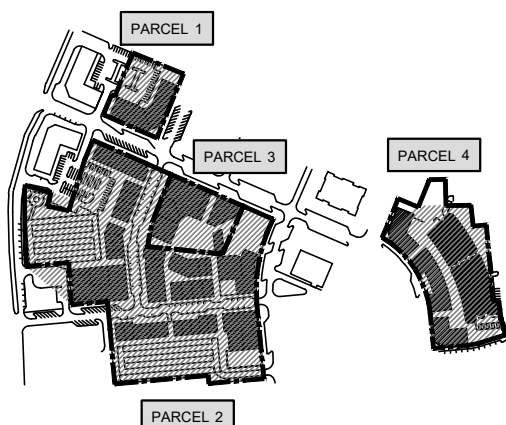
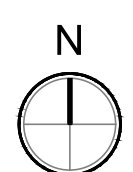
SECTION A-A'



SECTION B-B'



KEY PLAN



SITE PLANNER :



International Place Design, LLC
Land Planning and Landscape Architecture
50 Beharrell Street, Concord, MA 01742, USA
Tel: 1-978-287-0900
Cell: 1-617-281-9445
Fax: 1-978-369-2731

CLIENT :

CapitalNexus LLC, Redtown Investment LLC

PROJECT :

HARRISBURG TOWN CENTER
Harrisburg, North Carolina

REZONING

ARCHITECTS :

CIVIL ENGINEERS :

TRAFFIC ENGINEERS :

REVISION

No.	DATE	DESCRIPTION
1		
2		
3		
4		

NOTE :

DRAWING TITLE :

**ILLUSTRATIVE
SITE SECTIONS**

SCALE : 1" = 15'

DATE : March 12, 2019

DESIGN BY

DRAWN BY

CHECKED BY

APPROVED BY

NOTE:

DRAWING No.

FIG.8

TOTAL :



May 14, 2019 / Rev. Condition #15 Dec 9, 2019; October 12, 2020 and December 14, 2020

Mark Swartz
Charlotte Real Estate Services
4350 Main St, Suite 220
Harrisburg, NC 28075

Mr. Swartz,

This letter is to inform you that the rezoning request H2018-14-(R) was **approved** by the Town Council on Monday, May 13th, 2019 meeting.

This property is located at parcel PIN# 55079703680000 & 55078785890000, generally on the northeast and southeast corner of the intersection of Roberta Drive and Main Street, centered in town center. The rezoning request H2018-14-(R) was to rezone 15.03 acres from PUD, Planned Unit Development to CZ-CC, Conditional City Center. The rezoning was approved with the following conditions.

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 not to use vinyl siding and utilize high quality building materials for all buildings. All architectural design and building elevations shall be submitted to the town for review and approval.
3. Applicant agrees to restrict outside storage.
4. Applicant agrees to continued maintenance of buildings and grounds in the form of deed restrictions, establishment of HOA or restrictive covenants recorded and will run with the land.
5. Applicant agrees to contribute proportionate funds to the Towns' regional storm water management system servicing the proposed Town Center Development.
6. Applicant agrees to contribute funds for onsite and off-site roadway improvements documented in the Traffic Impact Analysis (TIA) directly related to proposed development.
7. Applicant reserves the right to combine Buildings 10 and 11 contingent on future market demand. Additionally, the Applicant reserves the right to renovate or demolish and rebuild in place Building 13 dependent upon future structural investigations of the existing structure. Any changes will need to be reviewed and approved by the Town.
8. Applicant agrees to build a maximum of 333 residential units and 829,600 square feet of mixed use. Applicant reserves the right to trade up to 10% of the gross floor area of proposed office use to retail use and/or trade up to 20% of the gross floor area of proposed retail use to office use. Any changes will need to be reviewed and approved by the Town.
9. Applicant agrees to build approximately 15,000 square feet Public Green Space and 9,000 square feet Central Plaza at no cost to the Town. Applicant will provide approximately 19,500 square feet for the Art Center. The Applicant reserves the right to arrange the program, operate and control the



use of these spaces within the limits of Federal, State and Local laws and shall not conflict with Town's Park and Recreation Programs.

10. Applicant agrees that parking for each phase will be reviewed and approved as part of site plan and appropriate temporary surface parking lots in lieu of parking garages to support early phases of development.
11. Applicant agrees that loading/unloading spaces on the street will be serviced at nighttime off-hours.
12. Applicant shall be permitted to convert Professional Blvd and Physicians Blvd as a pedestrian friendly and a living streets and may be temporarily closed for special events in accordance with Town's Street Closure Guidelines.
13. Applicant shall be permitted to allow retail spaces for Pharmacies, Health and Personal Care Stores to the extent that such uses are not stand-alone buildings but are integrated within the mixed-use buildings.
14. Applicant shall be permitted for ground floor residential on Building 17 on Parcel 4, where the building is designed to setback from the street and have a central courtyard and the ground floor of building 16 and 18 on Parcel 4 shall be restricted to retail, office and other commercial uses.
15. Applicant agrees that the zoning shall revert to its original PUD if the Applicant fails to submit and secure Council approval on revised Site Plan by April 30, 2021.

You may continue with Site Plan review for approval through the Town of Harrisburg Planning and Zoning Department, the next step is to submit Preliminary Plat for review that meets the above conditions.

If you have any questions or concerns, please let me know.

Sincerely,

Sushil Nepal

Sushil Nepal, AICP
Planning & Economic Development Director
Town of Harrisburg



TOWN OF HARRISBURG

Agenda Item Details

Title:

Town Council Code of Conduct Change - Reconsider from March 2021 Council Meeting

Presenting Personnel:

Suggested Motion or Action:

Reconsider the modifications made to the Town Council Code of Conduct during the March 2021 Town Council meeting.

Staff provides no recommendation or action as this matter relates to the Town Council and their expectations for their position(s).

Description/Background:

During the February 2021 Town Council meeting, the Council requested that staff look into adding language to the Town Council Code of Conduct; specifically to Section F(5): Council Conduct with the Public, with regards to Council's comments on social media.

Staff prepared the changes to reflect the direction of Council from the February Town Council meeting, and anticipated holding a Public Hearing during the April Town Council meeting for the Council to consider the changes.

During the March 8, 2021 Council meeting, the Council chose to move the request for Public Hearing from the Consent Agenda to be discussed as a New Business item during the same meeting.

After deliberation amongst the Council of the proposed changes, the Town Council voted to remove all of Section F(5) from the Town Council Code of Conduct.

Upon conclusion of the March meeting, it was requested by a Council member who voted affirmatively to remove the section from the Code of Conduct to reconsider the matter again, thus the reason for reconsidering the changes during the April Council meeting.

The original Section F(5) of the Town Council Code of Conduct read as follows:

The community is constantly observing elected officials every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Town. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by elected officials, twenty-four (24) hours a day, seven (7) days a week. It is a serious and continuous responsibility.

The proposed changes to Section F(5) were presented as follows (highlighted in yellow):

*The community is constantly observing elected officials every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Town. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by elected officials, twenty-four (24) hours a day, seven (7) days a week **in-person, virtually, and on social media platforms**. It is a serious and*

continuous responsibility.

Town Council may take any action they deem necessary related to their Code of Conduct.

Recommendation:

No recommendation is provided from staff.

Fiscal Impact:

None.

Attachments:

1. Town Council - Code of Conduct



§30.02 CODE OF CONDUCT FOR THE MAYOR AND TOWN COUNCIL MEMBERS

AN ORDINANCE TO ESTABLISH GUIDELINES FOR ELECTED OFFICIALS OF THE TOWN OF HARRISBURG, NORTH CAROLINA

(A) Purpose

This Code of Conduct is designed to describe the manner in which Town elected officials (the Mayor and Town Council members) should treat each other, Town staff, constituents, and others they come into contact with in representing the Town of Harrisburg. The constant and consistent theme through this ordinance is "respect". Demonstrating respect for each individual through words and actions is the touchstone that can help guide elected officials to do the right thing.

(B) Basic Responsibilities

All Town elected officials should strive to:

1. Fully participate in Town Council meetings and other public forums while demonstrating respect, kindness, consideration and courtesy to others.
2. Prepare in advance of Council meetings and be familiar with issues on the agenda.
3. Be respectful of other people's time. Stay focused and act efficiently during public meetings.
4. Serve as a model of leadership and civility to the community.
5. Inspire public confidence in Town of Harrisburg government.
6. Demonstrate honesty and integrity in every action and statement.
7. Participate in scheduled activities to increase effectiveness and review Council procedures, such as this Code of Conduct.

(C) Policies & Protocol Related to Conduct

Endorsement of Candidates

Councilmembers have the right to support candidates for any and all offices. It is inappropriate to endorse a candidate at an official Town function or while representing the Town in an official capacity..

(D) Council Conduct With One Another

In Public Meetings

1. Practice civility and decorum in discussions and debate.
Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, elected officials to make belligerent, personal, impertinent, slanderous, threatening, abusive or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.
2. Honor the role of the Mayor in maintaining order.
It is the responsibility of the Mayor to keep the comments of elected officials on track during public meetings. Elected officials should honor efforts by the Mayor to focus discussion on current agenda items. If there is a disagreement about the agenda or the Mayor's actions, those objections should be voiced politely and with reason, following procedures outlined in this Code of Conduct, the North Carolina General Statutes, any rules of procedure adopted by the Town Council, and lastly Robert's Rules of Order for parliamentary procedure.
3. Avoid personal comments that could offend other elected officials.
If an elected official is personally offended by the remarks of another elected official, the offended elected official should make notes of the actual words used and call for a "point of personal privilege" that

challenges the other elected official to justify or apologize for the language used. The Mayor will maintain control of this discussion.

4. Strive to demonstrate effective problem-solving approaches.

Elected officials have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

In Private Encounters

5. Policy Making.

No binding policy decisions are permitted to be made outside of a public meeting. The use of official Town email is reviewable in a public information request or through a subpoena in a lawsuit. Therefore, a file should be maintained just like any other correspondence. The use of private email or other electronic media does not necessarily come under the same scrutiny, but can if used for Town business. Elected officials should exercise discretion in any discussion of Town business. A quorum of the Council should avoid discussing Town business at one time by any means unless in an advertised public meeting.

6. Be aware of the insecurity of written notes, voicemail messages and email.

Written notes, voicemail messages and email should be treated as potentially "public" communication. Even though private communication cannot be prohibited from distribution, the use of a disclaimer, verbal or written, can act to protect the sender and should be respected. The litmus test should be: Would you feel comfortable if this voicemail/fax/email message appeared in the newspaper verbatim? How would that reflect on the Town?

7. Guiding principles for elected officials when collaborating on legislation.

Collaboration among two elected officials to develop proposed legislation, policy or ideas is acceptable. Bear in mind that four Council members constitutes a quorum for the conduct of Town business. It must be understood that no binding decisions can be made and that the proposal must come before the whole Council for consideration in full, open discussion at a public meeting. Always bear in mind that any record or document of discussion of Town business may be subject to public disclosure under North Carolina law. Documents as defined by the law include voicemails, texts, posts, pictures, etc.

(E) Council Conduct with Staff

Governance of a town relies on the cooperative efforts of elected officials, who set policy; and Town staff, who implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

1. Treat all staff as professionals.

Clear, honest communication that respects the abilities, experience and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

2. Limit contact to specific Town staff.

Questions of Town staff and/or requests for additional background information should be directed to the proper department head, the Town Manager or the Mayor. Each should be copied on appropriate questions, comments or requests. Requests for follow-up or directions to staff should be made only through the appropriate chain of command. When in doubt about what staff contact is appropriate, Councilmembers should ask the Mayor or the Town Manager for direction. Materials supplied to a Councilmember in response to a request will be made available to all members of the Council so that all have equal access to information.

3. Do not disrupt Town staff from their jobs.

Councilmembers should not disrupt Town staff while they are in meetings, on the phone or engrossed in performing their job functions in for to have their individual needs met.

4. Never publicly criticize an individual employee.

Elected officials should never express concerns about the performance of a Town employee in public or to the employee directly or to the employee's manager. Comments about staff performance should only be made to the Town Manager or department head through private correspondence or conversation.

5. Do not get involved in administrative functions.
Elected officials must not attempt to influence Town staff on the hiring for existing positions, processing of development applications or granting of Town licenses and permits.
6. Do not attend meetings with Town staff unless requested by staff.
7. Limit requests for staff support.
Routine secretarial support will be provided to all elected officials by the Town administration staff. Requests for additional staff support – even in high priority or emergency situations – should be made to the Town Manager.
8. Do not solicit political support from staff.
Elected officials should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from Town staff. Town staff may, as private citizens with constitutional rights, support political candidates, but all such activities must be done away from the workplace.

(F) Council Conduct with the Public

In Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of the individual elected officials toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony and comment.

1. Be fair and equitable in allocating public meeting time to individual speakers.
The Mayor will determine and announce limits on speakers at the start of the public comment process with the consent of the Council. The Mayor will advise speakers to state their name and address for the record and to address their comments to the Council.
2. Ask for clarification, but avoid debate and argument with the public.
Only the Mayor – not individual Councilmembers – can interrupt a speaker during a presentation. However, a Councilmember can ask the Mayor for a point of order or point of information if the speaker is off the topic or exhibiting behavior or language the Councilmember finds disturbing, or would like further information from the speaker.

If a speaker becomes flustered or defensive by Council questions, it is the responsibility of the Mayor to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Councilmembers to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker.

3. No personal attacks of any kind, under any circumstance.
Elected officials should be aware that their body language and tone of voice, as well as the words they use, could appear to be intimidating or aggressive.

In Unofficial Settings

4. Make no promises on behalf of Council.
Elected officials will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Town policy and refer to Town staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise Town staff will do something specific (fix a pothole, allow special signage, take care of a parking ticket, etc.). Each elected official must remember that even though elected by the citizens of the Town, each elected official has no separate authority from the Council by virtue of being elected. Only a decision in an open meeting by the Council as a body has any legal effect.
5. Remember that elected officials' actions are always being scrutinized.
The community is constantly observing elected officials every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Town. Honesty and respect for the dignity of each

individual should be reflected in every word and action taken by elected officials, twenty-four (24) hours a day, seven (7) days a week. It is a serious and continuous responsibility.

(G) Conduct with Other Public Agencies

6. Be clear about representing the Town or personal interests.

If an elected official appears before another governmental agency or organization to give a statement on an issue, the elected official must clearly state whether his or her statement reflects personal opinion or is the official position of the Town.

If the elected official is representing the Town, the elected official must support and advocate the official position of the Town on an issue, not a personal viewpoint.

If the elected official is representing another organization whose position is different from the Town, the elected official should withdraw from voting on the issue if it significantly impacts or is detrimental to the Town's interest. Elected officials should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

7. Correspondence should be equally clear about representation.

Town letterhead is not to be used for correspondence of elected officials representing a personal point of view, or a dissenting point of view from an official Council position.

(H) Council Conduct with Boards, Clubs, Committees and Organizations

The Town has established several Boards and Committees as a means of gathering more community input. Members who serve on these bodies become more involved in government and serve as advisors to the Town Council. They are a valuable resource to the Town's leadership and should be treated with appreciation and respect.

1. If attending a Board or Committee meeting, be careful to only express personal opinions.

Elected officials may attend any board or committee meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation – especially if it is on behalf of an individual, business or developer – could be viewed as unfairly affecting the process. Any public comments by an elected official at a board or committee meeting should be clearly made as individual opinion and not a representation of the feelings of the entire Town Council.

2. Limit contact with Board and Committee members to questions of clarification.

It is inappropriate for an elected official to contact a board or committee member to lobby on behalf of an individual, business or developer. It is illegal for an elected official to contact a member of the Town's Board of Adjustment with reference to any pending matter before that board. It is acceptable for elected officials to contact board or committee members in order to clarify a position taken by the board.

3. Remember that Boards and Committees serve the community, not individual Councilmembers.

The Town Council appoints individuals to serve on boards and committees and it is the responsibility of boards and committees to follow policy established by the Council. However, board and committee members do not report to individual elected officials, nor should elected officials feel they have the power or right to threaten board or committee members with removal if they disagree about an issue. Appointment and re-appointment to a board or committee should be based on such criteria as expertise, ability to work with staff and the public and commitment to fulfilling official duties. A board or committee appointment should not be used as a political "reward".

4. Be respectful of diverse opinions.

A primary role of boards and committees is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Elected officials may have a closer working relationship with some individuals serving on boards or committees, but must be fair and respectful of all citizens serving on boards or committees.

5. Political Activity

Board or committee members may join or affiliate with civic organizations of a partisan or political nature, may advocate political principles or policies consistent with the constitution and laws of the United States and the State of North Carolina and may offer political support for an elected official or anyone running for political office. However, no board or committee member shall a) engage in any political or partisan activity while in an official, public forum in their capacity as an elected or appointed official, b) use official authority or influence for the purpose of interfering with or affecting the result of a nomination or an election for office, c) solicit, coerce or compel contributions using the official position of Board or committee member, or d) use any supplies or equipment of the Town for political or partisan purposes.

6. Inappropriate behavior can lead to removal.

Inappropriate behavior by a board or committee member, appointed by the Council, should be addressed by the chair and/or members of the body. If a member's conduct continues to be unbecoming, the chair shall notify the Mayor, and the Mayor should counsel the offending member. If inappropriate behavior continues, the Mayor should bring the situation to the attention of the Council and the individual is subject to removal from the board or committee.

(I) Council Conduct with the Media and on Digital Media

1. The Mayor is the official spokesperson for the Town. The Mayor is the designated representative to present and comment on Town positions and policies. The Mayor Pro-Tem is the second in line to speak on behalf of the Town Council when the Mayor is not available. The Mayor and Mayor Pro-Tem should, whenever possible, make themselves available in person or by telephone for comment on behalf of the Town.
2. Elected officials are frequently contacted by the media for background and quotes. When contacted, elected officials should only comment on behalf of the Town when there is consistency and unity among elected officials on the topic in question. Media outlets may search for inconsistencies in Town position statements by contacting multiple elected officials regarding the same issue.

(J) Sanctions

1. Although the Council should seldom have occasion to discipline its members, the Council has the right to make and enforce its own rules and to require that Councilmembers, the Mayor, Town staff and the public refrain from conduct injurious to the accomplishment of Council business.
2. Elected officials who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council. Serious infractions of the Code of Conduct could lead to other sanctions as allowed by North Carolina General Statutes and deemed appropriate by the Council.
3. If a violation of this ordinance occurs outside of a public meeting, the alleged violation should be referred to the Mayor. If the Mayor perpetrated the alleged breach, the Mayor Pro-Tem will be contacted. The Mayor/Mayor Pro-Tem should ask the Town Manager and Town Attorney when appropriate to investigate the allegation and report the findings to the Council.



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of Approval of the Caldwell Road Sidewalk Construction Contract to Red Clay Industries, Inc. and the related reimbursement resolution

Presenting Personnel:

Suggested Motion or Action:

If approved:

Motion to award construction contract in the amount of \$231,200 to Red Clay Industries for the Caldwell Road Sidewalk Project and approval of the related reimbursement resolution.

Description/Background:

Currently, there is a gap between sidewalk connections on Caldwell Road which is a frequented walking path for many individuals. The current connections end at the rail overpass and in front of Ace Academy. The Town of Harrisburg will install a sidewalk connection between the two to increase safety for pedestrians in the area. There will also be a rectangular rapid flashing beacon for pedestrians to safely cross Caldwell Road. This sidewalk connection will be an excellent future connection to promote use of the future Back Creek Greenway, which will culminate near Caldwell Road.

The project was publicly advertised for bid using the standard bid advertisement methods for an informal bid. The project only received one interested bidder. Rather than rebid the project and further delay, the Town reviewed the bid and found it to be within the acceptable budget range.

The Town has worked with Red Clay before, namely on the Sims Parkway/Highway 49 intersection and is confident in Red Clay's abilities as a contractor for the Town of Harrisburg.

Recommendation:

Staff recommends approval of the attached construction contract with Red Clay Industries for the Caldwell Road Sidewalk Project and the related reimbursement resolution.

Fiscal Impact:

The cost of the construction contract, with 10% contingency, is \$231,170.89. This will be funded with the Transportation General Obligation Bonds being issued in May 2021, which include this project and other street resurfacing and sidewalk project that have already been completed or will be in the coming months.

The attached contract has been reviewed and approved by the Town Attorney.

A reimbursement resolution is included for consideration to allow any funds spent before the issuance of debt related to this project to be reimbursed by the financing.

Attachments:

1. Caldwell Rd Sidewalk - Construction Contract with Red Clay
2. Declaration of Intent to Reimburse - Transportation Bonds - Caldwell Sidewalks

CONTRACT FOR CONSTRUCTION OF Caldwell Road Sidewalk

Prepared by



Issued and Published Jointly by



CONTRACT FOR CONSTRUCTION

This Contract is by and between The Town of Harrisburg, North Carolina (Owner) and
Red Clay Industries, Inc. (Contractor).

Owner and Contractor hereby agree as follows:

ARTICLE 1 - THE WORK

1.01 Work

- A. Work includes all labor, materials, equipment, services, and documentation necessary to construct the Project defined herein. The Work may include related services such as testing, start-up, and commissioning, all as required by the Contract Documents.
- B. The Contractor shall complete all Work as specified or indicated in the Contract Documents. The Project is generally described as Caldwell Road Sidewalk Project
 - 1. The Site of the Work includes property, easements, and designated work areas described in greater detail in the Contract Documents but generally located **on Caldwell Road in Harrisburg, Cabarrus County, North Carolina.**

ARTICLE 2 - CONTRACT DOCUMENTS

2.01 Contract Documents Defined

- A. The Contract Documents consist of the following documents:
 - 1. This Contract.
 - 2. Performance bond.
 - 3. Payment bond.
 - 4. Specifications listed in the Advertisement to Bidders.
 - 5. Exhibits to this Agreement, Including the Contractor's Bid and adjusted contract scope.
 - 6. The following which may be delivered or issued on or after the Effective date of the contract and are not attached hereto:
 - a. Notice To proceed
 - b. Work Change Directives
 - c. Change Orders
 - d. Field Orders

ARTICLE 3 - CONTRACT TIMES

3.01 Contract Times

- A. The Work will be substantially completed within **120** days after the Effective date of the Notice to Proceed.

3.02 Liquidated Damages

- A. Contractor and Owner recognize that time is of the essence in the performance of the Contract, and that Owner will incur damages if Contractor does not complete the Work according to the requirements of Paragraph 3.01. Because such damages for delay would be difficult and costly to determine, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty) Contractor shall pay Owner \$200 for each day that expires after the Contract Time for substantial completion.

3.03 Delays in Contractor's Progress

- A. Contractor shall not be entitled to an adjustment in Contract Price or Contract Times for delay, disruption, or interference caused by or within the control of Contractor or their subcontractors or suppliers.
- B. If Contractor's performance or progress is delayed, disrupted, or interfered with by unanticipated causes not the fault of and beyond the control of Owner, Contractor, and those for which they are responsible, then Contractor shall be entitled to an equitable adjustment in Contract Times.

ARTICLE 4 - CONTRACT PRICE

4.01 Payment

Owner shall pay Contractor in accordance with the Contract Documents at the following unit prices for each unit of Work completed:

Item	Item Description	Quantity	Unit	Unit Price	Cost
1	Mobilization	1	LS	\$ 10,400.00	\$ 10,400.00
2	Traffic Control	1	LS	\$10,500.00	\$ 10,500.00
3	Comprehensive Grading	1	LS	\$74,400.00	\$ 74,400.00
4	4" Concrete Sidewalk	799	SY	\$38.65	\$ 30,881.35
5	8" Concrete Sidewalk	20	SY	\$92.45	\$ 1,849.00
6	2'-6" Concrete Curb and Gutter	690	LF	\$28.50	\$ 19,665.00
7	Conversion of Existing CB to Offset CB	4	EA	\$4,000.00	\$ 16,000.00
8	Remove and Reset existing Guardrail	650	LF	\$13.00	\$ 8,450.00
9	Pedestrian Handrail	62	LF	\$165.00	\$ 10,230.00
10	Rectangular Rapid Flashing Beacon Assembly (RRFB)	1	EA	\$25,620.00	\$ 25,620.00
11	Thermoplastic Pavement Markings (24", 120 MILS)	36	LF	\$60.00	\$ 2,160.00
Subtotal				\$	210,155.35
10% Contingency				\$	21,015.54
Total Cost				\$	231,170.89

Payment will be made in an amount equal to the total of all extended prices for actual Work completed. The extended price is determined by multiplying the unit price times the actual quantity of that Work item completed. Actual quantities installed will be determined by the Owner.

4.02 Supervision and Superintendence

- A. Contractor shall supervise and direct the Work competently and efficiently, devoting such attention thereto and applying such skills and expertise as may be necessary to perform the Work in accordance with the Contract Documents. Contractor shall be solely responsible for the means, methods, techniques, sequences, safety, and procedures of construction.
- B. Contractor shall assign a competent resident superintendent who is to be present at all times during the execution of the Work. This resident superintendent shall not be replaced without written notice to and approval by the Owner and Engineer except under extraordinary circumstances.
- C. Contractor shall at all times maintain good discipline and order at the Site.
- D. Except as otherwise required for the safety or protection of persons or the Work or property at the Site or adjacent thereto, and except as otherwise stated in the Contract Documents, all Work at the Site shall be performed during regular working hours, Monday through Friday.

4.03 Services, Materials, and Equipment

- A. Unless otherwise specified in the Contract Documents, Contractor shall provide and assume full responsibility for all services, materials, equipment, labor, transportation, construction equipment and machinery, tools, appliances, fuel, power, light, heat, telephone, water, sanitary facilities, temporary facilities, and all other facilities and incidentals necessary for the performance, testing, start up, and completion of the Work, whether or not such items are specifically called for in the Contract Documents.
- B. All materials and equipment incorporated into the Work shall be new, of good quality and shall be stored, applied, installed, connected, erected, protected, used, cleaned, and conditioned in accordance with instructions of the applicable supplier, except as otherwise may be provided in the Contract Documents.

4.04 Subcontractors and Suppliers

- A. Contractor may retain subcontractors and suppliers for the performance of parts of the Work. Such subcontractors and suppliers must be acceptable to Owner.

4.05 Quality Management

- A. Contractor is fully responsible for the managing quality to ensure Work is completed in accordance with the Contract Documents.

4.06 Laws and Regulations; Taxes

- A. Contractor shall give all notices required by and shall comply with all local, state, and federal Laws and Regulations applicable to the performance of the Work. Except where otherwise expressly required by applicable Laws and Regulations, neither Owner nor Engineer shall be responsible for monitoring Contractor's compliance with any Laws or Regulations.
- B. Contractor shall bear all resulting costs and losses, and shall indemnify and hold harmless Owner and Engineer, and the officers, directors, members, partners, employees, agents,

consultants, and subcontractors of each and any of them from and against all claims, costs, losses, and damages if Contractor performs any Work or takes any other action knowing or having reason to know that it is contrary to Laws or Regulations.

- C. Contractor shall pay all applicable sales, consumer, use, and other similar taxes Contractor is required to pay in accordance with Laws and Regulations.

4.07 Safety and Protection

- A. Contractor shall be solely responsible for initiating, maintaining, and supervising all safety precautions and programs in connection with the Work.
- B. Contractor shall take all necessary precautions for the safety of, and shall provide the necessary protection to prevent damage, injury, or loss to:
 - 1. All persons on the Site or who may be affected by the Work;
 - 2. All the Work and materials and equipment to be incorporated therein, whether in storage on or off the Site; and
 - 3. Other property at the Site or adjacent thereto, including trees, shrubs, lawns, walks, pavements, roadways, structures, other work in progress, utilities, and underground facilities not designated for removal, relocation, or replacement in the course of construction.
- C. All damage, injury, or loss to any property caused, directly or indirectly, in whole or in part, by Contractor, or anyone for whose acts the Contractor may be liable, shall be remedied by Contractor at its expense (except damage or loss attributable to the fault of Contract Documents or to the acts or omissions of Owner or Engineer and not attributable, directly or indirectly, in whole or in part, to the fault or negligence of Contractor).
- D. Contractor shall be responsible for coordinating any exchange of material safety data sheets or other hazard communication information required to be made available to or exchanged between or among employers at the Site in accordance with Laws or Regulations.
- E. In emergencies affecting the safety or protection of persons or the Work or property at the Site or adjacent thereto, Contractor shall act to prevent threatened damage, injury, or loss. Contractor shall give Engineer prompt written notice if Contractor believes that any significant changes in the Work or variations from the Contract Documents have been caused thereby or are required as a result thereof. If Engineer determines that a change in the Contract Documents is required because of the action taken by Contractor in response to such an emergency, a Work Change Directive or Change Order will be issued.

4.08 Warranties and Guarantees

- A. Contractor warrants and guarantees to Owner that all Work will be in accordance with the Contract Documents and will not be defective. Owner and its officers, directors, members, partners, employees, agents, consultants, and subcontractors shall be entitled to rely on Contractor's warranty and guarantee.

4.09 Correction Period

- A. If within one year after the date of substantial completion, any Work is found to be defective, or if the repair of any damages to the Site, adjacent areas that Contractor has arranged to use through construction easements or otherwise, and other adjacent areas used by

Contractor as permitted by Laws and Regulations, is found to be defective, then Contractor shall promptly and without cost to Owner, correct such defective Work.

4.10 Indemnification

- A. To the fullest extent permitted by Laws and Regulations, and in addition to any other obligations of Contractor under the Contract or otherwise, Contractor shall indemnify and hold harmless Owner and Engineer, and the officers, directors, members, partners, employees, agents, consultants and subcontractors of each and any of them from and against all claims, costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals and all court or arbitration or other dispute resolution costs) arising out of or relating to the performance of the Work, provided that any such claim, cost, loss, or damage is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property (other than the Work itself), including the loss of use resulting therefrom but only to the extent caused by any negligent act or omission of Contractor, any subcontractor, any supplier, or any individual or entity directly or indirectly employed by any of them to perform any of the Work or anyone for whose acts they may be liable.

ARTICLE 5 - OWNER'S RESPONSIBILITIES

5.01 Owner's Responsibilities

- A. Owner shall make payments to Contractor as provided in this Contract.
- B. Owner shall provide Site and easements required to construct the Project.
- C. The Owner shall be responsible for performing inspections and tests required by applicable codes.
- D. The Owner shall not supervise, direct, or have control or authority over, nor be responsible for, Contractor's means, methods, techniques, sequences, or procedures of construction, or the safety precautions and programs, or for any failure of Contractor to comply with Laws and Regulations applicable to the performance of the Work. Owner will not be responsible for Contractor's failure to perform the Work in accordance with the Contract Documents.
- E. While at the Site, Owner's employees and representatives shall comply with the specific applicable requirements of Contractor's safety programs of which Owner has been informed.

ARTICLE 6 - CHANGES IN THE WORK

6.01 Authority to Change the Work

- A. Without invalidating the Contract and without notice to any surety, Owner may, at any time or from time to time, order additions, deletions, or revisions in the Work.

6.02 Change Orders

- A. Owner and Contractor shall execute appropriate Change Orders covering:
 - 1. Changes in the Contract Price or Contract Times which are agreed to by the parties, including any undisputed sum or amount of time for Work actually performed in accordance with a Work Change Directive.

ARTICLE 7 - TESTS AND INSPECTIONS; CORRECTION OF DEFECTIVE WORK

7.01 Tests and Inspections

- A. Owner will have access to the Site and the Work at reasonable times for their observation, inspection, and testing. Contractor shall provide them proper and safe conditions for such access.
- B. If any Work that is to be inspected, tested, or approved is covered by Contractor without written concurrence of Owner, Contractor shall, if requested by Owner, uncover such Work for observation. Such uncovering shall be at Contractor's expense.

7.02 Defective Work

- A. Contractor shall ensure that the Work is not defective.
- B. Owner has the authority to determine whether Work is defective, and to reject defective Work.
- C. The Contractor shall promptly correct all such defective Work.
- D. When correcting defective Work, Contractor shall take no action that would void or otherwise impair Owner's special warranty and guarantee, if any, on said Work.
- E. If the Work is defective or Contractor fails to supply sufficient skilled workers or suitable materials or equipment, or fails to perform the Work in such a way that the completed Work will conform to the Contract Documents, then Owner may order Contractor to stop the Work, or any portion thereof, until the cause for such order has been eliminated.

ARTICLE 8 - PAYMENTS TO CONTRACTOR

8.01 Progress Payments

- A. The Contractor shall prepare a schedule of values that will serve as the basis for progress payments. The schedule of values will be in a form of application for payment acceptable to Owner. The unit price breakdown submitted with the bid will be used for unit price work. Break lump sum items into units that will allow for measurement of Work in progress.

8.02 Applications for Payments:

- A. Contractor shall submit an application for payment in a form acceptable to the Owner, no more frequently than monthly, to Owner. Applications for payment will be prepared and signed by Contractor. Contractor shall provide supporting documentation required by the Contract Documents. Payment will be paid for Work completed as of the date of the application for payment.

8.03 Retainage

- A. The Owner shall retain **5%** of each progress payment until the Work is substantially complete.

8.04 Substantial Completion

- A. The Contractor shall notify Owner in writing that the Work is substantially complete and request the Owner issue a certificate of substantial completion when Contractor considers the Work ready for its intended use. Contractor shall at the same time submit to Owner and

Engineer an initial draft of punch list items to be completed or corrected before final payment.

8.05 Final Inspection

- A. Upon written notice from Contractor that the entire Work is complete, Owner will promptly make a final inspection with Contractor and will notify Contractor in writing of all particulars in which this inspection reveals that the Work, or agreed portion thereof, is incomplete or defective. Contractor shall immediately take such measures as are necessary to complete such Work or remedy such deficiencies.

8.06 Final Payment

- A. Contractor may make application for final payment after Contractor has satisfactorily completed all Work defined in the Contract, including providing all maintenance and operating instructions, schedules, guarantees, bonds, certificates or other evidence of insurance, certificates of inspection, annotated record documents and other documents.

8.07 Waiver of Claims

- A. The making of final payment will not constitute a waiver by Owner of claims or rights against Contractor.
- B. The acceptance of final payment by Contractor will constitute a waiver by Contractor of all claims and rights against Owner other than those pending matters that have been duly submitted.

ARTICLE 9 - SUSPENSION OF WORK AND TERMINATION

9.01 Owner May Suspend Work

- A. At any time and without cause, Owner may suspend the Work or any portion thereof for a period of not more than 60 consecutive days by written notice to Contractor and Engineer. Such notice will fix the date on which Work will be resumed. Contractor shall resume the Work on the date so fixed. Contractor shall be entitled to an adjustment in the Contract Price or an extension of the Contract Times, or both, directly attributable to any such suspension.

9.02 Owner May Terminate for Cause

- A. Contractor's failure to perform the Work in accordance with the Contract Documents or other failure to comply with a material term of the Contract Documents will constitute a default by Contractor and justify termination for cause.
- B. If Contractor defaults in its obligations, then after giving Contractor and any surety ten days written notice that Owner is considering a declaration that Contractor is in default and termination of the Contract, Owner may proceed to:
 - 1. Declare Contractor to be in default, and give Contractor and any surety notice that the Contract is terminated; and
 - 2. Enforce the rights available to Owner under any applicable performance bond.
- C. Owner may not proceed with termination of the Contract under Paragraph 15.02.B if Contractor within seven days of receipt of notice of intent to terminate begins to correct its failure to perform and proceeds diligently to cure such failure.

- D. Subject to the terms and operation of any applicable performance bond, if Owner has terminated the Contract for cause, Owner may exclude Contractor from the Site, take possession of the Work, incorporate in the Work all materials and equipment stored at the Site or for which Owner has paid Contractor but which are stored elsewhere, and complete the Work as Owner may deem expedient.
- E. In the case of a termination for cause, if the cost to complete the Work, including related claims, costs, losses, and damages, exceeds the unpaid contract balance, Contractor shall pay the difference to Owner.

9.03 Owner May Terminate for Convenience

- A. Upon seven days written notice to Contractor, Owner may, without cause and without prejudice to any other right or remedy of Owner, terminate the Contract. In such case, Contractor shall be paid for, without duplication of any items:
 - 1. Completed and acceptable Work executed in accordance with the Contract Documents prior to the effective date of termination, including fair and reasonable sums for overhead and profit on such Work;
 - 2. Expenses sustained prior to the effective date of termination in performing services and furnishing labor, materials, or equipment as required by the Contract Documents in connection with uncompleted Work, plus fair and reasonable sums for overhead and profit on such expenses; and
 - 3. Other reasonable expenses directly attributable to termination, including costs incurred to prepare a termination for convenience cost proposal.
- B. Contractor shall not be paid on account of loss of anticipated overhead, profits, or revenue, or other economic loss arising out of or resulting from such termination.

9.04 Contractor May Stop Work or Terminate

- A. If, through no act or fault of Contractor, (1) the Work is suspended for more than 90 consecutive days by Owner or under an order of court or other public authority, or (2) Owner fails for 30 days to pay Contractor any sum finally determined to be due, then Contractor may, upon seven days written notice to Owner, and provided Owner does not remedy such suspension or failure within that time, either stop the Work until payment is received, or terminate the Contract and recover payment from the Owner.

ARTICLE 10 - CONTRACTOR'S REPRESENTATIONS

10.01 Contractor Representations

- A. Contractor makes the following representations when entering into this Contract:
 - 1. Contractor has examined and carefully studied the Contract Documents, and any data and reference items identified in the Contract Documents.
 - 2. Contractor has visited the Site, conducted a thorough visual examination of the Site and adjacent areas, and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 - 3. Contractor is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

4. Contractor has considered the information known to Contractor itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and the Site-related reports and drawings identified in the Contract Documents, with respect to the effect of such information, observations, and documents on:
 - a. The cost, progress, and performance of the Work;
 - b. The means, methods, techniques, sequences, and procedures of construction to be employed by Contractor; and
 - c. Contractor's safety precautions and programs.
5. Based on the information and observations referred to in the preceding paragraph, Contractor agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
6. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.
7. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
8. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
9. Contractor's entry into this Contract constitutes an incontrovertible representation by Contractor that, without exception, all prices in the Contract are premised upon performing and furnishing the Work required by the Contract Documents.

ARTICLE 11 - MISCELLANEOUS

11.01 Cumulative Remedies

- A. The duties and obligations imposed by this Contract and the rights and remedies available hereunder to the parties hereto are in addition to, and are not to be construed in any way as a limitation of, any rights and remedies available to any or all of them which are otherwise imposed or available by Laws or Regulations, by special warranty or guarantee, or by other provisions of the Contract. The provisions of this paragraph will be as effective as if repeated specifically in the Contract Documents in connection with each particular duty, obligation, right, and remedy to which they apply.

11.02 Limitation of Damages

- A. Neither Owner, Engineer, nor any of their officers, directors, members, partners, employees, agents, consultants, or subcontractors, shall be liable to Contractor for any claims, costs, losses, or damages sustained by Contractor on or in connection with any other project or anticipated project.

11.03 No Waiver

- A. A party's non-enforcement of any provision shall not constitute a waiver of that provision, nor shall it affect the enforceability of that provision or of the remainder of this Contract.

11.04 Survival of Obligations

- A. All representations, indemnifications, warranties, and guarantees made in, required by, or given in accordance with the Contract, as well as all continuing obligations indicated in the Contract, will survive final payment, completion, and acceptance of the Work or termination or completion of the Contract or termination of the services of Contractor.

11.05 Contractor's Certifications

- A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract.

11.06 Controlling Law

- A. This Contract is to be governed by the law of the state in which the Project is located.

IN WITNESS WHEREOF, Owner and Contractor have signed this Contract.

This Contract will be effective on _____ (which is the Effective Date of the Contract).

OWNER: Town of Harrisburg, NC

CONTRACTOR: Red Clay Industries, Inc.

By: _____

By: _____

Title: _____

Title: _____

Attest: _____

Attest: _____

Title: _____

Title: _____

Address for giving notices:

Address for giving notices:

4100 Main Street, Suite 101

PO Box 100

Harrisburg, NC 28075

License No.: _____
(where applicable)



TOWN OF HARRISBURG, NORTH CAROLINA
DECLARATION OF OFFICIAL INTENT TO REIMBURSE

This declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of the Town of Harrisburg, North Carolina (the "Borrower") with respect to the matters contained herein.

1. **Expenditures to be Incurred.** The Borrower anticipates incurring expenditures (the "Expenditures") for the construction of sidewalks along Caldwell Road, referred to as the "Project."
2. **Plan of Finance.** The Borrower intends to finance the costs of the Project with the proceeds of General Obligation debt to be financed with a financial institution (the "Borrowing"), the interest on which is to be excluded from gross income for Federal Income tax purposes.
3. **Maximum Principal Amount of Debt to be Borrowed.** The maximum principal amount of the Borrowing to be incurred by the Borrower to finance the Project is not to exceed \$1,650,000.
4. **Declaration of Official Intent to Reimburse.** The Borrower hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

This resolution is effective upon its adoption this 12th day of April, 2021.

The motion to adopt this resolution was made by Councilmember _____, seconded by Councilmember _____ and passed by a vote of _____ to _____.

[Mayor]

ATTEST:

[Clerk]

This is to certify that this is a true and accurate copy of Resolution No. _____ Adopted by the Harrisburg Town Council on the 12th day of April, 2021.

[Clerk]

Date



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of Approval of the Bradford Park Sanitary Sewer Rehabilitation Construction Contract

Presenting Personnel:

Robert Donham, Town Engineer

Suggested Motion or Action:

If approved:

Motion to award a contract in the amount of \$456,278 to Amliner East, Inc. for the FY21 Bradford Park Sanitary Sewer Rehabilitation Project.

Description/Background:

The Town of Harrisburg is responsible for maintaining approximately 130 miles of sanitary sewer to serve Harrisburg residents and businesses. Maintenance on the system is necessary to keep service costs low and extend the service life of the system. The Town performs annual maintenance on the systems, including cleaning 10% of the lines, but that does not address Inflow and Infiltration which can lead to increased groundwater in the sewer system and cause sewage volumes to exceed design capacity and decrease the efficiency of the treatment systems.

The Town has identified several methods that have a high return on investment for treatment. The first is cast in place pipe lining, a no-dig repair method that can double the useful life of a sewer pipe. The second is manhole lining, a similar method that repairs the manhole with a plastic coating. The third requires digging and replaces the most damaged sections of a pipe that can not be repaired using the trenchless technologies.

This proposed contract encompasses all three repair methods. This contract will repair approximately 6700 LF, or 1.25 miles of sanitary sewer pipe, and 42 manholes in the Bradford Park Subdivision.

The project was publicly bid, and the Town received four competitive bids. The lowest responsive bidder was selected and Town Staff is pleased with the reputation of the low bidder and anticipates a good project.

Staff recommends awarding a contract in the amount of \$456,278 to Amliner East, Inc. for the FY21 Bradford Park Sanitary Sewer Rehabilitation Project.

Recommendation:

Staff recommends awarding the contract to Amliner East, Inc. for \$456,278 for the Bradford Park Sanitary Sewer Rehab Project.

Fiscal Impact:

The Town had \$750,000 budgeted for the FY21 sewer rehab project. \$70,000 was allocated to the sanitary sewer

evaluation and the remaining \$680,000 is available to make the repairs. This project will be funded from the Water Sewer Capital Reserve Fund.

The attached contract has been reviewed and approved by the Town Attorney.

Attachments:

1. Bradford Park 2021 Bid Tabulations
2. 2021 Bradford Park - Construction Contract with Amliner (Draft)



Bradford Park Sanitary Sewer Rehab
Bids Received 3-17-2021

Highlighted cells indicate values that were corrected by evaluator.

Item Number	Description	Qty	Units	nsituform Technologies, LLC		Amliner East, Inc		Bionomic Services, Inc.		Granite	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Mobilization (Not to Exceed 5% of Bid)	1	LS	\$ 20,007.00	\$ 20,007.00	\$ 15,722.00	\$ 15,722.00	\$ -	\$ -	\$17,500.00	\$ 17,500.00
Pipe Repairs											
2	Sewer Point repair on 8" Pipe, minimum 12' replacement	9	EA	\$ 12,439.00	\$111,951.00	\$ 2,888.00	\$ 25,992.00	\$ 34,500.00	\$ 310,500.00	\$10,000.00	\$ 90,000.00
3	Additional Linear Feet of repair beyond the 12' minimum on 8" Pipe	17	LF	\$ 325.30	\$ 5,530.10	\$ 840.00	\$ 14,280.00	\$ 1,150.00	\$ 19,550.00	\$ 590.00	\$ 10,030.00
4	Tee and Lateral Pipe Connection with Sewer Point Repair	4	EA	\$ 8,677.10	\$ 34,708.40	\$ 788.00	\$ 3,152.00	\$ 20,700.00	\$ 82,800.00	\$ 2,350.00	\$ 9,400.00
5	Asphalt Pavement Replacement (5' Width, 4" Depth)	82	LF	\$ 591.50	\$ 48,503.00	\$ 68.00	\$ 5,576.00	\$ 345.00	\$ 28,290.00	\$ 150.00	\$ 12,300.00
6	Restoration of Disturbed Areas	900	SY	\$ 59.10	\$ 53,190.00	\$ 3.20	\$ 2,880.00	\$ 115.00	\$ 103,500.00	\$ 7.00	\$ 6,300.00
7	Reinstate Lateral after CIPP - Internal	64	EA	\$ 226.50	\$ 14,496.00	\$ 81.00	\$ 5,184.00	\$ 150.00	\$ 9,600.00	\$ 150.00	\$ 9,600.00
8	CIPP Lining (8" Diameter)	6586	LF	\$ 47.50	\$312,835.00	\$ 32.00	\$210,752.00	\$ 34.00	\$ 223,924.00	\$ 40.50	\$266,733.00
9	Allowance for Cavitating Pipe Repair	1	LS	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$40,000.00	\$ 40,000.00
Manhole Repairs											
10	Clean Manhole & Install Manhole Lining (42 Manholes Total)	351	VF	\$ 283.90	\$ 99,648.90	\$ 260.00	\$ 91,260.00	\$ 312.00	\$ 109,512.00	\$ 280.00	\$ 98,280.00
Total					\$ 740,869.40		\$ 414,798.00		\$ 927,676.00		\$ 560,143.00
Contingency (10%)					\$ 74,086.94		\$ 41,479.80		\$ 92,767.60		\$ 56,014.30
Grand Total					\$ 814,956.34		\$ 456,277.80		\$ 1,020,443.60		\$ 616,157.30

CONTRACT FOR CONSTRUCTION OF 2021 Bradford Park Sanitary Sewer Rehabilitation Project

Prepared by



Issued and Published Jointly by



CONTRACT FOR CONSTRUCTION

This Contract is by and between The Town of Harrisburg, North Carolina (Owner) and
Amliner East, Inc. (Contractor).

Owner and Contractor hereby agree as follows:

ARTICLE 1 - THE WORK

1.01 Work

- A. Work includes all labor, materials, equipment, services, and documentation necessary to construct the Project defined herein. The Work may include related services such as testing, start-up, and commissioning, all as required by the Contract Documents.
- B. The Contractor shall complete all Work as specified or indicated in the Contract Documents. The Project is generally described as 2021 Bradford Park Sanitary Sewer Rehabilitation Project.
 - 1. The Site of the Work includes property, easements, and designated work areas described in greater detail in the Contract Documents but generally located **in the Bradford Park Subdivision in Cabarrus County, North Carolina.**

ARTICLE 2 - CONTRACT DOCUMENTS

2.01 Contract Documents Defined

- A. The Contract Documents consist of the following documents:
 - 1. This Contract.
 - 2. Performance bond.
 - 3. Payment bond.
 - 4. Specifications listed in the Advertisement to Bidders.
 - 5. Exhibits to this Agreement, Including the Contractor's Bid and adjusted contract scope.
 - 6. Addenda.
 - 7. The following which may be delivered or issued on or after the Effective date of the contract and are not attached hereto:
 - a. Notice To proceed
 - b. Work Change Directives
 - c. Change Orders
 - d. Field Orders

ARTICLE 3 - CONTRACT TIMES

3.01 Contract Times

- A. The Work will be substantially completed within **210** days after the Effective date of the Notice to Proceed.

3.02 Liquidated Damages

- A. Contractor and Owner recognize that time is of the essence in the performance of the Contract, and that Owner will incur damages if Contractor does not complete the Work according to the requirements of Paragraph 3.01. Because such damages for delay would be difficult and costly to determine, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty) Contractor shall pay Owner \$200 for each day that expires after the Contract Time for substantial completion.

3.03 Delays in Contractor's Progress

- A. Contractor shall not be entitled to an adjustment in Contract Price or Contract Times for delay, disruption, or interference caused by or within the control of Contractor or their subcontractors or suppliers.
- B. If Contractor's performance or progress is delayed, disrupted, or interfered with by unanticipated causes not the fault of and beyond the control of Owner, Contractor, and those for which they are responsible, then Contractor shall be entitled to an equitable adjustment in Contract Times.

ARTICLE 4 - CONTRACT PRICE

4.01 Payment

Owner shall pay Contractor in accordance with the Contract Documents at the following unit prices for each unit of Work completed:

Item Number	Description	Qty	Units	Unit Price	Total
1	Mobilization (Not to Exceed 5% of Bid)	1	LS	\$ 15,722.00	\$ 15,722.00
2	Sewer Point repair on 8" Pipe, minimum 12' replacement	9	EA	\$ 2,888.00	\$ 25,992.00
3	Additional Linear Feet of repair beyond the 12' minimum on 8" Pipe	17	LF	\$ 840.00	\$ 14,280.00
4	Tee and Lateral Pipe Connection with Sewer Point Repair	4	EA	\$ 788.00	\$ 3,152.00
5	Asphalt Pavement Replacement (5' Width, 4" Depth)	82	LF	\$ 68.00	\$ 5,576.00
6	Restoration of Disturbed Areas	900	SY	\$ 3.20	\$ 2,880.00
7	Reinstate Lateral after CIPP - Internal	64	EA	\$ 81.00	\$ 5,184.00
8	CIPP Lining (8" Diameter)	6586	LF	\$ 32.00	\$210,752.00
9	Allowance for Cavitating Pipe Repair	1	LS	\$ 40,000.00	\$ 40,000.00
10	Clean Manhole & Install Manhole Lining (42 Manholes Total)	351	VF	\$ 260.00	\$ 91,260.00
Total					\$414,798.00
Contingency (10%)					\$ 41,479.80
Grand Total					\$456,277.80

Payment will be made in an amount equal to the total of all extended prices for actual Work completed. The extended price is determined by multiplying the unit price times the actual quantity of that Work item completed. Actual quantities installed will be determined by the Owner.

4.02 Supervision and Superintendence

- A. Contractor shall supervise and direct the Work competently and efficiently, devoting such attention thereto and applying such skills and expertise as may be necessary to perform the Work in accordance with the Contract Documents. Contractor shall be solely responsible for the means, methods, techniques, sequences, safety, and procedures of construction.
- B. Contractor shall assign a competent resident superintendent who is to be present at all times during the execution of the Work. This resident superintendent shall not be replaced without written notice to and approval by the Owner and Engineer except under extraordinary circumstances.
- C. Contractor shall at all times maintain good discipline and order at the Site.
- D. Except as otherwise required for the safety or protection of persons or the Work or property at the Site or adjacent thereto, and except as otherwise stated in the Contract Documents, all Work at the Site shall be performed during regular working hours, Monday through Friday.

4.03 Services, Materials, and Equipment

- A. Unless otherwise specified in the Contract Documents, Contractor shall provide and assume full responsibility for all services, materials, equipment, labor, transportation, construction equipment and machinery, tools, appliances, fuel, power, light, heat, telephone, water,

sanitary facilities, temporary facilities, and all other facilities and incidentals necessary for the performance, testing, start up, and completion of the Work, whether or not such items are specifically called for in the Contract Documents.

- B. All materials and equipment incorporated into the Work shall be new, of good quality and shall be stored, applied, installed, connected, erected, protected, used, cleaned, and conditioned in accordance with instructions of the applicable supplier, except as otherwise may be provided in the Contract Documents.

4.04 Subcontractors and Suppliers

- A. Contractor may retain subcontractors and suppliers for the performance of parts of the Work. Such subcontractors and suppliers must be acceptable to Owner.

4.05 Quality Management

- A. Contractor is fully responsible for the managing quality to ensure Work is completed in accordance with the Contract Documents.

4.06 Laws and Regulations; Taxes

- A. Contractor shall give all notices required by and shall comply with all local, state, and federal Laws and Regulations applicable to the performance of the Work. Except where otherwise expressly required by applicable Laws and Regulations, neither Owner nor Engineer shall be responsible for monitoring Contractor's compliance with any Laws or Regulations.
- B. Contractor shall bear all resulting costs and losses, and shall indemnify and hold harmless Owner and Engineer, and the officers, directors, members, partners, employees, agents, consultants, and subcontractors of each and any of them from and against all claims, costs, losses, and damages if Contractor performs any Work or takes any other action knowing or having reason to know that it is contrary to Laws or Regulations.
- C. Contractor shall pay all applicable sales, consumer, use, and other similar taxes Contractor is required to pay in accordance with Laws and Regulations.

4.07 Safety and Protection

- A. Contractor shall be solely responsible for initiating, maintaining, and supervising all safety precautions and programs in connection with the Work.
- B. Contractor shall take all necessary precautions for the safety of, and shall provide the necessary protection to prevent damage, injury, or loss to:
 - 1. All persons on the Site or who may be affected by the Work;
 - 2. All the Work and materials and equipment to be incorporated therein, whether in storage on or off the Site; and
 - 3. Other property at the Site or adjacent thereto, including trees, shrubs, lawns, walks, pavements, roadways, structures, other work in progress, utilities, and underground facilities not designated for removal, relocation, or replacement in the course of construction.
- C. All damage, injury, or loss to any property caused, directly or indirectly, in whole or in part, by Contractor, or anyone for whose acts the Contractor may be liable, shall be remedied by Contractor at its expense (except damage or loss attributable to the fault of Contract

Documents or to the acts or omissions of Owner or Engineer and not attributable, directly or indirectly, in whole or in part, to the fault or negligence of Contractor).

- D. Contractor shall be responsible for coordinating any exchange of material safety data sheets or other hazard communication information required to be made available to or exchanged between or among employers at the Site in accordance with Laws or Regulations.
- E. In emergencies affecting the safety or protection of persons or the Work or property at the Site or adjacent thereto, Contractor shall act to prevent threatened damage, injury, or loss. Contractor shall give Engineer prompt written notice if Contractor believes that any significant changes in the Work or variations from the Contract Documents have been caused thereby or are required as a result thereof. If Engineer determines that a change in the Contract Documents is required because of the action taken by Contractor in response to such an emergency, a Work Change Directive or Change Order will be issued.

4.08 Warranties and Guarantees

- A. Contractor warrants and guarantees to Owner that all Work will be in accordance with the Contract Documents and will not be defective. Owner and its officers, directors, members, partners, employees, agents, consultants, and subcontractors shall be entitled to rely on Contractor's warranty and guarantee.

4.09 Correction Period

- A. If within one year after the date of substantial completion, any Work is found to be defective, or if the repair of any damages to the Site, adjacent areas that Contractor has arranged to use through construction easements or otherwise, and other adjacent areas used by Contractor as permitted by Laws and Regulations, is found to be defective, then Contractor shall promptly and without cost to Owner, correct such defective Work.

4.10 Indemnification

- A. To the fullest extent permitted by Laws and Regulations, and in addition to any other obligations of Contractor under the Contract or otherwise, Contractor shall indemnify and hold harmless Owner and Engineer, and the officers, directors, members, partners, employees, agents, consultants and subcontractors of each and any of them from and against all claims, costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals and all court or arbitration or other dispute resolution costs) arising out of or relating to the performance of the Work, provided that any such claim, cost, loss, or damage is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property (other than the Work itself), including the loss of use resulting therefrom but only to the extent caused by any negligent act or omission of Contractor, any subcontractor, any supplier, or any individual or entity directly or indirectly employed by any of them to perform any of the Work or anyone for whose acts they may be liable.

ARTICLE 5 - OWNER'S RESPONSIBILITIES

5.01 Owner's Responsibilities

- A. Owner shall make payments to Contractor as provided in this Contract.
- B. Owner shall provide Site and easements required to construct the Project.

- C. The Owner shall be responsible for performing inspections and tests required by applicable codes.
- D. The Owner shall not supervise, direct, or have control or authority over, nor be responsible for, Contractor's means, methods, techniques, sequences, or procedures of construction, or the safety precautions and programs, or for any failure of Contractor to comply with Laws and Regulations applicable to the performance of the Work. Owner will not be responsible for Contractor's failure to perform the Work in accordance with the Contract Documents.
- E. While at the Site, Owner's employees and representatives shall comply with the specific applicable requirements of Contractor's safety programs of which Owner has been informed.

ARTICLE 6 - CHANGES IN THE WORK

6.01 Authority to Change the Work

- A. Without invalidating the Contract and without notice to any surety, Owner may, at any time or from time to time, order additions, deletions, or revisions in the Work.

6.02 Change Orders

- A. Owner and Contractor shall execute appropriate Change Orders covering:
 - 1. Changes in the Contract Price or Contract Times which are agreed to by the parties, including any undisputed sum or amount of time for Work actually performed in accordance with a Work Change Directive.

ARTICLE 7 - TESTS AND INSPECTIONS; CORRECTION OF DEFECTIVE WORK

7.01 Tests and Inspections

- A. Owner will have access to the Site and the Work at reasonable times for their observation, inspection, and testing. Contractor shall provide them proper and safe conditions for such access.
- B. If any Work that is to be inspected, tested, or approved is covered by Contractor without written concurrence of Owner, Contractor shall, if requested by Owner, uncover such Work for observation. Such uncovering shall be at Contractor's expense.

7.02 Defective Work

- A. Contractor shall ensure that the Work is not defective.
- B. Owner has the authority to determine whether Work is defective, and to reject defective Work.
- C. The Contractor shall promptly correct all such defective Work.
- D. When correcting defective Work, Contractor shall take no action that would void or otherwise impair Owner's special warranty and guarantee, if any, on said Work.
- E. If the Work is defective or Contractor fails to supply sufficient skilled workers or suitable materials or equipment, or fails to perform the Work in such a way that the completed Work will conform to the Contract Documents, then Owner may order Contractor to stop the Work, or any portion thereof, until the cause for such order has been eliminated.

ARTICLE 8 - PAYMENTS TO CONTRACTOR

8.01 Progress Payments

- A. The Contractor shall prepare a schedule of values that will serve as the basis for progress payments. The schedule of values will be in a form of application for payment acceptable to Owner. The unit price breakdown submitted with the bid will be used for unit price work. Break lump sum items into units that will allow for measurement of Work in progress.

8.02 Applications for Payments:

- A. Contractor shall submit an application for payment in a form acceptable to the Owner, no more frequently than monthly, to Owner. Applications for payment will be prepared and signed by Contractor. Contractor shall provide supporting documentation required by the Contract Documents. Payment will be paid for Work completed as of the date of the application for payment.

8.03 Retainage

- A. The Owner shall retain 5% of each progress payment until the Work is substantially complete.

8.04 Substantial Completion

- A. The Contractor shall notify Owner in writing that the Work is substantially complete and request the Owner issue a certificate of substantial completion when Contractor considers the Work ready for its intended use. Contractor shall at the same time submit to Owner and Engineer an initial draft of punch list items to be completed or corrected before final payment.

8.05 Final Inspection

- A. Upon written notice from Contractor that the entire Work is complete, Owner will promptly make a final inspection with Contractor and will notify Contractor in writing of all particulars in which this inspection reveals that the Work, or agreed portion thereof, is incomplete or defective. Contractor shall immediately take such measures as are necessary to complete such Work or remedy such deficiencies.

8.06 Final Payment

- A. Contractor may make application for final payment after Contractor has satisfactorily completed all Work defined in the Contract, including providing all maintenance and operating instructions, schedules, guarantees, bonds, certificates or other evidence of insurance, certificates of inspection, annotated record documents and other documents.

8.07 Waiver of Claims

- A. The making of final payment will not constitute a waiver by Owner of claims or rights against Contractor.
- B. The acceptance of final payment by Contractor will constitute a waiver by Contractor of all claims and rights against Owner other than those pending matters that have been duly submitted.

ARTICLE 9 - SUSPENSION OF WORK AND TERMINATION

9.01 Owner May Suspend Work

- A. At any time and without cause, Owner may suspend the Work or any portion thereof for a period of not more than 60 consecutive days by written notice to Contractor and Engineer. Such notice will fix the date on which Work will be resumed. Contractor shall resume the Work on the date so fixed. Contractor shall be entitled to an adjustment in the Contract Price or an extension of the Contract Times, or both, directly attributable to any such suspension.

9.02 Owner May Terminate for Cause

- A. Contractor's failure to perform the Work in accordance with the Contract Documents or other failure to comply with a material term of the Contract Documents will constitute a default by Contractor and justify termination for cause.
- B. If Contractor defaults in its obligations, then after giving Contractor and any surety ten days written notice that Owner is considering a declaration that Contractor is in default and termination of the Contract, Owner may proceed to:
 - 1. Declare Contractor to be in default, and give Contractor and any surety notice that the Contract is terminated; and
 - 2. Enforce the rights available to Owner under any applicable performance bond.
- C. Owner may not proceed with termination of the Contract under Paragraph 15.02.B if Contractor within seven days of receipt of notice of intent to terminate begins to correct its failure to perform and proceeds diligently to cure such failure.
- D. Subject to the terms and operation of any applicable performance bond, if Owner has terminated the Contract for cause, Owner may exclude Contractor from the Site, take possession of the Work, incorporate in the Work all materials and equipment stored at the Site or for which Owner has paid Contractor but which are stored elsewhere, and complete the Work as Owner may deem expedient.
- E. In the case of a termination for cause, if the cost to complete the Work, including related claims, costs, losses, and damages, exceeds the unpaid contract balance, Contractor shall pay the difference to Owner.

9.03 Owner May Terminate for Convenience

- A. Upon seven days written notice to Contractor, Owner may, without cause and without prejudice to any other right or remedy of Owner, terminate the Contract. In such case, Contractor shall be paid for, without duplication of any items:
 - 1. Completed and acceptable Work executed in accordance with the Contract Documents prior to the effective date of termination, including fair and reasonable sums for overhead and profit on such Work;
 - 2. Expenses sustained prior to the effective date of termination in performing services and furnishing labor, materials, or equipment as required by the Contract Documents in connection with uncompleted Work, plus fair and reasonable sums for overhead and profit on such expenses; and
 - 3. Other reasonable expenses directly attributable to termination, including costs incurred to prepare a termination for convenience cost proposal.

- B. Contractor shall not be paid on account of loss of anticipated overhead, profits, or revenue, or other economic loss arising out of or resulting from such termination.

9.04 Contractor May Stop Work or Terminate

- A. If, through no act or fault of Contractor, (1) the Work is suspended for more than 90 consecutive days by Owner or under an order of court or other public authority, or (2) Owner fails for 30 days to pay Contractor any sum finally determined to be due, then Contractor may, upon seven days written notice to Owner, and provided Owner does not remedy such suspension or failure within that time, either stop the Work until payment is received, or terminate the Contract and recover payment from the Owner.

ARTICLE 10 - CONTRACTOR'S REPRESENTATIONS

10.01 Contractor Representations

- A. Contractor makes the following representations when entering into this Contract:
 - 1. Contractor has examined and carefully studied the Contract Documents, and any data and reference items identified in the Contract Documents.
 - 2. Contractor has visited the Site, conducted a thorough visual examination of the Site and adjacent areas, and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 - 3. Contractor is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
 - 4. Contractor has considered the information known to Contractor itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and the Site-related reports and drawings identified in the Contract Documents, with respect to the effect of such information, observations, and documents on:
 - a. The cost, progress, and performance of the Work;
 - b. The means, methods, techniques, sequences, and procedures of construction to be employed by Contractor; and
 - c. Contractor's safety precautions and programs.
 - 5. Based on the information and observations referred to in the preceding paragraph, Contractor agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
 - 6. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.
 - 7. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
 - 8. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

9. Contractor's entry into this Contract constitutes an incontrovertible representation by Contractor that, without exception, all prices in the Contract are premised upon performing and furnishing the Work required by the Contract Documents.

ARTICLE 11 - MISCELLANEOUS

11.01 Cumulative Remedies

- A. The duties and obligations imposed by this Contract and the rights and remedies available hereunder to the parties hereto are in addition to, and are not to be construed in any way as a limitation of, any rights and remedies available to any or all of them which are otherwise imposed or available by Laws or Regulations, by special warranty or guarantee, or by other provisions of the Contract. The provisions of this paragraph will be as effective as if repeated specifically in the Contract Documents in connection with each particular duty, obligation, right, and remedy to which they apply.

11.02 Limitation of Damages

- A. Neither Owner, Engineer, nor any of their officers, directors, members, partners, employees, agents, consultants, or subcontractors, shall be liable to Contractor for any claims, costs, losses, or damages sustained by Contractor on or in connection with any other project or anticipated project.

11.03 No Waiver

- A. A party's non-enforcement of any provision shall not constitute a waiver of that provision, nor shall it affect the enforceability of that provision or of the remainder of this Contract.

11.04 Survival of Obligations

- A. All representations, indemnifications, warranties, and guarantees made in, required by, or given in accordance with the Contract, as well as all continuing obligations indicated in the Contract, will survive final payment, completion, and acceptance of the Work or termination or completion of the Contract or termination of the services of Contractor.

11.05 Contractor's Certifications

- A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract.

11.06 Controlling Law

- A. This Contract is to be governed by the law of the state in which the Project is located.

IN WITNESS WHEREOF, Owner and Contractor have signed this Contract.

This Contract will be effective on _____ (which is the Effective Date of the Contract).

OWNER: Town of Harrisburg, NC

CONTRACTOR: Amliner East, Inc.

By: _____

By: _____

Title: _____

Title: _____

Attest: _____

Attest: _____

Title: _____

Title: _____

Address for giving notices:

Address for giving notices:

4100 Main Street, Suite 101

PO Box 100

Harrisburg, NC 28075

License No.: _____
(where applicable)



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of Resolution to condemn the Horton Property for the Morehead West Sewer Construction Project

Presenting Personnel:

Robert Donham, Town Engineer

Suggested Motion or Action:

Motion to approve the Resolution to condemn the Horton Property for the Morehead West Sewer Construction Project

Description/Background:

The Morehead West Area has been identified as a location for substantial growth through private development. Approximately 4,800 LF of 12-inch gravity sewer is to be constructed along Mallard Creek and will connect to WSACC's Rocky River interceptor. This line is to serve future growth and development in the area. Approximately 710 LF of 8-inch gravity sewer will connect from the existing Leatherwood pump station and connect to the proposed 12-inch line to decommission the existing pump station.

The Town is currently in the bidding, permitting and easement acquisition phase and has worked to obtain the necessary easements along the alignment.

The only property that has been unsuccessful to date for easement acquisition is the Horton property. Staff has discovered that the property owner passed several years ago and the members of the estate have not been reachable. Further, there have been no taxes paid on this property in over a decade. Due to the difficulty to reach the property owner, the Town is seeking condemnation of this property.

The easement to be obtained is very minimal in nature, but cannot be relocated due to the requirement to minimize wetland impacts. The total easement area is 0.038 acres, or 1,655 square feet.

Recommendation:

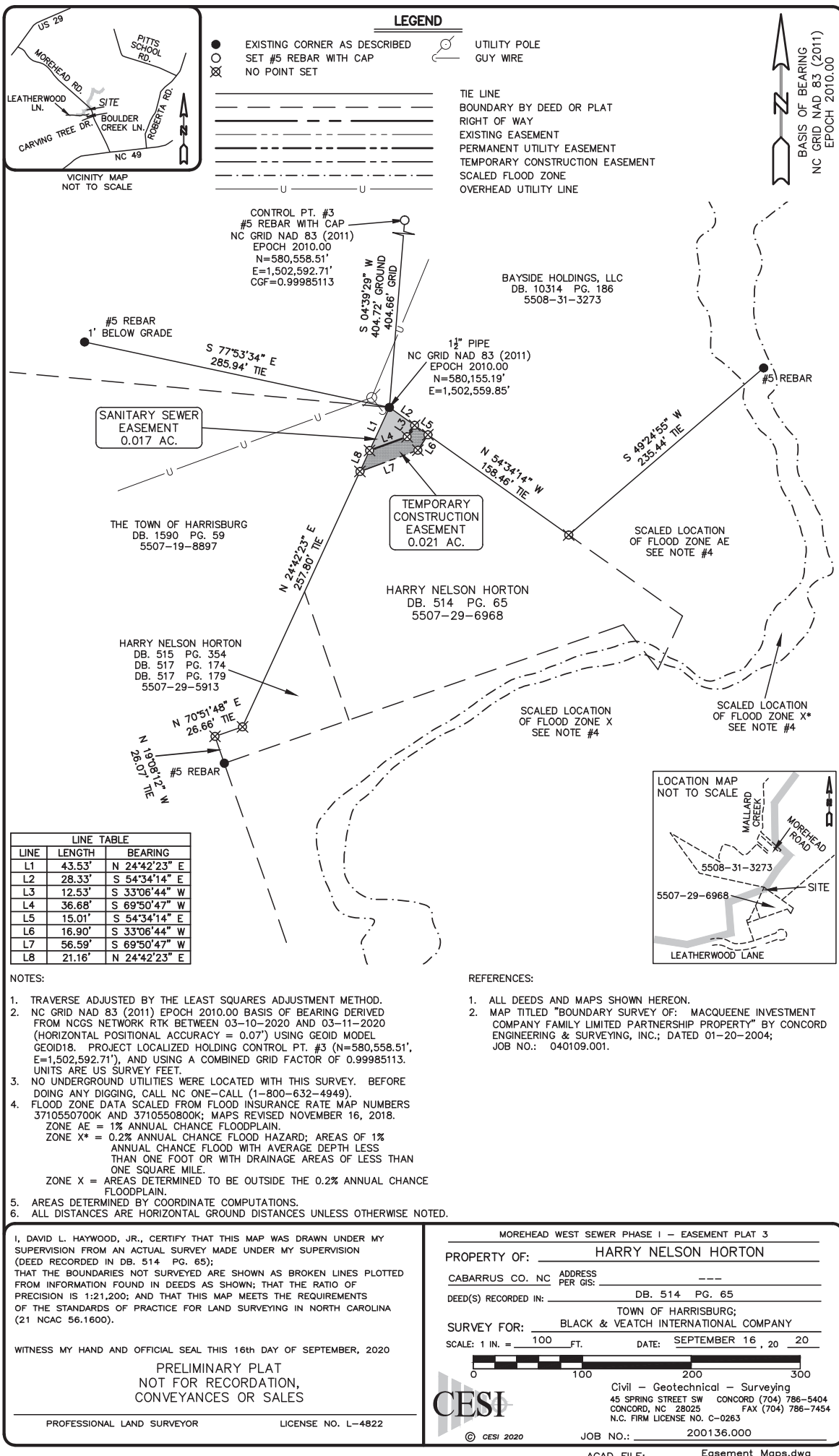
Staff recommends approval of condemnation of the Horton Property for the Morehead West Sewer Construction project.

Fiscal Impact:

The fiscal impact to abandon the easement is a \$100 payment for the easement, which is approximately 0.038 acres.

Attachments:

1. Horton Easement Map
2. Resolution - Town of Harrisburg Condemnation



RESOLUTION

TOWN OF HARRISBURG TOWN COUNCIL

WHEREAS, the Town Council for the Town of Harrisburg hereby determines that it is necessary and in the public interest to acquire a portion of property owned by Harry Nelson Horton, (a part of PIN 5507-29-6968), for a permanent utility easement, and a temporary construction easement, as shown on the attached preliminary plat;

WHEREAS, the Town desires to acquire this property for construction of Morehead West sanitary sewer project, and all related fixtures and appurtenances, and including a temporary construction easement for this work to be done;

WHEREAS, representatives of the Town are in negotiations with the owner to acquire the above-described property by negotiating conveyance;

WHEREAS, pursuant to the power vested in the Town Council by the constitution and statutes of the State of North Carolina, the Town Council issues the following resolution.

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF HARRISBURG, RESOLVES THAT:

1. The Town of Harrisburg will acquire by condemnation or negotiated conveyance for the purposes stated above the property and interest described above. Town staff has determined that the fair market value of the property to be acquired is \$100.00 based on Cabarrus County's tax records.

2. Town staff is authorized and directed to acquire by negotiated offer or, in the alternative, the Town Attorney is authorized and directed to institute the necessary proceedings under Chapter 40A of the North Carolina General Statutes, to acquire the property described above. This includes any notices required to be sent to the property owner.

ADOPTED the 12th day of April, 2021.

TOWN OF HARRISBURG

By: _____
Steven Sciascia
Mayor

ATTEST: _____
Janet Rackley
Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

Discussion of dates for Harrisburg July 4th Celebration

Presenting Personnel:

Jim Spina

Suggested Motion or Action:

(Option 1) Motion to hold the July 4th Celebration events on Saturday, July 3rd and Sunday, July 4th with the parade on Saturday, July 3rd.

-or-

(Option 2) Motion to hold the July 4th Celebration events on Friday, July 2nd and Saturday, July 3rd with the parade on Saturday, July 3rd.

-or-

(Option 3) Motion to hold the July 4th Celebration events on Saturday, July 3rd and Sunday, July 4th with the parade on Sunday, July 4th.

Description/Background:

The Harrisburg Fourth of July celebration is generally held on July 3rd and July 4th regardless of the days of the week they fall upon.

This year, however, July 4th falls on a Sunday, making the traditional date of the parade a potential issue for the many Sunday morning church services that are located along the parade route on Highway 49.

Alternatives to a Sunday, July 4th parade, if desired, would be to keep the usual dates of the event, but move the parade to Saturday, July 3rd. Alternative dates for the events could also be considered, including moving the events to July 2nd and 3rd which would allow the the parade to occupy it's regular slot on Day Two of the celebration.

Council direction is needed for the scheduling of the event.

Recommendation:

Staff is able to accomplish any dates directed by Council, as there are pros and cons to each Option presented.

Fiscal Impact:

None

Attachments:

None



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of Variance of Section 97.0e of the Town Code of Ordinances to allow alcohol sales at Rockin' the Burg Concert Series for 2021

Presenting Personnel:

Jim Spina

Suggested Motion or Action:

If approved:

Motion to approve a variance of Section 97.03 of the Town Code of Ordinances to allow the third-party sale and consumption of alcohol at 2021 Rockin' the Burg Concerts at Harrisburg Park.

Description/Background:

The Rockin' the Burg Community Concert Series will be held on five dates in 2021 to include: May 8th, June 12th, August 14th, September 11th and October 9th. Due to the construction of the new amphitheater space at Harrisburg Park there is a more defined event space for community events.

Section 97.03 of the Town Code of Ordinances prohibits the consumption of or the selling of alcohol. Previously, when the Concert Series was held on the lawn in front of Town Hall, Harrisburg Parks and Recreation partnered with a local brewery to sell alcohol and wine during concerts. When the event was moved to Harrisburg Park in 2019, that portion of the event was removed.

Staff did recognize a drop in attendance and have received requests for the addition of alcohol sales to be added back to the concert series. Staff feels that with the addition of an allocated event space for the concerts, the sale of alcohol would not only benefit local breweries, but would be an added feature of the concert series.

At the March Parks and Recreation Advisory Board, staff presented this idea. Several members of the board were in support of the addition of alcohol sales to the concert series. No motion was made, however, no one spoke in opposition.

Staff recommends allowing the Town's Parks & Recreation Department to work within the confines and regulations of ABC laws, to offer alcohol sales by appropriate providers during the Rockin' the Burg concert series only. All local, state, and federal ABC laws will be followed.

Recommendation:

Staff recommends approval of the variance of Section 97.03 of the Town Code of Ordinances to allow alcohol sales and consumption at Rockin' the Burg Concert Series for 2021.

Fiscal Impact:

Approved vendors who wish to sell alcohol at concert series events in Harrisburg Park will pay a vendor fee to the Town

on a per-event basis. All revenue received is recognized as Special Events income in the General Fund.

Attachments:

None



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of Harrisburg Arts, Culture & Heritage Committee members

Presenting Personnel:

Jim Spina

Suggested Motion or Action:

Motion to approve the reappointment of Toni Wheeler Jenschke, Micah Cash and Jitendra Hiremath to the Arts, Culture and Heritage Committee for a two year term to end in January 2023.

Description/Background:

Three members of the Harrisburg Arts, Culture and Heritage Committee (HACH) had terms that expired in February 2021. The vacancies were advertised on the Town's social media and website. The committee member's terms who expired were:

- Micah Cash
- Toni Wheeler Jenschke
- Jitendra Hiremath

These three members applied to be re-appointed to the Arts, Culture and Heritage committee. No other applications for this committee were received.

A recommendation was made by the two remaining members of the HACH committee (Karen Andrade and Kimmy Roberts) to appoint these three incumbents for another two year term.

The applicants were also presented at the March Parks and Recreation Advisory Board meeting. The advisory board made a motion to recommend the following applicants be reappointed to the Arts, Culture and Heritage committee: Micah Cash, Toni Wheeler Jenschke, and Jitendra Hiremath. The motion passed unanimously.

Recommendation:

Staff recommends approval of the three recommended Committee members.

Fiscal Impact:

None.

Attachments:

1. HACH applications



TOWN OF HARRISBURG ARTS, CULTURE & HERITAGE COMMITTEE

Application for Town of Harrisburg Arts, Culture & Heritage Committee

Town of Harrisburg Parks Arts, Culture & Heritage Committee

The Town of Harrisburg Arts, Culture & Heritage Committee, a sub-committee of the Parks and Recreation Advisory Board, provides a voice, specific for the Arts, Culture and Heritage of the Harrisburg community. The Committee consists of individuals who live in the local region and community and have interest in supporting and preserving programs, events, history & heritage, culture and the arts of Harrisburg. Through monthly meetings, information obtained from the Arts, Culture and Heritage Committee is provided to Harrisburg Parks & Recreation Advisory Board and Town Council to help make informed decisions that support the arts, culture and heritage of the community. The Committee typically meets the 1st Monday of each month at 6pm at Harrisburg Town Hall. To review a complete detail of the Arts, Culture & Heritage Committee Bylaws and its commission, please visit <https://www.harrisburgnc.org/town-government/parks-recreation-advisory-board>.

If you are interested, please complete the form below and return to Town Clerk, Town of Harrisburg, PO Box 100, Harrisburg, NC 28075, or submit via email to jrackley@harrisburgnc.org.

Town of Harrisburg Parks and Recreation Mission

"Dedicated to Making a Great Community"

We are committed to providing safe and inviting parks and facilities, meeting current and future community needs through meaningful and diverse recreational programs, cultural activities and services.

Our staff is responsive, positive and ethical in their dedication to delivering:

- Personal Benefits that develop personal growth, strengthen individual self-esteem, enhance quality of life and offer something for everyone
- Social Benefits that strengthen and bond families and unite and connect people within our evolving diverse community while promoting health lifestyles.
- Economic Benefits and Opportunities that welcome new business, relocation of business and expansion of business which leads to a more productive work force and increased tourism opportunities.
- Environmental Benefits that protect and preserve our historical and cultural heritages, protects and preserves lands and open space maintaining the natural beauties of Harrisburg.

APPLICANT INFORMATION			
Name Jitendra (Jeet) Hiremath		Date 03/011/2021	
Address 7536 Chasewater Drive		Apartment/Unit #	
City Harrisburg	State NC	Zip 28075	
Phone 704/947-3748	Email Address jit.hire@gmail.com		
Are you able to attend regularly scheduled meetings once a month?	YES ☒	NO ☐	
Are you a resident of Cabarrus County?	YES ☒	NO ☐	If so, dates? Sept. 2010
Are you a resident of Harrisburg?	YES ☒	NO ☐	If so, dates? Sept. 2010
Have you ever been convicted of a felony?	YES ☐	NO ☒	If yes, explain?

REFERENCES	
<i>Please list three references.</i>	
Name Mark Curko	Relationship Sensei (Teacher)/ Friend
Company Integrated Martial Arts Academy	Phone (704) 363-6236
Address 3816 Highway 49 South, Harrisburg, NC 28075	
Name Delroy Ross	Relationship Neighbor / Friend
Company	Phone 860 573-4121
Address 7539 Chasewater Drive, Harrisburg, NC 28075	
Name Sridevi Vinnakota	Relationship Colleague
Company Wells Fargo Bank	Phone 704 733-8009
Address Blume, 8462 Rosemary Way, Harrisburg, NC 28075	

EMPLOYMENT	
Company 1 Wells Fargo Bank	Phone 704 590-2444
Address CIC, 1525 West W.T. Harris	City / State Charlotte
Job Title Lead System Associate	
Responsibilities Lead multiple team across multi locations	
Dates	From 2009 To Till Date
Company 2	Phone ()
Address	City / State
Job Title	
Responsibilities	
Dates	From To

EDUCATION	
School Christ College	From 2004 To 2006
Degree Masters	Major Foreign Trade
Additional Information DCSc, BA, MBA, PGD-IB	

ADDITIONAL COMMENTS

Provide a brief statement outlining why you wish to serve on the Arts, Culture & Heritage Committee.

Harrisburg Arts, Culture & Heritage (HACH) committee offer a unique platform to serve our diverse communities and opportunity to explore new ideas to build a strong united community.

Being a sub-committee of the Parks and Recreation Advisory Board, helps represent our communities and vice versa for various activities and initiatives related to Arts, Culture, and Heritage.

Harrisburg is one of the fastest growing township with diverse communities, HACH committee can work closely with Parks and Rec to bring our diverse communities together to share their rich culture, art and traditions.

Connect and learn from like minded members who are passionate to serve our community.

Based on what you know about the Town of Harrisburg Parks & Recreation Arts, Culture & Heritage Committee, what skills and abilities can you provide that will make the Town of Harrisburg Parks & Recreation Arts, Culture & Heritage Committee able serve the community better?

1. Ability to connection with our diverse communities
2. Relationship with our local businesses
3. Relevant Experience
4. Engage and motivate our Youth (Jr. Members)
5. Passion for the cause (Provide platform to Connect, Share & Embrace diverse cultures)
6. Reliable, Responsible, Accountable & Approachable
7. Positive Attitude

Please list any current civic and/or community participation you may be involved with, in the space below. Include any public boards or commissions on which you may have served.

1. Presently serving on Harrisburg Racial Equity Task Force
2. Presently serving on the branch board of Harrisburg YMCA.
3. Harrisburg Arts, Culture & Heritage Committee (HACH), since 2018.
4. Harrisburg Multicultural Festival (HMCF) - Chair
 - Organized the 1st HMCF in 2019
 - Organized the 2nd HMCF 2020 (Virtual).
5. Cabarrus Health Alliance - 'Key Informant' for 2020 Community Needs Assessment
6. Soccer Coach with Harrisburg Parks & Recreation since 2012.
7. Member of 'Diversity of the Globe' at Wells Fargo Bank
8. Volunteer at various Non-Profit Organizations
 - a) Joyful Hearts
 - b) Beyond Creations
 - c) Children Religious Orientation Program (CROP)
 - d) Carolina Kannada Balaga (CKB)
 - e) Charlotte Marathi Mandal (CMM)

DISCLAIMER AND SIGNATURE

I certify that my answers are true and complete to the best of my knowledge.

Jitendra Hiremath

Signature

Date: 03/ 11/ 2021



TOWN OF HARRISBURG ARTS, CULTURE & HERITAGE COMMITTEE

Application for Town of Harrisburg Arts, Culture & Heritage Committee

Town of Harrisburg Parks Arts, Culture & Heritage Committee

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- Social Benefits that strengthen and bond families and unite and connect people within our evolving diverse community while promoting health lifestyles.
- Economic Benefits and Opportunities that welcome new business, relocation of business and expansion of business which leads to a more productive work force and increased tourism opportunities.
- Environmental Benefits that protect and preserve our historical and cultural heritages, protects and preserves lands and open space maintaining the natural beauties of Harrisburg.

APPLICANT INFORMATION			
Name Micah Cash		Date March 11, 2021	
Address 7801 Asheby Drive		Apartment/Unit #	
City Charlotte	State NC	Zip 28213	
Phone (803) 466-3622	Email Address micahcash@gmail.com		
Are you able to attend regularly scheduled meetings once a month?	YES ☒	NO ☐	
Are you a resident of Cabarrus County?	YES ☒	NO ☐	If so, dates?
Are you a resident of Harrisburg?	YES ☒	NO ☐	If so, dates?
Have you ever been convicted of a felony?	YES ☐	NO ☒	If yes, explain?

REFERENCES	
<i>Please list three references.</i>	
Name Leslie Antoniel	Relationship Coworker
Company Charlotte Symphony Orchestra	Phone (704) 714-5139
Address 128 S. Tryon St. Ste 350, Charlotte, NC 28213	
Name Anne Cash	Relationship Spouse
Company	Phone 443) 803-8670
Address 7801 Asheby Drive, Charlotte, NC 28213	
Name Jennifer Garrison	Relationship Co-Director
Company Queen City Zine Fest	Phone 803) 448-3089
Address	

EMPLOYMENT	
Company 1 Charlotte Symphony Orchestra	Phone (704) 714-5108
Address 128 S. Tryon St. Ste 350	City / State Charlotte, NC
Job Title Individual Giving, Senior Manager	
Responsibilities Responsibl for CSO's annual fund, general donor communication and strategy.	
Dates	From 03/2019 To present
Company 2 The Light Factory	Phone (704) 333-9755
Address 1817 Central Avenue	City / State Charlotte, NC
Job Title Director of Exhibitions	
Responsibilities Managed exhibitions, including all logistics and voluneers.	
Dates	From 02/2017 To 03/2019

EDUCATION	
School University of Connecticut	From 2012 To 2014
Degree Master of Fine Art	Major Studio Art
Additional Information	

ADDITIONAL COMMENTS

Provide a brief statement outlining why you wish to serve on the Arts, Culture & Heritage Committee.

I have served one term on the Arts, Culture & Heritage committee and desire to help the group continue to grow Harrisburg's programming and arts community. I am a resident of Harrisburg and remain excited at the growing artistic presence and cultural diversity of the town. I would like to continue volunteering my time and expertise to aid the Parks & Recreation department.

Based on what you know about the Town of Harrisburg Parks & Recreation Arts, Culture & Heritage Committee, what skills and abilities can you provide that will make the Town of Harrisburg Parks & Recreation Arts, Culture & Heritage Committee able serve the community better?

I am a capable leader that understands how to organize community programming. I have experience in team-based environments and have helped plan and implement Harrisburg's Art Walk and Multicultural Festival. As the town grows and programming needs change, my experiences in curatorial work, stakeholder stewardship, and board governance would be an addition to the committee.

Please list any current civic and/or community participation you may be involved with, in the space below. Include any public boards or commissions on which you may have served.

I served one term on current Arts, Culture & Heritage committee. I also serve on the national Board of Directors for the Society for Photographic Education and am on the Executive Committee as Secretary.

DISCLAIMER AND SIGNATURE

I certify that my answers are true and complete to the best of my knowledge.

Signature



Date March 11, 2021

TOWN OF HARRISBURG ARTS, CULTURE & HERITAGE COMMITTEE

Application for Town of Harrisburg Arts, Culture & Heritage Committee

Town of Harrisburg Parks Arts, Culture & Heritage Committee

The Town of Harrisburg Arts, Culture & Heritage Committee, a sub-committee of the Parks and Recreation Advisory Board, provides a voice, specific for the Arts, Culture and Heritage of the Harrisburg community. The Committee consists of individuals who live in the local region and community and have interest in supporting and preserving programs, events, history & heritage, culture and the arts of Harrisburg. Through monthly meetings, information obtained from the Arts, Culture and Heritage Committee is provided to Harrisburg Parks & Recreation Advisory Board and Town Council to help make informed decisions that support the arts, culture and heritage of the community. The Committee typically meets the 1st Monday of each month at 6pm at Harrisburg Town Hall. To review a complete detail of the Arts, Culture & Heritage Committee Bylaws and its commission, please visit <https://www.harrisburgnc.org/town-government/parks-recreation-advisory-board>.

If you are interested, please complete the form below and return to Town Clerk, Town of Harrisburg, PO Box 100, Harrisburg, NC 28075, or submit via email to jrackley@harrisburgnc.org.

Town of Harrisburg Parks and Recreation Mission

"Dedicated to Making a Great Community"

We are committed to providing safe and inviting parks and facilities, meeting current and future community needs through meaningful and diverse recreational programs, cultural activities and services.

Our staff is responsive, positive and ethical in their dedication to delivering:

- Personal Benefits that develop personal growth, strengthen individual self-esteem, enhance quality of life and offer something for everyone
- Social Benefits that strengthen and bond families and unite and connect people within our evolving diverse community while promoting health lifestyles.
- Economic Benefits and Opportunities that welcome new business, relocation of business and expansion of business which leads to a more productive work force and increased tourism opportunities.
- Environmental Benefits that protect and preserve our historical and cultural heritages, protects and preserves lands and open space maintaining the natural beauties of Harrisburg.

APPLICANT INFORMATION				
Name	Toni Wheeler Jenschke		Date	3/3/21
Address	6230 Roseway Court		Apartment/Unit #	
City	Harrisburg NC	State	Zip	28075
Phone	(704) 713 3729	Email Address	toni.wheelerjenschke@gmail.com	
Are you able to attend regularly scheduled meetings once a month?	YES ☒	NO ☐		
Are you a resident of Cabarrus County?	YES ☒	NO ☐	If so, dates?	
Are you a resident of Harrisburg?	YES ☒	NO ☐	If so, dates?	
Have you ever been convicted of a felony?	YES ☐	NO ☒	If yes, explain?	

REFERENCES

Please list three references.

Name	David Henderson	Relationship	pastor
Company	Venture Church	Phone	704 707 6939
Address	4245 Main Street Harrisburg NC 28075		
Name	Nancy Hoffarth	Relationship	friend
Company	retire Cas teacher	Phone	704 526-6117
Address	6000 Creekview Dr Harrisburg NC 28075		
Name	Tami Mulhearn	Relationship	sister
Company	American Airlines	Phone	704 491-6984
Address	301 Bryson Rd Indian Trail NC 28079		

EMPLOYMENT

Company 1	Toni Wheeler denschke	Phone	704 773 3729
Address	6230 Roseway Ct	City / State	Harrisburg NC
Job Title	photographer - landscape / Illustration (logo design)		
Responsibilities	in house logo design / landscape, sports photography		
Dates	From 1995 To current		
Company 2	US Airways	Phone	()
Address	Charlotte, Douglas	City / State	Charlotte, NC
Job Title	flight attendant		
Responsibilities			
Dates	From 98 To 2005 (retired)		

EDUCATION

School	Uncc / Charlotte, NC	Liberty U	From 98-98 To 2004-2008	2010
Degree	BA Education	Med Ed. Education	Major	
Additional Information				

ADDITIONAL COMMENTS

Provide a brief statement outlining why you wish to serve on the Arts, Culture & Heritage Committee.

I would like to continue serving on the HACH Committee, to serve my community in be able to enrich our community through the Arts, also, to be able to have our community grow in its culture diversity that is in Harrisburg, while preserving the integrity of Harrisburg's heritage.

Based on what you know about the Town of Harrisburg Parks & Recreation Arts, Culture & Heritage Committee, what skills and abilities can you provide that will make the Town of Harrisburg Parks & Recreation Arts, Culture & Heritage Committee able serve the community better?

As an artist myself, I believe I can enrich this committee from an artist point of view. And as an avid history buff myself, I have love to research the past and preserve it within our community.

Please list any current civic and/or community participation you may be involved with, in the space below. Include any public boards or commissions on which you may have served.

HACH Committee currently serving
ART Committee of Harrisburg (original committee)
HOA vice president Rocky River Crossing 2 years
HOA member Rocky River Crossing 3 years

DISCLAIMER AND SIGNATURE

I certify that my answers are true and complete to the best of my knowledge.

Signature

Date

3/11/21